

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday 12th May 2010 at 7.30pm

A D D E N D U M

A G E N D A I T E M S

1. Page 7 Item 8 **DERA Green Belt Boundaries Consultation – Responses**

Change to Officers' Recommendation:

- (i) the Boundary as suggested in the February / March Consultation remain the same for the "publication" version Core Strategy that will be available for consultation in Summer 2010;
 - (ii) the comments received through the consultation be used to help inform the Core Strategy Policy and Supplementary Planning Document for the Former DERA site;
 - (iii) the comments of the Overview and Scrutiny Select Panel as set out in Appendix 'D' be noted by the Committee.
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2. Page 17 Item 12 **Lyne View Farm, Fan Court Estate, Lyne - Enforcement**

The owner has requested that the consideration of the report be deferred until all information has been considered.
(Officer Note: All information submitted to date by the owner of the site has been considered)

Three emails have been received from the owner and his advisors making the following comments:

- 1. The log cabin qualifies as a direct replacement for the old mobile home.
Officer note: the old mobile home is still on the site.
- 2. Information is submitted with the email to confirm in that the mobile home does not require Building Regulations.
- 3. Raising disappointment that the view in respect of the log cabin has not been altered given current ratios relevant in order to reconcile current law and as he invited the Council to reconsider the legislation and his 1998 appeal.

4. Pleased to note that applications RU.06/0282 and RU.06/0962 are recommended for approval but surprised that authority is being sought to take action against the log cabin given that (a) it is not being used for residential purposes in his view and (b) the use of such a mobile structure to serve the needs of the yard has been allowed on appeal.

An email has been received from a resident of Fan Court Estate commenting that:

1. The caravan was the first step the owner took towards residential status, the log structure is now the second and the accommodation is rather grand for his use when occasional foaling takes place and his animals are sick.
 2. It is time that action is taken to curb the enterprise and revert the owner back to an acceptable level of use on Green Belt land.
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PLANNING APPLICATIONS

1. Page 1 Land r/o 21-23 Victoria Street, Englefield Green - RU.10/0235

Consultation:

Para 4.1;

Seven letters of support has been received with the reasons for support summarised below:

- The development would replace an ugly and unfitting building, revitalise the run down street and breathe new life into a dying area.
- The basements would have no additional effect on the area as the number of flats and commercial units remain the same. A basement is a good idea to save the land and increase living space.
- The development will prevent anti-social behaviour as teenagers currently congregate on its grounds causing noise and disturbance.

Officers'

Recommendation:

Amend condition 11 to read:

11. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 2 and potentially 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

Actions for the applicant/developer:

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

2. Submission of Remediation Scheme

If via point 1 above, contamination is found, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

The above actions must be carried out prior to development OR information produced to provide information of the former history of the adjacent area which may negate the need for these actions for example an investigation or remediation document relating to the former garage use.

If Investigations reveal contamination on site or a remediation document is produced, the following will need to be implemented.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Upon completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

If remediation is implemented, no development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of recommended years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority.

Reason: To ensure that the development is safe and that if any contamination is found to be necessary remediation is undertaken and to comply with Planning Policy Statement 23 (PPS23): Planning and Pollution Control and Annex 2 of Planning Policy Statement 23 (PPS23) Development on Land affected by Contamination.

Land at 299-303 Green Lane and Land to rear of 297 Green Lane, Chertsey - RU.10/0247

Consultations:

Three additional letters of objection (nos 9 and 15 Gordon Close and 12b Jersey Close) have been received, raising objections on the same grounds as already summarised in the report and the following issues:

- there is an extreme fire danger to build close to multiple trees (which did occur some 10-20 years ago)
- the proposal is too dense given the previous schemes dismissed at appeal
- the access to some properties at the side is not in keeping with the locality
- the pathway for the refuse/recycling vehicle is awkward and may result in conflict with residents waiting to exit their properties and the access road is too narrow (NOTE: The County Highway Authority has not objected to the application)
- plot 2 is less than 1 metre from the fence at 12b Jersey Close, resulting in light pollution from any security light, noise and smells from bins. Occupiers spend lot of time in this part of their garden sure to the decking. Narrow access may result in fence damage when residents move in and plot 2 will cause overshadowing to garden of 12b Jersey Close (NOTE: No objections on neighbour impact grounds were raised by the Inspector in the previous appeal where the dwelling was two storey and closer to the shared boundary)
- development will create more problems than it solves
- requesting that the application be rejected

One additional email has been received from 12A Jersey Close which has been copied to all Members of the Committee which raises no new issues.

An email has also been received:

1. Requesting details of which addresses were notified and which properties have objected. These details have been provided.
2. An email has also been received questioning whether a bat survey has been undertaken by the applicant. Paragraph 5.21 and Condition 27 of the Officer report deal with this matter.

Consultations:

In respect of this application and application **RU.06/0962** a resident of Fan Court has made the following comments:

1. At an early stage the owner offered stabling and grazing on a scale that is nothing short of business use and the traffic and buildings on the site do not represent 'owner use'. In other circumstances this would be overdevelopment.
2. The use of the land has a direct adverse effect on Fan Court's residential status and there are other non-planning issues with the applicant. Horses are also walked/rode on the estate road by strangers and their families which is not expected from owner use.

An email has been received from the applicant making the following comments on this application and **RU.06/0962**:

1. 16 stables used for breeding, training and commercial (restricted to remedials and rescues). We have provided a de-minimis level of breeding, training and remedials for well over 10 years which allows us to cover cost and continue to help horses live useful lives whether sold or re-homed.
2. Our weaning method for mares and foals is successful and results in no trauma. We retain the best horses for competition and sell the surplus to recover costs.
3. We have special skills, akin to horse whispering, hence our success at county and national level. We have also represented Surrey with home bred and home trained horses. My daughter is also a veterinary nurse.
4. We are surrounded by equine establishments that we help and have been of benefit to Fan Court. We have achieved a bursary for international training and have a Duke of Edinburgh award for horse welfare.
5. In respect of the letters received on the application compared with trade vehicles we are de-minimis, water run off causes grooves in the road, covenants do not affect my land, dung is cleared, good tree husbandry avoids accidents, work was undertaken in daylight and there were 8 letters of support referring to our special skills.
6. The grass manege site has been used for 10 years as it was a flattish area which was then improved for higher levels of training.
7. A paddock seed mix was used and the electric tape is green.

Officers'

Recommendation: Amend Condition 1 to refer to 16 horses rather than 12 following clarification from the applicant.

Replace existing Conditions 2 and 4, pages 37 and 38, with new Condition 2:

The site (including the stables and manège) shall only be used for the purposes of stabling, riding, grazing of horses, and the breeding and training of horses (as described in the application) in connection with the personal use of the site only, and shall not at any time be used for the purpose of livery or any other commercial purposes whatsoever (including a riding school or independent riding lessons), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the openness and visual amenities of the Green Belt and to comply with saved Policies GB1 and GB5 of the Runnymede Borough Local Plan Second Alteration.

4. Page 40

Lyne View Farm, Fan Court, Lyne - RU.06/0962

Officers'

Recommendation:

Replace Condition 3 with:

3. The flat paddock area hereby approved shall only be used in association with the use of the site for the purposes of stabling, riding, grazing of horses, and the breeding and training of horses (as described in the application) in connection with the personal use of the site only, and shall not at any time be used for the purpose of livery or any other commercial purposes whatsoever (including a riding school or independent riding lessons), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the openness and visual amenities of the Green Belt and to comply with saved Policies GB1 and GB5 of the Runnymede Borough Local Plan Second Alteration.

Add new condition 4:

No fencing shall be erected around or within the flat paddock hereby approved, other than the existing post-and-tape enclosure, unless otherwise agreed in writing by the Local Planning Authority,

Reason: To protect the openness and visual amenities of the Green Belt and to comply with saved Policies GB1 and GB5 of the Runnymede Borough Local Plan Second Alteration.

5. Page 48

St Peters Church, Windsor Street, Chertsey – RU.10/0240

This application was referred to Committee for decision as the application form stated that the Council was the applicant. However, since the agenda was published, it has been clarified that it is the Church of England that is the applicant, not the Council. Therefore the application can be determined by officers under delegated powers in accordance with adopted procedures.

6. Page 56

16 Corrie Road, Addlestone – RU.10/0301

This application has been withdrawn from the agenda at the request of the Head of Planning. Since the publication of the agenda, officers have been advised that the correct ownership certificate was not completed at the time of the submission of the application. Under these circumstances, the application becomes invalid and cannot be determined. Members are advised that a correct certificate of ownership has now been received but that 21 days have to elapse to allow the owner of the land to make representations. The application will therefore be reported to the next available Committee.
