

Runnymede Borough CouncilPLANNING COMMITTEE1 April 2009 at 7.30pm

Members of the Committee present: Councillors G B Woodger (Chairman), D W Parr (Vice-Chairman), J R Ashmore, Mrs F J Barden, D A Cotty, R J Edis, J R Furey, Mrs L M Gillham, C Knight, M T Kusneraitis, H W V Meares, Mrs M Roberts, N Stewert, P B Tuley and J Wilson,

Members of the Committee absent: None

Councillor C J Norman also attended.

FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

Group Requiring Change	Remove from Membership	Appoint Instead
Conservative	Councillor Mrs Lay	Councillor D A Cotty
Conservative	Councillor Mrs F M Angell	Councillor J J Wilson
Conservative	Councillor J M Edwards	Councillor R J Edis
Runnymede Independent	Councillor Mrs E Gill	Councillor Mrs L M Gillham

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

MINUTES

The Minutes of the meeting of the Committee held on 11 March 2009 were approved and signed as a correct record.

PLANNING APPLICATIONS

The planning applications listed below were considered by the Committee. All representations received on the applications were reported and copies were made available for inspection by Members before the meeting. Objectors and Applicants' agents addressed the Committee on the applications indicated below.

RESOLVED that –

the following applications be determined as indicated and any permission granted be subject to the Conditions authorised.

APP NO**LOCATION, PROPOSAL AND DECISION****RU 06/0933**

**Thorpe Park, Staines Road, Chertsey
Outline application (access, layout and scale) for a 250 bed hotel, incorporating a leisure suite and spa, conference facilities, restaurants and bars, together with associated car parking (375 spaces) and landscaping; creation of dedicated parking/drop off facility for coaches and buses; retention of**

existing storage/administration building; together with amendments to approved medium term development plan 2005-2010 for Thorpe Park (RU 03/0965) (amended layout October 2008).

DECISION: The application be referred to the Secretary of State for Communities and Local Government as an acceptable departure from the provisions of the Development Plan, and failing any Direction from the Secretary of State, prepare a legal agreement to secure a financial contribution of £360,000 to the Runnymede Travel Initiative and authorise the Director of Technical Services in consultation with Chairman/Vice Chairman to GRANT permission subject to imposition of appropriate conditions, particularly to restrict the future separation of the hotel from Thorpe Park.

(By reason of special circumstances, the Committee was minded to grant outline permission due to the benefits of the proposals in terms of its positive impact on the local environment, the community and the economy).

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

RU 09/0072

**Hanover House, 1 Station Parade, Virginia Water
Extensions to existing office comprising a four storey rear extension, creation of additional storey over existing flat roof with rear terrace and remodelled front/north elevation.**

DECISION: Following the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £66,771.55 towards the infrastructure tariff, the Director of Technical Services be authorised to GRANT permission subject to Conditions, Reasons and Informatives listed on the Agenda.

RU 09/0142

**Pinefields, Church Road, Addlestone
Demolition of existing buildings and erection of 39 no affordable housing units comprising 11 no. two storey (2 and 3 bed) terraced dwellings and 28 no. (1 and 2 bed) flats in three blocks (two frontage blocks 3 and half storey and rear block 2 and half storey) with new vehicular access from Church Road and associated parking, hardstanding, amenity areas and bin stores.**

DECISION: GRANT subject to conditions, reasons and Informatives listed on Agenda and replacement condition 5, amended Reason 21, additional condition and deletion of Informative 7 all as per Addendum.

(Mrs McMurray, an objector and Mr Gilbert, agent for the applicant addressed the Committee on the above application).

RU 09/0106

**The Pines, London Road, Englefield Green
Erection of 4 no. 3 storey terraced houses and new greenhouse on land to the rear of The Pines with access off**

London Road.

DECISION: GRANT subject to Conditions, Reasons and Informatives listed on Agenda and additional Condition as per Addendum.

RU 09/0175

**Holme Place, Kingswood Rise, Englefield Green
Erection of conservatory to rear of property and single storey side/rear extension.**

DECISION: GRANT subject to Conditions and Informatives (as amended), listed on Agenda.

(Ms Doyle, an objector addressed the Committee on the above application).

RU 09/0178

**Addlestone Quarry, National Grid Entrance, Byfleet Road, New Haw
Consultation by Surrey County Council for retention of existing plant and continued extraction of sand and gravel and Bagshot beds from 61 ha with importation of inert waste and progressive restoration of the site partly to agriculture and partly to reedbed shallows without compliance with Conditions 1 and 20 of planning permission RU 01/0718 dated 2 November 2004 by extending the aftercare period a further 5 years such that the development shall cease and the site restoration be completed by 31 December 2014.**

DECISION: NO OBJECTIONS subject to Surrey County Council being satisfied that the extension of the time is essential for the orderly extraction and restoration of the site and that operations are more closely monitored in the interests of neighbouring residential properties.

RU 09/0188

**20 Derwent Road, Egham
Erection of two storey side extension and rear conservatory to rear following demolition of existing conservatory.**

DECISION: GRANT subject to Conditions, Reason and Informatives listed on Agenda.

RU 09/0195

**Garages at Oaklands Court, Addlestone
Demolition of existing concrete garages and erection of replacement new flat roof brick and blockwork garages.**

DECISION: GRANT subject to Conditions and Informatives listed on Agenda.

RUNNYMEDE SUSTAINABLE COMMUNITY STRATEGY AND THE PLANNING SERVICE

The Committee reviewed the current operation of the Planning Service to ensure it was in accordance with the guidance and priorities set out in the Runnymede Sustainable Community Strategy (RSCS).

Since the introduction of the Planning and Compulsory Purchase Act 2004 the Government had been introducing guidance that aimed at changing the planning service. The first major step was the introduction of the new Development Plan process, replacing the Local Plan with the Local Development Framework (LDF). In tandem with this was the linking of the Sustainable Community Strategy, Local Area Agreements and the work of the Local Strategic Partnership with the LDF. The outcome for the planning service had been to introduce the concept of Place Shaping and Development Management.

Development Management and Place-Shaping described a concept and process that was quite different from Development Control based on traditional land-use plans such as Local Plans and Unitary Development Plans. It emphasised a positive approach to enabling development that benefits the local community rather than simply reacting to schemes. To be fully effective it was necessary to have an adopted LDF. However, steps could be taken now. The introduction of Development Management and Place Shaping would need to be introduced in a series of steps and the mechanism considered by the Committee (in respect of planning applications and access to planning information) represented some of the early measures. A report would be presented shortly in respect of compliance and enforcement matters.

The Committee noted that recently the Government had commissioned Killian and Pretty to consider how to establish a faster and more responsive system for the processing of planning applications and to provide a framework for assessing their relationship and impact on the wider community.

Recommendation 3 of the Killian – Pretty report advised Local Planning Authorities that there was a need to improve access to planning information for both public and other stakeholders. The emphasis was upon delivery of high quality and timely information about planning applications and the processes involved. As a step towards this, a review of the web-based planning information had been undertaken by Officers and opportunities to improve the quality of information had been identified. This would also form a key part of the Comprehensive Area Assessment (CAA) that would consider how the Council communicated with the local community and other stakeholders.

The total cost of these enhancements to the web based planning information system was £32,200. Of this amount £1,200 related to the annual maintenance cost and would be met from existing budgets, with the remaining £31,000 being met from the provisions for system upgrades and development held in the capital programme, for which a supplementary estimate would be required.

Recommendation 4 of the Killian-Pretty report indicated that Government, Local Planning Authorities and others should take steps to improve the critically important pre-application stage of the application process in order to improve the quality of the application and to avoid problems and delays at later stages. This would also enable the wider Development Management and Place Shaping issues to be highlighted with the applicant.

The Council had encouraged pre-application discussions. When the pre-application system worked it was beneficial for all involved in the process. It saved time and money, applications were easier to process and deadlines were usually met, there was generally a reduction in third party objections and better quality developments evolved. However, the problems arose with the pre-application advice system when both parties expend much time and effort without being able to resolve some or all the differences in opinion. This generally resulted in a very long process often involving an appeal, which was most likely to be an Inquiry for major applications. There were many reasons why pre-application discussions did not always work effectively.

The Committee supported a trial pre-application discussion scheme along the lines outlined in Appendix 'A' to provide a clear guidance and structure of Runnymede's approach on pre-application discussions. The effectiveness of pre-application discussions would be monitored as part of the trial. The amount of Officer time spent on pre-application discussion would also be monitored in order to assess the merits and potential for charging for pre-application advice. A report on the outcome of the trial would be made to Committee early in 2010.

RESOLVED that –

- i) the contents of this report be endorsed;**
- ii) the trial on pre-application discussion on planning applications, set out in Appendix 'A' subject to minor changes to be agreed by Director of Technical Services in consultation with the Chairman and Vice-Chairman be endorsed; and**
- iii) the amount of time Planning Officers spend on pre-application discussions be monitored as part of the trial in order to assess the merits and potential for charging for pre-application advice, and report back to Committee thereon early in 2010.**

- iv) **the Corporate Management Committee be requested to approve a supplementary Capital Estimate in the sum of £31,000 for an upgrade to the web based planning information system, to be taken from the provision for systems upgrades and development held in the capital programme.**

APPEAL DECISIONS

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

<u>Site/Development</u>	<u>Decision</u>
a) Toad Hall & Boscobel, Riverside, Staines – erection of 2 two storey steel and timber frame dwellings, following demolition of existing single storey dwellings and outhouse. (RU 07/1348)	DISMISSED
b) R/O 6-11 North Street and 8A & 9 Clarence Street, Egham – erection of three 3-bed detached dwellings plus car port and garage for 9 Clarence Street, with vehicular access between 8A & 9. (RU 08/0800)	DISMISSED
c) The Bungalow, Ruxbury Road, Chertsey – single storey extension. (RU 08/0822)	DISMISSED

PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES

A list of planning applications recently determined by the Director of Technical Services under his delegated powers was noted.

LOCAL DEVELOPMENT FRAMEWORK MEMBER WORKING GROUP – MINUTES

The Minutes of the meeting of the Local Development Framework Member Working Group held on 23 February 2009, were noted.

WILLOW FARM, CHOBHAM ROAD, OTTERSHAW

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

The Committee gave consideration to the continuation of legal proceedings in the High Court to secure the compliance with two Enforcement Notices issued by the Council, and/or the Injunction granted to the Council by the High Court, regarding the laying of a hardstanding and stationing of caravans at Willow Farm, Chobham Road, Ottershaw.

In considering further action, the Committee was informed that in November 2008, an application for full planning permission had been received for the change of use of the site to include the stationing of caravans for 4 x no gypsy pitches with utility/dayroom building and hardstanding ancillary to that use. The application had not been registered valid owing to no fee being submitted.

A site visit had been undertaken on 5 December 2008, and 3 mobile homes, 8 touring caravans and 2 motor homes were observed on the site. The two existing 'barns' at the rear of the site and on the western boundary were used by the occupants of the mobile homes/caravans as ancillary residential accommodation/storage. Two additional utility buildings had been sited close to the southern boundary.

At the site visit Officers had distributed Questionnaires requesting information in respect of the current personal circumstances of the persons occupying the site. No responses had been made. The applicant's agent had advised that the personal circumstances of the proposed occupants would be submitted where relevant with other material considerations following validation of the application. The Council also advised the occupiers of the site by way of letters and site notices dated 5 December 2008 that if they did not vacate the site by 19 December 2008, the Council would consider making application to the High Court to enforce the injunction.

On 22 December 2008, the application for planning permission was accepted as valid, but had not yet been determined. A report in respect of this application would be submitted to the Committee for determination at its next meeting.

On 13 January 2009, Solicitors acting on behalf of Kelly Rooney, Rosemary Rooney and Margaret Rooney requested the Council to consent to a variation of the terms of the original injunction so as to extend the time for the cessation of use of the land to three months from the date of any final refusal of planning consent by the Secretary of State, should it be refused by the Local Authority and any appeal to the High Court that may lie from the Secretary of State's decision.

Over the weekend of 28 February 2009/1 March 2009 a mobile "structure" had been brought onto the site and on 16 March 2009 the Council had been informed by a member of the public that a lane to the site was being widened in breach of the Injunction.

The applicant's planning agents had been requested on 3 March 2009 to submit any personal information in support of the current planning application and this had only recently been submitted and was circulated to Members at the meeting.

The Committee considered the following options in respect of the outstanding breach of the Injunction:

- i) take no action;
- ii) provide additional sites;
- iii) grant a full/temporary planning permission;
- iv) seek to enforce the injunction/agree to a variation of the injunction
- v) take direct action;
- vi) commence criminal proceedings for non-compliance.

In assessing the options, the Committee considered the personal circumstances of the occupiers, guidance as to the considerations that applied, the relevant case law and human rights considerations, policy considerations and particularly the current situation regarding the needs for Gypsy and traveller pitches in the Borough, the effect Circular 1/2006 was having upon planning considerations in cases involving travellers, guidance in respect of injunction applications and contempt proceedings, and financial considerations. In balancing all of these considerations, the Committee was of the view that action should be taken against the occupiers of the site to enforce the Injunction in the High Court. Counsel's opinion would also be sought on the appropriateness of contempt proceedings. The potential risks and likelihood of success and financial implications were noted.

UNANIMOUSLY RESOLVED that –

subject to Counsel's opinion, an application be made to the High Court to enforce the outstanding Injunction (including against the additional occupiers of the site).

Chairman

(The meeting ended at 10.16 pm)