

Planning Committee

Wednesday 10 December 2008 7.30pm

**Council Chamber
Runnymede Civic Centre, Addlestone**

Members of the Committee

Councillors G B Woodger (Chairman), D W Parr (Vice Chairman), Mrs F M Angell, J R Ashmore, Mrs F J Barden, J M Edwards, J R Furey, Mrs E Gill, C Knight, M T Kusneraitis, Mrs Y P Lay, H W V Meares, Mrs M Roberts, N Stewart and P B Tuley.

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr B A Fleckney, Administration and Leisure Department, Committee Section, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425620). (Email: bernard.fleckney@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) Public speaking on planning applications only is allowed at the Planning Committee. For details please contact the Administrative Section of the Technical Services Department. **(Tel Direct Line: 01932 425174)**
- 5) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

LIST OF MATTERS FOR CONSIDERATION

PART I

Matters in respect of which reports have been made available for public inspection

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PART II

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- a) Exempt Information
(No reports to be considered under this heading)
- b) Confidential Information
(No reports to be considered under this heading)

GLOSSARY OF TERMS AND ABBREVIATIONS

TERM	EXPLANATION
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
Brownfield land	'Previously Developed Land'. Land which is or was occupied by a permanent (non-agricultural) structure, including the curtilage of the development (therefore includes gardens)
BVPI's	Best Value Performance Indicators. Specified by central government to measure performance on a wide range of Council services
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement
CIR	Government Circular – document setting out policy which has legal connotations
CLEUD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CLOPUD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development requires planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
CPA	Comprehensive Performance Assessment. An external process to assess the quality of individual Council's Performance (set out in the Local Government White Paper 2001). It brings together evidence from a range of internal and external sources, in addition to an on site inspection, in order to arrive at an overall category
DC	Development Control – the area of planning service that processes planning applications, planning appeals and enforcement work
Design Statement	A design statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Structure Plan, Local Plan, Minerals and Waste Plans. Will shortly be replaced by the South East Plan, the Local Development Framework and the Minerals and Waste Frameworks
DTS	Director of Technical Services
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
ES	Environmental Assessment under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD')
GOSE	The Government Office for the South East. This is the local office of the Deputy Prime Minister for the South East region of England
HGV	Heavy Goods Vehicle
LBC	Listed Building Consent
LDD	Local Development Documents – component parts of the LDF
LDF	Local Development Framework. The policy document that will guide development in the Borough up to 2026
LDS	Local Development Scheme - sets out the programme and timetable for preparing LDDs

TERM	EXPLANATION
Listed building	An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
LNR	Local Nature Reserve
Local Plan	The current planning policy document that will be replaced by the LDF
LPA	Local Planning Authority
LSP	Local Strategic Partnership – Leads on the Community Strategy
Material Considerations	Matters which are relevant in determining planning applications
Net Density	As defined in PPG3: Housing. The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
PCN	Planning Contravention Notice. Formal notice which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PDG	Planning Delivery Grant. An annual grant from central government which reflects the previous year's performance in delivering planning services
P & I	Policy and Implementation – the area of planning service that produces the Local Development Framework, monitors development and supports the Runnymede Business Partnership and Travel Initiative
PINS	Planning Inspectorate
POS	Public Open Space
PPG	Planning Policy Guidance. This is guidance issued by the Secretary of State detailing National Planning Policy within existing legislation
PPS	Planning Policy Statements. The replacement title for PPG
Ramsar Site	A wetland of international importance
RIPA	Regulation of Investigatory Powers Act. Provides limitation on covert surveillance relating to enforcement investigation
SAC	Special Area of Conservation – an SSSI additionally designated as a Special Area of Conservation under the European Community's Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the LDF
SEA/SA	Strategic Environmental Assessment/Sustainability Appraisal – formal appraisal of the Local development Framework
SEEDA	South East England Development Agency
SEERA	South East England Regional Assembly – based in Guildford. Responsible for producing South East Plan
Sec. 106	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
South East Plan	Regional Planning Document produced in draft form by SEERA. Will provide regional planning guidance and housing targets for individual Councils for the period up to 2026
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community's Directive on the Conservation of Wild Birds 1979
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest
Structure Plan	Strategic guidance for the whole county produced by Surrey County Council. Will eventually be replaced by the South East Plan

TERM	EXPLANATION
SUDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"
TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TPO	Tree Preservation Order – where a tree or trees are formally protected and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Use Classes Order	Document which lists classes of use and permits certain changes between uses without the need for planning permission

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

3. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 12 November 2008 as a correct record. These Minutes are included in the December 2008 Council Summons/Minute Book.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

6. PLANNING APPLICATIONS

A list of planning applications to be determined by the Committee is attached.

If Members have particular queries or interests in certain applications, the application files will be available for inspection and Officers present from 7.00 p.m. prior to the meeting in the ante room of the Council Chamber. This will be an informal opportunity for Members to see further details of applications and representations and to discuss and clarify issues. Copies of all letters of representation will also be placed on the table in the Chamber prior to the meeting and will be available for inspection by Members.

OFFICERS' RECOMMENDATION that -

the said applications be determined as indicated and any permission granted be subject to the conditions authorised.

(TO RESOLVE)

Background Papers

A list of background papers is available from the Technical Services Department.

7. ANNUAL MONITORING REPORT (DTS)

1. Purpose of Report

1.1 **The purpose of the Annual Monitoring Report (AMR) is to inform the Committee about progress in 2007/08 in implementing Development Plan policies, achieving sustainable development, delivering new housing and producing the LDF. A copy has been circulated to Members of the Committee, only, with this Agenda.**

2. Background Information

2.1 Monitoring is a key part of the new Local Development Framework (LDF). It enables the Council to assess whether the planning policy aims and objectives set out in the Development Plan (the Local Plan, the Structure Plan and the draft Regional Spatial Strategy (the S E Plan)) are being achieved. The AMR is also used by the Government to assess how much housing and planning delivery grant the Council's planning service should receive the following year.

2.2 All Local Authorities are required by the Government to monitor progress in producing LDF documents such as the Core Strategy; and whether sustainable development is being achieved as measured against National Core Output Indicators (COIs). Performance in delivering LDF documents in 2007/8 will be measured against the Runnymede Local Development Scheme. Local Authorities are also required to measure their performance against regional and local planning targets. They are expected to develop local targets and output indicators which will enable them to monitor local change; and whether Development Plan policies are being implemented.

2.3 The National COIs were updated by The Department for Communities and Local Government (DCLG) for 2007/08 in '*Regional Spatial Strategy and Local Development Framework Core Output indicators – Update 2/2008*'.

3. Policy and Technical Considerations

3.1 This year's AMR reports performance against the Draft SE Plan and National targets as set out in the Regional Spatial Strategy and Local Development Framework : Core Output Indicators – update 2/2008.

3.2 This year, COIs have been focused to address 3 main themes:

- Business Development
- Housing
- Environmental Quality

3.3 The information reported in this AMR also forms a key part of the Evidence Base for the Council's Local Development Framework.

3.4 This AMR covers the period 1 April 2007 to 31 March 2008. Once approved, the document will be submitted to the Secretary of State through the Government Office for South East (GOSE) prior to the required deadline (31st December 2008).

4. Key facts

4.1 The 2007/08 AMR demonstrates the following:

4.2 It appears that the restrictions on development (in effect due to the Thames Basin Heaths Special Protection Area) have not affected house building. Housing completions (251 new additional units) have slightly increased from 2006/2007 (203 new additional units) and this is significantly above the Draft SEP target of 161 dwellings per annum.

4.3 There has been modest change to the amount of commercial floorspace in the Borough; the most significant addition was with the completion of the new Runnymede Civic Centre.

- 4.4 This has been the first reporting year where renewable energy figures have been collected; the AMR shows that there were 38 applications with proposed renewable energy provision; the highest proportion was for 'Solar thermal' reflecting the most economically viable option at present.
5. Council Policy
- 5.1 The AMR is a statutory document and serves as a factual record of the Council's performance with regard to planning and environmental issues. The document is presented to the Planning Committee, annually, before it is submitted to the Secretary of State
6. Resource Implications
- 6.1 This year's AMR was compiled by Planning Policy staff as part of their annual work programme.
7. Environmental Implications
- 7.1 The AMR has no immediate environmental implications. However, the findings of the document will assist in developing LDF Core Strategy policies that will strengthen the Council's ability to address environmental issues within the Borough.
8. Conclusion
- 8.1 In conclusion the AMR provides a useful performance management tool to measure progress in implementing the Local Development Scheme and to measure performance in delivering Development Plan policies and proposals. It is vital in terms of supplying consistent local data for monitoring against regional and national targets, as well as being a useful instrument for benchmarking against other Local Authorities. The information provided in the AMR is also used to monitor the achievement of Community Strategy objectives.

OFFICERS' RECOMMENDATION that -

- i) the Local Development Framework Annual Monitoring Report be approved for submission to the Secretary of State; and**
- ii) any minor technical changes, prior to submission, be agreed by the Director of Technical Services in consultation with the Chairman and Vice-Chairman of this Committee.**

(TO RESOLVE)

Background Papers

None

8. PLANNING COMMITTEE SERVICE PLAN: OCTOBER 2008 – MARCH 2010 (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to approve the Planning Committee Service Plan: October 2008 to March 2010.**

2. Background Information

2.1 In the Spring of 2003, the Council introduced a revised Performance Management framework to ensure the best use of information and to improve services. This framework included the production of Service Plans for each Committee.

2.2 The Plans embody action points from other Strategies including the Sustainable Communities Strategy, the Local Development Framework and the Housing Strategy.

2.3 The Service Plans are also a fundamental part of performance monitoring and are used by Managers to set staff appraisal targets.

3. Report

3.1 The proposed Plan for the next period is attached at Appendix 'A'. There will be a whole range of other activities that are not included in the Plan but form part of the day-to-day functions of the Planning Service. However, the Plan is set to capture the most significant areas of work falling to the Planning Service.

3.2 Performance against the Plan is not included at this stage, as this is the first draft of the Plan. However, performance will be shown when the Plan is reported in future.

3.3 The Government have amended the Performance Indicators that have been set for Local Authorities and this has meant that many of the previous Best Value Performance Indicators for Planning are no longer required by the Government. However, Indicators remain that come under the jurisdiction of this Committee and targets for these have been set within the Plan. Targets are aimed to be as specific and measurable as possible.

3.4 The Surrey Local Area Agreement also includes a specific target to achieve annual housing targets and increase affordable housing provision and District Authorities will need to contribute to the delivery of these targets and regularly report on performance.

4. Financial Implications

4.1 The resource implications for each target are outlined within the Plan. It may be necessary to identify additional resources to deliver some of the targets and reports will be brought to Committee outlining any requirements as necessary.

5. Council Policy

5.1 Service Plans assist the Council in achieving two of its strategic objectives:

- i) achieving quality services, and
- ii) achieving continuous improvement.

6. Conclusions

6.1 A comprehensive Service Plan has been established for the forthcoming period to March 2010. Members are asked to examine the targets within it and endorse them or suggest amendments.

OFFICERS' RECOMMENDATION that -

i) the Committee suggest and approve any amendments that are required to the Service Plan; and

ii) subject to any amendments, the Plan be adopted.

(TO RESOLVE)

Background Papers

None stated

9. COURTWAYS, MIDDLE HILL, ENGLEFIELD GREEN –
PROPOSED TREE PRESERVATION ORDER NO. 375 (DTS)

1. **Purpose of report**

1.1 **To seek authority to confirm Tree Preservation Order No. 375 relating to a mature Cypress Conifer Tree on land at Courtways, Middle Hill, Englefield Green.**

2. Background Information

- 2.1 The Cypress conifer tree is located on the northern site boundary with Tite Hill as shown on Appendix 'B'. The property known as 'Courtways' is accessed off Middle Hill. 'Courtways' is a 3 storey detached dwellinghouse which also has a two storey detached annex located towards the north western part of the site. The site is located between Middle Hill on its south-eastern boundary and Tite Hill on its northern boundary.
- 2.2 The site is situated in the designated urban area and part of the site also falls within the Englefield Green Conservation Area.
- 2.3 The tree is a mature Cypress Conifer which has a diameter at breast height of approximately 65cm, a crown spread of approximately 15 metres and a height of approximately 18 metres. Although there is some minor die back in the upper top of the canopy of the tree, apart from this there is no visual evidence of any structural defects within the tree and it is found to be in an overall good shape and condition. The tree is estimated to have a future lifespan of 50+ years.
- 2.4 The landowner notified the Council of her intention to fell the tree in a Conservation Area with an application for tree works which was received by the Council on 7th August 2008. The tree was subsequently inspected by both the planning officer and the Council's Parks and Amenities Officer. It was considered that the Cypress conifer tree was a significant and healthy tree in a prominent location which was worthy of a Tree Preservation Order. On 15th September 2008 a report on this tree was considered by the Chairman, Vice Chairman and Director of Technical Services. The tree was considered to be worthy of protection and the Director of Technical Services in consultation with the Chairman authorised the Tree Preservation Order to be made under Standing Order 42 (No 672). The Tree Preservation Order was served on 16th September 2008.

3. Report

- 3.1 In accordance with the statutory requirements, the landowner and immediate neighbours were notified of the Tree Preservation Order.
- 3.2 The owner of Courtways has objected to the making of the Tree Preservation Order. The objection letter is attached as Appendix 'C' (the attachments referred to in the letter will be displayed at the meeting) and the main objections are summarised below:
- Approval was granted in 2004 to fell this tree, the applicant states that the condition of the tree has worsened since this time.
 - The tree is not a species which is indigenous to the UK.
 - The tree overhangs Tite Hill.
 - The tree has caused structural damage to retaining wall.
 - The tree is considered to be potentially dangerous.
 - The branches of the tree are close to the windows of the annex and blocks light.
 - The size of the tree is oppressive and out of proportion in this part of the garden. As a result, this part of the garden cannot be used by the owners.
- 3.3 A reply has been sent to the landowner clarifying the procedure and providing information about the Conservation Area requested in the objection letter.

4. Planning Considerations
- 4.1 The tree is extremely prominent within the locality and makes a significant contribution to the leafy character of the Englefield Green Conservation Area and the established street scene, being visible from both Tite Hill and Middle Hill.
- 4.2 Saved Policy NE13 of the adopted Local Plan states that 'trees will be considered for protection where they are of good health and stability, makes a significant contribution to public amenity and are under threat'. The mature Cypress conifer is considered to have significant public amenity value.
- 4.3 Whilst the landowner believes that the tree is dying and potentially dangerous, no evidence has been produced by the applicant to support this claim. The Council's Parks and Amenities Officer visited the site in September 2008 and re-visited the site in October 2008 to specifically look at the objections made by the landowner. The Parks and Amenities Officer remains convinced that the tree is not considered to be dangerous.
- 4.4 The imposition of an Order will not prevent future works to the tree which are considered to be necessary and would not harm the health and amenity value of the tree. The landowner's initial request to fell the tree was not considered to be an appropriate course of action and provided a threat to the tree. If the branches overhanging the highway require tree surgery, then such works would need to be subject of an application before any works could occur. Any reasonable request for works to this tree are likely to be acceptable. Overall, the tree in question is considered to fulfil all of the criteria aforementioned in saved Policy NE13 and is, therefore, recommended for protection by a Tree Preservation Order.
- 4.5 When considering the other objections raised by the landowners, the owner states that the tree is a Cypress tree which is not indigenous to the UK and is not a rare species. Whilst this is true, there is no requirement of the legislation of the Town and Country Planning Act that requires a tree to be indigenous to be suitable for consideration for protection by a Tree Preservation Order. The owner also states that the tree is in dangerous condition and is concerned that it will fall on to the highway causing damage. However, from an inspection at ground level, the Council's Parks and Amenities Officer has concluded that there is no evidence to suggest that the tree is dangerous or likely to be blown over by strong winds.
- 4.6 Whilst the landowner states that the lower foliage of the Cypress Tree is approximately 2 metres from the windows of the annex, the Parks and Amenities Officer has stated that the tree would likely have been present when the annex was built. Furthermore, the placing of a Tree Preservation Order does not prevent the owner from applying to the Council to reduce the crown of the tree as long as the works are considered to be in line with good tree management.
- 4.7 The landowner also refers to the tree causing cracks in the small retaining wall. It appears that this small retaining wall has been erected over the major roots of the Cypress tree and within 1 metre (at its closest point) to the base of the tree. The Council's Parks and Amenities Officer comments that every year a tree will take on growth to the width of its trunk and branches and correspondingly the roots will grow. *"Over many years the pressure of the larger roots can cause cracking to small retaining walls that have probably very poor foundations. I would not consider this to be a sign that there is any problem with the tree itself."*
- 4.8 The Human Rights Act 1998 brings much of the European Convention on Human Rights into the UK law. When considering whether to make a Tree Preservation Order, the Committee should have in mind Article 8 of the Convention which states that everyone has the right to respect for private and family life, the home and correspondence. Article 1 of the First Protocol also entitles persons to peaceful enjoyment of possessions including the home. Interference with these rights is permitted provided that it is sanctioned by law and the means used to achieve the aim are proportionate and necessary to protect public amenity.
- 4.9 The making of a Tree Preservation Order undoubtedly interferes with the rights of the property owner and the Committee needs to be satisfied that the interference in this instance is proportionate and necessary to protect public amenity.

OFFICERS' RECOMMENDATION that-

Tree Preservation Order No. 375 be confirmed without modification

(TO RESOLVE)

Background Papers

Letter of objection from Dr and Mr Hovland dated 14th October 2008
Comments from the Council's Parks and Amenities Officer dated 29th October 2008
Photographs of tree

10. PLANNING APPLICATION FEE INCOME (DF)

1. Purpose of Report

1.1 **To inform the Committee of the latest position regarding planning application fee income compared to financial projections for the 2008/09 financial year.**

2. Background Information

2.1 The Financial Monitoring Statement was introduced to all Committees in September 2006 to inform Members of the current financial position of the services under the remit of each Committee. It is reported quarterly.

2.2 Each statement reflects an updated position based upon the 2008/09 original estimates approved by this Committee in January.

3. Report

3.1 When the Statement was reported to the June meeting of this Committee, Members expressed concern about the reduced income from planning application fees, compared to the financial projection for that period.

3.2 Whilst it was appreciated that the introduction of the Planning Tariff charges from 1 April might have temporarily slowed planning application submissions, there was wider concern about the impact of the slow-down in the economy on the building industry and the effect on planning applications and fee income received.

3.3 The Committee therefore requested that an update on planning application income be brought forward on a regular basis. The Director of Finance will bring updates to Committee meetings that follow the previous month's outturn.

3.4 The latest income figures are attached at Appendix 'D' and Officers will verbally comment thereon at the meeting.

(FOR INFORMATION)

Background Papers

None stated.

11. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. Appeal decisions (i) - (ii) are attached at Appendices E and F respectively. Appeal decision (iii) is available for inspection in the Members' Room.

<u>Site/Development</u>	<u>Decision</u>
i) 11 Ayebridges Avenue, Egham – planning appeal regarding alteration and increase in height of the roof to allow habitable accommodation at first floor level with insertion of a front rooflight and rear dormer (RU.07/1236)	ALLOWED
ii) 10 and r/o 10 Mayfield Gardens, Staines – a) enforcement appeal regarding siting of a mobile home in residential use b) appeal against refusal to grant a Certificate of Lawful Use or Development for stationing of one mobile home as a separate residential unit	PART ALLOWED/PART DISMISSED DISMISSED
iii) Rivers Edge, Laleham Reach, Chertsey – planning appeal regarding demolition of existing buildings and erection of a detached dwelling (RU.07/1112)	DISMISSED

(FOR INFORMATION)

Background Papers

Appeal decisions

12. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES (DTS)

A list of planning applications recently determined by the Director of Technical Services under his delegated powers is attached at Appendix 'G'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

(FOR INFORMATION)

Background Papers

None

13. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing reports in private it is the

OFFICERS' RECOMMENDATION that -

the press and public be excluded from the meeting during discussion of the following reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part I of Schedule 12A of the Act.

(TO RESOLVE)

PART II

Matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection.

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)