

**Minutes of the Planning Committee
27 July 2021**

Present:

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

Councillors:

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

Apologies: Apologies were received from Councillor N.J. Gething, Councillor N. Islam and Councillor S.C. Mooney

264/21 Minutes

The minutes of the meeting held on 23 June 2021 were approved as a correct record.

265/21 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, M Gibson, T Lagden, R Noble, R Sider BEM, R Smith-Ainsley, B Spoor and J Vinson reported that they had received correspondence and/or telephone calls from the applicant in relation to application 21/00010/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors C Bateson, M Gibson, T Lagden, R Smith-Ainsley and J Vinson reported that they had received correspondence and/or telephone calls from the applicant in relation to application 20/01112/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor R Smith-Ainsley reported that he had attend meetings with the Chief Executive, Residents Associations' representatives and residents in relation to application 20/01483/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

The Principal Planning Officer provided the Committee with an update to the National Planning Policy Framework that was revised on 20 July 2021 and sets out the Government's planning policies for England and how these are expected to be applied. The main changes that Members should be aware of are as follows:

Improve design quality, including a new requirement for councils to produce local design codes or guides

Updated policies aiming to improve the design of new developments:

- Changes to the overarching social objective of the planning system (paragraph 8b) to include the fostering of 'well-designed, beautiful and safe places'. The old version had merely required a 'well designed and safe built environment'
- Introducing a new test that development should be well-designed (paragraph 133). This says that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'.
- It goes on to say that 'significant weight' should be given to 'development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'. Significant weight should also 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', the new paragraph 133 says.
- Para 128 states that in order to 'provide maximum clarity about design expectations at an early stage', all local planning authorities 'should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design code, and which reflect local character and design preferences'.

An emphasis on using trees in new developments – para 131

Adjusting the presumption in favour of sustainable development for plan-makers – para 11a

Meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.

New limits on the use of article 4 directions to restrict PD rights – Para 3

Should only be used where it is 'essential to avoid wholly unacceptable adverse impacts', for example the 'loss of the essential core of a primary

shopping area which would seriously undermine its vitality and viability. In 'all cases', article 4 directions should be 'based on robust evidence, and apply to the smallest geographical area possible'.

Councils should 'retain and explain' statues rather than remove them – para 198

Encouraging faster delivery of further education colleges, hospitals and prisons – para 96

266/21 Planning application 21/00010/FUL - Renshaw Industrial Estate, Mill Mead, Staines-upon-Thames, TW18 4UQ

Description:

Demolition of existing industrial buildings and redevelopment to provide 2 new buildings (5-13 storeys) comprising 397 build-to-rent residential apartments (Use Class C3) including affordable housing, ancillary residential areas (flexible gyms, activity space, concierge and residents lounge), landscaping, children's play area and cycle parking.

Additional Information:

Members will have received two briefing notes from the applicant that have sought to address specific planning issues. One of the issues the applicant has sought to improve is parking provision and they have submitted a revised basement parking layout Drwg L800 Rev P4 which provides an additional 11 parking spaces taking the provision to 0.51 spaces per unit (a total of 203 spaces). The applicant maintains their position that the level of parking is acceptable in planning terms and meets the operational needs.

As a result of this revised plan it is recommended that Condition 2 be revised to refer to drawing L(-)800 Rev P4.

It has been noted that after Condition 26 in the report, incomplete conditions have been appended. These should be deleted from the report as a drafting error.

The applicant has requested that certain conditions allow for demolition and/or site preparations works to be undertaken. It is therefore recommended that condition 10 (archaeology) and condition 17 (Travel Plan) be amended as follows:

10. No development, excepting demolition to slab level, shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, submitted to and approved in writing by, the Local Planning Authority.

17. Prior to the commencement of the development, with the exception of demolition or site preparation works, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in accordance with the substantive development aims and objectives of the National Planning Policy Framework, and Surrey County Council's 'Travel Plans Good Practice Guide'. The approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Para 7.45 and 7.46 of the report refers to specific paragraphs within section 12 of the NPPF 2019 concerning design. The NPPF 2021 retains this guidance, but has altered the paragraph numbers and the section has put greater emphasis on the provision of good design in development. An additional Heads of Terms is to be added to the proposed Section 106 legal agreement (paragraph 8A of the report) to secure the development as 'Build to Rent'.

Public Speaking:

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

- The proposed development is higher than the consented scheme
- The flats are too small
- The proposed rent is too high
- Lack of adequate amenity space
- The children's play area is too small and badly sited
- Inaccessible to some people with mobility issues

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

- Planning for this site was agreed in 2018 but did not make efficient use of the site
- There will be a good mix of 1, 2 and 3 bedroom homes
- All of the flats meet the National Space Standards
- Affordable housing has been increased from 25 to 40
- Homes are fully furnished and rent includes utility bills and WiFi
- Development would positively contribute to the regeneration of the Town Centre.
- The homes are energy efficient with consumption-reducing technology and heat pumps providing at least 10% on-site renewable energy
- The proposed development provides 203 parking spaces

Debate:

During the debate the following key issues were raised:

- The Travel Plan statistics do not take into account visitors, delivery drivers so are flawed
- Outline planning permission granted in 2018 had parking provision of 1 car p/unit and this has now decreased
- The building does not make a positive contribution to the street scene as it is considered to be overbearing
- The development will provide much needed rental properties
- The increase in residents will have a positive economic impact on local businesses
- Lack of amenity space will be a problem for families with children
- The initial outline approval was acceptable but the revised plans are not
- The size of the proposed development is a reality due to the increasing population
- Residents with cars would be forced to park on surrounding residential streets causing unacceptable parking issues
- Density is too great
- British Telecom have expressed concerns over safety on the one road that would service Charter Square, London Square and this proposed development
- Being in a Town Centre would not necessarily lead to a reduction in residents using their cars

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

For (4)	A Brar, H Harvey, T Lagden, R Smith-Ainsley
Against (6)	C Bateson, J Doran, M Gibson, R Sider BEM, B Spoor, J Vinson
Abstain (1)	R Noble

The motion to approve the application fell.

It was proposed by Councillor M Gibson and seconded by Councillor R Noble that the application be refused as it was in contravention of EN1a and CC3.

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

For (7)	C Bateson, J Doran, M Gibson, R Noble, R Sider BEM, B Spoor, J Vinson
Against (3)	T Lagden, H Harvey, R Smith-Ainsley
Abstain (1)	A Brar

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

The proposal, by virtue of the variation in scale, height and bulk, the increase in density and the inadequate justification to support the reduction in car parking, represent an unacceptable overdevelopment of the site resulting in a development which 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.

267/21 Planning application 20/01112/FUL - Phase 1C Charter Square, High Street, Staines-upon-Thames, TW18 4BY

Description:

Redevelopment of the site to provide 64 new residential units (Use Class C3) with flexible commercial business and service floor space (Use Class E) and drinking establishment (Sui Generis) at ground floor, rooftop amenity space, associated highways works and other ancillary and enabling works.

Additional Information:

The final two paragraphs of the executive summary to be amended as follows:

With the exception of 1 disabled parking bay in the link road, and 3 disabled bays in the Phase 1A basement car park, the applicant initially proposed for the development to be 'car free'. During the application process, the applicant undertook an occupancy survey of the basement parking spaces in Phase 1A. Consequent to this survey, the applicant offered 20 of the parking spaces in the Phase 1A basement car park to the occupiers of Phase 1C, giving a total of 21 spaces, including the space on the link road.

Officers initially understood that such spaces could not be secured through the planning process. However, further legal advice has been sought indicating that this is possible. This would give a parking ratio at Phase 1C of 0.33 spaces per dwelling, and 0.67 spaces across Phase 1A and 1C developments combined. This alongside the sustainable location of the site, a £100,000 contribution to improved pedestrian facilities between the site and Staines Railway Station and Staines High Street and free membership to the car club for the first occupiers of each unit, is considered to be acceptable mitigation for the shortfall against the Council's minimum Parking Standards.

Paragraph 3.2 should refer to Grade I, Grade II and Grade III* Listed Buildings rather than Grade I*.

Paragraph 7.111 amended to:

The applicant initially stated that with the exception of 3 disabled parking bays in Phase 1A and 1 disabled parking bay proposed in the link road, the development would not provide any off-street parking spaces for the proposed

occupiers of Phase 1C. Therefore, with the exception of the disabled parking bays, the development would have been 'car free'.

As noted in paragraph 7.109, the applicant has submitted a Technical Notice, which includes an occupancy survey of the parking bays in Phase 1A. The applicant has also confirmed that 255 of the 260 units in Phase 1A have been sold. In a further email the applicant has also confirmed that they understand that 93% of the units in Phase 1A have been occupied.

The applicant conducted a day parking survey (2pm on 11 May 2021), which found that 93 of the basement parking spaces in Phases 1A were in occupation and 124 were unoccupied. A night time survey was also conducted (1am on 13 May 2021) and found that there were 124 spaces occupied and 95 spaces free.

When factoring in the 5 unsold units, 95 of the 217 spaces in Phase 1A would have been expected to have been in use at the point of the daytime survey and 125 spaces would have been expected to have been occupied at the time of the night time survey.

Following the undertaking of the occupancy survey, the applicant has confirmed that they are able to release 20 spaces in the basement car park of Phase 1A to the occupiers of Phase 1C. This would give a 0.33 off street parking ratio for the 64 units at Phase 1C and combines 0.67 parking space ratio across Phase 1A and 1B.

Officers initially understood that the spaces in the Phase 1A basement could not be secured through planning objections. However, following further legal advice, it is now understood that such spaces can now be secured through the planning process. It is understood that Census data from 2011 suggests that 35% of flats in the vicinity of the development do not have any vehicles associated with them, although this data is now 10 years old. As there would be a parking ratio of 0.67 spaces across the 64 units in Phase 1C and 260 units in Phase 1A (0.33 at Phase 1C alone), the securing of 20 spaces in Phase 1A and 1 further space in the link road, is considered to be an acceptable mitigation measure justifying a shortfall against the Council's Parking Standards minimum requirements, alongside the £100,000 contribution pedestrian facility improvements to Staines Railway Station and Staines High Street, and the provision of 5 years of free car club membership to the first occupiers of each unit.

Paragraph 7.116 amended to:

The CHA considered that owing to the absence of parking and lack of vehicle ownership amongst residents it is likely that the vehicular trip generation would be relatively low. The applicant has since offered 20 parking spaces in Phase 1C. As the occupants of the Phase 1A parking spaces would be utilising existing parking spaces, Officers do not consider that additional trip generation would cause significant harm.

Paragraph 7.119 final two sentences amended to:

Given this and the Council's own Parking Standards SPG, which allows for a reduction in parking standards in the town centre and given the particular circumstances of this site referred to above, it is considered that the shortfall in parking proposed in this particular case is acceptable. It is also relevant to note that the reduction in cars on site will be of benefit to the environment by minimising carbon emissions and the impact of air quality in the area.

Paragraph 7.120 final sentence amended to:

Clearly this does not apply in this particular case and it is considered that the shortfall in parking in this sustainable location is acceptable.

Paragraph 8A, an additional point 5 added:

5. To secure 20 car parking spaces of the ground floor basement of Phase 1A.

An additional condition and reason to be added to the Recommendation section:

Notwithstanding any demolition or site preparation works, the development hereby permitted shall not be commenced until a disabled parking bay has been provided in the link road. These elements shall be provided in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure that the disabled parking space on the link road is secured and thereafter maintained.

Paragraphs 7.2, 7.11, 7.13, 7.20, 7.34, 7.37, 7.52, 7.120 and 7.157 refer to specific paragraphs of the NPPF 2019. The NPPF 2021 retains this guidance, (different paragraph numbering) but with a greater emphasis on the provision of good design in development.

Public Speaking:

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

- Lack of open spaces and play area
- The 6 affordable flats has their own entrance with no lift

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

- Phase 1C will provide 64 affordable homes
- 100% of the homes will be affordable

- All dwellings meet or exceed the required space standards
- All dwellings have private external amenity and access to a communal roof garden
- Development is a short walk from Staines train station, local amenities and shops
- The scheme is underpinned by sustainable and energy efficient design principles
- This stage is lower in height compared to the previous two phases
- The parking ratio will be 0.67.
- Purchasers will receive 5 years of free car club membership and cycle parking
- Charging points within the cycle stores will be provided to allow charging of e-bikes and e-scooters
- A financial contribution of £1000,000 will be made towards pedestrian facility improvements between the site and Staines Railway Station and the High Street
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Debate:

During the debate the following key issues were raised:

- This development would provide much needed housing
- Blocks 1a and 1b will suffer from lack of sunlight/daylight if Block 1c is built
- Concerns over poaching of car parking spaces from other blocks to provide parking for this phase
- The building is too large
- Family friendly piazza will be surrounded by flat
- Negative impact on air quality during construction
- The Planning Committee have already approved two similar blocks on this site
- The affordable units are segregated from the rest of the block and are not able to use the lift so would cause accessibility issues for some potential disabled/elderly residents
- The development is made up of 100% affordable units

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

For(4)	A Brar, H Harvey, T Lagden, R Smith-Ainsley
Against (6)	C Bateson, J Doran, M Gibson, R Sider BEM, B Spoor, J Vinson
Abstain (1)	R Noble

The motion to approve the application fell.

It was proposed by Councillor Gibson and seconded by Councillor Sider BEM that the application be refused as it was in contravention of Policies EN1b and

CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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

For (7)	C Bateson, J Doran, M Gibson, R Noble, R Sider BEM, B Spoor, J Vinson
Against (3)	A Brar, T Lagden, R Smith-Ainsley
Abstain (0)	

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

The proposal is considered to have an unacceptable overbearing impact on neighbouring residential properties causing a harmful loss of light, contrary to Policy EN1b of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

The proposal is considered 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 Policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and the Parking Standards Supplementary Planning Guidance 2011.

Councillor H Harvey left the meeting at 9.30pm

Councillor R Sider left the meeting at 9.45pm

268/21 Planning application 19/01731/FUL, Brett Aggregates Limited, Littleton Lane, Shepperton, TW17 0NF

Description:

Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.

Additional Information:

There was none.

Public Speaking:

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

- The proposed development is similar in size and layout to the existing industrial estate
- The proposed site layout seeks to mitigate impact at the site boundaries with single storey units to the edges
- Landscape buffer will be incorporated within the site
- Landscaped areas are proposed within the site
- The buildings are of a contemporary agricultural barn style
- There would be less Heavy Good Vehicle movements because of the revised layout
- Different types of businesses will be grouped together
- No harmful impacts in respect of contamination, archaeology, flood risk and drainage, ecology and biodiversity, lighting, noise and air quality as a result of the development
- The proposal was subject to extensive consultation with local community groups and feedback was incorporated into the design scheme

Debate:

During the debate the following key issues were raised:

- The site will continue as a small business park to alleviate the impact on local residents
- The proposed alterations to the site are a vast improvement on what is currently there
- The site will not be accessible to Heavy Good Vehicles
- The scheme is imaginative and will greatly improve the appearance of the site
- There is currently only 22 Electric Charging Points planned but would like an informative added requiring either more to be provided or the provision to be built in for future points to be added.

Decision: The application was **APPROVED**

269/21 Planning Application 20/01483/FUL - 487-491 Staines Road West, Ashford, TW15 2AB

Description:

Planning application for the erection of 11 no. apartments comprising 8 and no. 2 bed units, 1 no. one bed unit and 2 no. studio apartments with associated car parking, landscaping and amenity space following demolition of existing bungalows and outbuildings.

This item was deferred to the next meeting of the Planning Committee, the date of which is to be confirmed.

270/21 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 Principal Planning Officer.

271/21 Future Major Planning Applications Report

The Principal Planning Officer presented a report outlining the major applications that may be brought before the Planning Committee for determination.