

Runnymede Borough Council

PLANNING COMMITTEE

29 October 2008 at 7.30pm

Members of the Committee present: Councillors G.B. Woodger (Chairman), D W Parr (Vice-Chairman), Mrs F M Angell, Mrs F J Barden, Mrs R Denby, R J Edis, J M Edwards, Mrs E Gill, Mrs L Gillham, C Knight, M T Kusneraitis, Mrs Y P Lay, H W V Meares, Mrs M Roberts, and P B Tuley

Members of the Committee absent: None

260. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Groups 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 J R Furey	Councillor R J Edis
Conservative	Councillor N Stewert	Councillor Mrs R Denby
Runnymede Independents	Councillor J R Ashmore	Councillor Mrs L Gillham

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

261. MINUTES

The Minutes of the meeting of the Committee held on 24 September 2008 were approved and signed as a correct record subject to two minor typographical errors.

262. DECLARATION OF INTEREST

The following Councillors declared a prejudicial interest under the Runnymede Code of Conduct for Members.

Councillor	Item	Nature of Interest
P B Tuley	6. RU 08/918 White Timbers Woodham Park Way Woodham	Prejudicial - Personal friend of applicant and Member of Rotary Club of Chertsey.
Mrs F M Angell	6. RU 08/919 High Acre Portnall Drive Virginia Water	Prejudicial - Personally known to the applicant.
Mrs F J Barden	6. RU 08/919 High Acre Portnall Drive Virginia Water	Prejudicial - Personal acquaintance

G B Woodger	6. RU 08/919 High Acre Portnall Drive Virginia Water	Prejudicial - Personal friend.
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263. 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

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 08/0438

The Oaks, Lyne Lane, Lyne

Certificate of Existing Lawful Use relating to the continued use of land and buildings for the sale, servicing, maintenance and storage of motor vehicles, caravans, boats and existing lawful development for an existing single storey detached workshop building and detached single storey office and store, access road, gates, gate posts and walling.

The applicant had appealed against the non-determination of this application. If the Council were the determining authority it would have determined the application as follows:

DECISION:

- (1)
- i) **REFUSE a certificate of existing lawfulness for the sale, servicing, maintenance and storage of motor vehicles, caravans and boats on the grounds that the applicant has failed to demonstrate that on the balance of probability the land has been used for such a use for a period in excess of 10 years.**
 - ii) **REFUSE a certificate for an existing metal gate, gate posts and solid walling on the grounds that the applicant has failed to demonstrate that on the balance of probability the unauthorised operational development was substantially completed for a period in excess of 4 years.**
 - iii) **GRANT a certificate for two existing buildings (single storey workshop and single storey office/store), and rear access road on the grounds that the applicant has demonstrated that on the balance of probability the unauthorised operational development was substantially completed for a period in excess of 4 years.**
- (2)
- (i) **The Director of Administration and Leisure be authorised to issue Enforcement Notices under Section 172 of the Town and Country Planning Act 1990 (as amended) requiring:**

- (a) the cessation of the unauthorised use of the land for the sale, servicing, maintenance and storage of motor vehicles, caravans and boats and the use of the detached store/office for ancillary staff accommodation.
 - (b) the removal of all motor vehicles, caravans and boats and associated equipment and materials from the site, including external storage as reported;
 - (c) To reduce the height of the unauthorised metal gates, gate posts and solid walling to a maximum height of 1 metre above ground level and removal of all resulting materials and debris from the site.
- (ii) the Director of Administration and Leisure be authorised to take appropriate action in carrying out the necessary works or prosecution under Sections 178 and 179 of the Town and Country Planning Act 1990 in the event that the Notice(s) once effective are not complied with.

Reasons for Issuing the Enforcement Notices

- 1) **The unauthorised change of use of the land for sale, servicing, maintenance and storage of motor vehicles, caravans and boats is inappropriate development within the Green Belt which fails to maintain the openness of the Green Belt, is harmful to the visual amenities of the Green Belt and Landscape Problem Area, and conflicts with the purposes of including land in the Green Belt. This is contrary to saved policy LO4 of the Surrey Structure Plan 2004, and saved Policies GB1 and NE10 of the Runnymede Borough Local Plan Second Alteration April 2001 and the advice contained within Planning Policy Guidance Note 2: Green Belts.**
- 2) **The unauthorised metal gates, posts and solid walling, by reason of their length, height, positioning adjacent to the highway, and design results in a hard, intrusive and urbanising feature which is inappropriate development in the Green Belt, detrimental and harmful to the openness and visual amenities of the Green Belt and Landscape Problem Area, and is contrary to saved Policy LO4 of the Surrey Structure Plan 2004 and saved Policies GB1 and NE10 of the Runnymede Borough Local Plan Second Alteration April 2001 and advice contained within Planning Policy Guidance Note 2: Green Belts.**
- 3) **The applicant has failed to adequately demonstrate that any very special circumstances exist which outweigh the harm to the Green Belt caused by this inappropriate development and is contrary to saved Policy LO4 of the Surrey Structure Plan 2004 and saved Policies GB1 and NE10 of the Runnymede Borough Local Plan Second Alteration April 2001 and advice contained within Planning Policy Guidance Note 2: Green Belts.**

RU 08/0872 **90 Harvest Road, Englefield Green, Egham**
Two storey extension to the rear of 90 Harvest Road and erection of new 2/3 storey detached building containing 2 no 2 bed flats, following demolition of detached outbuilding and existing extension to 90 Harvest Road (revised plans received 23 September 2008 amending design of front elevation).

DECISION: **Subject to the prior completion of a legal agreement under Section 106 of the Town and County Planning Act (as amended) to secure a financial contribution of £10,290 for the infrastructure tariff the Director of Technical Services be authorised to grant permission subject to Conditions, Reasons and Informatives as per Agenda.**

RU 08/0918 **White Timbers, Woodham Park Way, Woodham**
Erection of part single storey, part two storey side extension following demolition of existing single storey side extension, garage and car port.

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

RU 08/0919 **High Acre, Portnall Drive, Virginia Water**
Erection of replacement bungalow with basement and retention of existing garage following demolition of existing bungalow.

DECISION: **GRANT permission subject to Conditions and Informatives as per Agenda, amended Condition 6, additional Condition 17 as per Addendum and a new Condition restricting the use of the light-well ladder for exit purposes only.**

Councillor Mrs Lay asked for her concerns on the growing number of applications for basement development and thus the potential effects on the environment to be noted.

264. PLANNING PERFORMANCE CHECKLIST - OVERVIEW

The Committee was advised of local authorities' performance in the handling of planning applications, in the year ending June 2008, from information provided by the Department of Communities and Local Government. The Checklist demonstrated performance against the three handling targets which were set as from 1 April 2002 with the emphasis on the need for timely handling of major applications.

Fifty-two planning authorities had been classified as "improving" performers and 14 planning authorities were classified as "declining" performers. Runnymede Borough Council was regarded as an "improving authority", and furthermore, in March 2008, the Audit Commission had stated that Runnymede's Development Control Section was the most improved section, in the whole country, over the past three years (1st out of 381 authorities).

The following table, as presented to the Committee, ranked Surrey Local Authorities according to their current performance set against the Government's target for determining applications:

Planning Performance Checklist 2007-2008 (incl appeals)

	Rank for Major Apps. (out of 367)	% For Majors	Rank for Minors Apps (out of 367)	% for Minors	Rank for Other Apps (out of 367)	% for Other Apps	Average Ranking Score (out of 367)	Appeal Success Rate (% Dismissed on Appeal)
		Target 60%		Target 65%		Target 80%		
Runnymede	49	86%	28	89%	12	96%	29	78%
Tandridge	45	86%	71	84%	163	89%	93	61%
Epsom & E	54	85%	175	82%	90	91%	106	56%
Elmbridge	79	80%	198	76%	117	90%	131	62%
Guildford	55	85%	159	79%	251	84%	155	67%
Woking	189	69%	220	75%	74	92%	161	61%
Mole Valley	47	86%	287	70%	154	89%	162	74%
Reigate & B	236	65%	170	78%	150	89%	185	64%
Surrey Heath	274	62%	298	69%	288	82%	286	68%
Waverley	330	51%	350	58%	334	78%	338	60%
Spelthorne	340	47%	356	53%	347	72%	347	67%

Commentary:

- (i) *This Table illustrated that the performance on determining applications, as compared with other Surrey Authorities, showed Runnymede as the joint-top performing authority for major applications and top for minor and other applications. Overall, this placed Runnymede as the highest performing authority in Surrey. When compared overall with the rest of the country, the data showed that RBC was well inside the top 10% of Local Planning Authorities (29th out of 367 Local Planning Authorities).*
- (ii) *The Table also showed that the Council had the highest appeal success rate in the County with 78% of appeals being dismissed.*
- (iii) *In the past, the Government had been concerned that some planning authorities sought to boost their determination rates by simply refusing planning permission. They had therefore carefully monitored appeal success rates to see where these dipped significantly as a result of this practice. Runnymede's high performance in successfully defending appeals clearly demonstrated that the decision-making process was robust and timely.*
- (iv) *Decision making was a good reflection of the work of both the Planning Committee and Planning Officers in the processing and determining applications. Runnymede's success had been achieved during a particularly difficult period for the Development Control Team, which had had to balance reduced staffing levels against a significant number of large and complex applications together with a number of difficult enforcement cases during the period of the assessment.*
- (v) *The high success rate on appeals was an indicator that good quality decision-making was taking place in determining applications which was being recognised and supported by independent Planning Inspectors on appeal.*

In noting this achievement Members congratulated the Development Control Team for their work and asked for a Vote of Thanks to be recorded in these Minutes.

265. APPEAL DECISIONS

The Committee noted that the Planning Inspectorate had recently determined the appeals mentioned below.

<u>Site/Development</u>	<u>Decision</u>
i) Westwood, South Drive, Virginia Water - planning appeal regarding erection of two storey replacement dwelling following demolition of existing dwelling without complying with a condition on RU 05/1180 (RU 08/0210).	ALLOWED
ii) The Ryepeck, Laleham Reach, Chertsey - planning appeal regarding 2 storey/1½ storey 2 bed house with single detached garage (RU 07/1039)	ALLOWED
iii) 61 Byron Road, Addlestone - planning appeal regarding erection of single storey rear and first floor side extensions (RU 07/1207).	DISMISSED
iv) 53 and r/o 55 Hare Hill, Addlestone - planning appeal regarding demolition of existing house and erection of 14 two bed flats with access and parking (RU 08/0280)	DISMISSED
v) Runnymede House, 96-97 High Street, Egham (RU 07/1200) - planning appeal regarding conversion of existing office block with existing 2 residential flats into 16 residential units, including two extensions to existing building and associated external works (RU 07/1200).	DISMISSED
vi) Spring Farm, Muckhatch Lane, Thorpe - planning appeal regarding a two storey family home with double garage (RU 07/1080).	DISMISSED
vii) Birchwood, Lake Road, Virginia Water - planning appeals regarding demolition of two sheds and replacement of floor area by raising roof over existing office and creation of a dry access between garage and office at first floor (RU 07/0978 and RU 07/1298).	DISMISSED

With regard to the comments made by the Inspector in relation to The Ryepeck planning appeal, which had resulted in a formal complaint being made by Runnymede Borough Council, Members asked that the Planning Inspectorate's response be reported in due course.

266. 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 noted.

Chairman

(The meeting ended at 8.21pm)