

Runnymede Borough CouncilPLANNING COMMITTEE20 March 2002 at 7.30 p.m.

Members of the Committee present: Councillors V.E. Barker (Chairman), Mrs. C.Y. Jones (Vice-Chairman), Mrs F.M. Angell, Mrs. F.J. Barden, Mrs. P.I. Broadhead, A.G. Collins, J.M. Edwards, J.R. Furey, Mrs. L.M. Gillham, H.W.V. Meares, A.M. Moore, Mrs. J. Norman, R. Pate, A.P. Tollett and J.R. Whiteley

Members of the Committee absent: None

Councillor Mrs. E.E. Price also attended.

641. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Groups mentioned below had notified the Chief Executive Officer of their wish that the changes listed below be made to the membership of the Committee for a fixed period ending on the day after the meeting. Thereafter the Councillors removed should be re-appointed.

Group requesting Change	Remove from Membership	Appoint Instead
Runnymede Independent	Councillor F.J. Tourlmain	Councillor Mrs. L.M. Gillham
Conservative	Councillor Mrs. V.R.T. Lenton Smith	Councillor H.W.V. Meares

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

642. MINUTES

The Minutes of the meeting of the Committee held on 20 February 2002 were confirmed and signed as a correct record.

643. DECLARATIONS OF INTEREST

Councillors Mrs. E.E. Price and A.M. Moore declared interests under the National Code of Local Government Conduct in relation to applications RU 02/0038 and 01/1214 respectively which were included in the list of applications determined by the Borough Technical Services Officer under his delegated powers. As the list was reported for information only and the applications were not the subject of discussion, Councillors Mrs Price and A. M. Moore remained in attendance.

644. 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.

<u>APP. NO.</u>	<u>LOCATION, PROPOSAL AND DECISION</u>
RU 02/0057	19 Abbey Road, Chertsey Demolition of existing garage and erection of two storey side and single storey rear extension (amended description) DECISION: GRANT subject to conditions.

- RU 02/0081** **Land r/o 48 and 49 Harvest Road, Englefield Green
Erection of 2 no. two-storey detached houses with
vehicular access off Harvest Road
DECISION: REFUSE for the following reason:-**
- The proposal constitutes an overdevelopment of this restricted site, resulting in a cramped and over-dominant form of development which is harmful to the character of its surroundings and detrimental to the residential amenities of adjoining residential properties by reason of intrusive appearance, loss of outlook, overbearing effect and loss of privacy, contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE3 of the Surrey Structure Plan Deposit Draft 2001, and Policies H09 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.**
- RU 02/0089** **79 Hare Hill, Addlestone
Demolition of existing conservatory and erection of
two-storey rear extension
DECISION: GRANT subject to conditions.**
- RU 02/0109** **7 Daleham Avenue, Egham
Felling of Beech tree to the front of property
DECISION: REFUSE for the following reason:**
- The Beech tree is considered to be in sound condition and makes a valuable contribution to public amenity and should continue to be preserved in accordance with Policy PE9 of the Surrey Structure Plan Deposit Draft January 2001 and Policies NE12 and NE13 of the Runnymede Borough Local Plan Second Alteration April 2001**
- RU 02/0110** **Ridgewood House, Ridgemean Road, Englefield Green
Erection of detached double garage to the side of the
dwelling following the demolition of the existing
garden store
APPLICATION WITHDRAWN.**
- RU 02/0127** **262 Station Road, Addlestone
Erection of single-storey rear extension
DECISION: GRANT subject to conditions.**
- RU 02/0128** **74 Hare Hill, Addlestone
Alterations to roof and installation of dormers to allow
loft conversion
DECISION: GRANT subject to conditions.**
- RU 02/0131** **44-46 School Lane, Addlestone
Demolition of existing dwellings and erection of three
dwellings with garages
DECISION: GRANT subject to conditions.**
- RU 02/0141** **6 Murray House, Murray Road, Ottershaw
Erection of single storey rear extension
DECISION: GRANT subject to conditions.**

RU 02/0142

6 Murray House, Murray Road, Ottershaw
Erection of single storey rear extension
DECISION: GRANT Listed Building Consent subject
to conditions.

645. CONSULTATION PAPER ON POSSIBLE CHANGES TO THE USE CLASSES ORDER AND TEMPORARY USES PROVISIONS

The Committee considered a comprehensive report on a Consultation Paper from the Government which proposed possible changes to the Use Classes Order (UCO) and current temporary use provisions under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO).

The Consultation Paper aimed to ensure that the UCO and GPDO provisions would be constructed in a way which allowed the maximum possible deregulation consistent with delivering planning policy and wider objectives, including protecting amenity.

The Consultation Paper proposed

- i) the merger of one or more of the 'A' Use Classes which covered Shops (A1), financial and professional services (A2) and food and drink establishments (A3);
- ii) the division of existing B1 Use Class which covered Business (B1), general industrial (B2) and storage or distribution (B8);
- iii) no change to the C Use Class which covered hotels (C1), residential institutions (C2) and dwellinghouses (C3);
- iv) changes to D Use Class including merger of non-residential institutions (D1) and assembly and leisure (D2), or division of one or more existing use classes (in particular to remove nightclubs from D2 and into a class of their own);
- v) removal or restriction of permitted development rights for certain temporary events (e.g. car boot sales, weekend markets, all motor sports and clay pigeon shooting) which caused greatest public concern usually in relation to noise and traffic.

Some of the options to merge Use Classes could benefit local authorities as it would reduce the number of applications requiring processing and could benefit the community as the market would be able to respond faster to the changing needs of consumers. A disadvantage would be a reduction in applications for local people to influence the type of uses to which a building may be put and the ability of the Local Planning Authority to impose appropriate conditions.

Some of the options to split use classes would increase workload of local planning authorities but would allow opportunity to control inappropriate development and for local people to comment on a proposed change of use into a different use class.

The Committee made the following responses in relation to each Use Class:-

'A' Use Classes

Concerns were expressed over any possible merger of Use Classes A1 and A2 as this would have a detrimental effect on the vitality and mix of town centres by reducing the retail element. Members preference was for the division between A1 and A2 to be retained and for the division of a separate A3 Use Class between establishments where the primary purpose was the sale and consumption of alcoholic drinks, establishments for the sale of food and drink primarily for consumption on the premises; and establishments for the sale of hot food to be taken away. This would enable local planning authorities to retain control over all establishments for catering and drinking.

'B' Use Classes

Members considered that the impact of different businesses varied enormously, and some office uses could be greater traffic generators than light industry. It was not felt that the current flexibility of the B1 use class had caused particular problems, and it was recommended that it should remain unchanged.

'C' Use Classes

The Committee recommended that the opportunity should be taken to create a new Use Class relating to affordable housing. Currently, the planning system could not prevent the loss of such accommodation to open-market housing and such a measure would safeguard the original intention of this type of housing provision. Some Members questioned the definition of Affordable Housing and preferred the Use Class to be specifically related to keyworker housing.

'D' Use Classes

The Committee opposed the combination of D1 and D2 as this would give a very wide range of uses that could be implemented without planning permission and consequently reduced the level of planning control which could be exercised. Nightclubs often had particular amenity and disorder implications which warranted very careful consideration and the Committee considered that they should be put in a use class of their own (sui generis) which would enable Planning Authorities to consider nightclubs on the basis of their particular land use planning implications.

The Committee also recommended that a separate Use Class be established for 'secure treatment units'.

Temporary Uses

With regard to removal or restriction of permitted development rights for certain temporary events, the Committee supported the introduction of a notification procedure whereby an Authority was given prior notice of an event. This would enable an Authority to let an event proceed without express planning permission if the event would cause no harm, but also allow an Authority to require an application for planning permission for events which it felt could have potentially adverse affects.

RESOLVED that –

the above-mentioned comments be forwarded to the DTLR as the Council's formal comment on the Consultation Paper.

646. LEVEL CROSSINGS ACT 1983: RAILTRACK POOLEY GREEN LEVEL CROSSING ORDER 2002

The Committee was informed of Railtrack's proposed changes to the barriers at Pooley Green Level Crossing, Vicarage Road, Egham to improve safety and restore rail services following an accident which had occurred in October 2000. Railtrack had applied to the Secretary of State for Transport to make a Level Crossing Order under the Level Crossings Act 1983 to implement the changes and representations thereon needed to be made to the Secretary of State by 24 March 2002.

Railtrack proposed to replace the fully automatic half barriers with full width ones and a CCTV camera system. Before activating the barriers, a signaller would then be able to see if a vehicle was stopped on the crossing and prevent the train from continuing. Due to the associated operating and signalling systems the barriers would be closed to road traffic for a total of approximately 45 minutes per hour at peak times based on the existing timetable.

Details of meetings and a workshop held with Railtrack, HM Inspector of Railways (HMIR) and other interested persons and organisations together with views expressed thereat were reported. In addition the contents of a letter recently received from the HMIR was also reported.

Notwithstanding the need to ensure the safety of road and rail passengers at the level crossing many interested persons and organisations had expressed a variety of concerns over the proposals. These concerns were endorsed by the Committee.

Members shared concerns that little account had been taken of the impact on road congestion in the area and Vicarage Road in particular. This included the social and economic impact, both of vehicles waiting for long periods and inconvenience to residents, visitors and businesses in the area. It also included the environmental impact in terms of noise and air pollution arising from large numbers of stationary vehicles. There was a serious risk that the frequency of bus services would be reduced or that buses would be re-routed so as to avoid this level crossing and consequently affect the service to the Pooley Green area.

There were also considerable safety implications which included the inability of emergency services to respond in a timely fashion to incidents; the potential queuing of vehicles off the M25 motorway; trip diversion and 'rat-running' along unsuitable roads; and poor driving habits, fuelled by frustration and road rage.

Members considered that the solution put forward was disproportionately weighted in favour of rail rather than road transportation and there needed to be a more balanced approach, firmly based on a risk assessment of all the options, following a full traffic impact assessment to assess the potential impact of the proposal on the local road network. Members also considered that further investigation should be made into provision of a bridge or improved alternative route. The HMIR had allowed the level crossing to be operated with a temporary speed limit since the accident occurred in October 2000 and Members saw no reason why this interim safety solution could not continue until a satisfactory long term permanent solution was found.

A copy of the council's letter of representation to HMIR signed by the Chairman would be copied to all interested organisations with a request that they write to HMIR expressing their concerns. Members recorded their thanks to Phillip Hammond MP for his support on this matter.

RESOLVED that –

- i) strong objections be raised to the current proposals;**
- ii) the Agenda Report and above-mentioned comments be sent as the Council's formal representation to the HM Inspectorate of Railways and request that it be passed to the Secretary of State for Transport, in order that the comments of the individuals and organisations expressed in the Report can be considered in assessing Railtrack's request to make the Level Crossing Order;**
- iii) before the proposals are implemented the Secretary of State be requested to instruct Railtrack to commission a full Traffic Impact Assessment of the local road network to assess the potential effect of their proposals;**
- iv) the Secretary of State be requested to instruct Railtrack to give further consideration to the balancing of road and rail traffic flows based on a full Risk Assessment, in order to reduce the 'down time' of the barriers so as to allow current bus services to be maintained and to limit the potential increase in congestion and inconvenience to Emergency Services and to other road traffic and pedestrians; and**
- v) the Secretary of State be requested to instruct Railtrack to give more detailed consideration to the feasibility of a bridge or tunnel to separate the road and railway at the level crossing.**

647. APPEAL DECISION

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

Site/DevelopmentDecision

Eastry House, Wentworth Drive, Virginia Water - enforcement appeals regarding i) unauthorised erection of a single storey conservatory on rear elevation of house, ii) erection of entrance porch and supporting pillars on front elevation of dwellinghouse and erection of open balcony and supporting pillars on rear elevation of house.

ALLOWED, NOTICES QUASHED AND PERMISSION GRANTED

648. PLANNING APPLICATIONS DETERMINED BY BOROUGH TECHNICAL SERVICES OFFICER

A list of planning applications recently determined by the Borough Technical Services Officer under his delegated powers was noted.

649. LAND TO THE REAR OF THE WELL HOUSE AND GREEN SHUTTERS, OFF FARIS LANE, WOODHAM – CONFIRMATION AND MODIFICATION OF TREE PRESERVATION ORDER NO 342

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 para 13 of Part 1 of Schedule 12A of the Act.

The Committee considered confirmation of Tree Preservation Order no. 342 relating to land to the rear of the Well House and Green Shutters off Faris Lane, Woodham, subject to minor modification.

No representations had been received on the making of Tree Preservation Order 342, however it had subsequently been noticed that an oak tree referred to as T1 in the Order was incorrectly plotted on the related plan.

Therefore the Committee considered that the Order should be confirmed subject to a modification to delete tree T1 from the current order and authorised a new Tree Preservation Order to preserve the Oak tree in its correct location.

RESOLVED that -

- i) the Borough Secretary and Leisure Services Officer be authorised to confirm Tree Preservation Order No. 342, subject to the deletion of tree T1;**
- ii) the Borough Secretary and Leisure Services Officer be authorised to make a Tree Preservation Order pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990 in respect of one Oak tree on land to the rear of The Well House and Green Shutters, off Faris Lane, Woodham, for the following reason:**

The tree makes a significant contribution to the visual amenities and character of the area and the Basingstoke Canal Conservation Area and therefore should be protected in accordance with Policies BE5, NE12 and NE13 of the Runnymede Borough Local Plan Second Alteration April 2001; and

- iii) subject to no adverse representations being received, the Borough Secretary and Leisure Services Officer be authorised to confirm the order without modification.**

Chairman

(The meeting ended at 9.27 p.m.)