



RUNNYMEDE BOROUGH COUNCIL

PLANNING COMMITTEE
30 July 2003

APPENDICES

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Runnymede Borough CouncilPLANNING COMMITTEE2 July 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, A.G. Collins, J.B. Dean, J.M. Edwards, C. Knight, D.W. Parr, R. Pate, B.J. Relph, Mrs. V.A. Smallman, N. Thewlis, A.P. Tollett, and J. R. Whiteley

Members of the Committee absent: None

Councillors Mrs P.I. Broadhead and P.A. Greenwood also attended.

150. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

Group requesting Change	Remove from Membership	Appoint Instead
Runnymede Independent	Councillor Mrs L.M. Gillham	Councillor B.J. Relph

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

151. MINUTES

The Minutes of the meeting of the Committee held on 4 June 2003 were approved and signed as a correct record.

152. 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 03/0501 68 Guildford Street, Chertsey
Part demolition of site, refurbishment of shop, office at front, conversion and refurbishment of part of building to create three cottages and redevelopment of the rear to create four cottages, two flats, two town houses and associated parking**

DECISION: GRANT subject to conditions.

- RU 03/0149** **Land r/o 110-114 Church Road, Addlestone**
Erection of two dwellings
- DECISION: GRANT** subject to conditions.
- RU 03/0150** **Land r/o 110-114 Church Road, Addlestone**
Erection of two dwellings
- DECISION: GRANT** subject to conditions.
- RU 03/0266** **Land northeast of Coxes Lock, Hamm Moor Lane,**
Addlestone
Erection of two-storey office building with associated
parking and landscaping (revised plans received 28.5.03
and 16.6.03)
- DECISION: GRANT** subject to conditions.
- RU 03/0496** **23 Ayebridges Avenue, Egham**
Erection of a first floor rear extension and two bay
windows to the front of the property (revised application)
- DECISION: GRANT** subject to conditions.
- RU 03/0538** **Heatherfields, Heathervale Road, New Haw**
Conversion of existing garage to form a storage area
- DECISION: GRANT** subject to conditions.
- RU 03/0542** **Land r/o 220 Brox Road, Ottershaw**
Detached four bedroom dwelling with integral garage and
front parking area
- DECISION: REFUSE** for the following reason:
- The proposed development due to its size in relation to the**
plot on which it is to be situated is considered to represent
an over development of the site that would adversely effect
the residential amenities of the area, contrary to the
advice in Planning Policy Guidance Note 3 'Housing' and
the requirements of Policy HO9 of the Runnymede Borough
Local Plan Second Alteration April 2001.
- (A motion that permission be granted was lost)
- (Mr I MacLeod, a local resident and objector, addressed the
Committee on the above application).
- RU 03/0546** **Hersham Farm, Kitsmead Lane, Longcross, Chertsey**
Change of use from agriculture to B1 office space involving
conversion of redundant agricultural buildings
- DECISION: GRANT** subject to conditions.
- RU 03/0552** **Little Fosters, 3 Black Lake Close, Egham**
Erection of single storey side and rear extension
- DECISION: GRANT** subject to conditions.
- RU 03/0553** **Chertsey Meads, Mead Lane, Chertsey**
Erection of a CCTV camera and pole

DECISION: GRANT subject to conditions.

RU 03/0565

Churchill House (formerly known as Rebels Beech), Portnall Rise, Virginia Water

Retention of entrance walls and gates, internal garden walls, associated archways and fountain together with hard landscaping

DECISION:

a) GRANT subject to conditions.

b) No action be taken in respect of the outside toilet, irrigation tank or meter housing building.

RU 03/0577

13 Dudley Close, Addlestone

Erection of single-storey side and rear extension and roof alterations incorporating a side dormer and velux roof lights to allow for accommodation in the roof

DECISION: REFUSE for following reason:

The proposed side dormer window, by reason of its design and location, would have an adverse effect on the street scene, to the detriment of the visual amenities of the neighbourhood, which would be contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE3 of the Surrey Structure Plan Deposit Draft December 2002 and Policy HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.

(Mr P Hunt, agent for the applicant, addressed the Committee on the above application).

153. LAND AT 52 ABBEY ROAD, CHERTSEY - ENFORCEMENT

The Committee considered taking enforcement action in respect of the appearance and condition of 52 Abbey Road, Chertsey.

The site was originally investigated in January 2002 when it was felt that the presence of an extant permission for residential extensions to the property justified the presence of debris and waste materials on the site. It was envisaged that the site would return to a more acceptable standard upon the completion of the building works.

However, during the period of time from the enforcement investigation in early 2002 to the current date, the condition of the site had steadily declined. The building works had not been advanced in any significant way since the initial investigations in early 2002, and despite pressure from Officers, the landowner had taken no action to address the general condition of the land.

Members considered that the condition of the land adversely affected the amenity of the surrounding area. The rear garden was open to Thames Close whilst the front garden was open to Abbey Road. The public at large had a clear view of, and were affected by, the condition of the land in addition to those residing in the immediate vicinity of the site.

Officers had in the past made an allowance for the presence of the debris and random materials at a residential site when an extant planning permission for building works was being implemented but in this case it was felt that very few of the items present on the site could realistically be used in the construction process. As the building works had shown no visible signs of progression for over a year and it was clear that the works were unlikely to recommence in the foreseeable future (three and a half years had passed since the grant of the relevant permission) it was -

RESOLVED that :

- i) **the Director of Administration and Leisure be authorised to issue a Notice under Section 215 of the Town and Country Planning Act 1990 requiring the removal of all debris, waste matter and building materials from the front and rear gardens of 52 Abbey Road, Chertsey;**

Reason for Issue of Notice

The condition of the land forming the front and rear gardens of 52 Abbey Road, Chertsey, is adversely affecting the amenities of the surrounding area by virtue of its physical appearance.

- ii) **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 216(2) 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 219 of the Town and Country Planning Act 1990.**

154. **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 9.45pm)



RUNNYMEDE BOROUGH COUNCIL

CODE OF CONDUCT FOR PLANNING MATTERS

Originally Agreed by Council 23 February 2000

Revision Agreed by Council 20 December 2001

Updated July 2003*

**Runnymede Borough Council
Civic Offices
Station Road
Addlestone
Surrey, KT15 2AH**

* Updated to reflect arrangements for public speaking

i) Conduct of Councillors

- 1.1 Runnymede Borough Council's Code of Conduct for Members (set out in the preceding pages and referred to in this Planning Code as the General Code) provides guidance and standards for councillors. Breaches of this code may be regarded as maladministration by the Ombudsman, and failure to declare a personal interest may be the subject of action by the Standards Board for England.
- 1.2 Whilst councillors will wish to pay particular attention to their ward residents, their over-riding duty is to the whole community and they must therefore vote on issues in the interests of the whole Borough.
- 1.3 The General Code sets out the requirements for declaring personal interests and these must be followed scrupulously. Not only should impropriety be avoided, but also should any appearance or grounds for suspicion of improper conduct.
- 1.4 The responsibility for this rests with the individual councillor. Members should not use their position to further a private or personal interest rather than the general public interest, or give grounds for such suspicion.
- 1.5 The Council's Monitoring Officer is required to maintain a register of Members' interests and Members are reminded to ensure that this is kept up to date and that any changes in circumstances or interests are formally registered. Advice on whether a particular matter is likely to constitute a declarable interest can be obtained from the Chief Executive Officer, Director of Administration and Leisure, or a senior member of the legal staff. As much prior notice as possible will allow a considered view to be given.
- 1.6 As indicated above, the onus is on the individual councillor to indicate any likely interest. Whilst Officers will be as helpful as possible, they will not necessarily be able to warn a Member that they have an interest which should be declared, if the Member has not raised the issue.
- 1.7 It should be noted that this Code of Conduct relates to decisions on all planning matters, including the determination of planning applications, consideration of planning enforcement cases, decisions on the development plan and the consideration of policy matters.

ii) Lobbying of Councillors

- 2.1 Members of the Planning Committee are frequently lobbied by applicants to seek support of their proposals, and objectors who seek to have proposals rejected. There may also be informal discussions with other Members of this authority, and, on occasion, other authorities.
- 2.2 Clearly Members will wish to ensure that they have received the fullest of information from all parties prior to a decision being taken. They will also receive representations in letters, telephone conversations, in meetings, and by fax and e-mail.
- 2.3 While Members may wish to respond to the public and in particular their own ward residents, there is no obligation on any Member to respond to such approaches or to make time available to comment or attend meetings with any party.
- 2.4 Equally it is considered proper that Members may receive information or representations from any party about planning matters provided such representations are received in an open, fair and transparent way. Members should not accept gifts or unreasonably generous hospitality out of proportion to the event being attended. If such gifts are offered, details should be passed to the Director of Administration and Leisure.
- 2.5 The Council has a legal duty to determine planning applications, taking into account all material considerations, without bias or prejudgement. To achieve this, Members will normally need to wait for the written report on the application and any additional advice at the Committee meeting. Applications are often amended, representations are received, and applicants provide additional information, right up to the day of the meeting. Members whose support is canvassed, for or against a particular application, before the Committee meets, may discuss its merits and may undertake to represent a particular point of view to the Committee. They must, however, take care not to lead anyone to conclude that their

mind has been made up before hearing all the relevant facts and advice. The same advice equally applies to the determination of any enforcement or policy matters.

- 2.6 If asked, they may give a provisional reaction, but must point out that a decision will be taken by the Committee only once it has taken into account all the material considerations and the relevant policies. Thus, as indicated in the LGA advice in "Probity in Planning" "it should be possible for a Member to give support to a particular body of opinion whilst waiting until the Planning Committee and hearing all the evidence presented before making a final decision".

The paragraphs above apply to Members who are not on the Committee as well as those who are. Members who are not on the Committee may be asked to substitute for a Member who cannot attend.

- 2.7 Although care should be taken, there is no reason why several Members or a political group should not discuss planning matters prior to a planning committee, indeed, such discussion can help to highlight the main issues. However, each individual should decide for themselves how they should vote on any planning application and should not be subjected to pressure from other Members to vote in a particular way. There are no circumstances where a Member should be bound by a party whip in making a planning decision.

iii) Site Visits

- 3.1 Members may wish to acquaint themselves with a particular location by visiting the site. In doing so, Members are advised that they have no powers to enter private land without the owner's permission.
- 3.2 In visiting a site or adjoining property, Members may be approached by either the owner, developer or neighbours who may wish to discuss the site in question. The advice in this Code relating to lobbying should be observed. Whether Members wish to engage in dialogue or not is for them, but Members of the Planning Committee should not express a view as to the merits of the matter. Although Members may by then have received an agenda with officers' report, there may be facts reported at the meeting that would have a bearing on the decision to be made.
- 3.3 Members are recommended to visit sites in the company of other Members, both to reduce disturbance to occupiers and to corroborate any discussions which take place at the time.

iv) Public Speaking at the Planning Committee

- 4.1 **There is a right for the public to address the Planning Committee as set out in Standing Orders 39.19 - 39.27.**
- 4.2 **Clearly this reinforces the point that for Members deciding which way to vote on any planning application, there may be planning issues raised by objectors or applicants at the meeting, that could influence that decision.**

v) Decisions Contrary to Officer's Recommendation

- 5.1 All committee reports on planning matters shall include an Officers' recommendation to guide the committee. Where a planning application is determined contrary to an Officer's recommendation then the reasons for this will be recorded in the minutes – whether permission is granted or refused.
- 5.2 Where it is clear that members are minded to refuse permission against the recommendation and Officers believe that such a refusal will be unsupportable at appeal and may result in the award of costs against the council for unreasonable behaviour, that shall be made known at the committee meeting.
- 5.3 In such circumstances it will be difficult for Officers directly involved in processing that planning application to present the council's case at a public inquiry and if other suitable Officers are not available, it may be appropriate to seek the services of an external consultant.

vi) Involvement in Appeals

6.1 If Members wish to make representations on a planning appeal, either to the Planning Inspectorate or to an inspector at a public inquiry or informal hearing, and are not being called as an official Council witness, they should make it clear whether they are acting:

- As a Member to support the Council's argument; or
- As a Member to represent local opinion in their ward; or
- As a private individual

6.2 Copies of any Member representations on an appeal should be sent to the Director of Administration and Leisure, and if advice is sought on details of the appeal, Members should inform Officers of their interest and whether they intend to support the Council's decision or the appellant.

6.3 Whilst Members always have access to factual matters relating to appeals, if they are contemplating supporting the appellant, then Officers are not able to assist them in the preparation of their case.

6.4 The choice of who is to represent the council in a particular appeal normally rests with the Director of Technical Services in consultation with the Director of Administration and Leisure.

vii) Member Training

7.1 Training seminars will be arranged, the content of which shall be guided by the DETR publication, "Training in Planning for Councillors". These may be provided by Officers or external trainers.

7.2 These training seminars will be open to all Members of the Council. All Members of the Planning Committee shall agree to undertake training as a condition of serving on that committee, and make their best endeavours to attend such seminars.

viii) Conduct of Officers

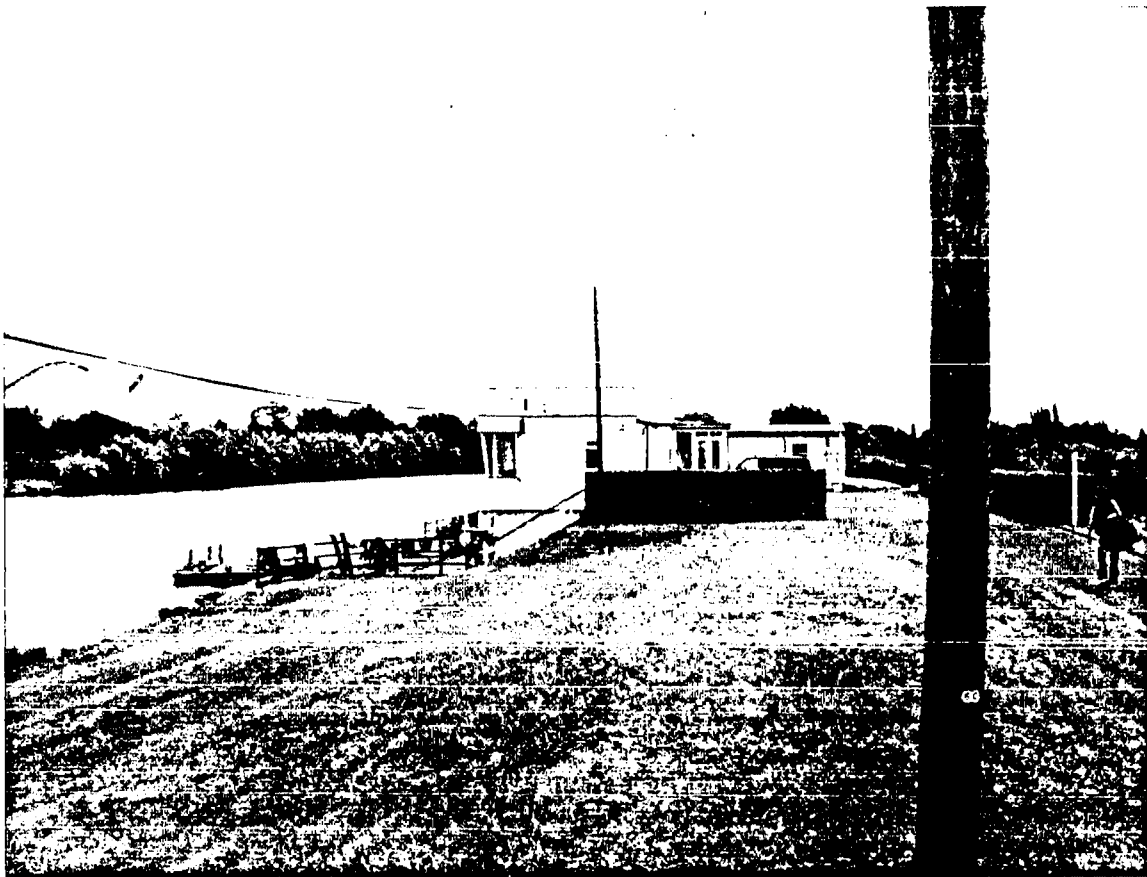
8.1 The majority of planning staff at Runnymede are Chartered Town planners, having been elected to the Royal Town Planning Institute (RTPI). The remainder are junior professional staff, who have yet to complete sufficient practical experience to satisfy the Institute's requirements.

8.2 RTPI members are therefore subject to its Code of Professional Conduct, which in general terms requires that they, in all their professional activities:

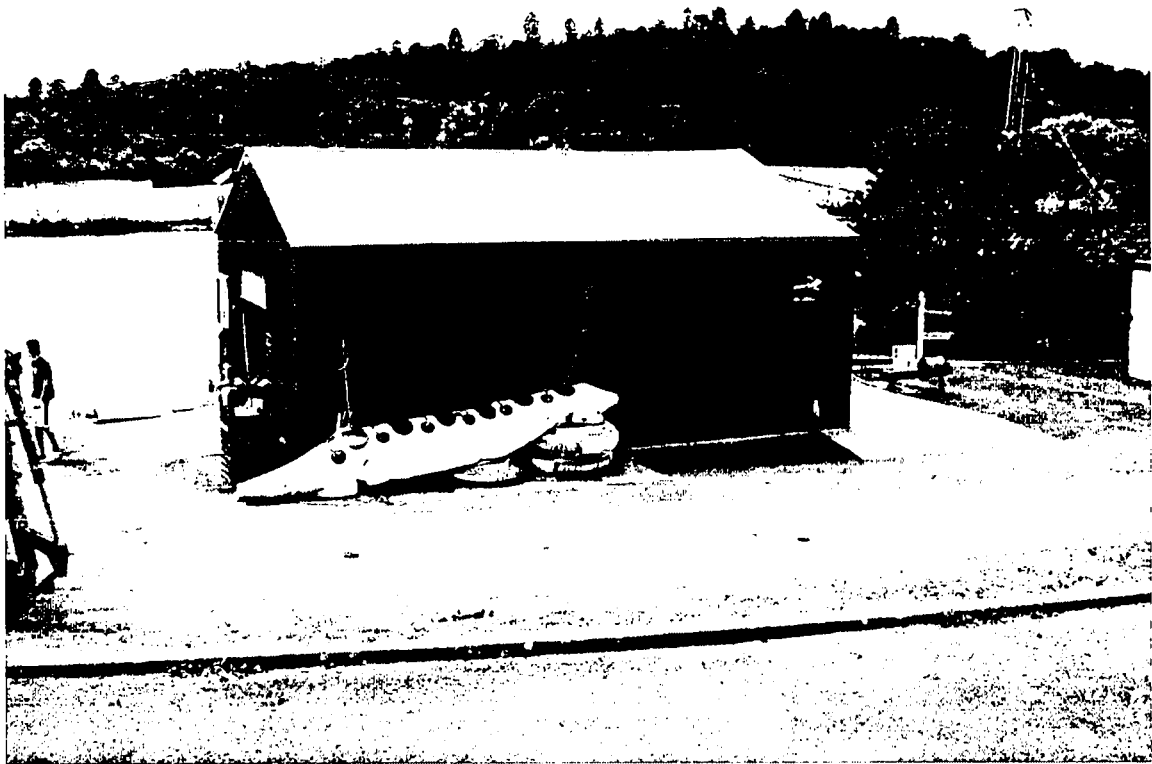
- (a) shall act with competence, honesty and integrity;
- (b) shall fearlessly and impartially exercise their independent professional judgement to the best of their skill and understanding;
- (c) shall discharge their duty to their employers, clients, colleagues and others with due care and diligence in accordance with the provisions of this Code;
- (d) shall not discriminate on the grounds of race, sex, creed, religion, disability or age and shall seek to eliminate such discrimination by others and to promote equality of opportunity;
- (e) shall not bring the profession or the Royal Town Planning Institute into disrepute.

8.3 Breaches of this code may be subject to disciplinary action by the Institute. However, as not all planning Officers are members of the RTPI, it is recommended that the Code of Professional Conduct above (and any subsequent changes or replacement Code approved by the RTPI) be adopted as a local Code of Conduct.

8.4 In addition, the Council has adopted its own Code of Conduct for Staff, which is set out in the Personnel Policies & Procedures Handbook, and applies to all members of staff. This gives detailed advice on some nineteen areas of conduct. This is in addition to any professional discipline and was approved by Members in 1995.



1. The furthest structure, to the right of the two, is subject of this report.

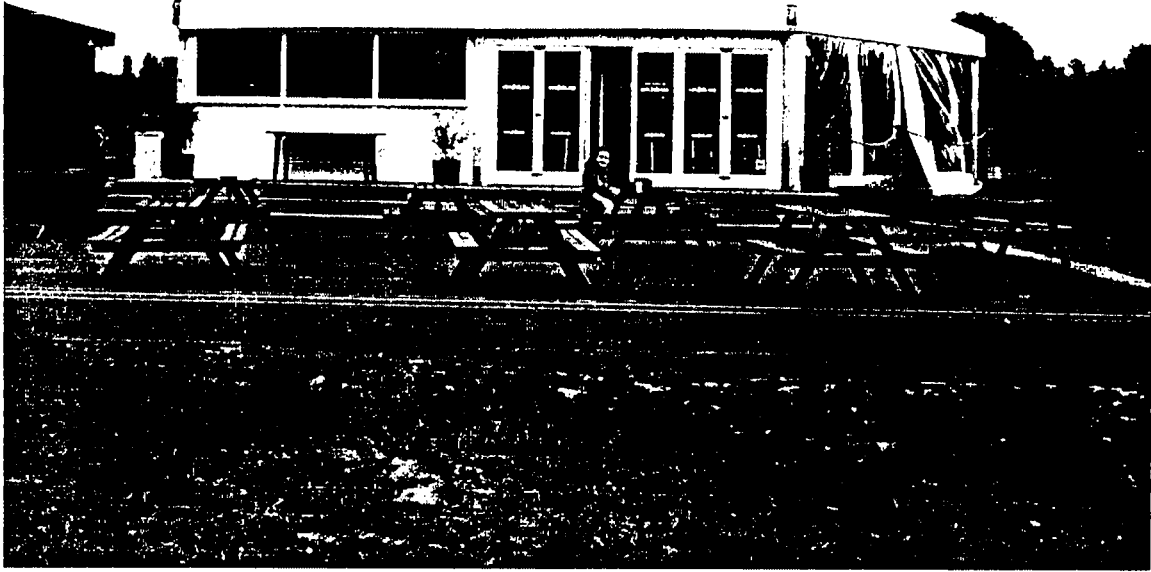


2. Wooden structure, facing out onto the lake.

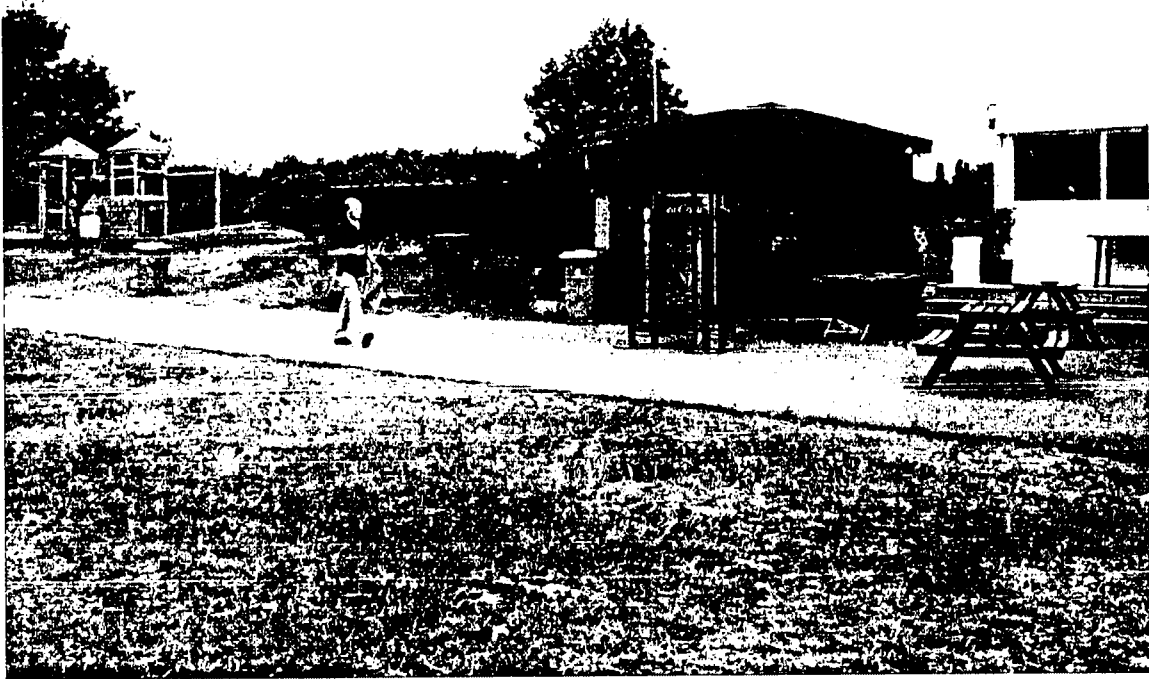


3. The portable toilets to the left of the picture, the marquee style tent, and the two storeys of portable cabins are all subject of this report.

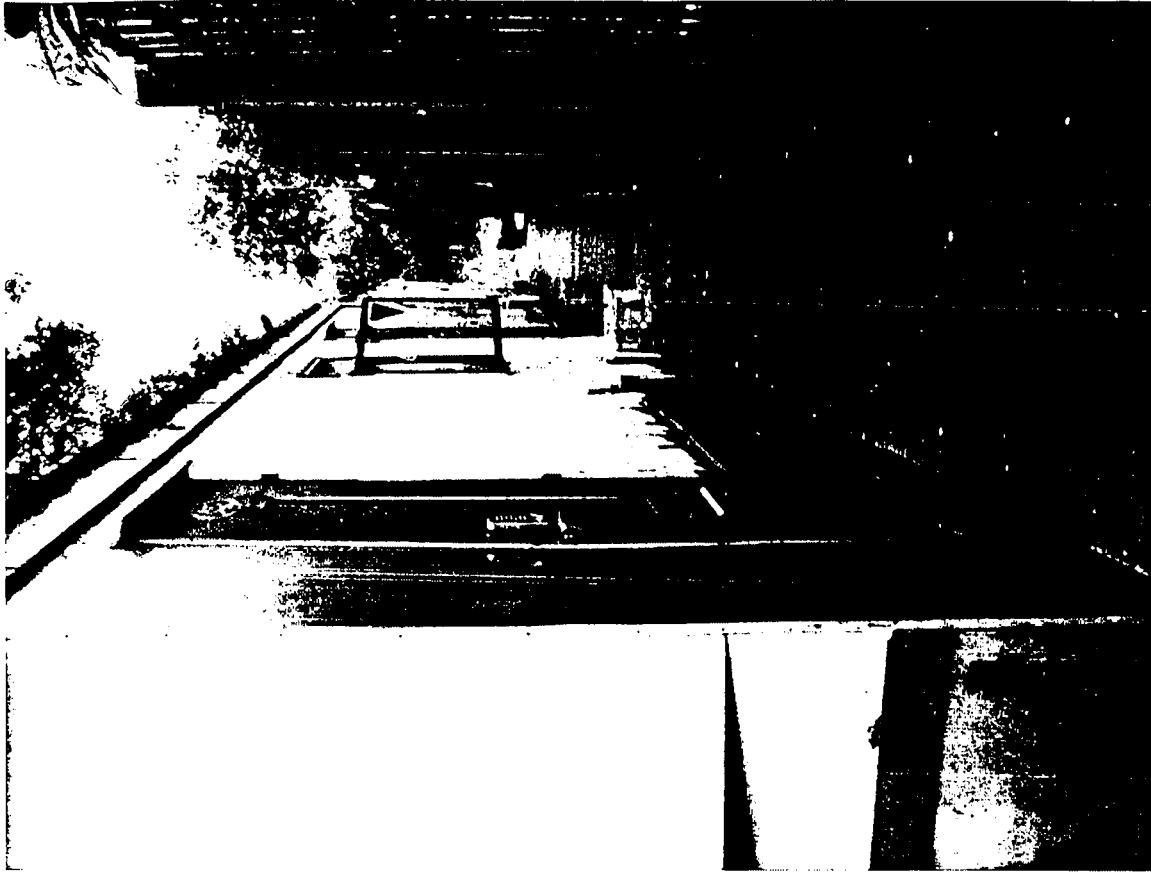
The wooden structure behind the portable cabins is authorised.



4. Snack bar / Café, with benches and hardstanding.



5. The play structures to the left of the picture, and the wooden hut in the centre, are both subject of this report.



6. Two mobile homes erected within a compound.



7. Compound, created by erection of close boarded fencing. This compound contains various sundry items, and two mobile homes.



8. View of Sundry Items inside the compound.



9. Wooden hut, with decking.



Appeal Decision

Site visit made on 24 June 2003

The Planning Inspectorate
Room 4/09 Kite Wing
Temple Quay House

APPENDIX 'D'

by Mrs G R Stewart BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

Date

3 JUL 2003

Appeal Ref: APP/Q3630/A/03/1112008

Spring Cottage, 420D Woodham Lane, New Haw

- 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 and Mrs F Ali Khan against the decision of Runnymede Borough Council.
- The application ref: RU.02/0874, dated 16 July 2002, was refused by notice dated 3 September 2002.
- The development proposed is conversion of existing roof space to habitable accommodation; demolition of existing single storey bathroom (rear) and erection of single storey link (rear).

Summary of Decision: the appeal is allowed, subject to conditions

Main Issue

1. The main issue is whether or not the proposed development amounts to inappropriate development in the Green Belt, and if it does, whether there are very special circumstances which outweigh the presumption against such development.

Development Plan and other Planning Policies

2. The Surrey Structure Plan was adopted in 1994, and is currently being reviewed to reflect changes in central government guidance. The Runnymede Borough Local Plan Second Alteration was adopted in 2001 and builds on the guidance in Planning Policy Guidance 2 "Green Belts", published in 1995. Policy GB6 describes the Council's policy in respect of extensions to dwellings in the Green Belt.

Reasons

3. Local Plan Policy GB6 militates against increases in floorspace of Green Belt dwellings of more than 30% judged against the size of the dwelling existing in 1986. The dwelling has already been extended by 113% since 1986. The current proposal would take that figure up to 144%, and I consider that constitutes a disproportionate increase in the size of the dwelling, making it an inappropriate form of development in the Green Belt. In the absence of very special circumstances justifying an exception, I would refuse planning permission.
4. However, the Council has approved, as part of a composite planning application involving other works, the use of the roof space as habitable accommodation utilising rooflights flush with the roof slope. It acknowledges that (in isolation) development in that form would not require planning permission. That fall-back position, involving the required increase in floorspace, is a material consideration in the determination of this appeal. The front elevation of the bungalow can only be seen from within the curtilage of the property, and the amount of evergreen vegetation in the front and side boundary

hedges suggests that that would remain the case even in winter. The proposed dormers are well-related in scale to the extensive roof slope. They would neither extend the footprint of the building, nor increase its height. They would, in my view, have no perceptible impact on the openness of the Green Belt. Nor would they conflict with any of the purposes of including land within the Green Belt. That conclusion, together with the existing planning permission for the increased floorspace, constitute very special circumstances which justify a grant of planning permission in this case.

5. I have noted the dismissal of an appeal in 1999 for a conservatory at the front of the bungalow, but that case is distinguished from the present appeal by the increase in footprint it would have entailed. I have also noted the appeals at Ottershaw and Chertsey Meads to which the Council has drawn my attention. As in this case, the proposals were considered to constitute inappropriate development in the Green Belt. The former appears to have failed, because the Inspector found that the proposed dormers, which were described as being "conspicuous", would have caused visual harm to the host property and to the Green Belt. The second foundered because the proposals "would significantly increase the scale and bulk of the dwelling" and would be clearly seen from public vantage points. In neither case, were there very special circumstances present which outweighed the presumption against such development.

Conclusion

6. I have had regard to all of the matters raised in the representations but have found nothing that affects the conclusions I have reached in respect of the main issue. This is an unusual case in which development which is, by definition, inappropriate in the Green Belt can be permitted because, although the relevant policy is framed in terms of increases in floorspace, an identical increase has already been permitted, and the physical features that distinguish this proposal from that already approved, would cause no harm to the openness of the Green Belt. These constitute the very special circumstances that justify granting planning permission in this case.

Conditions

7. Apart from the standard time limiting condition, I only consider it necessary to impose a condition securing the use of appropriate materials and I have amended the Council's suggested wording to take account of the lack of detail on the plans.

Formal Decision

8. For the reasons given above, and in exercise of the powers transferred to me, I allow the appeal and grant planning permission for the conversion of the existing roof space to habitable accommodation, demolition of existing single storey bathroom (rear) and erection of single storey link (rear) in accordance with the terms of application RU.02/0874, dated 16 July 2002, subject to the following conditions:
 - (1) the development hereby approved shall be begun before the expiration of five years from the date of this decision;
 - (2) the development hereby permitted shall be completed with external materials matching as closely as possible those of the existing building, and the specification of the materials to be used shall have been approved in writing by the Council prior to the commencement of development

hedges suggests that that would remain the case even in winter. The proposed dormers are well-related in scale to the extensive roof slope. They would neither extend the footprint of the building, nor increase its height. They would, in my view, have no perceptible impact on the openness of the Green Belt. Nor would they conflict with any of the purposes of including land within the Green Belt. That conclusion, together with the existing planning permission for the increased floorspace, constitute very special circumstances which justify a grant of planning permission in this case.

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Conditions

7. Apart from the standard time limiting condition, I only consider it necessary to impose a condition securing the use of appropriate materials and I have amended the Council's suggested wording to take account of the lack of detail on the plans.

Formal Decision

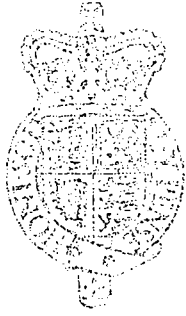
8. For the reasons given above, and in exercise of the powers transferred to me, I allow the appeal and grant planning permission for the conversion of the existing roof space to habitable accommodation, demolition of existing single storey bathroom (rear) and erection of single storey link (rear) in accordance with the terms of application RU.02/0874, dated 16 July 2002, subject to the following conditions:
 - (1) the development hereby approved shall be begun before the expiration of five years from the date of this decision;
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Information

9. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.
10. This decision does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act, 1990.

Al Stewart

INSPECTOR



Appeal Decision

Site visit made on 17 June 2003

by **Stuart M Reid** D Arch (Hons) RIBA

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
409 Fire Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6FH
☎ 0117 372 6372
e-mail: enquires@planning
inspectorate.gsi.gov.uk

Date

03 JUL 2003

Appeal Ref: APP/Q3630/C/03/1112101

Amberwood and Lone Pine, Christchurch Road, Virginia Water, Surrey GU25 4PT

- 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 P Gaskin against an enforcement notice issued by Runnymede Borough Council.
- The Council's reference is 02E00267.
- The notice was issued on 20 February 2003.
- The breach of planning control as alleged in the notice is, without planning permission, the erection of a close boarded fence on the said land or premises in the approximate position marked in green on plan number 2 attached to the enforcement notice.
- The requirements of the notice are to:
Dismantle and remove the close boarded fence on the said land or premises; or
Reduce the height of the close boarded fence on the said land or premises to a height of no more than two metres to the rear of the dwellings situated on the said land or premises and no more than one metre to the front of the dwellings situated on the said land or premises.
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2)(b),(c) and (f) of the 1990 Act as amended. Since the prescribed fees have been paid within the specified period, the deemed application for planning permission also falls to be considered.

Summary of Decision: The enforcement notice is quashed.

Procedural Matters

1. The appellant owns both properties, and lives in one of them, Lone Pine, and there is a tenant in the other, Amberwood. They have similar length and width gardens, but part of the garden of Amberwood is used by the appellant as his own garden. They both face onto a narrow close off Christchurch Road, which is also called Christchurch Road.
2. The enforcement notice has attached to it plan number 1, which shows the land which is the subject of the notice edged in red, and which is the land at Amberwood and Lone Pine.
3. It also has attached to it plan number 2, which identifies a close boarded fence on the land, in the approximate position edged in green. This fence is shown as running from the back edge of the pavement on the close (Christchurch Road) up the full length of the west boundary of the Amberside plot, including its front and rear gardens, then along the full width of both gardens at the north end of the plots, and then down the east boundary of Lone Pine, similarly including its front and rear gardens, and down to the back edge of the pavement on the close.

4. The common boundary between the two plots has a green line running rather over half of the distance from the top (north) of the garden southwards towards the two houses, and at its southernmost point it returns across the rear garden of Amberwood, to meet the west boundary fence.
5. The requirements of the enforcement notice are to remove the fence, or to reduce it to a height of no more than two metres to the rear of the dwellings, and [to] no more than one metre to the front of the dwellings.
6. At my site visit I saw that fencing existed broadly in the locations shown on plan number 2. However, I found that there are 2 fences across Amberwood in its rear garden, and not one fence. As there are no dimensions on plan number 2, it is not possible for the appellant to know which of these two fences he is required to remove.
7. There are also no requirements for the fences alongside the dwellings. The requirements only refer to removal, or reduction in height, of the fences in front of the dwellings, and the fences to the rear of the dwellings.
8. At the north end of the garden to Amberwood is a building, the rear part of which might constitute the fence in the enforcement notice, but which the appellant claims is a building built under permitted development rights.
9. Finally, the enforcement notice does not state clearly and precisely whether it is close boarded fencing itself that is in excess of the defined heights that require removal or reduction down to the defined heights, which is what the enforcement notice appears to state, or close boarded fencing that is in excess of the defined heights above ground level due partly to the height of the fencing and also to structures such as brick walls below the fences, or to raised flower beds below the fences, or to variations in levels, that require removal or reduction of the complete boundary structure down to the defined heights.
10. I have a general duty to examine the terms of a notice to see if it is valid, and, if it requires correction, to correct it, if it is capable of correction, under the powers available to me by reason of section 176 of the Town and Country Planning Act 1990, as amended, if I am satisfied that the correction will not cause injustice to the appellant or the local planning authority.
11. However, the extent of correction required to this notice is such that I could not do it without causing injustice to the appellant. These corrections relate, amongst other matters, to the extent of fencing, including the transverse fences across the garden of Amberwood, and whether both transverse fences are to be included, and if not which one is the subject of the notice. They also relate to the extent of fencing at the top of the garden to Amberwood, where the garden building is located, and whether the rear wall of it is defined as fencing or is part of a building, as it is marked as a fence.
12. In addition there are corrections required to clearly define the height requirements in the enforcement notice, including whether the fences alongside the dwellings are excluded from the height reduction requirement, or, if not, to what height they should be reduced. It would be unreasonable that they should have to be removed, whereas all the other fences can be reduced in height to one or two metres, depending on their location relative to the dwellings.

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7. There are also no requirements for the fences alongside the dwellings. The requirements only refer to removal, or reduction in height, of the fences in front of the dwellings, and the fences to the rear of the dwellings.
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9. Finally, the enforcement notice does not state clearly and precisely whether it is close boarded fencing itself that is in excess of the defined heights that require removal or reduction down to the defined heights, which is what the enforcement notice appears to state, or close boarded fencing that is in excess of the defined heights above ground level due partly to the height of the fencing and also to structures such as brick walls below the fences, or to raised flower beds below the fences, or to variations in levels, that require removal or reduction of the complete boundary structure down to the defined heights.
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12. In addition there are corrections required to clearly define the height requirements in the enforcement notice, including whether the fences alongside the dwellings are excluded from the height reduction requirement, or, if not, to what height they should be reduced. It would be unreasonable that they should have to be removed, whereas all the other fences can be reduced in height to one or two metres, depending on their location relative to the dwellings.

13. There are also corrections to define clearly whether the heights in the enforcement notice relate to the height of the fence itself or to the height of the fence and any associated structures or flower beds above ground level.
14. Furthermore there are other matters not included in the requirements, such as barbed wire along the tops of the fences, and possible listening devices. As the barbed wire, for example, appears to rely on the fence for support, it should either be specifically included or specifically excluded from the requirements of the notice. At present the position is unclear, as the notice refers only to close boarded fencing.

Conclusions

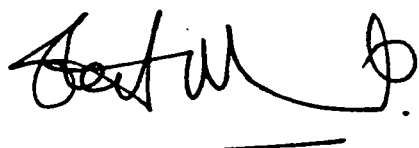
15. For the reasons given above and having regard to all other matters raised, I conclude that the notice does not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance. It is not open to me to correct the errors in accordance with my powers under section 176(1)(a) of the Act as amended, since injustice would be caused were I to do so. The notice is void for uncertainty and will be quashed. In these circumstances the appeal under grounds (b), (c) and (f) as set out in section 174(2) of the 1990 Act as amended and the application deemed to have been made under section 177(5) of the 1990 Act as amended do not fall to be considered.

Formal Decision

16. In exercise of the powers transferred to me, I direct that the enforcement notice be quashed.

Information

17. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



A handwritten signature in black ink, appearing to be 'J. W. J.', written over a horizontal line.

INSPECTOR

PLANNING APPLICATIONS DETERMINED BY

 DIRECTOR OF TECHNICAL SERVICES

FROM 30TH JUNE TO 11TH JULY 2003

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
02/1006	Bridge Wharf, Bridge Road, Chertsey Construction of access road. DECISION: GRANT
02/1123	Bridge Wharf, Bridge Road, Chertsey Residential development comprising 198 new apartment dwellings, including the provision of 54 units as affordable housing. DECISION: CONSENT
03/0335	Milton Park, Stroude Road, Egham The use of Manor House for Class B1 (Business) use with ancillary car parking and use of North and South Lodges as independent residential units (Class C3). DECISION: GRANT CERTIFICATE OF LAWFULNESS
03/0340	Meadow Court, Rowtown, Addlestone Roof alterations including 2 dormer windows to front and rear elevations and 3 dormer windows to both side elevations. DECISION: REFUSE
03/0355	Brox End Cottage, 240 Brox Road, Ottershaw Felling of two Oaks and various works to other trees. DECISION: REFUSE
03/0378	21 Staines Lane, Chertsey Erection of single storey rear extension incorporating velux windows and single storey front and two storey side extensions. DECISION: GRANT
03/0437	Land at Lyne Lane, Thorpe Erection of a stable block for three horses and a barn for storage and small forge. DECISION: REFUSE

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
03/0466	Holly Gates, Coach Road, Ottershaw Erection of conservatory to the rear and side following demolition of existing. DECISION: GRANT
03/0475	40 Spring Rise, Egham Erection of a part two, part single storey rear extension. DECISION: GRANT
03/0505	Christchurch Hall, Station Parade, Virginia Water Siting of two temporary classrooms to the rear of the hall for a period of five years. DECISION: GRANT
03/0517	97 Station Road, Addlestone Installation of four internally illuminated fascia signs. DECISION: CONSENT
03/0518	Pleasant View, Woodham Park Road, Woodham Siting of a caravan on the land for residential use. DECISION: REFUSE TO ISSUE CERTIFICATE
03/0526	Blisland Lodge, Sandhills Lane, Virginia Water Erection of two storey detached dwelling following demolition of existing dwelling and garage. DECISION: GRANT
03/0527	8 Almond Close, Englefield Green Erection of single storey front and rear extensions. DECISION: GRANT
03/0532	Mayfield, 19 Luddington Avenue, Virginia Water Erection of a single storey rear extension incorporating velux windows in roof DECISION: GRANT
03/0533	8 Alderside Walk, Englefield Green Erection of a rear conservatory. DECISION: GRANT

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 03/0540 Little Ravenswell, Vicarage Lane, Laleham, Middlesex
Repair and insulation of roof at front of dwelling with replacement of clay roof and ridge tiles, replacement render on stack and gable and installation of replacement roof windows
DECISION: **NO OBJECTION**
- 03/0554 29 Liberty Rise, Addlestone
Erection of single storey rear extension incorporating velux windows.
DECISION: **GRANT**
- 03/0556 Aden Cottage, Green Road, Thorpe
Erection of single storey front, side and rear extension, formation of habitable rooms in loft incorporating dormer windows and rooflights and erect detached garage to rear following demolition of part of existing property and garage.
DECISION: **REFUSE**
- 03/0562 Wheatsheaf Service Station, London Road, Virginia Water
Erection of a single storey side extension to incorporate a new ATM machine.
DECISION: **GRANT**
- 03/0566 301 Stroude Road, Virginia Water
Erection of single storey side extension, pitch roof over existing garage, following demolition of existing side extension.
DECISION: **GRANT**
- 03/0569 25 Clarence Street, Egham
Erection of a single storey rear extension and the insertion of two dormer windows to the rear.
DECISION: **REFUSE**
- 03/0572 2 Oak Tree Close, Virginia Water
Erection of a rear conservatory.
DECISION: **GRANT**
- 03/0573 Constable Cottage, Christchurch Road, Virginia Water
Erection of first floor side extension over existing attached garage.
DECISION: **REFUSE**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 03/0574 Trenoad, Ongar Road, Addlestone
Erection of a single storey side extension, first floor front extension and pitched roof over part of front elevation
DECISION: **GRANT**
- 03/0584 26 Wendley Drive, New Haw
Erection of two storey rear extension including accommodation in roof space incorporating side dormer and velux window.
DECISION: **GRANT**
- 03/0591 Mayside, Middle Hill, Englefield Green
Erection of a two storey rear extension and a detached garage with playroom over to the side of the property following demolition of existing garage.
DECISION: **GRANT**
- 03/0594 Fuchsia Cottage, Trumps Green Close, Virginia Water
Erection of single storey side extension and two storey rear extension.
DECISION: **GRANT**
- 03/0598 12 Mayfield Gardens, Staines
Erection of single storey side and rear extension
DECISION: **GRANT**
- 03/0602 Land adj. 12 Rusham Road, Egham
Erection of two storey dwelling with parking on front forecourt.
DECISION: **GRANT**
- 03/0604 46 Pinewood Avenue, New Haw
Erection of single storey front extension incorporating a porch with pitched roof, single storey side extension and rear conservatory. (Revised plans received 01.07.03.).
DECISION: **GRANT**
- 03/0608 Mush Mush, Laleham Reach, Chertsey
Erection of a detached chalet bungalow following the demolition of the existing bungalow.
DECISION: **REFUSE**
- 03/0610 17 Common Lane, New Haw
Erection of two storey side extension and single storey front extension following demolition of existing car port.
DECISION: **REFUSE**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 03/0611 106 Selbourne Avenue, New Haw
Erection of single storey rear extension.
DECISION: **GRANT**
- 03/0614 81 Mead Lane, Chertsey
Erection of rear conservatory.
DECISION: **GRANT**
- 03/0615 22 Silver Birch Close, Woodham
Construction of pitched roof over existing two storey side extension.
DECISION: **GRANT**
- 03/0619 Edendene, Southwood Avenue
Erection of part two storey part single storey rear extension incorporating a velux window.
DECISION: **GRANT**
- 03/0620 Kinburn House, Kinburn Drive, Egham
Erection of conservatory to side of property.
DECISION: **GRANT**
- 03/0622 Oldfield, 1 Bulkeley Close, Englefield Green
A 30% crown reduction to Oak tree subject to TPO and removal of dead wood.
DECISION: **GRANT**
- 03/0627 39 Staines Lane, Chertsey
Erection of single storey side and rear extensions, conservatory to side of property and formation of room in roofspace incorporating a rear dormer window and velux windows to both sides.
DECISION: **GRANT**
- 03/0635 Belle Vue, 8 Hamhaugh Island, Shepperton, Middlesex
Demolition of existing bungalow and erection of a replacement dwelling.
DECISION: **NO OBJECTION**
- 03/0636 47 Sayes Court, Addlestone
Erection of single storey side and rear extension following demolition of existing garage.
DECISION: **GRANT**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 03/0637 120 Eastworth Road, Chertsey
Formation of a dropped kerb.
DECISION: **GRANT**
- 03/0638 22 The Hythe, Staines
Erection of a 0.5 metre satellite dish attached to the roof of the building.
DECISION: **GRANT LISTED BUILDING CONSENT**
- 03/0641 Dunwood, East Drive, Virginia Water
Erection of detached rear leisure complex and summerhouse.
DECISION: **GRANT CERTIFICATE OF PROPOSED
LAWFULNESS**
- 03/0643 22 Vegal Crescent, Englefield Green
Erection of single storey rear extension incorporating velux windows.
DECISION: **GRANT**
- 03/0647 6 St. David's Drive, Englefield Green
Erection of single storey rear extension.
DECISION: **GRANT**
- 03/0771 219 Thames Side, Laleham, Surrey
Erection of two storey side extension and single storey rear extension to
dwelling.
DECISION: **NO OBJECTION**

DELEGATED DECISIONS IN CONSULTATION WITH CHAIRMAN & VICE CHAIRMAN

03/0450 Two Oaks, 1 Mayfield Avenue, New Haw
Erection of rear conservatory
DECISION: GRANT

03/0559 The Old School, Gorse Hill Road, Virginia Water
Erection of first floor side extension with pitched roof, single storey rear extension with pitched roof, pitched roof over existing rear extension and replacement of existing velux with dormer windows.
DECISION: GRANT

03/0589 90 Harvest Road, Englefield Green
Erection of first floor side and two storey rear extensions and conservatory to rear.
DECISION: GRANT

	99/0585	Date reg:	24.5.99	Chertsey Meads
Location:	Former Gas Works, Pretoria Road, Chertsey			
Proposal:	Erection of 34 flats for residential development with access via Pretoria Road			
Type:	Outline Planning Permission			
Applicant:	BG plc (Property Division)			

Local Plan: Policies relevant to the consideration of this application are:

First Alteration (Adopted 1993): HO7, MV5, MV6, MV10, EV21, EV33

Second Alteration Proposed Modifications (December 1998): HO8, HO9, MV4, MV9

1. Site

1.1 The site comprises a hectare of land and is situated on the southern side of Pretoria Road with residential properties to the west and the Hanworth Trading Estate to the south. The long term reserve site for housing development at Hanworth Lane consisting of 8.3 hectares of land as defined in the Local Plan, adjoins the eastern boundary.

2. History

2.1 The land has previously been operated as a gas holder site and planning permission was granted in April 1998 for remediation works at the site (RU.98/0306).

2.2 Planning permission was refused for residential development of 35 two-bedroom flats with access from Pretoria Road in November 1998 (RU.98/0577) on a site over 1 hectare for the following reasons:

1. The development fails to make provision for affordable housing on the site, which is considered suitable for such development. As such, the proposal is contrary to Policy DP3 of the Surrey Structure Plan 1994, policies within the Runnymede Borough Local Plan First Alteration (Adopted 1993) and Policy HO4 of the Runnymede Borough Local Plan (Second Alteration) Deposit Draft 1996.
2. Planning permission exists for housing development in Runnymede in excess of 20% above the five year housing provision requirement. Development of this site is therefore premature, and contrary to Policy DP5 of the Surrey Structure Plan 1994, policies within the Runnymede Borough Local Plan First Alteration (Adopted 1993) and Policy HO8 of the Runnymede Borough Local Plan (Second Alteration) Deposit Draft 1996. Furthermore, the proposal does not exhibit the exceptional circumstances which justify development in advance of the identified long term reserve sites in Policy HO7.

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3. The proposed development, if permitted, is likely to encourage similar proposals in respect of other land in the vicinity which might then be difficult to resist, the cumulative effect of which, if permitted, would further detract from the character and amenities of the area.
4. The proposed development does not comply with the Highway Authority's design standards in respect of carriageway widths and location of car parking spaces in relation to dwellings thereby adversely affecting the safety and flow of traffic. The proposal is therefore contrary to the relevant policies of the Runnymede Borough Local Plan First Alteration (Adopted 1993) and Policy MV4 of the Second Alteration Deposit Draft 1996.
5. It has not been demonstrated to the satisfaction of the County Highway Authority that the additional traffic generated by the proposals can be adequately and safely accommodated by the junction of Pretoria Road with Guildford Street and Guildford Street and Bell Bridge Road and is therefore contrary to Policy MT2 of the Surrey Structure Plan (Replacement Plan 1994).

Informatives:

1. Access to the proposed development should be by way of The Knoll and its continuation into Hanworth Lane. The County Highway Authority may remove its objection to the proposals if it can be satisfactorily demonstrated by the applicant (by way of a full Transportation Impact Assessment) that the current proposals are not prejudicial to highway safety or capacity and comply fully with Policy MT2 of the Surrey Structure Plan.

3. The Application

- 3.1 The application seeks outline planning permission for the erection of 34 flats with access from Pretoria Road. Only means of access is to be determined at this stage with all other matters to be reserved for subsequent approval. A traffic impact assessment has been submitted for consideration with detailed plans to the access. Illustrative plans have been submitted in respect of the layout and a supporting document regarding a comparison of alternative sites for housing development in relation to sequential tests and sustainability criteria.
- 3.2 The application site comprises 1 hectare of land and the new access road would link to Pretoria Road. No links are proposed to the long term reserve housing site.
- 3.3 The density of the proposal is 35 dwellings to the hectare (14 dwellings to the acre). The illustrative layout proposes four blocks of flats three storey in height with pitched roofs. An illustrative floor plan suggests 28 three-bedroom flats, six two-bedroom flats, bathroom and kitchen for each flat. A lobby with a lift access is also proposed.

- 3.4 Amenity areas are located adjoining each block of flats and would provide a usable area for the occupiers of the properties. Landscaping would be provided to the boundaries of the site. A total of 68 on-site parking spaces are shown on the illustrative layout.
- 3.5 In support of the proposal the applicant has put forward a number of exceptional circumstances as detailed below:
1. They have endeavoured to address each of the reasons for refusal stated in RU.98/0306.
 2. This is a brownfield site and should be considered prior to the release of any of the long term reserve sites as it was a heavily contaminated former gas works site. The site requires extensive remediation works costing in the order of £700,000.
 3. They accept the provision of affordable housing at 25% of the total number of units.
 4. The site area is a hectare as an area of land in the north-west corner of the site is required for operational use and a gas governor has been installed with associated landscaping and parking. This is positioned in the optimum location and for ease of access by Transco. These works have already been implemented.
 5. Whilst the gas holder has been demolished and the pipelines diverted, the site has not yet been remediated until such time as a development is secured to offset the abnormal costs.
 6. The proposal reflects the principles of sustainable development and provides housing close to the town centre, within walking distance of jobs and with access to public transport.
4. Consultations
- 4.1 The County Highway Authority are satisfied that there would be no adverse effect on highway safety in relation to junction capacity.
 - 4.2 The District Highway Authority consider the parking provision to be reasonable having regard to the level of development proposed. The arrangements are however illustrative and it is essential that when further details are submitted, the entrance areas to the flats are located adjacent to the parking areas. The proposals are considered acceptable subject to appropriate conditions.
 - 4.3 The Environment Agency raise no objection in principle to the proposed development provided a condition is imposed regarding contamination at the site.

- 4.4 Environmental Services raise no objection to the principle of development subject to appropriate conditions regarding contamination and remediation, a noise vibration and pollution survey, hours of control on working and appropriate measures to prevent debris off site and dust problems.
- 4.5 The application was advertised in the Council's weekly list and individual letters were sent.
- 4.6 A petition has been received with 97 signatures from residents predominantly in Pretoria Road, Guildford Road area, backing onto Pretoria Road and Floral House. The petitioners object to the proposal and raise issues they wish to receive further consideration:
- relocation of the proposed access into the development;
 - contamination of the land and surrounding areas even after remediation work
 - who will own or supervise Pretoria Road in the future?
 - continued use of commercial vehicles accessing the industrial part on Pretoria Road

Other individual letters of objection raise the following issues:

- congestion
- too much traffic already
- highway safety
- access should be from Knoll Road or Hanworth Trading Estate
- residents on-street parking
- lorries blocking the road
- reiterate objections as stated on application RU.98/0577
- traffic survey only a snapshot in time
- road in poor state of repair
- pedestrian safety
- pollution
- structural damage to properties
- decrease in standard of living for existing residents
- devaluation of properties
- road not maintained
- contamination
- lack of privacy
- loss of daylight

- affect TV/satellite reception
- no footpath on one side of Pretoria Road, dangerous to pedestrians

4.7 The Chertsey Society do not object to the principle of residential development following decontamination and believe it is an excellent site for affordable housing. However, they suggest an alternative access through Hanworth Lane Business Park for the heavy lorries using the industrial works in Pretoria Road.

5. Planning Considerations

5.1 The site is situated within the urban area where the principle of development would normally be acceptable.

5.2 In relation to the previous refusal of planning permission the site area comprised 1.0231 hectare and as such represented an unallocated windfall site. At that time the only exceptional circumstances put forward by the applicant related to the fact it was a brownfield site and the cost of decontamination. No other circumstances or comparisons to long term reserve sites was put forward. In addition the proposal did not conform to highway standards, there was no provision of affordable housing and the application was premature and unacceptable.

5.3 The current proposal has attempted to address these issues.

5.4 The site area with the current proposal comprises 1 hectare of land and this is a reduction from the previous proposal due to the essential requirement for part of the land to be used as a siting for a gas governor. This has been installed as permitted development and is currently in operation and adjoins the access road to the site. In this respect Policy HO8 which relates to the phasing of housing provision is now not applicable as this only refers to sites of more than 1 hectare, although the applicants have submitted their own comparison of other sites having regard to a sequential test and sustainability criteria.

5.5 Pretoria Road represents a brownfield site and is in close proximity of the railway station and within walking distance of the town centre. In the circumstances, having regard to government guidance in the form of Planning Policy Guidance Note 3: 'Housing' and the revised Consultation Draft, this site represents the opportunity to make the best use of urban land on a brownfield site.

5.6 The applicant has also accepted the provision of affordable housing and is prepared to accept a condition which seeks the provision of 25% of the total number of units to fulfil the criteria of Policy HO4 and the Council's housing need.

- 5.7 In relation to the access the Traffic Impact Analysis has been considered by the County Highway Authority and they are satisfied that there would be no adverse effect on highway safety. In relation to the previous refusal, this analysis had not been submitted for consideration.
- 5.8 The internal arrangements have been considered by the District Highway Authority and having regard to the close proximity of public transport they are satisfied with the level of on-site parking provision. The current layout is illustrative and a request is made that when detailed submissions occur the relationship of parking to the flats is considered carefully. This can be drawn to the attention of the applicant by an informative.
- 5.9 A number of letters of objection have referred to previous Council policy which states that the access for the development should be from Hanworth Lane. However this refers to the long term reserve housing site and not the land subject to this application.
- 5.10 The application seeks permission for 34 flats and although all issues are reserved for subsequent approval apart from access, it is essential that the applicant demonstrates this number of units can be accommodated on the site. Illustrative plans have been submitted which show four blocks of three-storey flats on the site. Having regard to the distances to the boundary, the relationship of amenity areas to the flats and parking provision it is felt that this number of units can be accommodated on the site in an acceptable manner. On the illustrative layout Blocks A and part of Block D depending on the final siting and design could cause an element of overlooking. This has been brought to the attention of the applicant and any future design would need to ensure this issue is addressed. An informative will be attached to the permission on this matter.

6. Sustainability

- 6.1 In terms of the Council's adopted sustainability indicators, the proposal should not have implications in terms of climate change. In respect of land use, pollution and environment quality the proposal would lead to the use of a brownfield site including remedial works for decontamination which would improve the environmental quality of the area. Opportunities exist for residents to walk or cycle to the town centre and the train station is within walking distance, thus providing alternative means of transport.

7. Conclusion

- 7.1 The applicant has addressed the previous reasons for refusal and the current proposal is considered to accord with government advice and local plan policies and is therefore considered acceptable.

Recommendation

GRANT subject to the following conditions:

1. Standard Outline (C1) - delete "the means of access thereto"
2. Duration (Outline) (C2)
3. Details of Fencing/Walls (C23)
4. External Materials (Submission of Details/Samples) (C29)
5. Construction work of any sort within the area covered by the application shall only take place between the hours of 0800 and 1800 on Monday to Friday and 0800 to 1300 on Saturday. No works at all shall take place on Sundays or Bank Holidays unless otherwise first agreed in writing by the Planning Authority.

Reason: To protect the amenities of surrounding residential properties and other occupiers.
6. No soakaways shall be constructed in contaminated land.

Reason: To prevent pollution of groundwater.
7. Scheme for Decontamination (C113) - add "For the avoidance of doubt the scheme shall include details to determine the potential for the pollution of the water environment."
R113 - add "and to prevent the pollution of the water environment"
8. Protection of Highway from Mud etc (CH18)
9. No development shall take place until a fully detailed scheme regarding noise and vibration levels at the site have been submitted to and approved in writing by the Planning Authority. The scheme shall comprise any appropriate remediation measures which shall be carried out in full prior to the occupation of any of the development hereby approved and retained thereafter unless otherwise first agreed in writing by the Planning Authority.

Reason: To protect the occupants from noise or vibration disturbance.
10. The development hereby permitted shall not commence until a scheme providing for the provision of 'affordable housing' in respect of 8 dwellings (representing 25 per cent of the units) has been submitted to and approved in writing by the Planning Authority with the scheme including details of arrangements for implementation.

Reason: To accord with development plan policy.

Informatives

1. Dispersal of Mud etc I15
2. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown:

Drawing Number

Date Received

Supporting Documents
SPA/CH8 (A1)
SPA01 (B)
SPA02A, 03A, 04, 05,
06, 07, 08

Various Dates
26.7.99
24.5.99
24.5.99

The applicant is advised that the relationship of parking to dwellings and the potential of overlooking will need to be carefully considered during the detailed submissions.

2. Page 17

Former Gas Works, Pretoria Road, Chertsey – RU.99/0585

**Additional
Informative:**

Notwithstanding the details shown on the illustrative plans, the applicant is advised that careful consideration should be given to the final design and siting of the proposed flats to ensure there is no adverse effect on the amenities of adjoining dwellings in Hamilton Close and Pretoria Road.
