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24th November 2023

Runnymede Borough Council

Addlestone

Surrey KT15 2AH

via e-mail

Planning Application RU.23/1432, Willow Farm, Chobham Road, Ottershaw – ONF Comments

Dear Sirs,

I refer to the above Planning Application.

1. The following represent the comments, observations and objections of the Ottershaw Neighbourhood Forum Steering Committee on behalf of its membership.
2. In general we recommend this application is **REFUSED** for the following reasons.

Duration of Site Occupancy

3. The arguments presented are given as reasons to permit change or removal of conditions, but site occupation, **contrary to planning policy and in defiance of planning decisions** can and must never in our opinion be considered a valid justification to overturn subsequent planning decisions.

Expansion of the site

4. The planning history clearly shows a continuous failure to comply with approval conditions in a number of key areas including:
 - a. increasing the number of pitches, both mobile and fixed.
 - b. increasing the areas of hardstanding.
 - c. increasing the height of the hardstanding area.
 - d. levelling off the site including hardstanding areas.
 - e. introducing gabion walling and piling to the front of the site to contain unapproved earth movements.

- f. ignoring the constraints of TPO7 by encroachment into this area and both removing and causing damage to the 'protected' trees.
5. The planning history details an enforcement in March 2003 requiring the removal of hardcore and re-instatement of the land. As the previous 'field' had sloped towards the road. This clearly never happened.
6. An interim injunction was issued in April 2003 to prevent the the number of caravans increasing above 6. This demonstrates an early intention to increase the occupancy and impact on the site. This was confirmed in subsequent applications.

Harm to the Green Belt (GB).

7. All current and previous applications we believe represent inappropriate development in the Green Belt and the site is now both harmful to the character and appearance of the wider area and contributes towards the coalescence of Ottershaw and Chobham. Any ribbon development in a rural setting is harmful. It is therefore considered essential to retain the conditions designed to contain and minimise that harm and to ensure the site can be effectively and easily returned to its GB state when and should the need arise. The site residents have only ever had a temporary permission. Their duty of care to loaned GB land has not we believe been upheld.
8. In November 2009 an inspector found that factors supporting the occupants **DID NOT** 'outweigh the harm (to) the Green Belt and character and appearance of the area.' If this was the case nearly 15years ago we would see this as a stronger case against the residents today given the vast amount of unapproved change that has transpired.
9. Since that time in our opinion the negative impact on the character and appearance of the site has significantly increased.
10. The site has developed into what should be recognised as an inappropriate development in the Green Belt

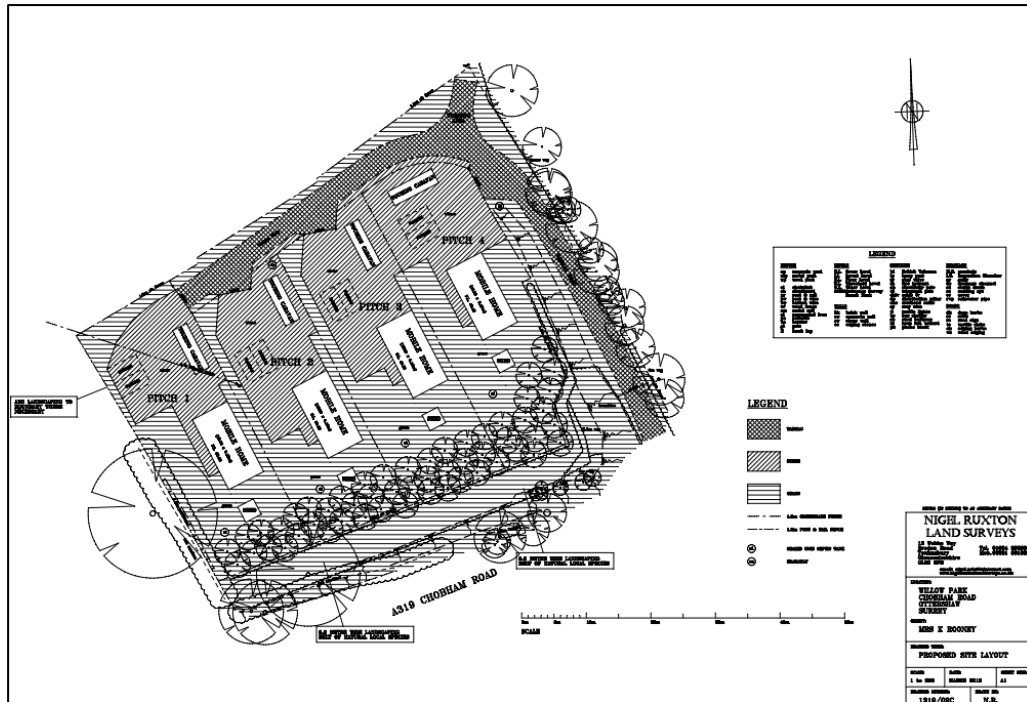


Fig 4: Plan 1 submitted in 2013

Plan 1 – 2013

11. The plan above at fig 4, submitted in 2013 shows 4 pitches set back from the road. It indicates substantial tree planting and about 40% of the site as a grassed area. The site at this time was already of poor standard and awash with hardcore
12. Today the condition of the site has deteriorated much further and reflects previous approvals to a far lesser degree, see fig 1 below. Our assessment of the sites current condition is:
 - a. The site now appears to comprise a minimum of 4 permanent habitable structures and at least 9 other habitable structures which are likely mobile.
 - b. At least a further 7 small non-habitable structures are present.
 - c. At least 70% of the site is now under asphalt or concrete.
 - d. The site has been levelled using hardcore and other materials.
 - e. Gabion walls and wooden piling have been introduced on the roadside boundary (see fig 3). These are both unsightly and a potential road safety hazard given their unknown and unapproved construction.
 - f. Entranceway widened. Photographic evidence demonstrates the entrance has been significantly widened, removing areas from TPO7 without the necessary permissions. See Fig 3 below.

Note: Given the lack of direct access, the true extent of site development cannot be fully measured.



Fig 1: 2023 Image of the Site



Fig 2: Site frontage onto Chobham Road before introduction of walls & piling.



Fig 3: Site frontage (part) onto Chobham Road after introduction of walls & piling.

13. The council should ensure that conditions should stipulate restrictions on occupancy and subsequent enforcement should ensure these conditions are being complied with. Planning history provides clear evidence that this has not been the case to date. This approach sets an unwelcome precedent regarding developments of this kind.

Health & Safety Hazard.

14. Over time, our assessment is that the impact on the land's quality has been significant. From the initial hardcore deposits in 2003 there has been a gradual build-up of the hardstanding – which is now up to 5 meters above the original level. This has recently been shored up with gabions along the widened entrance and with wooden blockade-style retaining walls facing the A319. Without the necessary plans and Building Services approvals the level of risk from subsidence has not been determined.
15. In order to mitigate the above we would recommend action to ensure that the internal and boundary aspects of the site are audited and their condition recorded and that any areas of departure from previous condition or areas of boundary safety risk are addressed accordingly.

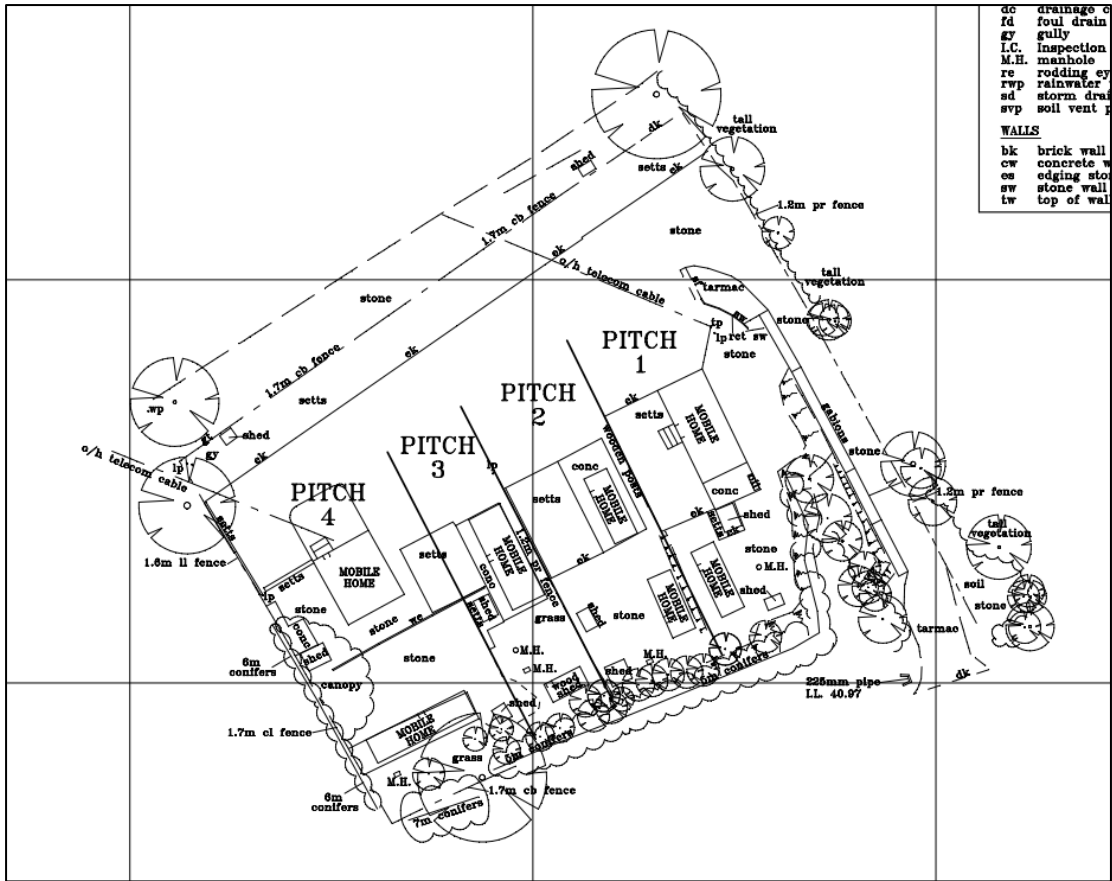


Fig 5: Plan 2 submitted in early 2023.

Plan 2 – 2023

16. The most recent plan was submitted with RU.22/0109. This plan is at significant variance with previous temporary permissions in that:
- It shows 7 mobile homes compared to 4 previously.
 - It omits to show fully the green buffer on the frontage.
 - It omits any gabion walling or wooden piling on the frontage.
 - It shows most of the site under “stone”.

17. This version of the site’s history demonstrates the occupants continued failure to comply with conditions and to continue to follow their own courses of action with little consideration of the impact to the site’s GB designation or the TPOs at its edge.

Proposed Conditions

18. The current application seeks variations to the conditions applied to RU.22/0191 ON 03/08/23.
19. **Condition 1** – The proposed variation seeks to remove the wording; *“for a period of 5 calendar years from the date of this decision, or the”*

20. This proposed change clearly allows for the permanent occupation of the site which is contrary to the clearly stated intention of the GB planning policies and planning committee.
21. Given that the land is GB and taking into account the planning history our view is that **Condition 1 should be retained.**
22. **Condition 3** – The proposed variation to this condition seeks to remove the restriction of the permanent site occupancy of 4 pitches and removes limits of the number of caravans.
23. The conditions were applied after extensive consideration of the application RU.22/0109 which included the suggestion, initiated by the planning committee, to increase the temporary period permitted from 3 years to 5 years. This illustrated goodwill from the planning authorities, including the desire to avoid any further planning application for an additional 2 years. Removal of this condition is not considered in the interests of occupants or local residents. It should be noted that the site currently has we believe at least 4 mobile homes and 9 caravans located there. It is clear therefore that the proposed removal of this restriction would result in further harm to the site. **Condition 3 should therefore be retained.**
24. **Condition 6** – Restricts the number of commercial vehicles to one, under 3.5 tonnes per plot. The proposed variation seeks to remove any limit to the number of commercial vehicles that can be kept on the land.
25. The effect of this proposed change can be seen on similar sites, where commercial vehicles dominate the site.
26. It is also unclear what the definition of “plot” is in this context ie whether this only applies to the 4? static homes or all the other “caravans” also.
27. In our opinion the current restriction is reasonable and offers some protection for the site and its GB designation. **Condition 6 should therefore be retained and the definition of plot clarified.**
28. **Condition 8** – This requires landscaping plans to be submitted and approved within reasonable time and effected within 3 months then maintained for a further 5 years.
29. The proposed removal of the 3 month constraint on bringing the plans into effect we agree is both unreasonable and impracticable. On the assumption that this is the only amendment proposed, **Condition 8 should be amended as proposed.**
30. We note the Planning Policy for Traveller Sites (PPTS) seeks to ensure treatment “that the traditional and nomadic way of life of travellers while respecting the interests of the settled community”.

31. It is our opinion that retaining the conditions above goes some way to striking a fair balance between the needs of the site occupants and respecting the interests of the wider settled community.
32. The issue of any Human Rights has already been determined in previous court decisions so we regard it as irrelevant to this application.
33. We recommend that action should be taken to ensure that the gabion walling and wooden piling on the frontage is assessed and removed, the entranceway is narrowed and the site boundary returned close to its original state with green hedgerow and tree screening of the required depth in accordance with TPO7.

Borough Provision of Sites

34. It would clearly be desirable for Runnymede to identify suitable sites; the issue is beyond the scope of the Neighbourhood Forum to resolve. We would however recommend that distribution across the borough is taken into account when assessing required capacities.
35. The current 5-year temporary permission seems a reasonable and responsible measure for sites of this kind given their GB status.
36. We would observe the following:
 - a. Housing needs are not being met for many sections of the community, not solely travellers.
 - b. The status of the occupants of Willow Farm do not appear to be nomadic and might warrant reassessment in light of PPTS 2015.
 - c. Access to necessary facilities can be gained from various locations, so relocation should not be precluded.

Signed electronically

R Oliver

Treasurer/Project Manager – ONF

On behalf of the Ottershaw Neighbourhood Forum