

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday, 2 February 2005 at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors G.B. Woodger (Chairman), Mrs. F.M. Angell (Vice-Chairman), J.R. Ashmore, Mrs. F.J. Barden, J. Broadhead, J.B. Dean, J.R. Furey, H.W.V. Meares, Mrs J. Norman, D.W. Parr, R. Pate, B.J. Relph, N. Thewlis, A.P. Tollett, and J.R. Whiteley.

## A G E N D A

Notes:

- i) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- ii) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr. B.A. Fleckney, Administration and Leisure Department, Committee Section, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425620). (Email: [bernard.fleckney@runnymede.gov.uk](mailto:bernard.fleckney@runnymede.gov.uk)).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- iv) **Public speaking on planning applications only is allowed at the Planning Committee. For details please contact Mrs T Eeles, the Administrative Section of the Technical Services Department. (Tel Direct Line: 01932 425174)**
- v) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

#### **Matters in respect of which reports have been made available for public inspection**

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### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection**

- a) Exempt Information  
(No reports to be considered under this heading)
- b) Confidential Information  
(No reports to be considered under this heading)

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 5 January 2005 as a correct record (Appendix 'A').

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

5. PLANNING APPLICATIONS (DTS)

A list of the planning applications to be determined by the Committee is attached.

If Members have particular queries or interests in certain applications, the application files will be available for inspection and Officers present from 7.00 p.m. prior to the meeting in the ante room of the Council Chamber. This will be an informal opportunity for Members to see further details of applications and representations and to discuss and clarify issues. Copies of all letters of representation will also be placed on the table in the Chamber prior to the meeting and will be available for inspection by Members.

**OFFICERS' RECOMMENDATION that -**

**the said applications be determined as indicated and any permission granted be subject to the conditions authorised.**

**(TO RESOLVE)**

Background Papers

A list of background papers is available at the Technical Services Reception

6. THE PADDOCKS, FANGROVE, LYNE LANE, LYNE - UNAUTHORISED TRAVELLER SITE (DAL)

1. Purpose of Report

1.1 **To notify Members that the unauthorised traveller site known as "The Paddocks" Fangrove, Lyne Lane, Lyne has been purchased by an adjoining landowner.**

2. Report

2.1 This case started in 1993 following reports of work being carried out upon the land when it was found that a mobile home and touring caravan had been moved onto the land and various works to facilitate residential use of the site had been undertaken.

2.2 Enforcement Notices were issued and served in August 1993 and following a Public Inquiry held in March and April 1994 the Inspector upheld both Notices. The Council instituted Injunction proceedings in the High Court, the Council appearing in Court on a number of occasions in an attempt to secure the necessary Order requiring the family to leave.

2.3 Prior to one of the hearings Mr David Loveridge the head of the family died and the ownership of the land passed to his son David Jr. who decided to sell the land to a relative and move on.

- 2.4 As a result two of the family units were re-housed in Council housing accommodation, David Jr. and his other brother moving to other traveller accommodation.
- 2.5 Following the further sale to an adjoining landowner, the Loveridge family have finally terminated any links with the land, the land likely to be returned to grazing use by the new owners.
- 2.6 Unfortunately the legal and court costs of the proceedings in the High Court and Magistrates Courts have not been recoverable since the Defendants were legally aided, but the costs in relation to the taking of direct action to remove certain unauthorised structures and unauthorised hardstandings, following the first sale of the site, will be met by the new owners.
- 2.7 It is however pleasing to note that one of the Council's longest running enforcement cases can now be closed which will allow the Council's enforcement and legal staff to concentrate on other unauthorised sites and issues.

**(FOR INFORMATION)**

Background Information

None

7. GREENSIDE, CHESTNUT AVENUE, VIRGINIA WATER – INQUIRY COSTS (DAL)

1. **Purpose of Report**

1.1 **To inform Members of the costs associated with the Public Inquiry in respect of the demolition and subsequent replacement of the Grade II Listed Building known as Greenside, Chestnut Avenue, Virginia Water.**

2. Report

- 2.1 Members will recall the history of this case resulting in the Public Inquiry taking place between 23 November and 1 December 2004.
- 2.2 The Inspector has now completed his report and has submitted it to the Office of the Deputy Prime Minister who will ultimately determine whether listed building consent should be granted (in retrospect) and whether planning permission should be granted for a replacement dwelling. The decision is unlikely to be received for many months.
- 2.3 Following the closure of the Inquiry the professional fees and associated costs have been accounted for and the cost to the Planning Authority has been found to be in the order of £45,000.
- 2.4 This figure is made up of the costs in relation to the employment of Counsel, both in preparation for and appearance at the Inquiry (£19,000), the employment of a Consultant Architect as the Council's witness, including his preparation and appearance costs, (£23,000) the remaining costs relating to printing, photocopying and costs associated with the administration and organisation of the Inquiry.
- 2.5 As a result of the Council's robust presentation and defence of the decisions made by this Committee, in relation to the applications being considered by the Inquiry, the risk of costs being applied for and awarded against the Council receded and in the event most of the parties agreed to absorb their own costs of the preparation, attendance and the presentation of their evidence at the Inquiry.
- 2.6 The one costs application was made by the Applicant against English Heritage alleging that they had failed to consider the PPG15 listing criteria, persisted with their valuation arguments and did not take into account the Applicants human rights considerations as part of their decision making processes as any public body are required to do as part of its discharge of its functions.

3. Resource Implications

3.1 This expenditure was included in the Development Control (non-fee) budget under the 2004/05 probable, which was agreed by this Committee at its meeting of 5 January 2005.

**(FOR INFORMATION)**

Background Papers

None

8. 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 is attached at Appendix 'B'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

**(FOR INFORMATION)**

Background Papers

None

9. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. The Appeal decisions are available in the Members Room.

	<u>Site/Development</u>	<u>Decision</u>
a)	13 The Crescent, Egham – planning appeal regarding ground floor rear, side and front extension, with side second floor and roof extension (RU 03/1502)	DISMISSED
b)	Land adj 9 The Crescent, Egham – planning appeal regarding construction of a 3 bed dwelling (revised details) (RU 04/0301)	DISMISSED
c)	37 Staines Lane, Chertsey – planning appeal regarding a minor extension to garage (RU 04/0162)	DISMISSED
d)	Builders Yard, Bates Walk, Addlestone – planning appeal regarding erection of a residential development of five 2 bed flats with off-street parking and amenity space (RU 03/0942)	DISMISSED
e)	September Song, West Drive, Wentworth – planning appeal regarding demolition of existing dwelling house and erection of new dwelling (RU 03/1008)	DISMISSED

**(FOR INFORMATION)**

Background Papers

Appeal Decisions

10. STANDING ORDER 42 – URGENT ACTION

Acting in accordance with Standing Order 42 the following action has been undertaken by the Officer shown below after consultation with the Chairman.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Technical Services	Extension of period for compliance with two Enforcement Notices issued in respect of alleged unauthorised development and uses at Thorpe Waterski, Thorpe Road, Chertsey	569

**(FOR INFORMATION)**

Background Papers

Proforma on HCA Standing Order 42 file

11. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing reports in private, it is the

**OFFICERS' RECOMMENDATION that -**

**the press and public be excluded from the meeting during discussion of the following reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the reports in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part I of Schedule 12A of the Act.**

**(TO RESOLVE)**

**PART II**

Matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection

a) Exempt Information

(No reports to be considered under this heading).

b) Confidential Information

(No reports to be considered under this heading).