

**Minutes of the Planning Committee
8 February 2017**

Present:

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

Councillors:

R.O. Barratt	S.M. Doran	A.T. Jones
I.J. Beardsmore	M.P.C. Francis	R.W. Sider BEM
J.R. Boughtflower	C.M. Frazer	
R. Chandler	N.J. Gething	

Apologies: Apologies were received from Councillor A.C. Harman 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.

308/16 Minutes

The minutes of the meeting held on 14 December 2016 were approved as a correct record.

309/16 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, H.A. Thomson, R.O. Barratt, R. Chandler, S. Doran, M.P.C. Francis, C.Frazer and R.W. Sider BEM, reported that they had received correspondence in relation to application 16/00972/FUL - Former Brooklands College, Church Road, Ashford, TW15 2XD - but had maintained an impartial role, had not expressed any views and had kept an open mind. Councillor N. Gething reported that he had also received correspondence in relation to application 16/00972/FUL and had previously expressed his views in public but had kept an open mind.

Councillors R.A. Smith Ainsley, R.O. Barratt, R. Chandler, M.P.C. Francis, N. Gething and R.W. Sider BEM, reported that they had received correspondence in relation to application 16/01934/HOU - Ambleside, Penton Hall Drive, Staines-Upon-Thames - but had maintained an impartial role, had not expressed any views and had kept an open mind.

310/16 16/00972/FUL - Former Brooklands College, Church Road, Ashford, TW15 2XD

Description:

The demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings, 619 square metres of flexible commercial floor space and 442 square metres of educational floor space. The application also includes the provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.

Additional Information:

The Assistant Head of Planning (Development Management) reported that 7 late letters of representation had been received. Most of the issues raised were already covered in the report however the following additional issues included:

- Strong concerns regarding the assessment and formal response from the County Highway Authority
- Loss of amenity to 49 Meadway
- Concern about the future maintenance of the existing trees
- Concern about the future boundary fencing separating the new public open space and the properties in Village Way

With regard to Bullet Point 1, a copy of the letter was forwarded to the County Highway Engineer, who responded with an email which set out why he continued to consider the proposal to be acceptable.

With regard to Bullet Point 2, it was recommended that an additional condition be imposed requiring the installation of privacy screens to prevent overlooking in relation to the neighbouring property.

With regard to Bullet Point 3, the proposed Section 106 Agreement together with Condition 39 (future tree surgery) will ensure that the existing trees are maintained to a satisfactory manner. However, it was also recommended that an additional condition should be imposed, requiring a landscape management plan to be submitted for approval.

With regard to Bullet Point 4, it was recommended that a condition be imposed requiring details of boundary treatment to be submitted for approval.

The Assistant Head of Planning (Development Management) advised of the following corrections to the Officer's Report:

1. Paragraph 3.15: The total amount of private amenity space (*not including balconies*) for residents is some ~~6,386 sqm~~ 0.66 hectares.
2. Paragraph 3.16: The proposal will provide public space of some ~~19,473 sqm~~ 1.29 hectares in total
3. Page 37 third paragraph: The total on-site parking provision represents a shortfall of ~~120~~ 128 parking spaces

The Assistant Head of Planning (Development Management) also reported that a consultation response had been received from the Victorian Society raising objection to the proposal and recommending refusal on the loss of the school building on the grounds of the unjustified loss of an historic building which would harm the character of the local area and deprive it of an heritage asset of high local importance. A consultation response had also been received from the Council's Historic Advisor which raised no objection to the loss of the school building.

The Assistant Head of Planning (Development Management) also reported the following additional conditions:

Condition 46

Prior to the construction of the buildings hereby approved details of privacy screens to be installed on the roof terraces of 3rd floor Unit A2.3.13 and fourth floor Unit A2.4.10 shall be submitted to and approved in writing by the Local Planning Authority. The agreed privacy screens shall be installed prior to the occupation of the Units and thereafter retained as approved.

Reason

To safeguard the amenity of neighbouring properties.

Condition 47

Before the first occupation of any part of the development, a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:

To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

Condition 48

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and 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 Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

Condition 49

The public open space and children's playground hereby approved shall be made permanently available and accessible to members of the public during the following times, unless otherwise agreed in writing by the Local Planning Authority:

- 08.00 to 16.00 hours November, December and January
- 08.00 to 17.00 hours February
- 08.00 to 18.00 hours October and March
- 08.00 to 20.00 hours April, May, June and July
- 08.00 to 20.00 hours August
- 08.00 to 19.00 hours September

Reason

To ensure that the public open space and playground is made permanently available to the public.

In respect of the above condition, the Assistant Head of Planning (Development Management) advised that the opening hours in the proposed legal agreement, referred to as Head of Term point 2 on pages 44 and 45 of the Officer's report were now to be provided as the above condition and would be slightly modified.

Condition 50

Prior to the construction of the buildings details of all street furniture to be installed on the site together with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The street furniture shall be carried out in accordance with the agreed details and timetable.

Reason

To ensure that a satisfactory level and quality of street furniture is provided on the site.

The Assistant Head of Planning (Development Management) also reported the following amended condition:

Condition 41

Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for storing a minimum of 378 bicycles in a secure, covered and accessible location. The scheme shall include the provision of at least 1 disabled parking space within the

public car park. Thereafter the parking areas shall be retained and maintained for their designated purpose.

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.

The Assistant Head of Planning (Development Management) also reported the following clarification on the Officer's recommendation:

- 9.1 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, refer to the Secretary of State with a recommendation to APPROVE subject to the following:
- 9.2 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:
 1. To provide at least 52 affordable housing units on site built in accordance with current Homes and Communities Agency Scheme Development Standards, the details of which shall be agreed with The Council's Head of Planning Services and Housing Strategy.
 - The split of the type of affordable housing shall be at least 34 for affordable rent and at least 18 for shared ownership.
 - Prior to implementation the Registered Social Landlord (RSL) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
 - Build and complete the affordable units and hand over to the Registered Social Landlord for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.

That the affordable housing viability assessment be reviewed on an open book basis in the event that the scheme was not substantially commenced within 18 months of planning permission being granted.
 2. To secure public access and maintenance of the public open space, the Local Equipped Area of Play (LEAP), the Pocket Park and the Town Square, details to be agreed with the Local Planning Authority.

3. To secure public access and maintenance of the 25 no. Public Parking spaces, the details of which including charging, terms of use and management arrangements should be commensurate with other public car parks in the Borough.
4. To provide the following sustainable transport financial payments and measures:
 - (a) Payment of a travel plan audit fee of £6,150
 - (b) Provision of two car club vehicles for a minimum of two years, with all costs associated with the provision of the vehicles including provision of parking spaces being met by the developer.
 - (c) Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
 - (d) Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.
 - (e) Provision of one £50 sustainable travel voucher per household (equates to £18,300 for the 366 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £18,300 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 vehicles modes of transport.

In the event that the Section 106 Agreement is not completed

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Assistant Head of Planning (Development Management) in consultation with the Chairman of the Planning Committee the following: -

REFUSE the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.
- 2) The proposal does not provide a satisfactory level of public access to the proposed open space, contrary to Policy EN4 of the Core Strategy and Policies DPD 2009
- 3) The proposal fails to provide sustainable transport measures and is therefore contrary to Policy CC2 of the Core Strategy and Policies DPD 2009.

- 9.3 (B) In the event that the S106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the conditions and informatives set out on pages 45 to 59 (inclusive) of the Officers' report

together with the additional and amended conditions already referred to above.

Public Speaking:

In accordance with the Council's public speaking procedures, Stuart Webster spoke against the proposed development and raised the following key points:

- Inadequate car parking
- Traffic congestion
- Will lead to on street parking
- No provision for commercial vehicles used by home occupiers

In accordance with the Council's public speaking procedures, Margaret Dobbie spoke against the proposal raising the following key points:

- Impact on local amenity
- Scale/height of proposal
- Traffic circulation
- Impact on education
- Impact on health facilities
- Inadequate parking
- Overlooking/loss of privacy
- Renewable energy concerns

In accordance with the Council's public speaking procedures, Simon Slatford spoke for the proposal raising the following key points:

- Applicant fully engaged with officers at pre-application stage
- Public square and shops will improve vitality for the local area
- Open up area of private open space to local people
- Well received at pre-application consultation
- New homes are needed
- In a sustainable location
- Supported by the National Planning Policy Framework and Development Plan
- Have provided a maximum amount of affordable housing
- Parking and height issues covered in officer's report.

In accordance with the Council's public speaking procedures, Mark Gilpin spoke for the proposal raising the following key points

- Two years of consultation
- Benefits of regeneration
- Extensive pre-application with officers
- Two public exhibitions
- Scheme amended according to local concerns
- Public open space will be managed

- 366 residential units located in heart of town; will improve vitality of town centre
- Quality scheme

In accordance with the Council's procedure for speaking at meetings, Councillor Naz Islam spoke as Ward Councillor against the proposal raising the following key points

- Concern over height
- Concern over number of units
- Vehicle traffic
- Will change the nature of Ashford Town Centre
- Impact on health facilities

Debate:

During the debate the following key issues were raised:

- Urban open space is not accessible to the public. Proposal will allow considerable access
- Meets Council policies
- There is a need for small dwellings
- Loss of sports field not an issue due to no demand
- Transport improvements with Heathrow
- There is a need to reduce car ownership
- Design concerns
- Change in character of the town
- Concern over vehicle movements
- Not a satisfactory level of public access to the open space
- Parking shortfall
- Inadequate affordable housing
- Overdevelopment of the site
- Proposal is incompatible with the transport infrastructure
- Loss of school building – objection from the Victorian Society
- Queries over car club
- Need for housing
- Too many dwellings proposed
- Concern over height of buildings
- Transport concerns – transport links not well developed
- Less cars will lead to less pollution
- Need electrical charging points for cars
- Need for additional education and medical facilities
- Density concerns
- Not sustainable

The Assistant Head of Planning (Development Management) referred to the Government's White Paper, "Fixing our broken housing market" which had been published on the 7 February 2017. She specifically mentioned the section "Using land more efficiently for development" – 1.51 and the

aim of avoiding building homes at low densities, addressing the particular scope for high density housing in urban locations and ensuring that the density and form of development reflects the character, accessibility and infrastructure capacity of an area. The Assistant Head of Planning (Development Management) advised that it was early days but the Government was proposing to amend the National Planning Policy Framework to reflect these matters.

In accordance with Standing Order 5.1 the Committee, having sat for three hours, **RESOLVED** to continue the meeting and complete the remaining business on the agenda.

Decision:

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

- 1. The proposed development, by reason of the height, scale, proportions and design, fails to respect and make a positive contribution to the street scene and is out of character with the surrounding area, contrary to policy EN1(a) of the Spelthorne Core Strategy and Policies DPD, 2009.**
- 2. The density of the proposed development is excessive and will result in an overdevelopment of the site, out of character with the surrounding area, contrary to policy HO5 of the Spelthorne Core Strategy and Policies DPD, 2009.**
- 3. The proposal fails to comply with the Council's parking standards, resulting in unacceptable traffic congestion, contrary to policy CC3 of the Spelthorne Core Strategy and Policies DPD, 2009.**

Councillor R.W. Sider BEM was not present for the remaining items on the agenda.

311/16 16/02045/FUL - Churchill Hall. Churchill Way, Sunbury-on-Thames, TW16 7RY

Description:

The demolition of Churchill Hall and its replacement with 3 no. two storey terraced dwellings with car parking and amenity space.

Additional Information:

The Assistant Head of Planning (Development Management) reported that a consultation response had been received from the Council's Tree Officer which raised no objection to the loss of an existing tree on the site.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Loralie Hankin spoke against the application and raised the following key points:

- Elderly people living nearby would be affected by noise from children
- Car parking concerns
- Footway concerns

The Chairman used his discretion and permitted Councillor Ian Harvey to speak as Leader of the Council in favour of the application and he raised the following key points:

- The building is disused
- The dwellings will be let as affordable houses by the Council

Debate:

During the debate the following key issues were raised:

- The building is not in use
- Traffic problems
- Detrimental to the street scene
- Chronic problems with the traffic system

Decision:

The application was **approved** as per the agenda.

312/16 16/01900/FUL - 381-385 Staines Road West, Ashford, TW15 1RH

Description:

The demolition of existing buildings and the erection of 12 residential units, all with associated parking, amenity space and landscaping.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issue was raised:

- The proposal would not adversely impact on the surrounding properties

Decision:

The application was **approved** as per the agenda.

313/16 16/01934/HOU - Ambleside, Penton Hall Drive, Staines-Upon-Thames, TW18 2HP

Description:

The conversion of a loft to form habitable space and associated alterations.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Kevin Turner spoke for the application and raised the following key points:

- Proposal complies with policy guidance
- No overshadowing

The Chairman read out correspondence from Councillor Edgington who had called the application in for the Committee to determine. The points raised were:

- Overdevelopment
- Loss of light on adjoining properties
- Impact in terms of visibility on adjoining properties

Debate:

During the debate the following key issue was raised:

- Application complies with planning guidance

Decision:

The application was **approved** as per the agenda.

314/16 16/00305/UNDEV - 2 Wolsey Road, Ashford, TW15 2RB

Description:

The unauthorised erection of a building for use as a dwelling at the end of the rear garden.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Emma Andrews spoke in support of the enforcement action and raised the following key point:

- The property will be used as a House of Multiple Occupation

Debate:

During the debate the following key issues were raised:

- The site is an on-going problem
- Concerns over possible House of Multiple Occupation at the site
- Action should be taken quickly

Decision:

Agreed that enforcement action should be taken as per the agenda subject to the time for compliance being amended from 6 months to 3 months.

315/16 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 Assistant Head of Planning and Housing Strategy.

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

316/16 Urgent Items

There were none.