

Runnymede Borough CouncilPLANNING COMMITTEE9 January 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, Mrs P.I. Broadhead, J.R. Furey, Mrs E. Gill, C Knight, M.T. Kusneraitis, C.J. Norman, Mrs J. Norman, Mrs M. Roberts, N Stewart and P.B. Tuley.

## Members of the

Committee absent: None.

Councillor R.J. Edis also attended

454. 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.

<b>Group requesting Change</b>	<b>Remove from Membership</b>	<b>Appoint Instead</b>
Conservative	Councillor J.M. Edwards	Councillor Mrs P.I. Broadhead
Conservative	Councillor Mrs F.M. Angell	Councillor C.J. Norman
Conservative	Councillor Mrs Y.P. Lay	Councillor N Stewart

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

455. MINUTES

The Minutes of the meeting of the Committee held on 28 November 2007 were approved and signed as a correct record.

456. DECLARATIONS OF INTEREST

The following Councillors declared personal and prejudicial interests under the Runnymede Code of Conduct for Members.

<b>Councillor</b>	<b>Item</b>	<b>Nature of Interest</b>
Councillor Mrs J. Norman	7. RU 07/1162 Blays Lane, Englefield Green	Family member affected. Personal and Prejudicial.
	RU 07/1201 Bridge Road, Chertsey	Close proximity to home. Personal and Prejudicial.
	RU 07/1202 Bridge Road, Chertsey	Close proximity to home. Personal and Prejudicial.

Councillor C.J. Norman	7. RU 07/1162 Blays Lane, Englefield Green	Family member affected. Personal and Prejudicial.
	RU 07/1201 Bridge Road, Chertsey	Close proximity to home. Personal and Prejudicial.
	RU 07/1202 Bridge Road, Chertsey	Close proximity to home. Personal and Prejudicial.

457. REVENUE ESTIMATES 2008/09

The Committee considered the draft Revenue Estimates for 2008/09 in respect of the services under its remit and Members sought clarification of a number of points during the discussion. Backscanning fees were reported as being one-off costs, and, with reference to the front-of-house service re-charge, the new arrangements put in place for front-desk general public planning enquiries were considered to be satisfactory. Accordingly, it was

**RESOLVED that -**

- i) the draft Revenue Estimates for 2008/09 be approved as submitted; and**
- ii) the proposed fees and charges for 2008/09, as set out in the Appendix to the Report, be approved and be implemented with effect from 1 April 2008.**

458. 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 07/1162**

**Elm House & 22 Blays Lane, Englefield Green  
Demolition of existing single storey section of Elm House and the bungalow at 22 Blays Lane and construction of a two storey side extension to Elm House, a new detached two storey building fronting Blays Lane and a new detached two storey building at the rear of the site with associated car parking and hardstanding all to provide 16 new affordable supported housing units, giving a total of 20 on site.**

**DECISION: REFUSE for the following reasons:**

- 1. The design of the proposed frontage building known as Block 'C', its materials coupled with its siting and forward projection, would result in a prominent and incongruous development that would fail to respect or improve the character and quality of the area and would be detrimental to the visual amenities of the street scene contrary to saved Policy SE4 of the Surrey**

**Structure Plan 2004, saved Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001, Planning Policy Statement 1 (PPS1) : Delivering Sustainable Development and Planning Policy Statement 3 (PPS3) : Housing.**

- 2. The proposed rear building known as Block 'B' by reason of its positioning, height, width, mass, bulk, western facing first floor windows and proximity to the western side boundary would overlook the rear gardens of the neighbouring bungalows to the west resulting in an unacceptable loss of privacy detrimental to the residential amenities of Nos. 43, 45 and 47 Larchwood Drive and No. 1 Elmbank Avenue contrary to saved Policy HO9 of the Runnymede Borough Council Local Plan Second Alteration April 2001.**

**RU 07/1201**

**16-24 Bridge Road and Land Adjacent 26 Abbey Road, Chertsey  
Reserved matters application for the demolition of existing buildings and erection of 29 dwellings (comprising 19 no. x 4 bed houses, 6 no. x three bed houses and 4 no. x 1 bed flats) and associated parking, garaging, access road and landscaping following outline planning permission RU 06.0674.**

**DECISION: APPROVE RESERVED MATTERS subject to Conditions, Reasons and Informatives as per Agenda and amended Recommendation as per Addendum which, inter alia, deletes Condition 18 and replaces it with a substitute Condition 18 including a new Reason and Informative.**

**RU 07/1202**

**16-24 Bridge Road and Land Adjacent 26 Abbey Road, Chertsey  
Reserved matters application for the demolition of existing buildings and erection of 29 dwellings (comprising 17 no. x 4 bed houses and 12 no. x three bed houses) and associated parking, garaging, access road and landscaping following outline planning permission RU 06/0674.**

**DECISION: APPROVE RESERVED MATTERS subject to the Conditions, Reasons and Informatives as per Agenda and amended Recommendation as per Addendum which, inter alia, deletes Condition 16 and replaces it with a substitute Condition 16 including a new Reason and Informative together with the deletion of Condition 16 as set out in the Agenda.**

- RU 07/1244**                      **St. Peter's Hospital, Guildford Road, Chertsey**  
**Revisions to planning permission RU 06/1220 (for the construction of a decked car park over the main visitor car park and the provision of staff car parking spaces adjacent to the departmental block) reducing the size of the deck to provide 197 spaces (reduced from 206) with 263 spaces below (reduced from 264 spaces) to provide a total of 460.**
- DECISION:**    **GRANT** subject to the Conditions, Reasons and Informatives as per Agenda and add additional Condition relating to SUDS principles regarding hardstandings.
- RU 07/1281**                      **84-90 (including Land to the Rear of 76-82) Green Lane, Addlestone**  
**Erection of 8 dwellings following demolition of two existing dwellings (no 86 and 84 Green Lane), with 10 car parking spaces, bin store and landscaping.**
- DECISION:**    **GRANT** subject to Conditions, Reasons and Informatives as per Agenda.
- RU 07/1311**                      **Shandon, Thorpe Road, Staines**  
**Demolition of two-storey dwelling and garage erection of a three-storey block of flats comprising 4 x no 2 bedroom and 2 x no studio flats.**
- DECISION:**    **WITHDRAWN** prior to the meeting.
- RU 07/0919**                      **Murray Road Nursery, Murray Road, Ottershaw**  
**Continued use of the land for a mixed use of horticultural nursery with a garden centre (A1 use) and cafeteria (A3 use).**
- DECISION:**    **REFUSE** for the following reasons:
- 1.    The garden centre (Class A1 use) with ancillary cafeteria (Class A3 use), the structures, hardsurfaces and open storage uses, by reason of the use, spread of development across the site, the height, positioning and materials, 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 Policies GB1 and GB7 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.**
  - 2.    The Planning Authority do not consider that very special circumstances have been put forward in support of the application to justify the granting of planning permission contrary to saved Policy LO4 of the Surrey Structure Plan, saved Policies GB1 and GB7 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.**

3. **The site lies outside an established town centre and the use of the site as a garden centre (retail use) does not satisfy the sequential approach to new retail development, or deliver sustainable development. The applicant has not demonstrated that there is a need for retail development at this out of centre site or that the use does not harm the vitality and viability of Ottershaw village centre. The proposal is therefore contrary to saved Policy SH01 of the Runnymede Borough Local Plan Second Alteration April 2001, saved Policies LO1 and LO8 of the Surrey Structure Plan 2004, contrary to Planning Policy Statement 1 : Delivering Sustainable Development, Planning Policy Statement 6 : Planning For Town Centres, and Planning Policy Guidance Note 13 : Transport.**
4. **The proposed development if permitted in this location remote from any services and with little opportunity for access by non-car modes would be likely to encourage dependence on the car contrary to Saved Policy LO1 of the Surrey Structure Plan 2004 and Government Guidance 13 'Transport' and Planning Policy Statement 6 'Planning for Town Centres'.**
- (2) (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 use of the land and buildings as a retail (Class A1) use with ancillary cafeteria and remove all internal produce, goods, materials and equipment associated with the retail use and ancillary cafeteria.**
- (b) **Removal of all the existing display structures, frames, wood, metal, guttering, ladders, greenhouses, sheds, internal fencing, temporary structures, buildings, plant, equipment, vehicles and display areas used to display goods, materials, plants, pots, logs, gas canisters etc associated with the garden centre (Class A1) use and cafeteria (Class A3) use and the children's playground equipment.**
- (c) **The cessation of all the external storage uses on the site associated with the garden centre (Class A1) use and ancillary cafeteria (Class A3) use.**
- (d) **The removal of the hardstanding area beneath the former conservatory (conservatory now removed), the base of**

the children's playground, enlarged car parking area to the west of the main internal vehicular access and unauthorised paths and retaining areas for plant, goods and materials.

- (ii) **The Director of Administration and Leisure be authorised to take appropriate action in carrying out necessary works or prosecution under Sections 178 and 179 of the Town and Country Planning Act 1990 in the event that these notice(s) once effective are not complied with.**
- (3) (i) **The Director of Administration and Leisure be authorised to seek prosecution under Section 224 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in relation to the two green freestanding signs at the vehicular entrance to this site off Murray Road, as reported on the Addendum.**

#### **Reasons for Issuing of Enforcement Notices**

1. **The garden centre (Class A1 use) with ancillary cafeteria (Class A3 use), the structures, hardsurfaces and open storage uses, by reason of the use, spread of development across the site, the height, positioning and materials, 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 Policies GB1 and GB7 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.**
2. **The Planning Authority do not consider that very special circumstances have been put forward in support of the application to justify the granting of planning permission contrary to saved Policy LO4 and the Surrey Structure Plan, saved Policies GB1 and GB7 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts', January 1995.**
3. **The site lies outside an established town centre and the use of the site as a garden centre (retail use) does not satisfy the sequential approach to new retail development, or deliver sustainable development. The applicant has not demonstrated that there is a need for retail development at this out of centre site or that the use does not harm the vitality and viability of Ottershaw village centre. The proposal is**

**therefore contrary to saved Policy SH01 of the Runnymede Borough Local Plan Second Alteration April 2001, saved Policies LO1 and LO8 of the Surrey Structure Plan 2004, contrary to Planning Policy Statement 1 : Delivering Sustainable Development, Planning Policy Statement 6 : Planning For Town Centres, and Planning Policy Guidance Note 13 : Transport.**

**Reason for Prosecution**

**The two freestanding signs by reason of their height and position are prominent and intrusive features which are detrimental to the visual amenity of the area and the Green Belt contrary to Polices BE18 and BE20 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance 19 'Outdoor Advertisement Control'.**

(Mr Enticott addressed the Committee on behalf of the applicant).

**RU 07/1301**

**Abbey Walls, Abbey Gardens, Chertsey  
Erection of a detached four bedroom dwelling following demolition of existing garages and store buildings.**

**DECISION: REFUSE for the following reason:**

**The proposed development by reason of its size, mass, height and roof form part of the dwelling and its siting in close proximity to 'The Abbey' would have a detrimental effect on the setting of the adjacent listed building and listed curtilage wall, the character of the surrounding area, and would be detrimental to the character of Chertsey Conservation Area. The proposal would be contrary to saved Policies SE4 and SE5 of the Surrey Structure Plan 2004 and saved Policies BE2, BE5, BE5A, BE9 and BE10 of the Runnymede Borough Local Plan Second Alteration 2001 and Planning Policy Guidance Note 15 (PPG15) : Planning and the Historic Environment.**

(A motion to GRANT permission was lost).  
(Dr G Hobbs, an objector, and Mr M Borowiecki, the architect on behalf of the applicant, addressed the Committee on the above application).

**RU 07/1306**

**Abbey Walls, Abbey Gardens, Chertsey  
Erection of a detached four bedroom dwelling following the demolition of garage and storage buildings, adjacent to listed wall.**

**DECISION: REFUSE for the following reason:**

**Notwithstanding, the details of the method statement, the proposed development, in the absence of an acceptable scheme for the redevelopment of the site, is considered to be premature, and would lead to unacceptable damage to the listed curtilage wall, contrary to saved Policy SE5 of the Surrey Structure**

**Plan 2004 and saved Policies BE9 and BE10 of the Runnymede Borough Local Plan Second Alteration 2001 and Planning Policy Guidance Note 15 (PPG15); Planning and Historic Environment.**

(A motion to GRANT permission was lost).

459. HOUSING AND PLANNING DELIVERY GRANT

The Committee's views were sought on a consultation document from the DCLG entitled 'Housing and Planning Delivery Grant'.

It was noted that the principle of a reward grant would now be extended for a further period. However, the new grant regime, referred to as the Housing and Planning Delivery Grant (HPDG) would have a different focus. It was considered to be a "new" grant and not a replacement or an amended Planning Delivery Grant. The new grant was to compensate for the extra cost of dealing with and/or accommodating the growth in housing that the Government was promoting.

The planning element for the grant would split across three elements, namely:

- (a) Assessment of land for housing over 5 and 15 year timescale (40%);
- (b) Delivery of sound development plan documents (DPDs) (50%); and
- (c) Delivery of sound DPDs and Strategic Housing Market Assessments through joint working (10%).

The Committee noted one element of the reward mechanism as an example of how the grant regime would operate. The housing element was designed specifically to promote local growth. It was intended to make a standard national payment for each dwelling completed within an Authority's area which exceeded a figure of 0.75% of its existing housing stock. Using the national payment of £1,600 per dwelling (as quoted in an example in the consultation document), at least 256 dwellings would have to have been completed in Runnymede before the grant became available. An average for the last 3 years' completions was 314 dwellings per annum. On this basis Runnymede would receive £92,800 grant per annum under this element, assuming that housing completions remained comparable to recent performance.

The consultation also explored the possibility of additional aspects being added to the HPDG in the future. These included design quality, reducing empty homes and the registration of surplus public sector land.

The consultation set out a series of questions and invited comments. A suggested response to each was set out in the Report before the Committee. Members gave consideration to the Officer's recommendations fully agreeing with the suggested responses subject to a more robust response to Question 1 in relation to the increase in housing requirements as shown below in italics, and additional response to Question 7 as set out below:

Question 1

Do you agree with the principle of rewarding a 5 year supply of deliverable sites for housing?

**Response –**

Yes, the 5 year supply is a long-established requirement and has been helpful in defending against unacceptable proposals in the past. However, the criteria used to reward delivery should be linked to the annualised requirement set out in the South East Plan (currently recommended by the Panel Report on the Plan to be 161 units p.a.). The system proposed in the Consultation only rewards the supply of housing in Runnymede when the number of annual completions exceeds 256 dwellings, *which is considerably above the planned target figure and probably unsustainable in the long term. The Government has already indicated that it will review the South East Plan to accommodate higher growth estimates. However, there is concern that the Government is attempting to increase the*

*housing requirement for the South East Plan, by the use of the incentivised Housing and Planning Delivery Grant, in a manner that does not comply with the Government guidance in PPS11 for establishing housing growth. It is therefore proposed that the formulae be revised to reflect the annual housing requirements for each Authority set out in the Regional Spatial Strategy (The S.E. Plan). Additionally, it is the Council's concern that the Government is attempting to increase the supply of housing through the incentive of the Housing and Planning Delivery Grant.*

#### Question 7

Do you agree with the principle of abatement (of the reward of the H & PDG) where performance on development control declines below national planning standard?

#### **Response –**

*The Government target is to deliver new development, and whilst the LPAs will endeavour to meet national targets, there may be circumstances beyond the control of the Authority that require a moderation of such a blanket approach. Accordingly there should be provision for LPAs to set out the issues that may have given rise to any delays beyond its control.*

#### **It was accordingly**

#### **RESOLVED that -**

**the comments as set out in the report, subject to the revised response to Q1 and additional response to Q7 as set out above, be forwarded to the Government as the formal response of the Council on the proposed Housing and Planning Delivery Grant mechanism.**

#### 460. 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.

#### 461. DEVELOPMENT CONTROL (APPEALS) EXPENDITURE - OUTTURN COSTS

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100(A)(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 6 of Schedule 12A to Part 1 of the Act.

The Committee received a report with regard to the outturn costs in relation to the Appeals and Court Case budget. Members also discussed the possible need to increase this budget, during 2008/09, in order to meet the Council's costs in connection with the preparation for, and, participation, at, major Planning Appeals Inquiries and associated legal proceedings, the costs of which might exceed the budget provision.

By way of illustration, the outturn costs for 2006/2007 Planning Appeals Inquiries were reported together with their implications. Included within those outturn figures were the associated costs of legal representation, preparation, legal conferences and professional advice but, in addition to all of these, the routine costs of providing ad-hoc legal and planning advice together with other Inquiry related costs or professional costs relative to prospective Injunction applications had also to be met from the same budget head.

During the current financial year, Officers had, again, seen an increase in both the complexity of Appeals and their length (arising from both the refusal of planning permissions and the issue and service of Enforcement Notices) and the need to instruct Consultants in relation to specialist advice and work which, as a result, the existing 2007/2008 budget had been unable to accommodate and thus supplemental estimates had proved necessary. Recent case scenarios were discussed.

Whilst the number of Inquiries had actually reduced this year (the trend in previous years had previously showed year-on-year increases) their complexity and length had actually increased.

Overall, Officers believed that it was likely that the number of appeals (and their complexity) would continue to increase year-on-year as a result of (i) development pressures generally within the Borough; (ii) the complexity of the issues involved, and, (iii) the high development value of land within the Borough which appeared to encourage planning applications/refusals of permission to be heard at Inquiry. It was also felt that the issue of the outstanding Enforcement Notices would inevitably result in a large number of Inquiries arising at the same time with the accompanying effects on staffing resources. This conclusion was clearly supported by recent events.

Members noted the current resource implications and that there was a strong possibility that future supplementary estimates would be required if savings or alternative sources of income could not be achieved.

Chairman

(The meeting ended at 9.43 pm)