

LOWER SUNBURY RESIDENTS ASSOCIATION 2011 SPRING NEWSLETTER



www.losra.org

London Irish Planning Appeals

Public Inquiry begins on June 7th Come to the public meeting on May 12th

The date for the start of the Public Inquiry into the appeals by London Irish Holdings against the refusal by Spelthorne's Planning Committee of their applications to develop a training centre on the site of Hazelwood Golf Course and a housing estate on the site of their current ground The Avenue has been set for Tuesday 7th June. As usual, it is being held in the Council Chamber at Knowle Green.

At a recent Pre-Inquiry Hearing, the Inspector suggested that the residents' groups should apply for Rule 6 status. This means that we are formally represented at the Inquiry. We had not in this case intended to apply for such status, as it not only entails a huge amount of work and organisation, and requires someone to lead our case in a quasi-legal role, but with Spelthorne's clear stance against the applications, it was not thought to be necessary. However, it made sense to go along with the Inspector's suggestion.

In addition, we were very disappointed at the outcome of the recent Planning Meeting, where Spelthorne decided, under pressure from London Irish, to drop two grounds for refusal which we had persuaded the Committee to introduce at the original Planning Meeting, but which they thought would weaken our case if they were kept in.

Following is a letter from the Chairmen of the two local groups which are organising the opposition. This is obviously a crucial decision for Lower Sunbury and we look forward to your support at the Public meeting at the Inquiry

Dear Neighbour,

As you know LOSRA and the two action groups Sunbury Opposes London Irish Developments (SOLID) and the Hazelwood Action Group have successfully fought London Irish's unjustifiable proposals to develop a housing estate on their amateur rugby site in The Avenue and replace Hazelwood Golf Club with an extensive Rugby complex. We will be appearing officially as the third party at the Enquiry as requested by the Planning Inspector.

The level of arrogance shown by London Irish representatives when presenting their plans to the Planning Council is totally unacceptable. When the issue of noise affecting visitors to the cemetery on a Sunday was raised, their response was 'perhaps they could go on an alternative day'. So the 'spiritual' nature of their relationship with Sunbury would appear to stretch only as far as their cheque book!

Their next and final attempt to score a winning try will take place at a Public Enquiry starting on 7th June in the Council Chamber, Knowle Green, Staines and we will need your help and support to prepare to defeat the opposition, even if they are Premier Division - we have a history of giant killing.

Please keep some time during the day free the week starting 7th of June. The enquiry has been scheduled to take 12 days over the following three weeks. We would like as many people as possible to attend during the course of the hearing to show our

opposition. If anyone requires a lift please let us know and we will get you there!

In order to prepare for the June scrummage we will be holding a public meeting on Thursday 12th May St Mary's Village Hall at 8.30pm. Please keep that evening free in your calendar and come along and show your solidarity with our efforts. We will be having a bucket collection to go towards the cost of the campaign, printing etc.

In addition, we are reaching the point where we need additional volunteers for activities such as: photographing traffic movements on The Avenue, Staines Road East and Green Street; delivering new window and garden posters etc. So if you can spare even an hour or two a week to help our (your) cause it would be greatly appreciated. If you can spare the time then please contact losrasolid@live.co.uk or 01932 782277 as soon as possible so that we can start to take advantage of your kind generosity.

I must apologise for my use of rugby metaphors in this note but as a rugby, if not a London Irish, fan I would like to leave you with one final thought.

We have a line out a metre from the opposition's try line. There's a minute on the clock and with one good catch and drive we can be over the line for an epic win. Please provide us with the support we need to win that line out.

*Thanks in advance
Ian Anstey, Chairman, SOLID
Don Cunningham, Chairman, HAG*

Legal submissions by residents' groups help to force delay in decision on "Eco Park" proposal

On Monday 7th March we received word that Surrey County Council had cancelled the meeting of the Planning and Regulatory Committee, which was due to take place the following day, at which the proposal to develop an "Eco-Park", including a gasification plant, at the Charlton Lane Recycling Centre was to have been considered for approval.

This represents a considerable victory for LOSRA and the other residents' groups, Charlton Lane Residents Association and Shepperton Against the Eco Park, involved in the campaign against the development.

The decision was the result of Health and Safety Executive (HSE) concerns that proper health and safety procedures have not been accounted for. In an e-mail to SCC, the HSE commented that it is *"unable to support the current proposals, with respect to the health and safety of staff and the general public visiting the site"* which includes gasification and anaerobic digestion technology.

"No hazard or risk assessment"

The e-mail was sent as part of a consultation on the site's environmental permit application. It said:

"The proposals submitted do not include any information on the fire and explosion hazards associated with the dangerous substances handled or produced by the [gasification] process and no hazard analysis or risk assessment is presented to demonstrate how the safety of the staff and visitors will be ensured. Some of the safety measures will depend on the final design and operation of the gasification unit but some will depend on the plant and building construction and need to be considered at an early stage as part of the building and site proposals."

The group of well-informed local experts who have been spearheading the residents' campaign had

undertaken detailed research into the proposed development and established a view that it did not conform to Intelligent Energy Europe guidelines funded by the European Commission.

In addition, Peter Francis, LOSRA's expert representative on this group, was of the opinion that SITA, the operators of the site who were making the application on SCC's behalf, while following the mandatory requirements, had not disclosed full details of the nature of the development to the HSE when submitting it to them for their comments.

Expert legal advice

We were conscious that with the extent to which SCC was committed to the scheme, and the vested interests ranged against us, we were unlikely to persuade SCC to take these issues seriously without more formal legal ammunition. We asked Spelthorne Borough Council to commit to mount a legal challenge, which at this stage they declined to do, so we bit the bullet and took the lead in asking the other residents' groups if they would contribute to the cost of getting legal advice.

A specialist firm of solicitors was consulted, who in turn took advice from a QC, and as a result a 14-page letter was delivered to the Head of Legal Services at SCC. LOSRA was able to front up the cost of £4,300 to ensure this happened in time, to which the other residents groups and particular individuals have now contributed about two-thirds.

Text of letter on web site

The full text of the letter, which contains some highly technical argument, can be accessed via the story on the LOSRA web site. It makes for extremely interesting, but also very worrying reading. It is worrying because it demonstrates the extraordinary lack of rigour in the scientific and techni-

cal consideration of the proposal by Surrey County Council and its supposed experts. The letter concludes that *"Neither the planning application, nor SCC Officer's report to the Committee, adequately addresses new evidence from the HSE as to fire, explosion and toxic risk, inadequacy of design and layout safeguards and inadequacy of risk assessment relating to the eco-park's proposed gasification plant. Both issues give rise to serious concerns both as to the adequacy of assessments undertaken so far concerning the appropriateness of this proposed development, and as to the legality of any decision the Committee may reach to grant planning permission."*

Economic considerations

It is clear to us that the economic considerations for all the parties involved, both SCC and SITA, outweighed any consideration of potential risks to the public, quite apart from wider environmental factors.

We always knew, from the first public meeting just a year ago at the Arts Centre, that this proposal was being rushed through on the basis of what we saw as flimsy scientific data and also a very cursory consultation process, which gave scant consideration to alternative sites.

It remains to be seen whether SCC and SITA can address the issues raised in our letter and by the HSE. The stakes may well be so high that they will find ways to push ahead with it, but at least we have stopped it in its tracks for the moment and ensured that the proper concerns of residents are dealt with, and we may also have provided sufficient encouragement for Spelthorne to throw their weight behind the legal opposition.

Please watch the web site for further updates and sign up for our e-mail bulletins if you haven't already done so.

Please pay your 2011 subscriptions. Resources needed to cover cost of legal advice and expert assistance

We make no apologies for using space in the newsletter to appeal for residents to pay their annual subscription of £5.00 per household to LOSRA. The reason we are asking is that the eventuality we cited when we increased the subs to £5.00 a few years ago has become a very immediate and possibly recurring reality.

We said we wanted to build a fighting fund in case, on some major issues, we would need to hire expert advice to enable us to fight our case effectively.

As you can see from the Eco-Park story, we decided, rightly we believe, that to forestall this rushed and ill-considered project

we needed to get such advice, and we didn't have time to establish if the other groups could come up with a contribution. As a result, we committed £4,300 for QC's advice and solicitor's time. The resultant 14-page letter which went to Surrey County Council represents very good value, and fortunately the other groups involved have been able to come up with two-thirds of what we laid out. Nevertheless, our expenditure is still substantial, and without the reserves which we were holding, we could not have risked proceeding.

The story below about the EA site is another case in point. In this case, two residents funded the hiring of a QC, whose brilliant handling of

the residents' case was instrumental in ensuring the defeat of the appeal. However, issues will arise where individuals cannot fund such help.

As you will note from the London Irish story, we have been obliged to take up Rule 6 status, which means we have to be represented throughout the Inquiry. We may have to consider hiring outside help for this. We have already laid out £1,400 to pay for an expert environmental assessment of the Hazelwood site.

It is therefore urgent that we build up and maintain a level of resources that gives us these kinds of options. Your subscriptions and donations are our only source of such funds. Please pay your 2011 subs of £5.00 either via the web site using PayPal, or by delivering a cheque along with the slip provided on the back page to one of the collecting points in the village. Many thanks for your support.

Resounding victory for residents as Environment Agency appeal is rejected

The Government Inspector has dismissed all three appeals involving the Environment Agency site at Fordbridge Road by Linden Homes and the EA. The Public Inquiry which, due to its complexity, overran by 2 days in November, heard spirited evidence from local residents who spoke against the applications.

This is a fantastic result and will, it is hoped, bring to an end a saga which has its origins dating back over 12 years. During that period local residents have fought staunchly and won every single planning application which has been unsympathetic to the neighbourhood. The conclusions reached by the Inspector have upheld very important principles regarding the Green Belt, floodplain, wildlife conservation, to name but a few. It is an historic ruling.

The victory is due, in no small measure to the extraordinary commitment and resolution shown by residents in the immediate area,

whose lives have been blighted by this process for many years. They have fought successive cynically orchestrated applications, and eventually two residents decided that in order to maximise our chances of success, they would fund the hiring of an expert QC to construct and present the residents' case at the Public Inquiry.

It involved an eye-watering sum of money, even at his heavily-discounted rates, but his contribution was a key factor in destroying the applicants arguments. Regrettably, it has to be noted that the performance of Spelthorne's planning officer involved in the case once again left much to be desired, a factor which made the job of residents in fighting the case even more difficult.

It can only be hoped, after this long and unhappy saga, that the EA will rethink the future of this asset especially as we now understand that the Environment Agency is to be dismantled and broken down to more manageable constituent parts.

A victory for common sense over 72 The Avenue as plan to extend existing house is submitted

After plans to build two massive houses on the site of 72 The Avenue have been roundly dismissed by Planning Inspectors, a resolution may be in sight, as plans have been submitted for expanding the existing house.

The house one of the very attractive and impressive residences bordering Hawke Park, and is very much part of the aspect and street scene in this area.

The plan retains the existing style, character and position of the house, set back from the road in symmetry with No. 70 on the opposite side of the gap.

The neighbours who fought so resolutely against the previous plan are satisfied with the potential outcome of the plan, and if it goes ahead on this basis, it looks as if common sense has prevailed and that the campaign to preserve not only the character of the area but also the amenity of residents immediately affected will have succeeded.

Spelthorne MP Kwasi Kwarteng booked for return visit to LOSRA AGM on 22nd June

Those who attended the LOSRA Annual General Meeting last year will have seen Spelthorne's new member of Parliament, Kwasi Kwarteng, make one of his first public appearances in the Borough following his election last May. Mr. Kwarteng contacted us recently to ask if he might come to this year's meeting, as he will be able to offer a different perspective on local affairs having spent a year in the House of Commons, and can comment on the Localism Bill, currently going through Parliament, which will have an impact on local government and how that groups like ours interact with it.

We were very happy to accommodate his request, as it is always informative and interesting for residents to hear at first hand about the relationship between local affairs and the workings of national government.

The Annual General Meeting has been arranged for Wednesday 22nd June at the Riverside Arts Centre in Thames Street, so put the date in your diaries.

Do You Want to Start Your Own Business?

Dominic de Lord of Crick Heitman Chartered Accountants, a LOSRA sponsor and our honorary auditor, is offering to provide free and independent advice to any Lower Sunbury Resident who is considering starting up a business, and to make introductions to existing local businesses. If you are interested, call Dominic on 01784 243054.

THE LOSRA COMMITTEE

David Banks	38 Kenton Avenue	789652
Pamela Cabannes-Barrall	4 Forge Mews	761131
Elleker Carling	3 Croysdale Avenue	882726
Ziz Coltart	161 The Avenue	782277
Tessa Cook	125 The Avenue	700264
Don Cunningham	2 Parkwood Grove	889033
Colleen Cuthbert (Secretary)	8 Maryland Way	783606
Peter Francis	Linden Lodge, Woodlands Drive	770661
Jenny Grant	Riverbank, The Creek	780682
Roger Harding (Treasurer)	Sunmead Cottage, Green Street	782744
John Hirsh (Chairman)	21 School Walk	781363
George Rushbrook		788471
Candy Story	38 French Street	
Paul Watts (President)	87 The Avenue	788449
Chris Wills		
David Woods	47 Sunna Gardens	786806

FRIENDS OF SUNBURY PARK

Exploratory discussions open on practicality of cattle grazing in Sunbury Park to improve bio-diversity regime

At a recent meeting of the Committee of the Friends of Sunbury Park, Cynthia Bendickson, Spelthorne Borough Council's Biodiversity Officer, introduced a presentation by James Adler of Surrey Wildlife Trust (SWT). SWT wrote the Management Plan for Sunbury Park, and Mr. Adler manages SWT's grazing project, with a herd of Belted Galloway cows, which are kept on the land which SWT manages.

The purpose of the discussion was to introduce the possibility of having a small number of cattle grazing in Sunbury park during the autumn and winter months to improve the grassland management regime.

The rationale is that the way that cattle graze, using their tongue to rip tufts of grass, helps to create a mosaic greensward which allows wild flowers and herbs to colonise the bare areas more readily, hastening the process of improving biodiversity by providing nectar plants for invertebrate species.

The Committee is broadly in favour of the idea, but is very conscious that residents who use the Park, especially dog walkers, might be apprehensive about the juxtaposition of the Park's relatively high concentration of dogs and grazing animals, even the half-dozen or so which would be involved.

FoSP is keen that this very embryonic proposal gets the widest possible airing and is subjected to a thorough and genuine consultation process. SWT's experience is that this very docile and hardy breed of cattle actually provide a real attraction for people who use the areas where they are grazed, and children in particular, who might not be used to farm animals, find them a source of great interest.

There will be an exhibition on the subject, and possibly a presentation at the LOSRA AGM in June, in order to give residents a chance to understand the proposal and comment on it. It's a very interesting and potentially very beneficial initiative, and it deserves to be properly considered by Park users.

MEMBERSHIP SUBSCRIPTIONS

If you have not paid your subscription for this year, could you please help us by paying your subscription either by using the secure PayPal facility on our web site or dropping your subscription in to one of our two collection points using the tear-off slip below. You can deliver it to either of the following shops : Skinners Newsagents/Post Office in Avenue Parade; Twirltour Travel in Green Street. Our thanks to these businesses for their help in providing this service. You can also pay by credit card using PayPal by visiting our web site at www.losra.org. As advised in our previous newsletters, the subscription increased to £5.00 from the beginning of January 2008.

Please find enclosed my annual subscription of £5.00 for family membership of the Lower Sunbury Residents' Association for the calendar year 2011. In addition, I would like to make a donation of £..... (SPR11)

Name:..... Address :

..... Tel. no. : E-mail address.....