

**Minutes of the Planning Committee**  
**13 October 2021**

**Present:**

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

Councillors:

|              |            |                |
|--------------|------------|----------------|
| C. Bateson   | H. Harvey  | R.W. Sider BEM |
| J.T.F. Doran | N. Islam   | B.B. Spoor     |
| M. Gibson    | R.J. Noble | J. Vinson      |

**Apologies:** Apologies were received from Councillor A. Brar, Councillor N.J. Gething and Councillor S.C. Mooney

**In Attendance:** Councillors M. Beecher and K.M. Grant

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.

**434/21 Minutes**

The minutes of the meeting held on 15 September 2021 were approved as a correct record.

**435/21 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 J. Doran, M. Gibson, H. Harvey, T. Lagden, R. Noble, R.W. Sider BEM, R.A. Smith Ainsley, B. Spoor, J. Vinson reported that they had received correspondence in relation to application 19/01211/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors M. Gibson, H. Harvey, R. Noble, R.W. Sider BEM all declared they had visited the site, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor H Harvey declared that she was a ward councillor who lived near the application site but would be keeping an open mind.

Councillors J. Doran, R.A. Smith-Ainsley, R. Noble, and H. Harvey all declared they were members of the Development Sub-Committee and attended a meeting of that sub-committee on 9 August 2021 during which Benwell Phase 2 was discussed. They declared at that meeting they were members of the Planning Committee and would not be making any comment on the application due to come before the Planning Committee and would approach the consideration of the application on the planning issues put forward.

Cllr K. Grant declared she was in attendance as ward councillor, had received communications from residents regarding the application, and was speaking at the meeting on their behalf.

**436/21 Planning application 19/01211/FUL - Benwell House, Green Street, Sunbury on Thames, TW16 6QS**

**Description:**

Erection of 5 storey residential block to provide 39 residential units, with a mix of 12 x 1-bed, 24 x 2-bed, and 3 x 3-bed units together with associated parking, landscape and access.

**Additional Information:**

The Council's Strategic Planning Officer has provided an updated Draft Statement of Five Year Housing Land Supply: Deliverable Housing Sites as at 1 April 2021, that updates the figure to 4.5 years. Paragraph 7.10 of the report should therefore be revised to state:

*'The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.5 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.'*

Members will have received a letter and Briefing Note dated 8<sup>th</sup> October. The letter states that: *'There has been a number of objections to these proposals for 39 homes, a great many of which are multiple objections from the same households.'*

Member should also be aware that a representation have been received stating that the 191 representations state in the report is incorrect and the actual number is higher (230).

The 191 letters of objection are individual representations received, multiple letters from the same individual are not counted through the Council's system, although the content is considered in the overall view of the application.

Three additional representations have been received on the following grounds:

- Proximity to existing properties
- Loss of TPO trees
- Already too busy/crowded with increase in traffic and noise
- Increased traffic
- Financial considerations for tax payers

Para 7.89 of the committee report refers to the planting of 38 trees to mitigate the loss of TPO trees, however Plan L-401 Rev P05 Tree Plan identifies 48 new trees will be planted within the site.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Andrew Peters, John Hirsh, and Jonathan Lewis spoke against the proposed development raising the following key points:

- The distance between the proposed development and existing neighbouring properties was less than the minimum required
- The proposed development failed the national guidance on maintaining reasonable light for existing neighbouring properties
- Neighbouring properties would experience a loss of privacy due to the height, window placement, and deciduous boundary trees
- The proposed development contradicted planning policies and guidance
- The proposed development would be dominant over surrounding residences and be out-of-character with existing properties
- The density of the proposed development exceeded the recommended dwellings per hectare
- Mature trees protected by Tree Preservation Orders (TPO) would be removed
- The proposed development would not deliver the minimum required affordable housing for new developments
- Parking for residents of the development would be against the boundaries of the existing neighbouring properties
- The proposed development would be a change of amenity to the site and result in more noise and pollution

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

- The affordable and social housing in the proposed development provided would help alleviate the number of families on the Council's housing register

- The majority of individuals on the Council's housing register were seeking a 1- or 2-bedroom property which the proposed development would provide
- The proposed development was close to public transport links and the Town Centre
- The proposed development was on a brownfield site
- The proposed development would reduce the need to develop within Green Belt land to meet housing targets set by central government.
- The windows and rooms within the proposed development would be oriented to minimise overlooking
- Car parking would be provided at a 1:1 ratio with electric vehicle charging points
- The trees proposed for removal would need to be removed in any event as they were dead or dying
- The trees proposed for removal would be replaced with new mature trees

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

- The planning report does not raise any concerns raised in the resident's objection letters
- There had been no letters written in support of the proposed development
- The proposed development transgressed multiple planning guidelines
- The proposed development would not meet a high standard of design
- Approval of the proposed development would lead to other high-rise, high-density buildings within the borough
- Adding another 5-storey building to the site would lead to loss of amenity, privacy, and sunlight to the surrounding established properties
- The proposed development would destroy vulnerable trees protected by TPOs

**Debate:**

During the debate the following key issues were raised:

- The adverse aspects of the proposal would not outweigh the benefits of the proposal
- The large number of 2-bedroom units in the proposed development were needed
- The Council needs to comply with the government's requirement to boost the housing supply
- The proposed development complements the existing office building
- There would be a significant amount of parking for the proposed site
- The proposed development would affect the wellbeing of the surrounding residents
- The applicant did not properly engage or consult with the local community
- The Council's tree officer objected to the loss of the trees on site

- The proposed development would be on an existing brownfield site
- All units in the proposed development meet or exceed minimum floor space
- The trees play an important role, especially as the proposed development would be near an area of high pollution
- If the mature trees were replaced with saplings, the saplings may not mature due to suspected honey fungus
- Waste for the site would need to be collected by a commercial contractor
- The established surrounding properties would suffer from loss of light and overlooking from the proposed development
- The proposed replacement trees would take years to replace the existing trees to the same level of coverage

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

|             |                                                                    |
|-------------|--------------------------------------------------------------------|
| For (5)     | H. Harvey, T. Lagden, R.W. Sider BEM, R.A. Smith-Ainsley, B. Spoor |
| Against (6) | C. Bateson, J. Doran, M. Gibson, N. Islam, R. Noble, J. Vinson     |
| Abstain (0) |                                                                    |

The motion to approve the application fell.

It was proposed by Councillor Noble and seconded by Councillor Gibson that the application be refused as it was in contravention of EN1(b), EN1(d), EN7 and EN8(c), and EN1(a).

The voting for the motion for reasons for refusal was as follows:

|             |                                                                           |
|-------------|---------------------------------------------------------------------------|
| For (7)     | C. Bateson, J. Doran, M. Gibson, N. Islam, T. Lagden, R. Noble, J. Vinson |
| Against (4) | H. Harvey, R.W. Sider BEM, R. Smith-Ainsley, B. Spoor                     |
| Abstain (0) |                                                                           |

**Decision:**

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

The proposed development, by reason of its height, bulk and close proximity to the boundary with the residential properties in Meadows End and Dunnell Close, would result in an unacceptable, overbearing effect and lead to overlooking and loss of privacy to these residential properties, detrimental to their amenity and contrary to Policy EN1(b) of the Core Strategy and Policies DPD, February 2009, and the National Planning Policy Framework 2021.

The proposed development will lead to an unacceptable loss of trees protected by a Tree Preservation Order, which make an important contribution to the urban environment and the landscape quality of the site and surrounding area, contrary to Policies EN1(d), EN7 and EN8(c) and the Core

Strategy and Policies DPD, February 2009, and the National Planning Policy Framework 2021.

The proposed development by reason of its height, bulk and scale, would result in an unacceptable development which would fail to respect and make a positive contribution to the street scene and character of the area, contrary to Policy EN1(a) of the Core Strategy and Policies DPD, February 2009, and the National Planning Policy Framework 2021.

#### **437/21 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.

#### **438/21 Major Applications Report**

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.