

**Minutes of the Planning Committee
19 October 2022**

Present:

Councillor N.J. Gething (Chairman)
Councillor M. Gibson (Vice-Chairman)

Councillors:

R.O. Barratt	S. Buttar	R.W. Sider BEM
C. Bateson	R. Chandler	B.B. Spoor
M. Beecher	K. Howkins	J. Vinson

Apologies: Apologies were received from Councillor O. Rybinski and Councillor S.J Whitmore

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.

53/22 Minutes

The minutes of the meeting held on 21 September 2022 were approved as a correct record.

54/22 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

Councillor Bateson and Councillor Vinson reported that they had received correspondence in relation to application 22/01017/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Beecher, Councillor Sider and Councillor Howkins reported they had visited the site.

Councillor Mooney was attending as Ward Councillor and reported that she had received communications on application 22/01017/FUL and was speaking on behalf of residents.

55/22 Planning application 22/01017/FUL - 31 Worple Road, Staines-upon-Thames

Description:

Erection of a single storey rear infill extension and change of use of existing dwelling (C3) to 7 bedroom House of Multiple Occupancy (HMO) (Sui Generis) with shared kitchen and dining room, associated parking and amenity space.

Additional Information:

1. Update to Committee report: Paragraph 5.1 – The Council has received 8 **10** letters of objection and 1 letter of representation. The two additional letters have been received from the same person that has already written in.
2. Since the report has been written 4 more letters of objections have been received, most of the comments received are covered in the report. However, the following issues are not already covered in the report:
 - In terms of the issue relating to highway safety, the County Highways Authority has already considered the impact of the proposed development on the adjacent highway and raised no objection.
 - In terms of procedural queries we are satisfied all procedures have been followed.
 - With the comments made on National Design Guide the design of the single storey rear extension already has planning permission.
 - With comments made restricting future occupants to parking permits, the Council does not have a policy for this, and this is not considered to be reasonable or necessary for this scheme.
 - Equality Act has been considered in paragraph 6.22 in the Officers report

Public Speaking:

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

- A 7 person HMO was not permitted development in a residential area
- The development would not be a positive contribution to the street scene or character of the area

- There had been incidents between the police and previous tenants on the property under the current owner's management
- There were not enough parking spaces for 7 occupants which could lead to road safety issues
- Two trees in front of the property had been cut down
- A large number of occupants would lead to an increase in noise and privacy concerns for neighbours
- Removing a large family home from the housing market would contribute to the shortage of large family homes.
- There are already a number of HMO's in the area

In accordance with the Council's procedure for speaking at meetings, Councillor Chris Bateson spoke as Ward Councillor regarding his calling-in of the application raising the following key points:

- The property had a turbulent history with a significant turnover of tenants
- Incidents of anti-social behaviour and drugs had been commonplace on property
- Neighbouring residents are unable to relax in their gardens due to noise and odours from the property
- Approval would allow up to 13 people to reside at the address
- Development would be out-of-keeping with surrounding residential environment
- Parking would be an issue and would create safety issues on the road
- Two trees had been cut down without a request

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

- 39 residents had come together to sign a statement regarding their disapproval of the application
- Proposal is over-development with potentially 13 people residing on the property
- The living space is inadequate for the number of proposed residents
- There would not be enough parking for the number of proposed residents
- Proximity of the property to a junction and road safety features would create an issue entering and exiting the property
- There had been a significant amount of local objection

Debate:

During the debate the following key issues were raised:

- Anti-social behaviour was not a planning matter
- Current planning policies and planning law supported the application

- The proposal could be approved as permitted development with six occupants
- How the number of occupants could be monitored
- Permission had already been given for the development of two flats on the site
- Surrey County Council Highways had not objected on the grounds of parking
- Increasing the number of residents on the property would increase the incidents of anti-social behaviour
- Shared communal space was not sufficient for the number of proposed residents
- There was not adequate public transport on Worple Road
- Neighbours have a right to enjoy their homes and gardens peacefully
- Both the personal and communal room sizes were small for the amount of occupants
- Although permission would not be given for more than 7 individuals to occupy the property, it would be difficult to enforce
- There had been an unlawful removal of trees on the property
- There were 8 bathrooms presented in the property plans despite restrictions for 7 residents
- Parking would have an impact on neighbouring properties
- There would be a loss of privacy to neighbouring residents
- A large number of people sharing such a small space may lead to trouble and mental health problems for the residents
- Individuals have a right to peaceful existence
- The bulkiness of the property would have an impact on the street scene
- If residents on the property had regular visitors, there would be more people residing on the property although it would be technically limited to 7 individuals.
- Visitors to the property may lead to anti-social behaviour
- The extra bathroom was not a planning matter for consideration
- There would be significant noise intrusion on neighbouring residents

A recorded vote was requested by Councillors Barratt and Vinson. The Committee voted on this application as follows:

For (1)	N. Gething
Against (10)	R. Barratt, C. Bateson, M. Beecher, S. Buttar, R. Chandler, J. Doran, K. Howkins, R. W. Sider BEM, B. Spoor, J. Vinson
Abstain (1)	M. Gibson

The motion to approve the application FELL.

The meeting adjourned at 20:24.

The meeting reconvened at 20:59.

It was proposed by Councillor R Barratt, seconded by Councillor Sider that the application be refused as the proposal failed to provide a high standard in the design and layout of the new development and therefore did not achieve a satisfactory relationship with neighbouring properties, and, by virtue of the number of proposed occupants, it would be an unneighbourly proposal resulting in an unacceptable level of activity, noise, and disturbance to the surrounding residential properties, contrary to policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD, 2009.

The voting was as follows:

For: 12

Against: 0

Abstain: 0

Decision:

The application was **refused** for the following reasons:

The proposal fails to provide a high standard in the design and layout of the new development and therefore does not achieve a satisfactory relationship with neighbouring properties, and, by virtue of the number of proposed occupants, it would be an unneighbourly proposal resulting in an unacceptable level of activity, noise and disturbance to surrounding residential properties, contrary to policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD, 2009.

56/22 Housing Delivery Test Action Plan 2022

The Committee received a report from the Planning Development Manager and Principal Planning Officer on the Housing Delivery Test Action Plan 2022. The Environment and Sustainability Committee had agreed the plan at their meeting in September.

The Housing Delivery Test Action Plan arose from the Housing Delivery Test required by the government that assessed the authority's housing delivery against the housing requirement. As Spelthorne scored 69%, an action plan was required. The report outlined central causes for under delivery, what the Council was currently doing to address the under delivery and further actions it could take going forward.

The Committee confirmed that the pandemic had been included in the report as a reason for housing under delivery.

The Committee **resolved** to note the Housing Delivery Test Action Plan 2022.

57/22 Major Planning Applications

The Planning Development Manager submitted a report outlining major applications that may be brought before the Planning Committee for determination.

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

58/22 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.