

MINUTES OF THE PLANNING COMMITTEE

09 FEBRUARY 2011

Present:

Councillor H.A. Thomson
Councillor R.A. Smith-Ainsley

Councillors:

T.W. Crabb G.E. Forsbrey R.W. Sider
Mrs S.A. Dunn Jack D. Pinkerton

Apologies: Councillors Mrs P.C. Amos, S.E.W. Budd, Ms N.A. Hyams and Mrs M.W. Rough

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.

Councillors L.E. Nichols: 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames

Councillor L.E. Nichols spoke on behalf of Councillor Mrs C.E Nichols on application 09/00841/OUT- London Irish Rugby Football Club, The Avenue, Sunbury on Thames

Councillor K. Flurry: 10/00899/HOU - 29 Hadrian Way, Stanwell, 10/00311/ENF - 31 – 41 Diamedes Avenue, Stanwell, 10/00300/ENF - The Swan Inn 16 - 18 High Street, Stanwell and 11/00005/ENF - 4 Gibson Place, Stanwell

Mrs V.J. Leighton: 10/00961/REN - The Anchor Hotel, Church Square Shepperton and 10/00543/FUL - Thamesmead County Secondary School Manygate Lane, Shepperton

32/11 MINUTES

The minutes of the meeting held on 26 January 2011 were approved as a correct record.

33/11 DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST

The following disclosure was made:

| Councillor | Reason |
|------------|---|
| T.W. Crabb | Councillor T.W. Crabb declared a personal interest in applications 09/00842/OUT and 09/00841/OUT as |

| | |
|---------------|---|
| | he lives on The Avenue, Sunbury |
| Mrs S.A. Dunn | Councillor Mrs S.A. Dunn declared a personal interest in application 09/00842/OUT as she lives close to the golf course |

34/11 DECLARATIONS UNDER THE COUNCIL'S PLANNING CODE

Councillor H.A. Thomson reported that he had received correspondence in relation to applications 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton, 10/00543/FUL - Thamesmead County Secondary School, Manygate Lane, Shepperton and 10/00899/HOU- 29 Hadrian Way, Stanwell but had maintained an impartial role and had not expressed any views.

Councillor R.A. Smith-Ainsley reported that he had received correspondence in relation to applications 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton and 10/00311/ENF - 31 – 41 Diamedes Avenue, Stanwell but had maintained an impartial role and had not expressed any views.

Councillor T.W. Crabb reported that he had received correspondence in relation to applications 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton and 10/00543/FUL - Thamesmead County Secondary School Manygate Lane, 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 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton and 10/00543/FUL - Thamesmead County Secondary School, Manygate Lane, Shepperton but had maintained an impartial role and had not expressed any views.

Councillor G.E. Forsbrey reported that he had received correspondence in relation to applications 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton, 10/00543/FUL - Thamesmead County Secondary School, Manygate Lane, Shepperton and 10/00977/FUL - 47 Woodthorpe Road Ashford 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 09/00842/OUT - Hazelwood Golf Centre, Croysdale

Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00543/FUL - Thamesmead County Secondary School, Manygate Lane, Shepperton, 10/00899/HOU- 29 Hadrian Way, Stanwell and 10/00311/ENF - 31 – 41 Diamedes Avenue, Stanwell 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 09/00842/OUT - Hazelwood Golf Centre, Croysdale Avenue, Sunbury on Thames, 09/00841/OUT - London Irish Rugby Football Club, The Avenue, Sunbury on Thames, 10/00961/REN - The Anchor Hotel, Church Square, Shepperton and 10/00543/FUL - Thamesmead County Secondary School, Manygate Lane, Shepperton but had maintained an impartial role and had not expressed any views.

35/11 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:

ITEM 1.

| Application | Address |
|--------------|--|
| 09/00842/OUT | Hazelwood Golf Centre Croysdale Avenue, Sunbury on Thames |

Description:

Demolition of clubhouse, driving range and other built structures on site and the development of five adult and 12 junior natural turf sports pitches, three of which to be floodlit and one to be a third generation (3G) artificial grass pitch, plus erection of clubhouse and parking for London Irish and associated landscaping to include creation of a lake.

Additional Information:

The Planning Officer reported the following:

- There were further late letters of representation
- Members were informed that some initial draft comments had been received from the Council’s sport consultant but these were not at a

stage that can be reported, and taken into account, in the consideration of this item

- Comments received from the Environmental Health Manager on the impact of air quality being minimised by a more robust travel plan
- A letter had been received from the appellant's agent expressing the view that there is an agreement between the parties noise consultants regarding the impact of the proposal on the cemetery. This letter however does not reflect the very latest advice we have received from our consultants which has been set out in Para 5.28 of the report.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr Paul Watts spoke against the application. The issues relating to planning were:

- The reason relating to the loss of an attractive landscape was included with for good justification and should not be removed

During the debate the following key issues were raised:

- The need for the reasons for refusal to stand up to scrutiny at the Inquiry
- Whether the change in the appearance of the landscape was sufficient reason to refuse the application
- Whether the concerns about noise had been overcome

Decision:

RESOLVED that:

(a) The appeal should proceed on the basis of the following reasons for refusal as set out below:

Reason 1 – Green Belt

Reason for refusal Overcome/To Remain:

Remain in respect of clubhouse, floodlighting, fencing and overspill car parking. Overcome in respect of spectator accommodation and changes in the levels of the land.

Reason 1 (a) Loss of attractive landscape

Reason for refusal Overcome/To Remain:

Insufficient ground to maintain objection

Reason 2 - Noise

Reason for refusal Overcome/To Remain:

Overcome in respect of residential amenity (subject to conditions).
Remain in respect of other amenities.

Reason 3 - Air quality

Reason for refusal Overcome/To Remain:

Remain (unless the appellants can show from mitigation that residual pollution is insignificant. The final decision on this to be delegated with the Deputy Chief Executive in consultation with the Planning Committee / Chairman.)

(b) Officers be authorised to respond, in liaison with the Deputy Chief Executive and Chairman of the Planning committee, to any proposals by London Irish Holdings Ltd to overcome the Council's objections and other matters that may arise before and during the Public Inquiry.

ITEM 2.

| Application | Address |
|---------------------|---|
| 09/00841/OUT | London Irish Rugby Football Club The Avenue Sunbury on Thames |

Description:

Demolition of stand and clubhouse an erection of 194 residential units (of which 12 have associated workspace), a care home, site for a future health centre, construction of estate roads and the provision of new open space including a new neighbourhood park

Additional Information:

The Planning Officer reported the following:

- There were further late letters of representation
- Comments were received from the Environmental Health Manager on the impact on air quality being minimised by a more robust travel plan.
- Members informed that there was a word processing error in the table set out in Para 6.1. of the report. In the issue column for Reason 7 all wording after "Traffic Congestion /Safety" should be deleted

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr Matt Tanna -White spoke against the item. The issues relating to planning were:

- The additional information submitted does not overcome the concerns about traffic generation

During the debate the following key issues were raised:

- The need for the reasons for refusal to stand up to scrutiny at the Inquiry
- Density
- Traffic generation

Decision:

RESOLVED that:

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(a) The appeal should proceed on the basis for the following reasons for refusal as set out below:

Reason 1 – Loss of protected urban open space

Reason for refusal Overcome/To Remain:

Remain

Reason 2 – Justification of housing needs

Reason for refusal Overcome/To Remain:

Remain

Reason 3 - Loss of an Outdoor Sports Facility

Reason for refusal Overcome/To Remain:

Remain

Reason 4 - Affordable Housing

Reason for refusal Overcome/To Remain:

Remain

Reason 5 - Education Contribution

Reason for refusal Overcome/To Remain:

Overcome (subject to the completion of a S106 obligation)

Reason 6 – Archaeology

Reason for refusal Overcome/To Remain:

Overcome (subject to a condition)

Reason 7 - Traffic Congestion/Safety Remain

Reason for refusal Overcome/To Remain:

Overcome (subject to the completion of a S106 obligation)

Reason 8 – Air quality

Reason for refusal Overcome/To Remain:

Remain (unless the appellants can show from mitigation that residual pollution is insignificant. The final decision on this should be delegated to the Deputy Chief Executive in consultation with the Planning Committee Chairman.)

Reason 9 - Layout – Cramped and Out of Character

Reason for refusal Overcome/To Remain:

Insufficient grounds to maintain objection

(b) Officers be authorised to respond, in liaison with the Deputy Chief Executive and Chairman of the Planning committee, to any proposals by London Irish Holdings to overcome the Council's objections and other matters that may arise before and during the Public Inquiry.

ITEM 3.

| Application | Address |
|--------------|---|
| 10/00961/REN | The Anchor Hotel Church Square, Shepperton |

Description:

Renewal of planning permission 05/00820/FUL for the erection of a part three-storey and part two-storey rear extension, new lift extension and other alterations

Additional Information:

The Planning Officer reported that there were further late letters of representation.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr David Fear spoke against the item. The issues relating to planning were:

- Impact of the proposal on the Conservation area and adjoining properties
- Adequacy of parking provision

During the debate the following key issues were raised:

- The extent to which the previous permission needs to influence the current application
- Impact on adjoining properties and the conservation area

Decision:

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

ITEM 4.

| Application | Address |
|--------------|---|
| 10/00543/FUL | Thamesmead County Secondary School, Manygate Lane, Shepperton |

Description:

Formation of synthetic turf pitch and erection of 3 metre high wire mesh fencing to perimeter of pitch

Additional Information:

The Planning Officer reported that there were further late letters of representation

Public Speaker:

In accordance with the procedure for public speaking at meetings Mr Paul Cresey spoke against the item. The issues relating to planning were:

- Proposal would create unacceptable noise disturbance
- Not all possible alternative locations had been considered

In accordance with the procedure for public speaking at meetings Mr Peter Rodin spoke for the item. The issues relating to planning were:

- This is the only possible location for the pitch.
- The playing fields were already used by pupils for the same purpose.
- Would be willing to restrict use to exclude use during school holidays
- Thamesmead only school in area lacking MUGA and facility needed

During the debate the following key issues were raised:

- Impact of noise on neighbouring residential properties

Decision:

RESOLVED to overturn the recommendation of the Planning Officer and refuse planning permission for the following reason:

The proposed use of the synthetic turf pitch in such close proximity to the boundaries of the site would result in a significant loss of amenity to neighbouring residential properties in terms of noise disturbance contrary to policy EN11 of the Spelthorne Core Strategy and Policy DPD

ITEM 5.

| Application | Address |
|---------------------|-----------------------------|
| 10/00977/FUL | 47 Woodthorpe Road, Ashford |

Description:

Demolition of existing office building and erection of a block of 28 flats (comprising 4 floors of accommodation) together with associated parking and amenity space

Additional Information:

The Planning Officer informed Members of the consultation response received from the Council's consultant valuer. The planning Officer reported that the satisfied scheme cannot support on site provision of affordable housing and considers commuted sum of £100,000 towards off site provision to be appropriate.

Public Speaker:

In accordance with the procedure for public speaking at meetings Mrs Tracey Puttock spoke for the item. The issues relating to planning were:

- Proposal submitted after liaison with local residents and planning staff

- Complied with relevant standards
- Survey carried out indicates on street parking available in evenings

During the debate the following key issues were raised:

- Density
- Adequacy of parking
- Design

Decision:

In accordance with the standing order 21.4 Councillor G.E. Forsbrey requested that the vote be recorded on the motion to refuse the application. The voting was as follows:

For: (1) Councillor G.E. Forsbrey

Against: (4) Councillors Jack. D. Pinkerton, R.W. Sider, R.A. Smith-Ainsley and H.A. Thompson

Abstain: (2) Councillors T.W. Crabb and Mrs S.A. Dunn

The motion to refuse the application was lost.

GRANT planning application as set out in the report of the Deputy Chief Executive subject to the prior completion of a legal agreement to secure the provision of the commuted sum for affordable housing.

ITEM 6.

| Application | Address |
|---------------------|--------------------------|
| 10/00899/HOU | 29 Hadrian Way, Stanwell |

Description:

Erection of 1.8m high brick wall and metal railings to front and side boundaries. As shown on Location Plan and plan number HP 2783 Issue A received 8 and 11 November 2010.

Additional Information:

The Planning Officer reported that there were no further updates or comments received.

Public Speaker:

There were no public speakers for this item.

Decision:

REFUSE planning permission as set out in the report of the Deputy Chief Executive. (Please refer to minute number 40/11 below for Enforcement Action).

ITEM 7.

| Application | Address |
|--------------|--------------------------------------|
| 11/00002/MIS | 5 Pine Trees, Chertsey Lane, Staines |

Description:

Adjoining Authority consultation for the redevelopment of Unit 5 to include the erection of a 4 storey office building (with floor area of 5582 sq m) with basement car park below following the demolition of existing 3 storey office building (with basement). Ancillary works to include landscaping works, a reconfigured parking layout and provision of cycle parking spaces

Additional Information:

The Planning Officer reported that there were no further updates or comments received.

Public Speaker:

There were no public speakers for this item.

Decision:

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

ITEM 8.

| Application | Address |
|--------------|--|
| 11/00003/MIS | Land to the South and West of Sanctuary Road, Heathrow Airport |

Description:

Consultation from the London Borough of Hillingdon regarding the formation of an airline passenger car park (consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995)

Additional Information:

The Planning Officer reported that there were no further updates or comments received.

Public Speaker:

There were no public speakers for this item.

Decision:

London Borough of Hillingdon be informed that Spelthorne Borough Council raises No Objection to the proposed airline passenger car park.

36/11 ENFORCEMENT NOTICE – 10/00311/ENF – 31-41 DIAMEDES AVENUE, STANWELL

The Committee considered the report of the Deputy Chief Executive on an unauthorised use of the site for the siting of metal storage containers.

RESOLVED:

- (a) That an Enforcement Notice be issued to secure the removal of the shipping containers from the land and the cessation of the use of the land for storage purposes, and the removal of the entrance gates. Such Notice to be complied with within 1 month of it taking effect;
- (b) That authority be granted for the service on any person of any statutory requisitions for information who appears to officers to have an interest in the land so that the enforcement notice may be properly served; and
- (c) That a Stop Notice be issued to ensure the cessation of the use of the land for storage purposes, and the removal of the entrance gates.

Reason for Serving the Notices

The shipping containers are visually obtrusive to neighbouring properties and are detrimental to the amenity of the area. They have an extremely poor relationship with the neighbouring properties and have an overbearing effect due to their bulk and location contrary to Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.

37/11 ENFORCEMENT ACTION – 10/00178/ENF – 40 GREEN LANE, SUNBURY ON THAMES

The Committee considered the report of the Deputy Chief Executive on an unauthorised provision of a self contained unit of residential accommodation in an outbuilding.

RESOLVED:

- (a) That an Enforcement Notice be issued to secure the removal of the kitchen and shower/toilet facilities from the outbuilding, and the cessation of the use of the outbuilding as a self contained unit of residential accommodation. Such Notice to be complied with within 3 months of it taking effect; and
- (b) That authority be granted for the service of any statutory requisitions for information on any person who appears to officers to have an interest in the land so that the Enforcement Notice may be properly served.

Reason for Serving the Notice

The use of the outbuilding as a self contained unit of residential accommodation is in a position that is visually obtrusive to neighbouring properties and is detrimental to the amenity of the area. It has a poor relationship with the neighbouring properties, being in the rear garden of the main dwelling house and not having separate access.

38/11 ENFORCEMENT NOTICE - 10/00300/ENF – CAR PARK OF THE SWAN INN PUBLIC HOUSE HIGH STREET, STANWELL

The Committee considered the report of the Deputy Chief Executive on the unauthorised use of the site as a hand care wash and valet centre, with erection of a wooden shelter and the siting of a jacked cabin.

RESOLVED:

(a) That an Enforcement Notice be issued to secure the cessation of the use of the land as a car wash/valet centre and the removal from the land of the wooden shelter and the jacked cabin. Such Notice to be complied with within 1 month of it taking effect; and

(b) That authority be granted for the service on any person of any statutory requisitions for information who appears to officers to have an interest in the land so that the Enforcement Notice may be properly served.

Reason for Serving the Notice

1. The use of the site as a car wash and valet centre, and the structures associated with it, detracts from the appearance of this part of the Conservation Area, the setting of the neighbouring Listed Building and the street scene contrary to Policies EN5, EN6 and EN1 of the Spelthorne Core Strategy and Policies DPD 2009.

2. The use of the site as a car wash and valet centre, and the structures associated with it, results in a loss of amenity to the occupants of neighbouring residential properties contrary to Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.

39/11 ENFORCEMENT NOTICE – 11/00005/ENF – 4 GIBSON PLACE, STANWELL

The Committee considered the report of the Deputy Chief Executive on the unauthorised use of the site for the parking of commercial vehicles with the creation of a hoggin type hard standing and the siting of metal storage containers.

RESOLVED:

(a) That an Enforcement Notice be issued to secure the removal of the hoggin type hard standing and to cease using the site for the storage of a metal storage container. Such Notice to be complied with within 56 days of it taking effect;

(b) Subject to obtaining the necessary evidence, that an Enforcement Notice be issued to secure the cessation of the use of the site for the parking of commercial vehicles. Such Notice to be complied with within 28 days of it taking effect; and

(c) That authority be granted for the service of any statutory requisitions for information on any person who appears to officers to have an interest in the land so that the Enforcement Notice may be properly served.

Reason for Serving the Notice

1. The hard standing and storage container is visually obtrusive and detracts from the amenity of neighbouring residential properties.
2. The use of the site for the parking of commercial vehicles is visually obtrusive and detracts from the amenity of neighbouring residential properties.

40/11 ENFORCEMENT NOTICE – 10/00899/HOU – 29 HADRIAN WAY, STANWELL

The Committee considered the report of the Deputy Chief Executive and in refusing the application considered whether to take Enforcement action.

RESOLVED:

- (a) That an Enforcement Notice be served to secure the removal of that part of the wall above 1 metre in height, such notice to be complied with within 56 days of it taking effect; and
- (b) That authority be granted for the service on any person of any statutory requisitions for information who appears to officers to have an interest in the land so that the Enforcement Notice may be properly served.

Reason for Serving the Notice

The proposal by virtue of its height and its design is considered to be out of character with the low boundary treatment in the surrounding area to the detriment of the street scene contrary to policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document.

41/11 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.

42/11 ENFORCEMENTS LIST

The Chairman informed the Committee that if any member had any detailed queries regarding the Enforcements List, they should contact the Head of Planning and Housing Strategy. Members expressed concern about delay in securing compliance with some of the Notices

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