

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday 24 November 2004 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).**
- 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.
- 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

	<u>Page</u>
1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP	3
2. MINUTES	3
3. APOLOGIES FOR ABSENCE	3
4. DECLARATIONS OF INTEREST	3
5. PLANNING APPLICATIONS	3
6. SERVICE PLAN 2004/05 - HALF YEARLY PERFORMANCE	3
7. LOCAL DEVELOPMENT FRAMEWORK	4
8. SURREY LOCAL TRANSPORT PLAN PROGRESS REPORT AND CONSULTATION FOR 2006-2011	7
9. CONSULTATION ON PLANNING POLICY STATEMENT 9: BIODIVERSITY AND GEOLOGICAL CONSERVATION	10
10. LAND AT THE LANE, VIRGINIA WATER (AKA 'THE BUILDERS YARD')	12
11. 39 NIGHTINGALE SHOTT, EGHAM	18
12. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES	21
13. APPEAL DECISIONS	21
14. EXCLUSION OF PRESS AND PUBLIC	22

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 27 October 2004 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. SERVICE PLAN 2004/05 -HALF YEARLY PERFORMANCE (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to inform Members of the half yearly performance (April to September) in respect of the Planning Service Plan for 2004/05.**

2. Background Information

2.1 In the Spring of 2003 the Council introduced a revised performance management framework to ensure the better use of information to improve services.

2.2 Each Committee has its own Service Plan which incorporates all of the Performance Indicators, indicators relating to the Leader's Position Statement, Best Value Improvement Plans, local indicators and targets arising from the Community Strategy. Departments use this information as the basis of their service planning and improvement. Each Committee receives regular updates on the progress of the Service Plan.

3. Report

3.1 Performance in the half year from April to September 2004 is set out at Appendix 'B', together with details of timescales, potential barriers and any additional resource requirements as may be identified. Where corrective action is necessary it is noted accordingly.

4. Council Policy

4.1 Service Plans assist the Council to fulfil two of its strategic objectives:

- i) achieve quality services;
- ii) achieve continuous improvement.

4.2 "We will further develop the Performance Management Framework, to build in continuous improvement to Service Plans, rationalise targets and further integrate into departmental management." (Leader's Position Statement 2004/05)

(FOR INFORMATION)

Background Papers

Leader's Position Statement 2004/05
Letter from ODPM dated 20 February 2004

7. LOCAL DEVELOPMENT FRAMEWORK (DTS)

1. Purpose of Report

1.1 The purpose of this report is to :-

- **seek Members' approval for minor revisions to the Local Development Scheme (LDS);**
- **propose a date for its commencement; and**
- **inform Members of the consultation carried out for the Issues and Options stage of the first four documents for the new Local Development Framework (LDF).**

2. Background Information

2.1 The Government's proposals to replace Local Plans with LDFs was first reported to the Planning Committee on 18 September 2002. A draft timetable and additional staff resources for the production of the LDF were approved by the Planning Committee on 15 October 2003. Members approved a revised Local Development Scheme and material for the 'Issues and Options' consultation at the meeting on 28 June 2004.

2.2 At the 28 June meeting it was also agreed that an informal Members' LDF Working Group be established. This has been done and the Group first met on 20 July 2004 and held a second meeting on 9 November 2004.

2.3 The parts of the Planning and Compulsory Purchase Act 2004 that cover the new development plan system commenced on 28 September 2004. The Town and Country Planning (Local Development)(England) Regulations 2004 came into force on the same date. Under the new Regulations and guidance the Council is required to submit the LDS to the Secretary of State within 6 months of the commencement of the Act.

2.4 The new Planning Policy Statement 12: Local Development Frameworks introduced a requirement for the Local Authority to establish a service level agreement with the Planning Inspectorate that is consistent with the proposed timing of any examination.

- 2.5 The revised draft LDS is attached at Appendix 'C' and a report of the 'Issues & Options' consultation is attached at Appendix 'D'.

3. Report

Revisions to the LDS

- 3.1 Following Members' consideration of the previous draft LDS the final versions of the relevant legislation and Government Guidance and Regulations have come into force. In addition draft guidance on the Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks has also been published for consultation.
- 3.2 The Planning Inspectorate have also advised that they would not wish to consider a Housing Development Plan Document (DPD) in tandem with a Core Strategy DPD as proposed in the previous programme. They would prefer to have the Core Strategy in place before other key DPDs are examined. The programme needs to be amended in this respect in order to secure the necessary service level agreement with the Planning Inspectorate.
- 3.3 The proposed programme will also suffer due to staff turnover as the LDF Project Manager will be leaving the Council early next year. This will reduce the staff resource available at a critical period during the preparation of preferred options and proposals for the first set of LDDs. Even if a replacement can be secured quickly there will be some delay while they become familiarised with our programme and procedures and with local issues.
- 3.4 To accommodate these matters some of the timings in the LDS programme have been revised to allow some more time for the development of preferred options and proposals (including assessment of options against sustainability objectives), and to achieve the adoption of the Core Strategy before the examination of the Housing and Development Control LDDs. There are no changes proposed to the LDDs that will be produced in the first phase.
- 3.5 In order to comply with the Regulations it is proposed to formally submit the revised LDS to the Government Office for the South East (GOSE) on 26 November. It would then come into effect four weeks later on Friday, 24 December. Advance copies have already been submitted informally to GOSE and the Planning Inspectorate.

Priorities

- 3.6 The priorities remain the production of the Statement of Community Involvement (SCI) and the Core Strategy. These will be key documents for developing the remainder of the LDF. All subsequent Local Development Documents (LDDs) will need to comply with the Core Strategy and be produced in accordance with the process set down in the SCI.
- 3.7 Preparation of the LDDs on Housing and the Principal Development Control Policies will be carried out at the same as the SCI and Core Strategy but with submission and examination coming later in order to satisfy the requirements of the Planning Inspectorate.
- 3.8 It is proposed to produce supplementary planning documents (SPDs) on :-
- Parking Standards (including requirements for transport plans etc.)
 - Planning Obligations.
- 3.9 Further phases of LDD production are planned beyond the initial three year period covered by the LDS. The next priorities are likely to be the preparation of Area Action Plans for the Borough's town and village centres, guidance on leisure and open space and guidance on accessibility.

The Issues and Options Consultation

- 3.10 Consultation on the Issues and Options for the SCI and for the first three LDDs was carried out from 6 September to 17 October 2004. The main method of consultation was via questionnaires. A total of approximately 1300 questionnaires were directly mailed out or distributed via the following methods :-

- direct mailing to statutory consultees;
 - direct mailing to local amenity/residents and special interest groups;
 - direct mailing to half of the Resident's Panel;
 - direct mailing to people who had commented on the last Local Plan;
 - direct mailing to over 400 applicants/agents for previous planning applications;
 - placing copies in local libraries and at the Technical Services Reception;
 - distributing copies at manned exhibitions at supermarkets (Sainsburys Chertsey and the Causeway and Tesco Addlestone and Egham);
 - distributing copies at manned exhibitions at all five of the Day Centres in the Borough; and
 - providing questionnaires online via the Council LDF website.
- 3.11 A total of over 3,000 LDF newsletters were distributed, 1,200 full (12 pages) questionnaires were distributed and 1,800 short (5 pages) questionnaires.
- 3.12 Officers also visited three local Secondary Schools as well as Royal Holloway, University of London and Strode's College, Egham, to get the views of younger age groups.
- 3.13 The consultation was publicised in the local press, prominently on the Council Website and extra questionnaires were provided on request to local residents groups for their members. A display was set up in the Council's main reception area for the duration of the consultation period.
- 3.14 The questionnaires proved a highly effective means of consultation. Some 246 full questionnaires and 139 short questionnaires were completed and returned. 25 full questionnaires and 15 short questionnaires were completed online making a total of 425 completed questionnaires. In addition, 17 letters of representation were received.
- 3.15 Due to the number of questionnaires returned it has taken longer than anticipated to validate, collate and analyse the data received. A summary of the main questionnaire results is attached at Appendix 'E'.
- 3.16 It is intended to report the analysis of the consultation and proposed objectives for the first set of LDDS to the Committee in February 2005.
4. Council Policy
- 4.1 Production of the LDF will meet an objective in the Leader's Position Paper 2004/5 and will draw on a number of Council and other strategies, particularly the Community Strategy for which the LDF should be the spatial expression and a key means of its implementation.
5. Resource Implications
- 5.1 The Council has already approved staff resources to assist in the preparation of the LDF and the changes proposed in this report will help to achieve production of the LDF within an acceptable timescale. The resource implications of LDF production will be kept under review as part of the project management process.
6. Legal Implications
- 6.1 The Planning and Compulsory Purchase Act 2004 and its accompanying Regulations which enable the change from local plans to LDFs commenced on 28 September. The proposed LDS has been revised to accord with their provisions.

7. Environmental Implications

7.1 The LDS includes provisions for a Strategic Environmental Assessment and Sustainability Appraisals of Local Development Documents. The intention is that this will be an integral part of the LDF process.

8. Risk Management

8.1 The LDS includes an assessment of the risks associated with the proposed programme. These include the risk of staff turnover which has affected the programme. It is not, however, considered appropriate to take any further measures to reduce this risk at this time.

9. Conclusion

9.1 The revised draft LDS sets out a realistic programme for the preparation of the LDF in accordance with the legislation and regulations that have recently come into force.

OFFICERS' RECOMMENDATION that –

Members approve the revised draft Local Development Scheme at Appendix 'C' for submission to GOSE on 26 November 2004 to come into effect on 24 December 2004.

(TO RESOLVE)

Background Papers

None.

8. SURREY LOCAL TRANSPORT PLAN PROGRESS REPORT AND CONSULATION FOR 2006-2011 (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to seek the comments of the Committee on a consultation document produced by Surrey County Council on the Local Transport Plan for the period 2006-2011.**

2. Background Information

2.1 The Local Transport Plan (LTP) is produced by Surrey County Council and sets out the long term transport strategy and bid for Government funding. It sets out objectives and targets, an overall strategy and a five year programme of schemes designed to improve transport.

2.2 The first round of LTPs was submitted to the Government in July 2000 as a bid for funding for the year 2001/02 to 2005/06. The second round (the current consultation) must produce a submission in July 2005 to obtain funding for the five year period 2006/07 to 2010/11.

2.3 Following the publication of the first LTP Surrey County Council was designated a Centre of Excellence in integrated transport planning by the Government to share best practice. The first LTP had five objectives that sought to improve integration, the environment, safety, the economy and accessibility. The consultation document sets out some of the initiatives on which progress has been made. They examine bus and rail travel, walking and cycling, travel planning, safety, traffic management and maintenance.

3. Technical Issues

3.1 Whilst important steps have been made over the last four years, there are considerable challenges to improve transport over the next five years. However, problems in Surrey are exacerbated by the following factors :-

- Compared with the UK in general, Surrey is very densely populated. It is the most densely populated area within the South East (excluding London).

- Since 1991, there has been a 6% increase in Surrey's population and an 8% increase in the number of households.
 - Car availability in Surrey is 0.72 cars per person (compared with 0.46 nationally).
 - Although 26% of the workforce travels to work by public transport (compared with 14% nationally) only 4% walk (compared with 11% nationally).
 - We have two major airports on our doorstep, each of which is a major generator of road traffic.
 - The M25 is the most heavily used motorway in the U.K.
- 3.2 During the last decade (1993-2002), the South East experienced a larger increase of traffic (24%) than any region in Great Britain. For some years Surrey followed this trend, but growth since 2001 has been much less. However, traffic flows are still higher than in any other County in the South East and congestion in Surrey appears to be getting worse. Despite efforts the County is not on track to achieve the target set to limit the cost of delays that arise at road junctions and in town centres.
- 3.3 Air quality adjacent to some sections of motorway, which are operated by the Highways Agency, is poor, with levels of pollutants likely to exceed the national air quality standards set for 2005. Reducing casualties remains a key task and although significant reductions have already been achieved, the aim is to continue to improve road safety. Much of the road network was not originally constructed for high volumes of traffic and the need for major maintenance is increasing.
- 3.4 The objectives of the second LTP will be formulated on the basis of National priorities agreed jointly between the Government and Local Government Association (published in July 2004) and requirements for improving maintenance of roads under the Government's 'Best Value' scheme. They will also take account of progress made towards the objectives of the first LTP and feedback from consultation including a recent MORI opinion poll. The objectives are likely to focus on :-
- Tackling congestion to reduce delays.
 - Increasing accessibility to key services and facilities.
 - Improving road safety and security.
 - Enhancing the environment and quality of life.
 - Improving maintenance of our transport network.
- 3.5 These are broadly similar to the objectives in the first LTP with continuing emphasis on improving safety and maintenance. There is, however, likely to be a greater emphasis on reducing congestion, improving air quality and improving accessibility.
- 3.6 Local Transport Plans will play a significant part in delivering the vision set out by the Government and in addressing the concerns of residents. Challenging but realistic targets for Surrey's next LTP will need to be developed to ensure effective action. They are likely to include the following :-
- Reduce delays on roads.
 - Limit traffic growth (vehicle km).
 - Increase proportion of journeys by walking, cycling and public transport.
 - Increase the number and length of cycle trips.

- 3.7 To achieve the objectives and targets set out in paragraphs 3.4-3.6 over the next five years a number of schemes are proposed. The details of such schemes are set out in Appendix 'F'. Comments on those objectives and targets are set out below.

Comment

Tackling congestion to reduce delay

- 3.8 ***A number of options are explored that seek to reduce delay and the cost associated with congestion. Decriminalised Parking Enforcement (DPE) which will help local on-street parking, increased use of CCTV and network management are proposed to monitor and help relieve congestion, real time travel information will help raise awareness of specific congestion and company travel plans targeted at major businesses are amongst the main schemes. These represent important new and ongoing initiatives to 'react' to congestion. However, it is important that not just the symptoms of congestion but the causes of congestion are addressed.***

- 3.9 ***The LTP should consider the issues that generate traffic. This will require the LTP to be developed in conjunction with the Regional Spatial Strategy (and the Local Development Framework) that sets the context for the period to 2026 and examines inter alia the relationship between housing, jobs and infrastructure. This issue is not really considered in the LTP consultation in sufficient detail to gauge how the relationship will be developed.***

Enhancing accessibility to key services

- 3.10 ***Improving the quality of the local bus service and encouraging walking and cycling are highlighted as mechanisms for improving penetration to key services for non-car based modes. These are to be welcomed.***

Improving Road Safety and Security

- 3.11 ***A number of initiatives are proposed that build upon existing and developing initiatives such as the Safe Routes to School scheme (SRS). This Council, as part of the Runnymede Business Partnership, did much in the first LTP to develop the SRS. Much of the work is now undertaken by the County, but the Yellow Bus Service (YBS) will form an important and integral part of this approach. It is recommended that the Committee request support from the LTP to assist with funding for the YBS in the same way that the County Council project Pegasus School Bus Scheme in Guildford received a £5m Government grant. This scheme is due to start in September 2005.***

Enhancing the environment and quality of life

- 3.12 ***The use of noise reducing road surfacing, education events and a range of other partnership initiatives are proposed to bring about improvements to the quality of life. These measures are noted but attention is directed to the comment in paragraphs 3.14.-3.15.***

Improving maintenance of our transport network

- 3.13 ***The maintenance of the highway infrastructure is highlighted as a key element of the LTP to maintain movement around the County. This is supported.***

Sustainability/Strategic Environmental Assessment

- 3.14 ***The LTP is one of the 'Plans and Programmes' that will form an input to the Local Development Framework (LDF). It is therefore essential that the LTP is subject to the prescribed arrangement set out in statute to satisfy the requirements for the Strategic Environmental Assessment (SEA) and the Sustainability Assessments (SA). If the SEA/SA requirements are not fully satisfied then this will not only give rise to a potential challenge to the LTP but also to the LDF as it will draw upon the former.***

- 3.15 ***This Council, as part of the LDF work, is setting up the framework to undertake any SEA/SA. This requires objectives to be set, indicators to be established and a monitoring mechanism to be in place before issues and options are set out. The LTP***

seems to have progressed to the issue and options step without real regard to the requirement of the SEA/SA. This Council will wish to raise this matter for detailed consideration before the LTP is progressed further.

4. Legal Issues

4.1 The LTP is an important policy consideration for the LDF. It is important that the LTP satisfied the current procedures for SEA/SA before progressing.

5. Resources Issues

5.1 The LTP will set the context for expenditure in the Borough of Runnymede on a detailed programme of work to be developed once the LTP is adopted. Current expenditure is based upon the LTP 2001-2006.

6. Other Issues

6.1 See the comment in Section 3.

7. Conclusions

7.1 The LTP for Surrey sets the context for expenditure designed to improve transport in the County. The first LTP set out proposals for the period 2001-2006. The current consultation invites comments on the next round of LTPs for the period 2006-2011. The Committee is recommended to forward the comments in Section 3 to the County as the formal comment of the Borough Council on the LTP.

OFFICERS' RECOMMENDATION that -

the comments in Section 3 of this report be agreed and forwarded to Surrey County Council as the formal observations on the emerging Second Local Transport Plan.

(TO RESOLVE)

Background Papers

None.

9. CONSULTATION ON PLANNING POLICY STATEMENT 9: BIODIVERSITY AND GEOLOGICAL CONSERVATION (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to seek the views of the Committee on a Government Consultation on Planning Policy Statement 9: Biodiversity and Geological Conservation.**

1.2 A copy of the document has been placed on the Members' Intranet site. Comments are requested by 9 December 2004.

2. Background Information

2.1 Planning Policy Statements (PPSs) set out the Government's national policies on different aspects of planning. The policies in this Statement apply in England. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant Statements of national planning policy. This PPS replaces Planning Policy Guidance Note 9 (PPG9) on nature conservation published in October 1994. The policies set out in this Statement will need to be taken into account by regional planning bodies and by Local Planning Authorities in the preparation of local development documents. They may also be material to decisions on individual planning applications.

2.2 The Government's vision for conserving and enhancing biological diversity, together with a programme of work to achieve it, includes the broad aim that planning construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible. In moving towards this vision, the Government's objectives are:-

- To promote sustainable development - by ensuring that biodiversity is conserved and enhanced as an integral part of economic, social and environmental development, so that policies and decisions about the development and use of land integrate biodiversity with other considerations.
- To conserve, enhance and restore the biodiversity of England's wildlife and geology - by sustaining, and where possible improving, the quality and extent of natural habitat and geological and geomorphological sites; the natural physical processes on which they depend; and the population of naturally occurring species which they support.
- To contribute to an urban renaissance - by enhancing biodiversity in green spaces and among developments in urban areas so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and a sense of well-being for those who live and work in urban areas.
- To contribute to rural renewal - by ensuring that developments in rural areas take account of the role and value of biodiversity in supporting economic diversification and contributing to a high quality environment.

The planning system has a significant part to play in meeting the Government's international commitments and domestic policies for habitats, species and ecosystems.

3. Policy and Technical Considerations

- 3.1 The PPS will include a set of 7 key principles dealing with the need, inter alia, to maintain up-to-date information, assign appropriate weight to biodiversity issues in the decision making process and set the policy context to recognise the importance of biodiversity in a sustainable environment. These principles are set out in Appendix 'G'.
- 3.2 When the Borough Council is preparing the Local Development Framework (LDF) particular emphasis will be placed upon identifying designated sites of importance for biodiversity and geodiversity on the proposals map. However, clear distinctions should be made between the hierarchy of international, national, regional and locally designated sites. Biodiversity objectives that reflect both national and local priorities, including those which have been agreed by local biodiversity partnerships, should be reflected in policies in local development documents and proposals. Local Planning Authorities should ensure that all policies in local development documents and proposals are consistent with those biodiversity objectives.
- 3.3 Whilst internationally recognised sites for biodiversity are protected by national policy, and no policy reference is required in the LDF, attention will need to be given for policy advice on land adjacent to such sites.
- 3.4 For regional and local sites criteria based policies will need to be established for developments that would be on or affecting such sites. They should be different from national policies that are applied to international sites.
- 3.5 The re-use of previously developed sites for new development makes a major contribution to sustainable development by reducing the amount of countryside and undeveloped land that needs to be used. However, where such sites have substantial biodiversity or geological interest of recognised local importance, Local Planning Authorities should take this into account and look for ways to retain this interest or incorporate it into any development of the site.

Comment

- 3.6 *The Committee will be aware that Runnymede is characterised by a diverse natural landscape comprising: 'Thames Basin Lowland', urban fringe, leisure uses, woodland and tree cover, shallow ponds, meadows, ridges and heath, and some farm land. The Borough is host to a number of National, European and International designated sites that are afforded legal protection and enhance Runnymede's value in terms of habitat***

and biodiversity. These include Windsor Great Park, Langham Pond, Thorpe Hay Meadow, Basingstoke Canal and the Thorpe SPA. Adjacent to the Borough is Chobham Common (SSSI). There is an extensive coverage of habitats and species throughout the Borough. In 2004, 2% of Runnymede contained SSSIs (Sites of Special Scientific Interest). Data compiled in June 2004 by English Nature suggests that 16.4% of Runnymede's SSSIs are in favourable conditions which implies that there is scope for improvement. The Borough is extensively covered by trees and woodland, around 2,254.4 ha or 28.9%, which make an important contribution to the character of the Borough.

3.7 *The policy guidance proposed in the PPS, for the LDF, may potentially give rise to a conflict between biodiversity and development proposals. In such situations it is essential that the advice is clear, concise and unambiguous. The implications for development on or adjacent to particular sites is to require sufficient data to be available to aid the decision making process. This may require expertise and resources to be made available to compile and analyse data. In small Authorities this is unlikely to be provided by an in-house resource and it may be necessary to engage consultants. This potential additional expenditure will need to be recognised by Central Government.*

4. Legal Matters

4.1 The PPS9 will need to be considered as part of the preparation of the LDF. It will also be a material consideration when determining development proposals that impact on identified natural habitats.

5. Environmental Matters

5.1 The Statement includes policy guidance on the consideration of development proposals that may have an impact on natural habitats or sites of geological importance. The need to protect the natural environment is one of the objectives of the Integrated Regional Framework and the Runnymede State Report that were endorsed by the Corporate Management Committee on 27 July and 4 November 2004 respectively.

6. Conclusions

6.1 The Government has issued PPS9 for consideration as a replacement for PPG9 issued in 1994. The Government considers that there remains a strong requirement for a distinct set of national planning policies that address biodiversity and geological issues. It concluded that a considerable amount of the material in PPG2 requires updating and some is inappropriate for a shorter focused statement of national planning policy.

OFFICERS' RECOMMENDATION that -

the comments in this report be forwarded to the ODPM as the formal comments of the Council on PPS9: Biodiversity and Geological Considerations.

(TO RESOLVE)

Background Papers

None

10. LAND AT THE LANE, VIRGINIA WATER, SURREY (AKA 'THE BUILDERS YARD') (DTS)

1. Purpose of Report

1.1 **To seek authorisation to serve Enforcement Notices requiring the cessation of unauthorised changes of use.**

2. Site

- 2.1 The site is approximately square, with an area of some 0.2ha and is situated at the end of a short residential cul-de-sac (The Lane) which runs south-easterly from the eastern side of Stroude Road.
- 2.2 Access to the site is near its north-eastern corner, from an unpaved extension of The Lane, the paved length of which ends opposite no. 4 and which continues as a footpath in a north-easterly direction, from the entrance to the appeal site.
- 2.3 The site is generally well screened from view by trees around its boundaries and by gates and fences some 2m high at the vehicular access; but there are good views into the site from windows in the southern flank wall of 4 The Lane, which adjoins the site to the north, and restricted views into it from the two properties to the north of no. 4. To the west the site is bounded by the rear gardens of 463 to 467 Stroude Road.
- 2.4 A plan of the site is attached as Appendix 'H'.
- 2.5 The site is within the Green Belt. There is also a Tree Preservation Order on the site.

3. History

- 3.1 Various applications have been made to develop the site for housing but all have been refused due primarily to the fact that the land is within the Green Belt.
- 3.2 Recent planning history is as follows:
- i) *RU.88/1060* Application for an Established Use Certificate for: 1) the use of the site as a yard for the storage of demolished and surplus building materials; 2) the use of the buildings on the site as a workshop for a local signwriter – was refused. In March 1992 an appeal Inspector allowed this site to be used 'for the purpose of storage of demolished and surplus building materials' and two-thirds of the sheds in the north-western corner to be used as a signwriters workshop.
 - ii) *RU.94/0798* Erection of concrete blockwork storage shed – refused in 1994 and dismissed on appeal in 1995.
 - iii) *RU.00/0579* Erection of building for staff toilets and mess room – refused in October 2000.
- 3.3 In addition to the above an enforcement notice was served in 1988 requiring the removal of a shed from the land.
- 3.4 The most significant aspect of recent planning history was the outcome of application RU.88/1060 where following an appeal against the Council's refusal of an Established Use Certificate an Inspector granted the Certificate for the storage of demolished and surplus building materials.
- 3.5 There have been concerns that the use of the land has intermittently strayed from this lawful use in that over the past 18 months a variety of vehicles, plant and machinery have been seen at the site, along with a new portacabin. Complaints have also been received regarding repairs to vehicles and the storage of new unused building materials.
- 3.6 Enforcement staff met the site owner and his agent in the summer of this year when the breaches of planning control listed above were not denied. It was explained that whilst the Council would be flexible towards the presence of ancillary vehicles on the site (that is to say a fork lift truck for instance, which is clearly necessary for the moving of lawfully stored building materials), the Certificate granted confirmed that vehicles or other plant items should not be stored on this site.
- 3.7 Despite written and verbal warnings, the breaches of planning control identified still continue on this site.

4. Policy Considerations

- 4.1 The site is situated in the Green Belt where Policy PE2 of the Surrey Structure Plan 1994 seeks to prevent development which conflicts with the purposes of the Green Belt or adversely affects its open character, except in very special circumstances.
- 4.2 The relevant Green Belt planning policies state that within the Metropolitan Green Belt there will be a presumption against inappropriate development and that the openness and the visual amenities of the Green Belt will be protected.
- 4.3 Policy GB1 of the Local Plan, adopted in April 2001, indicates that there is a strong presumption against development within the Green Belt that would conflict with the purposes of the green belt or adversely affect its open character. The purposes of the Green Belt, and the aims of Green Belt policies are not met by the current unauthorised development at the site.
- 4.4 The Green Belt policies in the Development Plan are in accordance with the advice given in PPG 2 that there is a presumption against inappropriate development. PPG2 makes clear that planning permission should not be granted for inappropriate development, which by definition is harmful to the Green Belt, except in very special circumstances.
- 4.5 Paragraph 3.8 of PPG2 and Policy GB7 of the adopted Local Plan state that “the re-use of buildings inside a Green Belt is not inappropriate development providing there is a strict control over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it”. PPG2 paragraph 8.3(b) gives the following examples, extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing.
- 4.6 In addition, paragraph 3.15 of PPG2 states that “the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design”.
- 4.7 PPG18 underlines the necessity for the Local Planning Authority to consider carefully whether or not it is necessary to deal with the breach of planning control by means of enforcement action, and to explore whether or not it is possible to permit the activity or development to continue; reminds Local Planning Authorities of their power to withdraw an Enforcement Notice or waive or relax its requirements; and makes clear that there is ample scope for the consideration of personal circumstances.
- 4.8 Officers have been mindful of the fact that there are no controls at present over the extent to which the site can be utilised other than the inherent limitation within the description contained in the established use certificate that only ‘demolished and surplus building materials’ can be stored on site.
- 4.9 The current levels of activity at the site vary but are generally at a low level although the owner is aware that there are no restrictions on the amount and storage height of materials at the site and that deliveries and heavy vehicular movements to the site via the small access through The Lane are unrestricted.
- 4.10 Notwithstanding these facts, the Established Use Certificate RU.88/1060 was granted for a site in the Green Belt and therefore normal Green Belt controls continue to apply and the impact of the current breaches upon local residents must be taken seriously and considered in the light of the limited nature of the Certificate granted.
- 4.11 It is a further consideration that if the owner is allowed to continue to breach planning control, however infrequently and regardless of the scale of the breaches, a new and more intensive lawful use could become established.
- 4.12 In this case, it is considered that the current unauthorised activities and uses go beyond what is considered acceptable in this Green Belt location taking into account the existing Certificate and its limited nature.

- 4.13 It should also be noted that planning applications in 1994 and 2000 to provide additional structures on this site have been refused permission and the 1994 application appeal was also dismissed.
- 4.14 It is therefore considered that the current unauthorised uses on this site which include a portacabin, storage of various goods and materials which do not fall within the description 'demolished or surplus building materials' and the storage and repair of motor vehicles, machinery and industrial vehicles go beyond the terms of Established Use Certificate RU.88/1060 and are inappropriate uses within the Green Belt. These unauthorised uses are harmful and detrimental to the openness and visual amenities of the Green Belt and such activities and uses are contrary to the relevant planning policies of the Development Plan and Government advice.
- 4.15 Also it is clear that the repair of vehicles, machinery and industrial vehicles on the site is causing unacceptable noise and disturbance to the residential amenities of the neighbouring properties.
- 4.16 To date no very special circumstances have been presented by the owner of the site to the Council to support the current unauthorised uses of the site.

5. Enforcement Considerations

- 5.1 For these unauthorised uses and activities which are considered to be unacceptable in planning terms, it needs to be considered whether it is expedient to take enforcement action to rectify the breaches of planning control.
- 5.2 PPG18 (Enforcement) states that planning enforcement is not to be used to punish those who develop without permission and that every effort should be made to bring unauthorised development into the planning system by seeking applications for breaches where it seems that they are not wholly contrary to adopted policy. In this case, whilst the unauthorised uses and activities are contrary to Green Belt policy the storage of materials is similar to the Established Use Certificate. Notwithstanding this, for the reasons expressed in paragraphs 4.8 to 4.16 above it is expedient to pursue enforcement action in this case.
- 5.3 The owner of the site has not submitted a planning application neither has he ceased the unauthorised uses and activities on this site. Consequently, there has been no attempt to regularise the situation. The Council is not aware of any very special circumstances on behalf of the owner of the land.
- 5.4 In these circumstances, it is therefore considered to be expedient to seek :-
- a) the removal of the temporary portacabin from the site;
 - b) the cessation of the unauthorised storage and/or repair of motor vehicles, plant, machinery and industrial vehicles; and
 - c) the cessation of the unauthorised storage uses of goods and materials which do not fall within the term 'demolished or surplus building materials'.

6. Human Rights Act 1998 Considerations

- 6.1 Members will be aware that the European Convention on Human Rights secures certain fundamental human rights. The Human Rights Act 1998 came into force on 2 October 2000 and enables individuals to invoke their convention rights. The Act makes it unlawful for a local authority to act in a way which is incompatible with a convention right.
- 6.2 The taking of enforcement action, including the issue of injunctive proceedings, can amount to an interference with a person's rights under Article 8. Nonetheless such measures:
- are in accordance with the law;
 - pursue the legitimate aim of protecting the rights of others through preservation of the environment; and

- may be necessary in a democratic society where the interference answers a pressing social need and in particular is proportionate to the legitimate aim pursued.

6.3 The proposed action can amount to an interference with the right under Article 1 of the First Protocol to the peaceful enjoyment of the property. Again, however, such interference is permissible if it is in accordance with the law and the public interest.

6.4 Article 8 of the Convention states:

Right to respect for private and family life

“Everyone has the right to respect for his private and family life, his home and his correspondence.”

“There shall be no interference by a public authority with the exercise of this right except if such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the Country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

6.5 Article 1 of the First Protocol states:

Protection of Property

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.”

“The preceding provisions shall not, however, in any way impair the right of the State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions as penalties.”

6.6 It is recognised that the action proposed in this report could amount to an interference with the owner and his family’s home and private and family life and the commercial interests of the owner and the occupiers (which fall within the protection of and are consistent with the objective and purposes of Article 8). Those interests must be balanced against the public interest in pursuing the legitimate aims in Article 8, particularly the economic well-being of the Country (which includes the preservation of the environment), the objections to the confirmed breaches of planning control on this site are considered to be serious and a flagrant and continued abuse of the planning system.

7. Conclusions

7.1 Members must fully and fairly balance the considerations referred to in this report when deciding to authorise any of the actions referred to in Sections 5 and 6 to bring an end to the continuing breaches of planning control. Members will wish to have regard to the human rights issues detailed in Section 6 and will wish to consider whether the action they authorise is a proportionate remedy in all the circumstances of the case.

7.2 Members must take into account all the considerations material to this case. On the one hand there is the personal circumstances of the families, the likely distress and difficulties caused by the service of any statutory notices or the institution of any proceedings, and the convention rights of the owner, his family and the occupiers. On the other hand there is the significant harm to the rural character, appearance and open nature of the locality contrary to the main aims and objectives of the area’s Green Belt designation.

7.3 The Committee is requested to consider all the facts and the issues in relation to this case and determine whether further legal action is both reasonable, compatible with the Human Rights Act 1998, proportionate to the legitimate aim being pursued, and necessary to bring about the cessation of the continuing breaches of planning control and prevention of further breaches of planning control.

OFFICERS' RECOMMENDATION that -

- i) The Director of Administration and Leisure be authorised to issue Enforcement Notice(s) under Section 172 of the Town and Country Planning Act 1990 requiring:**
- a) the cessation of the use of the land for the storage of a temporary 'portacabin';**
 - b) the cessation of the use of the land for the storage and/or repair of motor vehicles, plant, machinery and industrial vehicles and the removal of the unauthorised vehicles, plant and machinery from the site;**
 - c) the cessation of the use of the land for storage purposes, other than is permitted by the existing Established Use Certificate and the removal of the unauthorised storage of goods, items and materials from the site.**
- ii) the Director of Administration and Leisure be authorised to take appropriate action in carrying out necessary works or prosecutions under Section 178 and 179 of the Town and Country Planning Act 1990 in the event that these Notice(s) once effective are not complied with.**

Reasons for Issuing the Notices

- 1. The use of the land for the siting of a temporary 'portacabin' and the use of the land for the storage and/or repair of motor vehicles, plant, machinery and industrial vehicles represent inappropriate development and uses in the Green Belt which, by definition, are harmful to its openness and visual amenities of the Green Belt and are contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 (Proposed Modifications June 2004) and Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and the advice in Planning Policy Guidance Note 2 : 'Green Belts' January 1995;**
- 2. The Planning Authority do not consider that very special circumstances have been put forward to justify the granting of planning permission contrary to Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policy LO4 of the Surrey Structure Plan Deposit Draft December 2002 (Proposed Modifications June 2004) Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 2 'Green Belts' - January 1995; and**
- 3. The unauthorised uses particularly the repair of motor vehicles, plant machinery and industrial vehicles create noise and disturbance which is detrimental to the residential amenities of the neighbouring properties contrary to Policy DP9 of the Surrey Structure Plan 1994, Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 24 'Planning and Noise'.**

(TO RESOLVE)

Background Papers

Exempt

11. 39 NIGHTINGALE SHOTT, EGHAM (DTS)

1. **Purpose of Report**

1.1 **To seek authority of the Committee to serve a Breach of Condition Notice upon this property (site plan at Appendix 'I').**

2. History

2.1 No. 39 Nightingale Shott is a three storey, mid terrace house which has an integral garage with a parking space in front of the garage.

2.2 The property was built in the late 1990s following the granting of planning permission on appeal (RU.97/1234) in July 1998 for the erection of 107 houses on the site of the previous Rusham Works site. In allowing the appeal the Inspector took the view that the provision of two spaces per dwelling (216 spaces) was adequate and that road safety would not be materially harmed either within the development itself or the area generally if the scheme were to go ahead. The Inspector did, however, impose a condition restricting the use of the garages to uses incidental to the enjoyment of the dwellings and not to allow their conversion to habitable accommodation without prior permission. Condition 9 of the permission states :-

"notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the garages hereby permitted shall be used for purposes incidental to the enjoyment of the dwellings as such and shall not be converted for use as habitable living accommodation without the prior permission in writing of the Local Planning Authority".

3. Background Information

3.1 Complaints have been received from local residents that conversion works have been carried out to the garage at 39 Nightingale Shott. Upon inspection it was found that while the garage door had been left in place, behind which was a limited storage space, the remainder of the former garage had been divided off by a block wall and then opened up to provide an enlarged kitchen area to the rear. The additional room has been decorated and fitted out so as to provide a larger 'common area' to the existing small kitchen space. The property is currently let out for student accommodation.

3.2 The owner of the property was given until the end of September to submit a planning application to regularise the situation but no such application has been submitted.

3.3 The owner has said however that he would undertake the reinstatement of the garage to its original size at a time convenient to his tenants.

4. Policy Considerations

4.1 This four bedroom mid-terrace property is located in the urban area. Nightingale Shott is a high density development with limited on-site car parking provision.

4.2 There are a number of dwellings on this Estate which are occupied by students. Under the terms of the Town and Country Planning (Use Classes) Order 1987 it is generally held that a Class C3 use as a dwellinghouse constitutes a property occupied by a family of up to six people living together as a single household. Where the number of students living together exceeds six people planning permission would normally be required. In 2004 four planning applications were refused permission to create houses in multiple occupation where seven or more students live in one property. These refusals relate to No. 28 (RU.04/0029), No. 29 (RU.04/0758), No. 31 (RU.04/0672) and No. 71 (RU.04/0283) Nightingale Shott. The reasons for refusal relate to the intensity of use and its individual and cumulative detrimental impact on the area and residential amenities due to an increase in noise and disturbance, anti-social behaviour and on-street parking and access problems. No. 39 Nightingale Shott is also occupied by students but the number of students are not sufficient to require planning permission.

- 4.3 The main consideration with this proposal is the impact of the loss of the integral garage space on the car parking situation at this site and within the Estate generally. The Council's adopted car parking standards (October 2001) require a maximum of two spaces for a three or more bedroom dwelling. This property with the unauthorised conversion of the garage only provides one space to the front of the property. Planning Policy Guidance Note 3 'Housing' recommends a maximum provision of 1.5 spaces per unit.
- 4.4 At the planning Inquiry in May 1998 the Local Planning Authority argued that there was insufficient car parking proposed and it was well short of the Council's adopted minimum car parking standards. The Inspector considered that there were sufficient spaces proposed. The Council also sought to control this development by a number of conditions. With regard to the proposed conditions relating to car parking and garage conversions, the Inspector stated "I consider that a condition requiring that the garages can only be converted to habitable residential accommodation if planning permission is granted is as far as the Council can go in trying to ensure that parking provision is not lost. I consider it is reasonable in this case bearing in mind the level of parking provided at least two spaces per dwelling. In relation to the appellant's concern regarding the enforcement of such a condition I believe it can be done simply by inspecting properties where it is believed it may have been contravened."
- 4.5 This property has been inspected and does contravene Condition 9 of planning permission RU.97/1234. It is considered that the loss of this car parking space on this particular Estate adds to a high level of haphazard and on-street parking problems. It is clear that the use of dwellings on this Estate for shared occupation has exacerbated the parking problems in the area.
- 4.6 It is considered that the unauthorised garage conversion which results in a loss of an on-site car parking space would set an undesirable precedent which individually and cumulatively would lead to increased on-street parking detrimental to the visual amenities and character of this Estate and the surrounding area.
- 4.7 The County Highway Authority have not previously objected to the planning applications described in paragraph 4.2 above. However, the formal comments of the County Highway Authority are awaited on this issue and will be reported to the Planning Committee.
5. Enforcement Considerations
- 5.1 The breach of Condition 9 of the planning permission is considered to be unacceptable in planning terms and therefore consideration needs to be given as to whether it is expedient to take enforcement action to rectify the breach of planning control.
- 5.2 PPG18 (Enforcement) states that planning enforcement is not to be used to punish those who develop without permission and that every effort should be made to bring unauthorised development into the planning system by seeking applications for breaches where it seems that they are not wholly contrary to adopted policy. The owner of the property has been given an opportunity to submit a retrospective planning application. However, no such application has been received and the necessary internal works have not been undertaken to recreate the original integral garage.
- 5.3 For the reasons set out above in Section 4 it is considered necessary to pursue enforcement action in this case requiring the conversion of the existing enlarged kitchen/common area back to an integral single garage as shown on the approved drawings of planning permission RU.97/1234.
6. Human Rights Act 1998 Considerations
- 6.1 Members will be aware that the European Convention on Human Rights secures certain fundamental human rights. The Human Rights Act 1998 came into force on 2 October 2000 and enables individuals to invoke their convention rights. The Act makes it unlawful for a local authority to act in a way which is incompatible with a convention right.
- 6.2 The taking of enforcement action, including the issue of injunctive proceedings, can amount to an interference with a person's rights under Article 8. Nonetheless such measures:-

- are in accordance with the law;
- pursue the legitimate aim of protecting the rights of others through preservation of the environment; and
- may be necessary in a democratic society where the interference answers a pressing social need and in particular is proportionate to the legitimate aim pursued.

6.3 The proposed action can amount to an interference with the right under Article 1 of the First Protocol to the peaceful enjoyment of the property. Again, however, such interference is permissible if it is in accordance with the law and the public interest.

6.4 Article 8 of the Convention states :-

Right to respect for private and family life

"Everyone has a right to respect for his private and family life, his home and his correspondence."

"There shall be no interference by a public authority with the exercise of this right except if such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the Country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others."

6.5 Article 1 of the First Protocol states :-

Protection of Property

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law."

"The preceding provisions shall not, however, in any way impair the right of the State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions as penalties."

6.6 It is recognised that the action proposed in this report could amount to an interference with the owner's private and family life and the home and private lives of the tenants of the property (which fall within the protection of and are consistent with the objection and purposes of Article 8). Those interests must be balanced against the public interest in pursuing the legitimate aims in Article 8, particularly the economic well-being of the Country (which includes the preservation of the environment), the objections to the confirmed breach of planning control on this site being considered to be serious and a flagrant and continued abuse of the planning system.

7. Conclusions

7.1 Members must fully and fairly balance the considerations referred to in this report when deciding to authorise the action referred to in Sections 5 above to bring an end to the continuing breach of planning control. Members will wish to have regard to the human rights issues detailed in Section 6 above and will wish to consider whether any action they authorised is a proportionate remedy in all the circumstances of the case.

7.2 Members will take into account all the considerations material to this case. On the one hand there are the personal circumstances of the Owner and Tenants, the likely distress and difficulties caused by the service of a Statutory Notice or the institution of any proceedings and the Convention Rights of the Owner, and the Tenants. On the other hand there is the harm to the visual amenity and character of this particular Estate which are contrary to the adopted Local Plan.

- 7.3 The Committee is requested to consider all the facts and the issues in relation to this case and determine whether enforcement action is both reasonable, compatible with the Human Rights Act 1998, proportionate to the legitimate aim being pursued, and necessary to bring about the cessation of the continuing breach of planning control and prevention of further breaches of planning control.

OFFICERS' RECOMMENDATION that -

- i) **the Director of Administration and Leisure be authorised to issue and serve a Breach of Condition Notice pursuant to Section 187A of the Town and Country Planning Act 1990 in respect of the breach of Condition 9 of planning permission RU.97/1234 for the following reason:-**

The unauthorised garage conversion which results in the loss of an on-site car parking space would set an undesirable precedent which individually and cumulatively would lead to increased on-street parking detrimental to the visual amenities and character of this Estate and the surrounding area contrary to Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001; and

- ii) **the Director of Administration and Leisure be authorised to pursue prosecution proceedings pursuant to Section 187A(a) of the Town and Country Planning Act 1990 in the event that the Breach of Condition Notice is not complied with.**

(TO RESOLVE)

Background Papers

None.

12. 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 'J'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

(FOR INFORMATION)

Background Papers

None

13. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. The appeal decisions are available for inspection in the Members' Room.

	<u>Site/Development</u>	<u>Decision</u>
a)	54 - 56 Slade Road, Ottershaw - planning appeal regarding two pairs of two storey semi detached houses and a terrace of five one and a half storey houses following demolition of 54-56 (04/0124)	DISMISSED
b)	14 Wavendene Avenue, Egham - planning appeal regarding erection of garage to side, dining room to rear and conversion of loft space into 2 bedrooms and en-suite (04/0076).	DISMISSED

(FOR INFORMATION)

Background Papers

Appeal decisions.

14. 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).