

**Minutes of the Planning Committee
9 March 2016**

Present:

Councillor R.A. Smith-Ainsley (Chairman)
Councillor C.M. Frazer (Vice-Chairman)

Councillors:

R.O. Barratt	A.L. Griffiths	O. Rybinski
I.J. Beardsmore	A.T. Jones	R.W. Sider BEM
S.J. Burkmar	A. Neale	H.A. Thomson

Apologies: Apologies were received from Councillor Q.R. Edgington, Councillor N.J. Gething and Councillor V.J. Leighton

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 C.A. Davis	15/01718/FUL and 15/01718/LBC Bridge Street Car Park, Bridge Street, Staines-upon-Thames
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Councillor I.T.E. Harvey	Observed proceedings
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47/16 Minutes

The minutes of the meeting held on 10 February 2016 were approved as a correct record.

48/16 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 R.A. Smith Ainsley, C.M. Frazer, R.O. Barratt, S.J. Burkmar, A.L. Griffiths, A. Neale, O. Rybinski, R.W. Sider BEM and H.A. Thomson reported that they had received correspondence in relation to applications 15/01718/FUL and 15/01718/LBC Bridge Street Car Park, Bridge Street,

Staines-upon-Thames but had maintained an impartial role, had not expressed any views and had kept an open mind.

49/16 15/01718/FUL - Bridge Street Car Park, Bridge Street, Staines-upon-Thames

Description:

Planning application for demolition of existing unlisted car park, sea cadet building, access ramp, deck and steps in Staines Conservation Area and redevelopment of the site to provide buildings ranging from 4 to 12 storeys in height comprising 358 sqm (GIA) ground floor commercial floorspace (Use Class A1/A2/A3) and 205 residential units (Use Class C3), together with ancillary residents gym, associated car parking, open space, landscaping and infrastructure works (15/01718/FUL).

Additional Information:

The Assistant Head of Planning advised the committee of the following additional information:

With reference to paragraphs 8.20 – 8.37 of the Planning Committee report, Section 66 of the 1990 Listed Buildings Act imposes a general duty in the exercise of planning functions that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have “special regard” to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses. Section 72 of the Act has a general duty for conservation areas in the exercise of planning functions in respect of buildings or other land to pay “special attention” to the desirability of preserving or enhancing the character or appearance of that area. Paragraphs 8.20 to 8.37 of the officer report identifies these duties and explains how the ‘special regard’ and ‘special attention’ have been given and it is confirmed that these requirements have been given the due and proper weight in the assessment and balancing of the issues in this application and in the conclusions and recommendation of the report.

The Assistant Head Planning outlined the following amendments to the Committee Report:

Paragraph 8.112

Fifth line down reference to “new tree planting” to be removed.

Last sentence: to continue as – “...*and metal gates*. Whilst the most northerly fourth arch is currently open, it is proposed that this would be sealed at both ends in the same way (the sealing of the eastern end of that archway is not included within the current applications and would be subject of separate applications).”

The Assistant Head of Planning explained that two additional late letters of representation had been received which raised the following points:

- Should be designed to be sympathetic to Thames Edge, including height.
- Daylight and Sunlight assessment of the adjacent Strata building needed.
- Servicing concerns
- Loss of trees

Furthermore, in response to the daylight/sunlight issue raised on behalf of the Strata building, the applicants' consultants advised that there was no numerical guidance expressly for offices. Nevertheless, in this instance they explained that *"there is excellent separation of c.23 m to Strata which is heavily glazed along its very long (54.4m) northern elevation. Given the high level of glazing, separation to Strata and the fact that the proposal does not present a continuous obstruction along the boundary there is not considered to be such specific sensitivity. The space has undergone significant recent refurbishment [and] will be primarily lit by high specification artificial lighting although the perception of daylight and daylight penetration will remain excellent given the very high levels of glazing"*.

In addition she notified the Committee of the serious concerns arising from an expectation that the servicing would be wholly focussed on Bridge Close which had been partly addressed by Surrey County Council now agreeing to a controlled service facility on the north western side of the Staines Bridge approach.

Consultation Responses

A consultation response was received from the Council's Valuation Advisor which raised no objection. The advisor considered that an off-site payment of £5 million would enable Spelthorne Borough Council to achieve a higher level of affordable housing on a separate site which is more appropriate and economical for the type of housing required, i.e. an area of lower value on a scheme with lower build and service charge costs.

The Assistant Head of Planning also explained that a further consultation response had been received from the County Highway Authority which raised no objection to the scheme subject to a number of conditions to be imposed if planning permission was granted

The Head of Planning and Housing Strategy advised the following to the Planning Committee including the context of the Committee's consideration of this item:

"This is a Council owned site - but the role of the Planning Committee (acting on behalf of the Council in its role as LPA) is to approach this application as it would any other.

It is required to have regard to the 'development plan' unless material considerations indicate otherwise. This includes regard to statutory duties including toward listed buildings, conservation areas and protected species.

Such an approach requires:

- *an objective consideration of all the issues*
- *all of the issues for and against to be carefully weighed*
- *conclusions reached having regard to all the issues*

Our conclusions and recommendation follow that approach.

It is:

- *allocated for housing and provides that*
- *high quality development in design terms*
- *substantial positive contribution to its immediate locality and gateway to Staines town centre*

Having weighed all the issues both for and against the officer recommendation is to approve.”

Amended Conditions

The Assistant Head of Planning recommended the following amendments to conditions as follows:

Condition 1

Excepting demolition works; site clearance; ground investigations; site survey works; temporary access construction works; access and highway works; construction of any landfill gas works; archaeological investigation; and erection of any fences and hoardings around the development, no development shall take place until a Section 106 Agreement is entered into so as to bind the land as shown edged in red ink on drawing number A10875/F 0002 Rev. P2 received 22 December 2015 and to secure: -

- (a) Payment of an affordable housing contribution of £5,000,000 (£5 million).
- (b) Payment of a travel plan audit fee of £6,150.
- (c) Provision of two car club vehicles, with all costs associated with the provision of the vehicles including provision of parking space being met by the developer.
- (d) Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
- (e) Provision of one year free membership of the car club for the first occupants of each of the proposed residential units
- (f) Provision of one £50 sustainable travel voucher per household (equates to £10,250 for the 205 proposed residential units) which can be

spent on either public transport tickets or towards a bicycle. If part or all of the £10,250 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle, it shall be reinvested into other non-private vehicle modes of transport use.

Reason: The above condition is required to secure the off-site affordable housing contribution and sustainable travel measures.

Condition 3

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

A10875/D0300 Rev. P1; /D0302 Rev. P1; /D0303 Rev. P1; /D0304 Rev. P1; /D0501 Rev. P1; /D0503 Rev. P1 received 22 December 2015.

A10875/F0001 Rev. P2; /F0002 Rev. P2; /F0200 Rev. P1; /F0201 Rev. P1; /F0202 Rev. P1; /F0203 Rev. P1 received 22 December 2015.

A10875/D0700 Rev. P1; /D0701 Rev. P1; /D0703 Rev. P2, and Proposed Sectional Elevation of A10875/D0702 Rev. P1 received 27 January 2016.

A10875/D0200 Rev. P2; /D0201 Rev. P2; /D0202 Rev. P2; /D0203 Rev. P2; /D0301 Rev. P2; /S0305 Rev. P2; /D0502 Rev. P2 received 15 February 2016.

A10875/D0099 Rev. P3; /D0100 Rev. P4; /D0101 Rev. P3; /D0102 Rev. P3; /D0103 Rev. P3; /D0104 Rev. P3; /D0105 Rev. P3; /D0106 Rev. P3; /D0107 Rev. P3; /D0108 Rev. P3; /D0109 Rev. P3; /D0110 Rev. P3; /D0111 Rev. P3; /D0112 Rev. P3 received 29 February 2016.

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

Condition 4

Before the commencement of the construction of the buildings hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and other external surfaces of the development be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

Condition 8

Before the commencement of the construction of the buildings hereby approved a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The drainage scheme shall be implemented in accordance with the agreed details.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Condition 14

That within 3 months of the commencement of the construction of the buildings, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelt Horne Borough Core Strategy and Policies Development Plan Document 2009.

Condition 19

Prior to the commencement of the construction of the development, details of the proposed maintenance regimes for each of the Sustainable Drainage System (SuDS) elements and confirmation of who will own and maintain these features must be submitted to and approved by the local planning authority and thereafter maintained in accordance with the approved details.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

Condition 25

Any plant installed in association with the proposed development shall be at least 5dB(A) below the background noise at the nearest noise sensitive property as assessed using the guidance contained within BS4142 (2014).

Reason:- To safeguard the amenity of neighbouring properties.

Condition 32

Before the commencement of the construction of the buildings a method statement detailing dust suppression, measures to minimise noise, and mitigation measures during construction shall be submitted to and approved by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details and thereafter maintained.

Reason:- To safeguard the amenity of adjoining neighbouring properties against noise and dust nuisance.

Condition 39

Notwithstanding the submitted Travel Plan prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

Condition 40

The development shall not be occupied until the proposed cycle route along the Bridge Street site frontage to its junction with Bridge Close has been provided in accordance with the approved plans.

Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF.

Condition 41

Notwithstanding the approved plans in Condition 3, the development shall not be occupied and no service bays laid out at the site until a Servicing Management Strategy with associated plans for both the commercial and residential (including the gym) uses is submitted to and approved in writing by the Local Planning Authority. The Service Management Strategy shall demonstrate that there will be no adverse impact on highway and pedestrian safety, that there is adequate capacity, and include measures to prevent unauthorised use of such service bays and any unauthorised use of service/delivery vehicles outside of agreed bays. The Servicing Management Strategy shall include:

- (a) Appropriate location, size, design of servicing bays
- (b) Hours of use of the service bays
- (c) Management of such provision having regard to competing service requirements from local authority and other refuse collection.

The development shall not be occupied until the agreed measures in the Service Management Strategy have been fully implemented, and shall be permanently maintained as approved.

Reason: To ensure that a satisfactory service management strategy is implemented on the site in the interest of highway safety.

Public Speaking:

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

- The proposal is too large and is out of scale.
- Adverse impact on the Conservation Area and conflicts with the Council's duty of care.
- Flats/ dwellings are small and not adequate for young families.
- Concern over materials.
- Design not of a high quality.
- No affordable housing on site – does not meet Council's housing needs.
- Inadequate parking provision.
- Noise concerns.
- Poor air quality.
- Overlooking issues.
- Concern over delivery vans to site and traffic concerns.
- Site should not be in Church Street CPZ.
- Existing disabled parking should be replaced.
- No children's play space provided and instead suggest conversion of resident's gym to play area.
- Lammas was no substitute for children play area.
- Suggested a number of conditions if the Committee was minded to approve:
 - Thames path not to have a gravel surface
 - Needs decent and adequate seating
 - existing disabled parking spaces on site should be provided elsewhere in the town to ensure disability needs are properly met

In accordance with the Council's procedure for speaking at meetings, James McConnell spoke for the proposal raising the following key points:

- Important scheme for the town.
- Will attract high level public transport.
- All technical details have been submitted.
- Tall building will provide a new gateway to the town centre.
- Have involved Historic England and Design South East and they have endorsed the proposal.
- Two public consultations have taken place to allow residents to provide comments on the design.
- The scheme has attracted a wide range of views.
- Will act as a catalyst for further development in Staines-upon-Thames Town Centre.

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

- This proposal is not the only solution for the site.
- The site needs an iconic/ landmark building which this scheme does not provide.

- Proposal is a disaster, especially in terms of car parking provision.
- Thames Edge provides a better solution and is an example of what can be done.
- The design is not aspirational. The fact it replaces an ugly car park does not make it acceptable.
- Something in keeping with the river would be preferable. This proposal ignores the presence of the river.
- Too many units are proposed.
- Value of the site has gone up (although this is not a planning consideration).
- Providing social housing elsewhere in the Borough is acceptable.

Debate:

During the debate the following key issues were raised:

- A large affordable housing sum of £5 million will deliver 40-107 housing units.
- Elliptical tower is slender, made from quality materials with fine details.
- The Council has sought expert advice and it will provide a landmark gateway.
- The proposal is the type of development seen in Paddington Basin.
- Need to be more realistic about car needs – need to encourage better provision of shared cars.
- Lack of evidence to justify the minimal parking provision.
- Building is too big.
- Inadequate open space for children.
- Is a “rubbish development”.
- The £5 million will not provide 107 affordable units; only 40 will be obtained.
- Impact on neighbouring developments and loss of sunlight.
- Size of development is out of character.
- Concerns over development in the flood zone.
- Lack of parking on site.
- Supports regeneration of town.
- Building is like the Shard in terms of size.
- Concerns that the dwellings could be below minimum standards.
- Does not enhance Staines Town Centre Conservation Area.
- Buildings are too close together.
- Incompatible with the area.
- Impact of tower on Thames Edge – loss of daylight.
- No amenity space.
- Tower will provide an unbalanced gateway.
- Concerns over adequate lighting, particularly on public walkways.
- Inadequate public transport to other parts of Surrey; provision only good to London and the South West.
- Will meet housing needs.
- Opens up the bridge.
- Transport links are good in the area.
- High quality development.

In accordance with Standing Order 22.2 there was an equal number of votes for and against the application and therefore the Chairman used his Casting Vote.

Decision:

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following amendments to conditions:

Condition 1

Excepting demolition works; site clearance; ground investigations; site survey works; temporary access construction works; access and highway works; construction of any landfill gas works; archaeological investigation; and erection of any fences and hoardings around the development, no development shall take place until a Section 106 Agreement is entered into so as to bind the land as shown edged in red ink on drawing number A10875/F 0002 Rev. P2 received 22 December 2015 and to secure: -

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Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

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Reason:- To safeguard the amenity of neighbouring properties.

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Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF.

Condition 41

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- a) Appropriate location, size, design of servicing bays
- b) Hours of use of the service bays
- c) Management of such provision having regard to competing service requirements from local authority and other refuse collection.

The development shall not be occupied until the agreed measures in the Service Management Strategy have been fully implemented, and shall be permanently maintained as approved.

Reason: To ensure that a satisfactory service management strategy is implemented on the site in the interest of highway safety.

50/16 15/01718/LBC - Bridge Street Car Park, Bridge Street, Staines-upon-Thames

Description:

Listing Building Consent application for minor alterations and works to Grade II Listed Staines Bridge in association with the redevelopment of the adjacent Bridge Street Car Park (15/01718/LBC).

Additional Information:

The Assistant Head of Planning informed the committee of the following amendments to conditions:

Amended Condition

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

A10875/D0300 Rev. P1; /D0302 Rev. P1; /D0303 Rev. P1; /D0304 Rev. P1; /D0501 Rev. P1; /D0503 Rev. P1 received 22 December 2015.

A10875/F0001 Rev. P2; /F0002 Rev. P2; /F0200 Rev. P1; /F0201 Rev. P1; /F0202 Rev. P1; /F0203 Rev. P1 received 22 December 2015.

A10875/D0700 Rev. P1; /D0701 Rev. P1; /D0703 Rev. P2, and Proposed Sectional Elevation of A10875/D0702 Rev. P1 received 27 January 2016.

A10875/D0200 Rev. P2; /D0201 Rev. P2; /D0202 Rev. P2; /D0203 Rev. P2; /D0301 Rev. P2; /S0305 Rev. P2; /D0502 Rev. P2 received 15 February 2016.

A10875/D0099 Rev. P3; /D0100 Rev. P4; /D0101 Rev. P3; /D0102 Rev. P3; /D0103 Rev. P3; /D0104 Rev. P3; /D0105 Rev. P3; /D0106 Rev. P3; /D0107 Rev. P3; /D0108 Rev. P3; /D0109 Rev. P3; /D0110 Rev. P3; /D0111 Rev. P3; /D0112 Rev. P3 received 29 February 2016.

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

Public Speaking:

There was no public speaking in relation to this item.

Debate:

There was no debate on this item.

Decision:

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following amendment to condition:

Amended Condition

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

A10875/D0300 Rev. P1; /D0302 Rev. P1; /D0303 Rev. P1; /D0304 Rev. P1; /D0501 Rev. P1; /D0503 Rev. P1 received 22 December 2015.

A10875/F0001 Rev. P2; /F0002 Rev. P2; /F0200 Rev. P1; /F0201 Rev. P1; /F0202 Rev. P1; /F0203 Rev. P1 received 22 December 2015.

A10875/D0700 Rev. P1; /D0701 Rev. P1; /D0703 Rev. P2, and Proposed Sectional Elevation of A10875/D0702 Rev. P1 received 27 January 2016.

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A10875/D0099 Rev. P3; /D0100 Rev. P4; /D0101 Rev. P3; /D0102 Rev. P3; /D0103 Rev. P3; /D0104 Rev. P3; /D0105 Rev. P3; /D0106 Rev. P3; /D0107 Rev. P3; /D0108 Rev. P3; /D0109 Rev. P3; /D0110 Rev. P3; /D0111 Rev. P3; /D0112 Rev. P3 received 29 February 2016.

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

51/16 15/00173/FUL - Land adjacent to Revelstoke, Towpath, Shepperton, TW17 9LL

Description:

Change of use of part of land from vegetable / garden patch to a 16 space car park for residents of Pharaoh's Island with associated boundary treatment, landscaping and access.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- Very special circumstances apply; the cars will be removed from the road
- Proposal will be a positive enhancement and improvement to the towpath

Decision:

That the application be **approved**, subject to conditions as set out in the report of the Head of Planning and Housing Strategy.

52/16 16/00091/CPD - 44 Chaucer Road, Ashford, TW15 2QT

Description:

Certificate of Proposed Development for the creation of a rear dormer and installation of rooflights in front roof slope.

Additional Information:

There was none.

Public Speaking:

There was no public speaking.

Debate:

There was no debate.

Decision:

That the Lawful Development Certificate be **approved** subject to the conditions set out in the report of the Head of Planning and Housing Strategy.

53/16 Standard 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 Head of Planning and Housing Strategy.

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