

MINUTES OF THE PLANNING COMMITTEE

13 OCTOBER 2010

Present:

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

Councillors:

| | | |
|---------------|------------------|-------------------|
| S.E.W. Budd | S. J Fairfax | Jack D. Pinkerton |
| T.W. Crabb | G.E. Forsbrey | Mrs M.W. Rough |
| Mrs S.A. Dunn | Miss N. A. Hyams | R. W. Sider |

Apologies: Councillor H.A. Thomson (Chairman), Councillor Mrs P.C. Amos and Councillor I.J. Beardsmore.

In Attendance

Where Councillors are not members of the Committee but attended the meeting and addressed the Committee in relation to applications in their ward this is indicated below in relation to the relevant application.

Councillor Philippa Broom – **10/00662/FUL** – 77 Worple Road, Staines

Councillor K. Flurry – **10/00508/FUL** – Broad View, Long Lane, Stanwell

Councillor A.P. Hirst – **10/00499/HOU** – Fieldsedge, Highfield Road, Sunbury

301/10 MINUTES

The minutes of the meeting held on 15 September 2010 were approved as a correct record.

302/10 DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST

The following disclosure was made.

| Application | Councillor |
|--|--|
| 08/00361/OUT – Land Fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell | Councillor Mrs R.W Rough declared a personal interest due to being a Board member of A2Dominion. |

303/10 DECLARATIONS UNDER THE COUNCIL'S PLANNING CODE

Councillor R.A. Smith-Ainsley reported that he had received correspondence in relation to applications **08/00361/OUT** – Land fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell, **10/00556/RMA** – 17 – 51 London Road, Staines, **10/00222/FUL** – 34 Richmond Road, Staines, **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford, **10/00499/HOU** – Fieldsedge Highfield Road, Sunbury and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor S.E.W Budd reported that he had received correspondence in relation to applications **10/00222/FUL** – 34 Richmond Road, Staines and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton.

Councillor T.W. Crabb reported that he had received correspondence in relation to applications **10/00556/RMA** – 17 – 51 London Road, Staines, **10/00222/FUL** – 34 Richmond Road, Staines, **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford, **10/00499/HOU** – Fieldsedge Highfield Road, Sunbury and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor Mrs S.A. Dunn reported that she had received correspondence in relation to applications **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford, **10/00499/HOU** – Fieldsedge Highfield Road, Sunbury, and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor S.J. Fairfax reported that he had received no correspondence in relation to any of the applications and had not expressed any views.

Councillor G.E. Forsbrey reported that he had received correspondence in relation to applications **08/00361/OUT** – Land fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell, **10/00556/RMA** – 17 – 51 London Road, Staines, **10/00222/FUL** – 34 Richmond Road, Staines, **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford, **10/00508/FUL** – Broad View Long Lane, Stanwell, **10/00499/HOU** – Fieldsedge Highfield Road, Sunbury, **10/00514/HOU** – 9 Furzewood, Sunbury and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor Miss N. A. Hyams reported that she had received correspondence in relation to applications **08/00361/OUT** – Land fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell, **10/00556/RMA** – 17 – 51 London Road, Staines and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor Jack D. Pinkerton reported that he had received correspondence in relation to applications **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford but had maintained an impartial role and had not expressed any views.

Councillor Mrs M.W. Rough reported that she had received correspondence in relation to applications **10/00556/RMA** – 17 – 51 London Road, Staines, **10/00222/FUL** – 34 Richmond Road, Staines, **10/00499/HOU** – Fieldsedge

Highfield Road, Sunbury and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor R.W. Sider reported that he had received correspondence in relation to applications **08/00361/OUT** – Land fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell, **10/00556/RMA** – 17 – 51 London Road, Staines, **10/00222/FUL** – 34 Richmond Road, Staines, **10/00499/HOU** – Fieldsedge Highfield Road, Sunbury, **10/00514/HOU** – 9 Furzewood, Sunbury and **09/00739/CLD** – The Nutshells, Abbey Road, Shepperton and **10/00590/FUL** – Bulldog Nursery, Town Lane, Ashford but had maintained an impartial role and had not expressed any views.

SPECIAL ANNOUNCEMENT

The Chairman of the Committee made a public announcement of the sudden death of the Committee Services Acting Principal Committee Manager, Trevor Baker:

“Many of you may have learned of the very sad death of one of the best known officers of the Borough Council. Trevor Baker collapsed and died after work on 6th October. Trevor will always be remembered for his dry and self-deprecating sense of humour and will be irreplaceable. Trevor was a great source of knowledge of all aspects of the council despite him going blind in 1975”.

A minute silence was given in memory of Trevor Baker.

304/10 PLANNING APPLICATIONS DETERMINED

The planning applications listed below were considered by the Committee together with the recommendations contained in the written report of the Deputy Chief Executive.

All written representations received on the applications were made available for inspection by Members of the Committee prior to the start of the meeting. Planning Officers reported on any additional letters of representation and any other information received after the written report was prepared, as indicated below under the relevant application.

In accordance with the procedure for public speaking at meetings views were expressed in relation to certain applications, as indicated below under the relevant applications.

RESOLVED that the following planning applications be determined as indicated below:

1.

| Application No. | Address |
|-----------------|--|
| 08/00361/OUT | Land Fronting and located between Explorer Avenue, Holywell Way, Long Lane and Mulberry Avenue, Stanwell |

Description:

Outline Planning application for the demolition of existing dwellings and phased development of a total of 304 residential units comprising of affordable and private

dwellings including an extra care facility (44 affordable units), community centre, provision of associated car parking, access and landscaped public open space (Phase 2, 3 and 4 of Stanwell Residential Development and Regeneration scheme).

Additional Information:

The Planning Officers reported on the consultation response received from the County Highway Authority raised no objection to the proposal subject to the additional heads of terms for the legal agreement.

Public Speakers:

In accordance with the procedure for public speaking at meetings Mr D. Price spoke for the application.

Decision:

GRANT outline planning permission as set in the report of the Deputy Chief Executive and subject to the following additional heads of terms for the legal agreement and additional conditions:

- a) The provision of vouchers to the value of £200 per individual unit, to be made available upon first occupation of each unit to be made redeemable against local train or bus travel and /or local bicycle shops.
- b) The payment of a financial contribution of £6150 towards auditing the travel plan

16. No development shall commence until a scheme has been submitted to and approved in writing by the Highway Authority to provide new bus stops, including poles, timetables, raised kerbs and bus box markings on the southbound and northbound carriageways of Hadrians Way, nearest the site. The approved scheme shall then be constructed before first occupation of the dwellings.

17. No development shall commence until details of the layout and design of the proposed roads and alterations to existing roads and a timetable for their construction have been submitted to and approved in writing by the local planning authority. And then the proposed roads and alterations to existing roads shall be constructed in accordance with the approved details and timetable.

18. Parking and Turning (HC06)

19. Method of Construction Statement (HC08)

20. Protection of highway from Mud (HC10)

21. Provision for sustainable Modes (HC12)

22. Travel Plan (HC13)

Condition 3 in the report of the Deputy Chief Executive to be deleted.

15 Standard Highway Informatives to be attached to the decision notice.

2.

| Application No. | Address |
|-----------------|----------------------------|
| 10/00556/RMA | 17-21 London Road, Staines |

Description:

Application for approval of reserved matters for building 2 (Building A) and ancillary car parking pursuant to outline planning permission 06/00887/OUT.

Additional Information:

The Planning Officer referred to the amended plans that were received for the sightlines together with additional conditions.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr Harish Ratna spoke for the application.

Decision:

GRANT planning permission as set in the report by the Deputy Chief Executive subject to the imposition of the following condition:

5. Before the proposed highway accesses to Fairfield Avenue shown on drawings (SK) 104 revision 02 and (SK) 104a revision 00 (hereinafter called The Drawings) are used by vehicles, those highway access shall be provided with visibility zones in accordance with The Drawings and thereafter with the exception of the trees shown on The Drawings, the highway access sightlines shall be kept permanently clear of all sight obstructions. (Plan number's referred to in Condition 4 change accordingly).

3.

| Application No. | Address |
|-----------------|-------------------------|
| 10/00662/FUL | 77 Worple Road, Staines |

Description:

Demolition of existing bungalow and outbuildings. Erection of 12 no.2 bedroom flats within a two storey block with ancillary amenity space and parking, amended vehicular accesses to Worple Road and Pavilion Gardens.

Additional Information:

The Planning Officer reported on two late letters of representation together with the consultation response received from the Head of Environmental Health confirming that the submitted air quality assessment is acceptable and that no further mitigation was required.

Corrections were made to the dimensions in paragraph 7.5 as 6.2m, not 7m.

The Planning Officer reported the request from the applicant for the deferral of the item reported.

Public Speakers: In accordance with the procedure for public speaking at meetings Mr N. Sammy spoke against the application and Mr K. Turner for the application.

Decision:

REFUSE planning permission as set in the report of the Deputy Chief Executive subject to the following additional reason for refusal:

(2) The proposal results in a development having a cramped appearance which lacks sufficient space for landscaping and separation distances to boundaries and a well integrated parking layout to ensure that a flatted scheme of the size proposed has sufficient regard to the character of the area. As such, the proposal is contrary to policy EN1 of the Spelthorne Borough Council Core Strategy and Policies Development Plan Document – February 2009.

4.

| Application No. | Address |
|-----------------|---------------------------|
| 10/00222/FUL | 34 Richmond Road, Staines |

Description:

Demolition of existing property and erection of 2 no. semi-detached and 1 no. detached dwelling houses comprising 3 floors of accommodation. Provision of associated parking spaces.

Additional Information:

No additional Information reported.

Public Speaking: In accordance with the procedure for public speaking at meetings Mr. D Watts spoke against the application and Mr K. Turner spoke for the application.

Decision:

On the casting vote of the Chairman it was agreed to **GRANT** planning permission as set out in the report by the Deputy Chief Executive.

5.

| Application No. | Address |
|-----------------|-------------------------------------|
| 10/00590/FUL | Bulldog Nursery, Town Lane, Ashford |

Description:

The erection of a two storey block of 10 flats including accommodation within the roof space together with a new vehicular access and provision of 13 car parking spaces.

Additional Information:

The Planning Officer reported on amended plans addressing minor discrepancies in the elevation plans. The Planning Officer also reported on the consultation response from Environmental Health.

Decision:

GRANT planning permission as set out in the report by the Deputy Chief Executive including the completion of a legal agreement and subject to the following additional conditions:

17. Prior to the commencement of the development hereby approved a detailed air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include a Local Scale Dispersion Model on air quality to identify the need for on-site mitigation measures (to include mechanical ventilation) which are required to protect the occupiers of the development from poor air quality. Details of the applied model and appropriate validation of such should also be provided and it is considered appropriate that the detailed assessment will account for conditions on the existing junction and on the proposed remodelled junction.

The development shall not be occupied until those mitigation measures have been provided and they shall thereafter be retained and maintained in accordance with the approved details.

Reason - The site is situated within an Air Quality Management Area and these measures are required to protect future occupiers of the development from the effect of poor air quality.

6.

| Application No. | Address |
|-----------------|---------------------------------|
| 10/00591/FUL | 101- 103 Chertsey Road, Ashford |

Description:

Demolition of two existing bungalows and erection of a part two (with rear dormer to provide additional accommodation in the roof space) and part three storey building incorporating nine flats, access and parking (amendment to PA 07/00998/FUL to allow an additional flat in a new area).

Additional Information:

The Planning Officer reported on minor discrepancies in the elevation plans

Decision:

GRANT planning permission as set out in the report by the Deputy Chief Executive.

7.

| Application No. | Address |
|-----------------|---------------------------------|
| 10/00508/FUL | Broad View, Long Lane, Stanwell |

Description:

Demolition of existing property and outbuildings and erection of 2 buildings (one 2-storey and one 3-storey with top floor within the roof space) incorporating 7 no.1-bedroom and 5 no. 2-bedroom flats. Provision of new access road, associated parking and landscaping.

Additional Information:

The Planning Officer reported on the amended plans received together with the consultation response from the County Highway Authority and Noise Officer. Consideration was given to the balcony and the likeliness of overlooking into neighbouring houses.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr P. Murphy spoke against the application.

Decision:

DEFER consideration of the planning application to enable the Juliet balcony and patio style windows to be omitted from Block B.

The meeting having lasted for 3 hours and in accordance with Standing Order 5.1 it was agreed that the meeting would continue to complete its business on the Agenda.

8.

| Application No. | Address |
|-----------------|---|
| 10/00642/FUL | The George Public House, 2 – 8 High Street, Staines |

Description:

Re-development of existing yard into external area for the consumption of food and drink and associated alterations including the erection of fencing.

Additional Information:

APPLICATION WITHDRAWN.

9.

| Application No. | Address |
|-----------------|-------------------------------------|
| 10/00499/HOU | Fieldsedge, Highfield Road, Sunbury |

Description:

Planning permission for an extension to the roof to form a first floor over the bungalow and the erection of a single storey side extension.

Additional Information:

No additional information given.

Public Speaker:

In accordance with the procedure for public speaking at meetings Ms Grainne O'Keefe spoke for the application

Decision:

REFUSE planning permission as set out in the report by the Deputy Chief Executive.

10.

| Application No. | Address |
|-----------------|----------------------|
| 10/00514/HOU | 9 Furzewood, Sunbury |

Description:

Erection of a first floor extension to the north of the property. Erection of a ground floor extension to the north east with glazed roof and erection of a porch.

Additional Information:

The Planning Officer reported on two further letters of representation which reiterated the previous grounds of objection and raising issues relating to restrictive covenants and the erection of a garden shed.

Decision:

GRANT planning permission as set in the report by the Deputy Chief Executive.

11.

| Application No. | Address |
|-----------------|--|
| 10/00761/MIS | Cargo Transit Shed, 520B Southern Perimeter Road, Heathrow Airport |

Description:

Consultation from the London Borough of Hillingdon for the rebuilding of an existing cargo transit shed with ancillary office accommodation.

Additional Information:

The Planning Officer reported on the consultation response from the County Highway Authority raising no objection to the proposal.

Decision:

London Borough of Hillingdon be informed that Spelthorne Borough Council, as adjoining Local Planning Authority, raises No Objection to the proposal.

12.

| Application No. | Address |
|-----------------|---|
| 10/00657/SCC | Land at Hithermoor Quarry, Leylands Lane, Stanwell Moor |

Description:

The construction of an engineered clay cap to the closed landfill at Hithermoor Quarry utilising suitable imported clays with landscaping including the provision of a final soil layer.

Additional Information:

No additional information reported.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr John Leer spoke against the application

Decision:

SURREY COUNTY COUNCIL be informed that this Council raises very strong objections to the proposed engineered clay cap and associated works on the following grounds:

1. In appropriate development in the Green Belt which has not been justified by very special circumstances;
2. Importation of large amounts of additional landfill will further harm the amenities of the area by virtue of increased disturbance and vehicle movement.

305/10 ENFORCEMENT ACTION – 10/00221/ENF & 10/00222/ENF – 14 AND 14A STATION CRESCENT, ASHFORD

The Committee considered the report of the Deputy Chief Executive on an unauthorised development of two dwelling.

RESOLVED that an Enforcement Notice be issued to each property requiring that the unauthorised development be demolished. Such Notices to be complied with within 6 months of them taking effect.

Reason for Serving the Notice

As reasons set out in the report by the Deputy Chief Executive.

306/10 ENFORCEMENT ACTION – 10/00052/ENF – 28 ST MARYS AVENUE, STANWELL

The Committee considered the report of the Deputy Chief Executive on an unauthorised erection of a shed in the rear garden.

RESOLVED that an Enforcement Notice be served to ensure the removal of the wooden shed. Such Notice to be complied with within 3 months of the Notice coming into effect.

Reason for Serving the Notice

As reasons set out in the report by the Deputy Chief Executive.

307/10 ARTICLE 4 DIRECTION - 09/00739/CLD – THE NUTSHELLS, ABBEY ROAD, SHEPPERTON

The Committee considered the report of the Deputy Chief Executive requesting the Article 4(1) Direction to withdraw permitted development rights in respect of land at The Nutshells, Abbey Road, Shepperton be reconfirmed.

The Committee discussed the statutory process that was required to be followed for Article 4(1) Directions and noted that these needed to be made for a 6 month period with the current Direction expiring on 25 December 2010.

The Committee noted that the withdrawal of permitted development rights by an Article 4 Direction may give rise to liability to compensate. Any person with an interest in the land or in any mineral in the land may seek compensation for abortive expenditure or other loss or damage directly attributable to the withdrawal of the permitted development rights. The right to compensation does not arise until an application for planning permission has been made specifically for the carrying out of work which would be classified as permitted development under the relevant Order.

The Committee discussed the processes involved and noted that if Council gave approval to the Direction it would take immediate effect. The Council would need to notify the Secretary of State of its confirmation of Direction.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr B. Payne spoke against the confirmation of the Direction.

RESOLVED TO RECOMMEND TO COUNCIL that the Article 4 (1) Direction issued on 24 June 2010 to remove the permitted development rights at The Nutshells, Abbey Road, Shepperton and relating to Classes A, B, D and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 be confirmed.

308/10 PLANNING APPEALS

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 Head of Planning and Housing Strategy.

RESOLVED that the report from the Deputy Chief Executive be received and noted.