

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday 15 February 2012 at 7.30pm

A D D E N D U M

A G E N D A I T E M S

1. Page 6 Item 7

Waters Edge, Hamm Court, Weybridge – Enforcement (DTS)

Additional points for the front item relating to Waters Edge, Hamm Court

- A letter has been received from the Hamm Court Residents Association. The main points made in this letter are summarised as follows:

-concern over the question of what is considered to be the principal elevation of riverside properties under the permitted development regulations. Request that the Council reconsiders this given that the permitted development guidelines do not.

Officer comment: This judgement has to be made on a case by case basis and will vary from property to property

-all of the plots on Hamm Court are very long, and, for the majority of riverside developments, the main house is positioned close to the river to benefit from the views. These river facing elevations are considered to be the principal elevations of the properties. A previous appeal Inspector has supported this.

-several people have commented on the improvement that the building works carried out by the owners at Waters Edge have resulted in. Only one neighbour has raised objection to the outbuildings erected and other works carried out at the property

- The landowner at Waters Edge has submitted a letter of support from the resident of Fourwinds, Hamm Court (who is the Director of Hamm Court Ltd). The main points made in this letter are summarised as follows:

-the improvements Mr and Mrs Powell have made to the property have greatly improved the visual aspect of the plot. They have spent a great deal of time, money and care on their property.

-the buildings which have been erected occupy a very small percentage of the land.

-the Hamm Court covenants have not been mentioned even though it has been requested that the Council considers them.

Officer comment: the enforcement of covenants is a civil matter over which the Council has no remit. The Council has powers only in respect of planning matters

-the author is intrigued by the demand, 'return the land to its condition prior to the erection of the unauthorised outbuildings on the site' noting that it would be a shame to return a neat residential site into the derelict wilderness that the Powells purchased.

-only one complaint has been received from an estate of 105 houses, so the Council is not acting on the behalf of Hamm Court Ltd. Therefore question as to what benefit would come from the demolition order.

- Two additional emails have been received from the complainant. The main points are summarised below:

- the report is factually comprehensive and thorough

-whilst we sympathise with Mrs Powell's condition [who resides at Waters Edge], and which may deteriorate, this condition was known to the owners of Waters Edge when they purchased the property.

-the personal circumstances of Mrs Powell were dismissed with prior planning applications

-Mr and Mrs Powell have known from the outset that the building is illegitimate but have proceeded regardless with a clear attitude of "stop me if you can"

- A letter has been received from the landowner requesting a copy of the committee report.
(Officers have advised the landowner of the committee date, requested any information he wished to provide to assist the committee and where to find a copy of the committee report)

PLANNING APPLICATIONS

1. Page 2

Open Space at Palmer Crescent, Ottershaw (RU.11/0285)

4. Consultations

Para 4.2 An additional letter of objection has been received on behalf of the 'Friends of Palmer Crescent'. This objection letter was copied to all Members of the Planning Committee.

Officer comments

- Legal advice has been sought on the details of the legal judgement referred to in the letter. The case referred to relates to a very large Green Belt site, with formal recreation provision including playing fields, and is therefore not directly comparable to this application.
- Planning Policy Guidance 17 (PPG17) notes that consultation with the local community should be undertaken to obtain local support for proposals. However Government advice is that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission.
- It is made clear throughout the legal judgement that PPG17 is guidance only and that it is for the decision maker to decide what weight to attach to the use of PPG17.

Planning Considerations

Para 6.6 This paragraph refers to the draft Sustainable Community Strategy and the draft Corporate Business Plan and was drafted on the basis that these documents would be approved for consultation by the Corporate Management Committee (CMC) on 2nd February 2012. The CMC had a number of comments and the documents are to be redrafted to reflect the comments made. The revised documents will then be issued for consultation. Therefore, the documents have little or no weight as they have not yet been formally issued and are still subject to change.

Officer Recommendation

- (a) add the words “in perpetuity” after “the provision of open space area”

Conditions – Additional condition

20. 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 any dwelling, including porches or alterations to the roof, or the provision of any additional building within the curtilage of any dwelling, shall be constructed without the prior written permission of the Local Planning Authority.

Reason: To ensure a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and to comply with saved Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001.

2. Page 22: **Wentworth Club, Wentworth Drive RU.11/1095**

**Officer's
Recommendation**

Reason for condition 2 should read:

'In the interests of the openness and visual amenities of the Green Belt to comply with Saved Policies GB1 and GB5 of the Runnymede Borough Local Plan Second Alteration 2001'

not Saved Policies GOB and GOB.

3. Page 25 **Chertsey Hall, Heriot Road, Chertsey (RU.12/0027)**

Para 6.1 The first sentence should read 'The purpose of this application is to provide one dedicated advertising space at Chertsey Hall' not Hythe Social Centre as stated in the committee report