

Runnymede Borough Council

PLANNING COMMITTEE

20 February 2008 at 7.30 pm

Members of the
Committee present: Councillors G B Woodger (Chairman), D W Parr (Vice-Chairman), J R Ashmore,
Mrs F J Barden, J Broadhead, M J Brown, R J Edis, J M Edwards, J R Furey, Mrs E
Gill, C Knight, M T Kusneraitis, Mrs Y P Lay, Mrs M Roberts and P B Tuley.

Members of the
Committee absent: None.

532. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of their wish that the changes listed below be made to the membership of the Committee. The changes were for a fixed period ending on the day after the meeting and thereafter the Councillors removed would be reappointed.

Group requesting Change	Remove from Membership	Appoint Instead
Conservative	Councillor Mrs J Norman	Councillor R J Edis
Conservative	Councillor Mrs F M Angell	Councillor M J Brown

The Chief Executive Officer had given effect to these wishes in accordance with Section 16(2) of the Local Government and Housing Act 1989.

533. MINUTES

The Minutes of the meeting of the Committee held on 9 January 2008 were approved and signed as a correct record.

534. PLANNING APPLICATIONS

The planning applications listed below were considered by the Committee. All representations received on the applications were reported and copies were made available for inspection by Members before the meeting. Agents/applicants and members of the public spoke on the applications identified below.

RESOLVED that -

the following applications be determined as indicated and any permission granted be subject to the conditions authorised.

APP. NO.

LOCATION, PROPOSAL AND DECISION

RU 07/1249

**89 & 90 Harvest Road, Englefield Green
Erection of 2/3 storey block containing 11 no flats
comprising 2 no. x one bedroom flats and 9 no. two
bedroom flats with access and parking including bin
and cycle store.**

**DECISION: Withdrawn by applicant prior to the
meeting.**

RU 07/1318

**1-15 Pooley Green Road & 1-7 Pooley Avenue, Egham
Residential development for a total of 21 units
comprising 13 no. 3 storey town houses (Blocks A-E)
fronting Pooley Green Road/Vicarage Road and 1 block
of 3 storey flats behind (6 no. 2 bed and 2 no. 1 bed:**

Block F with new vehicular access off Pooley Avenue and parking and amenity space following demolition of the existing 8 dwellings.

DECISION: REFUSE for the following reasons:

- 1. The proposal would be an undesirable piecemeal development (with Block F being an unacceptable backland development) that would not be part of a comprehensive land assembly and would prejudice a more efficient redevelopment of the area failing to create and enhance high quality urban form so contrary to saved Policies LO2 and LO4 of the Surrey Structure Plan 2004, saved Policies HO1, HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration and advice contained in Planning Policy Statement 1: 'Delivering Sustainable Development' Planning Policy Statement 3: 'Housing' and 'Surrey Design' January 2002 (Principle 7.3).**
- 2. The proposal by reason of its design, layout, scale, height and massing would represent an overdevelopment of the site resulting in an incongruous and prominent built form in a prominent location, so failing to integrate into its context forming poor relationships with the surrounding buildings and not respecting or enhancing the high quality urban form contrary to saved Policies LO4 of the Surrey Structure Plan 2004, saved Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration and advice contained in Planning Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing' and 'Surrey Design' January 2002.**
- 3. The applicant by reason of subdividing a qualifying site has failed to demonstrate affordable housing provision in accordance with the requirements of the Council's Supplementary Planning Guidance on Affordable Housing. The proposal is therefore contrary to saved Policy DN11 of the Structure Plan 2004 and saved Policy HO4 of the Runnymede Borough Local Plan Second Alteration 2001, the adopted Interim Advice Note on Affordable Housing and Planning Policy Statement (PPS3) : ' Housing'.**
- 4. Block F by reason of its height, scale and massing, south-eastern facing windows and proximity to the north-eastern boundary would be an unneighbourly form of development that would result in adverse overbearing effects, overlooking and loss of privacy detrimental to the residential amenities of the occupants of Nos 1-7 Pooley Avenue contrary to saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001.**
- 5. The proposed vehicular access to the site,**

turning head and parking spaces adjacent to the north-eastern boundary of the site would cause unacceptable noise and disturbance for the occupants of No 1 Pooley Avenue being detrimental to their residential amenities and contrary to saved Policies HO9 and MV4 of the Runnymede Borough Council Local Plan Second Alteration April 2001.

- 6. The site lies within the floodplain (Zones 3a and 3b) on maps held by the Environment Agency and the proposed dwellings are at direct risk of flooding and the development increases the number of people at risk of flooding without a safe means of escape in the event of a flood and the applicant has failed to consider the latest up-to-date flood mapping and flood levels data available from the Environment Agency and has not carried out an appropriate Sequential Test to adequately demonstrate that there is no alternative and available site(s) in a lower probability of flooding contrary to Saved Policy SV2 of the Runnymede Borough Local Plan Second Alteration April 2001 and the advice contained within Planning Policy Statement 25 'Development and Flood Risk' and its Companion Guide.**

(Mr. G Morgan, an objector, and, Mr D Farrell , the Agent, on behalf of the applicant, addressed the Committee on the above application).

RU 07/1359

**Former Freemantles School Site, Pyrcroft Road, Chertsey
Erection of 33 dwellings (comprising 4 x 1 bed flats, 11 x 2 bed flats, 10 x 3 bed and 8 x 4 bed houses) together with associated parking and landscaping works following the demolition of existing school buildings.**

DECISION: Withdrawn by applicant prior to the meeting.

RU 08/0038

**Land r/o of 47-57 Woodham Lane, New Haw
Demolition of existing ground floor retail storage and part of the first floor above 57 Woodham Lane, and formation of new access road and erection of 6 no. x two storey semi-detached dwellings with rooms in the roof space, and 12 parking spaces and associated remedial works to the side elevation and roof of 57 Woodham Lane.**

DECISION: REFUSE for the following reason:

The proposed development by reason of its positioning, layout, restricted site area, height and scale would result in an unacceptable cramped and piecemeal backland development, out of character with the existing pattern and form of development. The proposal would fail to respond and integrate into the local area and would not seek to improve the character and quality of the area contrary to saved Policies LO1, LO2 and SE4 of the Surrey Structure Plan 2004, saved

Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001, and advice contained within Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing' and 'Surrey Design'.

RU 07/0755

**Five Oaks Farm, Lyne Lane, Lyne
Certificate of existing lawfulness for the change of use of buildings and land as a holding yard and storage compound (no sales) for storage and distribution of roofing materials and including repair and maintenance of the company's vehicles and plant together with parking and turning for visitors, commercial and other vehicles.**

- DECISION:**
- (A) GRANT CERTIFICATE OF LAWFULNESS in respect of Site A as detailed on Drawing 512 01 D/Rev A, and for the existing hard surfacing of Site B.**
 - (B) REFUSE CERTIFICATE in respect of the use of Sites B and C.**

Reason for Refusal

- 1. The applicant has not demonstrated on the balance of probability that the land in Site B has been in continual use for storage/commercial purposes in excess of 10 years, or that the land in Site C has been in continuous use for the siting of a mobile home in excess of 4 years.**
 - (i) The Director of Administration and Leisure be authorised to issue Enforcement Notice(s) under Section 172 of the Town and Country Planning Act 1990 requiring:**
 - (a) the cessation of the use of the land (Site B) as a holding yard and storage compound and associated parking of vehicles and remove all associated goods, materials, and equipment associated with this use.**
 - (b) Removal of mobile home from the site (Site C).**
 - (ii) The Director of Administration and Leisure be authorised to take appropriate action in carrying out necessary works or prosecution under Section 178 and 179 of the Town and Country Planning Act 1990 in the event that these Notice(s) once effective are not complied with.**

Reasons for Issuing of Enforcement Notice(s)

- 1. The use of Site B for open storage use and parking of vehicles and associated equipment, by**

reason of the use, spread of development across the site, the siting and appearance are inappropriate and harmful developments in the Green Belt detrimental to the openness and visual amenities of the Green Belt, contrary to saved Policy LO4 of the Surrey Structure Plan 2004, saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.

- 2. The use of Site C for the siting of a mobile home for residential purposes is inappropriate and harmful development detrimental to the openness and visual amenity of the Green Belt, contrary to advice contained in saved Policy LO4 of the Surrey Structure Plan 2004 and saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration, April 2001 and advice contained within Planning Policy Guidance Note 2 : 'Green Belts'.**
- 3. The Planning Authority do not consider that very special circumstances have been put forward to justify the granting of planning permission contrary to saved Policy LO4 of the Surrey Structure Plan, saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.**
- 4. Following the conclusion of an appropriate assessment carried out pursuant to Regulation 48(1) of the Conservation (Natural Habitat & c.) Regulations 1994, the Council is unable to conclude that the proposals alone or in combination with other similar proposals would not have an adverse effect on the integrity of the Thames Basin Heaths SPA. Accordingly, since the Planning Authority are not satisfied that there are no alternative solutions nor is it likely that this proposal would pass the Regulation 49 test of imperative reasons of overriding public interest in accordance with Regulation 48(5) of the Habitats Regulations 1994 and Article 6(3) of Directive 92/43/EEC, such development should be resisted.**

It was agreed that the period of compliance would be left to the determination of the Director of Technical Services.

RU 07/1262

**Green Hedges, Lake Road, Virginia Water
Erection of replacement two storey dwelling with basement extending beyond footprint of building, detached double garage, replacement gates and 2 m high brick wall to front of house.**

DECISION: GRANT subject to Conditions, Reasons and Informatives as per Agenda.

Officers to liaise with Elmbridge BC regarding their

policy towards basement developments.

RU 07/1342

**7 Northcroft Close, Englefield Green
Retrospective application for a replacement two storey dwelling with accommodation in the roof, integral double garage, 3 rear dormer windows, front porch and side orangery.**

DECISION: GRANT subject to Conditions and Informatives as per Agenda.

(Mr A Gordon, an objector, and, Prof.Jakubowicz, the applicant, addressed the Committee on the above application).

RU 07/1371

**Mount House, Waverley Drive, Virginia Water
Erection of a single storey side extension with basement and installation of car lift following demolition of existing garage with accommodation over and greenhouse.**

DECISION: GRANT subject to Conditions, Reason and Informatives as per Agenda.

RU 08/0006

**10 Mayfield Gardens, Staines
Certificate of existing lawful use for stationing of a caravan in rear yard for use as an independent dwelling.**

DECISION: REFUSE for the following reason:

Insufficient and contradictory evidence has been submitted which does not satisfy the Local Planning Authority, on the balance of probability that the use of land for stationing of one mobile home as a separate residential unit has existed for the requisite 10 year period required to be lawful.

RU 08/0052

**Alderwood, Bakeham Lane, Englefield Green
Demolition of existing greenhouse, shed and potting shed and erection of a triple garage.**

DECISION: GRANT subject to Conditions, Reasons, and Informatives as per Agenda and the inclusion of a Condition (CO30) restricting any future development of the garage.

535. RUNNYMEDE DESIGN AWARDS 2007

The Committee considered 10 nominations, in four categories, for the Runnymede Design Awards 2007, and

RESOLVED that –

i) awards be made in the categories as set out below:-

Category 1 : Best Sustainable Development Scheme

**New Civic Centre, Runnymede Borough Council/Surrey Police,
Addlestone**

Category 2 : Best Housing Development Scheme - Small

Morley Cottages, Village Road, Thorpe

Category 3 : Best Housing Development Scheme – Large

Albany Court, Egham

Category 4 : Best Commercial Development

**New Civic Centre, Runnymede Borough Council/Surrey Police,
Addlestone**

It was agreed that in view of special merit a ***Highly Commended Certificate*** in the **Best Commercial Development Category** should also be awarded to: **Thyme in the Tavern, 20 London Street, Chertsey.**

- ii) **framed certificates be presented to the winner in each category; and**
- iii) **arrangements be made for the Mayor to present the awards at the meeting of the Full Council on 17 April 2008.**

536. VALIDATION OF PLANNING APPLICATIONS

The Committee was informed about consultations taking place on the proposed Validation of Planning Applications document. The consultation document was appended to the report.

As part of the drive to provide a quicker, more predictable and efficient planning service, it was reported that the Government was introducing a new mandatory standard application form for applications for planning permission and other consents such as those relating to listed buildings, trees and advertisements. This was due to come into effect on 6 April 2008. Alongside this and to support the use of the new standard form, the Government was also introducing new information requirements for the validation of planning applications by local planning authorities.

The Government had previously issued draft best practice on the validation of planning applications in March 2005, and Officers had been drafting local guidance based on this best practice in association with preparations for the new standard planning application form. The Government had subsequently issued revised draft guidance, in August 2007, which changed the requirements for validation. Officers had then carried out a consultation exercise, concluding in September 2007, with over 150 planning agents and developers. No responses were received to this consultation. Since then the Government had, in December 2007, issued further guidance requiring yet additional consultations together with further amendments to the Council's original version.

The Government recognised that different types and scale of application would require different levels of information and supporting documentation to be submitted and that in all cases, it would be the responsibility of local planning authorities to specify these requirements. Under the new arrangements, this would comprise a national core list that would apply in all cases together with additional items specified, locally, from a list provided by Central Government.

Whilst the national lists would set out Statutory requirements such as a completed form, the correct fee, ownership certificates, location plan and other plans, together with a Design and Access Statement and Environmental Statements, where necessary, the local list would comprise that additional information which local planning authorities could require to validate an application. This would vary according to application type and location but would commonly include a flood risk assessment, noise impact assessment, tree survey, heritage statement (for historic sites and buildings), transport statement amongst others.

Government guidance encouraged local planning authorities to consult on and then formally adopt local lists to be published on websites. If local planning authorities did not carry out this process, then the Government viewed that the default position for validating applications would be the

statutory national requirements only, and then local requirements would have no bearing on the validity of applications. Therefore, once a local planning authority had duly consulted and then adopted a local list and the list had been published on the website, it could be used as the local list of requirements when validating applications. Given the constraints and the sensitivity of the Borough, Officers considered it essential that the Government's guidance was fully complied with in this respect.

In view of the tight timescale remaining before the new application regime began Officers had, therefore, prepared and commenced the consultation process with stakeholders (a minimum period of 6 weeks) regarding "Local Guidance." This sought to clarify the Council's interpretation of the Legislation and Regulations relating to the registration and validation of planning applications in preparation for the launch of the new planning application format as well as including lists of the local additional information which Officers considered essential to accompany different types of application. A review of comments would take place at the end of the consultation period with report back to the Committee for formal consideration/adoption on 2 April 2008.

It was reported that whilst there were no direct staffing resource issues it was anticipated that a considerable amount of Officer time would need to be devoted to assisting applicants during the early stages of the new application and validation regime.

During discussion a number of editorial amendments were made:

Page 12: Second paragraph, first line now to read:

"For sites where basements are proposed and there is high water table, a ground water survey is required and an assessment of the cumulative impact on ground water conditions".

Page 13: Retail Assessments -

Line 2, each assessment factor should be set out as a bullet point.

Line 3, delete the word "it".

Open Space - replace second sentence so as to read - "Planning consent is not normally given for development of existing open spaces where there is demonstrable shortfall".

Page 15 Paragraph 4, line 1, "protect" should read "protected".

Page 17 Contaminated Land Reports - Restructure paragraph for simplicity of understanding.

Page 21 6.1, line 6, delete the words "you of".

Subject to these amendments it was:

RESOLVED that -

- i) the Validation of Planning Applications document be agreed; and**
- ii) the response to the public consultation on the new application regime be reported to a future meeting of this Committee.**

537. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES

A list of planning applications recently determined by the Director of Technical Services under his delegated powers was received and noted.

Chairman

(The meeting ended at 9.45pm)