

Runnymede Borough CouncilPLANNING COMMITTEE19 March 2003 at 7.30 p.m.

Members of the Committee present: Councillors V.E. Barker (Chairman), Mrs. J. Norman (Vice-Chairman), Mrs F.M. Angell, J.R. Ashmore, Mrs. F.J. Barden, J.M. Edwards, J.R. Furey, Mrs C.E. Gant, Mrs. L.M. Gillham, P.A. Greenwood, R. Pate, Mrs V.A. Smallman, N. Thewlis, A.P. Tollett and J.R. Whiteley.

Members of the Committee absent: None.

Councillors A.J. Davis, Mrs E.E. Price, B.J. Relph and G.B. Woodger also attended.

713. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Conservative Group had notified the Chief Executive Officer of its wish that Councillor A.G. Collins be removed from the membership of the Committee and that Councillor Mrs C.E. Gant be appointed instead for a fixed period ending on the day after the meeting and that thereafter the Councillor removed should be re-appointed.

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

714. MINUTES

The Minutes of the meeting of the Committee held on 19 February 2003 were confirmed and signed as a correct record.

715. DECLARATIONS OF INTEREST

Councillor Mrs C.E. Gant declared a personal and prejudicial interest under the Runnymede Code of Conduct for Members in planning application RU 03/0152 as her husband occupied premises in close proximity to the application site. Councillor Mrs Gant withdrew from the room while the item was debated and determined.

Councillor G.B. Woodger declared a personal and prejudicial interest under the Runnymede Code of Conduct for Members in planning application RU 03/0107 as his wife undertook fundraising on behalf of the applicant. Councillor Woodger withdrew from the room while the item was debated and determined.

716. 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 02/0790**

**Woburn Park Farm, Woburn Hill, Addlestone
Part demolition/removal of mobile homes, re-use of existing buildings in the walled area for retail, new toilet block, erection of new buildings for circus headquarters, 13 flats and all-year use of paddock as circus storage/parking**

DECISION: REFUSE for the following reasons:-

- 1. Metropolitan Green Belt (Land Outside Settlements) (R401)**
- 2. Insufficient Agricultural Justification (R413) – delete ‘agricultural or other special’. Delete ‘residential accommodation’, insert ‘development’**
- 3. Re-use and adaptation of Rural Buildings (R419)**
- 4. The proposed office element would constitute inappropriate development in an unsustainable location contrary to the requirements of Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001, Policy DP9 of the Surrey Structure Plan 1994 and the advice contained in Planning Policy Guidance Notes 2, 6 and 13.**
- 5. The proposed retail element would constitute inappropriate development in an unsustainable out of town location contrary to the requirements of Policies SH01 and SH06 of the Runnymede Borough Local Plan Second Alteration April 2001, Policies DP15 and DP16 of the Surrey Structure Plan Deposit Draft January 2001 and the advice contained in Planning Policy Guidance Notes 2, 6 and 13.**
- 6. It has not yet been demonstrated that the proposals are compatible with the transport infrastructure in the area, in terms of the level of trip generation and the impact of the development traffic on the local highway network, contrary to the requirements in Policy MV4 of the Runnymede Borough Local Plan Second Alteration April 2001, Policy MT2 of the Surrey Structure Plan 1994, Policy DN2 of the Surrey Structure Plan Deposit Draft January 2001 and the advice in Planning Policy Guidance Note 13.**
- 7. The proposed development is in an out of town location which is not conveniently accessible by alternative modes of travel to the private car and is therefore contrary to Government advice contained in Planning Policy Guidance Note 13, Policy DP16 of the Surrey Structure Plan 1994 and Policy L09 of the Surrey Structure Plan Deposit Draft January 2001.**
- 8. The proposed development is in an area recognised as being of particular landscape importance in relation to its surroundings and is within an area on the English Heritage Register of Parks and Gardens of Special Historic Interest listed as a Grade II park or garden. The proposed development will have an adverse impact on these areas, contrary to the requirements of Policies NE8 and BE8 of the Runnymede Borough Local Plan**

**Second Alteration April 2001, Policy PE12 of the
Surrey Structure Plan 1994 and Policy SE4 of the
Surrey Structure Plan Deposit Draft January 2001.**

RU 03/0107

**White Lodge Centre, Holloway Hill, Chertsey
Erection of single-storey building to provide children's
respite centre and new single-storey adult day centre with
associated landscaping and garden features**

**DECISION: The application be notified to the Office of
the Deputy Prime Minister as an acceptable
departure from the provisions of the
Development Plan in accordance with the
requirements of the Town and Country
Planning (Development Plans and
Consultation) (Departures) Direction 1999 as
the proposal would represent inappropriate
development within the Green Belt and,
failing any direction from the Minister, the
Director of Technical Services be authorised
to GRANT planning permission subject to
conditions and discharge of**

- i) clause 1 of the Third Schedule of the
legal agreement dated 6th June 1996
which restricted development to a
defined area and no further
development for a period of 50 years;
and**
- ii) clause 2 of the agreement which
related to disposal of part of the
property and the site to remain as a
single planning unit and encompass
this as a planning condition to
include the additional area of land
subject to this application.**

RU 03/0163

**Land at Coldharbour Lane, Thorpe
Extraction of 75,000 cubic metres of clay from base of
existing mineral working**

**DECISION: OBJECT STRONGLY for the following
reason:-**

**The proposed extraction of clay would
extend both the duration of the existing
mineral operations and, by increasing void
capacity, the period for infilling and
restoration of the site which is to be
undertaken with inert waste. This would
serve to prolong the disturbance that such
operations cause to the local area in general
and the amenities of the occupiers of nearby
residential properties in particular, contrary
to Structure Plan 1994 Policies DP24, DP29
and DP32, Deposit Draft Structure Plan 2002
Policy DN18 and Surrey Waste Local Plan
1997 Policy WLP7.**

RU 03/0181

**16 Addlestone Park, Addlestone
Demolition of existing dwelling and erection of eight flats
with associated parking and landscaping**

DECISION: Subject to the completion of an appropriate legal agreement to secure dedication of land to become a public highway in connection with the footway construction stated in the conditions, the Director of Technical Services be authorised in consultation, where appropriate, with the Chairman, or in his absence the Vice-Chairman, to GRANT permission subject to conditions.

(A motion to REFUSE the application was lost)

RU 02/1433

**Probyns Cottage, Wick Lane, Englefield Green
Erection of a detached two-storey dwelling with new
vehicular access off Wick Lane**

DECISION: Subject to the prior completion of a Revocation Order without right of compensation to ensure that outline planning permissions RU.00/0343 and RU.02/1432 are not implemented, the Director of Technical Services be authorised in consultation, where appropriate, with the Chairman, or in his absence the Vice-Chairman, to GRANT permission subject to conditions.

RU 03/0044

**Linden House, West Drive, Virginia Water
Erection of part two and part three-storey dwelling with
basement and sub-basement including garaging and
caretaker's flat following demolition of existing dwelling,
swimming pool and single-storey buildings to the front of
site**

DECISION: REFUSE for the following reasons:-

- 1. The replacement dwelling proposed, by reason of its height, scale, mass and floor area, is considered to be materially larger than the dwelling it would replace and therefore constitutes inappropriate development in the Green Belt. The approval of such a development would be contrary to the advice contained in Planning Policy Guidance Note 2: 'Green Belts', Policy PE2 of the approved Surrey Structure Plan 1994, Policy L04 of the emerging Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the adopted Runnymede Borough Local Plan Second Alteration April 2001.**
- 2. The Planning Authority do not consider that the very special**

circumstances put forward by the applicant are of such weight as to outweigh the harm that would be caused to the openness of the Green Belt by the proposal contrary to the requirements of Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the approved Surrey Structure Plan 1994, Policy LO4 of the emerging Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the adopted Runnymede Borough Local Plan Second Alteration April 2001.

RU 03/0045

**Linden House, West Drive, Virginia Water
Erection of a part two and part three-storey dwelling with basement and sub-basement including garaging, caretaker's and security staff flat, following demolition of existing dwelling, swimming pool and single-storey buildings to the front of the site**

DECISION: REFUSE for the following reasons:-

- 1. The replacement dwelling proposed, by reason of its height, scale, mass and floor area, is considered to be materially larger than the dwelling it would replace and therefore constitutes inappropriate development in the Green Belt. The approval of such a development would be contrary to the advice contained in Planning Policy Guidance Note 2: 'Green Belts', Policy PE2 of the approved Surrey Structure Plan 1994, Policy LO4 of the emerging Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the adopted Runnymede Borough Local Plan Second Alteration April 2001.**
- 2. The Planning Authority do not consider that the very special circumstances put forward by the applicant are of such weight as to outweigh the harm that would be caused to the openness of the Green Belt by the proposal contrary to the requirements of Planning Policy Guidance Note 2 : 'Green Belts', Policy PE2 of the approved Surrey Structure Plan 1994, Policy LO4 of the emerging Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and GB6 of the adopted Runnymede Borough Local Plan Second Alteration April 2001.**

RU 03/0072

**Conkers, 31 Drill Hall Road, Chertsey
To remove all epicormic growth and reduce the lateral**

growth by 3 metres to protected Horse Chestnut tree

DECISION: REFUSE removal of lateral growth; and

APPROVE removal of epicormic growth.

RU 03/0086

**7 Fairview Cottages, Trumps Green Road, Virginia Water
Erection of conservatory to the rear of the property**

DECISION: GRANT subject to conditions.

RU 03/0092

**Wood Rising, Callow Hill, Virginia Water
Erection of a detached two-storey dwelling with attached
triple garage and accommodation over following
demolition of existing dwelling and garages**

DECISION: GRANT subject to conditions.

RU 03/0094

**33 Heathervale Road, New Haw
Erection of 2 no. 4 bedroom linked-detached dwellings and
creation of new access onto Heathervale Road following
demolition of existing dwelling and garages**

DECISION: GRANT subject to conditions.

RU 03/0098

**Cedar View, Guildford Road, Ottershaw
Formation of dropped kerb to allow vehicular access**

DECISION: GRANT subject to conditions.

RU 03/0119

**Farview, Gorse Hill Road, Virginia Water
Amendment to planning permission RU.02/0829 for a
replacement dwelling to allow insertion of dormers in the
roof of the dwelling, elevational alterations and
accommodation above the garage**

DECISION: GRANT subject to conditions.

RU 03/0122

**Fairlawns, 23 Mayfield Gardens, Staines, Middlesex
Erection of extensions to two existing garages**

DECISION: GRANT subject to conditions.

RU 03/0128

**Tresco, Westwood Avenue, Woodham
Erection of two-storey rear extension and single-storey
side extension with internal alterations and creation of a
pitched roof over garage and side extension**

DECISION: GRANT subject to conditions.

RU 03/0136 **Trys Hill Cottage, Lyne Lane, Lyne**
Demolition of existing bungalow and erection of 3
bedroom chalet style dwelling with attached garage

DECISION: **GRANT subject to conditions.**

RU 03/0152 **Orchard Cottage Farm, Anningsley Park, Ottershaw**
Demolition of buildings and erection of one chalet
bungalow

DECISION: **Subject to the completion of a legal**
agreement to revoke (without payment of
compensation) any part (if any) of the
Certificate of Lawfulness for the existing use
which was outside of the planning
application site, the Director of Technical
Services be authorised to GRANT planning
permission subject to conditions.

717. PROPOSED AIMS AND TARGETS 2003/04

Members received and approved the proposed Aims and Targets for the Planning Committee in 2003/04 with the following change;

It was agreed that target 6 iii) should be amended to read, "Maintain and/or improve character of established residential areas and resist inappropriate and cramped development that manifestly detracts from the environmental quality".

This amendment has been incorporated in the copy of the Aims and Targets attached at Appendix 'A'.

RESOLVED that -

the Aims and Targets, attached at Appendix 'A', be adopted for the period 1 April 2003 to 31 March 2004.

718. CONSTITUTION OF THE COUNCIL - PUBLIC SPEAKING AT MEETINGS

Officers reported that it was increasingly common for Local Authorities to allow members of the public to speak at Council and Committee meetings. The Runnymede Local Government Act Member Working Group had given detailed consideration to this proposal and it had recommended that this Council consider enabling the public to speak on planning applications and at Council meetings. Speaking at other Committees might be considered in due course.

The introduction of public speaking would necessitate revisions to the Council's Constitution which would be considered by the Corporate Management Committee as part of a comprehensive report on revisions to the Council's Constitution on 3 April 2003. The Planning Committee was asked for its views on the proposed Standing Order to provide for public speaking on planning applications in order that its comments could be reported to this meeting.

The key points of the proposed public speaking procedure for planning applications were as follows:

- The right applied where there were at least three written objections;
- An Objector who wished to speak needed to give notice to the Director of Technical Services after publication of the Agenda but at the latest by noon two working days before the meeting;

- The right to speak was restricted to planning applications and did not apply to other planning matters;
- Only one Objector was allowed to speak against each application;
- The Applicant was to be given the opportunity to speak; and
- Three minutes was the maximum length of speech allowed.

Officers reported that there was potential for the Council to apply part of the Planning Delivery Grant to finance a member of staff to keep Applicants and Objectors up to date with progress on planning applications.

The Committee expressed its support for the introduction of public speaking on planning applications which would give both Objectors and Applicants the opportunity to have their say. Members considered the proposed Standing Order and recommended a number of small amendments which have been incorporated in the version attached at Appendix 'B'. In particular, the Committee thought that the Applicant should be allowed to speak on any relevant matter relating to his/her planning application rather than just respond to specific points raised by an Objector. Members noted that The Local Government Act Member Working Group would review the operation of the new Standing Order after six months of operation.

RESOLVED that -

the Corporate Management Committee be advised that this Committee supports the introduction of a Standing Order to the effect shown at Appendix 'B' on an experimental basis.

719. TREE PRESERVATION ORDER NO. 351 – LAND AT STILLWATER AND WYCH DELL, OAK END WAY, WOODHAM

The Committee considered letters of representation received in respect of a Tree Preservation Order on various trees at Stillwater and Wych Dell, Oak End Way, Woodham. The trees had been preserved in order to protect them from a proposed residential development (RU 02/1060).

Three letters of support for the Order had been received from neighbouring residential properties. A letter of objection had been received from the occupier of Stillwater who was the Applicant for the residential development. The Applicant had raised no objection to the protection of trees T5, T6 and T7 but considered that trees T1, T2, T3 and T4 were located well inside the garden area of Stillwater. The Applicant stated that none of the above trees could be seen from any public viewpoint, including both the canal and surrounding roads, and had therefore requested that trees T1, T2, T3 and T4 be omitted from the Order.

Whilst the three Beech trees in question (trees T1, T2 and T3) were not located immediately adjacent to the boundaries of the site, Officers still felt they were visible from public viewpoints. When currently viewed from both Oak End Way and the Canal, these three trees were considered to be highly prominent within the street scene. The Scots Pine (Tree T4) was also highly prominent from Oak End Way and was considered to contribute to the street scene, particularly as it still remained in full foliage when the surrounding Oak and Beech trees (Trees T5, T6, T7 and T8) had lost their leaves.

Given the condition and amenity value of the trees, the Committee concurred that the Order should be confirmed without modification as the removal of the trees would detrimentally affect the visual amenities of both the Basingstoke Canal Conservation Area and Oak End Way. The Human Rights considerations associated with this case were noted.

RESOLVED that -

The Director of Administration and Leisure be authorised to confirm the Tree Preservation Order without modification, pursuant to Section 201 of the Town and Country Planning Act 1990 in respect of Trees T1 (Beech), T2 (Beech), T3 (Beech), T4 (Scots Pine), T5 (Oak), T6 (Beech), T7 (Oak) and T8 (Oak) on land at Stillwater and Wych Dell, Oak End Way, Woodham.

720. LAND TO THE REAR OF BLOSSOM FARM, ROSEMARY LANE, THORPE

At the request of the three Thorpe Ward Councillors, the Committee considered a report on proposed action in respect of an alleged unauthorised use and development on land to the rear of Blossom Farm, Rosemary Lane, Thorpe. The Planning history, outcome of previous investigations and residents' concerns associated with the site were noted.

The alleged unauthorised development currently under investigation was;-

- i) Use of the land for commercial purposes in connection with the owner's land clearance and maintenance business;
- ii) Works to the building on the site; and
- iii) The creation of an access off Muckhatch Lane.

It was reported that a local resident had stated that at times persons visiting the site had been abusive and had caused damage to property. Officers advised the Committee that it could not take into account any reported unsocial behaviour as this was not a planning matter. However, if sufficient evidence could be obtained of a commercial use, the Council could pursue enforcement action. Now that the Enforcement Section was fully staffed, Officers had made arrangements to monitor the alleged commercial operation of the site and this situation had been discussed with concerned local residents. In view of the difficulty in gaining access to the site, Officers would seek to respond to calls from residents should they be concerned about any activities on the land.

The applicant had indicated that he believed the works to the building were 'Permitted Development' and that he did not intend to submit a planning application for retrospective permission. Members were informed that the works to the building, which had been substantial, went well beyond repair and maintenance and were not agricultural permitted development. However, there had to be a significant planning objection to any such breach of control in order to justify enforcement action.

A recent observation of the site indicated that the building was now being used, at least in part, for the keeping of livestock (goats). The views of the Council's Agricultural Advisers (Bruton Knowles) had therefore been sought for an assessment of the possible agricultural need for supporting buildings at the site, and whether and to what extent, the existing building might be considered to reasonably meet any such need. The assessment would be an important material consideration in deciding whether or not enforcement action was appropriate. A further report would be brought to the Committee once this assessment had been made.

The access off Muckhatch Lane which had been created was not considered to require planning permission as it constituted Permitted Development. Similarly the gates and fencing which had been erected were also considered to amount to Permitted Development. The hardstanding which was being constructed did, however, appear to be development requiring planning permission. This matter was currently under investigation.

Members agreed that Enforcement Officers should undertake rigorous monitoring and investigation of this site in order that a report could be brought back to the Committee at the earliest opportunity.

721. APPEAL DECISIONS

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

Site/Development	Decision
(i) 9 Howards Lane, Addlestone – enforcement appeal regarding erection of a summer room to the rear of the land or premises.	ALLOWED, NOTICE QUASHED PLANNING PERMISSION GRANTED
(ii) Oaklea, Longcross Road, Longcross, – planning appeal regarding erection of an orangery to the side of the premises.	DISMISSED
(iii) Sanbra, Guildford Road (formerly 206 Brox Road), Ottershaw – planning appeal regarding single storey extensions with chalet style roof with dormers.	DISMISSED
(iv) 5 Acacia Drive, Woodham – planning appeal regarding ground floor pitched roof garage and porch and covered side passage.	DISMISSED
(v) 85 Woodham Park Road, Woodham – enforcement appeal regarding erection of a single storey office and storage building at the rear of the premises.	DISMISSED ENFORCEMENT NOTICE UPHELD WITH VARIATION

722. 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.

723. STANDING ORDER NO. 42 - URGENT ACTION

Members noted that the following action had been taken since the Committee's last meeting after consultation with the Chairman under Standing Order 42.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Technical Services	Enforcement action in respect of various elements of a redevelopment at Shepley House, Shepley Drive, Virginia Water.	516

Chairman

(The meeting ended at 10.10 p.m.)