



RUNNYMEDE BOROUGH COUNCIL

**PLANNING COMMITTEE
1 October 2003**

APPENDICES

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Runnymede Borough CouncilAPPENDIX 'A'PLANNING COMMITTEE3 September 2003 at 7.30 p.m.

Members of the Committee present: Councillors G.B. Woodger (Chairman), Mrs. J. Norman (Vice Chairman), J.R. Ashmore, Mrs. F.J. Barden, J.B. Dean, J.M. Edwards, J.R. Furey, C. Knight, D.W. Parr, R. Pate, P.J. Poole, B.J. Relph, Mrs. V.A. Smallman, N. Thewlis and J. R. Whiteley

Members of the Committee absent: None

NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

Group requesting Change	Remove from Membership	Appoint Instead
Runnymede Independent	Councillor Mrs L.M. Gillham	Councillor B.J. Relph
Conservative	Councillor A.P. Tollett	Councillor J.R. Furey
Conservative	Councillor A.G. Collins	Councillor P.J. Poole

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 30 July 2003 were approved and signed as a correct record.

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. Member(s) of the public and/or applicant(s)/agent(s) 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****RU 03/0291**

**Lynwood Farm, Lyne Lane, Lyne
Demolition of existing buildings and erection of bungalow with garage and residential annex, stable block and tack room.**

DECISION: REFUSE for the following reasons:

- 1. The proposed replacement buildings by reason of their floor area, bulk and revised positioning within the site are considered to represent inappropriate**

development, which would be detrimental to the open character of this green belt location contrary to advice contained within Planning Policy Guidance Note 2: Green Belts 1995, policies PE1 and PE2 of the Surrey Structure Plan 1994, policy LO4 of the Surrey Structure Plan Deposit Draft December 2002, and policies GB1, and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001.

2. The proposed residential development is considered to represent a material increase in floor area above the existing lawful residential floor area at the site, and a spread of built development to the south-east. If permitted the proposed development would adversely affect the open character of the green belt contrary to advice contained within Planning Policy Guidance Note 2: Green Belts 1995, policies PE1 and PE2 of the Surrey Structure Plan 1994, and Policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001.
3. The ancillary staff flat is not considered to be sufficiently justified or integrated to the main dwelling proposed. If permitted the proposal could give rise to the creation of a separate self-contained residential unit which would be contrary to advice contained within Planning Policy Guidance Note 2: Green Belts 1995, policies PE1 and PE2 of the Surrey Structure Plan 1994, and policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001.

(Mr Griffin, the applicant, addressed the Committee in respect of the above application).

RU 03/0726

**The Ferry House, Laleham Reach, Chertsey
Replacement of detached dwelling destroyed by fire with two-storey detached dwelling.**

DECISION: GRANT subject to conditions.

RU 03/0737

**Parklands, Bittams Lane, Chertsey
Installation of three air conditioning units and grilles.**

DECISION: GRANT subject to conditions.

RU 03/0793

**1-3 Magna Road, Englefield Green
Erection of a pair of semi-detached two storey dwellings with 2 parking spaces fronting Bond Street following demolition of existing outbuildings.**

DECISION: REFUSE for the following reason:

The proposal represents an overdevelopment of this small site, which would erode the outlook and residential amenities of the adjoining properties contrary to Policy HO9 of the Runnymede Borough Local Plan Second Alteration, April 2001.

(A Motion to grant permission was lost).

(Mr Brooking, an objector, addressed the Committee on the above application).

RU 03/0810 **44 St Judes Road, Englefield Green**
Erection of two storey rear extension, new front bay window following demolition of existing kitchen and toilet.

DECISION: GRANT subject to conditions.

RU 03/0818 **Land adjacent 91 Chertsey Lane, Staines**
Storage of eight touring caravans for a temporary period of two years.

DECISION: REFUSE for the following reasons:

- 1) a) **The storage of up to eight caravans on this narrow site located between residential properties would be out of character with the residential nature of the immediate locality and detrimental to the visual amenities of the streetscene and the residential amenities of the neighbouring properties, contrary to Policies PE10 and DP9 of the Surrey Structure Plan 1994, Policy LO2 of the Deposit Draft Surrey Structure Plan December 2002 and Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001.**
- b) **The site is located within the River Thames floodplain and the storage of caravans would be at direct risk of flooding and may increase the risk of flooding elsewhere and without the submission of a flood risk assessment would be contrary to Policy EN3 of the Surrey Structure Plan 1994, Policy SE3 of the Deposit Draft Surrey Structure Plan December 2002, Policy SV2 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 25: 'Development and Flood Risk'.**
- 2) a) **the Director of Administration and Leisure be authorised to issue a Notice under Section 172 of the Town and Country Planning Act 1990 requiring the removal of all unauthorised caravans from land adjacent to 91 Chertsey Lane, Staines;**

Reasons for Issuing the Notice

- i) **The storage of up to eight caravans on this narrow site located between residential properties would be out of character with the residential nature of the immediate locality and detrimental to the visual amenities of the streetscene and the residential amenities of the neighbouring properties, contrary to Policies PE10**

and DP9 of the Surrey Structure Plan 1994, Policy LO2 of the Deposit Draft Surrey Structure Plan December 2002 and Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001.

ii) The site is located within the River Thames floodplain and the storage of caravans would be at direct risk of flooding and may increase the risk of flooding elsewhere and without the submission of a flood risk assessment would be contrary to Policy EN3 of the Surrey Structure Plan 1994, Policy SE3 of the Deposit Draft Surrey Structure Plan December 2002, Policy SV2 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 25: 'Development and Flood Risk.'

b) the Director of Administration and Leisure be authorised to take appropriate action in the event that the Notice is not complied with, namely the institution of proceedings pursuant to Section 172 of the Town and Country Planning Act 1990 and/or the entry upon the land and the taking of such steps as are required to seek compliance together with the recovery of the costs reasonably incurred by so doing pursuant to Section 178 of the Town and Country Planning Act 1990.

RU 03/0960

Land adjacent to Aviator Park, Station Road, Addlestone
Discharge of condition 17 of planning permission RU 00/0878 (granted 19.12.00) to show siting of car park, footpath/cycleway and CCTV camera pole for recreation area and erection of five metre high ball stop fencing along railway line.

DECISION: GRANT subject to conditions.

APPEAL DECISION

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

<u>Site/Development</u>	<u>Decision</u>
17 Spring Avenue, Egham - Construction of a room in the loft and erection of a new gable with a hip end and side window (RU 02/0990)	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.

Chairman

(The meeting ended at 8.35 pm)



Appeal Decisions

Hearing and Site Visit, both on 5 August 2003

by C F Trewick MRICS

an Inspector appointed by the First Secretary of State

0147 372 6372
e-mail: enquires@planning-
inspectorate.gsi.gov.uk

Date 20 AUG 2003

Appeal A – ref: APP/Q3630/C/03/1110971

1 South Grove, Chertsey, Surrey KT16 9EF

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr R A Ealson against an enforcement notice issued by Runnymede Borough Council.
- The Council's reference is: 01E00001.
- The notice was issued on 17 January 2003.
- The breach of planning control as alleged in the notice is: change of use to a mixed use namely residential and operation of commercial coach hire business, including the maintenance and valeting of commercial vehicles namely coaches and the parking/storage of commercial vehicles namely coaches.
- The requirements of the notice are: (a) cease the use of the said land or premises for the operation of a commercial coach hire business, including the maintenance and valeting of commercial vehicles namely coaches and the parking/storage of commercial vehicles namely coaches; (b) remove from the said land or premises all commercial vehicles, equipment and tools connected with or ancillary to the commercial coach hire business; (c) remove from the land to the rear of the said land or premises all commercial vehicles namely coaches parked or stored thereon; (d) remove from the highways known as South Grove, Longbourne Way and Grove Road and the residents parking areas in the vicinity of the said land or premises all commercial vehicles namely coaches parked or stored thereon.
- The period for compliance with the requirements is: 6 months.
- The appeal is proceeding on ground (b) set out in section 174(2) of the 1990 Act.

Summary of Decision: The appeal is allowed – see Formal Decision below

Appeal B – ref: APP/Q3630/C/03/1110512

3 South Grove, Chertsey, Surrey KT16 9EF

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr J R Ealson against an enforcement notice issued by Runnymede Borough Council.
- The Council's reference is: 01E00001.
- The notice was issued on 17 January 2003.
- The breach of planning control as alleged in the notice is as set out above for Appeal A.
- The requirements of the notice and period for compliance are as set out above for Appeal A.
- The appeal is proceeding on ground (a) set out in section 174(2) of the 1990 Act.

Summary of Decision: The appeal is allowed – see Formal Decision below.

Explanatory note

1. The enforcement notice relates to 1 & 3 South Grove. No 1 is occupied by Mr R A Ealson and his wife; No 3 is occupied by Mr R A Ealson's son, J R Ealson, and his wife. Each of the Ealsons has made an appeal in respect of his own property. The appeal relating to No 1 was the subject of a site visit on 5 August. The appeal relating to No 3 was the subject of a hearing (and associated site visit) held on the same day. I shall firstly deal with the appeal relating to No 1, then the appeal relating to No 3, and finally set out my decision applicable to both appeals.

APPEAL A – 1 South Grove

The appeal on ground (b)

2. It is argued that no business is operated from this property – Mr Ealson (senior) is not part of Ealson Coaches. He drives a mini-bus, but it is operated by Ambassador Line Ltd, of Marlow Bottom. He parks the mini-bus in a nearby parking bay, but does no maintenance work thereon – the company he works for has workshops in High Wycombe.
3. The Council says that the regular parking of a commercial vehicle in a space allocated for use by private vehicles connected to the residential use of this estate has resulted in a change of use.
4. I am not convinced by the Council's argument. There is no suggestion by the Council of any business activities taking place within the house or garage, and I certainly saw none. There is no evidence to connect Mr Ealson (senior) to his son's business. I do not see that the fact that he parks the minibus in a nearby parking space is enough to bestow a material change of use on the land and premises comprising 1 South Grove. I have taken into account all other points made against the appeal, but my conclusion is that the matters alleged in the notice have not occurred in the case of No 1. The appeal succeeds on ground (b). I shall correct the notice by deleting any reference to 1 South Grove.

APPEAL B – 3 South Grove

Preliminary matters

5. The appellant pointed out that his business involves mini-buses and mini-coaches, but not coaches. I was told that mini-buses are up to 8-seaters, mini-coaches are up to 25-seaters, and coaches are more than 25-seaters. However, it seems to me that these are distinctions that would be known by those in this line of business, but to others these different classes of vehicle would be embraced by the generic term "coaches". I see no need to amend the notice in this respect.
6. Some criticisms of the requirements of the notice were made on behalf of the appellant. The Council, after a short adjournment, was able to offer a response to these points. It seems to me that the main criticism is that requirements (c) & (d) appear to extend "the land affected" (section 2 of the notice) beyond 1 & 3 South Grove. This is a criticism that is tantamount to an appeal on ground (f), but could also be argued to involve ground (e).

7. I accept that the wording of these requirements could be taken to mean any coach, whether or not operated by Mr Ealson. That would be an excessive requirement, and, it was argued for the appellant, would lead to questions regarding service of the notice to all likely to be affected. The notice can only be directed at the vehicles operated from 3 South Grove. The notice should say that. If the notice were to be upheld, I would correct it accordingly. That leaves the question of whether a notice can make requirements that relate to land outside "the land affected". In this regard, much was made by the appellant of *Davenport v the London Borough of Hammersmith and Fulham* [1999] JPL 1122. This case related to a condition (on a planning permission) designed to prevent Mr Davenport (who was in the motor trade) from parking, in the public highway, cars that were under his control. It was held that the condition was entirely reasonable, and Mr Davenport was able to comply with it. From that, I can see no reason why similar considerations should not apply to a requirement on an enforcement notice. The other lands are not under his control, but the vehicles are; in other words, he is able to comply with the requirement. It is unclear from the notice which other areas outside (1 & 3 South Grove are intended in requirements (c) & (d), but that confusion is overcome by a plan submitted by the Council which clearly shows the parking areas involved (plan B).

The appeal on ground (a)

8. The Development Plan for this area comprises the Surrey Structure Plan 1994 and the Runnymede Borough Local Plan Second Alteration April 2001. The most relevant policies are PE10 of the Structure Plan, and LE1 of the Local Plan. Policy PE10 is concerned with the protection of urban character. It says, amongst other things, that the character of urban areas will be conserved and enhanced, and that local policies will ensure that new development does not detract from its surroundings. Policy LE1 is a general economic policy which encourages employment development, but not where there would be adverse environmental consequences.
9. Bearing in mind these policies, I consider that the main issue in this appeal is the impact of this use on the amenity of nearby residents.
10. Mr & Mrs Ealson live in this terraced house on a former municipal housing estate. Mr Ealson operates a coach-hire business from the property. At the moment, he operates 11 coaches (technically, mini-buses and mini-coaches). The smallest bedroom of his house is used as an office. Mr Ealson does not deny that he is operating a business from this property, and argues that permission should be granted for this use, but with conditions to overcome the objections that have been raised.
11. I accept that Mr Ealson's operation benefits the wider community (his main contract involves bussing children to and from schools), and he deserves praise for building up his business. Many businesses can be carried on in residential areas without causing unacceptable disturbance, and it is important to adopt a positive approach where problems have arisen. It seems to me that two main problems have come to light here. Firstly, there is the on-site maintenance to coaches, sometimes, apparently, at unsocial hours, which causes disturbance to neighbours, mostly through noise. Secondly, there is the parking of numbers of coaches in surrounding streets, where they are incongruous features for a residential area, as well as taking up parking spaces that would otherwise be available for other residents. For example, photographs taken by the Council in October 2002 show 3 of

his coaches in the parking bay in front of the South Grove houses, and 2 in the roadway at the rear, next to the Twynersh Avenue houses.

12. To my mind, the first problem could be overcome by a condition limiting maintenance activities to reasonable hours. The appellant suggests 0900 to 1900 on weekdays, 0900 to 1300 on Saturdays, and not at all on Sundays and public holidays. This seems reasonable to me. The condition will contain other requirements to ensure minimal harm to the living conditions of nearby residents.
13. The second problem is less straightforward. Mr Ealson claims that he now has an agreement to park the coaches on school lands nearby. That sounds a sensible arrangement. But the matter cannot be left at that; his agreement (apparently only verbal) may founder. In my view, this use of 3 South Grove is only acceptable if the parking of these coaches in the surrounding residential area is prevented. That would involve a condition to that effect. As was urged on me by the appellant in another context (already dealt with above), Mr Ealson does not have control over the public highway. But, following *Davenport*, what seems to matter is whether he has control over his coaches. I would expect that, as proprietor of the business, he is able to determine where they are parked. I have read or heard nothing to contradict that view. Therefore, I conclude that a condition could be imposed preventing any parking of coaches in the surrounding public areas identified on a plan by the Council.
14. In my view, a permission subject to such conditions should minimise harm to the residential environment of this area, and thereby there would be no conflict with local planning policies. It was suggested that the permission be also made personal to Mr & Mrs Ealson, but I see no compelling reason for doing so. My conclusion is that the appeal should be allowed. I have taken into account all other points made, whether by the main parties or by interested persons, but none of these points lead me to a different conclusion.

FORMAL DECISION (ON BOTH APPEALS)

15. In exercise of the powers transferred to me, I direct that the enforcement notice be corrected by (a) the substitution of the plan ("plan A") annexed to this decision for the plan attached to the enforcement notice; and (b) the deletion of the words "1 & 3 South Grove, Chertsey, Surrey (shown edged red on the attached plan)" and the substitution of the words "3 South Grove, Chertsey, Surrey (shown edged black on the attached plan A)". Subject to these corrections, I allow the appeals and direct that the enforcement notice, as corrected, be quashed.
16. I grant planning permission on the application deemed to have been made under section 177(5) of the Act, as amended, for the development already carried out, namely the use of the land and buildings at 3 South Grove, Chertsey, Surrey, as shown on plan A annexed to this decision, for a mixed use comprising residential use and the operation of a coach-hire business, subject to the following conditions:
 - 1) Any use of the garage at the rear of the property for workshop activities involving coaches operated from this property under the terms of this permission shall be restricted to the routine servicing and maintenance of the coaches (such as would fall within Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987), and shall not take place outside the following times: 0900 – 1900 on

Mondays to Fridays, and 0900 – 1300 on Saturdays, nor at any time on Sundays and Bank or Public Holidays.

- 2) No coaches operated from this property under the terms of this permission shall be parked on any part of the lands shown hatched and cross-hatched on the plan ("plan B") attached to this decision.

Further information

17. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
18. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

C Forewick

Inspector

THOSE WHO SPOKE AT THE HEARING (appeal ref: C/03/1110512)

FOR THE APPELLANT

- Mr R Harwood - Counsel for the appellant
- Mr D Thompson - Solicitor, of Guillaumes, 2 St Martins Court, 37 Queens Road,
Weybridge KT13 9UQ
- Mr J R Ealson - the appellant

FOR THE COUNCIL

- Mr P Lee - Development Control Officer, Runnymede Borough Council
- Mr A Gardner - Head of Law, Runnymede Borough Council

INTERESTED PERSONS

- Cllr Judith Norman - 10 Bridge Road, Chertsey, Surrey KT16 8JL
- Mrs J Ealson - wife of the appellant
- Mr & Mrs D C Weguelin - 11 South Grove, Chertsey, Surrey KT16 9EF
- Mr A Fuller - 5 South Grove, Chertsey, Surrey KT16 9 EF
- Mr N Sim - 68 Longbourne Way, Chertsey

FURTHER DOCUMENTS AT THE HEARING

- Document 1 – attendance sheet
- Document 2 – copies of letters from neighbours
- Document 3 – petition in support of Mr Ealson
- Document 4 – comments on requirements of notice
- Document 5 – report of *Davenport* case
- Document 6 – plan showing parking areas.

Scale 1:1000



1 AND 3 SOUTH GROVE,
CHERTSEY
SURREY.

A. Gordon

PLAN B

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1 & 3 SOUTH GROVE, CHERTSEY, SURREY

CHANGE OF USE OF LAND TO MIXED USE COMPRISING
RESIDENTIAL & OPERATION OF COACH-HIRE BUSINESS

Enforcement Notice

Issued by Runnymede Borough Council on 17 January 2003

This is the corrected plan referred to in the decision relating to
the appeals by Mr R A Ealson and Mr J R Ealson
(appeals ref : APP/Q3630/C/03/1110971 & 1110512)

Dated:



C F TREWICK MRICS
Inspector

1 & 3 SOUTH GROVE, CHERTSEY, SURREY

CHANGE OF USE OF LAND TO MIXED USE COMPRISING
RESIDENTIAL & OPERATION OF COACH-HIRE BUSINESS

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Dated:



C F TREWICK MRICS
Inspector

Scale 1:1000



1 AND 3 SOUTH GROVE,
 QUERTSEY
 SURREY

A. Gordon

PLAN A

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Appeal Decision

Site visit made on 19 August 2003

by Alan Woolnough BA(Hons) DMS MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date

- 2 SEP 2003

Appeal Ref: APP/Q3630/A/03/1117694

52 Stepgates, Chertsey

- 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 & Mrs G Turley against the decision of Runnymede Borough Council.
- The application (Ref no RU.03/0182), dated 7 February 2003, was refused by notice dated 14 April 2003.
- The development proposed is described as 'raise and extend roof to accommodate rooms in the roof'.

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

Procedural Matters

1. The above description of development is taken from the planning application form. The Council has used a different wording in its decision; I consider this to better describe the proposal and shall use an abbreviated version for the purposes of this appeal, namely 'the erection of a first floor extension raising the existing roof and including dormer windows and alterations to the existing rear extension to provide a pitched roof'.
2. The appeal submission includes an amended drawing, no 5-03 2-3 revision A, which corrects an error in the representation of the front elevation identified by the Council at the time of its decision. I am satisfied that it would not be prejudicial to the interests of any party to use the amended drawing as the basis for my decision.

Main Issue

3. I consider the main issue in this appeal to be the effect of the proposal on the character and appearance of the existing dwelling and the surrounding area.

Planning Policy

4. The development plan for the area comprises the Surrey Structure Plan 1994 (SP) and the Runnymede Borough Local Plan Second Alteration (LP), adopted in 2001. The general thrust of SP Policy PE10 is the conservation and enhancement of the character of urban areas, the encouragement of good urban design, and ensuring that new development makes a positive contribution to the existing character and does not detract from its surroundings. LP Policy HO9 advises that in considering extensions to existing dwellings, sensitively designed proposals that, amongst other things, do not damage the character and amenity of established residential areas and provide adequate privacy for existing and proposed properties will be required. LP Policy BE2 indicates that proposals will be expected to respect townscape character of recognised high quality by reference to a number of issues, and that schemes that are of visual interest will be encouraged. Reference is also made to

the emerging Surrey Structure Plan, Policy SE4 of which essentially carries forward the relevant provisions of adopted SP Policy PE10.

5. Additional reference is made to supplementary planning guidance (SPG) produced by the Council and entitled 'Design Guide for Residential Extensions'. I have not been advised that this has been prepared in accordance with the guidance in Planning Policy Guidance (PPG) Note 12: Development Plans; therefore, I can attach only limited weight to it. Amongst other things, the guidance advises that new roofs should generally be the same colour and pitch as the main roof, and that bulky loft conversions and dormer windows should be located to the rear of the house to minimise intrusion into the view from the street.
6. Further reference is made to the 'Surrey Design Guide', published in 2002 and adopted by Surrey County Council as SPG. As the guidance has been produced in accordance with the advice contained in PPG12, I am able to attach significant weight to it. The objectives of this SPG include the creation of attractive places and to ensure that all development contributes to local distinctiveness and character. Amongst other things, it also seeks the integration of new development into its surrounding, indicates that the design of buildings is of imperative importance and advises that the amenity of existing housing should be protected.

Inspector's Reasoning

7. The appeal property is a detached chalet bungalow, occupying a backland location behind frontage properties in Stepgates, Weir Road and Abbey Road. Whilst parts of the existing dwelling can be glimpsed at distance between other properties, it is largely hidden from public view. The proposal comprises a substantial addition to the roof of the dwelling, raising its height and incorporating roof dormers and gable end windows. The roof extension would add considerably to the bulk of the appeal property, with certain elements, such as the substantial side dormers, appearing rather heavy and ungainly. Therefore, I accept that the proposal would, to a degree, be disproportionate in relation to the existing chalet bungalow and a departure from its present character. However, the unusual form of the property's existing roofscape, which includes a substantial and undesirable element of flat roof is such that, despite its shortcomings, the scheme would, in my view, still constitute an overall improvement in design terms.
8. I acknowledge that the design fails to comply with certain aspects of the Council's own SPG and the Surrey Design Guide, to the extent that it would perhaps be unacceptable in a location where it would impact significantly on the street scene. However, in this case, despite being significantly higher, the property as extended would have no discernible additional impact on the street scene or general townscape. The proposal would not appear cramped, out of character or disproportionate in comparison with surrounding properties in views from any public area. Whilst it would be seen in views from a limited number of private dwellings and gardens around the appeal site, the planning system does not exist to protect private interests. Therefore, I conclude that by reason of its secluded location, the appeal proposal would not result in unacceptable harm to the character and appearance of the existing dwelling and the surrounding area, and would not undermine the design objectives of the development plan, the emerging Structure Plan, the Council's SPG, the Surrey Design Guide or PPG1: General Policy and Principles.

Other Matters

9. I have considered all the other matters raised, including the appeal decisions cited by the Council. However, although consistency is desirable, each proposal must be dealt with primarily on its own merits and I have done so in this case. In any event, whilst I do not know the full circumstances of those other cases, it appears that in both instances the proposed development would have been far more prominent than in the case of this appeal. The rear dormer windows of dwellings fronting Stepgates are too distant to afford views into the proposed first floor accommodation at the appeal property. Moreover, the rear gardens of those dwellings are already overlooked through the rooflight in No 52's existing south-facing roof slope such that the proposal would not cause a significant further erosion of their privacy. I acknowledge that the proposed bedroom window in the north-facing roof slope of the appeal property may afford a view towards No 29/31 Abbey Road. However, the angle of view would be such that, given the size of that property's garden, enjoyment thereof would not be impaired to the extent that dismissal of the appeal would be justified. Therefore, neither these nor any of the other matters raised are of such significance as to outweigh the considerations that have led to my conclusions on the main issue, and I am minded to allow the appeal.

Conditions

10. I have considered the conditions suggested by the Council having regard to the advice in Circular 11/95 and in one case I have altered the suggested wording in the interests of precision and enforceability to reflect that advice. I agree that, in addition to a standard time limit, a condition is required to ensure that the external materials used in the development match or harmonise with the existing dwelling, in the interests of visual amenity. However, as these terms are open to interpretation, I consider that materials should be submitted for the Council's prior approval.

Conclusion

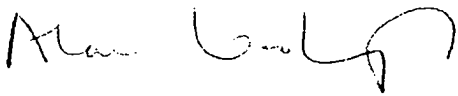
11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

12. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a first floor extension raising the existing roof and including dormer windows and alterations to the existing rear extension to provide a pitched roof at 52 Stepgates, Chertsey in accordance with the terms of the application Ref no RU.03/0182 dated 7 February 2003, and the plans submitted therewith as amended by revised drawing no 5-03 2-3 revision A, 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) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Information

13. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
14. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
15. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.



INSPECTOR

PLANNING APPLICATIONS DETERMINED BY

 DIRECTOR OF TECHNICAL SERVICES

FROM 1ST TO 12TH SEPTEMBER 2003

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
03/0334	Pantiles, 26 Ottershaw Park, Ottershaw Demolition of existing and erection of one x two storey replacement dwelling and detached garage. DECISION: REFUSE
03/0497	70 Common Lane, New Haw Erection of a 2 storey part first floor side extension and garage including accommodation in the roof and single storey front extensions and conservatory to the rear. (Amendment to planning permission RU.01/1137) (Revised plans received 14.07.03.) DECISION: GRANT
03/0806	60-63 High Street, Egham Alterations to shopfront including the introduction of an ATM machine. DECISION: GRANT
03/0829	38 Bourneside Road, Addlestone Erection of single storey front and two storey rear extension. DECISION: GRANT
03/0830	34 Bridge Road, Chertsey Detached garage to the rear with access off Weir Road. DECISION: CONSENT
03/0831	34 Bridge Road, Chertsey Erection of detached garage to the rear with access off Weir Road. DECISION: REFUSE
03/0840	Birchington, Gorse Hill Road, Virginia Water Erection of detached two storey dwelling with attached front garage and outdoor swimming pool utilising existing access following demolition of existing dwelling. (Revised application) DECISION: GRANT

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
03/0842	12 Clarence Drive, Englefield Green Fell one Fir tree to the rear of the dwelling. DECISION: GRANT
03/0847	303-307 Woodham Lane, New Haw, Addlestone Change of use from office to residential at first floor level to provide 3 x one bedroom flats incorporating first floor rear extension. DECISION: REFUSE
03/0849	Thames Edge Court, Clarence Street, Staines Consultation by Borough of Spelthorne for the erection of exterior lighting. DECISION: NO OBJECTION
03/0850	138 Thames Side, Laleham Consultation from Borough of Spelthorne for loft conversion incorporating dormer window and balcony to the front of the property. DECISION: NO OBJECTION
03/0860	51 Byfleet Road, New Haw, Addlestone Erection of single storey extensions to front and rear of property. DECISION: REFUSE
03/0863	Dillington, Lyne Lane, Lyne, Chertsey Insertion of additional dormer in side elevation (retrospective) DECISION: GRANT
03/0867	60-63 High Street, Egham Replacement of plant equipment on the top of the roof. DECISION: GRANT
03/0874	1 Hythe Road, Staines Erection of two storey side, single storey rear extensions and detached double garage to rear of property. DECISION: REFUSE
03/0875	Land adj. 15 Lodge Close, Englefield Green Outline application for the erection of a two storey detached dwelling and detached double garage. DECISION: REFUSE

DELEGATED DECISIONS IN CONSULTATION WITH CHAIRMAN & VICE CHAIRMAN

- 03/0694 The Coach House, The Dell, Englefield Green, Egham
Felling of Conifers and Bay trees at front of dwelling subject to Tree Preservation Order 272.
DECISION: GRANT
- 03/0787 60-63 High Street, Egham
Display of non-illuminated signage attached to temporary hoarding around car parking area to rear of 60-63 High Street.
DECISION: CONSENT
- 03/0790 23 The Causeway, Staines
Erection of polycarbonate roller grill to existing garage, following removal of existing garage door at rear of building.
DECISION: GRANT
- 03/0794 8 Beechmont Avenue, Virginia Water
Erection of detached two storey dwelling with vehicular access off Beechmont Avenue, to the side of 8 Beechmont Avenue.
DECISION: GRANT
- 03/0796 Green Gables, Riverside, Staines
Erection of a detached two storey dwelling with detached double garage block (revisions to house granted permission under RU.99/0717) revised description.
DECISION: GRANT
- 03/0868 Camellia, Gorse Hill Road, Virginia Water
Erection of part two storey, part single storey rear extension, conversion of existing garage to form games room and conversion of existing garage/bedroom to form new double garage.
DECISION: GRANT
- 03/0869 25 Clarence Street, Egham
Erection of part single, part two storey rear extension incorporating two dormer windows.
DECISION: GRANT
- 03/0928 19 Abbey Road, Chertsey
Erection of part two storey, part single storey side extension, single storey rear extension incorporating a balcony and a rear conservatory following demolition of existing garage.
DECISION: GRANT