

**Minutes of the Planning Committee  
27 July 2016**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)

Councillor H.A. Thomson (Vice-Chairman)

**Councillors:**

R.O. Barratt

N.J. Gething

O. Rybinski

S.J. Burkmar

A.C. Harman

R.W. Sider BEM

S.M. Doran

A.T. Jones

M.P.C. Francis

D. Patel

**Apologies:** Apologies were received from Councillors I.J. Beardsmore and J.R. Boughtflower

**194/16 Minutes**

The minutes of the meeting held on 29 June 2016 were approved as a correct record.

**195/16 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 R.A. Smith-Ainsley (Chairman), H.A. Thomson (Vice-Chairman), R.O. Barratt, S.M. Doran, M.P.C. Francis, N.J. Gething, A.T. Jones, D. Patel, O. Rybinski and R.W. Sider BEM reported that they had received correspondence in relation to application 16/00893/FUL Page Works, Forge Lane, Sunbury on Thames, TW16 6EQ but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor A.C. Harman, reported that he had received correspondence in relation to applications 15/01518/FUL – 90 – 106 High Street, Staines upon Thames and 16/00893/FUL Page Works, Forge Lane, Sunbury on Thames, TW16 6EQ but had maintained an impartial role, had not expressed any views and had kept an open mind.

**196/16 15/01518/FUL - 90-106 High Street, Staines-upon-Thames, TW18 4DP**

**Description:**

Demolition of existing buildings and the erection of a part 4 storey/part 5 storey building to provide 1,435sqm (GEA) of ground floor retail floorspace and a 155 bedroom hotel. Extension and reconfiguration of car park to provide 45 parking spaces to hotel and retail and 25 parking spaces to the courtyard. Creation of new access and other associated works.

**Additional Information:**

The Assistant Head of Planning updated the Committee on a number of issues:

- That discussions between the Council and the applicant regarding the legal agreement had been ongoing. Whilst the draft legal agreement has been agreed, the Unilateral Undertaking is yet to be issued. Consequently, the recommendation to grant planning permission subject to the applicant first entering into an appropriate legal agreement is maintained.
- That amended plans had been received showing the reinstatement of an external terrace for the first floor hotel restaurant (originally proposed when the planning application was first submitted. Consequently, Condition 2 (approved drawings) to be amended as follows:

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

140118-A-P-00-D104 A; /-A-E-Existing-D100; 10004-121; 24823 received 11<sup>th</sup> November 2015

140118-A-Si-00-D101 Rev. A received 28 January 2016

140118-A-P-00-D105 Rev. AC; /-A-P-00-D106 Rev. AC; /-A-P-02-D108 Rev. Y; /-A-P-03-D109 Rev. Y; /-A-P-04-D110 Rev. Y; /-A-P-06-D112 Rev. X received 06 July 2016

140118-A-E-East-D102 Rev. AF; /-A-E-Wst-D103 Rev. M received 21 July 2016

140118-A-P-01-D107 Rev. AD and 140118-A-X-VA-D121 Rev. G received 21 July 2016

Reason:- For the avoidance of doubt and in the interest of proper planning

The Assistant Head of Planning informed the Committee that a letter had been received from the applicant following the publication of the Committee Report stating:

1. That the number of proposed bedrooms for the hotel has increased from 151 to 155 (i.e. an increase of 4 bedrooms)
2. Requesting that Condition 14 (hours of construction) is amended to:  
  
Monday to Friday 07:00 – 18:00  
Saturday 08:00 – 16:00  
Sunday 08:00 – 16:00  
Bank Holidays – no construction
3. Requesting Condition 24 (Electric Vehicle Charging Points) to be removed due to the costs (in the region of £10,000 plus) and that they are already committed to provided 10% renewable energy on the site.
4. To update Condition 2 with the approved drawings

The Assistant Head of Planning in response to the above points stated that:

1. There was no increase in the internal floorspace (it is as a result of reducing the size of some of the bedrooms). The County Highway Authority had raised no objection to this amendment. The proposed description was to be amended accordingly to the following:

Demolition of existing buildings and the erection of a part 4 storey/part 5 storey building to provide 1,435sqm (GEA) of ground floor retail floorspace and a 155 bedroom hotel. Extension and reconfiguration of car park to provide 45 parking spaces to hotel and retail and 25 parking spaces to the courtyard. Creation of new access and other associated works.

2. Condition 14 is to be amended as follows:

Condition 14

Construction of the development hereby approved must only be carried out on site between 07:00 – 18:00 Monday to Friday, 08:00 – 16:00 Saturday, Sunday 08:00 – 16:00, and none at all on Public Holidays or Bank Holidays.

Reason:- In the interest of amenity

3. The Council's Pollution Control Officer has confirmed that she does not consider that this condition should be removed. However, she is willing to amend the condition to require 2 no. trickle charging points rather than 1 trickle charging point and 1 fast charging point (which are more costly to install). Accordingly, Condition 24 is to be amended as follows:

Condition 24

No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for 2 no. trickle charging points to be provided on the site. The trickle charging points shall be retained exclusively for their designated purpose.

Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

The Assistant Head of Planning explained to the Committee that the previous proposal to install a geocellular attenuation tank had been replaced by a new porous paving design. In addition, a further response had been received from the Local Lead Flood Authority (Surrey County Council) confirming that they had no objection subject to a number of conditions and an informative. The following conditions are to be amended or replaced as follows:

Condition 28

Before the detailed design of the Sustainable Drainage Scheme assets is approved by the Local Planning Authority the applicant shall submit evidence that their design is permitted to connect into the Highway Drain and agreement of the discharge rate into the Highway Drain. This shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that that the final drainage design mitigates flood risk on or off site.

Condition 29

Prior to construction of the development hereby approved the following drawings need to be supplied:

- A drainage layout detailing the exact location of Sustainable Drainage Scheme elements, pipes, impervious areas and drainage sub-catchments (if applicable)
- Details of all Sustainable Drainage Scheme elements and other drainage features, including long and cross sections, pipe diameters and respective levels

These must be submitted to and approved by the local planning authority

Reason: To ensure the drainage design meets the technical standards

Condition 31

Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will cater for

system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

Reason: To ensure that the proposal has fully considered system failure.

### Condition 32

Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the Sustainable Drainage Scheme elements must be submitted to and approved by the Local Planning Authority.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard

### Condition 33

Prior to operation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System complies with the technical standards

### **Public Speaking:**

There were no public speakers on this item.

### **Debate:**

During the debate the following key issues were raised:

- Existing buildings are well past their prime
- Buildings have been unused for many years. Development is needed on this site.
- Economic benefits
- Issues over flooding needed clarifying
- No objection to size, density, parking
- Concerns over design
- Questions over materials
- Query over how Scoot contribution will work
- There should be no construction on Sundays

Amendment proposed—

It was moved by Councillor R.W. Sider BEM and seconded by Councillor A.T. Jones that Condition 14 be amended to state that there should be no construction on Sundays.

The amendment was carried and added to the Substantive motion.

**Decision:**

The application was approved as set out in the report of the Assistant Head of Planning subject to the following amendments to the description of the proposal and amendments to conditions:

Amended Description of Proposal

Demolition of existing buildings and the erection of a part 4 storey/part 5 storey building to provide 1,435sqm (GEA) of ground floor retail floorspace and a 155 bedroom hotel. Extension and reconfiguration of car park to provide 45 parking spaces to hotel and retail and 25 parking spaces to the courtyard. Creation of new access and other associated works. (AMENDED PLANS)

Amended Conditions

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

140118-A-P-00-D104 A; /-A-E-Existing-D100; 10004-121; 24823 received 11<sup>th</sup> November 2015

140118-A-Si-00-D101 Rev. A received 28 January 2016

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140118-A-P-01-D107 Rev. AD and 140118-A-X-VA-D121 Rev. G received 21 July 2016

Reason:- For the avoidance of doubt and in the interest of proper planning.

Condition 14

Construction of the development hereby approved must only be carried out on site between 07:00 – 18:00 Monday to Friday, 08:00 –16:00 Saturday, and none at all on Sundays, Public Holidays or Bank Holidays.

Reason:- In the interest of amenity

Condition 24

No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in

writing by the Local Planning Authority for 2 no. trickle charging points to be provided on the site. The trickle charging points shall be retained exclusively for their designated purpose.

Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF.

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Reason: To ensure that that the final drainage design mitigates flood risk on or off site.

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- Details of all Sustainable Drainage Scheme elements and other drainage features, including long and cross sections, pipe diameters and respective levels

These must be submitted to and approved by the local planning authority

Reason: To ensure the drainage design meets the technical standards

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Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

Reason: To ensure that the proposal has fully considered system failure.

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Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the Sustainable Drainage Scheme elements must be submitted to and approved by the Local Planning Authority.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard

Condition 33

Prior to operation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System complies with the technical standards

**197/16    16/00893/FUL - Page Works, Forge Lane, Sunbury On Thames, TW16 6EQ**

**Description:**

Redevelopment of the site to provide 33 residential units, 3 x 1 bed flats, 4x 2 bed flats, 11 x 2 bedroom houses, 5 x 3 bedroom houses and 10 x 4 bedroom houses with a total number of 63 car parking spaces, the provision of amenity space, landscaping and associated alterations

**Additional Information:**

The Assistant Head of Planning informed the Committee of the following amendments to the Planning Committee report as follows:

The description of the affordable housing in paragraph 7.9 should read:

4 x 2 bed/4 person units  
2 x 2 bed / 3 person units  
3 x 1 bed / 2 person units.

The Assistant Head of Planning then outlined the additional consultation responses that had been received since the time the agenda had been published:

- Group Head Neighbourhood Services – No objection in terms of access arrangements for refuse collection vehicles.
- Surrey Wildlife Trust – Confirmed that their previous comments apply to this proposal and remain unchanged.
- Environmental Health (Air Quality) – Confirmed that their comments were the same as for the previous application as the documents submitted are the same. No objections, subject to conditions.
- County Highway Authority – No objections subject to conditions



The Committee was informed about the following amendment to the detailed wording of the recommendation at paragraph 8.1 in the Committee report:

*To provide 9 affordable housing units on site built in accordance with the current requirements of the Homes and Communities Agency the details of which shall be agreed with The Council's Assistant Head of Planning (Development Management).*

*The split of the type of affordable housing shall be 5 units to be offered for affordable rent and 4 units as shared ownership.*

*Prior to first letting the Registered Provider shall enter into a Nominations 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 Provider for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.*

In addition the Assistant Head of Planning informed the Committee that the applicant had requested amendments to some conditions and the changes are as follows:

Deletion of condition 26 which duplicates condition 5.

Condition 33 should be amended to:

The development hereby approved shall be carried out in accordance with the following approved plans: P101 B; P101 AH; P102 D; P103B; P104 A; P105 B; P106 A; P110 H; P111 F; P112 F; P113 G; P114 AH; P114 F; P115 F; P116 F; P117 F; P118 F; C101 E; C102 E; S101 A; S102 A; S103 A; S104 AFNH418 LS/02 received 09.06.2016.

Reason: - For the avoidance of doubt and in the interest of proper planning.

Additional condition

No demolition, site clearance or building operations shall commence until protective fencing consisting of weld mesh panels on a scaffold framework as shown in Figure 2 of BS 5837 2012 has been erected around each tree or tree group to be retained on the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. No trenches, pipe runs for services and drains shall be sited within that area around the trunk of any tree which is to be protected by fencing unless in accordance with the approved details. Such fencing shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.

The destruction by burning of materials shall not take place within 6 m (19 ft. 8 ins) of the canopy of the TPO tree to be retained on the site or on land adjoining.

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

Additional Informatives

Additional informative to be imposed as follows:

1. Access by the Fire Brigade

Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

2. The applicant is advised to contact National Grid – Electricity prior to any work commencing on site as there is apparatus in the vicinity of the site which may be affected by the development.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Graig Rogers spoke for the proposal raising the following key points:

- Have worked with officers, community and residents to achieve an acceptable solution
- Low density scheme
- Buildings are 2 and 2.5 storeys, 1,2,3,4, bed dwellings catering for all residents
- Affordable housing provision
- High standard of design
- Parking standards are met
- Will upgrade two bus stops
- Size of units meet standards
- Will contribute positively to the area.

**Debate:**

During the debate the following key issues were raised:

- Will be an improvement to the site
- Applicant has consulted to meet the community requirements
- Affordable housing is welcome
- Officer have provided pre-application advice
- Affordable housing welcome
- Will enhance the area visually

**Decision:**

The application was **approved** as set out in the report of the Assistant Head of Planning subject to the amendments to the following recommendation and conditions:

Recommendation - paragraph 8.1

The Committee approved the following amendment to the detailed wording of the recommendation at paragraph 8.1 of the Committee report:

*To provide 9 affordable housing units on site built in accordance with the current requirements of the Homes and Communities Agency the details of which shall be agreed with The Council's Assistant Head of Planning (Development Management).*

*The split of the type of affordable housing shall be 5 units to be offered for affordable rent and 4 units as shared ownership.*

*Prior to first letting the Registered Provider shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).*

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Deletion of condition 26 which duplicates condition 5.

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during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.

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2. The applicant is advised to contact National Grid – Electricity prior to any work commencing on site as there is apparatus in the vicinity of the site which may be affected by the development.

#### **198/16    Standard 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 Assistant Head of Planning.

**Resolved** that the report of the Assistant Head of Planning be received and noted.

#### **199/16    Thanks to Samuel Nicholls**

It was proposed by Councillor R.A. Smith-Ainsley and seconded by Councillor R.W. Sider BEM to record a vote of thanks to Samuel Nicholls, Committee Manager who was leaving Spelthorne Borough Council at the beginning of August.

The Chairman thanked Mr Nicholls for the four years he had served as the Committee Manager for the Planning Committee and the help he had

personally given him assisting with the smooth running of the meetings and the work behind the scenes within the team. The Chairman alongside the rest of the Committee wished Mr Nicholls success in his new position at the Royal Borough of Kingston.