

**Minutes of the Planning Committee
18 September 2019**

Present:

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

Councillors:

R.O. Barratt	S.A. Dunn	V. Siva
C. Barnard	M. Gibson	B.B. Spoor
A. Brar	T. Lagden	J. Vinson
S. Buttar	L. Nichols	
R. Chandler	R.W. Sider BEM	

Apologies:

Councillor C. Barnard apologised for his late arrival during item 5 (Minute 239/19 below refers).

In Attendance:

The following Councillors, who are not members of the Committee, attended the meeting to observe proceedings:-

I.T.E. Harvey, M.M. Attewell, J.H.J. Doerfel, J.T.F. Doran and R.D. Dunn

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. Bateson – Application No: 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE.

Councillor S. Doran - Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell.

237/19 Minutes

The minutes of the meeting held on 21 August 2019 were approved as a correct record.

238/19 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

Application No. 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE.

As this was a Knowle Green Estate (KGE) application, the Chairman declared on behalf of all Committee Members that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors H. Harvey, A. Brar, R.W. Sider BEM and B. Spoor reported that they had visited the site and had maintained an impartial role, had not expressed any views and had kept an open mind.

Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell.

As this was a Knowle Green Estate (KGE) application, the Chairman declared on behalf of all Committee Members that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors H. Harvey and R. W. Sider BEM reported that they had visited the site and had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor H. Harvey also reported that she had spoken with a resident of Cleveland Park and had maintained an impartial role, had not expressed any views and had kept an open mind.

Application No. 19/01051/FUL - 15 London Road, Staines upon Thames, TW18 4EX.

Councillors R.A. Smith-Ainsley, H. Harvey, R. Chandler, S. Dunn, R.W. Sider BEM and V. Siva recorded that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

239/19 Application No. 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE

Description:

The application sought the provision of a 31 bed homeless hostel for single people on the site of the former White House, adjacent to the Council depot, on Kingston Road. The building is to be managed for Spelthorne Borough Council by the Salvation Army.

The proposed hostel use is a *sui generis* use meaning it does not fall within a specific use class of the Town and Country Planning (Use Classes) Order 1987 (as amended), and specifically is not considered to be a residential use. As such the Council's policies that apply to residential development were not applicable to this specific development.

Additional Information:

The Planning Development Manager gave the following updates:

- 11 additional letters of objection were received.
- 2 additional letters of support were received.
- 1 additional complaint letter was received.

Para 7.45, page 30 should read:-

The block plan also shows that the closest window within the proposed development, ~~for the units on the north west corner~~, would be 38m **36m** to the front side boundary ~~from the park boundary~~ and over 40m from the rear side boundary to **364** in Kingston Road.

Replacement Condition

Condition 9 should be replaced with the following condition:

- 1.)The rated noise level from the plant hereby approved shall be at least 10 dB(A) below the background noise level at the nearest noise sensitive property as assessed using the guidance contained within BS4142 (2014).

Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery.

Informative

The applicant is advised that machinery, plant/equipment and extract/ventilation system and ducting should be are mounted with proprietary anti-vibration isolators and fan motors should be vibration isolated from the casing and adequately silenced. The reason for this is to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration.

Condition Amendment

Condition 2 to be amended to include the Acoustic Planning Report, June 2019.

Public Speaking:

In accordance with the public speaking procedures, Martin Shortland spoke against the proposal raising the following comments:

- He is speaking for 500 residents
- The application submission is inaccurate
- The Statement of Community Involvement on consultation has been ignored

- The planning guidelines have been ignored
- A judicial review will be successful
- The site is unsuitable for the proposal
- The road is an accident blackspot
- No pedestrian crossing is provided
- There is limited bus access
- The site is remote
- Overbearing development
- Overdevelopment of the site
- Will set a precedent
- Harmful to residential amenity
- Concern over the proposed

In accordance with the public speaking procedures, Ian Anderson spoke for the proposal raising the following comments:

- The application is in response to the Homeless Reduction Act - ambitious targets have been set
- It is a *Sui Generis* use and will have no permitted development rights
- The Council agreed in 2018 to build a hostel
- Building is orientated to minimise overlooking
- Many issues raised in the representations are not planning matters
- The Council has a duty of care

In accordance with the public speaking procedures, Ward Councillor C. Bateson spoke on the proposal raising the following comments:

- The Council has not fully engaged with the residents
- The location is unsuitable
- The height of the building is excessive
- The building is located too close to the residents
- Road / pedestrian safety concerns
- The site is located too far to local amenities

Debate:

During the debate, the following key issues were raised:

- The Planning Committee report addresses all the planning issues
- Concern over pedestrian safety
- Query over disabled access
- Query over the possible use of the adjoining land
- Will be managed by the Salvation Army who has immeasurable experience
- Query over *Sui Generis* use
- Concern over the height of the building
- Proximity to residents
- The Council has a duty of care to rehouse homeless people
- Query over whether the site is appropriate next to the Depot

Decision:

The application was **approved** subject to conditions, as recommended in the Planning Committee report, and as amended above.

Councillor C. Barnard took no part in the debate or vote on this item, due to his late arrival.

240/19 Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell,

Description:

This application sought the erection of a building comprising 8,241 square metres to provide warehousing and distribution/logistics (Class B8) and associated offices together with associated access, loading/unloading, car parking, servicing and landscaping.

Additional Information:

The Planning Development Manager gave the following updates:

1. A response was received from Highways England raising no objection.
2. An Addendum to the revised Air Quality Assessment was submitted. The Council's Pollution Control Officer had since responded by removing her objection to the proposal on air quality grounds subject to conditions relating to dust and electric vehicle charging. Consequently reason for refusal 6 on Section 9 (Recommendation) of the committee report was removed.
3. A revised noise impact assessment was submitted. However, the Council's Environmental Health Officer responded by maintaining her objection on noise impact grounds.
4. The Heathrow consultation (para 8.75, page 87) expired on the 13/09/2019. Spelthorne Council had sent a consultation response to this.
5. A late response from the applicant was received commenting on the objections raised by local residents under paragraph 6.2 of the report. Most of the points raised had been covered in the committee report. Of the other issues, many did not relate to the application or were not planning matters. With regard to 'overlooking/loss of privacy' and 'noise and dust during construction', these issues could be addressed by conditions if the application was approved. With regard to 'open space', there was no planning designation on the site for open space in the current Local Plan.
6. Two late letters were received from the applicant. The first letter was confirming an interest from an operator JAS (Jet Air Service) who had expressed interest in occupying the building subject to planning permission. The second letter was from Heathrow Airport Limited (HAL) dated December 2018 to the owner of the land indicating HAL's potential interest in acquiring the land.

7. Amendment to paragraph 3.1 of the committee report:

3.1 The site has the following planning history:

FUL/90/346

Erection of 1,692 sq m (18,212 sq ft) of Class B8 storage and distribution warehousing with ancillary office accommodation, and provision of car and lorry parking.

Approved

19/09/1990

8. Amendment to paragraph 8.6 of the committee report:

8.6 The GBA identified two tiers of land parcels: Strategic Green Belt Areas ('Strategic Areas') and Local Green Belt Areas ('Local Areas'). The assessment divided Spelthorne into two strategic areas that were consistent with the areas adopted by Elmbridge Borough Council for its GBA. The application site lies within 'Strategic Area B A' which is described in paragraph 4.3.1 of the GBA as ~~"a band of Green Belt maintaining separation between a number of settlements including Ashford / Sunbury-on-Thames / Stanwell, Staines-upon-Thames / Shepperton / Walton-on-Thames, and Chertsey, Addlestone, and Egham."~~ **a north-eastern band of Green Belt at the very edge of London which separates the London fringe settlements (e.g. Bedfont, Feltham, Sunbury-on-Thames and Hampton) from settlements to the south-west."** In its conclusion (section 7), the assessment affirms that this area "plays an important role in meeting the fundamental aim of the Green Belt through preventing sprawl from settlements in Surrey by keeping land permanently open".

9. Amendment to paragraphs 8.27 and 8.29 of the committee report:

8.27 The site is adjacent to existing residential properties on the western side (Clare Road) and to the north east (Cleveland Park). The proposed building will be almost 38 metres away from the 222 Clare Road's rear elevation which is the nearest dwelling and some 21 metres from the neighbouring rear boundaries. The proposed building at this point slopes to a lower height of 14 metres at the eaves. The overall height is 16.19 metres (roof apex). The proposed development on its western elevation presents a continuous wall of development of 464 **165** metres.

Whilst it is noted that the proposal would be further set in from the adjacent residential properties along Clare Road compared to the refused scheme, the proposed building would be greater in height. The proposed development would still present a continuous mass of the 464- **165** metre western elevation and due to its height, form and bulk would appear visually obtrusive and dominating, particularly for the neighbouring occupiers when using their gardens. Whilst some degree of screening has been proposed by the applicant in the form of tree planting, the Council's Tree Officer is of a view that the proposed trees along the western side would not be large enough to facilitate adequate screening.

Public Speaking:

In accordance with the public speaking procedures, Jemma Brown spoke against the proposal raising the following comments:

- Overbearing
- Overbearing and loss of privacy
- The use will take place 19-20 hours per day – 4am – midnight
- Noise concerns
- Light concerns
- Concerns over vibrations
- Concerns over fumes
- Adverse impact on residents
- Will affect the mental health well-being of residents

In accordance with the public speaking procedures, Ian Anderson spoke for the proposal raising the following comments:

- Heathrow is the only Airport in the country for logistics
- The use needs to be close to the airport
- The site has been assessed as weakly performing green belt
- Will provide an off-site cargo handling facility
- There is a clear need for significant cargo space
- This site will get developed
- The applicant has a potential operator
- Very special circumstance exist as the proposal is linked to the operation of Heathrow

In accordance with the public speaking procedures, Ward Councillor S.M. Doran spoke on the proposal raising the following comments:

- The site is designated as Green Belt
- The proposal does not meet the requirements in the NPPF
- Very special circumstance have not been met
- There are bats on the site
- It is already a highly polluted area
- The building will be dominant
- Loss of privacy
- The mental health well-being of residents will be affected
- Light pollution.

Debate:

During the debate the following key issues were raised:

- The site is assessed as weakly performing green belt
- The site is allocated within the proposed Development Consent Order
- Concern that the officers have not worked positively and proactively with the applicant
- It is very similar to that refused in 2015

- A satisfactory relationship with residential properties has to be achieved as required by policy EN1b – concern over impact on residents and is contrary to this policy
- Is greater in height compared with the refused scheme
- The building has a continuous mass which is visually obtrusive
- A 6m high acoustic fence does not solve the noise objection and will have an overbearing impact
- The site will be developed in the future
- Proposal is contrary to policy SP6
- Who has to demonstrate very special circumstances
- Could set a precedent for other development on the green belt
- Is an appalling layout in relation to the existing dwellings
- Will result in the removal of trees and replanting
- It is not necessary to use the entrance in Northumberland Close
- There is insufficient land for housing
- Will provide jobs at Heathrow

Decision:

The application was **refused** as recommended and for the reasons set out at paragraph 9. in the Planning Committee report, subject to the deletion of reason 6.

241/19 Application No. 19/01051/FUL - 15 London Road, Staines upon Thames, TW18 4EX

Description:

This application was for the erection of two buildings to provide 173 residential homes (Class C3) and flexible commercial space at ground and first floors (Class A1, A2, A3, B1, D1 or D2), with landscaping and associated works, to be delivered as an extension to the wider redevelopment of 17-51 London Road under application 19/00290/FUL, comprising an additional 22 homes above those within application 19/00290/FUL.

Additional Information:

The Planning Development Manager gave the following updates:

Due to the way the legal agreements were to be linked, the Planning Committee should be aware that this application had been considered as an amendment to the existing planning approval 19/00290/FUL. The finance considerations in para. 7.118 (page 131) and recommendation to grant in s9 (A) 1 and 2 (page 132) therefore reflected the variation to the existing s106 to account for the existing requirements and the additional 20 units at 15 London Road and 2 additional affordable housing units to Block E, resulting from this application.

The conditions at s9 (B) (page 134 onwards) also reflected those attached to the existing planning approval 19/00290/FUL with appropriate amendments to incorporate the additional 20 units at 15 London Road and 2 additional affordable housing units to Block E, resulting from this application.

Additional Condition

An additional condition was recommended, as requested by the County Archaeology Officer:

Condition: No development, with the exception of demolition to slab level, shall take place within plot 15 London Road until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

In the interests of the Staines Area of High Archaeological Potential, in accordance with Saved Policy BE25.

Public Speaking:

There were no public speakers for this item.

Debate:

During the debate the following key issues were raised:

- The principle of high development has already been accepted
- 15 London Road should have been demolished a long time ago
- Will assist with our housing need
- Will improve the appearance of London Road
- Concern over traffic signals nearby
- Concerns that CHP is not renewable energy

Decision:

The application was **approved** as set out in the Planning Committee Report, subject to the prior completion of a S106 agreement.

242/19 Application No. 19/00933/FUL - The Greeno Centre and Shepperton Recreation Ground, 45 Glebeland Gardens, Shepperton, TW17 9DH

Description:

This Application was for the erection of an enclosed patio area to provide an external seating area for visitors to the Greeno Centre including erection of railing boundary enclosure of 1.8m in height.

Additional Information:

Consultation response from the Council's Pollution Control Officer raising no objection was reported.

Public Speaking:

There were no public speakers for this item.

Debate:

During the debate, the following key issues were raised:

- The facility is a great asset
- The facility is well used

Decision:

The application was **approved** as set out in the Planning Committee Report.

243/19 Tree Preservation Order TPO 263/2019 - Front verge at entrance to Shaftesbury Crescent, adjacent to 283 Ashford Road, Laleham, TW18 1QR

Description:

This Item sought the confirmation of Tree Preservation Order 263/2019, Front verge at entrance to Shaftesbury Crescent, adjacent to 283 Ashford Road, to protect one multi-stemmed tree on this site.

Decision:

The Tree Preservation Order 263/2019 was **confirmed** without modification.

244/19 Urgent Items

There were none.