

**Minutes of the Planning Committee
23 June 2021**

Present:

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

Councillors:

C. Bateson	M. Gibson	R.J. Noble
A. Brar	H. Harvey	R.W. Sider BEM
J.T.F. Doran	N. Islam	B.B. Spoor
N.J. Gething	S.C. Mooney	J. Vinson

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 V Silva – Planning App 20/01199/FUL, The Old Telephone Exchange, Masonic Hall and adj land, Elmsleigh Road, Staines-upon-Thames, TW18 4PN

168/21 Apologies

Apologies for absence were received from Councillor T Lagden.
Councillor J McIlroy was absent

169/21 Minutes

The minutes of the meeting held on 26 May 2021 were approved as a correct record.

170/21 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 C Bateson, A Brar, J Doran, N Gething, M Gibson, H Harvey, N Islam, S Mooney, R Noble, R Sider BEM, R Smith-Ainsley, B Spoor and J Vinson reported that they had received correspondence and/or telephone calls from Inland Homes in relation to application 20/01199/FUL, The Old Telephone Exchange, Masonic Hall & adj Land, Elmsleigh Road, Staines-upon-Thames, TW18 4PN but had maintained an impartial role, had not expressed any views and had kept an open mind.

171/21 Planning application 20/01199/FUL - The Old Telephone Exchange, Masonic Hall & Adj Land, Elmsleigh Road, Staines-upon-Thames, TW18 4PN

Description:

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.

Additional Information:

- One late letter of objection had been received. The comments raised were already covered in the report.
- 27 late support cards had been received.
- The applicant had offered to fund a consultation into a residents parking zone for the Richmond Road and Gresham Road area. However, the County Highway Authority had commented that a contribution towards a Controlled Parking Zone was not a particularly effective mitigation measure and was not supportive of this proposal.
- Paragraph 7.57 to be amended:

Paragraph 131 of the NPPF states that, 'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.' In addition, the National Design Guide advises that "well designed places and buildings conserve natural resources including land, water, energy and materials" Sustainable features/systems are provided within the scheme over and above what is required by our planning policy. The proposal includes 100% of the car parking spaces provided to have EV charging points (of which 40% will be active and 60% will be passive) and in addition, the installation of Air Source Heat Pumps (ASHP) in order to meet the renewable energy requirement stipulated in Policy CC1. However, these will provide 39% of the total energy demand on the site, which is substantially above the policy requirement of 10%. It is therefore considered that the environmental credentials of the proposals will be significantly more innovative than the policy requirements.

- An additional paragraph to be added at the end of the Equalities Act 2010 section of the report on page 54:

It is further considered that apart from a direct impact this proposal will have on disabled people, there is also going to be an indirect impact on number of people who share other protected characteristic. This impact will arise/derive mainly from construction works and may affect to a various but not significant degree pedestrians or shoppers.

- Paragraph 7.83 to be amended to:

The officers have raised concerns with the applicant regarding the low level of parking spaces on the site and have asked for evidence to be provided to justify it. In particular, the officers advised that there are a number of local streets within walking distance of the site where new residents could potentially park their car. The nearest streets where parking is not restricted are Richmond Road and Gresham Road (approximately 250 – 300m away). Also, the proposed parking level of 0.23 spaces per unit is substantially lower compared to the existing car ownership figures provided in the 2011 Census for this particular area of the Borough (the Census states that in this town centre area of Staines there was a car/van ownership ratio of 0.54 **0.65** vehicles per household).

- Paragraph 7.124 (Financial Considerations) to be amended:

Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL Payment of approximately £934,662 (or **approximately £500,000 if the applicant subsequently makes a successful application for Social Housing Relief for the affordable housing**). This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

- Paragraph 9.2 (1) – S106 affordable housing - to be amended:

(A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 94 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 Planning Development Manager.

The split of the type of affordable housing shall be at least 61 for affordable rent and at least 33 dwellings for ~~shared ownership~~ **intermediate**.

~~Prior to implementation~~ **Within 6 months of commencement of development** the ~~Registered Social Landlord (RSL)~~ **Registered Provider (RP)** shall enter into a Nomination 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~~ **Registered Provider** 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 will be subject to a viability review mechanism to be reviewed on an open book basis to ascertain whether any further contribution can be made by way of an off-site contribution in lieu.~~

- Condition 1 (Commencement of development) to be amended:
The development hereby permitted shall be begun before the expiration of two years from the date of this permission.
- Condition 7 (Landscaping) to be amended:

~~The trees and shrubs shall be planted on the site in accordance with the scheme hereby approved, within a period of 12 months from the date on which the development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the~~ **Details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any part of the development hereby approved, The approved scheme of tree and shrub planting shall be carried out prior to the first occupation of the buildings.** The planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with other of similar size and species, unless the Local Planning Authority gives written permission to any variation.

- Condition 11 (SuDS) to be amended:

~~The development hereby permitted shall not~~ **The construction of the drainage system shall not** commence until details of the design of a surface water drainage scheme have been submitted to and approved

in writing by the Planning Authority. **The design must satisfy the SuDS Hierarchy and be compliant with the nation Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.** Those details shall include:

- ~~a) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS~~
 - ~~b) a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC% allowance for climate change storm events, during all stages of the development (Pre, Post and during) (+40% allowance for climate change) storm events, during all stage of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 21.1 l/s.~~
 - ~~c) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and off site.~~
 - ~~d) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, to include details on how the existing soakaways will be protected.~~
 - ~~e) Evidence that the permeable paving is protected against ingress of silt and debris and the methodology of inspection for maintenance of such measures.~~
 - ~~f) Finalised drawings ready for construction to include:
a finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element.~~
 - ~~g) Details of management and maintenance regimes and responsibilities.~~
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc).**
 - c) A plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and off site will be protected.**
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.**
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.**
- An additional condition to be added to ensure that the public walkway through the site is provided and maintained:

Condition 27

Prior to the occupation of both buildings hereby approved, the approved public walkway through the site shall be provided and thereafter be permanently available and accessible for members of the public, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the public walkway is made permanently available and accessible to the public.

The following informative to be added to the decision notice:

The applicant's attention is drawn to the Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com .

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Peter Bower, a local resident, spoke against the proposed development raising the following key points:

- The development is higher than the surrounding buildings
- The government's housing target for Spelthorne is subject to challenge
- The Council is in the middle of a public consultation with residents about the future of Staines
- Surrey County Council has not undertaken the work to determine if the infrastructure required to support the increase in homes and population can be provided and afforded.
- This fails on Planning Policy EN1 as it does not make a positive contribution to the street scene, the character of the area, and does not pay due regard to the scale, height, proportions, or building lines of the adjoining buildings and land.

The Principal Planning Offer stated that there are currently buildings in the surrounding area that were above 13 storeys.

In accordance with the Council's procedure for speaking at meetings, Mr. Wicks, an agent for the applicant, spoke for the proposed development raising the following key points:

- New homes will be constructed on a brownfield site close to major transport, reducing the carbon footprint of the site significantly
- Spelthorne has a significant amount of people on the housing register in need of affordable homes, and nearly 50% of the new homes will be affordable
- As this is close to major transportation nodes, it will reduce requirements for car travel and will encourage a walking and cycling environment
- The site will provide landscaping and contribute to the regeneration of Staines-upon-Thames

- Making use of an urban brownfield site will reduce the need to release greenbelt land

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

- Clause 49 of the NPPF allows planning applications to be refused if Staines Development Framework is at an advanced stage but not yet formally a part of the development plan for the area.
- This proposed development could result in a population increase of 9,000 within Staines Town Centre
- The development will transform Staines-upon-Thames from a small historic market town into a high-rise metropolis
- The development does not fit in with the surrounding area
- There will be a detrimental effect on the street scene and character of the area
- If approved, this could set a precedent for approval of high-rise buildings in Staines-upon-Thames
- New housing should be distributed equally throughout the Borough and not concentrated within Staines-upon-Thames
- Moral obligation to hear the views of the residents of Staines-upon-Thames before we approve any more major development

Debate:

During the debate the following key issues were raised:

- Reasons for previous refusal have all been addressed by the developer
- The proposed apartments will not provide the residents with a good quality of living
- The Masonic Hall is an old and historic building and should not be demolished
- The parking provision is not adequate for the number of apartments and will result in residents having to walk long distances to park their cars
- Additional parking needs will result in congestion in surrounding residential roads
- No reference has been made in respect of improvements to telecommunications within the application
- The infrastructure is not sufficient to meet the needs of the additional residents
- The proposed blocks are not in keeping with the surrounding buildings
- The area is prone to flooding
- This development would provide a large number of affordable apartments for local residents
- The development will help reduce the number on the Council's Housing Waiting List
- The Council falls short in meeting the number of new housing builds in the Borough

- Town Centres are struggling and businesses are closing down so the new residents will help increase footfall
- Lack of adequate car parking facilities will encourage residents to walk or use public transport
- The application should be refused due to reasons of prematurity
- The development does not enhance the area, is not in keeping with surrounding buildings and will have a detrimental impact on the street scene
- The height of the building is overbearing
- Larger developments should be spread fairly over the Borough and not concentrated in Staines Town Centre
- There is a lack of amenity space within the development; the amount quoted in the application does include the balconies of the apartments
- Lack of children's play area

A recorded vote was requested by Councillor J. Vinson. The voting was as follows:

For (0)	
Against (13)	C. Bateson, A. Brar, J. Doran, N. Gething, M. Gibson, H. Harvey, N. Islam, S. Mooney, R. Noble, R. Smith-Ainsley, R. Sider BEM, B. Spoor, J. Vinson
Abstain (0)	

The motion to approve the application fell

It was proposed by Councillor M. Gibson and seconded by Councillor C. Bateson that the application be refused as it was in contravention of EN1a and CC3 of the Core Strategy and Policies Development Plan Document and agreed by the Committee.

Decision: The application was **REFUSED** for the following reasons:

The proposal, by virtue of the height of the two towers and inadequate car parking, represent an unacceptable overdevelopment of the site resulting in a development which is:

- 1) Out of character with the surroundings and fails to have due regard to the height of adjoining buildings and land, resulting in a development which would not make a positive contribution to the character of the area and the street scene and would have a detrimental impact on the character of the area and the street scene; and
- 2) Is likely to result in unacceptable parking stress on residential roads in the locality which would be detrimental to the amenity of residential properties, contrary to Policies EN1(a) and CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document,

2009 and the Parking Standards Supplementary Planning Guidance, 2011.

172/21 Planning application 20/01486/FUL Spelthorne Leisure Centre and Open Space to the East, Knowle Green, Staines-upon-Thames

Description:

Construction of a new leisure centre with associated parking, pedestrian access, landscaping and public realm, and the demolition of the existing leisure centre.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Ian Anderson, agent for the applicant, spoke for the proposed development raising the following key points:

- The current leisure centre is beyond its operational life and has poor environmental credentials
- The public responded favourably to the site proposal
- The existing Leisure Centre must remain in operation whilst the new centre is being built for business continuity purposes
- The Nursery is approximately 65m from the new building and is not significantly overlooked
- The Passihaus strategy proposed for the new Leisure Centre will reduce the annual CO2 emissions by approximately 70% per annum

Debate:

During the debate the following key issues were raised:

- The Borough has needed a new Leisure Centre for many years
- Although there is a large cost involved it will benefit the Community for many years
- Passihaus system positive and reflects the work that the Council is undertaking in respect of Climate Change
- Excellent design
- Makes good use of the available space
- Large car park but no designated spaces for motorbikes
- Concerns about the noise from the football pitches early in the morning
- Would be positive to create a rainwater capture system and use it elsewhere in the building
- Could ground source heating be looked at as a green initiative.
- Could temporary accommodation be provided for the adjacent Nursery whilst building work is taking place

Decision:

The application was **APPROVED**.

173/21 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.

174/21 Future Major Planning Applications Report

The Planning Development Manager presented a report outlining the 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.