

PLANNING COMMITTEE

7TH MAY 2003

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RU.03/0289 Date reg: 17/03/2003 Ward ADDLESTONE NORTH

LOCATION: 37, 39 AND 41 SIMPLEMARSH ROAD, ADDLESTONE
PROPOSAL: DEMOLITION OF 41 SIMPLEMARSH ROAD AND CONSTRUCTION OF
NEW ACCESS ROAD AND ERECTION OF 6 X THREE BEDROOM
DWELLINGS WITH ASSOCIATED PARKING AND TURNING AREAS
TYPE: OUTLINE PLANNING PERMISSION
APPLICANT: Gilbert Homes Ltd

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

Second Alteration, April 2001: HO1, HO9, MV4, MV9, BE2

1. Site

1.1 The application site occupies an area of 0.15ha (0.37 acres) and consists of a two-storey Victorian detached dwelling (41 Simplemarsh Road) and the rear gardens of nos. 37 and 39 Simplemarsh Road. Immediately to the west of the site lies the Wagon and Horses Public House which has a large car parking area to the rear with access along the side wall and rear garden area of no. 41. To the east of the site lie two-storey detached properties with long gardens. To the south-east lie a number of detached bungalows and south of the site semi-detached two-storey properties. The site is within the urban area.

2. History

2.1 None relevant.

3. Application

3.1 Outline planning permission is sought for the demolition of 41 Simplemarsh Road and construction of a new access road and the erection of six three-bedroom dwellings with associated parking and turning areas. Siting and means of access are the only matters detailed to be considered at this stage.

3.2 No. 41 would be demolished and an access road with entrance gates would be constructed in its place. The submitted plans show the proposed road travelling along part of the rear garden of no. 39 terminating in turning areas which would effectively encompass the garden areas of nos. 41, 39 and 37. These properties currently have rear garden areas at least 65m deep. The proposals would reduce the garden areas of nos. 37 and 39 to approximately 18m. To the rear of these the submitted plan indicates a dwelling with its flank wall set in approximately 1.5-2m from the new boundary fence.

3.3 A rear garden serving this dwelling would face across towards no. 35. Immediately to the south of this property a staggered terrace of three properties and one pair of semi-detached dwellings are proposed. Two parking spaces to the front of each unit would be provided. The plans indicate a distance of 1.5m from the flank wall of unit 2 to the side boundary with no. 6 Bellmarsh Road, and the same to the side boundary with the Public House car park. A separation distance of 1.5m would be maintained between the flank wall of unit 3 and unit 4. Rear garden areas of 10-12m have been indicated on the plans.

4. Consultations

4.1 The application has been advertised in the Council's weekly list of applications and 20 individual letters have been sent to neighbouring properties.

4.2 Five letters have been received from neighbouring properties expressing the following concerns:

- capacity of the main surface water and foul water sewers;
- people parking within the visibility splay either side of the proposed access road;
- blind visibility from the new access, especially as there is adjacent access from the Public House;
- it would be better and tidier to manage refuse individually, the bins are too far away;
- the red on the plan showing the boundary adjacent to no. 35 is not correct;
- the rear car parking area will have a detrimental impact on neighbouring properties, especially due to noise and fumes;
- loss of privacy;
- loss of wildlife;
- out of keeping with the character of the area and loss of an old and attractive house;
- loss of light;
- overlooking and loss of a view;
- devaluation of property;
- Simplemarsh Road is too narrow for any further access roads;
- damage to footpaths;

- density is too high;
 - traffic calming should be introduced;
 - the new access road, pavement and gate should cater for wheelchairs and prams.
- 4.3 The County Highway Authority have raised no concerns in regard to the application subject to specific conditions.

5. Planning Considerations

- 5.1 The main issues for the consideration of this application concern the principle of residential development in this location, its impact on neighbouring properties by reason of its siting, the acceptability of the proposed access and compliance with relevant Local Plan policies.
- 5.2 The site is located within the urban area and occupied by a two-storey detached dwelling and rear garden areas.
- 5.3 The area is predominantly residential in character with a mixture of dwelling styles. In relation to the acceptability of residential development on the plot, as it is already in this use, this is considered acceptable subject to complying with other relevant criteria.
- 5.4 Planning Policy Guidance Note 3 (PPG3) 'Housing' states that full and effective use should be made of land within existing urban areas whilst respecting the character and amenity of the surrounding area.
- 5.5 This part of Simplemarsh Road is made up of various styles of dwelling, including detached dwellings with long gardens and detached bungalows.
- 5.6 The site to which the application relates has been subject to pre-application discussions where a number of concerns were raised regarding the development of the site.
- 5.7 No landscape buffer has been provided alongside the proposed access road and it is considered that this would lead to additional noise and disturbance in close proximity to the boundary with the existing dwelling no. 39 to the detriment of their amenities.
- 5.8 Existing properties along Birchfield Close and Bellmarsh Road are located in close proximity to the rear and side boundaries of the site. Five of the proposed units are located towards the rear section of the site and from the drawing submitted the separation distance from the rear of these units to the flank wall of no. 24 Birchfield Close would be approximately 22m. The distance to this property's rear garden would be approximately 10m.

- 5.9 No. 6 Bellmarsh Road, a detached bungalow, is located immediately east of the site and unit 2 would be located 1.5m in from the side boundary of this property and its new wall would be located 4.5m further forward. Despite there being a large amount of screening along this boundary, only part of it appears to be within the application site and there is no guarantee that it would be retained. Nevertheless, even if this was, it is still considered that the proposals would have a significant detrimental impact upon this dwelling.
- 5.10 Units 2-6 do not all provide rear garden depths of 10.6m and appear cramped within the site with limited space between the residential units and surrounding development. In regard to unit 1, the separation distances between this and nos. 37 and 39 would be less than 20m. It is considered that by virtue of these separation distances and its siting, unit 1 could have a detrimental impact on nos. 35, 37 and 39 Simplemarsh Road.
- 5.11 No objections have been raised by the County Highway Authority regarding the proposed access, subject to a number of conditions.
- 5.12 In the light of the above, although there is no objection in principle to the demolition of the property, this would be subject to a suitable replacement scheme.
- 5.13 It is considered that the current proposals appear cramped, out of character and of a piecemeal nature and would result in an unacceptable impact to neighbouring properties.
- 5.14 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the refusal of permission would result in a violation of the applicant's rights under the Convention.

Officers' Recommendation

REFUSE for the following reasons:

1. The proposal constitutes undesirable overdevelopment of the site and by reason of the siting, number of units, location of access and its piecemeal nature would be out of keeping with the character of the streetscene and detrimental to the amenities of adjoining properties, contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies HO1, HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.
2. The proposed development would, by virtue of the access road and car parking areas in close proximity to adjoining residential properties, be likely to lead to noise and disturbance to the occupiers of these properties to an unacceptable degree. As a result the proposals are contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

303/2 : 1

Date Received:

13.3.03

RU.03/0310 Date reg: 19/03/2003 Ward NEW HAW

LOCATION: JOURNEYS END & LAND R/O 4,5 & 6 MAYFIELD AVENUE, NEW HAW

PROPOSAL: DEMOLITION OF JOURNEYS END & ERECTION OF 9 DWELLINGS, ACCESS ROAD, PARKING AND LANDSCAPING WITH CONSERVATORIES TO UNITS 1,2 & 3 & INTERNAL ALTERATIONS AT FIRST FLOOR LEVEL TO UNITS 1, 2, 3, 4, 5, 6 & 9 (REVISIONS TO PERMISSION RU.02/1205)

TYPE: FULL PLANNING PERMISSION

APPLICANT: Chantry Estates

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

Second Alteration, April 2001: BE2, HO1, HO9, MV4, MV9, NE15

1. Site

1.1 The site to which the application relates is located on the south-western side of Mayfield Avenue with an area of 0.26 ha (0.642 acres). The land is presently occupied by a detached chalet bungalow on a substantial plot and also encompasses part of the rear gardens of nos. 4, 5 and 6 Mayfield Avenue.

1.2 The site is located within the urban area. This part of Mayfield Avenue is predominantly made up to two-storey detached properties, with a number of small cul-de-sac developments, including Basset Close and Westernmain to the south-east of the site.

2. History

2.1 *RU.02/1205* Demolition of Journey's End and erection of four two-bedroom dwellings, five three-bedroom dwellings, access road, parking and landscaping (revised description and plans received on 6.12.02) – Granted 19.12.02

2.2 The Committee should be aware that the applicant has appealed against condition 6 of the above planning permission. This effectively removed permitted development rights in order that the Planning Authority could maintain control over any subsequent enlargements in the interests of the visual and residential amenities of the area. The appeal is intended to be heard at an Informal Hearing on 10th June 2003.

3. Application

- 3.1 Full planning permission is sought for the demolition of Journey's End and the erection of six 3-bedroom dwellings and three 4-bedroom dwellings, access road, parking and landscaping. The development would consist of a replacement two-storey dwelling fronting Mayfield Avenue together with an access road serving a modern development of 8 further two-storey dwellings. Accommodation to be provided would include a living room, dining room, kitchen and w.c. on the ground floor with eight of the units having small conservatories.
- 3.2 The main part of the site would include three detached double garage blocks located to the rear of Units 4 to 9 of which one serving Units 8 and 9 would be accessed via an archway through. Units 2 and 3 would each have one 'off street' parking space with Unit 1 having two spaces to the front, accessed off the new road.
- 3.3 The proposed development would include various pitched roofs with a maximum ridge height of 8.8m, and projecting gables, and some units would have full height windows. Units 2, 3, 7 and 8 would not have any first floor rear habitable room windows. Unit 1 would be set in 1m from the side boundary with the adjacent property, Melrose, and the rear of Units 2 and 3 would be set in 1.6m. Units 7 and 8 would be set in 1.4m from the side boundary fence with no. 3 Mayfield Avenue and 9 and 10 The Paddocks.
- 3.4 The proposed access road would consist of a shared surface with three unassigned parking spaces and a 3.6m (maximum width) landscape buffer being created adjacent to no. 6 Mayfield Avenue. The proposed access road has been designed in order to provide for possible future extension onto adjoining land to the south-west. Close-boarded fencing would be erected along all boundaries and existing boundary planting would be retained and augmented. Materials to be used would include yellow stock bricks, red roof tiles, white render and painted weather boarding.
- 3.5 This is a revised application to that previously approved (RU.02/1205). The main changes are that instead of five three-bedroom and four two-bedroom dwellings, six three-bedroom and three four-bedroom properties are proposed. This has resulted in additional first floor windows to the side of units 2, 3 and 4. In units 1, 5, 6 and 9 rooms which were originally intended as bathrooms have now been changed to additional bedrooms, with no further windows being added.
- 3.6 The other alteration to the scheme is that conservatories have been added to units 1, 2 and 3. These would measure approximately 3.6m wide by 2m deep and a maximum height of 3m with a sloping roof.

4. Consultations

- 4.1 The application has been advertised in the Council's weekly list of applications and 38 individual letters have been sent to neighbouring properties. Eighteen letters have been received from neighbouring properties expressing the following concerns:

- as the houses will have more bedrooms, extra parking should be provided;
- the proposals are very high density and would be an overdevelopment of the site;
- such backland development will set a precedent;
- devaluation of properties;
- proposed conservatories will reduce the garden lengths to less than 10.6m;
- as Mayfield Avenue is very busy already, traffic calming should be considered;
- lighting from conservatories will lead to loss of privacy;
- the proposals will result in construction noise;
- any halogen spotlights in the small gardens should be banned as these are anti-social;
- mature planting should be provided along the boundaries in order to give screening;
- house on plot 1 may undermine footings and damage garage and car port at Melrose, Mayfield Avenue;
- overshadowing and loss of privacy;
- increase in on-street parking will reduce visibility for vehicles emerging from driveways in Mayfield Avenue;
- proposals will result in additional noise, car fumes and general disturbance;
- loss of security;
- the existing sewerage system may not be able to cope with the extra houses.

4.2 The County Highway Authority have raised no objections to the proposals subject to specific conditions.

5. Planning Considerations

- 5.1 The main issues for the consideration of this application concern the impact of the proposed revisions to the scheme on neighbouring properties, the effect of the development on the street scene and compliance with relevant Local Plan policies.
- 5.2 The site is located within the urban area and is currently occupied by one detached chalet bungalow set back from the edge of the pavement with Mayfield Avenue by approximately 16 metres with a double garage to the rear. The bungalow occupies a plot 18 metres wide by 90 metres in length. The immediate area is predominantly residential in character mainly consisting of two-storey detached dwellings occupying large plots along the Mayfield Avenue frontage as well as a number of modern infill developments.
- 5.3 The adjacent properties, nos. 4, 5 and 6 Mayfield Avenue have garden depths of approximately 65 metres.
- 5.4 The site is already in residential use and given the existing pattern of development in the immediate area, the principle of such development in this location is considered acceptable.
- 5.5 The development would occupy part of the rear gardens of nos. 4, 5 and 6, with these retaining rear amenity areas of between 21.4m and 25.4m in depth. The gross floor area of the development would amount to approximately 1000m² and equate to 35 dwellings per hectare.
- 5.6 Units 2 and 3 would not have any first floor rear windows and Units 4, 7 and 8 would only have first floor rear and side windows serving bathrooms which would be obscurely glazed.
- 5.7 The separation distances between the proposed development and the rear of properties in The Paddocks, Millan Close and Basset Close would range from 21m to 29.5m. The proposed three double garages would be located almost on the boundaries of the site and have pitched, sloping roofs, with a maximum height of 3.8m.
- 5.8 Within the site there is already a substantial amount of planting, especially along the south-east and south-west boundaries which would remain, and be added to.
- 5.9 With regard to the individual garden areas being provided, it was accepted during the consideration of the previous application that although some would not have an overall depth of 10.6m, they would have a good width ranging from 7.4m to 12.8m. It is not considered that the introduction of 2m deep by 3.6m wide conservatories would result in such a significant additional degree of harm to the future occupiers and neighbouring properties, especially that of Melrose, Mayfield Avenue to warrant refusal of the scheme alone.

- 5.10 In regard to the internal alterations to the units, two additional first floor windows would be added in the side elevation of units 2 and 3 and the existing approved windows would be slightly re-positioned. The new window would measure 60 cm wide by 1.2m high. A further window would be added in the first floor side elevation of unit 4 facing towards a blank wall of unit 5. One first floor front window each on units 5 and 6 and one first floor rear window each at units 1 and 9 will now serve bedrooms and not bathrooms and will therefore not be obscurely glazed. It is not considered that these changes would have a significant detrimental impact on neighbouring properties or within the street scene.
- 5.11 With regard to parking, although it is accepted that the number of bedrooms would be increasing, the Council's adopted standard for dwellings with three or more bedrooms is two spaces. At least 19 car parking spaces would be provided which equates to 2.1 spaces per dwelling.
- 5.12 The development to the rear has been designed in order to reflect the Council's Local Plan policies and the Surrey Design Guide with frontages hard up against the access road and parking to the rear in order to reduce perceived dominance of the car. A landscape buffer has been provided along the side boundary with no. 6 Mayfield Avenue.
- 5.13 Planning Policy Guidance Note 3 (PPG3) 'Housing' seeks to promote more sustainable patterns of development and to make better use of previously developed land, with the focus for additional housing being in existing urban areas.
- 5.14 The proposals, despite being of a contemporary design, would be comprehensive and not out of character within an area which has other modern infill development.
- 5.15 The County Highways Authority have raised no objections.
- 5.16 In the light of the above and by virtue of the separation distances between the existing and proposed properties, it is considered that the proposals accord with Local Plan policies and PPG3 and would represent a more sustainable use of the site.
- 5.17 It is not considered that the revised scheme would have a significant detrimental impact on neighbouring properties such as to warrant refusal.
- 5.18 In regard to other third party comments, any potential damage being done to the garage at Melrose could be controlled by the Party Wall Act 1996. Concern over the capacity of the sewage system is not within the remit of planning legislation but would be dealt with by the relevant utility company. Devaluation of property in itself is not a planning consideration.
- 5.19 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. External Materials (Submission of Details/Samples) (C29)
4. Landscaping Scheme (C11)
5. Details of Fencing/Walls (C23)
6. Permitted Development Removed (Class A, B & E, GPDO) (C37) R37(b)
7. Restriction of Garages etc to Private Vehicles/Storage (C56) – insert ‘double garages’
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no windows shall at any time be inserted in the north-west and south-east elevations of the dwellings hereby permitted without the prior permission in writing of the Planning Authority.

Reason: To protect the amenity and privacy of the adjoining residential properties.

9. The proposed first floor windows on the north-west elevations of Plots shown as 7 and 8 hereby permitted, shall be glazed in obscure glass of Pilkington Texture Glass Level 4 or above, or equivalent, details of which shall be submitted to and approved in writing by the Planning Authority. The approved glazing shall thereafter be so maintained and no variation to the approved glass shall be made without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the privacy and amenity of the adjoining residential properties.

10. No development shall take place until the new access road, including its junction with Mayfield Avenue has been constructed in accordance with the approved plans. No development shall begin before that junction and 20 metres of the new road have been completed and the visibility zones included in the design shall be part of the new road and shall not be included in any plot or other subdivision of the site.

Reason: The above condition is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

11. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated use.

Reason: The above condition is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

12. No development shall take place until a Method of Construction Statement, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials

shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The above condition is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

13. Working Hours Restriction (C68)

Informatives

- 1. Street Works Agreement Required (I15)
- 2. Deposits on or Damage to Highway (I15)
- 3. Completion of Access Before Other Operations (I16)
- 4. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
C2/JE001	18.3.03
C2/JE003 Sheet 1 Rev C	18.3.03
C2/JE004 Rev C	18.3.03
C2/JE005	18.3.03
C2/JE006 Rev B	18.3.03
C2/JE007 Rev B	18.3.03
C2/JE008 Rev A	18.3.03
C2/JE009 Rev C	18.3.03
C2/JE010 Rev B	18.3.03
C2/JE011 Rev B	18.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

5. The applicant is advised to have due regard to drawing numbers C2/JE002B and C2/JE003B Sheet 1 received on 6th December 2002 and C2/JE003A Sheet 2 received on 18th November 2002 in connection with planning approval RU.02/1205.
6. The applicant's attention is drawn to the Party Wall Etc Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.
7. The hardsurface of the service margin on the south-east side of the street should be changed to soft landscaping for practical laying and reinstatement of public utility companies' apparatus.

RU.03/0317 Date reg: 19/03/2003 Ward HYTHE

LOCATION: 4-6 THE PARADE, THORPE ROAD, EGHAM
PROPOSAL: ERECTION OF THREE STOREY BUILDING COMPRISING ONE RETAIL UNIT (CLASS A1) AND 9 FLATS (4 NO. X 1 BED, 4 NO. 2 BEDS AND 1 NO. X 3 BED) WITH REAR CAR PARKING AND ACCESS OFF MEADOW GARDENS (AMENDED DESCRIPTION 09.04.03)
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr R Pankhania

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

Second Alteration, April 2001: HO1, HO9, SHO5, MV9, BE2, SV2

1. Site

- 1.1 This site is roughly rectangular in shape and includes the two most southerly shop units and the car parking area to the rear of nos. 4 to 6 The Parade. The Parade is a small isolated group of shop units located on the eastern side of Thorpe Road between St Paul's Road and Meadow Gardens. The site covers approximately 0.13 hectares and incorporates the existing narrow vehicular access onto Meadow Gardens. There is a second existing access directly onto Thorpe Road at the southern end of the site.
- 1.2 One of the retail units is currently occupied by a newsagents. The other retail units formerly occupied by Upper Crust and the Hythe Supermarket are currently vacant. These units are one and a half storeys in height with no residential units above. The three adjoining shop units have flats above. These adjoining flats have balconies to the rear. There is also an air conditioning business operating from the rear of no. 3 The Parade.
- 1.3 The surrounding area is characterised by a mix of bungalows and two-storey dwellings.
- 1.4 This site is partially located within the flood plain. The site does slope from west to east. It lies in the urban area.
- 1.5 The applicant also owns two adjoining properties to the north of this site.

2. History

- 2.1 There have been several previous planning applications relating to these two units. The most recent and relevant applications are listed below.
- 2.2 In February 1989 outline planning permission RU.88/1657 was granted for a three storey redevelopment of this site comprising four shop units on the ground floor with six two bedroom flats above with car parking to the rear.

- 2.3 In October 1990 full planning permission RU.90/0814 was granted for the redevelopment of the site to provide ground floor retail shops and six flats. This consent was not implemented.
- 2.4 Planning permission (RU.97/0467) was granted for the retention of a portacabin for storage purposes to the rear of 4 The Parade in August 1997.
- 2.5 A full planning application RU.01/0476 was refused permission for the erection of a three storey building comprising one retail unit and 14 flats with rear car parking and access off Meadow Gardens in June 2001. The reasons for refusal related to overdevelopment of the site and the detrimental impact on both adjoining residential units. An appeal against this decision was dismissed in October 2001.
- 2.6 A duplicate application, RU.01/0477, was withdrawn in June 2001.
- 2.7 In February 2002 a full planning permission RU.01/1347 was refused for a two and a half storey building comprising one retail unit and 12 flats with rear car parking and access off Meadow Gardens. The reasons for refusal were again due to overdevelopment of the site and the detrimental impact on both adjoining residential units.

3. Application

- 3.1 This is an outline application with siting and means of access to be determined at this stage for the erection of a three-storey building comprising one retail unit (Class A1) and nine flats. There would be rear car parking and vehicular access off Meadow Gardens.
- 3.2 The main differences between the previous applications RU.01/0476, RU.01/1347 and the current application are summarised below:

	PREVIOUS APPLICATION RU.01/0476 (APPEAL DISMISSED)	previous applicatio ru.01/1347 - (REFUSED)	CURRENT APPLICATION - RU.03/0317
Number of flats	14	12	9
Mix of flats	5 x 2 beds 9 x 1 bed	5 x 2 beds 7 x 1 bed	1 x 3 bed 4 x 2 bed 4 x 1 bed
Width of building	22.5m (max)	22m (max)	23m
Depth of building	15.5m (max)	16m (max)	13m
Total floor area	960 sq m (approx)	860 sq m (approx)	820 sq m (approx)
Distance to flat at no. 3A The Parade	1 metre	1 metre	0 metre
Rear projection adjacent flat at 3A The Parade	2.6m	1.8m	1 metre
Distance to southern side boundary	0.2m	1m	0 metre
Distance to adjoining bungalow 'Kathlyn'	6m (approx)	6.8m (approx)	6m (approx)
Roof design	Gabled end	Hipped	Hipped
Height to eaves	6.9m	6m	6m
Height to ridge	11.5m	10.2m	9.8m

- 3.3 The applicant states that the proposed retail unit would cover 80 sq m in floor area. The proposed flats would cover an additional 740 sq m. The indicative plans submitted with this application illustrate three flats each on the ground floor, the first floor and the second floor.
- 3.4 The indicative elevations with this application illustrate that a building could be designed with the eaves and ridge height of the proposed building to match the eaves and ridge height of the adjoining two-storey building. The illustrative drawings indicate the building set off both boundaries at first and second floor levels.
- 3.5 The proposed building would be built across the existing vehicular access directly onto Thorpe Road. The existing access onto Meadow Gardens would need to be widened and upgraded. This would involve increasing its width from approximately 2.5 metres to 4.8 metres and improving the junction radii onto Meadow Gardens. The number of car parking spaces is not indicated with this application. However, the applicant has demonstrated with previous applications that 17 car parking spaces can be provided in the rear car parking area.

4. Consultations

- 4.1 This application has been advertised on the weekly list and 23 individual letters sent to local properties. There have been 18 letters of objection received from 15 households regarding this application. There are six standardised letters of objection. The main concerns are summarised below:
- concern regarding the screening along the rear boundary adjoining St Paul's Road;
 - vehicular entrance onto Meadow Gardens is quite narrow at that point;
 - Meadow Gardens currently serves as an overflow parking area for residents of Thorpe Road who ignore the double yellow lines. This is hazardous;
 - add to traffic congestion especially in morning and evening rush hours;
 - existing rear access onto Meadow Gardens is unapproved opening contrary to original design of the entrance;
 - the proposal includes 19 spaces for the flats but no parking for shop customers. Consequently, further shop parking would take place in Meadow Gardens;
 - some car parking takes place on the pavement to the front of the shop units;
 - exacerbate surface water and foul sewerage problems;
 - the building would be large and obtrusive compared to other properties in the vicinity;
 - out of character with surrounding area;

- a significantly smaller less obtrusive property which retained access onto Thorpe Road would not be opposed;
- developer seeking to maximise profits;
- adverse impact on local residents;
- loss of light and privacy to properties opposite in Thorpe Road;
- danger to children.

4.2 The County Highway Authority have requested additional information from the applicant.

4.3 The comments of the Environment Agency are awaited.

5. Planning Considerations

5.1 This is a revised application to redevelop the southern end of The Parade with a mix of flats and one retail shop following an appeal dismissal RU.01/0476 in October 2001 and a planning refusal RU.01/1347 in February 2002. Both these applications were full planning applications. This current application is an outline application with only siting and means of access to be considered at this stage.

5.2 The main issues to address with this proposal are whether this revised proposal overcomes the siting issues raised by the refusal of previous applications and the appeal decision.

5.3 The Inspector considered that the three-storey building proposed with application RU.01/0476 would be very large and bulky, visually dominant and significantly out of scale with its surroundings. It would have appeared out of place in the streetscene. There would have been a significant difference in height between the building and the adjoining bungalow 'Kathlyn' and the difference between the roof designs would have resulted in an awkward and incongruous development. The height and width of the proposed building and its proximity to the adjoining bungalow 'Kathlyn' and the first floor flat 3A The Parade would be detrimental to the residential amenities of these properties by reason of unacceptable overbearing effects, loss of light and loss of outlook.

5.4 The applicant has submitted floor plans and elevations of the proposed building which have altered the design of the building, reduced its height and set the building off both side boundaries at the upper floors. However, these drawings can only be considered as indicative. For the purposes of this outline application the relevant factors are the applicant's description of the proposed development on his application forms as a 'three storey redevelopment' and the site plan which proposes a building across the whole width of the site. In these circumstances (see table at paragraph 3.2 above) the proposed outline scheme does not overcome the previous reasons for refusal or the appeal decision in terms of its impact on the character of the area and the residential amenities of the neighbouring properties.

5.5 The illustrative drawings of the proposed elevations and floor plans may overcome the previous objections. However, because of the indicative

nature of these drawings they cannot be secured by this outline application. The most effective way forward is for the applicant to submit a full planning application so that these drawings can fully considered and adequately controlled if considered to be acceptable by the imposition of conditions. An informative could be added to this decision notice for the benefit of the applicant.

- 5.6 The two previous planning applications for a greater number of flats on this site both proposed vehicular access onto Meadow Gardens. The proposed vehicular access is in the same position as the two previous applications. Neither of the previous applications have been refused for highway or car parking reasons. Given the reduced number of flats with this scheme and corresponding reduction in the need for car parking spaces and associated vehicular activity, it is considered to be unreasonable to refuse this application on highway grounds.
- 5.7 The impact on the residential amenities of the neighbouring residential units is not a matter for proper consideration with this outline application.
- 5.8 The proposal would result in a net loss of one retail unit. This would strictly be contrary to Policy SHO5. However the scheme would provide one replacement retail unit which is considered to be acceptable in this location where other retail units are vacant or empty.
- 5.9 It is considered that this revised proposal does not overcome the previous reasons for refusal of application RU.01/0476 and the appeal dismissal. It is therefore considered to be unacceptable in planning terms.
- 5.10 Consideration has been given to the requirements of Articles 8 and 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the refusal of permission would result in a violation of the applicant's rights having regard to the intentions of the relevant Articles of the Act.

Officers' Recommendation

REFUSE for the following reason:

1. The proposed development by reason of its increase in floor area, scale and mass and proximity to common boundaries would represent an overdevelopment of the site resulting in an incongruous building incompatible with its surroundings and detrimental to the character and visual amenities of the surrounding area contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and Planning Policy Guidance Note 3 : 'Housing'.

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

HRA/4-6/TP/100	19.3.03
HRA/4-6/TP/104 Rev B	19.3.03
HRA/4-6/TR/105 Rev C	19.3.03
HRA/4-6/TR/103 Rev B	19.3.03
HRA/4-6/TR/106	19.3.03
HRA/4-6/TR/107	19.3.03
HRA/4-6/TR/108	19.3.03
HRA/4-6/TR/109	19.3.03

2. The applicant is advised that if the detailed floor plan and elevational drawings are submitted with a full planning application rather than as indicative drawings with an outline application then they may be acceptable to the local planning authority. The preference for this site remains a comprehensive redevelopment of the land between Meadow Gardens and St Paul's Road along the Thorpe Road frontage rather than the proposed piecemeal development. Any such application requires the submission of a design statement.

RU.03/0326	Date reg:	24/03/2003	Ward	ADDLESTONE NORTH
LOCATION:	24 - 28 SIMPLEMARSH ROAD, ADDLESTONE			
PROPOSAL:	DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF FOUR FLATS AND EIGHT DWELLINGS			
TYPE:	OUTLINE PLANNING PERMISSION			
APPLICANT:	Mr D Pullen			

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

Second Alteration, April 2001: HO1, HO9, MV4, MV9, BE2, NE14

1. Site

- 1.1 The application site occupies an area of 0.21ha (0.51 acres) and consists of a large two-storey detached house converted into four flats and a small detached two-storey dwelling. The site is on the north side of Simplemarsh Road and is bounded to the west by Brentwood Court, a development of two-storey maisonettes and a pair of semi-detached dwellings to the east. Properties fronting Ecton Road abut the rear of the site. The existing flatted property is set back approximately 17m from the back edge of the footpath whilst the detached dwelling is set further back at 24m. Narrow access to a block of garages at the rear is provided off Simplemarsh Road adjacent to the flank wall of the flatted building.
- 1.2 The 'dog leg' portion of the site is currently overgrown with no available access. However a number of mature trees are situated within it. The flatted building was recently subject to a fire, seriously damaging it. It should be noted that this building known as 24-26 Simplemarsh Road was recently subject to a planning application for its demolition and the erection of 5 two-bedroom flats which was approved at the last Planning Committee meeting on 16th April 2003.
- 1.3 The site is within the urban area.

2. History

- 2.1 *RU.02/0902* Demolition of existing flats and outbuildings and erection of three-storey building comprising 6 no. 2 bedroom flats at 24-26 Simplemarsh Road – refused on 4.10.02 for the following reason:
- “Overdevelopment, overbearing and out of keeping with the character of the streetscene and detrimental to the amenities of neighbouring properties.”
- 2.2 *RU.02/1412* Demolition of existing flats and outbuildings and erection of 3-storey block comprising 6 no. two-bedroom flats at 24-26 Simplemarsh Road – withdrawn 17.1.03.

2.3 *RU.03/0254* Demolition of existing flats and erection of five two-bedroom flats at 24-26 Simplemarsh Road – granted 16.4.03.

3. Application

3.1 Outline planning permission is sought for the demolition of the existing buildings and erection of four flats and eight dwellings. The only matters to be considered in detail at this stage are siting and means of access.

3.2 From the plan submitted, access to the development would be from a new road which would be sited adjacent to the side boundary of 20 Simplemarsh Road, running along the entire length of this property's garden, and terminating at the rear boundary fences of nos. 19, 21, 23 and 25 Ecton Road with a turning area.

3.3 The plans indicate a development of four flats which would be located off this new road and located approximately 4m further forward than the front of no. 20. The building would be set in just over 1m from the back edge of the new footway and 9.6m from the flank wall of no. 20. It would have a footprint of 121 sq m and would be set in 2m from the rear boundary with 1-4 Brentwood Court. A number of windows have been shown in the front and rear elevations on the indicative plans submitted.

3.4 Six car parking spaces have been shown to the front including two visitors' spaces as well as a bin store. A communal garden area has been shown to the rear with a cycle store.

3.5 The plans indicate to the rear of the proposed flats three pairs of semi-detached dwellings. The dwellings would be sited to the west of the proposed road, abutting the back edge of the footway. Each dwelling would occupy a footprint of 35 sq m with two tandem parking spaces to the side apart from plot 6 which would have 1 space and all have a rear garden area. The flank wall of the dwelling on plot 1 would be located approximately 9.4m from the rear wall of the proposed flatted development. The flank wall of plot 6 would be sited at least 6.4m from the rear boundary fences of properties in Ecton Road.

3.6 A further pair of semis would be sited within the rear 'dog leg' area with the frontages set back approximately 3.6m from the rear boundary fences of nos. 18 and 20 Simplemarsh Road. Four parking spaces would be provided adjacent to the flank wall of proposed plot 7. Plot 8 would be set in 1.6m from the side boundary of no. 12 Simplemarsh Road.

3.7 Indicative plans of the proposal flats and dwellings have been provided which show a kitchen, bathroom, living/dining area and bedroom for the flats and kitchen, living/dining area, two bedrooms and a bathroom for the houses. Front elevations have also been provided showing the flatted development with a hipped pitched roof with a height of 8.1m, a front gable and chimneys and two styles of dwelling, one with gable ends, one with hipped ends with a height of 7.9m and all with canopies over the front door.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications and 29 individual letters have been sent to neighbouring properties. Nine letters and a petition with twelve signatures have been received expressing the following concerns:

- proposal would result in overlooking;
- are all the trees to be removed as none are shown on the drawings?
- Simplemarsh Road is already very congested;
- loss of privacy;
- the proposed flats are completely out of line with the existing properties;
- increase in noise and pollution from vehicles travelling along the new access road;
- devaluation of property;
- loss of mature trees and green oasis which act as a screen and barrier to sound as well as being a sanctuary to many birds and other wildlife;
- out of character;
- light pollution will occur from the development being so cramped.

4.2 The County Highway Authority have raised no concerns in regard to the application, subject to specific conditions.

5. Planning Considerations

5.1 The main issues for the consideration of this application concern the principle of residential development in this location, its impact on neighbouring properties by reason of its siting, the acceptability of the proposed access and compliance with relevant Local Plan policies.

5.2 The site is located within the urban area and occupied by two two-storey detached buildings.

5.3 The area is predominantly residential in character with a mixture of dwelling styles. In relation to the acceptability of residential development on the plot, as it is already in this use, this is considered acceptable subject to complying with other relevant criteria.

5.4 Planning Policy Guidance Note 3 (PPG3) : 'Housing' states that full and effective use should be made of land within existing urban areas whilst respecting the character and amenity of the surrounding area.

5.5 This part of Simplemarsh Road is made up of various styles of dwelling, including modern two-storey development to the east, south and west and

Victorian semi-detached and terraced houses with long narrow gardens to the rear of the site. It is evident that the predominant context of development in the immediate vicinity of the site is two-storey.

- 5.6 The site to which the application relates has been subject to pre-application discussions. Following a number of concerns raised, the applicant has revised the proposals. The proposed flatted development appears to have been reduced in terms of unit numbers which is welcomed. However by virtue of its siting it would appear out of context with the neighbouring properties. The proposed flatted development would also have a potentially detrimental impact on plot 1 due to its separation distance of only 9.4m.
- 5.7 The proposed eight dwellings to the rear of the site would appear to have rear garden depths of less than 10.6m and would also be very narrow. These proposed dwellings would also face directly towards the rear gardens of nos. 18 and 20 Simplemarsh Road with a maximum separation distance from the frontages of plots 1-8 to the boundary fence of no. 20 being only 5m. As a result it is considered that the proposals would lead to a loss of privacy and overshadowing, having an overbearing impact on these properties, especially to no. 20.
- 5.8 No landscape buffer has been provided alongside the proposed access road and it is considered that this would lead to additional noise and disturbance in close proximity of the boundary with the existing dwelling, no. 20, to the detriment of the amenities of the occupiers of that property.
- 5.9 Although it is accepted that the proposal has detailed the means of access to the site and the siting of the buildings, no details of the effect of the proposal on the trees on the site have been provided.
- 5.10 No objections have been received from the County Highway Authority regarding the proposed access, however this would be subject to a number of conditions.
- 5.11 In the light of the above, although there is no objection in principle to the demolition of the properties, this would be subject to a suitable replacement scheme.
- 5.12 It is considered that the current proposal appears cramped, contrived, out of character, incongruous and of a piecemeal nature and would result in an unacceptable impact on neighbouring properties.

- 5.13 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the refusal of permission would result in a violation of the applicant's rights under the Convention.

Officers' Recommendation

REFUSE for the following reasons:

1. The proposal constitutes undesirable overdevelopment of the site and by reason of the siting, number of units, means of access and piecemeal nature of the proposal would be out of keeping with the character of the street scene and detrimental to the amenities of adjoining properties, contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies HO1, HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.
2. The proposed development would, by virtue of an access road and car parking areas in close proximity to adjoining residential properties, be likely to lead to noise and disturbance to the occupiers of these properties to an unacceptable degree. As a result the proposals would be contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft, December 2002 and Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration, April 2001.
3. The proposed development would be likely to involve the felling of trees to the detriment of the visual character and amenities of the area, contrary to Policies PE9 and PE10 of the Surrey Structure Plan 1994, Policy SE9 of the Surrey Structure Plan Deposit Draft December 2002 and Policies HO9, NE12 and NE14 of the Runnymede Borough Local Plan Second Alteration, April 2001.

Informative

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

Site Plan
10/02-002A & 006

24.3.03
24.3.03

RU.02/1180	Date reg:	09/10/2002	Ward	CHERTSEY MEADS
LOCATION:	COMPASS HOUSE, GUILDFORD STREET, FORMERLY AYMER HOUSE, CHERTSEY			
PROPOSAL:	PROPOSED RETENTION OF ONE DOUBLE SIDED NON-ILLUMINATED POST SIGN, FIVE NON-ILLUMINATED SIGNS TO THE EXTERNAL ELEVATIONS OF THE BUILDING AND WALL AND KERB MOUNTED SIGNAGE			
TYPE:	ADVERTISEMENT CONSENT			
APPLICANT:	Compass Group			

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

Second Alteration, April 2001: TC1, TC9, BE2

1. Site

1.1 Compass House comprises a recently constructed office development, located within the Town Centre and the Chertsey Revitalisation Area.

2. History

2.1 Various planning applications have been submitted relating to the initial construction of the office premises. However there are no relevant applications in respect of signage to the building.

3. Application

3.1 The applicant seeks retrospective consent for the erection of 1 double-sided non-illuminated post sign located upon the corner of the site, adjacent to the Eastworth Road/Charles Street junction. The sign has a width of 1.3 metres and extends to a height of 3.0 metres, and is constructed of solid aluminium solid panels, coloured in both white and silver.

3.2 Various signage has been erected upon the external elevations of the building, comprising a single high level non-illuminated sign upon the corner of the building fronting the junction of Station Road, and Guildford Street. This sign has a height of 0.8 metres and a width of 1.425 metres, constructed in aluminium and powder coated in silver. Individual stainless steel letters have also been erected at the main entrance of the building fronting Guildford Street entitled "Compass House". The letters have a maximum height of 0.242 metres and an overall width of 5.005 metres. In addition 2 high level signs have been erected upon the corner of the building facing Eastworth Road, and Guildford Street. These two signs are non-illuminated and have individual dimensions of 0.505 metres high x 0.9 metres wide. They are constructed of aluminium and powder coated in silver.

3.3 This application also seeks retrospective consent for the retention of signage to the south-east rear elevation of the building, fronting the car park. This comprises a single externally illuminated sign with a width of 0.75 metres

and a height of 0.425 metres. No details of the design and level of illumination have been submitted at this stage. This sign is constructed in aluminium and powder coated in silver. In addition a non-illuminated sign has been erected upon an existing wall, fronting Charles Street, This sign has a height of 1.128 metres and a width of 2.0 metres. The sign is constructed of aluminium and powder coated in silver. Revised plans also detail the erection of various signage within the car park, comprising of 17 wall signs with individual heights of 0.320 metres and widths of 0.250 metres, and 8 kerb signs with a height of 90mm and individual widths of 400mm.

4. Consultations

4.1 The application has been advertised in the council's weekly list of applications and 39 letters have been sent to properties surrounding the site. No letters of representation have been received in respect of the above consultations.

4.2 The County Highway Authority raises no objection to the proposals.

5. Planning Considerations

5.1 The proposed signage to the external elevations of the building and the existing wall fronting Charles Street are considered to be in keeping with the scale of the building, Their chosen colour and materials are also felt to be in character with both the existing building and the surrounding revitalisation area. The various car park signage is small in scale and not felt to be detrimental to the character of the area.

5.2 Given the design of the proposals and the distances retained to surrounding residential properties, no loss of amenity is considered to occur to residential properties surrounding the site. In respect of the single externally illuminated sign, it is considered acceptable in principal, subject to the submission and approval of further details relating to the design of the external lamp, and the level of illumination.

5.3 Objections are raised, however to the free standing doubled sided post sign. This sign is located in a prominent position within the Chertsey Revitalisation Area, at the junction of Eastworth Road and Charles Street. The sign is solid in design and extends to a height of 3.0 metres and to a width of 1.3 metres. It is considered that the sign is overly prominent and detrimental to the visual amenities of the area. In addition, given the number of newly constructed office premises, it is felt that approval could act as an undesirable precedent for future applications for large freestanding signage.

5.4 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that this decision would result in a violation of any persons' rights under the Convention.

Officers' Recommendation

SPLIT DECISION:

- (1) **REFUSE** consent for the retention of a single double sided non-illuminated post sign for the following reason:
1. The double-sided post sign, by reason of its position, height and design represents an overly prominent feature within the street scene which is out of character with the visual amenities of the area, contrary to Policies PE10 and DP18 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 and Policies TC1, TC9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.
- (2) **GRANT** consent for the retention of four non-illuminated signs and one externally illuminated sign to the external elevations of the building, and wall and kerb-mounted signage subject to the following conditions:
1. Advertisement Conditions (C92)
 2. Within 28 days from the date of this decision further details of the proposed external means of illumination in respect of sign 8 contained within drawing no. 11656-6 received on 30.1.03 to include the design and level of illumination shall be submitted to and approved by this Authority. When agreed, the external means of illumination shall be undertaken in accordance with the agreed plans and thereafter maintained.

Reason: In the interests of the visual and residential amenities of the area.

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
11656 1-9 (inc.)	30.1.03
3842X 10SELG (Site Plan)	30.1.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.02/1335	Date reg: 19/11/2002	Ward	ENGLEFIELD GREEN EAST
LOCATION:	COOPERS HILL SPORTS CLUB, COOPERS HILL, LANE, ENGLEFIELD GREEN		
PROPOSAL:	ERECTION OF 15 NO. X 6.7 METRE HIGH FLOODLIGHTING COLUMNS FOR COURTS 1-4 TO ALLOW USE OF THE FOUR TENNIS COURTS UP TO 10PM ON ANY DAY		
TYPE:	FULL PLANNING PERMISSION		
APPLICANT:	Coopers Hill Recreational Trust Ltd		

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

Second Alteration April 2001: GB5, BE5

1. Site

- 1.1 The site comprises 0.2 hectares and lies in the Green Belt and close by the western edge of Englefield Green Conservation Area and the southern boundary of an Area of Landscape Importance.
- 1.2 Coopers Hill Tennis Club is sited at the western side of Coopers Hill Sports Ground and south of Coopers Hill Air Forces Memorial Car Park. The club is adjacent to the residential street of Hollycombe with the rear gardens of Kingswood Rise to the south.
- 1.3 The club comprises of eight outdoor courts and an ancillary single storey clubhouse.

2. History

- 2.1 The Coopers Hill Sports Ground has an extensive history and the playing fields have been in existence since the 1940s.
- 2.2 Of most relevance to this application are the following:
 - *RU.79/0977* – The installation of floodlighting apparatus on two tennis courts (REFUSED 1980 but ALLOWED on appeal 1980);
 - *RU.94/0112* – Provision of floodlighting to four tennis courts mounted on 6 metre high lighting columns and associated landscaping (REFUSED 1994 and DISMISSED on appeal 1995)
- 2.3 The 1979 application was refused because of the impact of the floodlighting on the neighbouring properties residential amenities. The Inspector at that time accepted that the lighting would have encouraged evening use of the tennis courts and increased the noise disturbance for residents. However, given the distances of the courts away from Coopers Hill Lane and the number of intervening trees he did not consider that the new lighting would have any serious effect. The use of conditions for screen planting and to limit the hours of operation to 10 pm was deemed to make the proposal less objectionable.

- 2.4 The 1994 application was refused because of the impact on the Green Belt, on the character of Englefield Green Conservation Area and on the residential amenities of local residents. Firstly, the Inspector considered that as the tennis courts were an appropriate Green Belt use. He considered floodlights to be a necessary ancillary item of hardware, like for example wire netting, and therefore not inappropriate within the Green Belt.
- 2.5 Secondly, the Inspector considered that the addition of the columns and luminaires would not have had an unacceptable visual impact on the surrounding area and parts of the Conservation Area. It was considered that the light spilt from the courts, directly or by reflection would to a limited extent have had an adverse effect on the character of the area and the Conservation Area.
- 2.6 Thirdly, the Inspector considered that the effect of illumination from the floodlighting would have had detrimental consequences for the living conditions of local residents for the following reasons:
- The design of the luminaires would have kept light spillage to a minimum and no light would have shone directly into nearby residential properties. However the illumination of structures and trees associated with the courts, as well as of atmospheric particles, would have made it apparent that the lights were in use;
 - Light reflection from the surface of the courts could be screened from ground level viewpoints. However the establishment of a natural screen to a sufficient height would have taken a number of years and bright reflected light could never have been screened from the upper storey windows of the adjoining houses;
 - Although the lights would not have been used beyond 10 pm they would have had a significant impact on the area during the evening and the early part of the night at most times of the year that would have been unacceptably intrusive on the amenities of residents bordering the courts in this low-key residential context.
- 2.7 The appearance of the light columns and luminaires were considered to have no overbearing impression on residents to justify refusal and the Inspector was not persuaded that noise and nuisance from traffic and parked cars or the noise of voices and play from the use of four courts would have been unduly disturbing.
- 2.8 The Inspector noted the measures proposed to alleviate the effect of the floodlights on local residents, namely the design of the luminaires to minimise light spillage outside the courts, the provision of screening along the boundaries of the courts and the use of an automatic time switch to turn off the lights. His decision was also balanced against the advantages of extending the use of the courts into winter evenings, particularly for the coaching of young players. The applicants also suggested that the floodlighting could be restricted to three courts but the Inspector considered that the number of courts floodlit an essential feature of the proposal and not a matter that could be dealt with by a planning condition.

3. Application

- 3.1 This proposal is for the erection of 15 floodlighting columns for courts 1-4 to allow the use of the tennis courts up to 10 pm any day.
- 3.2 Courts 1- 4 are those tennis courts located at the northern end of the club. There would be three columns each at the eastern and western sides of courts 1 and 4 respectively with three columns also between courts 2 and 3. Two columns each would be located on the northern and southern ends of the courts with one central net column each between courts 1/2 and 3/4.
- 3.3 The height of each column would be some 6.9 metres (including the luminaires mounting bracket). Each lighting bracket would extend out by a maximum of 1.2 m from the column at an angle of 92 degrees i.e. the lights would have a horizontal mounting. The dimensions for each light box (known as the HiLux projector by Luminance Pro-Lighting Systems) would be 0.3 m (height) by 0.68 m (width) and 0.7 m (length) with multi-vapour metal halide lamps used. The columns and luminaires would be finished in green.
- 3.4 In total there would be 24 luminaires. The lamp configuration would include columns with single luminaires plus back-to-back luminaires and twin angle mounted luminaires. There would be six lights onto each court representing a total installed power of 24.96 (KWatt). Technical iso-contour plans have been submitted to show the calculated lux levels of horizontal illuminance for each court, of overspill and surface illuminance.
- 3.5 Supporting statements have been submitted by the applicant that are summarised below:
- The LTA (Lawn Tennis Association) believes that significantly increasing the number of floodlit courts is of strategic importance to the development and training objectives of national tennis associations;
 - Floodlighting a court increases annual playing time by some 35%. Offers enormous benefit over a club without floodlit courts by attracting new members with extra revenue brought in as a consequence. Extra membership and usage of a club also helps in other activities;
 - Floodlit courts attract and retain coaches of the highest standard benefiting players particularly those talented players entering competitions. Also, coaches are able to promote tennis;
 - Coppers Hill Tennis Club has an enviable reputation for coaching and maintaining this reputation is vital and floodlit courts are seen as essential to enable all ages, particularly young groups and after school groups, to play and be coached;
 - Proposal complies with Green Belt policy and lies outside the Area of Landscape Importance and is not within Englefield Green Conservation Area;

- Full consideration of residential amenities has been taken by the solution selected. A condition to limit the hours of use would minimise harm;
- Circumstances have changed since the 1995 appeal with greater emphasis now put on sport, recreation and associated preventative health programmes by Central and Local Government. The Inspector did not consider that light spillage warranted refusal except that the lights would be seen and technology has increased since then;
- A block of light would not be damaging to residential amenity. It would have 'to be seen, to be viewed.' Principally this would be when lights are in use and tennis being played, as residents go to and from their homes by car or walking. Difficult to consider this detrimental to residential amenity to justify refusal with the benefits derived from the proposal.

4. Consultations

4.1 The application was advertised on the Council's weekly list and in the local press. Forty-six individual letters of notification were also sent out to local residents. A total of 48 letters of representation have been received.

4.2 There have been 46 letters of objection to this application. The main reasons for objection are summarised below:

- Repeat of previous refusal, which was dismissed by the Inspectorate. No material change in circumstances;
- Floodlights taller and more obtrusive than previous refusals;
- Floodlighting for youngsters is desirable but not essential as the club has continued to operate without floodlights. This does not override the deleterious effect on the environment;
- Overspill of light into residents' habitable rooms;
- Adverse effect on openness of Green Belt;
- Block of light would fundamentally change nature and ambience of area currently with limited street lighting and normally very dark;
- Increase in traffic resulting in more accidents;
- Discourage nocturnal wildlife from area;
- Lead to pressure for expansion of rest of sports ground;
- Noise and disturbance from voices, vehicles as well as attracting crime;
- The courts are not used fully during the summer evenings and therefore there would appear to be a lack of demand;

- No special regard to preservation or enhancement of character of Conservation Area;
- In close proximity to Air Forces Memorial and damaging visitor impressions;
- No screening. Impossible to screen lighting adequately from residents;
- Out of character with Hollycombe, an open plan residential cul-de-sac. Residents are required by covenant to maintain an open and natural environment consistent with the surrounding landscape;
- Lighted tennis courts at Egham Sports Centre so why can't these facilities be used or indoor facilities e.g. Windsor Tennis Club;
- Ruin countryside outlook for residents with light pollution (direct, reflected and refracted) ruining the enjoyment of the night sky from an astronomical viewpoint;
- Devalue properties;
- Change in land levels would make the floodlights appear higher;
- Columns would be an eyesore even during the daytime and the light boxes would give the appearance of an industrial estate or prison compound.

4.3 Two letters of support have been received from Runnymede Sports Council and Tennis Surrey with the following reasons given:

- Coopers Hill Tennis Club is embracing 'Club Vision' an initiative set up by the LTA (Lawn Tennis Association) which aims to strengthen the club sector in terms of facilities, coaching and competitive opportunities;
- Meets the LTA aim of 'More Players, Better Players';
- Make significant difference to the opportunities for their members, local community and schools to be coached, play and compete;
- Allows for a year round programme of activity;
- Facilitates tennis opportunities for all young people and the local community rather than confining this to the private sector that provides severe competition to local, voluntarily run clubs.

4.4 The Commonwealth War Graves Commission has no objection to the proposal.

- 4.5 The Leisure Services Department of the Council supports the proposal because it would greatly improve the ability of the club to extend its playing season throughout the year and thereby improve its ability to sustain itself financially. Leisure Services consider that the choice of luminaires is well designed to minimise the amount of glare for adjoining residents. The proposal would enhance sports development opportunities for local people.
- 4.6 The Parks and Amenities Officer has no objection to this proposal.
- 4.7 Based upon the technical calculations submitted, the Council's independently appointed and qualified Lighting Engineer objects to the lighting of four or even three of the tennis courts. This is due to the levels of vertical illumination on nos. 1 and 2 Hollycombe that would exceed the maximum permitted lux levels as recommended by the Institute Lighting Engineer's (ILE) Guidance Notes for The Reduction of Light Pollution (Hollycombe categorised into category E2 i.e. low district lighting with maximum permitted light onto windows at 5 lux). The Engineer has no objection to the effect of the lighting on Kingswood Close as this would be within the guidelines.
- 4.8 The Council's Conservation Officer has no objection to this proposal.
- 4.9 English Nature and Surrey Wildlife Trust have no objections.
- 4.10 The County Highways Authority has no requirements to make.

5. Planning Considerations

- 5.1 Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation (PPG17, July 2002) states at paragraph 19 that 'In considering applications for floodlighting, local authorities should ensure that local amenity is protected. The impact on the openness of the Green Belt, or on the character of the countryside, of floodlight towers or pylons should be a key factor in determining whether planning permission should be granted.' The main issues to therefore consider with this proposal are the impact on residential amenities, on the Green Belt, on the character of the Conservation Area and Area of Landscape Importance.

Impact on residential amenities

- 5.2 The consideration of the impact on residential amenities is three fold; namely the visual appearance of the columns and luminaires, secondly the effects of the illumination and thirdly noise and disturbance.
- 5.3 Firstly, the columns would have a slender design and the luminaires would be equally discreet looking. Whilst objectors make reference to the drop in land levels, the height of the lighting is considered to be acceptable. The tree screen along the northern and eastern boundaries of the tennis courts would assist in reducing the prominence of the lighting and their colour would also help them blend into their semi-rural backdrop. Hence it is considered that the physical appearance of the columns and luminaires would cause no adverse harm to residential amenities.

- 5.4 The effects of illumination relate to direct light intrusion, light spillage, reflected light (for example off the surface of the tennis courts) and the halo or block of light created. It is a material planning consideration that the Council's Lighting Engineer objects to the level of vertical illumination on nos. 1 and 2 Hollycombe but not on those residents along Kingswood Close (see paragraph 4.7 of this report). For this reason the proposal is considered to cause adverse light pollution resulting in a significant loss of amenity for those residents at nos. 1 and 2 Hollycombe.
- 5.5 In general terms, the Lighting Engineer considers that the floodlighting system used and the height of the poles and the spill of light would be at a reasonable level for the surroundings. Furthermore, the halo of light above the courts, whilst dependent on weather conditions and air pollution levels, would not be excessive. Regardless though of these comments there would, however, be a presence of light that would be at a greater level than the existing low-key residential context that would make it apparent that the courts were in use. The applicant considers that this block of light would not cause detrimental harm. However, it is considered that this would undoubtedly be visually and consciously intrusive on the amenities of residents bordering the courts. This viewpoint was also held by the Inspector who considered the planning appeal in respect of planning application RU.94/0112 (see paragraph 2.6).
- 5.6 Whilst objectors' comment that the courts are already under used during summer evenings, the fact is that potentially during these summer months the courts could be used up to their full capacity and towards 10 pm without the need for floodlighting. It is therefore considered that arguing that this proposal would cause adverse noise and disturbance is tenuous. The night time arrival of vehicles with their lights on would cause a degree of increased harm but again there seems little justification to refuse the application based on these grounds.
- 5.7 Objectors express concern that crime would increase but again this holds little weight as normally increased light improves surveillance and therefore deters crime. It is likely that there would be an increased number of people in the area which may deter the likelihood of criminal activity.

Impact on the Green Belt

- 5.8 There is a strong presumption against development within the Green Belt and in principle floodlighting is an inappropriate and harmful use. Inappropriate development should not be permitted unless exceptional circumstances apply which outweigh the harm to the Green Belt. Policy GB5 of the local plan only permits *essential* facilities for outdoor sport where they preserve the openness of the Green Belt.
- 5.9 The letters of support received and comments by the applicant shows that there is a need for floodlighting if the tennis club is to remain financially viable and to improve opportunities for all in the future. Objectors however dispute this claim as, for example, the courts are underused even during the summer months and there are alternative facilities elsewhere. The validity of both arguments holds some weight but on the basis of the information submitted there would appear to be insufficient evidence to claim that the floodlighting is *essential in Green Belt terms*.

- 5.10 However, it is a material consideration that the Inspector who determined the appeal in respect of application RU.94/0112 accepted floodlighting as a necessary ancillary item of hardware and therefore not inappropriate within the Green Belt (see paragraph 2.4 of this report). This assessment could be challenged. However, it is considered that a consistent approach needs to be applied at this site and given the Inspector's previous comments and the applicant's points, this may represent very special circumstances.
- 5.11 Furthermore, whilst the number of columns and lights would urbanise the site in comparison with the existing situation. The proposed development would be sited within the existing enclosures. It is therefore considered that it would not visually spread development such as to cause perceived harm to the openness of the Green Belt. The design of the proposal would also assist in reducing its visual harm (see paragraph 5.3 of this report). In addition, the site is bounded from open Green Belt land to the east and north by the tree screen along the eastern boundary of the main sports field and by a conifer screen along the northern boundary.

Impact on Listed Building/Conservation Area

- 5.12 Policy BE5 requires that all development preserves or enhances the character or appearance of the Conservation Area. Englefield Green Conservation Area is defined by the historic Green and surrounding woodland and has a semi-rural character. Whilst the application site is outside Englefield Green Conservation Area any development on the edges of the Conservation Area may still impact on views into and out of it. The application site is not in close proximity to the Air Forces Memorial, a Grade II Listed Building, that is of utmost importance nationally and internationally. It is considered that given the distances involved it would not be detrimental to the setting of the listed building.
- 5.13 The previous inspection on application RU.94/0112 (see paragraph 2.5 above) concluded that "the floodlights would have an adverse effect on the character of the area including the Englefield Green Conservation Area and this is regarded as militating against approval of the proposal although not by itself sufficient to justify a refusal of permission". It is considered that given the number of proposed floodlights and the high level of illumination with this application, it would also be detrimental to the character of the Conservation Area and have a negative impact on the visual amenities of the surrounding area. However, should the number of floodlights and the intensity of illumination be reduced thereby minimising the general visual impact, this may be sufficient to overcome this reason for refusal.

Impact on Area of Landscape Importance

- 5.14 Policy NE8 defines Areas of Landscape Importance as areas selected principally because of their prominence and setting with extensive tree cover and where informal recreational use and public access is encouraged. Hence, special care ought to be taken in relation to development to ensure that the siting, scale, height, design and materials of any development would be in keeping with the surrounding landscape. As already explained the design of the proposal is considered appropriate

in its setting and so there is no objection to the impact on the Area of Landscape Importance.

Conclusion

- 5.15 The proposal is considered to be likely to cause a serious loss of amenity for residents by reason of the effects of the illumination of the tennis courts. It should also be noted that the applicant submitted technical calculations for the lighting of only three courts but this impact would still have been serious enough to warrant a refusal on residential amenity grounds.
- 5.16 Finally, consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the refusal of permission would result in a violation of the applicant's rights under the Convention.

Officers' Recommendation

REFUSE for the following reasons:

1. The proposed floodlighting with its high level of vertical illumination would be an unneighbourly form of development exceeding the maximum lux levels for an area of Low District Brightness (Category E2) as defined by the Institute of Lighting Engineers 'Guidance Notes for the Reduction of Light Pollution', detrimental to the residential amenities of nos. 1 and 2 Hollycombe, contrary to advice contained in Planning Policy Guidance Note 1 : 'General Policy and Principles' February 1997 and Planning Policy guidance Note 17 : 'Planning for Open Space, Sport and Recreation, July 2002.
2. The proposed number of floodlighting columns with their high level of vertical illumination would be detrimental to the character of the Englefield Green Conservation Area and the visual amenity of the surrounding area, contrary to Policy PE12 of the Surrey Structure Plan 1994, Policy SE5 of the Surrey Structure Plan Deposit Draft, December 2002, Policy BE5 of the Runnymede Borough Local Plan Second Alteration April 2002, Planning Policy Guidance Note 1 : 'General Policy and Principles' February 1997, Planning Policy Guidance Note 15 : 'Planning and Historic Environment' September 1994 and Planning Policy Guidance Note 17 : 'Planning for Open Space, Sport and Recreation', July 2002.

Informatives:

1. The applicant is informed that the lighting of courts 1 and 2 only, subject to technical calculations, which address the first reason for refusal may overcome the objections to this application.
2. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

Site location plan	15/11/02
Column position plan	15/11/02
Column elevations (Luminance Pro Lighting Systems)	15/11/02
Hi Lux projectors specifications (Luminance Pro Lighting Systems)	15/11/02
Technical calculations (Luminance Pro Lighting Systems)	15/11/02 & 5/3/03

RU.02/1437	Date reg:	10/12/02	Ward	ADDLESTONE NORTH
LOCATION:	TESCO, 117 STATION ROAD, ADDLESTONE			
PROPOSAL:	VARIATION OF CONDITION 13 OF PLANNING PERMISSION RU.01/0306 TO EXTEND THE HOURS OF DELIVERY FROM 0700-2100 TO 0600-2300 MONDAY TO SATURDAY AND 0900-1700 TO 0900-1800 ON SUNDAY			
TYPE:	FULL PLANNING PERMISSION			
APPLICANT:	Tesco Stores Ltd			

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

Second Alteration, April 2001: TC1, SHO6

Addlestone Town Centre Strategy (September 1999) Supplementary Planning Guidance

This is one of three applications before this Committee relating to this site – reports in respect of applications RU.03/0281 and RU.03/0273 also form part of this Agenda.

1. Site

- 1.1 The application site comprises 2.9 hectares of land and is located to the north of Station Road. The site is bounded by gardens of residential development fronting Church Mews, Finlay Gardens, St George's Court, St George's Road and Victory Park Road and commercial properties fronting Station Road and Victory Park Road.
- 1.2 In June 2001 planning permission was granted for a new Tesco store comprising 6508 sq m of Class A1 retail floorspace, a petrol filling station, service yard, car park, recycling centre, landscaping, plant and equipment and temporary building for a Post Office (RU.01/0306). Twenty five conditions were imposed. The new Tesco store opened on 26th November 2001.

2. History

- 2.1 There is a long history in relation to the site but the main elements relating to the current application are as follows.
- 2.2 *RU.01/1255* Variation of condition 15 of planning permission RU.01/0306 to allow an additional hour to deliveries to the petrol filling station 0700 to 2300 Monday to Saturday – Refused December 2001.
- 2.3 *RU.01/1256* Variation of condition 13 of planning permission RU.01/0306 to allow two additional hours for deliveries to the store : 0700 to 2300 Monday to Saturday and one additional hour : 0900 to 1800 on Sunday. This was withdrawn following concerns expressed by Officers and Tescos agreed to re-assess the situation and carry out additional noise survey investigations.

- 2.4 *RU.02/1273* Retention of external lighting scheme. This application was withdrawn following concerns expressed by officers in respect of the accuracy of the layout drawing.

3. Application

- 3.1 The application seeks permission to vary condition 13 of planning permission RU.01/0306 which states:

“No deliveries shall occur to the service yard adjoining the store outside the hours of 0700 to 2100 Monday to Saturday and 0900 to 1700 on Sunday.

Reason: In the interest of residential amenity.”

- 3.2 The application has been accompanied by two statements in support of the variation which state:

- Tesco's are experiencing severe operational problems as a result of the restrictions on deliveries;
- the store trades 24 hours and a significant portion of the night no fresh stock is coming in to replenish shelves, leading to inadequately stocked and inefficient store which does not benefit Tesco's customers. Number of complaints received from customers;
- during the period 1700 to 2100 hours intermittent problems arise if deliveries are delayed by traffic problems;
- aim to provide an efficient, competitive and innovative retail sector in accordance with PPG6 and should be allowed to operate without the burden of unnecessary or unjustified constraints;
- the acoustic report has been carried out since the store opened and concludes there would be no demonstrable harm to residential amenity as a result of the change to delivery hours;
- there would be only one additional delivery in the evening period;
- in the morning period 0600-0700 a maximum of three deliveries;
- the extended delivery hours would not result in additional deliveries to the store but reorganisation of the existing delivery pattern to maintain fresh stocks;
- agree to switch off the vehicles' refrigeration units before they arrive on the site and not be switched on until they have left. Reversing alarms can also be switched off;
- in the sensitive hours agree to instruct staff to be careful and minimise movement of cages and ensure mats are positioned between the tailgate and delivery surface to avoid banging of tailgate flaps on the external surface.

4. Consultations

4.1 The application was advertised in the Council's weekly list of applications, and individual letters were sent out. Ten letters of objection including one from the Crouch Oak Green Residents' Association have been received to the application as originally submitted which raise the following issues:

- original delivery hours more than adequate;
- loading bay near to residential properties and would cause additional noise and disturbance;
- Tesco has no respect or consideration for local residents;
- devalue properties;
- may breach Article 8 of European Convention on Human Rights "respect for private and family life" due to additional noise disturbance;
- cause gridlock on the local roads network;
- deliveries have been occurring to the front of the store

4.2 The County Highway Authority have no requirements.

4.3 Following receipt of revised details residents were reconsulted and three letters have been received which raise the following issues:

- Tescos amend things little by little;
- reiterate previous objections;
- residents experienced greater disturbance due to the increase in business at the site and it appears the changes are required for better store management;
- should be limited to 5 years only;
- do not believe the lorry drivers would turn off the refrigeration units or reversing alarms;
- the deterioration of the road outside their business at Victory House and the adverse effect on pedestrians. Tesco should be required to improve the road surface;
- three applications by Tescos recently and some appear to be the same as before.

4.4 The Council's Head of Environmental Protection has considered the noise survey and accompanying statements in support of the application. In addition officers have undertaken a noise monitoring exercise to assess the situation. From discussions on site it appears some deliveries may already have been occurring to the service yard early in the morning and no complaints have been received direct by Environmental Protection.

4.5 The recordings and results were comparable with the consultants' report carried out on behalf of Tesco's. There are two issues to be considered. Firstly in the consultants' report "average noise" from a delivery is predicted to be 49dB and this would not impact on residents. However, this may be misleading as there could be one or more loud noise events in this period which could affect residents. Secondly, the deliveries could raise the existing ambient background noise levels such that in the future if any further applications were submitted there would be increased background noise. To conclude, however, having regard to these two points and having fully assessed the consultants' report and carried out independent investigations, it is not considered there would be a significant adverse effect on the residential amenity of local residents as a result of the current proposal. If the application is permitted and subsequent complaints are received, these could be investigated as a potential statutory nuisance.

5. Planning Considerations

5.1 The site is situated within the town centre and main shopping core of Addlestone. In respect of the application the main determining issue is the impact of the change in hours on neighbouring residential properties.

5.2 The site is unusual in certain respects as it is a town centre location but with residential properties adjoining the majority of the boundaries of the site. In relation to the original permission for the store (RU.01/0306) the main area of concern related to the operational requirements put forward by Tesco. Having regard to the Acoustic Report, this Council felt it was essential to impose the condition restricting deliveries in the interests of amenity of adjoining residential properties. Paragraphs 5.11 to 5.12 of the Committee Report in respect of planning application RU.01/0306 stated:

“5.11 The main areas of concern however relate to the operational requirements put forward by Tesco. These are stated at paragraph 3.8 of the report. The Borough Environmental Services Officer objects to the hours of delivery to the store and filling station and believes they would cause significant noise disturbance to adjoining residents to the detriment of their amenity. The acoustic report acknowledges there is a problem with deliveries but believes the hours put forward are acceptable. In relation to the delivery yard for the main store, it is acknowledged that this has operated for the Co-Op for several decades. However in this time the nature of retail operations of such stores has changed materially. It is therefore a material consideration to address the effect on the residential amenity of adjoining properties in particular 1 and 3 Victory Park Road. Due to the low level of ambient noise after 2100 hours, it is felt that deliveries even with the provision of the acoustic fence and level alterations within the service yard there would be a significant adverse effect on these residents due to noise from deliveries. This would result not only from vehicles entering the site but the unloading, movement of cages on the raised platforms, lowering of tailgates, kick plates and operation of chiller units.

5.12 Furthermore the acoustic report does not address the noise that may emanate from the operation of static plant at the store. Officers have requested that the applicant accept a condition restricting the hours of delivery to 07.00-21.00 Monday to Saturday and 09.00-17.00 Sunday in the interests of the amenity of adjoining residential properties. The applicant has refused to accept this. Officers have again requested this condition be accepted and that following the opening of the store and operation for several months if Tesco wish to re-submit with an acoustic survey based on their operations at the site, the matter could be reconsidered. The applicants have rejected this approach. The hours suggested by the applicant are felt to be clearly unacceptable and there are considered to be two ways forward. The first would be to recommend refusal on this ground and works would need to cease on site until the matter is resolved or to impose the condition. The applicant has stated they would prefer the latter as they would submit a Section 73 application or appeal the condition but could

continue work on site. As the issue at stake is clearly focused and does not directly affect works, officers recommend that the condition is imposed rather than the application be refused.”

- 5.3 The current application has up-dated the acoustic report following the opening of the store and the supporting statements have addressed the issues raised by officers in previous letters. Following a detailed assessment of all the relevant information and the Council’s own investigations, it is not considered that the variation of the delivery hours to the rear service yard would cause significant harm to the residential amenity of surrounding properties. In the circumstances as the Council would not be able to demonstrate demonstrable harm as a result of the changes, the application is recommended for approval. If any problems did arise in the future these could be investigated under the Environmental Health Legislation if a statutory nuisance occurred.
- 5.4 To conclude, the condition was imposed on the original permission RU.01/0306 having regard to Circular 11/95 : ‘The Use of Conditions in Planning Permissions’. It is considered that the variation of the condition is acceptable and the extended delivery hours would not cause significant harm to the residential amenity of adjoining properties.
- 5.5 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors’ rights under the Convention.

Officers’ Recommendation

GRANT permission for the variation of condition 13 of planning permission RU.01/0306 to read:

“No deliveries shall occur to the service yard adjoining the store outside the hours of 0600-2300 hours Monday to Saturday and 0900 to 1800 hours on Sunday.”

Informatives

1. The variation of the condition is based on the details submitted with the application which include:

Lorry drivers turning off refrigeration units and reversing alarms between the hours of 0600 to 0700 hours and 2100 to 2300 hours Monday to Saturday.

If this does not occur and a nuisance occurs, the Council is likely to take action under the Environmental Protection Act as a statutory nuisance.
2. The applicant is advised that all the remaining relevant conditions on planning permission RU.01/0306 remain valid.
3. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number

Date Received:

Letters
Acoustic Report
Location Plan

9.12.02 & 31.1.03
31.1.03
9.12.02

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0200 Date reg: 20/02/2003 Ward FOXHILLS

LOCATION: TRUMPS FARM LANDFILL SITE, KITSMEAD LANE, LYNE
PROPOSAL: CONSTRUCTION AND OPERATION OF TWO GREEN WASTE IN-
VESSEL COMPOSTING UNITS FOR A TEMPORARY PERIOD OF UP
TO TWO YEARS
TYPE: FULL PLANNING PERMISSION
APPLICANT: Surrey County Council

This application has been referred to this Committee at the request of Councillor Mrs Barden

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

Second Alteration, April 2001: GB1, NE7, NE10
Surrey Waste Local Plan 1997: 5, 14, 10, 7

1. Site

- 1.1 Trumps Farm Landfill site is a closed landfill site owned and controlled by Surrey County Council (SCC). The landfill closed to waste imports in 1999 and the restoration works were completed in 2002. The site is currently in the after-care phase.
- 1.2 The site is located on the eastern side of Kitsmead Lane and close to the M3 motorway.
- 1.3 The site is within the Green Belt and the Landscape Problem Area.

2. History

- 2.1 *RU.95/0692* Variation of terms of planning permission RU.80/1125 dated 18.2.81 so as to enable infilling to continue until 31.12.2000 with restoration being completed by 31.12.03 – Object 6.9.95.
- 2.2 *RU.96/0885* Completion of tipping and restoration of landfill – No objection 9.12.96.

3. Application

- 3.1 Full planning permission is sought to allow 'in vessel' composting of household green waste for a temporary period of up to 2 years on an area of land on the western side of the landfill in the vicinity of the site control compound. The two 'in vessel' containers would comprise specialist low-density polyethylene (LDPE) tunnels called 'Ecopods' which would each measure 60m long by 3m wide by 2m high. The temporary facility would process approximately 1,600 tonnes of household green waste a year. Each ecopod has a handling capacity of 200 tonnes of green waste.
- 3.2 SCC's waste disposal contractor will supply 400 tonnes of household green waste from the County's House Waste Recycling Centres over a period of 3

to 5 days, every three months. It is not expected that there will be more than 1000m³ of waste on site at any one time.

- 3.3 The green waste will be shredded on site and supplied by conveyor to the ecopods which will be fitted with a rotary mechanism. Once the pod is full, the ends are sealed and aeration pipes are attached to a 1 kilowatt fan that is timed to blow air into the pods. Small vents are inserted into the skin of the pod. The outer skin of the pod would be coloured green. The processing time required should take no longer than 12 weeks from the time of shredding. The finished product is to be used on the Trumps Farm landfill site as a soil improver as part of the final restoration programme. Some of the finished product will be stockpiled to the south of the compound.
- 3.4 SCC have stated that it is proposed that green waste will be delivered directly from the transfer stations (Leatherhead, Slyfield, Charlton Lane and Epsom) using articulated bulk delivery vehicles (artics). In peak season the maximum number of deliveries from each transfer station will be 2 loads per day, therefore no more than 8 loads per day will be sent to this site. In low season this will be reduced to 1 artic load from each transfer station, therefore no more than 4 loads per day in total. In addition, green waste will be delivered from 6 Recycling Centres (Lyne Lane, Witley, Cranleigh, Farnham, Swift Lane and Wilton Road) using roll-on/off vehicles at a rate of 1 load from each site per day during the peak season and 1 load every two days from each site in the low season.
- 3.5 The proposed hours of operation would be only during normal site hours and not on Sunday or Bank Holidays. According to the County Council the proposal, due to production being less than 1000 cubic metres at any one time would be exempt for Environment Agency licensing, however it would have a duty to monitor the site.

4. Consultations

- 4.1 As with all 'County Matter' applications the primary consultations are undertaken by the County Planning Authority including Neighbour Notifications.
- 4.2 The County Highways Authority have raised no objections.
- 4.3 To date ten letters of representation have been copied to the Council which raise the following points of objection and concerns:
- the proposed pods will have vents and therefore will not be contained, leading to odours;
 - stockpiling the finished product also raises questions of whether it is totally inert and odour free;
 - what will the additional noise creation be?
 - dwellings in the residential area of Corrie Gardens are only approximately 320 metres away;
 - the Environmental Risk Assessment does not go into enough detail;

- there will be an impact of vehicle traffic to and from the site;
 - nothing has been mentioned in regard to the potential impact on wildlife within the area, especially a nearby badger population;
 - there would appear to be a significant environmental impact and cost of the transportation of the raw materials to the site;
 - the proposals do not comply with Policy WLP10 of the Surrey Waste Local Plan 1997;
 - although it is accepted that the Council is attempting to increase recycling and minimise landfill in the area, it appears that the closed site is not appropriate as it is very close to the existing operation at Lyne Lane which continually experiences odour problems. The proposals at Trumps Farm could also lead to odour problems which would be detrimental to properties in the vicinity of the site;
 - unacceptable visual impact;
 - the site is within the Green Belt;
 - why has soil improvement become necessary if the site has been landscaped and restored as required in Planning Approval RU.96/0885?
- 4.4 The Borough Environmental Protection Officer (BEPO) has been consulted and has raised concerns about odour issues while any stage of the composting process remains exposed to the atmosphere.
- 4.5 Any further consultation replies received via the County Council will be reported at the meeting.
5. Planning Considerations
- 5.1 The site lies within the Green Belt where there is a general presumption against inappropriate development, except in very limited circumstances relating to agriculture and forestry and other developments are only acceptable in very special circumstances. The proposal stands to be determined on its respective merits, having regard to the relevant policies and other material considerations.
- 5.2 The Borough Council has been consistent in its opposition and criticism of Trumps Farm as a waste disposal site especially in relation to its visual impact on the local landscape and associated pollution problems. Policy NE7 of the Council's Local Plan raises objection to any increased tipping with the site closed and restored to a lower profile than that approved, together with appropriate pollution control measures. The site is also subject to Policy NE8 and located within the Landscape Problem Area. Within these areas the Council will seek to improve the appearance of the landscape.

- 5.3 Policy WLP5 of the Surrey Waste Local Plan states that waste related development which would conflict with the purposes of including land in the Green Belt and which would not maintain openness is inappropriate and will only be permitted in very special circumstances. However, planning permission for waste related development which is not inappropriate in the Green Belt may be granted including waste recycling and treatment facilities associated with landfilling to secure the restoration of mineral workings where:
- i) the facilities are for a temporary period not exceeding the life of the restoration of the mineral working; and
 - ii) they produce materials for the infilling and restoration of the site; and
 - iii) they do not delay restoration and maintain high environmental standards.
- 5.4 In their supporting statement SCC currently collects approximately 26,500 tonnes of green waste per year. The County Council is seeking to maximise the quantity of waste that is diverted from final disposal, including landfill. Currently the majority of household green waste collected at the 15 household waste recycling centres (HWRCs) are taken to the commercial composting site in Lyne. However this traditional composting facility has raised concerns regarding odour emissions within an urban environment and SCC is therefore investigating more environmentally acceptable composting systems.
- 5.5 Policy WLP7 of the Surrey Waste Local Plan states that planning permission for waste-related development will not be granted unless it can be demonstrated by the provision of appropriate information to support a planning application that any material adverse impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.
- 5.6 Although it is accepted that a number of issues have been looked at in regard to the proposals, such as drainage, pest control, dust, litter and noise, a number of concerns are raised. The Borough Council has been consistent in its opposition and criticism of Trumps Farm as a Waste Disposal site and wishes to see the site remain closed and restored. However the County Council are now seeking the use of the site for a 2 year pilot study.
- 5.7 As mentioned earlier in this report odour is clearly a problem at the existing Lyne Lane composting site. The proposals would be located approximately 1.5 miles from this site. The Borough Council's Environmental Protection Officer has raised various concerns about potential odour from the green waste especially in relation to the procedure for its handling and storage from its receipt on site to it being introduced into the 'in vessel' ecopods. Also the delivery of green waste which may have already spent time at the various civic amenity sites will be likely to have 'turned' and be highly odorous. Unless this is shredded and introduced into the ecopods within a few hours of receipt it is likely to remain highly odorous throughout the process and cause a problem with flies and rats.

- 5.8 Paragraph 2.19 of the County Council's supporting statement states that loads delivered to the composting and storage areas will be deposited into piles and the piles will be kept tidy and pushed into a heap. No further details of the proposed compost storage area has been provided which could be a potential source of odour.
- 5.9 The County Highway Authority have raised no objections to the proposals. Structure Plan Policy DP32 states that temporary development associated with waste disposal operations, including waste recycling and transfer, may be acceptable provided there is a demonstrable need for development, there is no materially adverse impact on the environment and there is a positive benefit in its location at the site. In the light of the above it is not considered special circumstances have been demonstrated to justify the proposals.
- 5.10 Although it is accepted that the proposed ecopods will have a low visual impact due to their height and proposed location, it is not considered that the proposals have been investigated thoroughly enough especially in the light of the Lyne Lane composting facility and its associated problems.
- 5.11 The principle of recycling is strongly supported and given the operational requirements of activities like composting, if such installations are to be provided in Surrey then Green Belt locations may be necessary. However, it is important that any such sites are carefully selected in order to minimise the impact upon the Green Belt.
- 5.12 The application site has long ceased to be associated with waste disposal activities. To grant permission could undoubtedly establish a precedent for the provision of additional recycling and waste disposal facilities here, all of which would further detract from the Green Belt. It is therefore recommended that objections be raised.

Officers' Recommendation

OBJECT on the following grounds:

1. Undesirable Precedent (R420)
2. The proposal conflicts with the policy for the preservation of the Metropolitan Green Belt, as defined and described in Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policies LO4 and LO5 of the Surrey Structure Plan Deposit Draft December 2002 and Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001.
3. The proposal would serve to both perpetuate and increase the severe environmental damage which has already been caused to this area of Green Belt countryside and to local amenity contrary to the Surrey Structure Plan 1994 Policy and Surrey Waste Local Plan 1997 WLP7.
4. The Planning Authority does not consider that sufficient reasons have been put forward in support of this application to justify the acceptance of the proposed composting units within the Green Belt

and to local amenity especially in regard to potential odour issues. As a result the proposals would be contrary to Policies PE1, PE2 and DP32 of the Surrey Structure Plan 1994, Policies LO4 and LO5 of the Surrey Structure Plan Deposit Draft December 2002, Policy WLP7 of the Surrey Waste Local Plan 1997 and Policies NE7 and NE10 of the Runnymede Borough Local Plan Second Alteration April 2001.

5. The proposals would generate additional traffic which would intensify commercial activities within this prominent Green Belt area and further detract from the visual and general amenities of the area and its open character.

Informatives

1. If the County Council are minded to grant permission, notwithstanding the Council's objections, then it is requested that regard be had to the following matters:
 - i) That all technical matters be resolved before the grant of planning permission, rather than by way of subsequent approval; and
 - ii) That the site be monitored to ensure that the working/programme is adhered to and that the operations are completed within the approved time limit.

RU.03/0212 Date reg: 24/02/2003 Ward VIRGINIA WATER

LOCATION: 13 ABBOTS DRIVE, VIRGINIA WATER
PROPOSAL: ERECTION OF TWO STOREY DETACHED DWELLING WITH
ACCOMMODATION IN THE ROOF WITH ATTACHED GARAGE
FOLLOWING DEMOLITION OF EXISTING DWELLING.
(AMENDED PLANS RECEIVED 10.04.03)
TYPE: FULL PLANNING PERMISSION
APPLICANT: Dr P Loxton

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

Second Alteration, April 2001: HO9, BE2

1. Site

- 1.1 The application property is a detached bungalow on a site of 0.18ha (0.45a), situated on the eastern side of Abbots Drive.
- 1.2 The site is roughly level, and contains many mature trees, mostly on the site boundaries. There is a Laurel hedge some 3-4m in height along the front boundary which screens the dwelling from the road. The northern side boundary vegetation is approximately 4m in height and relatively dense, although that on the southern flank is more patchy.
- 1.3 The property to the north is a two-storey 1970s dwelling, set some 5m off the boundary. To the south is a chalet style property with a narrow width, but many windows on its flank looking towards the application site. It is set approximately 3m off the site boundary at its nearest point.
- 1.4 The site is in the urban area.

2. History

- 2.1 The only relevant application is for a single-storey extension to the bungalow in 2000 (ref. RU.00/1158).

3. Application

- 3.1 Permission is now sought to demolish the existing bungalow and replace it with a two-storey dwelling with rooms in the roofspace. The floor area of the proposed dwelling would be 413 sq m, the ridge height 9.25m and spacings of 3.35m and 4.4m would be provided to the southern and northern flank boundaries respectively.
- 3.2 The revised plans now to be considered have handed the dwelling, so that the attached double garage is on the southern side.
- 3.3 A design statement, including photographs of the site and adjoining properties has been submitted with the application and an arboricultural

report has also been prepared identifying position, height and health of the trees on the site and proposed protection during construction.

4. Consultations

- 4.1 The application was advertised on the weekly list and letters sent to 8 properties nearby. An objection was received to the application as originally submitted from the adjoining property to the south. The occupiers raised concerns over windows on the flank which they considered would cause overlooking/loss of privacy and loss of light to the side of their dwelling. The tree report submitted with the application indicated that some Cypress trees on the boundary should be considered for removal and they felt that if this happened, loss of privacy would be exacerbated.
- 4.2 The adjoining residents have been re-consulted on the revised plans which hand the house, and any comments received will be reported to the Committee.
- 4.3 The County Highway Authority have no requirements in respect of the application.

5. Planning Considerations

- 5.1 The site is in the urban area. The majority of properties on the road are two storeys, and many are recent replacement dwellings which have rooms in the roofspace with front dormer windows. The principle of a replacement dwelling is thus considered to be acceptable.
- 5.2 The design of the house is in keeping with recent replacement dwellings opposite and at no. 17. It does not reflect the very different designs of the adjoining properties but given the mixed character in the road, it is considered to be acceptable.
- 5.3 Similarly the scale, height and bulk of the dwelling is in keeping with other replacements on this side of the road, and the spaces to the boundaries are considered to be reasonable. The dwelling is shown to be set back some 17-18m from the road, forward of no. 15, but marginally back from no. 11. The existing vegetation is shown to be retained and thus will screen the house from the road.
- 5.4 The handing of the dwelling removes the majority of side windows on the southern flank leaving only kitchen and breakfast room windows on the ground floor and a bathroom window above. The first floor window can be conditioned to be obscurely glazed. There will be an 8-10m gap between the windows and site boundary with no. 11 and it is not considered on this basis that overlooking/loss of privacy would be material. Bedroom windows are proposed on the northern flank, but given their positions relative to the adjoining property, and existing screening, it is not considered that there would be serious overlooking/loss of privacy to the neighbouring residential properties.
- 5.5 No. 11 Abbots Drive is almost due south of the application site and the handing of the dwelling will decrease the bulk of the replacement building adjacent to their property. Loss of light will not now be significant. On the

northern side, no. 15 is sited further back on the site, and orientated towards no. 13. It is also north of the application site. There may be some loss of light to the front/side of no. 15 but given the separation between the proposed dwelling and no. 15 of some 8m, and thick boundary screening some 4m in height, it is not considered that loss of light will be material.

- 5.6 Important boundary trees and hedges are to be retained and conditions are recommended on any permission requiring protection during construction and landscaping details to ensure that any planting lost is replaced and gaps in boundary hedging filled.
- 5.7 Consideration must be given to the impact of any decision in relation to Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. The applicant has amended the plans in an attempt to overcome the concerns of the neighbouring residents and refusal is not now considered to be justified on the basis of the concerns raised.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Landscaping Scheme (C11)
4. Except where otherwise agreed in writing by the Local Planning Authority, all trees shown to be retained on drawing no. SC689-P10-01 Rev D received on 10th April 2003 shall be retained until the expiration of five years from the date of completion of the development.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area.

5. Tree Protection (Fencing) (C20)
6. Tree Protection (Burning) (C18)
7. Tree Protection (Trenches) (C19)
8. External Materials (Submission of Details/Samples) (C29)
9. Restriction of Garages etc to Private Vehicles/Storage (C56) – 'garages'
10. Opaque Glazing (New Dwellings) (C63) – 'first', 'south', delete 'be fixed closed'
11. Height of Development (C46) – '9.2 metres', after 'ground level' insert 'along the front elevation of the dwelling as shown on drawing no. SC689-P12-01 Rev C'.

12. Construction Related Loading and Parking (CH15)
13. No Windows in Elevation (New Dwelling) (C61) -
'northern, western and southern'

Informatives:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
SC 689-P10-01 D	10.4.03
SC 689 P12-01 C	10.4.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

2. The applicant/potential developer is advised that the protective tree fencing (condition 5) is required around all of the trees specified in condition 4 of the decision notice.

RU.03/0214 Date reg: 25/02/2003 Ward EGHAM TOWN

LOCATION: 18 CLARENCE STREET, EGHAM
PROPOSAL: ERECTION OF CONSERVATORY TO REAR OF PROPERTY
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr J Hudson

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

Second Alteration, April 2001: HO9, BE2

1. Site

1.1 No.18 is a two-storey semi detached dwelling on the eastern side of Clarence Street. It is a red brick building with a pitched roof. The dwelling has a two-storey flat roof extension to the southern side of the dwelling. There is also a rear conservatory, which projects 1.5 metres from the rear of the dwelling. The northern side elevation of the existing conservatory consists of a 3 metres high brick wall, which is higher than the conservatory. No.17 is located to the north of the site and No.19 to the south of the site.

1.2 The northern boundary treatment consists of a 1 metre high wire fence to the rear of the garden and a 1.4 metre high wooden fence closer towards the dwelling. The southern boundary treatment consists of a 2 metre high wooden fence to the rear of the property and a 2 metre high hedge closer towards the dwelling. There is a large shed on the rear boundary of the property.

1.3 The site is in the urban area.

2. History

2.1 *EGH.72/15542* Two storey side extension GRANT 31/10/1972

3. Application

3.1 This is an amended full planning application for the erection of a rear conservatory.

3.2 The proposed conservatory would be to the rear of an existing conservatory. The existing projects 1.5 metres from the dwelling, the proposed would project 2.5 metres. This combined constitutes a 4 metre projection from the original dwelling. The applicant is proposing a 3.25 metres high wall adjacent to the shared boundary with No.17 tapering to 2.5 metres in height. This wall would form the side elevation of the conservatory. The height of part of the wall has been reduced from 2.8 to 2.5 metres.

3.3 There would be no windows in the northern side elevation of the conservatory. There would be windows in the southern and eastern elevations and a set of double doors.

4. Consultations

4.1 The County Highways Authority has been consulted and have no requirements.

4.2 This application has been advertised on the Council's weekly list and three notification letters were sent to neighbouring properties. One letter of objection has been received from the occupiers of the neighbouring property No.18. The main concern raised in the letter is the height of the proposed wall. It is thought to be too high, dangerous, overbearing and likely to cause loss of natural light.

4.3 No representations have been received on the amended plans.

5. Planning Considerations

5.1 This is an amended full application for the erection of a conservatory to the rear of the property. The main considerations for this application are; the impact of the proposal on the character of the area; the design of the conservatory; and the affect the development would have on the residential amenities of neighbouring properties.

5.2 The conservatory would be located to the rear of the dwelling and therefore would not be visible from the streetscene. It is therefore considered to have an acceptable level of impact on the character of the area.

5.3 The design of the conservatory includes a brick flank wall on the northern elevation. This wall has been reduced in height so that it would not be higher than the proposed conservatory. Overall the design is considered to be acceptable.

5.4 The neighbour most likely to be affected by this proposal would be the neighbouring property No.17. The proposed conservatory would be adjacent to the shared boundary with this property. As the proposed conservatory would be to the rear of an existing conservatory, the combined projection would be 4 metres. The side elevation of the conservatory on this boundary is a 3.25–2.5 metre high brick wall. It is considered that the extension would not block natural light to any windows in the neighbouring property. No significant harm to the residential amenities of the neighbouring properties is envisaged with this proposal.

5.5 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of the objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informatives:

1. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
2. The annotations and scale on the drawing showing floor plans and elevations of the proposed conservatory do not correspond. This planning approval is based on the scale stated on the drawing as confirmed in your letter dated 27th March 2003.
3. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Location Plan	24.2.03
Floor Plans/Elevations	10.4.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

4. The applicant/builder are advised that this application has been amended. The amended drawings which have been approved were submitted to the local planning authority on 10th April 2003 and indicate a reduction in the height of the brick wall along the boundary with no. 19 Clarence Street. The applicant/builder should therefore ensure that the proposed conservatory and wall are erected in accordance with the amended drawings and not the original drawings submitted with this planning application.

RU.03/0229 Date reg: 03/03/2003 Ward EGHAM TOWN

LOCATION: 70 THE GROVE, EGHAM
PROPOSAL: ERECTION OF TWO STOREY EXTENSION FOLLOWING DEMOLITION
 OF EXISTING CONSERVATORY
TYPE: FULL PLANNING PERMISSION
APPLICANT: Ms Lincoln

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

 Second Alteration April 2001 : HO9, BE2

1. Site

1.1 No.70 is a two storey terraced dwelling, with a rear conservatory. It makes up part of a purpose built scheme for retirement homes. It is located on the southern side of The Grove and Grove Court encompasses the block of terraced dwellings. No.69 adjoins the northern side of the dwelling and no.68 adjoins the eastern side. No.70 is a substantially sized corner plot with a footpath running along the western and southern boundaries. A block of flats Nos.79-89 School Lane are located to the west across the footpath.

1.2 The rear boundary treatment consists of a 2 metre high fence running along all boundaries.

1.3 The site is in the urban area.

2. History

2.1 No previous or relevant history.

3. Application

3.1 This is a full application for the erection of a two-storey extension following the demolition of the existing conservatory.

3.2 The two storey extension would project 3 metres to the rear of the site and have a width of 5.6 metres. It would be adjacent to No.68 and be flush with the rear of this dwelling. The proposed extension would be pitched roofed with a ridge height of 7 metres, which would be 0.85 metres lower than the ridge height of the existing dwelling.

3.3 There would be one first floor window in the western side elevation of the proposal. In the rear (southern) elevation would be one first floor window, one ground floor window and a set of patio doors.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications. Four letters have been sent out to neighbouring properties.

4.2 One letter of objection has been received from the neighbouring property No.69. The main concerns raised in this letter relates to the additional bedroom. They believe that the extra bedroom would increase the level of traffic (people) passing their front door. They state that they would be prepared to withdraw the objection if No.70 was prepared to forfeit their right of way which crosses over their land and use another entrance gate leading off the public footpath. The letter also states that the applicant has indicated ownership of two parking spaces however the deeds state that one of these parking spaces is shared with No.69.

4.3 The County Highways Authority has no requirements.

5. Planning Considerations

5.1 This is a full application for the erection of a two-storey rear extension following the demolition of an existing conservatory. The main considerations for this application are the impact on the character of the area, the design of the extensions and the affect on neighbouring residential amenities.

5.2 The proposed two-storey rear extension would only be visible from the public footpath, which leads around the rear of the site. Given its position it would be a discrete addition to the dwelling and is therefore unlikely to adversely affect the character of the area.

5.3 The design of the extension – All the materials for the proposed extension would match those of the existing dwelling. It would have a pitched roof, which would match the existing. It is considered that the proposal would be sympathetic to the existing dwelling and acceptable in design terms.

5.4 The proposed extension would be adjacent to a flank wall of No.68, which has no windows. Given the positioning of the proposed extension it is unlikely to adversely affect the residential amenities of neighbouring properties. There is a window at first floor in the flat (School Lane elevation) located to the west of the site. This window is small in size and is a hall or stairway window. The proposed window in the western side elevation of the proposed extension would not directly face this window.

5.5 In reference to the concerns raised by the neighbouring property regarding increased traffic (people) passing the front door of their property, this is not considered to be a significant a planning consideration and would not constitute a reason for refusal in this instance.

5.6 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informatives

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Location Plan	3.3.03
Floor Plans & Elevations	3.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

2. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
3. The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared walls, on a boundary or if excavations are to be carried out near a neighbouring building.

- The reduction in light will render this conservatory a 'dark room' and render the dining room unusable without artificial light;
- The removal of the boundary fence is also strongly opposed;
- The gap between both conservatories would be wide enough to allow 'dogs, children or adults entry', resulting in a loss of privacy; and,
- The removal of two boundary conifers would result in a loss of privacy.

4.3 The County Highways Authority have no requirements to make regarding this application.

5. Planning Considerations

5.1 The application site is located in the Urban Area of Ottershaw where the principle of development is considered acceptable providing that the development does not impact upon the street scene or neighbouring properties' residential amenities.

5.2 With regard to the impact the development would have on the street scene, the proposal is located at the rear and would not be visible from the main road, therefore it is considered that the proposal does not have an adverse effect.

5.3 With regard to the impact on neighbouring properties' residential amenities, it is considered that given the fact that No.29 has already constructed a conservatory extension close to the boundary, and the depth, height and site orientation and proposed boundary wall configuration would not result in undue overlooking, overshadowing nor loss of light. In relation to loss of privacy, there is an existing boundary fence between No.27 and No.29 Fletcher Road, the boundary wall configuration would ensure there was not a significant loss of privacy to the detriment of residents of No.29.

5.4 It is concluded that the appearance and design of this extension is acceptable and would not be detrimental to the area and the amenity of adjoining residential properties would not be significantly affected.

5.5 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any person's rights under the Convention

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
099/17117 Plan Layout / Roof Details	06.03.2003
099/17117 Rear Elevation	06.03.2003
099/17117 Side Elevation	06.03.2003
099/17117 Base Layout	06.03.2003
099/17117 Typical Section	06.03.2003
099/17117 Check Sheet 1 of 2	06.03.2003
099/17117 Check Sheet 2 of 2	06.03.2003
OS Site Plan (scale: 1:1250)	06.03.2003

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0260 Date reg: 10/03/2003 Ward THORPE

LOCATION: 48 PARK AVENUE, EGHAM
PROPOSAL: ERECTION OF SINGLE STOREY REAR AND TWO STOREY SIDE
EXTENSIONS FOLLOWING PART DEMOLITION OF EXISTING
GARAGE
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr & Mrs Webb

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

Second Alteration April 2001: HO9, BE2, SV2

1. Site

- 1.1 No.48 is a two-storey semi detached property located on the north east side of Park Avenue. The corner plot is large in size due to its location on the junction where Park Avenue meets Oak Avenue. An attached double garage projects 6.3 metres to the west
- 1.2 No.49 adjoins the eastern side of the dwelling and No.47a is located to the east of the site across the highway (Oak Avenue). No.48 backs on to the side of No.6 Oak Avenue. Nos.52, 52a and 53 are located to south across the highway (Park Avenue).
- 1.3 The boundary treatment on site consists a 2 metre high brick wall which runs along southern and western boundaries adjacent to the highway. The northern boundary shared with No.6 consists of sections of a 2 metre high wall and a 2 metre high fence. There is a 1.5 metre high wall on the rear boundary shared with No.49.
- 1.4 The site is in the urban area and within the floodplain.

2. History

- 2.1 The most recent and relevant planning application was the granting of a single-storey extension (RU.74/0274) in September 1974.

3. Application

- 3.1 This is a full application for the erection of a single storey rear and a two-storey side extension following the partial demolition of the existing garage.
- 3.2 The proposed single storey rear extension would be adjacent (0.05 metres) to the boundary with No.49. It would project 3.6 metres towards the rear and have a width of 3.6 metres. There would be a distance of 1 metre between the proposal and the rear boundary shared with No.6.

3.3 The proposed two-storey side extension would project 3.5 metres from the western side of the dwelling. It would have a depth of 10.5 metres and the same ridge height of the existing dwelling. The distance from the rear of the proposal and the shared boundary with No.6 would be 2.3 metres. The single storey garage would project a further 2.8 metres and would be single storey with a pitched roof. It would have a depth of 8.1 metres.

3.4 To the rear of the proposed two storey side extension would be an addition single storey rear extension. It would have a sloped roof with a ridge height of 3.5 metres. It would project 2.3 metre to the rear and have the same width as the two storey side extension (3.5 metres).

4. Consultations

4.1 The application has been advertised on the council's weekly list of applications and thirteen letters have been sent out to neighbouring properties. One letter of objection has been received from the residents of No.6 Oak Avenue. Their concern is that the two-storey extension would cause loss of light to the kitchen and landing.

5. Planning Considerations

5.1 This is a full application for the erection of a single storey rear extension and a two-storey side extension following part demolition of the existing garage. The main considerations for this application are; the impact on the character of the surrounding area; the design of the extensions; and the impact of the proposal on the residential amenities of neighbouring properties.

5.2 The proposed two-storey side extension would be to the side of the dwelling between the existing house and garage. The spread across the front boundary would not increase as a result of the proposal. It is considered that the proposals would not dominate the existing dwelling and would be acceptable in terms of impact on the character of the area.

5.3 The roof type and ridge height of the proposed two-storey side extension would match the existing dwelling. It is considered that the proposal would be sympathetic to the existing dwelling. The rear extensions are considered to be appropriately sized and designed. The proposal is considered to be acceptable in design terms.

5.4 The main concern is the impact of the proposed two storey side extension on No.6 Oak Avenue. No.48 is located to the south of No.6. It is noted that due to the positioning of the dwellings in relation to one another, No.48 would experience some loss of light. However, the distance from the rear of the two storey proposal and the shared boundary with No.6 is 4.6 metres. It is considered that the proposal would not result in any significant loss of light to justify a refusal of permission in this instance.

- 5.5 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Location Plan	6.3.03
Site Plan	6.3.03
HP1636 Issue A	6.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0269 Date reg: RU.03/0269 Ward ENGLEFIELD GREEN EAST

LOCATION: ORCHARD END, TITE HILL, ENGLEFIELD GREEN
PROPOSAL: ERECTION OF BRICK WALL WITH A MAXIMUM HEIGHT OF 2.1 METRES ABOVE GROUND LEVEL ALONG ROAD FRONTAGE FOLLOWING REMOVAL OF LEYLANDII HEDGING ALONG ROAD FRONTAGE

TYPE: FULL PLANNING PERMISSION

APPLICANT: Mr & Dr Walmsley

This application has been referred to this Committee for a decision because the applicant is a Councillor

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

Second Alteration April 2001: HO9, BE2

1. Site

1.1 Orchard End is a two storey detached dwelling on the southern side of Tite Hill. There is a detached double garage adjacent to the north and eastern boundaries.

1.2 The boundary treatment on site consists of a 3 metre high brick wall along the western end of the northern boundary adjacent to the highway. On the eastern end of the northern boundary is a 2 metre high Leylandii. Between the two is the access to the dwelling and it is possible to see the remains of the original wall, which once stood there. The eastern boundary shared with Rosemead consists of a 2 metre high hedge.

1.3 The site is in the urban area.

2. History

2.1 *RU.99/0250* Conversion of existing garage to granny annex, erection of rear extension to provide kitchen/diner and erection of double garage in front garden GRANT 06/05/1999

2.2 *RU.87/0696* Proposed conservatory GRANT 10/08/1987

2.3 *RU.81/0453* First floor extension over existing garage to form bedroom and a games room GRANT 25/06/1981

2.4 *EGH.74/16569* Erection of one detached house and double garage GRANT 29/03/1974

3. Application

3.1 This is a full application for the erection of a brick wall with a maximum height of 2.1 metres adjacent to the highway. This would follow the removal of the existing Leylandii on this boundary. The existing 3 metre wall would remain.

3.2 There would be two shorter walls (1.5 metres in height) either side of the entrance, which taper towards the dwelling.

3.3 The original proposal included entrance gates, which have been omitted from the application. They have been omitted to address the County Highway comments relating to the position of the entrance gates.

4. Consultations

4.1 The County Highways Authority has been consulted

4.2 This application has been advertised on the Council's weekly list and seven letters were sent out to neighbouring properties. No letters of objection have been received.

5. Planning Considerations

5.1 This is a full application for the erection of a brick wall with a maximum height of 2.1 metres above ground level along the road frontage following removal of Leylandii hedging along road frontage. The main considerations for this application are; the impact on the character of the area; the design of the proposal; and the impact on neighbouring properties and the highway implications.

5.2 The proposal would be in a prominent location adjacent to the highway and in turn would have an impact on the character of the area. It is noted that many of the properties along Tite Hill have brick walls along the front boundaries. In this respect it is considered that the proposal would be sympathetic to the character of the area.

5.3 In terms of design, the wall would match the existing, which is sympathetic to the dwelling and other walls in the vicinity. It is considered that the proposal would be acceptable in respect to design.

5.4 The proposed wall is unlikely to adversely affect the residential amenities of any neighbouring properties.

5.5 The County Highway Authority have no objection to this proposal subject to a condition.

5.6 Regard has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that there would be any violation of rights under Article 8.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)

4. The proposed modified vehicular access to Tite Hill shall be constructed and provided with visibility zones, in accordance with the approved plans, all permanently maintained to a specification to be agreed with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Informatives:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Location Plan	10.3.03
Front Elevation	10.3.03
Front Elevation with Gates (superseded 4.4.03)	10.3.03
Plan View	10.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

2. The applicant is advised that any gates must be set back a minimum of 6 metres from the back edge of the carriageway.

RU.03/0271 Date reg: 12/03/2003 Ward WOODHAM

LOCATION: 11 ORCHARD AVENUE, WOODHAM
PROPOSAL: ERECTION OF DETACHED SINGLE GARAGE TO REAR OF
PROPERTY (RETROSPECTIVE)
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr Eaton

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

Second Alteration, April 2001: BE2, HO9, MV4, MC9

1. Site

1.1 11 Orchard Avenue is a two storey detached dwelling, located on Orchard Avenue at the corner with Little Orchard. The garage is located at the rear of the property, alongside Little Orchard.

2. History

2.1 *RU.01/0120* Conversion of existing bungalow to a two storey detached dwelling incorporating a two storey side extension and three dormer windows. Grant

2.2 *RU.01/1176* Crown thin ring of Oak tree protected by Tree Preservation Order No. 322 by 25% and crown lift by 3 metres. Grant

2.3 *RU.03/0267* Erection of detached double garage to the rear of the property. Certificate of Lawfulness proposed. Not yet determined.

3. Application

3.1 The applicant has applied to retain a detached single garage, which is 7.45 metres deep, 4 metres wide and has a pitched ridged roof at a height of 3.9 metres. The garage has been constructed of brick and tile, to match the existing dwelling.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of planning applications and nine letters have been sent out to neighbouring properties. Eight letters of objection have been received from neighbouring properties within Orchard Avenue and Little Orchard; a summary of their concerns is as follows:

4.2 13 Orchard Avenue

- The structure is visually intrusive and represents an inappropriate over building of the plot;

4.3 9 Little Orchard

- The garage has already been built without planning permission;
- The original garage was at the front of the house and accessed from Orchard Avenue and has therefore gained another access to his property;
- The applicant has built further onto the pavement than the original wall, encroaching onto the public highway.

4.4 12 Little Orchard

- There are blind spots on Little Orchard and any kind of access was highly dangerous;
- The road is a class 3 road, which is why Mr. Eaton can have access, this classification should be scrapped;
- Should Mr. Eaton want a garage, it should be placed in the front of the property, like everyone else in Orchard Avenue.

4.5 Ayrum, Little Orchard

- The proposed garage damages the character and amenity of established residential areas and does not provide generous garden areas or daylight and sunlight to all habitable rooms, contrary to Policy HO9

4.6 1 Little Orchard

- The proposed garage damages the character and amenity of established residential areas and does not provide generous garden areas or daylight and sunlight to all habitable rooms, contrary to policy HO9;
- The owner of 11 Orchard Avenue was granted permission to thin an Oak tree under RU.01/1176, on the basis that it was cutting light to the house; any structure would now make nonsense of this approval;
- We now look upon a garage built out of brick and tile rather than trees and shrubs, which we would expect to do;
- The access onto Little Orchard would result in an increase in traffic congestion and danger levels to road users, pedestrians and cyclists.

4.7 Orchard House, 5 Little Orchard

- The garage and wall contravene a restrictive covenant contained in the development plan of Little Orchard;
- The access would be dangerous to other road users

4.8 Surrey County Highways have no specific requirements to make regarding this application, but do recommend a condition to be imposed on any permission granted.

4.9 The Councils Parks and Amenities Officer has also been consulted and considers that there is no evidence of any damage during the construction of the garage to the protected Oak tree.

5. Planning Considerations

5.1 The main considerations for this application are the effect the development would have on the street scene characteristics of the neighbourhood and neighbouring properties' residential amenities.

5.2 The development is located at the rear of the property. However given the location of the property on the corner of Orchard Avenue and Little Orchard; the proposal is highly visible within the vicinity. Nevertheless it is considered that in light of its design, it does not materially harm the street scene characteristics of the locality.

5.3 When looking at the neighbouring properties, the main areas of concern are the impact the development has in terms of overlooking, loss of light, overshadowing and general loss of privacy and amenity. Given the location of the garage, being just set off from the corner of Little Orchard and the distance to neighbouring properties, it is considered that the scheme does not materially harm neighbours' residential amenities.

5.4 With regards to car parking and access and circulation, Surrey County Highways have been consulted on this application and do not raise any concerns over this application, therefore is considered that the development does not adversely effect traffic congestion, or accident potential on the adjacent highway.

5.5 Upon looking at the concerns of the neighbours, the granting of the previous tree application was not to allow more light into the house, it was that the works would not have an adverse affect on the health of the tree or the amenities of the locality. The applicant applied for this to allow for more light to the bottom end of the garden.

5.6 One of the neighbours also raised the point over a covenant on the property. Whilst this may be the case; this is civil law and cannot be considered under the remit of planning legislation.

5.7 In conclusion it is considered that whilst the concerns of the neighbours are noted, the development is in accordance with policies within the Local Plan, does not harm the street scene characteristics, not impact upon neighbouring properties residential amenities, nor does it result in a material level of traffic congestion or increase in accident potential so as to warrant refusal. Therefore approval is recommended.

5.8 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. No Departure (Full Applications) (C4)
2. No Windows in Extensions (C62) - delete 'extension' insert 'garage'
3. The garage hereby approved shall be used for the parking of vehicles ancillary and incidental to the residential use of the dwellinghouse and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless the Local Planning Authority otherwise first agree in writing.

Reason: To preserve the amenities of the neighbourhood and ensure the provision of street parking.

4. Permitted Development Removed (Class E, GPDO) (C36) – 'this dwelling' R36b
5. The development shall not be occupied until the proposed single lane vehicular access to Little Orchard has been constructed in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety, or cause inconvenience to other highway users.

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

BM02-A

10.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0272 Date reg: 12/03/2003 Ward ADDLESTONE BOURNESIDE

LOCATION: LAND R/O 96 & 98 LIBERTY LANE, ADDLESTONE
PROPOSAL: ERECTION OF TWO STOREY DETACHED DWELLING FOLLOWING
DEMOLITION OF EXISTING SINGLE GARAGE, WITH ACCESS OFF
THE GROVE. (REVISED DESCRIPTION 26/03/03)

TYPE: FULL PLANNING PERMISSION

APPLICANT: Surrey Services

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

Second Alteration, April 2001: BE2, HO9, MV4, MV9

1. Site

1.1 The site is located behind 96 and 98 Liberty Lane and would be accessed off The Grove, which is a residential road within the Urban Area of Addlestone, characterised by two storey semi detached dwellings.

2. History

2.1 No previous history with regards to developing the area of land subject to this application.

3. Application

3.1 The applicant has applied to erect a two storey detached dwelling, following demolition of the existing garage. The proposed dwelling would have a maximum depth of 7.88 metres, being 7.6 metres wide and have a hipped roof at a height to ridge of 7.2 metres. The proposal would be constructed of brick and tile, details to be confirmed at a later date.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications and seven individual letters have been sent out to neighbouring properties, six letters of objection have been received and a summary of their concerns are as follows:

4.2 No. 9 The Grove

- The new development would not be in character with the existing properties;
- No. 98 Liberty Lane will no longer have a garage and this would lead to more vehicles parked in The Grove;

There are no traffic calming measures in places at present along The Grove and vehicles use this road as a cut through at excessive speed, any additional parked cars, would make this more congested and difficult to negotiate than at present;

4.3 No. 4 The Grove

- The proposal would be completely out of character with the existing dwellings, and spoil an attractive pre war suburban design;
- The land of the proposed dwelling was originally part of two gardens and with the development of this plot would lead to a loss of habitat for wildlife, which they feel is precious;
- The proposal would reduce car parking spaces in The Grove and would lead to cars being parked on both sides of the road, leading to a risk with road safety.

4.4 No. 3 The Grove

- The proposal would result in a loss of parking spaces;
- The proposal would be out of keeping with the street scene character of The Grove.

4.5 No. 2 The Grove

- The proposal would be completely out of character with the surrounding street scene;
- The proposal would lead to a loss of parking spaces and increase in traffic congestion;
- The proposal if permitted would set a precedent for further applications in locality, which would exacerbate parking and traffic problems along the road.

4.6 No. 1 The Grove

- The proposal would block all sunlight to their kitchen window, back door, glazed window, bathroom, toilet, stairway and landing windows on the first floor;
- The proposal would result in the loss of a car parking space;
- The proposal would be out of character with the houses in The Grove;
- The application states that it would result in a loss of a garage, which is currently joined to their garage and should it be disturbed then it would be a possibility that the garage could collapse;

- The applicant states that he is the owner of the land and from the records of Mr. Saich from the Land Registry in December 2002 this is not the case;
- Query as to whether there are any restrictions on hours and days, which people can work in such development;
- When the houses along The Grove were built, there has always been at least two garages width between the properties, allowing a level of light to the side rooms; the proposal would be contrary to this.

4.7 No. 7 The Grove

- The Grove is used as a rat run;
- There is a problem with parking and this development would exacerbate the problem.

4.8 The County Highways Authority have no specific comments to make, but have suggested a list of conditions, which would be including in the decision made by the Council.

5. Planning Considerations

- 5.1 The site lies within the Urban Area, where the principle of development is considered acceptable providing that the development does not impact upon the street scene, neighbouring properties residential amenities, meet current parking standards and not harm access and circulation arrangements around the site. These are the considerations, which need to be addressed in this application.
- 5.2 The site would be located at the bottom of the garden of numbers 96 and 98 Liberty Lane, and would be accessed off The Grove. The proposal would be highly visible within the street scene.
- 5.3 The Grove is a residential road, made up of two-storey semi detached 30's style properties. Whilst the proposal would not be identical to the properties along The Grove, it is considered that the proposal has been designed in sympathy with the dwellings, having a pitched two-storey bay window to the front elevation. Furthermore the application has been designed so as to have a one metre plus gap between the proposal and neighbouring property at Number 1 The Grove. Therefore it is considered that the proposal would not materially harm the street scene characteristics of the locality.
- 5.4 Having regards to the impact the proposal would have on neighbouring properties residential amenities; the main neighbour that would be affected by the development would be Number 1 The Grove. It is noted that the proposed development would result in an increase in bulk to the property, however given the distance over five metres and the fact that the applicant has hipped the proposal back in order to reduce the mass and bulk on the neighbour, the proposal would not materially result in loss of amenity as to warrant refusal.
- 5.5 The neighbour at number one is concerned about loss of light to a number of windows on the side elevation. However this property is separated from

the site by a garage, and the separation distance between the properties is similar to others in the road. Therefore it is considered unreasonable to refuse the application on such grounds.

- 5.6 With reference to car parking, the current adopted standard for a three bedroom dwelling outside the town centre is two spaces, which the application meets having a space on the driveway and within the garage.
- 5.7 The County Highways Authority have raised no objections to the proposals.
- 5.8 In terms of the other concerns raised by neighbours, notably the demolition of the garage, the applicant has stated that the demolition of the garage would leave the party wall intact, leaving a small part of the building remaining on the applicant's side. This is shown to be rendered.
- 5.9 Regarding the loss of car parking at no. 98, a letter has been received regarding the erection of a garage at No. 98 Liberty Lane under permitted development and the County Highways Authority have stated that 2 cars can be accommodated at the front of 98 Liberty Lane and any development is unlikely to displace cars onto the road.
- 5.10 In relation to the assertion that the applicant is not the owner, the applicant has signed certificate A, stating that he is the owner and has also verbally agreed that they are the owner of the site.

5.11 Having regards to the other concerns raised by the neighbours, with regards to hours of construction, works at unreasonable hours can be controlled under Environmental Protection legislation.

- 5.12 Finally in terms of the development setting a precedent for development, government guidance Planning Policy Guidance Note 3 'Housing' looks for the full and effective use of land within urban area and each application must be determined on their own merits.
- 5.13 In conclusion, the concerns of the neighbour are noted and have been addressed in this report, nevertheless the proposal is seen to be in accordance with policies within the Local Plan and is recommended for approval.
- 5.14 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

- 1. Duration (Other than Outline) (C3)
- 2. No Departure (Full Applications) (C4)
- 3. External Materials (Submission of Details/Samples) (C29)

4. The garage hereby approved shall be used for the parking of vehicles ancillary and incidental to the residential use of the dwellinghouse and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless the Local Planning Authority otherwise first agree in writing.

Reason: To preserve the amenities of the neighbourhood and ensure the provision of off-street parking.

5. No Windows in Extensions (C62) – delete ‘extensions’ insert ‘dwelling’
6. Permitted Development Removed (Class A and E, GPDO) (C37) - insert Class ‘B’ R37(b)
7. The development shall not be occupied until the proposed modified vehicular access to The Grove has been constructed in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

8. A pedestrian intervisibility splay of 2 metres by 2 metres shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6 and 2m in height above ground level shall be erected within the area of such splays.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

9. Landscaping Scheme (C10)
10. Landscaping Scheme (C11)
11. Tree Plan and Schedule (C12)
12. Tree Planting (C13)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

KBRM/4/01

11.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0273	Date reg:	12/03/2003	Ward	ADDLESTONE NORTH
LOCATION:	TESCO, 117 STATION ROAD, ADDLESTONE			
PROPOSAL:	RETENTION OF EXTERNAL LIGHTING SCHEME			
TYPE:	FULL PLANNING PERMISSION			
APPLICANT:	Tesco Stores Ltd			

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

Second Alteration, April 2001: TC1, SHO6

Addlestone Town Centre Strategy (September 1999)
Supplementary Planning Guidance

This is one of three applications before Committee relating to this site – RU.03/0281 and RU.02/1437 also form part of this Agenda.

1. Site

1.1 As application RU.02/1437.

2. History

2.1 As application RU.02/1437.

3. Application

3.1 The application seeks full permission for the retention of the lighting to the development as this was not installed in accordance with condition 19 of planning permission RU.01/0306 which states:

“The lighting arrangements as shown in drawing LS81315 and supporting lamp details shall be implemented as approved and retained thereafter unless otherwise first agreed in writing by the Planning Authority.

Reason: In the interest of adjoining residential properties.”

3.2 The initial lighting scheme was not installed in accordance with condition 19 of planning permission RU.01/0306 and a number of problems arose due to light spillage into residential gardens. Tesco’s amended this installation to attempt to address this but the scheme did not accord with the previous approval. Application RU.02/1273 was withdrawn due to inaccuracies within the layout plan on the location of certain columns and the current application seeks full planning permission for the lighting as installed to the car park and service delivery yard. The car park and petrol filling station lighting comprises a number of 4 and 6m high column poles with lanterns angled to direct the lighting to the intended target and reduce light pollution and spillage.

These have been sited and the angle of the lanterns adjusted having regard to the proximity of adjoining residential properties. Four light columns have been provided in the service delivery yard, two four-

metre columns near to the rear boundary of 1, 3, and 5 Victory Park Road and two other columns, one 8m high, the other 6m, directed at the service delivery bay of the store. The application is accompanied by the lantern details and lighting plans which detail the levels of illumination at the site as a result of the lighting.

4. Consultations

4.1 The application was advertised in the Council's weekly list of applications and individual letters were sent out. Two letters of objection have been received which raise the following issues:

- Tesco's try to amend things 'little by little';
- should be severely scaled down in the interests of surrounding residents who have to put up with the light streaming into their bedrooms all night long;
- should reorganise their deliveries to avoid the need for additional hours of delivery and lighting;
- flat faces the car park and the lighting can be clearly seen and causes light pollution;
- building brightly lit – surely they could use blinds at night;
- a number of complaints when lights initially installed and would severely object if the lighting went back to the original strength which caused problems.

4.2 The Council's Lighting and Electrical consultant has been consulted on the previous application and states the car park lighting is satisfactory and in line with the British Standard 5489 Part 9 1996 but the layout plan needed to be amended. The type of fittings used are very good at limiting sky glow and the lights closest to the houses face away from them limiting light spill. In relation to the service area, the lights are aimed away from the houses and the level of light on the nearest house would be less than 5 lux. The Institute of Lighting Engineers Guidance Notes for Reduction of Light Pollution recommend a maximum of up to 10 lux for an area of medium district brightness. In relation to 1 and 3 Victory Park Road, high light levels exist to the front of these dwellings due to the street lighting and this puts a higher level of lighting onto these properties than the service yard lighting. The application is considered appropriate in its current form.

5. Planning Considerations

- 5.1 The main determining issue is the impact of lighting on the residential amenity of occupiers of adjoining residential properties. The light scheme for the car park, petrol filling station and service delivery area has been sensitively designed having regard to the close proximity of residential dwellings. The submitted lighting plans which show the lux levels demonstrate that the location of the columns, the design of the lantern and level of illumination have minimised the overspill of lighting to ensure the amenities of occupiers of adjoining residential properties would not be adversely affected. The Council's Lighting Consultant has confirmed the scheme is acceptable overall and recommends it is granted permission.
- 5.2 To conclude, it is not considered that either the car park lighting or service delivery yard scheme would significantly harm the residential amenity of adjoining properties.
- 5.3 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Site Location Plan	10.3.03
LS9913/15	10.3.03
2807/89-A1	10.3.03
Lantern Details	10.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0276 Date reg: 12/03/2003 Ward CHERTSEY MEADS

LOCATION: SALESIAN SCHOOL, GUILDFORD ROAD, CHERTSEY
PROPOSAL: ERECTION OF TWO STOREY EXTENSION
TYPE: FULL PLANNING PERMISSION
APPLICANT: The School Governors

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

Second Alteration, April 2001: GB1, MV4, MV9

1. Site

1.1 The site comprises approximately 526 hectares of land and is situated to the east of Guildford Road and within the Green Belt. The school is a co-educational, voluntary aided Catholic school with approximately 1200 pupils and split between two sites, the Guildford Road site subject to this application and the Highfield Road site.

2. History

2.1 There is extensive history in relation to this site but nothing relevant in the last five years.

3. Application

3.1 The application seeks full planning permission for the erection of a two-storey extension which would adjoin the existing complex of buildings and playground on the eastern part of the site. It would comprise 1238 sq m of floor area at ground and first floor level with a plant room within the roofspace. The maximum ridge height is 11.7m dependent on the ground level. The proposal would provide a new design and technology building. It would be constructed of brick and tiles with detailed work to the windows and doors. The existing technology building would be re-used as classrooms to support delivery of other subject areas.

3.2 In support of the application the agent has stated:

- the existing accommodation for technology exists on the northern part of the site and has been adapted over the years to comply with standards. However, further alterations and extensions would be unable to provide a workable solution for the reasons stated later;
- the proposed building would provide modern purpose-built accommodation for technology-related subjects such as electronics and textiles;
- the proposal is purely related to delivering the National Curriculum and to comply with Health and Safety Standards;

- the applicant's agent accepts the proposal is inappropriate development in the Green Belt but believes the following represent very special circumstances:
 - health and safety shortfalls which are highlighted in a letter from Surrey County Council;
 - the school has been identified as a top priority in the County for major improvements to technology facilities because:
 - ❖ the classrooms are too small to meet standards;
 - ❖ insufficient circulation space to safely move around fixed machinery;
 - ❖ room ceiling heights are too low;
 - ❖ insufficient ventilation;
 - ❖ Food Technology room too small and insufficient ventilation;
 - ❖ equipment poorly sited for a safe working environment;
 - ❖ inadequacies in relation to food hygiene regulations;
 - ❖ textiles room poorly related to other technology facilities;
 - ❖ insufficient room for the school to deliver the requirements of the National Curriculum for technology-related subjects;
 - ❖ insufficient general storage space.

3.3 The Surrey County Council inspection concluded the existing technology facilities are "woefully inadequate".

Harm to the Green Belt

3.4 Whilst the proposal represents inappropriate development, it has been designed to try and ensure there is no material impact on the openness of the Green Belt:

- it would be adjacent to the existing teaching block;
- it does not encroach beyond the main buildings part of the site;
- no loss of playing field area is proposed;
- the proposed building is of a compact design and lower in height than other buildings on the site.

Other Considerations

- over 23m from the nearest residential dwelling;
- no adverse effect on the open views of the site due to its location;
- mature landscaping exists along the boundaries;
- no intensification in the overall use of the site;
- no increase in staff or pupil numbers attending the school;
- no change to the number of vehicle movements a day;
- no alterations to the existing site access or car parking provision;
- Surrey County Council letter concludes a new building is the only viable option;
- need for immediate action and provision and funding has been made available.

4. Consultations

- 4.1 The application was advertised in the Council's weekly list, and in the local newspaper as a departure to the local plan.
- 4.2 No letters of representation have been received.
- 4.3 The County Highway Authority raise no objections to the proposal.
- 4.4 Surrey County Council Archaeology Section raise no archaeological concerns in respect of the application.
- 4.5 Serco confirm the government oil pipeline would not be affected by this proposal.
- 4.6 Esso Petroleum Company Limited confirm their apparatus would not be affected by this proposal.

5. Planning Considerations

- 5.1 The site is situated within the Green Belt where the proposal represents inappropriate development which by definition is harmful to the Green Belt. It is for the applicant to show why permission should be granted and present very special circumstances to justify the development.

Principle of Development

- 5.2 The applicant's agent has carried out a detailed analysis of the shortfall of the technology facilities at the school and these are supported by an independent letter from Surrey County Council. In summary the existing facilities are considered to be inadequate for health and safety reasons, the school is unable to meet the requirements of the National Curriculum with these facilities and there is no opportunity for adapting the existing facilities due to their design.

Level of Harm to the Green Belt

- 5.3 If it is agreed that special circumstances exist, it is necessary to consider the degree of harm that would occur as a result of the proposal. In this respect the proposed building would be located adjoining existing buildings and the playground and there would be no loss of this hard surface play area. In addition the building has been designed to limit its overall scale in terms of mass and bulk. Overall it is considered there would be minimal harm to the visual openness of the Green Belt.
- 5.4 In relation to the wider impact on the appearance of the area, the proposed building would not be visible from the street scene. It has been designed to limit the overall size of the building with a hipped roof to reduce the overall mass and bulk to minimise the effect on the Green Belt. The design is modern but sympathetic to the existing buildings on the site.
- 5.5 The County Highway Authority has assessed the application and as the proposed development would not lead to any increase in staff or pupil numbers they raise no concerns in respect of the application.

Sustainability

- 5.6 In terms of the Council's adopted sustainability indicators, the proposal would not have any implications in terms of climate change, pollution or traffic generation. There would be effective use of brownfield land with modern buildings replacing inefficient buildings which are beyond their intended life expectancy.

Human Rights

- 5.7 Careful consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is considered that the conditions recommended are necessary to render the development acceptable and do not violate the applicant's rights under the Convention.

Officers' Recommendation

The application be notified to the Office of the Deputy Prime Minister as an acceptable departure from the provisions of the Development plan in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) (Departures) Direction 1999 as the proposal would represent inappropriate development within the Green Belt and that failing any direction from the Minister:

GRANT planning permission subject to:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. External Materials (Submission of Details/Samples) (C29)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Planning Supporting Statement	11.3.03
Letter from SCC	11.3.03
2868/31B, 32A, 33A, 34A, 36	11.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0280 Date reg: 13/03/2003 Ward CHERTSEY ST ANNS

LOCATION: GOGMORE FARM PARK, CURFEW BELL ROAD, CHERTSEY
PROPOSAL: CHANGE OF USE OF PAVILION/CARETAKER'S HOUSE TO A
CENTRE FOR YOUTH ACTIVITIES

TYPE: FULL PLANNING PERMISSION

APPLICANT: Surrey Youth Development Service

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

Second Alteration, April 2001: BE24, SV2, R4, C1, GB1

1. Site

1.1 The application site relates to a single-storey pavilion building within Gogmore Farm Park, an area of Council-owned open space within Chertsey Town Centre. Part of the building, until June 2002 was lived in by the Parks Supervisor as well as a small café being operated. The building has been boarded up and closed since around this time, although a room has been used by Surrey County Council Youth Service since July 2001. The site is located within the River Bourne floodplain and the Green Belt.

2. History

2.1 The building, the subject of this application, was erected in 1991 as a pavilion and groundsmans' accommodation.

3. Application

3.1 Full planning permission is sought to change the use of the pavilion/caretaker's house to a centre for youth activities. The proposed use of the building would be in line with new Government and Surrey County Council policies which concentrates on engaging young people in personal development projects and will provide an access point for information and support. The building would be leased to Surrey County Council Youth Service at a low rent and used extensively for youth work during the week, at weekends and in the evenings. Currently 5 part-time youth workers are employed at the site which would not change.

3.2 It is also proposed that the neighbourhood youth worker would set up a training project so that young people could operate the café themselves, gaining experience and qualifications in retail and catering fields.

3.3 No external alterations to the building are proposed.

4. Consultations

4.1 The application has been advertised in the Council's weekly list of applications and 10 individual letters of notification have been sent to neighbouring properties. One letter has been received from the occupier of no. 51 Cowley Avenue expressing the following concerns:

- youths late at night in the park keep everyone awake and the proposals will make this worse;
- the footbridge close by to my house also causes problems with noise.

4.2 The County Highway Authority have raised no objection to the proposals.

5. Planning Considerations

5.1 The main issues for the consideration of this application concern the acceptability of the proposed use of the building, its impact within the Green Belt, on the floodplain and on neighbouring residential amenities.

5.2 With regard to the background of the site, Gogmore Farm Park is well used by local residents and particularly by local young people in the evenings. The café has proved impossible to let on a long-term basis as a concession due to a combination of low usage and difficulties with local young people. The last tenant surrendered the lease three months before it was due to expire as they were unable to make sufficient income to cover their expenses and were losing staff. The Parks Supervisor who had lived in the house moved out due to disturbance due to both noise generated by legitimate use of the facilities and from the perceived threat from mischievous groups.

5.3 The applicant has submitted information in support of the proposals.

5.4 Prior to April 2001 a research project was commissioned by the Runnymede Youth Strategy Group to explore the needs of young people who live in Chertsey. This focused on the areas of Chertsey which feature high on the Deprivation Index which included the town centre and Gogmore Farm Park. Some of the highlighted needs of local young people included the following:

- somewhere safe and dry to meet their friends;
- better lighting in Gogmore Farm along the paths and on the multi-use games area.

5.5 The Chertsey Detached Youth Project, the Neighbourhood Youth Worker, Youth Development Worker for Runnymede, officers from RBC and local Borough Councillors have been working tirelessly with the aim of addressing these needs.

- 5.6 The Chertsey Detached Youth Project has three main aims:
- to make contact with young people in their own environment;
 - to provide young people with personal development opportunities and support, as required;
 - to encourage young people to share their ideas, and to create opportunities for them to have their voices heard.
- 5.7 Unlike other forms of youth work where young people are drawn to the youth centre or project for the use of a stereo, pool table and other activities, the youth workers themselves are the resources and the project relies on their approach, skills and knowledge for its success. On average this project alone makes 200 contacts with young people per month, and it has been essential to find premises in the local community for more structured group work and to provide access to computers and other resources. Such work proposed would include pre-employment work, personal safety, citizenship, a young parent group, youth councillor, those who do not attend school and arts work.
- 5.8 With regard to the café, this would be run by the young people with the support of youth workers, with the funds raised being used by them to finance future youth work activities eg adventurous outdoor activities or to buy specific equipment. It could also result in some young people working towards a qualification in catering or business.
- 5.9 It is considered that the use of the premises would enhance the various work of these projects and enable young people to be provided with more personal development opportunities which in turn will raise their confidence, self-esteem and life skills. At the same time it will meet the need identified by young people themselves for somewhere safe and dry to meet with their friends.
- 5.10 As can be seen from the above, there is a genuine need for accommodation for youth work. With regard to the acceptability of the use of the premises, the site is located within the Green Belt and floodplain. However, the building has been used as a café and residential dwelling for a number of years. It is considered that the proposed use within a recreational park would be appropriate to this area and would not have a materially greater impact than the implemented use on the openness of the Green Belt and the purposes of including land in it. Although it is accepted that the property lies within the floodplain, the building is existing, no extensions are proposed, the building would no longer be used as a permanent residential dwelling and the property is raised off the ground.
- 5.11 With regard to third party comments, residential properties are located a substantial distance away. Although it is accepted that the park attracts a number of youths, especially in the evenings, it is considered that the pavilion being an open facility could potentially improve this situation as young people would have somewhere to go and something to do. It is considered that the re-use of the building would be acceptable in this location.

- 5.12 Under Section 17 of the Crime & Disorder Act 1998, Councils are required to do all that they can to minimise crime and disorder in their area. It is considered that this venture will assist in this regard.
- 5.13 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. The premises shall be used for a youth activities centre and for no other purpose (including any other purpose in Class D1 of the schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, without the prior approval, in writing, of the Planning Authority.

Reason: In order to restrict the use of the premises in the interest of the amenities of the area.

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
Site Location Plan	10.3.03
Site Plan Showing Location of Pavilion	10.3.03
Ground Floor Plan	10.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0281 Date reg: 13/03/2003 Ward ADDLESTONE NORTH

LOCATION: TESCO, 117 STATION ROAD, ADDLESTONE
PROPOSAL: VARIATION OF CONDITION 14 TO ALLOW THE LIGHTING TO THE
SERVICE DELIVERY YARD TO OPERATE BETWEEN THE HOURS OF
06.00 TO 23.00 MONDAY TO SATURDAY AND 09.00 TO 18.00 ON
SUNDAY VARIATION OF CONDITION 14 TO ALLOW THE LIGHTING
TO THE SERVICE DELIVERY YARD TO OPERATE BETWEEN THE
HOURS OF 06.00 TO 23.00 MONDAY TO SATURDAY AND 09.00 TO
18.00 ON SUNDAY
TYPE: FULL PLANNING PERMISSION
APPLICANT: Tesco Stores Ltd

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

Second Alteration, April 2001: TC1, SHO6

Addlestone Town Centre Strategy (September 1999) Supplementary
Planning Guidance

This is one of three applications before Committee relating to this site –
RU.02/1437 and RU.03/0273 also form part of this Agenda.

1. Site

1.1 As application RU.02/1437

2. History

2.1 As application RU.02/1437.

3. Application

3.1 The application seeks permission to vary condition 14 of planning
permission RU.01/0306 which states:

“The lighting in the service delivery yard shall be switched off
outside the hours of 0700 to 2200 Monday to Saturday and 0900
to 1800 on Sunday.

Reason: In the interest of residential amenity.”

3.2 A supporting letter accompanies the application and states:

“An application has been submitted seeking amendments to the store
delivery hours. This application is therefore necessary to enable the
lights in the service yard to be switched on during the proposed extended
delivery hours. It is requested that the condition is amended to read:

'The lighting to the service delivery yard shall be switched off outside the hours of 0600 to 2300 Monday to Saturday and 0900 to 1800 on Sunday.' "

3.3 The application is accompanied by a lighting scheme which confirms the vertical illuminance to the bedroom windows of nearby residential properties would comply with the Institute of Lighting Engineer's Guidance Notes for the reduction of light pollution. This states in low district brightness areas the vertical light into windows should be no more than 5 lux before curfew and no more than 1 lux after curfew. The survey confirms that the 1 lux level would not be exceeded at nearby residential properties. Furthermore the risk of glare is considered to be minimal due to the position, height, type, angle and strength of lighting facilities.

4. Consultations

4.1 The application was advertised in the Council's weekly list of applications and individual letters were sent out. Two letters of objection have been received which raise the following issues:

- Tesco's amend things "little by little";
- additional hours would cause nuisance to adjoining residential properties;
- applications submitted similar to last years;
- concern over light pollution due to additional hours requested.

4.2 The Council's Lighting and Electrical Consultant has provided a detailed report in respect of planning application RU.03/0273 which seeks the retention of the lighting scheme as installed. The report has addressed the level of lighting at adjoining residential properties and concluded there would be no significant effect on residential amenity.

5. Planning Considerations

5.1 The main determining issue is the effect of the additional hour of lighting from 0600 to 0700 in the morning and in the evenings from 2200 to 2300 hours Monday to Saturday would have on the amenities of the residents of Victory Park Road, in particular nos. 1, 3 and 5.

5.2 The impact of the lighting from the service delivery yard was discussed at paragraph 5.1 of the report in respect of planning application RU.03/0273 and concluded due to the position, height, type, angle and level of illumination there would be no significant effect on residential amenity. Having regard to this, it is not considered that the additional hour in the morning and evening would be detrimental to these properties and this has been demonstrated by the lighting survey submitted accompanying the application.

- 5.3 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT permission for the variation of condition 14 of planning permission RU.01/0306 to read:

“The lighting in the service delivery yard shall be switched off outside the hours of 0700 to 2200 Monday to Saturday and 0900 to 1800 on Sunday.

Informatives

1. The applicant is advised that all the remaining relevant conditions on planning permission RU.01/0306 remain valid.
2. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
LS9913/15	10.3.03
2807/89-A1	10.3.03
Site Location Plan	10.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0288	Date reg:	17/03/2003	Ward	CHERTSEY ST ANNS
LOCATION:	3 CHASESIDE GARDENS, CHERTSEY			
PROPOSAL:	ERECTION OF REAR CONSERVATORY (REVISED PLANS RECEIVED 15/04/03)			
TYPE:	FULL PLANNING PERMISSION			
APPLICANT:	Mr & Mrs W Nicholls			

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

Second Alteration, April 2001: HO9, BE2, SV2

1. Site

1.1 3 Chaseside Gardens is located within the urban area of Chertsey, and an area liable to flood. The site is occupied by a detached bungalow, with a detached garage to the side.

2. History

2.1 *RU.02/1233*: Installation of rear dormer and 3 velux windows to allow a loft conversion – Grant 20.12.02

3. Application

3.1 The applicant seeks full planning permission to erect a single storey rear conservatory extension. The conservatory would have a width of 3.6 metres and a depth of 3.6 metres, and would be constructed in double glazed UPVC panels, a polycarbonate roof, and a brick base to match the existing bungalow. The conservatory would extend to a maximum height of 3.7 metres.

4. Consultations

4.1 The application has been advertised in the Council's weekly list of applications and 7 letters have been sent to properties surrounding the site, In response to the above consultations a letter has been received from 2 Chaseside Gardens outlining the following concerns:

- concerned about any potential blocking out of sunlight to their house;
- no more ground is covered by concrete, which will worsen flooding into their garden.

4.2 The County Highway Authority has no requirements.

4.3 Given the small-scale of the application, the Environment Agency has not been formally consulted.

5. Planning Considerations

- 5.1 The proposed conservatory is located upon the rear of the premises, and is an “infill” extension, located to the side of an existing single storey lounge/dining room extension. The proposed extension will be predominantly screened from 2 Chaseside Gardens by an existing detached garage constructed at the application premises. This coupled with existing boundary screening is considered to protect the amenities of this neighbouring dwelling in terms of overlooking and loss of privacy. The neighbouring dwelling has existing ground floor side windows that are already screened by the existing garage at the application premises. Given this, it is considered that the construction of the conservatory will not result in any additional loss of light or overshadowing to this neighbouring property.**
- 5.2 The proposed extension is considered to be in scale with the existing property and is sensitively designed with materials, which harmonise with the existing property.
- 5.3 In respect of concerns relating to the additional hardstanding, this authority would have no control over the creation of additional hardstanding areas, as long as it was utilised for purposes incidental to the enjoyment of the existing dwelling. Therefore, whilst this authority appreciates the neighbours concerns, it would be considered unreasonable to remove the applicants “permitted development” rights in respect of hardstanding areas/patio areas.
- 5.4 Regard has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any individual objector’s rights under the convention.

Officers’ Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. External Materials (No Departure) (C32) – ‘named materials’, R32 – ‘those approved’
4. Raising of Ground Levels (C119)
5. No Soakaways (C122)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

03/01 Rev A

15.4.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0293 Date reg: 17/03/2003 Ward CHERTSEY SOUTH/ROWTOWN

LOCATION: 33 THE RIDINGS, ADDLESTONE
PROPOSAL: ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION WITH INCREASED ROOF HEIGHT AND INSERTION OF DORMERS IN WESTERN ELEVATION TO CREATE ROOMS IN ROOFSPACE FOR USE AS A SEPARATE ANNEXE
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr J Flint

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

Second Alteration, April 2001: BE2, HO9, MV9

1. Site

1.1 The site is located at the bottom of a cul de sac, which is characterised by single storey detached bungalows, within the Urban Area of Addlestone, with the rear gardens backing onto the Green Belt.

2. History

2.1 Planning permission was granted for the bungalow on this site in 1973 (CHE.25325).

2.2 In July 1973 permission was granted for the erection of a garage (CHE.25690).

3. Application

3.1 The applicant has applied to erect a single storey side and rear extension, with dormer windows in the roof, following the demolition of the existing garage.

3.2 The extension would be in an L shape, with the section adjoining the dwelling having a width of 2.8 metres and depth of 6 metres. The main living accommodation of the annex would be 9.2 metres wide, 9.4 metres deep and have a maximum height to ridge of 6.3 metres. The proposal would be constructed of brick work and tile to match the existing dwelling.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications and three letters have been sent out to neighbouring properties. One letter of objection has been received from the neighbour at 31 The Ridings and a summary of their concerns is as follows:

- The proposal would result in a loss of daylight, as the proposal would only be a few metres from their western boundary;
- The access drive is presently very poor and the new extension, which is essentially a new dwelling would only make this matter worse;
- The Ridings is already a severely congested road, with cars being parked in turning areas, no provision is being made to accommodate the

increased number of cars, which would make access by emergency vehicles virtually impossible;

- The development would result in disruption from building vehicles;
- The road is already overcrowded with too many dwellings per hectare.

4.2 The County Highways Authority have been consulted and have no requirements to make regarding this application.

5. Planning Consideration

5.1 The main considerations for this application are the effect the development would have on the street scene characteristics of the locality and neighbouring properties' residential amenities.

5.2 The proposed application site is located at the bottom end of the cul de sac, with the property set down from the main road, following the relief of the land. The proposed extension would occupy an area where there is currently a detached double garage and store located at present. Whilst it is recognised that the proposal would result in an increase in mass and bulk over the existing garage, it is considered that given the design, land levels and the screening around the entrance of the site the proposal would not materially harm the street scene characteristics of the locality.

5.3 In terms of the effect the development would have on neighbouring properties residential amenities, the proposal would be located at the side of the existing property, next door to the neighbours at 35 The Ridings garage and would not be immediately visible from 31 The Ridings, Therefore it is considered that the proposal would not result in overshadowing, overlooking or loss of privacy to the adjacent neighbouring properties.

5.4 In terms of the other concerns raised by the neighbour, the current maximum parking standards is for two spaces, which the site provides due to having spaces on the drive. In terms of the extra traffic during construction, this would be for a temporary period only. Whilst the constrained nature of the site could cause problems in terms of accommodating both contractors' parking and material storage it is not considered that this could be justified as a reason for refusal in its own right. The County Highways Authority have no requirements to make regarding this application.

5.5 Finally in terms of density, the proposal would be for a residential annexe and would not result in the creation of an extra dwelling on the site.

5.6 In conclusion, whilst the concerns of the neighbour are noted, it is considered that the proposal would not impact upon the street scene characteristics of the locality, it would not materially harm neighbouring properties residential amenities and there are two parking spaces presently on the site. Therefore the application is seen to be in accordance with policies within the Local Plan and is recommended for approval.

5.7 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not

considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)
5. The development hereby approved shall be occupied only as residential accommodation ancillary to the use of the dwelling currently known as 33 The Ridings and shall not be used as an independent residential unit.

Reason: To ensure that the dwelling remains in single family occupation.

Informatives:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
SD-JF1	14.3.03
Existing Plans	14.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

2. The applicant is advised that reasonable steps should be taken to limit disturbance to neighbouring properties during the construction period and should attempt to provide adequate on-site storage facilities for the storage of materials.

RU.03/0297 Date reg: 18/03/2003 Ward ADDLESTONE BOURNESIDE

LOCATION: 49 BOURNESIDE ROAD, ADDLESTONE
PROPOSAL: ERECTION OF FIRST FLOOR REAR EXTENSION
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr Venner

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

Second Alteration, April 2001: BE2, HO9

1. Site

1.1 49 Bourneside Road is a two storey detached dwelling located in a residential estate, characterised by other similar style dwellings, within the Urban Area of Addlestone.

2. History

2.1 *CHE.24786* – Erection of single storey rear extension. Grant. 22.09.72

3. Application

3.1 The applicant has applied for the erection of a first floor rear extension, which would be located on the top of the existing ground floor extension. This would have a depth of 3.35 metres, being 5.25 metres wide and with a pitched roof in line with the existing roof at 7.7 metres. The proposal would be constructed of brick and tile to match the existing property.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications and five individual letters have been sent out to neighbouring properties, one letter of objection has been received from the neighbour at 47 Bourneside Road and their concerns are as follows:

- The application states that the property would be within 500 mm of the boundary line, the boundary is in fact the wall of the property;
- The plans show the drainpipes being on the side of the property, if so, then they would be on the neighbours land;
- The existing plan shows the bathroom to be on the ground floor, in fact this is on the first floor;
- The plans show that one of the rooms at the rear is a bedroom, this is a bathroom;
- Scaffolding could obstruct the side access to 47 Bourneside Road.

5. Planning Considerations

- 5.1 The main consideration for this application is the effect the development would have on the street scene characteristics of the locality and neighbouring properties' residential amenities.
- 5.2 The proposed development would be located at the rear of the dwelling and would not be visible from Bourneside Road; therefore the proposed extension would not impact upon the street scene characteristics of the locality.
- 5.3 Having regards to neighbouring properties' residential amenities, it is noted that the adjacent neighbour at No. 47 Bourneside Road, had a two storey rear extension approved late last year and is in the process of building it. Also the neighbour at 51 Bourneside has a ground floor rear conservatory. It is therefore considered that in light of the orientation of the properties and the neighbours' extensions, the proposal would not materially result in loss of light, overshadowing or loss of amenity such as to warrant refusal.**
- 5.4 In terms of the concerns raised by the neighbour, the applicant has verbally agreed that the drainpipes would be located on the rear of the property, (revised plans detailing this will be submitted prior to the Committee meeting) and that all scaffolding would be located on the applicant's land. Furthermore the applicant has signed Certificate A stating that the development would be wholly on land under their control. The objector raised points about rooms within the property changing, these cannot be controlled under the planning remit and therefore cannot be considered in this application.
- 5.5 The proposal therefore by reason of its location and the orientation of the site, would not impact upon the street scene characteristics of the locality or materially harm neighbouring properties' residential amenities. It is therefore seen to be in accordance with policies within the Local Plan and is recommended for approval.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

dt

18.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0303 Date reg: 19/03/2003 Ward ENGLEFIELD GREEN EAST

LOCATION: PANTILES & QUEENSWOOD, ROBERTS WAY, ENGLEFIELD GREEN
PROPOSAL: THE ERECTION OF 2 NO X TWO-STOREY DETACHED DWELLINGS
EACH WITH AN INTEGRAL DOUBLE GARAGE FOLLOWING
DEMOLITION OF EXISTING TWO HOUSES, GARAGING AND ANNEX
TYPE: OUTLINE PLANNING PERMISSION
APPLICANT: Mr & Mrs R Leonard

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

Second Alteration, April 2001: GB1, GB6, HO9, NE14, MV9

1. Site

1.1 This site is located at the western end of Roberts Way. It covers approximately 0.3 hectare. There are three buildings within the site and one building 'Stables Cottage' outside the application site boundary but within the same ownership. There is also one two-storey building which has been converted into two dwellings known as 'Pantiles Cottage' and 'Queenswood Cottage'. There is one detached garage to the rear of Queenswood Cottage and one garage with room above to the west of Pantiles Cottage.

1.2 The site lies within the Green Belt. There is open land to the south and west of the application site. The St David's Drive residential development lies to the north and Roberts Way to the east. The site is accessed via a gravel driveway off Roberts Way.

2. History

2.1 The most relevant applications are listed below:

2.2 *EGH.68/12191* Erection of detached bungalow – Refused June 1968.

2.3 *RU.88/0154* Section 53 determination to sub-divide Pantiles Cottage into two dwellings – permission not required, May 1988.

2.4 *RU.01/0832* Two storey extension to Queenswood Cottage – Approved October 1991.

2.5 *RU.02/0749* Certificate of existing lawfulness for the use of Stables Cottage as a single dwellinghouse – Granted November 2002.

3. Application

3.1 This is an outline application for the erection of two detached four bedroom houses with double garages following the demolition of the existing two houses and garaging. None of the reserved matters have been indicated for detailed consideration at this stage.

3.2 The applicant has submitted an indicative site plan showing two detached houses on the site and the retention of Stables Cottage, a single-storey

building which lies outside this application site but within the applicant's ownership.

- 3.3 The submitted application forms indicated that the existing buildings to be demolished have a gross floor area of 697 sq m. The gross floor area for the two replacement dwellings would be 900 sq m including the garaging. The applicant has since agreed in writing that the existing buildings as at May 1986 had a floor area of 459 sq m and not 697 sq m as originally stated. The proposed gross floor area figure has also been reduced to 596 sq m. The applicant has confirmed these amended floor area figures in writing.

4. Consultations

- 4.1 This application has been advertised on the Council's weekly list and twenty individual notification letters sent to neighbouring properties. There has been one letter of objection received from the occupiers of 'Potters Heron', Roberts Way. The objection states that the vehicular access to the site is only wide enough for one vehicle. Any more than the two existing dwellings would cause extra traffic problems.
- 4.2 The County Highway Authority have no objection to the proposal.

5. Planning Considerations

- 5.1 This outline application seeks to establish the principle of replacing a pair of existing semi-detached houses with two detached dwellings in the Green Belt. All matters on this outline application are reserved for consideration with any reserved matters application.
- 5.2 The principle of replacement dwellings in the Green Belt is acceptable providing they do not result in a development that is materially larger than the original dwellings and comply fully with all the requirements of Policy GB6 of the adopted Local Plan. Given that all matters have been excluded with this outline application and only indicative plans have been submitted, there is only limited information to assess with this proposal.
- 5.3 The floor area of the existing dwellings as at May 1986 has been calculated to be 459 sq m and this is now reflected in the application. The proposed total floor area of the two detached dwellings including any garaging has now also been reduced from 900 sq m to 596 sq m. The proposed floor area represents a 29.8% increase on the existing floor area of the two dwellings. Consequently the increase in floor area would comply with the 30% figure in Policy GB6.
- 5.4 The letter of objection relates to the width of the vehicular access and traffic generation. As means of access is not for consideration now these comments cannot be considered at this stage. They would however be pertinent comments with any reserved matters application.
- 5.5 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Standard Outline (C1)
2. Duration (Outline) (C2)
3. Notwithstanding the provisions of Schedule 2 Part 1 and Classes A to E of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending or re-enacting that Order with or without modification) no further extensions or additions to the two dwellings hereby approved including porches or alterations to the roof, or the provision of any additional building within each residential curtilage, shall be constructed without the prior written permission of the Local Planning Authority.

Reason: To retain control over the enlargement of dwellings in the Metropolitan Green Belt.

4. The replacement dwellings hereby permitted shall not be constructed until any additional outbuildings constructed after the date of this permission has been demolished and all resultant debris removed from the site, unless permission in writing is obtained from the Local Planning Authority for their retention.

Reason: To protect the openness of the Metropolitan Green Belt.

5. Construction Related Loading and Parking (CH15)
6. The cumulative total gross external floorspace of the two replacement dwellings including garaging hereby approved shall not exceed 596 square metres.

Reason: In order to obtain a satisfactory form of development to protect the openness of the Metropolitan Green Belt.

Informatives:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

Location Plan
RL1001

14.3.03
14.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

2. The applicant/potential developer is advised that in connection with condition 6 above the proposed floor area figures were agreed in a letter dated 11th April 2003 by Peter Haynes from Trenchard Arlidge on behalf of the applicant.
3. The applicant/potential developer is advised that the site plan submitted with this application is an indicative drawing only and has not been approved with this outline consent. The houses shown on this indicative drawing 0214/04 dated April 2002 exceed the floor area granted by this outline consent and would also spread development across the site producing an inappropriate and harmful development in the Green Belt.

RU.03/0309	Date reg:	19/03/2003	Ward	VIRGINIA WATER
LOCATION:	KESTERS, TRUMPS GREEN ROAD, VIRGINIA WATER			
PROPOSAL:	ERECTION OF 2 NO X DETACHED TWO STOREY DWELLINGS WITH INTEGRAL GARAGE AND ACCOMMODATION IN THE ROOF INCLUDING NEW VEHICULAR ACCESS OFF TRUMPS GREEN ROAD FOLLOWING DEMOLITION OF EXISTING DWELLING			
TYPE:	FULL PLANNING PERMISSION			
APPLICANT:	Phase 4 Developments			

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

Second Alteration, April 2001: HO9, BE2

1. Site

1.1 Kesters is a two-storey, detached dwelling facing north-west onto Trumps Green Road. Five two-storey dwellings occupy this building line between the junction with Knowle Grove and Oak Tree Close. The dwelling has an attached single garage to its eastern elevation. Several small sheds are located towards the rear, north-east boundary.

1.2 The side and rear boundaries of the site are well screened by trees and evergreen hedges. This screening breaks towards the side/front boundary so that the adjoining dwellings, Downend and Sutherland House, are partially visible. The front of the site is also partially screened by some mature trees, although several of the trees within the front of the site have been felled recently.

1.3 The site is located within the Urban Area.

2. History

2.1 Kesters appears to pre-date 1948. The original site was subdivided and the resultant plot is now occupied by Sutherland House approved planning permission in 1968. The most recent and relevant planning history is outlined below.

2.2 *RU.02/0765* Erection of two detached two-storey dwellings with integral garage and accommodation in the roof following demolition of the existing dwelling - Refused August 2002.

2.3 *RU.02/1139* Erection of two detached two-storey dwellings with integral garage and accommodation in the roof including new vehicular access off Trumps Green Road following demolition of existing dwelling - Refused November 2002. Appeal decision awaited.

2.4 *RU.03/0013* Erection of two detached two-storey dwellings with integral garage and accommodation in the roof including new

vehicular access off Trumps Green Road following demolition of existing dwelling - Refused February 2003.

3. Application

3.1 This is a revised application following the refusal of RU.03/0013. It is for full permission for the erection of two detached, two-storey dwellings with loft accommodation, rear conservatories and integral garages following the demolition of the existing detached house.

3.2 The proposed dwellings would be of similar design and scale as each other. The maximum height has been reduced from 9 metres to 8 metres to the ridge of the roof on 'House 1' and 8.2 metres on 'House 2'. The maximum depth would be 13.2 metres to the rear of the conservatory and the width would remain at 10 metres. 'House 1' to the north-east of the site would be 2 metres from the north-east common boundary with Downend. 'House 2' would be at least 2.3 metres from the south-west common boundary with Sutherland House. The proposed houses would retain a space of 2 metres between them. They would be set back at least 15 metres from the existing front boundary. The proposed dwellings include two rear dormer windows.

4. Consultations

4.1 The application has been advertised on the Council's weekly list of applications received and 5 individual letters have been sent out to neighbouring properties. One letter of representation has been received raising the following issues:

- The only revision to the scheme is the removal of the front dormer window.
- The floor area and heights remain as previously refused and there has been no significant change to the height, roof mass, design and proximity to side boundaries.
- The proposal would still remain overly prominent and out of context with the character of the surrounding area.
- The proposal does not respect the established townscape character because of the reduced plot sizes and ratios.
- The proposed dwellings would be three-storey and the rear dormer windows would overlook neighbouring properties, contrary to Policy HO9.

4.2 The County Highways Authority has been consulted has recommended several conditions in the interests of highway safety, but does not object to the new access arrangements.

4.3 The Council's Parks and Amenities Officer has inspected the trees on the site and noted that several Oaks are of good health and amenity value.

5. Planning Considerations

5.1 This is a revised application following the refusal of application RU.03/0013. The main revisions to the scheme include the lowering of the ridge height of both proposed houses from 9 metres to approximately 8 metres and the removal of the front, north-west dormer window. The main consideration for this application is whether the revisions overcome the reasons for refusal outlined under RU.03/0013.

- 5.2 The site is located within the Urban Area, and consideration needs to be given to the impact of the proposal on the street scene and character of the surrounding area and upon the neighbour's residential amenities.
- 5.3 The street scene is characterised by two-storey, detached dwellings. The plots widths in the street scene range from 11 metres to 22 metres. The proposed plot widths would be approximately 11 metres.
- 5.4 The site slopes gradually down in a north-east direction. The ridge height of 'House 1' would be 1.2 metres higher than the adjoining property Downend, which has a ridge height of approximately 7 metres adjacent to the common boundary. The neighbouring property, Sutherland House to the south-west, has a ridge height of approximately 8.4 metres. Sutherland House sits approximately 0.5 metres higher than 'House 2'. The proposed ridge height of 'House 2' would be approximately 1 metre lower than the ridge height of Sutherland House.
- 5.5 The proximity of the proposed dwellings to the neighbouring properties would remain the same as RU.03/0013. The revised scheme does not include front dormer windows, which would reduce the impression of three-storey dwellings when viewed from the street scene. The reduced ridge heights and removal of the front dormer windows are considered to visually reduce the roof mass of the proposed dwellings. The proposed dwellings are considered to have an acceptable impact upon the street scene and character of the area and overcome the previous reason for refusal.
- 5.6 The north-east and south-west side boundaries are generally well screened with mature trees and hedgerows, close-boarded fencing and bushes. The proposed dwellings include loft accommodation with rear dormer windows. The first floor windows to the first floor of the proposed north-east and south-west elevations can be obscurely glazed to reduce issues of overlooking to the adjacent dwellings. Whilst the rear facing dormer window may result in limited overlooking, this is not considered serious enough to warrant a refusal alone. The proposal is considered to have an acceptable impact upon the residential amenities of the neighbouring dwellings.
- 5.7 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objector's rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. External Materials (Submission of Details/Samples) (C29)
4. Restriction of Garages etc to Private Vehicles/Storage (C56) – 'integral garages'
5. New Access/Modified Access (HC1)
6. Parking & Turning (HC6)
7. The highest part of the 'House 1' hereby permitted shall not exceed the height of 8 metres above ground level and the highest part of the 'House 2' hereby permitted shall not exceed the height of 8.2 metres above ground level.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual amenities of the locality and the adjoining dwelling 'Downend'.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no additional windows, dormer windows or other openings shall be formed in the dwellings including the roof (other than those expressly authorised by the approved drawings) without the consent in writing of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of the adjoining residential properties.

9. The first floor bathroom window on the north-east elevation of House 1 and the south-west elevation of House 2 hereby permitted shall be obscure glazed in perpetuity.

Reason: In the interests of the amenities of the neighbouring properties 'Sutherland House' and 'Downend'.

10. The dwellings hereby approved shall maintain a minimum separation distance of 2 metres from the dwelling to the north-east boundary and 2.3 metres to the south-west boundary as shown on drawing no. 1608-01-B received on 17th March 2003.

Reason: To ensure a satisfactory form of development and to protect the character of the surrounding area.

11. Prior to the commencement of the development hereby approved details of the existing and proposed levels of the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual amenities of the locality.

12. The existing tree and hedge screening situated on the site shall be retained at all times.

Reason: Permission is granted having regard to the present screening and boundary planting in existence, the retention of which will ensure a satisfactory visual appearance and in the interests of the amenities of the adjoining residential properties.

13. Prior to the commencement of any development hereby approved and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, details of the specification and position of the fencing for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved and the fencing shall be maintained until the development has been completed and all equipment, machinery and surplus materials have been removed from the site.

Reason: To protect the trees to be retained on this site from damage before and during the course of development.

14. There shall be nothing stored or placed within any protective fencing erected around each tree group of trees to be retained during the construction period.

Reason: To protect and ensure the retention of existing trees during the construction period.

15. There shall be no alteration to the ground level within any protective fencing erected around each tree group of trees to be retained nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: To protect and ensure the retention of existing trees during the construction period.

16. No development shall take place until full details of the 'soft' landscape works have been submitted to and approved by the Local Planning Authority. These details shall include planting plans, written specifications, schedules of plants and trees, noting species, plant sizes and proposed numbers and densities of planting. The works shall be carried out as approved and completed during the first planting season following the substantial completion of the development hereby approved.

Reason: To protect and enhance the character and appearance of the surrounding area.

17. Prior to the occupation of the first dwelling hereby approved, a pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the vehicular access onto Trumps Green Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays in perpetuity.

Reason: In the interests of highway safety.

Informative

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

Date Received:

1608/01A
Site Plan

3.1.03
3.1.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0315 Date reg: 19/03/2003 Ward VIRGINIA WATER

LOCATION: 9 CABRERA CLOSE, VIRGINIA WATER
PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION, FRONT PORCH AND CONVERSION OF LOFT SPACE INTO HABITABLE ROOMS, INCORPORATING INSERTION OF VELUX WINDOWS AND SKY LIGHTS IN ROOF
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr & Mrs Parr

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

Second Alteration April 2001: HO9, BE2

1. Site

- 1.1 No.9 a detached red brick bungalow on the southern side of Cabrera Close (cul de sac). An attached flat roof garage adjoins the western side of the dwelling. No.8 to the east and No.10 to the west are also detached bungalows. The dwellings opposite (across the cul de sac) are two storey. The site backs on to Crown Road.
- 1.2 The boundary treatment on to the site consists of a 1 metre high wired fence on the eastern boundary and a 0.5 metre high wired fence on the western boundary. The rear boundary with Crown Road has a 2 metre high hedge running along it.
- 1.3 The site is in the urban area.

2. History

- 2.1 No previous or relevant history

3. Application

- 3.1 This is a full application for the erection of a single storey rear extension, front porch and conversion of loft space into a habitable room, incorporating the insertion of velux windows and skylights in the roof.
- 3.2 The proposed porch would project 1 metre from the front of the dwelling and have a width of 2.8 metres. The roof of the porch would be pitched with a ridge height of 4.5 metres.
- 3.3 The proposed single rear extension would project 3 metres from the rear. The width would be the same as the dwelling (10.2 metres). It would be flat roofed with a height of 2.8 metres. There would be two sets of sliding doors in the rear elevation. There would also be a line of high level windows in the eastern elevation, and a skylight in the roof.
- 3.4 The external alterations of the loft conversion include; two rear pitched roof dormers in the southern elevation; a velux window in the western elevation;

two velux windows in the eastern elevation; and two velux windows in the northern (front) elevation. The two rear dormers are different sizes. The smaller of the dormers projects 0.7 metres and the larger would project 1.6 metres.

- 3.5 A false pitched roof would be added to the front elevation of the attached garage. It would give the appearance of a hipped roof with a ridge height of 3.5 metres. A door would also replace a window in the rear elevation of the garage.

4. Consultations

- 4.1 The application has been advertised on the council's weekly list of applications. Six letters have been sent out to neighbouring properties. Two letters of objection has been received from nos. 8 and 10 Cabrera Close. These letters raise concerns over drainage.
- 4.2 The County Highways Authority has been consulted and have no requirements.

5. Planning Considerations

- 5.1 This is a full application for the erection of a single storey rear extension, a front porch and the conversion of the loft space into habitable rooms. This would incorporate the insertion of velux windows and skylights in the roof. The main considerations for this application are: the impact on the character of the surrounding area, the design of the proposals and the impact on the residential amenities of neighbouring properties.
- 5.2 The single storey rear extension would not be visible from the streetscene and is therefore unlikely to adversely affect the character of area. Although it would be flat roofed it would be to the rear and is therefore acceptable in design terms. The projection from the rear would be 3 metres which is in line with the Council's Design Guidance. The small high level windows are unlikely to cause any loss of privacy to the neighbouring property. The rear extension is considered to be acceptable.
- 5.3 The porch would be visible from the streetscene. Although it would be in a prominent location it would not dominate the front elevation. The design of the proposal is considered to harmonise with the existing dwelling. Given its small projection and positioning it is unlikely to impact on any neighbouring properties.
- 5.4 The velux windows in the front elevation of the roof are considered to be acceptable. The rear dormers would be pitched roofed which is more attractive than a flat roof. The external additions to the loft conversion are considered to be acceptable.
- 5.5 The false pitched roof on the garage would be desirable as it would create a better aesthetic relationship between the garage and the dwelling from the front elevation.

- 5.6 In reference to the concerns raised regarding drainage issues on this site, the neighbours are concerned about alterations to the drainage system which could affect their properties. This is a matter which will be addressed under the Building Regulations rather than this planning application.
- 5.7 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of any objectors' rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informative:

1. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

<u>Drawing Number:</u>	<u>Date Received:</u>
1 Rev 1	17.3.03
2 Rev 1A	17.3.03
3 Rev 1A	17.3.03
6 Rev 1A	17.3.03
7 Rev 1A	17.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

RU.03/0316 Date reg: 19/03/2003 Ward HYTHE

LOCATION: 22 HUNTINGFIELD WAY, EGHAM
PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION FOLLOWING
 REMOVAL OF EXISTING SHED
TYPE: FULL PLANNING PERMISSION
APPLICANT: Mr A Atchinson

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

 Second Alteration, April 2001: BE2, HO9

1. Site

- 1.1 The site lies in the urban area and flood plain. The dwelling is terraced with the rear garden served by an alleyway between nos. 20 and 22.
- 1.2 The rear garden is occupied by two outbuildings: a store building at the end of the garden and a store building linked to the neighbours at no.20.

2. History

- 2.1 In February 2003 full planning permission was refused for the erection of a single storey rear extension (RU.02/1493). This was because the development by reason of its depth, height and proximity to the common boundary would have resulted in an incongruous and un-neighbourly form of development, which would have had overbearing and overshadowing effects detrimental to the residential amenities of no.24 Huntingfield Way.
- 2.2 There is no other relevant or recent planning history.

3. Application

- 3.1 The proposal is for the erection of a single storey rear extension following the part demolition of the shared store building.
- 3.2 The extension would have a depth of 3.6 metres with a width of 6 metres. It would be some 20 cm away from the common boundary with no.24 Huntingfield Way and would be approximately 1.4 metres away from the common boundary with no. 20.
- 3.3 The roof would be hipped with heights to eaves and ridge of 2.5 metres and 4 metres respectively. There would be a velux window on the rear elevation.

4. Consultations

4.1 The application was advertised on the Council's weekly list and 6 individual letters of notification were sent out. One letter of objection has been received from the owner of no. 20 summarised below:

- The plan drawings are incorrect as the boundary should be on the nearside of the shared alleyway closest to no.22 not the far side closest to no.20;
- Query over whether or not the applicant would make good the dividing wall if part of the shed were to be demolished.

4.2 The County Highways Authority has no requirements to make.

5. Planning Considerations

5.1 The site lies in the urban area and so the main issue to consider is the impact on neighbours' amenities. This proposal seeks to overcome the reason for refusing RU.02/1493 by reducing the depth of the extension by 1.5 metres (i.e. from 5.1 metres to 3.6 metres) and reducing the width. The extension would now be further away from no. 20 by approximately 22.5 cm.

5.2 The Council's supplementary design guidance (June 2001) states that 'as a general rule, if a single storey extension does not project more than 3 metres from the existing rear building face, the effect on natural light is minimal.' In addition, normally extensions should not extend beyond an angle of 45 degrees from the centre of the nearest adjoining neighbour's window. Furthermore, buildings too close to a boundary can cause problems with access and encroachment and in order to avoid these problems a minimum of 1 metre clearance from the boundary should normally be allowed.

5.3 Given the above guidance, this proposal's depth at 3.6 metres is considered to be acceptable at this location. This is because of the orientation of the dwellings which would mean that no.24 would receive light first. No.20 would lose a degree of light but given that the extension would protrude no further than the existing shed, the actual loss of light would not be adversely significant.

5.4 The proposal would be as close to the common boundary with no. 24 as the previous refusal. It was considered that the depth of the previous refusal combined with this proximity would have had an overbearing and un-neighbourly impact, heightened because the dwellings are staggered with no.24 set further forward than no. 22. Whilst there would still be a degree of harm, it is considered that the reduced depth would serve to adequately decrease the overbearing effect on this neighbour's amenity.

- 5.5 The owner at no.20 raises objection over the boundary line and hence encroachment. However, the applicants have signed certificate A as part of the application and this therefore remains a civil matter between interested parties. In any case, this proposal has been stepped further away from the boundary, which would mean that the extension (except the relocated gate) would still be all on the applicant's land even if the boundary stated by the owner at no.20 were to be used. The making good of the common wall is also considered to be a civil matter. An informative has been suggested to address this issue.
- 5.6 The scale, height and overall design of the proposal is now considered to satisfactorily harmonise with the main dwelling. The proposal would comply with plan policy.
- 5.7 Consideration has been given to the requirements of Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. It is not considered that the granting of permission would result in a violation of the objector's rights under the Convention.

Officers' Recommendation

GRANT subject to the following conditions:

1. Duration (Other than Outline) (C3)
2. No Departure (Full Applications) (C4)
3. Harmonising External Materials (Submission of Details/Samples) (C30)
4. No Windows in Extensions (C62)

Informatives:

1. The applicant is advised that this planning permission does not convey the right to enter onto or build upon land not within his ownership.
2. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown :-

Drawing Number:

MA/01, 02A, 03A
Location Plan

Date Received:

17.3.03
17.3.03

Any permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a

licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

3. Following the proposed demolition of part of the store, the exposed wall to no. 20 Huntingfield Way needs to be made good. In this regard the applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building such as the store.