



RUNNYMEDE BOROUGH COUNCIL

PLANNING COMMITTEE

18 AUGUST 2004

APPENDICES

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Runnymede Borough Council

APPENDIX 'A'PLANNING COMMITTEE

14 July 2004 at 7.30pm

Members of the
Committee present:Councillors G.B. Woodger (Chairman), Mrs. F.M. Angell (Vice Chairman),
A. Alderson, 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, N. Thewlis,
A.P. Tollett and J.R. WhiteleyMembers of the
Committee absent:

None

Councillor C.J. Knight also attended.

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. The change was for a fixed period ending on the day after the meeting and thereafter the Councillor removed would be reappointed.

Group requesting Change	Remove from Membership	Appoint instead
Runnymede Independent	Councillor B.J. Relph	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.

MINUTES

The Minutes of the meeting of the Committee held on 16 June 2004 were approved and signed as a correct record.

DECLARATIONS OF INTEREST

The following interests were made under the Runnymede Code of Conduct for Members by the Councillors shown. As the Chairman and Vice-Chairman withdrew from the room while the application relating to Ardeley, Wellington Avenue, Virginia Water and the Application and TPO reports on Broomhayes, Bakeham Lane, Englefield Green were considered, the Committee elected Councillor J.R. Furey to take the Chair for these items.

Councillor	Item	Nature of Interest
G.B. Woodger	Ardeley, Wellington Avenue, Virginia Water (04/0644)	Personal and Prejudicial – applicant.
	Broomhayes, Bakeham Lane, Englefield Green (04/0537) and T.P.O.	Personal and Prejudicial – Friendship with neighbour/objector
Mrs F.M. Angell	Ardeley, Wellington Avenue, Virginia Water (04/0644)	Personal and Prejudicial – Friendship with applicant
	Broomhayes, Bakeham Lane, Englefield Green (04/0537) and T.P.O.	Personal and Prejudicial – Friendship with neighbour/objector
H.W.V. Meares	Ardeley, Wellington Avenue, Virginia Water (04/0644)	Personal and Prejudicial – Friendship with applicant.
	Broomhayes, Bakeham Lane, Englefield Green (04/0537) and T.P.O.	Personal and Prejudicial – Previous business relationship

N. Thewlis	Ardeley, Wellington Avenue, Virginia Water (04/0644)	Personal and Prejudicial – Friendship with applicant.
J. Broadhead	"	"
J.R. Whiteley	"	"
Mrs J. Norman	"	"
A.P. Tollett	Basingstoke Canal Conservation Area – Review and T.P.O.	Personal – Council appointee to Basingstoke Canal J.M.C.

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. Members of the public and/or applicants/agents 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

RU03/0965

**Thorpe Park, Staines Road, Chertsey
Outline planning application for installation of rides (not to exceed 65m) and buildings (floorspace upto 8000sqm) in period 2004-2008, partial infilling of lakes and creation of compensation areas, landscaping infrastructure improvements, relocation of part of overflow car park and works to main access from A320.**

DECISION: Following the making of a Section 106 Agreement to define the activity zones within the Park and to secure:-

- (i) highway improvement works at the applicant's expense for site access and carriageway widening works for footway/cycleway provision as well as all costs for ancillary works such as street lighting, road markings and signage,**
- (ii) a financial contribution of £30,000 towards lighting and cycleway improvements,**
- (iii) £3,000 towards pedestrian signage at Chertsey Station,**
- (iv) a cap on the average visitors per day during the peak period to 17,000.**
- (v) a Traffic Liaison Group,**
- (vi) implementation of a Car Park Management Plan and Travel Plan with £2,000 towards the Highway's Authority costs of auditing and monitoring the Travel Plan,**

the Director of Technical Services be authorised to GRANT permission following consultation where appropriate with

the Chairman or in his absence the Vice-Chairman of the Committee subject to conditions.

RU04/0337

Northdene, 32 Egham Hill, Egham
Two storey side extension, single storey extensions to front and rear and conversion of property into six two-bedroom flats with access to car parking area off Egham Hill and erection of boundary wall and gates onto Egham Hill.

DECISION: GRANT subject to conditions.

(Mr Power, an objector and Mr Lewandowski agent for the applicant addressed the Committee on the above application)

RU04/0402

12 Guildford Road, Chertsey
Proposed renovation of existing property to provide 2 flats and erection of two storey rear extension, conversion of roof to provide habitable accommodation and external staircase (revised plans received 11 June 2004)

DECISION: GRANT subject to conditions.

RU04/0525

The indoor riding arena, Bishopsgate House, Bishopsgate Road, Englefield Green
Erection of a single storey detached building for the parking of cars and associated drivers rest room following demolition of the existing indoor riding arena

DECISION: GRANT subject to conditions.

RU04/0537

Broomhayes, Bakeham Lane, Englefield Green
Roof alterations to allow habitable accommodation in roof space incorporating dormer windows, single-storey rear extension, conversion of garage to kitchen/dining room with bay window and single-storey front extension for a garage.

DECISION: GRANT subject to conditions.

RU04/0572

60 Bond Street, Englefield Green
Erection of a 1.8M close boarded fence to the front and side of the property. (Retrospective)

DECISION: GRANT subject to conditions.

The Committee considered that special circumstances existed which warranted the grant of planning permission namely that the fence did not have an unacceptable impact on the established character of the area or on the residential amenities of neighbouring properties).

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

- RU04/0588** **89 Guildford Street, Chertsey**
Relaxation of condition 3 (opening hours) of planning permission RU. 00/0392 to allow an increase in opening hours from 11.00 p.m. to 11.30 p.m. Sundays to Thursdays and 11.00 p.m. to 12 (Midnight) Fridays and Saturdays
- DECISION: GRANT temporary permission subject to conditions.**
- (Mrs Smalldridge, an objector, addressed the Committee on the above application)
- RU04/0589** **Magna Carta School, Thorpe Road, Staines**
To widen existing access and create new egress with associated alterations to footways, boundary enclosures and gates, lighting column and signage
- DECISION: GRANT subject to conditions.**
- RU04/0590** **8 Band Lane, Egham**
Conversion of garage into habitable accommodation
- DECISION: Authorise Director of Technical Services to GRANT following consultation with Building Control & Fire Officer regarding safety of access in event of fire.**
- RU04/0595** **84 Eastworth Road, Chertsey**
Conversion of existing dwelling into 2 No. self contained flats (1 x one bed and 1 x two bed) and a single storey rear extension
- DECISION: GRANT subject to conditions.**
- RU04/0644** **Ardeley, Wellington Avenue, Virginia Water**
Retention of gates to two existing access points and erection of 1.8M high chain link fencing along part of road frontage
- DECISION: GRANT**

SURREY STRUCTURE PLAN PROPOSED MODIFICATIONS

The Committee considered a report on the Proposed Modifications to the Surrey Structure Plan Deposit Draft 2002.

The Surrey Structure Plan set out the broad land use planning framework for the County for the period up to 2016, and beyond. The Plan had been the subject of considerable public involvement and debate over the past two years. The proposed Modifications made further changes to the Plan following a report from an independent Panel of Inspectors. Publication of the Modifications was the last opportunity for public comment on the draft Plan before it was formally adopted by the County Council. The Modifications accepted most of the Panel's recommendations with the exception of three areas.

The Officer comments on the Proposed Modifications, which were endorsed by the Committee, are set out in Appendix 'A'.

RESOLVED that -

the comments and recommendations set out in Appendix 'A' be forwarded to Surrey County Council as formal observations on the Proposed Modifications to the Surrey Structure Plan Deposit Draft 2002.

THE CATTLE PARK, ST ANN'S HILL ROAD, CHERTSEY - ENFORCEMENT

The Committee considered authorisation of enforcement action in relation to the use of the above land for the siting of a caravan, for which planning permission had previously been refused.

The development resulted in the change of use of the land and introduced new residential accommodation into this rural Green Belt location. The activities associated with the residential use, and the siting of the caravan had a materially adverse impact upon the openness of the Green Belt. The development was therefore considered to constitute inappropriate development within the Green Belt and was also detrimental to an Area of Landscape Importance. No very special circumstances had been submitted by the applicant to outweigh the harm caused by the development to the Green Belt.

The Committee considered it expedient to take enforcement action to secure the cessation of the current use of the land, and the removal of the caravan and associated development.

The Human Rights considerations associated with this case were taken into account by the Committee in making its decision.

RESOLVED that -

- i) **the Director of Administration and Leisure be authorised to issue a notice under Section 172 of the Town and Country Planning Act 1990 requiring cessation of the unauthorised use of the land for the stationing of a caravan and removal of associated decking;**

Reasons for Issuing the Enforcement Notice

The site lies within the Green Belt where the introduction of new residential use is not normally permitted. The change of use is also considered to have a detrimental impact upon the designated "Area of Landscape Importance". The proposed change of use of the land involving the siting of a caravan is therefore considered to represent an inappropriate development within this rural green belt location and designated "Area of Landscape Importance" which would by reason of the siting and scale of the mobile unit, and associated residential activities, represent an inappropriate development within the Green Belt which adversely affects its open character and would be detrimental to the designated "Area of Landscape Importance" and no very special circumstances have been submitted to outweigh the harm to the Green Belt caused by this inappropriate development, contrary to advice contained within PPG Note 2 : 'Green Belts' (January 1995), Policies PE1, PE2 and PE7 of the Surrey Structure Plan 1994, Policies LO4 and SE8 of the Surrey Structure Plan Deposit Draft December 2002 and Policies GB1 and NE8 of the Runnymede Borough Local Plan April 2001.

- ii) **the Director of Administration and Leisure be authorised to take appropriate action including carrying out any prosecution in the event that the Notice, once effective, is not complied with.**

BASINGSTOKE CANAL CONSERVATION AREA - REVIEW

The Committee considered approval of a comprehensive review of the Basingstoke Canal Conservation Area.

The Basingstoke Canal Conservation Area had formally been designated by Surrey County Council in 1985. The area designated by the County Council was drawn relatively tightly along the water

corridor, excluding wider areas adjacent to the Canal. Given the length of time which had elapsed since designation, continuing development pressures within the urban areas adjacent to the Canal, and advice obtained from Counsel, the Committee considered it expedient to undertake a review of the Basingstoke Canal Conservation Area.

The review of the Conservation Area would allow this Authority to re-assess and record the special interest of the Canal and decide whether any amendments to its current boundary should be considered. An up to date review would provide a stronger basis for local plan policies and development control decisions, as well as for the formulation of proposals for the preservation and enhancement of the character or appearance of the area.

Following an internal review of the boundaries of the Conservation Area any proposed changes to the current boundary would be subject to a consultation exercise, including immediately adjoining residents/owners, local interest groups, Surrey County Council, English Heritage, Government Office for the South East, the Office of the Deputy Prime Minister and neighbouring local authorities. In addition any changes would be published in the London Gazette and reported in the local press.

RESOLVED that -

a formal review of the Basingstoke Canal Conservation Area be undertaken and results of the public consultation exercise be reported to a future meeting.

APPEAL DECISIONS

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

<u>Site Development</u>	<u>Decision</u>
a) 46 Howards Lane, Rowtown - planning appeal regarding erection of a single-storey side extension incorporating existing garage (03/1020)	DISMISSED
b) Dunluce, Accommodation Road, Longcross - planning appeal regarding erection of a single-storey side extension to dwelling house for use as utility room, kitchen and family room (02/0891)	DISMISSED

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.

BROOMHAYES, BAKEHAM LANE, ENGLEFIELD GREEN - PROPOSED TREE PRESERVATION ORDER

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 disclosure of exempt information of the description specified in paragraph 13 of Part 1 of Schedule 12A of the Act.

The Committee considered a request to place a Tree Preservation Order on one Beech Tree (T1) in the front garden of Broomhayes, Bakeham Lane, Englefield Green.

A planning application (RU.04/0537) to extend the existing dwellings had been approved earlier in the meeting. The application proposed the retention of the Beech tree along with other mature trees on the site.

The trees on the site were visually important to the semi-rural character of the area. The Beech tree in the front garden of the property was the most visible and important tree along the road frontage.

The Committee considered it important that this tree was protected to retain and protect the visual amenities and character of this area.

The Human Rights considerations associated with this case were taken into account by the Committee in making its decision.

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 Beech Tree in the front garden of Broomhayes, Bakeham Lane, 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.**

LAND ADJACENT TO THE BASINGSTOKE CANAL, WOODHAM - PROPOSED TREE PRESERVATION ORDER

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 disclosure of exempt information of the description specified in paragraph 13 of Part 1 of Schedule 12A of the Act.

The Committee considered placing an Area Tree Preservation Order upon an existing group of trees adjacent to the Basingstoke Canal.

The Basingstoke Canal and land to north and south was covered by a Conservation Area. The trees located upon land to the north and south of the Canal were considered to be an important feature, providing a significant woodland backdrop to the designated Conservation Area; adding considerably to the semi-rural tranquillity of this waterside location. The loss of the area of trees would significantly erode the established character of the Conservation Area and the special landscaped setting which formed part of the area's special character would be lost, and accordingly the Committee considered that an Area Tree Preservation Order should be made.

The Conservation Area designation included some sections of planting adjacent to the Canal water which would form part of this Area Order. Whilst Conservation Area status provided some short term protection for the existing trees within the Conservation Area it was considered that given the special character of the trees, they also be included within the Order.

Existing Tree Preservation Orders 259 and 351 also covered some existing trees within the neighbouring garden areas of "Stillwater" and "Wychdell", Oak End Way, Woodham. However it was considered appropriate for the Area Order to include additional areas within the curtilage of Stillwater, given the high amenity value of existing unprotected trees within the site.

The Area Order would only be made as a temporary measure, until the individual trees falling within the area could be assessed properly and re-classified, with a view to replacing them with individual or group Preservation Orders where appropriate.

The Human Rights considerations associated with this case were taken into account by the Committee in making its decision.

RESOLVED that -

- i) **the Director of Administration and Leisure be authorised to make a Area Tree Preservation Order pursuant to Sections 198 to 201 of the**

Town and Country Planning Act 1990 in respect of the trees of whatever species within the area marked A1 on the map reported to Committee for the following reason:

The area of trees makes a significant contribution to the character and setting of the Basingstoke Canal Conservation Area and therefore should be protected in accordance with Policies NE12, NE13 and BE5 of the Runnymede Borough Local Plan 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 10.00 pm).

3. Policy and Technical Issues

3.1 The County Council resolved to accept all the Panel's recommendations apart from :-

- The division of the County into sub areas for policy purposes.
- The treatment of areas of great landscape value.
- The deletion of references to opposition to the expansion of Gatwick and Heathrow.

The material points are considered in the remainder of the report.

Spatial Strategy

3.2 The Panel endorsed the overall aims of the Spatial Strategy in identifying key centres of strategic importance, although it concluded that the division of the County into sub-areas in order to express the strategy is unnecessary. The Panel believed that specific policy guidance is needed only for the core areas of North Surrey (including Runnymede), Guildford/Woking, the M23 corridor and the Blackwater Valley. In presenting the Spatial Strategy the Panel indicated that it should be strengthened through the inclusion of a strategic overview of economic and employment policy.

3.3 The Panel endorsed the need to slow down the rate of development in the north of the County (including Runnymede) and the proposal to concentrate development within the urban areas and actively managing change to deliver a better quality of life and environment. Importantly, the Panel acknowledged the concerns about the potential for future growth in a highly urbanised and constrained County. It concluded that there are limits to how far the pace of development in urban areas can continue without detrimental effects on infrastructure, services and the quality of life in Surrey. The Panel considered that these issues should be addressed through the newly emerging planning system (the Local Development Framework) and through Community Strategies.

3.4 The County Council accepted the overall approach proposed for the Spatial Strategy together with the Panel's conclusions about the need for strengthening of the economic context of the strategy. However, the County Council did not accept the deletion of two of the five sub-areas. The County Council view is that there is a need within the Plan for broad policies which cover the whole County and additional policies are needed to reflect the variety within the County and ensure the distinctiveness of particular areas. The sub-area approach was designed to help the Districts target specific policies to specific parts of their areas. Consequently, it was considered that the concept of spatial planning in Surrey can best be delivered through the retention of the sub-areas shown in the Deposit Plan.

Comment

3.5 ***The Panel recommended, inter alia, the retention of the sub-regional area (North Surrey) containing Runnymede. The Borough Council previously endorsed this aspect of the Spatial Strategy, which recognises the fragile nature of the Green Belt in the north of the County and the special attention required. It is recommended that the retention of this particular aspect of the policy is supported. Your Officers do not consider it material to comment specifically on the deletion of the other sub-areas contrary to the recommendations of the Panel.***

Housing Provision

3.6 The County Council accepted the Panel's proposed changes to the strategic housing allocations, and in particular the retention of a clear emphasis on Guildford, Woking and the Redhill-Horley area as centres of strategic importance in the County, in line with the approach set out in the Draft Structure Plan. Within Guildford, the revised housing allocation removes the immediate prospect of the development of a new community to the north-east of the town, and passes responsibility for any future greenfield allocation to the Borough Council.

- 3.7 The Panel's endorsement of the County Council's approach to the distribution of housing is welcomed. Although there are slight increases in development proposed in North Surrey, on the whole the allocations are below the rates of development currently being experienced in this area and so are compatible with the overall Spatial Strategy approach for this area.

Housing - General

- 3.8 The Panel accepted the 40% affordable housing target set out in Policy DN11. The County considers that this establishes that the affordability problems in Surrey are unique within the region, and nationally, and will be of significant value in bidding for additional resources for housing (including key worker housing) from Government. This level of provision represents the framework for Boroughs as they develop their LDF's.

Comment

- 3.9 ***The housing requirements set out before the E.I.P. and the Panel's recommendations are set out below :-***

District	SCC Pre-EIP Changes	Panel Recommendations	Difference
Elmbridge	3,370	3,370	0
Epsom & Ewell	2,650	3,000	+ 350
Guildford	5,220	4,750	- 470
Mole Valley	2,330	2,330	0
Reigate & Banstead	6,290	6,290	0
Runnymede	2,030	2,030	0
Spelthorne	2,450	2,580	+ 130
Surrey Heath	2,780	2,780	0
Tandridge	2,120	2,120	0
Waverley	2,810	2,810	0
Woking	3,350	3,340	- 10
Surrey	35,400	35,400	0

The Committee will note the position remained unchanged for Runnymede. As this position was previously endorsed by the Council it is recommended that the proposed modifications for Policy LO7 be supported.

- 3.10 ***The policy on affordable housing requires Local Plans (aka Local Development Framework) to include a target for affordable housing, having regard to the objective that at least 40% of new provision in the County should be affordable, including key worker housing. Local Authorities will be required to identify local need and negotiate with applicants to determine the amount of affordable housing to be provided on each site taking into account market, identified need, site and other considerations. Within these parameters it is recommended that the proposed modifications to Policy DN11 be supported.***

Airport Development

- 3.11 The Panel recommended that references to the opposition to Gatwick Airport expansion should be deleted from the Spatial Strategy and DN8. This reflects objections from GOSE that such a statement is inappropriate for a Structure Plan, not least since Gatwick Airport lies outside the County. The County Council do not accept this recommendation as the close proximity of Gatwick (and Heathrow) mean that further development will have a significant impact upon Surrey. Consequently a clear statement on future attitudes to development at both Gatwick and Heathrow is regarded by the County Council as a legitimate area for policy guidance within the Structure Plan.
- 3.12 The County Council state that the Airports White Paper, 'The Future of Air Transport' promotes the development of two new runways in the South East to meet the forecast

growth in air transport over the next 30 years. The White Paper supports a new runway at Stansted around 2011/12, followed by a new short parallel runway to the north of Heathrow between 2015 and 2020. The Government's support for a new runway at Heathrow is conditional on measures to prevent a deterioration of the noise climate, improved public transport access, and meet EU mandatory air quality limit values for Nitrogen Dioxide (NO₂). However, the Government cannot be confident that air quality limits at Heathrow with the addition of a third runway can be met. As a consequence, if these conditions are not achievable, the White Paper proposes a second wide-spaced runway to the south of Gatwick after 2019 and requires land to be safeguarded for that purpose.

Comment

3.13 Runnymede Borough Council, at its meeting on 10 June 2003, resolved that -

This Council requests that, in considering the responses to "The Second Edition of the Department for Transport Consultation on the Future Development of Air Transport in the United Kingdom: South East", the Secretary of State pays particular attention to the serious impact on the quality of life of the residents of Runnymede that further expansion of Heathrow would bring, given the significant pollution, transport and housing problems these residents already suffer.

Specifically -

- 1. The increased pollution, indicated within the consultative document, created by aircraft and increased road usage, affecting air quality, water contamination, noise levels, health and residential amenity.***
- 2. There already exists an urgent need to improve and provide effective transport links and infrastructure in the area and for the provision of enhanced public transport to the south and west of the Airport. The Airtrack project linked with T5 has still not materialised and is needed now.***
- 3. The consequential loss of Green Belt and social and public amenity, due to housing and employment demand, should be resisted.***

The proposed modifications reflect the resolution of the Council and it is recommended that the changes to Policy DN8 be supported. The Economic Development Committee on 12 June 2003 considered the economic aspects of future airport development proposals.

Waste Management

3.14 The Panel made a number of recommendations on changes to Policy DN19 (Waste Management). The County Council has accepted these changes. Particular attention is drawn to the comment that :-

- i) Surrey, for the purposes of waste planning, cannot be considered in isolation and, although there is considerable uncertainty over the precise level of waste likely to be imported into the County, the Panel recommends that a reference to contributing towards meeting regional waste needs should be included within the policy.***
- ii) The merit in including a specific reference within the Policy to the Best Practical Environmental Option (BPEO) consistent with other conclusions about the role of the plan in dealing with difference waste streams.***
- iii) The need for a positive waste planning strategy in the Structure Plan which provides adequate waste facilities of the scale and type to meet the identified need. The Panel did not agree that the Structure Plan should itself set out a detailed search sequence, but recommended that the Waste Local Plan identify sites in accordance with a clearly defined search sequence, taking into account the strategic locational guidance in Structure Plan."***

Comment

- 3.15 ***The County Council has previously resolved to produce a site-specific Waste Local Plan. The replacement Waste Local Plan/Development Framework is being based on a comprehensive assessment of all potential waste development sites in the County. District Councils and the Waste Industry have been asked to suggest sites for assessment to supplement those that the County Council has identified in line with Government and Regional guidance. Those sites which are found to be suitable for waste development will be so allocated in the Local Plan/Development Framework. It is clear from the assessment work currently underway that there will be relatively little flexibility or choice in the sites likely to be suitable in relation to the number/area of sites needed to meet Surrey's waste needs. The policies in the Waste Local Plan will set out the development control criteria for assessing applications on sites which are not allocated. The Committee may wish to support the proposed modifications to Policy DN19 but reserve the right to comment on the detailed formulation of this policy approach as it is developed in the Waste Local Plan.***
4. **Other Issues**
- 4.1 The Surrey Structure Plan and the proposed modifications will set the early context for the Local Development Framework. The relationship of the Structure Plan to Corporate Council Policy issues will be considered within the context of the work on the LDF.



Appeal Decision

Hearing held on 20 July 2004

Site visit made on 20 July 2004

by **Jane Miles BA (Hons) DipTP MRTPI**

an Inspector appointed by the First Secretary of State

The Planning inspectorate
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Temple Quay House
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Date

29 JUL 2004

Appeal Ref: APP/Q3630/A/03/1134174

38 Armstrong Road, Englefield Green, Egham, Surrey, TW20 0RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr S Coveney against the decision of Runnymede Borough Council.
- The application (Ref. RU.03/0998), dated 19 August 2003, was refused by notice dated 10 October 2003.
- The development proposed is described as a 2 storey rear extension.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. Although described as above on the planning application form, there are additional elements to the proposal. It was agreed at the hearing that a description based on the wording used by the Council, as 'part 2 storey, part first and ground floor rear extensions and alterations to roof', would be more comprehensive. I shall consider the appeal on this basis.

Main Issue

2. I consider the main issue in this appeal to be the effect of the proposal on the living conditions of the occupiers of the adjacent property, no. 40 Armstrong Road, in terms of light, outlook and whether the development would be overbearing.

Planning Policy

3. The development plan includes the Surrey Structure Plan 1994 (SSP) and the Runnymede Borough Local Plan Second Alteration April 2001 (RBLP). Of the policies drawn to my attention I consider RBLP Policy HO9 to be the most relevant to this appeal. It sets out criteria that proposals for new housing development (including extensions to existing dwellings) should satisfy. These include not damaging the character and amenity of established residential areas, providing appropriate space between existing and proposed residential units, and providing adequate sunlight and daylight to all habitable rooms.
4. In addition the Council's 'Householder Guide, Supplementary Planning Guidance' (SPG) provides more detailed advice on residential extensions. As it has been adopted following public consultation, it carries significant weight.

Reasons

5. At present no. 38, a semi-detached dwelling, comprises a relatively small 2 storey element towards the front of its plot, with extensive single storey elements to the rear. No. 40, to the north, is a larger 2 storey dwelling. It is set in a slightly higher and offset position relative

to no. 38, and extends further back into its plot. The 2 storey part of the proposed extensions, partly above the existing single storey element, would project over 5 metres to the rear at first floor level, in line with the existing 2 storey side wall and matching the existing roof height of no. 38. It would have an impact on 3 windows in no. 40's south-facing side elevation. At ground floor, 2 high level windows, in the centre and towards the front of the dwelling, provide secondary sources of light for the main living room, which also has a large east-facing bay window to the front. The principal outlook from the latter would be unaffected by the proposal and, due to the effect of the existing building at no. 38, the impact on daylight and sunlight to the front side window would not be significant.

6. The relative siting and orientation of the 2 dwellings, together with the separation between the 2 storey extension and no. 40, would still allow for sufficient daylight and sunlight would still reach the central window in the latter part of the day, albeit to a lesser extent in the winter months. Bearing in mind that there are 3 windows to no. 40's living room, I do not consider that, overall, the proposal would result in unacceptable overshadowing of this large ground floor room.
7. At first floor level, the central window at no. 40 is the sole source of light and outlook to a bedroom. In extending across the view from the bedroom the 2 storey element would have an enclosing effect on the room's outlook, because of its height and length. However, the relative siting and heights of the 2 dwellings are such that an outlook above the extension and to the front and rear of no. 38 would remain. In view of this, and the degree of separation from no. 38 at this level, I do not consider that the proposal would have an unacceptably dominant or overbearing impact on no. 40's bedroom. At first floor level there would be less impact in terms of daylight and sunlight than at ground floor. Notwithstanding that the bedroom has only one window, I do not consider that the proposal would have an unacceptable impact on it in terms of loss of light and overshadowing. Moreover, painting the extension white to match the existing property, as indicated in the application, could be ensured by means of an appropriate condition and would maximise reflection of light into the room.
8. I have noted the appellant's view that side-facing windows in one dwelling should not prejudice development of adjacent dwellings. However I have had regard to the Council's SPG, which does not distinguish between front, rear or side-facing windows, and to national guidance in Planning Policy Guidance Note 1: General Policy and Principles which advises that good neighbourliness and fairness are among the yardsticks against which proposals can be measured. Development affecting side windows to habitable rooms could in my opinion be unneighbourly although, for the reasons explained above, I have not found that to be the case with this proposal. I have also noted the other examples of development affecting side-facing windows referred to by the appellant in his submissions and at the hearing, although it was apparent that none were identical to the appeal case. In any event, each case should be considered on its own merits in the light of the development plan and other material considerations, and that is the approach I have taken.
9. I conclude that the proposal would not have an unduly harmful effect on the living conditions of the occupiers of the adjacent property, no. 40 Armstrong Road. It would not conflict with national guidance in PPG1 or with Policy HO9 of the RBLP.

Other Matters

10. The siting and orientation of no. 38 and the design and position of the proposed extensions to the rear is such that the proposal would not, in my opinion, unduly harm the amenities of the adjoining dwelling, no. 37. A condition to control the future insertion of windows at first floor and roof levels in the north and south elevations of the extensions would however be appropriate to ensure the privacy of occupiers at nos. 37 and 40. Neither the impact on the symmetry of the pair of dwellings nor the use of wood-effect cladding, on the small first floor element, would in my opinion unacceptably detract from the building's character and appearance. None of these matters, noise during construction, nor the other SSP, emerging replacement SSP and RBLP policies referred to, are of such significance as to outweigh the considerations that have led to my conclusions on the main issue.

Conclusions

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

12. I allow the appeal and grant planning permission for part 2 storey, part first and ground floor rear extensions and alterations to roof at 38 Armstrong Road, Englefield Green, Egham, Surrey, TW20 0RW, in accordance with the terms of the application (Ref. RU.03/0998), dated 19 August 2003, and the plans submitted therewith, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building, unless otherwise approved in writing by the local planning authority.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows, or other openings shall be constructed at first floor or roof level on the northern or southern elevations of the extensions hereby permitted without the prior written consent of the local planning authority.

Miles

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Jonathan Partington, BA (Hons) Dip TP MRTPI

Principal Planning Officer,
Runnymede Borough Council

Karly Peck, BSc (Hons)

Planning Assistant, Runnymede
Borough Council

FOR THE APPELLANT:

Eddie Gage, chartered architect RIBA

10 Northcroft Villas, Englefield
Green, Egham, Surrey, TW20 0DZ

Scott Coveney

Westwood Road, Windlesham,
Surrey

DOCUMENTS

- Document 1: List of persons present at the hearing
- Document 2: Council's letters of notification
- Document 3: Letter of objection
- Document 4: Appellant's appendices
- Document 5: Council's appendices

PLANS

- Plans A1-A4 Application plans
- Plan B1 Site location plan

PLANNING APPLICATIONS DETERMINED BY

 DIRECTOR OF TECHNICAL SERVICES

FROM 19TH JULY TO 30TH JULY 2004

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
03/1325	Lynwood Farm, Lyne Lane, Lyne, Chertsey Demolition of existing buildings and erection of a bungalow with garage, residential annex, stable block with shelter and tack room DECISION: GRANT
04/0554	Heather Tor, Sandhills Lane, Virginia Water Erection of single storey infill extension at front of property DECISION: REFUSE
04/0594	Land at Corrie Road, Addlestone Erection of single-storey Class A2 (Financial & Professional Services) unit (revised description 21.7.04) DECISION: REFUSE
04/0611	J. Sainsbury plc, The Causeway, Staines Advertisement consent for one illuminated free-standing sign and one illuminated wall-mounted sign DECISION: REFUSE
04/0615	30 Trumps Green Avenue, Virginia Water Erection of two-storey side and single-storey rear extensions following demolition of existing garage and rear addition DECISION: REFUSE
04/0619	6 Langham Place, Egham Erection of two-storey side and single-storey rear extensions with insertion of velux windows DECISION: REFUSE
04/0621	35 Park Road, Egham Erection of single-storey side extension DECISION: GRANT

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
04/0624	The Orangery, Tasis England, Coldharbour Lane, Egham Listed Building Consent for refurbishment including repair works to the roof, repair of timber doors and windows on front/south elevation and addition of new drainage channel. DECISION: GRANT
04/0627	Fort Belvedere, London Road, Sunninghill, Ascot Erection of traditional timber framed building containing gardeners mess, workshop and tractor bays following removal of containers and demolition of existing timber building. (This building is proposed in substitution for the farm outbuilding granted permission under RU.01/0290) DECISION: GRANT
04/0628	Western Cottage, 25 Bond Street, Englefield Green Erection of a first floor rear extension DECISION: REFUSE
04/0629	1 Willow Walk, Englefield Green Erection of detached 4 bedroom, 2 storey dwelling to the side of No. 1 Willow Walk with integral garage and parking and separate amenity space DECISION: REFUSE
04/0633	Conifers, Coopers Hill Lane, Englefield Green Erection of part single, part two storey side and rear and single storey side extensions following demolition of existing garage DECISION: GRANT
04/0640	Fairview, Woodlands Close, Ottershaw, Chertsey Conversion of existing garage to habitable accommodation incorporating roof alterations and single storey side extension following demolition of shed and part of existing garage DECISION: GRANT
04/0642	9 Helvellyn Close, Egham Erection of two-storey side extension and single-storey rear extension DECISION: REFUSE
04/0645	Wentworth House, 23 The Causeway, Staines Display of freestanding non-illuminated sign (2m in height) sited in the forecourt of the property DECISION: REFUSE

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 04/0649 Land r/o Squirrels Leap & Meadside, Faris Lane, Woodham
Demolition of existing garage and construction of a chalet bungalow with
integral garage
DECISION: **REFUSE**
- 04/0656 T A Centre, Drill Hall Road, Chertsey
Erection of an external fire escape stair and door
DECISION: **OBJECT**
- 04/0669 250 Almnors Road, Lyne, Chertsey
Erection of two-storey side extension
DECISION: **REFUSE**
- 04/0697 36 Chilsey Green Road, Chertsey
Erection of single-storey rear extension
DECISION: **GRANT**
- 04/0735 28, 29 & 30 Hummer Road, Egham
Single-storey front extensions following removal of existing bay windows to
infill space between existing porches
DECISION: **GRANT**

DELEGATED DECISIONS IN CONSULTATION WITH CHAIRMAN & VICE-CHAIRMAN

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

04/0626 Hangmoor, Callow Hill, Virginia Water
Two proposed extensions comprising swimming pool wing with pool plant room under and garage block containing 5 car garage, garden machinery room and cloister link following the demolition of various additions at rear of house.
DECISION: GRANT