

**Minutes of the Planning Committee
8 January 2025**

Present:

Councillor D.L. Geraci (Vice-Chair)

Councillors:

C. Bateson	R. Chandler	L. E. Nichols
M. Beecher	D.C. Clarke	K.E. Rutherford
T. Burrell	K. Howkins	P.N. Woodward
J. Button	M.J. Lee	

Substitutions: Councillors S.A. Dunn (In place of M. Gibson)

Apologies: Councillors S.N. Beatty and M. Gibson

1/25 Minutes

The minutes of the meeting held on 10 December 2024 were approved as a correct record.

2/25 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 Bateson, Burrell, Geraci, Nichols and Rutherford reported that they had received correspondence in relation to application 24/01268/RVC but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors Geraci and Nichols reported that there had been conversations between Councillors in relation to application 24/01434/FUL in the Climate Change Working Group but they had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Rutherford reported that they had visited the site in relation to application 24/01434/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

3/25 Planning application - 24/01268/RVC Development Site at Former the Old Telephone Exchange, Elmsleigh Road, Staines-upon-Thames, TW18 4PN

Description:

Variation of Condition 2 (plan numbers) relating to planning permission 20/01199/FUL for the demolition of the former Masonic Hall and redevelopment of site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works. To update the approved plans to remove reference to Affordable Housing.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Jonathan Millership, Director of Affordable Housing for Fairview New Homes, spoke for the proposed development raising the following key points:

- Fairview Homes were experiencing severe difficulties in delivering onsite affordable housing units
- In June 2024, 81 registered providers were approached, 21 of which responded, all of which declined the opportunity to purchase the units.
- A lack of appetite from Registered Providers for high-rise buildings
- A general lack of appetite for developer led Section 106 schemes.
- Independent Financial Viability surveyors acting for the Council have agreed the value of the proposed financial contribution.

Debate:

During the debate the following key issues were raised:

- Concern that the promise of affordable housing was added to the scheme solely to get planning permission.
- That the developer should be compelled to provide the affordable units.
- Concern over what would happen if the proposal was rejected. The Committee were advised that the applicant would be able to appeal the decision and could also put in a proposal for a lower financial contribution.

It was proposed by Councillor Nichols, seconded by Councillor Beecher, to defer the decision on this application until the next meeting to allow time to discuss alternative provision with RentPlus.

- The Chair asked Jonathan Millership, whether they would be open to the decision being deferred. Jonathan Millership stated that they would not.
- The Committee advised that they felt RentPlus were a registered provider and presented a viable alternative. The Committee were informed that officers had engaged in significant talks with RentPlus and had decided they would not meet the Section 106 requirements in terms of meeting the Council's housing needs.
- The Committee acknowledged that there was a meeting between Councillors and RentPlus scheduled for 14 January 2025.
- The Chair invited Matt Caladine, Development Director for Fairview New Homes, to comment on the proposed motion. Matt Caladine stated that significant time had been spent working on alternative solutions and could not see what benefit a deferral would have. Matt Caladine reiterated that RentPlus were deemed not suitable to satisfy the Section 106 requirements.

The Committee voted on the motion to defer the application as follows:

For: 10

Against: 3

Abstain: 0

Decision:

The motion to defer the application to the next meeting of the Planning Committee was **approved**.

4/25 Planning application - 24/01434/FUL Sunbury Leisure Centre, Nursery Road, Sunbury-on-Thames, TW16 6LG

Description:

Installation of Air Source Heat Pumps on flat roof.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- That the proposal would help in the move towards net zero.

- Concern over potential noise for residents
- The Committee recommended an additional condition that the acoustic level at the boundary of properties must not exceed [value to be advised], in the interest of residential amenity.
- It was agreed that an e-mail would be sent to all members of the Planning Committee as to the decibel value to be included in the above condition.

The Committee voted on the proposal as follows:

For: 13

Against: 0

Abstain: 0

Decision:

The application was **approved** subject to the agreed condition.

The meeting was adjourned at 20:05

The meeting reconvened at 20:15

5/25 Houses in Multiple Occupation (HMOs)

This item was carried over from the meeting of 10 December 2024. The Committee were advised that only members who were present at the meeting of 10 December 2024 would be allowed to vote on this item.

It was proposed by Councillor Rutherford, seconded by Councillor Clarke to confirm the Article 4 Direction made on 21 August 2024 in respect of Staines, Ashford North and Stanwell South, and Stanwell North wards, and serve an Article 4 Direction under the Town & Country Planning Act 1990 to remove Permitted Development Rights for HMOs across all ten remaining wards within Spelthorne to come into effect in twelve months' time

The Committee expressed that the threat of low-quality HMO's was growing and action needed to be taken to prevent the situation from getting worse.

The Committee were advised that implementing an Article 4 direction without robust evidence would expose the Council to risk of judicial review. The Committee countered that there had been no evidence of a judicial review being launched against London Borough of Hounslow when they served a borough-wide Article 4 direction.

The Committee queried when a judicial review could be called and were advised that for planning matters it needed to be within six weeks of a decision being made, for other matters it would be within three months of a decision.

The Committee asked what the cost to the Council would be in serving a borough-wide Article 4 direction and were informed that it would be difficult to quantify but the main cost would be to officer time.

The Committee acknowledged that with devolution talks underway the issue of HMO's was one that could potentially get overlooked and to protect residents it would be prudent to act quickly.

The Committee **resolved** to confirm the Article 4 Direction made on 21 August 2024 in respect of Staines, Ashford North and Stanwell South, and Stanwell North wards, and serve an Article 4 Direction under the Town & Country Planning Act 1990 to remove Permitted Development Rights for HMOs across all ten remaining wards within Spelthorne to come into effect in twelve months' time

6/25 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.

7/25 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.