

Runnymede Borough CouncilPLANNING COMMITTEE21 January 2004 at 7.30 p.m.

Members of the Committee present: Councillors G.B. Woodger (Chairman), Mrs. J. Norman (Vice Chairman), A. Alderson, Mrs. F.J. Barden, J.B. Dean, J.M. Edwards, J.R. Furey, Mrs L.M. Gillham, C. Knight, H.W.V. Meares, D.W. Parr, R. Pate, N. Thewlis, A.P. Tollett and J. R. Whiteley

Members of the Committee absent: None

Councillor Mrs E E Price also attended.

651. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive Officer of their wish that the change listed below be made to the membership of the Committee until further notice.

Group requesting Change	Remove from Membership	Appoint Instead
Runnymede Independent	Councillor J.R. Ashmore	Councillor A. Alderson

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

652. MINUTES

The Minutes of the meeting of the Committee held on 17 December 2003 were approved and signed as a correct record.

653. DECLARATIONS OF INTEREST

The following personal and prejudicial interests were made under the Runnymede Code of Conduct for Members by the Councillors shown. Councillor Pate withdrew from the meeting when the respective matter was considered. Councillor Mrs Price remained as the respective item was for information only and not the subject of debate.

Councillor	Item	Nature of Interest
Mrs E E Price	Decisions of Director of Technical Services - RU03/1334	Governor of Strodes College
R Pate	Application RU03/1180	Personal friendship with applicant

654. 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. Member(s) of the public and/or applicant(s)/agent(s) spoke on those 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

**RU03/1164 Junction of Bridge Road/Bridge Wharf, Chertsey
Installation of an 8-metre high pole for a CCTV camera**

DECISION: GRANT

**RU01/1172 Land adjacent Stanwell Cottage, Thorpe Green, Thorpe
Erection of entrance gates and piers up to 3 metres in
height along Hurst Lane frontage, retention of vehicular
access off Hurst Lane, erection of four stables, tack
room, fences and gates following demolition of existing
stables.**

1) REFUSE for the following reasons:

- 1. The new vehicular entrance off Hurst Lane and the vehicular track across the site with its hard surfacing, the height, positioning and materials of the associated gates and close-boarded fencing and the additional gate within the site are inappropriate developments in the Green Belt producing hard and prominent features detrimental to the visual amenities of the Green Belt and the openness of the Green Belt contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts' January 1995.**

2) 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 demolition of the existing close-boarded fencing and concrete posts along the whole length of the Hurst Lane frontage including in and around the vehicular entrance off Hurst Lane and all the resulting materials and debris removed from the site and the former post and wire fencing to be**

reinstated not exceeding 1.2 metres in height in its original position within 6 months of the notice being effective;

- b) the demolition of the existing wrought iron gates and brick piers at the vehicular entrance off Hurst Lane and the removal of all the resulting materials and debris from the site within six months of the notice being effective;
 - c) the demolition of the existing wrought iron gates and brick piers in the mid-point position between the mobile home and the buildings to the north of the site and the removal of all the resulting materials and debris from the site within 6 months of the notice being effective;
 - d) the removal of the driveway off Hurst Lane to the buildings to the north of the site and all hardcore and associated surface material with the driveway removed from the site and its reinstatement to a grass field within 6 months of the notice being effective;
 - e) the cessation of the former stable building as a staff room and office and the removal of fixtures and fittings within 6 months of the notice being effective.
- 3) The Director of Administration and Leisure be authorised to take appropriate action including 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.

Reasons for Issuing of Enforcement Notice(s)

1. The new vehicular entrance off Hurst Lane and the vehicular track across the site with its hard surfacing, the height, positioning and materials of the associated gates and close-boarded fencing and the additional gate within the site are inappropriate developments in the Green Belt producing hard and prominent features detrimental to the visual amenities of the Green Belt and the openness of the Green Belt contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, 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 the former stables as a staff rest room or an office introduces an inappropriate commercial activity to the Green Belt which is likely to have a

materially greater impact on the openness of the Green Belt than the former stabling use of the building contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO5 of the Surrey Structure Plan Deposit Draft December 2002, Policies GB1 and GB7 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance 'Green Belts'.

3. 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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts' January 1995.

(Mrs Dolbell, representative for the applicant, addressed the Committee on the above application.)

RU01/0796

**Land adjacent Stanwell Cottage, Thorpe Green, Thorpe
Retention of 1.8 metre high fencing**

- 1) **REFUSE for the following reasons:**
 1. The unauthorised 1.8 metre high close-boarded fencing to the south of the mobile home due to its height, design and prominence is an inappropriate development in the Green Belt producing a hard and prominent feature detrimental to the visual amenities of the Green Belt and the openness of the Green Belt contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts' January 1995.
- 2) 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 the demolition of the existing

close-boarded fencing and concrete posts to the south of the mobile home and the former post and rail fencing to be reinstated not to exceed 1.2 metres in height in its original position as indicated on the approved drawings submitted with planning application RU 00/0612 within 6 months of the notice being effective

Reasons for Issuing Enforcement Notice

1. **The unauthorised 1.8 metre high close-boarded fencing to the south of the mobile home due to its height, design and prominence is an inappropriate development in the Green Belt producing a hard and prominent feature detrimental to the visual amenities of the Green Belt and the openness of the Green Belt contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 : 'Green Belts' January 1995.**
- 3) **The Director of Administration and Leisure be authorised to take appropriate action including carrying out necessary works or prosecution under Sections 178 and 179 of the Town and Country Planning Act 1990 in the event that this notice once effective is not complied with.**

(Mrs Dolbell, representative for the applicant, addressed the Committee on the above application).

RU03/0866

**Oak Farm, Thorpe Green, Egham
Retention of garden shed, wendy house, 1.8 metre high panel fence, 1 no pair of gates and paviour hardstanding**

- 1) **REFUSE for the following reasons:**
 1. **The wendy house, shed and hardstanding to the front of the mobile home are inappropriate developments in the Green Belt which spread development across the site and given its prominent position would be detrimental to the visual amenities and openness of the Green Belt, contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure**

Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note : '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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note : 'Green Belts' January 1995.**
- 2) **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 demolition of the existing wendy house to the front of the mobile home and the removal of all the resulting materials and debris from the site within 6 months of the notice being effective.**
 - b) **the demolition of the existing wooden shed to the front of the mobile home and the removal of all the resulting materials and debris from the site within 6 months of the notice being effective; and**
 - c) **the removal of the concrete hardstanding between the existing barbecue area and gate and all resulting material and debris to be removed from the site and reinstated to a grassed area within 6 months of the notice being effective.**

Reasons for Issuing Enforcement Notice(s)

1. **The wendy house, shed and hardstanding to the front of the mobile home are inappropriate developments in the Green Belt which spread development across the site and given its prominent position would be detrimental to the visual amenities and openness of the Green Belt, contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note : '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 Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note : 'Green Belts' January 1995.

- 3) The Director of Administration and Leisure be authorised to take appropriate action including 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.**

(Mrs Dolbell, representative for the applicant, addressed the Committee on the above application).

RU03/0649

**SCATT III, Laleham Reach, Chertsey
Certificate of Lawfulness for the use of land as a single residential dwelling comprising a mobile home, wooden chalet and summerhouse**

DECISION: GRANT Certificate of Lawfulness for siting of single mobile home in residential use and ancillary summerhouse.

(In making its decision to grant, the Committee discounted the submitted video evidence).

(Mr Wright, the applicant, addressed the Committee on the above application).

RU03/1180

**10B Waverley Drive, Chertsey
Removal of mature Oak protected by Tree Preservation Order No 19**

DECISION: GRANT subject to conditions.

RU03/1312

**Hanover House (formerly known as Shepley House),
Shepley Drive, Virginia Water
Retention of portico erected on north-eastern side of dwelling**

DECISION: REFUSE for the following reason:

The portico constitutes inappropriate development which further erodes the openness of the Green Belt by adding further bulk of building over and above the significant increase already permitted on the site. Furthermore, no exceptional circumstances exist which would outweigh the further harm to the Green Belt that these additions have caused. The retention of the portico would thus be contrary to advice in Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the Surrey Structure Plan 1994 and Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the Runnymede Borough Local Plan 2001 and advice in the Supplementary Planning Guidance Note on Policy GB6 dated December 1999.

RU03/1313

**Hanover House (formerly known as Shepley House),
Shepley Drive, Virginia Water
Retention of gazebo**

DECISION: REFUSE for the following reason:

The gazebo constitutes inappropriate development which further erodes the openness of the Green Belt by adding further bulk of building over and above the significant increase already permitted on the site. Furthermore, no exceptional circumstances exist which would outweigh the further harm to the Green Belt that these additions have caused. The retention of the gazebo would thus be contrary to advice in Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the Surrey Structure Plan 1994 and Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the Runnymede Borough Local Plan 2001 and advice in the Supplementary Planning Guidance Note on Policy GB6 dated December 1999.

RU03/1314

**Hanover House (formerly known as Shepley House),
Shepley Drive, Virginia Water
Retention of wall with central roofed feature erected on
north-eastern side of the dwelling**

DECISION: REFUSE for the following reason:

The wall and its central roofed feature constitute inappropriate development which further erodes the openness of the Green Belt by adding further bulk of building over and above the significant increase already permitted on the site. Furthermore, no exceptional circumstances exist which would outweigh the further harm to the Green Belt that these additions have caused. The retention of the wall and central roofed feature would thus be contrary to advice in Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the Surrey Structure Plan 1994 and Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the Runnymede Borough Local Plan 2001 and advice in the Supplementary Planning Guidance Note on Policy GB6 dated December 1999.

RU03/1315

**Hanover House (formerly known as Shepley House),
Shepley Drive, Virginia Water
Retention of porch erected on north-eastern side of the
dwelling**

DECISION: REFUSE for the following reason:

The porch constitutes inappropriate development which further erodes the openness of the Green Belt by adding further bulk of building over and above the significant increase already permitted on the site. Furthermore, no exceptional circumstances exist which would outweigh the further harm to the Green Belt that these additions have caused. The retention of the porch would thus be contrary to advice in Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the Surrey Structure Plan 1994 and Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the Runnymede Borough

Local Plan 2001 and advice in the Supplementary Planning Guidance Note on Policy GB6 dated December 1999.

- RU03/1316** **43 Chertsey Lane, Staines**
Renewal of planning permission RU 99/0402 for the erection of two-storey side extension following the demolition of the existing garage
- DECISION: GRANT subject to conditions.**
- RU03/1361** **Land adjacent 59 Bridge Road and open land to the rear of 39-59 (odd) Bridge Road and land south of Abbey Chase, Chertsey**
Erection of three two-storey detached dwellings (amendment to RU 02/0699)
- DECISION: GRANT subject to conditions.**
- RU03/1390** **Bourne Valley Garden Centre, Woodham Lane, Woodham**
Erection of 2 three-bedroom detached dwellinghouses with associated car parking
- DECISION: APPLICATION WITHDRAWN.**
- RU03/1408** **Rochester House, Oakwood Road, Virginia Water**
Erection of two-storey dwelling with accommodation in the roof with attached front garage and attached swimming pool to the rear following demolition of existing dwelling (amendment to planning permission RU 02/1394) including additional dormer windows and accommodation in the roof above the garage
- DECISION: GRANT subject to conditions.**
- By reason of special circumstances, namely that Surrey County Council intended to determine this consultation application at its Planning Committee meeting on 28 January 2004, the Chairman of the Planning Committee had agreed for this report on this consultation application to be considered by this Committee as an Urgent Item.
- RU03/1383** **Land at Freemantles School and Chertsey Nursery School, Pycroft Road, Chertsey**
Installation of a double demountable classroom for a temporary period of three years
- DECISION: RAISE NO OBJECTION.**

655. HANOVER HOUSE (FORMERLY SHEPLEY HOUSE), SHEPLEY DRIVE, VIRGINIA WATER

The Committee reconsidered the reason for refusal of a retrospective planning application for the retention of the first floor balcony and pergola adjoining the swimming pool wing at Shepley House, Shepley Drive, Virginia Water (ref. RU.02/0325).

Planning permission had previously been refused for the retention of these additions on the grounds that they constituted inappropriate development which further eroded the openness of the Green Belt and the use of the balcony would erode the privacy and amenities of the residents of the adjoining dwelling. An appeal had been lodged against this refusal.

Whilst the structures were clearly inappropriate development in the Green Belt, the Committee was informed that since the decision was made, the adjoining resident had withdrawn his objections and

the planting that had been undertaken on the boundary (Leylandii trees) had substantially grown and thickened. On this basis the Committee concurred with the views of Officers that the applicant be informed that the Council would not contest their appeal on the issue of the impact of the development on the privacy and amenities of the residents of the adjoining dwelling. However, the basic policy objection in Green Belt terms remained and would be contested.

RESOLVED that -

the applicant be informed that the Council do not intend to contest the appeal against the refusal of RU.02/0325 on the grounds of erosion of the privacy and amenities of the residents of the adjoining dwelling.

656. APPEAL DECISIONS

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

<u>Site/Development</u>	<u>Decision</u>
a) Mush Mush, Laleham Reach, Chertsey - planning appeal regarding demolition of existing bungalow and replacement by a detached chalet bungalow (03/0608)	DISMISSED
b) Hill House Hammond Ltd, 28 The Broadway, New Haw - planning appeal regarding change of use from Class A2 (Financial and Professional Services) to Class A3 (Hot Food and Drink) (03/0758)	DISMISSED
c) Probyns Cottage, Wick Lane, Englefield Green - planning appeal regarding amendment to planning consent RU02/0683 (creation of a detached dwelling and garage) involving insertion of two dormer windows (03/0626)	ALLOWED

657. STANDING ORDER 42 - URGENT ACTION

The Committee noted that acting in accordance with Standing Order 42 the following action had been undertaken by the Officer shown below after consultation with the Chairman.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No</u>
DAL	Instigation of further legal proceedings in the High Court as a result of breaches of Injunction granted on 29.4.03 in respect of Willow Farm, Chobham Road, Ottershaw.	544

658. 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.

659. TANGLEWOOD, MIDDLE HILL, ENGLEFIELD GREEN - PROPOSED TREE PRESERVATION ORDER

By reason of special circumstances, namely that the Horse Chestnut tree at Tanglewood, Middle Hill, Egham was a tree worthy of protection and there was a threat that the tree may be felled before the next Planning Committee meeting, the Chairman of the Planning Committee agreed for this report to be considered as an Urgent Item.

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this report under Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve the disclosure of exempt information of the description specified in paragraph 13 of Part 1 of the Act.

The Committee considered a request to place a Tree Preservation Order on one Horse Chestnut tree (T1) in the front garden of Tanglewood, Middle Hill, Englefield Green as the tree could be under threat.

A planning application RU 03/1505 had recently been submitted for the erection of a double garage with accommodation above at the front of the dwelling, the erection of front fence and entrance gates and erection of two buildings in the rear garden and the conversion of a garage to habitable accommodation. The submitted drawings did not show the retention of the Horse Chestnut tree.

The Horse Chestnut Tree was healthy and located in the front garden of Tanglewood, Middle Hill. The tree was highly visible and prominent in the street scene and offered significant amenity value to the Middle Hill frontage.

The Committee considered it prudent to make an Order to protect this important tree during both the consideration of the current application and the construction period should planning permission be granted for this or any subsequent application on this site.

The Human Rights considerations associated with this case were noted.

RESOLVED that -

- i) the Director of Administration and Leisure be authorised to make a Tree Preservation Order pursuant to Section 198 to 201 of the Town and Country Planning Act 1990 in respect of one Horse Chestnut tree in the front garden of Tanglewood, Middle Hill, Englefield Green for the following reason:**

The tree makes a significant contribution to the visual amenities of the surrounding area and therefore should be protected in accordance with Policies NE12 and NE13 of the Runnymede Borough Local Plan, Second Alteration April 2001.

- ii) Subject to no adverse representations being received, the Director of Administration and Leisure be authorised to confirm the order without modification.**

Chairman

(The meeting ended at 9.18pm)