

Planning Committee

Wednesday 24 September 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 Stewert 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

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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)

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. APOLOGIES FOR ABSENCE

4. 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.

5. PLANNING APPLICATION – LAND ADJACENT TRUMPS FARM LANDFILL SITE, LONGCROSS (DTS)

The report on the planning application regarding land adjacent Trumps Farm, Longcross, is attached for Members' consideration.

If Members have particular queries or interests in the application, the application file 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 the application 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 -

very strong objections be raised for the reasons indicated.

(TO RESOLVE)

Background Papers

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

6. SOUTH EAST PLAN RESPONSE TO SECRETARY OF STATE'S PROPOSED CHANGES TO THE DRAFT REGIONAL STRATEGY FOR THE SOUTH EAST OF ENGLAND (DTS)

1. Purpose of Report

1.1 The purpose of this report is to:

- i) **advise the Committee of the current Consultation on the South East Plan and of the changes which have been made in the light of the Panel Report; and**
- ii) **approve a response to the Government Office for the South East (GOSE) consultation exercise in relation to the amended policies.**

1.2 **Comments are required back to the Government Office by the 24 October**

2. Background Information

2.1 The South East of England Regional Assembly (SEERA) prepared a draft Regional Spatial Strategy between 2003-2006 with the Draft South East Plan submitted to Government on the 31 March 2006. After this a period of public consultation ran on the plan. The Council responded to this consultation. An independent panel of Inspectors examined the plan testing its soundness. Their report was published in August 2007. Following this Government has been finalising the plan and has published, and is consulting on the proposed changes.

2.2 The proposed changes to the plan are set out with a series of reasons for the changes, identifying why a policy has been added, amended, re-located or deleted. The consultation is for a 12 week period and runs until the 24 October. A copy of all related documents are held at reception in the Civic Centre.

3. Planning Considerations

3.1 Appendix 'A' sets out those changes which are of most interest to Runnymede Borough Council together with officer comments and recommendations. Appendix 'B' shows all of the policies as referred to in Appendix 'A' in their proposed format. This sets out the policy changes, how these affect Runnymede and a suggested response.

3.2 There are three key issues that are highlighted for the attention of the Committee:

- Housing Allocations
- The Former DERA Site
- Policy Guidance on Waste Management

Housing Allocations

3.3 As indicated in the report to the Committee on 14 November 2007 the housing requirement for Runnymede, over the period 2006-2016 was proposed as follows :-

- An annual general requirement of 161 units p/a. The annual requirement was raised from 145 p/a to 161 p/a as set out in the draft Submission Plan.
- 125 units p/a for the former DERA site, giving a total of 2500 units over the Plan period

This has now been confirmed in the latest consultation. However, the Committee is advised that over the past 5 years the average number of housing completions has been 292 p/a.

3.4 A fundamental part of the existing Development Plan was that the housing land was released on a phased basis (e.g. 1991-2001 and 2001-2006) to ensure that there was some control in meeting the requirements over the whole plan period. However, this does not form part of the current policy approach and reference will need to be made to other planning advice to clarify the proposed policy approach. It is essential that the release of land is guided by the ability of the local social and physical infrastructure to accommodate the additional development.

Comment

- 3.5 ***The housing requirement in the Plan is regarded as a minimum and the approach in the Plan will therefore be read in conjunction with PPS3 to provide the advice on regulating housing supply. Whilst PPS3 says that the LDF should set out the arrangements for managing the release of land, the emphasis in PPS3 is upon maintaining a five year supply and a further 10-15 year supply. However, PPS3 also says that very good reasons must be demonstrated for not allowing permission on a suitable site that comes forward even if the 5 year requirement is satisfied. Accordingly even if a 5 year supply of land is demonstrated, sites that had previously been regarded as constrained (such as reserved sites) might be released if otherwise suitable. This is of concern and potentially illustrates a conflict between PPS3 Housing and PPG2 Green Belts (that sets out the policy on reserve sites which are to be retained until required to meet housing requirements should it not be possible to satisfy the planned requirements).***

The Former DERA Site

- 3.6 The policy guidance in H1, LF3, LF6 and SP5 makes specific reference to the redevelopment of the former DERA site to accommodate a mixed use development with 65,000sqm of commercial development and a residential scheme comprising 2500 units. There is a need to ensure that the requirement of the Thames Basin Heath SPA and other environmental matters are fully satisfied. In addition, reference is made to the need to review the Green Belt boundary of the site.

Comment

- 3.7 ***The Committee has previously expressed concerns about the scale and nature of development on the former DERA site. However, it is clear that the views of the Panel, who considered representations on the South East Plan, have been endorsed by the Secretary of State. Whilst this can be seen as a significant imposition on one of the smaller geographical Boroughs in the South East, it may also be viewed as an opportunity to secure wider benefits. The SE Plan is clear that future development on the former DERA site must recognise the environmental constraints whilst providing the social and physical infrastructure to support this scale of development. Your Officers' view is that if the policy is to remain then it should be strengthened to ensure that development should only proceed once all social physical and environmental infrastructure issues are addressed in a way that satisfies the Council. This will be within the control of the Council as it prepares the Local Development Framework.***

Guidance on Waste Management

- 3.8 Policy W17 is of interest to the Committee as this deals with the location of waste facilities. The policy has been amended to remove a criteria based approach for locating such facilities within the Green Belt. The policy now states that the provision of such facilities should not be precluded from the Green Belt.

Comment

- 3.9 ***The Committee will note that the policy has been watered down to more easily locate waste management facilities in the Green Belt. This appears to be in direct conflict with PPG2 which sets out in paragraph 3.4 what constitutes acceptable development in the Green Belt, this does not include waste facilities. It is therefore recommended that the deleted paragraphs which seek to test the harm of the facility on the objectives of the Green Belt designation be reinstated.***

- 3.10 Other changes of note have been;

- The definition of a 5km straight line distance from the Thames Basin Heaths Special Protection Area as the area where avoidance and mitigation measures will be expected to be provided (Runnymede's strategy uses 5.2km drive time);

- The need for Local Authorities to have financial viability studies to support their policies thresholds and percentage requirement for Affordable Housing;
 - The introduction of a River Thames Policy placing responsibilities on Riparian Authorities to have a co-ordinated policy framework for the river and its environs;
 - The refocusing of the Infrastructure policy in the London Fringe element of the plan to pick up on the small scale site tariff, which is in line with the policy currently operated by Runnymede.
- 3.11 The responses set out in Appendix 'A' essentially seek some changes to policies relating to housing, waste management and the DERA site. In the main these are set out to clarify issues rather than objecting to the principle of the allocation of the DERA site. It is considered that this is a more sensible approach which may achieve changes which will enable proper and effective delivery of the site in a realistic timescale.
4. Council Policy
- 4.1 The South East Plan will form part of the Development Plan for planning purposes and as such will, once adopted, guide elements of the emerging Core Strategy and subsequent Development Plan Documents and Supplementary Planning documents as well as being used in the determination of Planning Applications.
5. Resource Implications
- 5.1 There are no resource implications that arise from the current consultation exercise. However the Council will need to ensure that the Local Development Framework is effectively resourced to deliver aspects of this plan in the Runnymede context. In particular, the allocation of the DERA site will lead to the need to prepare an Area Action Plan (AAP) which will need to be developed over the next 3 years. Currently, this is not within the Council's Local Development Scheme and as such will require further resources to deliver this major piece of work. Officers are currently exploring the options for delivering this piece of work.
6. Legal Implications
- 6.1 There are no legal implications resulting from the consultation, however, once adopted all subsequent documents prepared as part of the Local Development Framework will need to be broadly in accordance with this plan.
7. Conclusions
- 7.1 This is the final chance that the Council has to affect the policies in the South East Plan before it is formally adopted (likely to be later this year). Therefore the Committee is asked to carefully consider the officer responses and recommendations set out in Appendix 'A' and consider that these are the issues which the Council should formally submit to the Government Office for the South East.

OFFICERS' RECOMMENDATION that:-

the Committee consider the recommendations set out in Appendix 'A' to this report for the formal submission from Runnymede Borough Council to the Proposed Changes to the South East Plan and that these be submitted to the Government Office for the South East.

(TO RESOLVE)

Background Papers

South East Plan schedule of changes and reasoned justification
South East Plan Companion Document
Regional Spatial Strategy for the South East, Sustainability Appraisal and Habitats
Regulations Assessment/ Appropriate Assessment of the Secretary of State's Proposed
Changes

(All available at www.gose.gov.uk/gose/planning/regionalPlanning/?a=42496)

7. SOUTH EAST ENGLAND REGIONAL ASSEMBLY CONSULTATION ON GYPSY & TRAVELLER SITE PROVISION IN THE SOUTH EAST (DTS)

1. Purpose of Report

1.1 The purpose of this report is to:

- i) **advise the Committee of the current distribution options for Gypsy and Traveller site provision within the South East; and**
- ii) **approve a response to the South East of England Regional Assembly's (SEERA) consultation exercise on its review of site provision for Gypsies, Travellers and Travelling Showpeople.**

1.2 **A report thereon was considered by the Housing and Community Services Committee on 10 September 2008 and the decision of that Committee is incorporated into this report.**

2. Background Information

- 2.1 The Housing Act 2004 made it a statutory requirement for Local Authorities to undertake an assessment of the accommodation needs of gypsies and travellers. Initially the work was confined to research on the needs of gypsies and travellers but it was subsequently extended to include analysis of the needs of travelling showpeople.
- 2.2 Local Authorities are also required to ensure that provision for the accommodation needs of gypsies, travellers and showpeople is made within the Local Development Framework and must produce a Development Plan Document covering proposed arrangements to meet site requirements.
- 2.3 To establish the level of provision required the Council jointly commissioned a Gypsy and Travellers Accommodation Assessment (the GTAA). The assessment was undertaken by Dr Home from the Anglia Ruskin University. The study was funded by the 4 Boroughs of Runnymede, Spelthorne, Elmbridge and Woking and the final report, which was published in April 2007, estimated the future pitch requirements of each Borough.
- 2.4 The Government requires the South East Regional Assembly (SEERA) to review the needs assessments (the GTAA) that has been undertaken by the Local Authorities and the arrangements for provision across the whole of the south east. SEERA are also required to determine total pitch requirements at a regional level and then to allocate these between Local Planning Authorities.
- 2.5 SEERA informed Local Authorities in December 2006 that, in addition to providing copies of the GTAA, they required authorities to provide advice on the required level of pitch provision for permanent and transit caravan sites and for Gypsies, Travellers and travelling showpeople. This advice had to be submitted to SEERA by October 2007.
- 2.6 Arrangements were made to establish a Gypsy and Travellers Steering Group to formulate the advice for SEERA. Officers and Members from each of the 4 Boroughs and the County were included on the Steering Group, as were gypsy and showpeople representatives.
- 2.7 A copy of the final Advice that was submitted to SEERA in 2007 is available in the Members' Room. At this time the pitch requirement for gypsies and travellers (excluding showpeople) for the North Surrey area was estimated at 87 pitches over the period to 2016.

- 2.8 It was not possible to reach a consensus with the Showmen's Guild over the number of pitches required for showpeople for North Surrey prior to the submission of the advice to SEERA. However, at this time the Guild were asking for between 24 and 32 pitches although not all in the North Surrey area.
- 2.9 SEERA required that the advice submitted should contain at least two options for pitch distribution. The first option (A) was to assume pitch need would be met in the Borough where it arose on a pro rata basis. The second option (B) was to take into account 'planning principles' to reflect existing opportunities and constraints. Five basic principles were identified by SEERA to assist in the consideration of 'Option B'. The five principles were:
- Sustainability
 - Equity and Choice
 - Social Inclusion
 - Environmental Protection, and
 - Flexibility of provision.
- 2.10 The pitch distribution, as agreed by this Committee on 15 August 2007, which was included in the October 2007 advice to SEERA is set out at Appendix 'C'. This has, however, been subsequently amended as set out below.
- 2.11 Following submission of the Advice to SEERA it became clear from comparisons made between individual Boroughs/Counties that there had been differences in the approach taken to the treatment of the information contained within the GTAA. The majority of Authorities had accepted their GTAA advice. However, some authorities had questioned the assumptions and made adjustments to their pitch requirements. There were a range of adjustments made and SEERA subsequently gave all Districts an opportunity to revise their GTAA results in the light of the new information.
- 2.12 One particular factor that other Authorities had included in their assessments that had not been included by Dr Home in the North Surrey study was an adjustment to the pitch requirement to take account of vacancies arising within the existing stock of Gypsy and Traveller sites. A meeting of the North Surrey Steering Group was held at which representatives from the gypsy community and the Showmen's Guild were present. At this meeting information was provided on vacancy rates within the existing stock. It was subsequently agreed that adjustments should be made to the North Surrey advice to reflect the fact that these vacancies would help those identified as being in need.
- 2.13 Having reviewed the information and published the results SEERA subsequently gave individual Districts an opportunity to revise their GTAA results in the light of the new information. An exercise was therefore undertaken by the four North Surrey Districts to see whether or not any further adjustments were required to the North Surrey figures.
- 2.14 The adjustments made for vacancies has led to a new estimate of pitch need from North Surrey of 44 pitches for gypsies and travellers and 22 for travelling showpeople. The distribution that results for the amended figure is as follows:

Option A

District	Pitch Number for Gypsies and Travellers	Pitch Number for travelling showpeople
Elmbridge	9	2
Runnymede	18	13
Woking	10	0
Spelthorne	7	7
Total	44	22

Option B

District	Pitch Number for Gypsies and Travellers	Pitch Number for travelling showpeople
Elmbridge	13	Option B was not sought for travelling showpeople
Runnymede	11	
Woking	11	
Spelthorne	9	
Total	44	

2.15 As indicated above SEERA originally asked that Districts provide two options for distribution of pitch numbers (A and B). However at the March 2008 meeting of the SEERA plenary a report was received that argued for a wider range of distribution options for the following reasons:

- The pitch requirement at County level for options A and B were identical and did not offer an alternative option. To meet procedural requirements for the review SEERA must offer reasonable alternatives for consultation.
- DCLG guidance actively promotes the widening of responsibility for pitch provision and the A and B options did not address this. With these options Surrey and Kent, who currently have 52% of the region's pitches, would provide 48% of the requirement.

2.16 A further two pitch distribution options have therefore been proposed by SEERA i.e. options C and D:

Option C allows for 50% of the pitch need that is generated within the region to be redistributed across all Districts on the basis of available land (free of major environmental constraints) and population forecasts for 2016.

Option D is very similar to Option B but proposes that the redistribution is for 25% of the pitch need.

2.17 The resulting distribution for Surrey of the above options for gypsies and travellers (not showpeople) is as follows:

County grouping and Authority	Option A Need as arises	Option B Local sustainability	Option C 50% reallocated	Option D 25% reallocated
Elmbridge	9	13	11	12
Epsom & Ewell	7	6	7	7
Guildford	32	33	19	26
Mole Valley	7	6	6	6
Reigate & Banstead	4	8	8	8
Runnymede	18	11	8	9
Spelthorne	7	9	7	8
Surrey Heath	20	19	13	16
Tandridge	10	8	7	7
Waverley	39	39	23	31
Woking	10	11	9	10
Surrey	163	163	118	140

2.18 The pitch provision for showpeople is given in the table below. Although there was no option B distribution for travelling showpeople an option B is proposed for 42 families that have no geographic link with a particular Borough. The resulting distribution for travelling showpeople is:

County grouping and Authority	Option A	Option B	Option C	Option D
	Need as arises	With 42 families	50% reallocated	25% reallocated
Elmbridge	2	1	2	2
Epsom & Ewell	1	0	2	1
Guildford	15	1	9	12
Mole Valley	0	0	1	1
Reigate & Banstead	4	1	3	4
Runnymede	13	0	7	10
Spelthorne	7	0	4	6
Surrey Heath	10	0	6	8
Tandridge	4	0	3	4
Waverley	2	0	2	2
Woking	0	0	1	1
Surrey	58	3	40	51

- 2.19 Distribution proposals have not been formulated for transit site provision, SEERA has proposed that Regional policy should encourage a wide-ranging approach to meeting transit requirements and not just formal site provision, including tolerated stopping places and a proportionate approach to enforcement.
- 2.20 There is a requirement for the Review to be subject to a Sustainability Appraisal (SA) in compliance with the Planning and Compulsory Purchase Act 200 (the Act). This requires an independent objective audit of the options considering the impact on the community, the environment, and the economy.

Comment

- 2.21 ***It is your officers' view that the Sustainability Appraisal (SA) undertaken for the Review has taken a subjective view of the options A-D. The emphasis of the appraisal has been to take Option A as the baseline and then to assess how the other options compare with this option. This is fundamentally flawed in that each option should be assessed on its own merit. There is some doubt that the conclusion of the SA in favour of Option A can therefore be considered as satisfying the statutory requirements set out in the Planning and Compulsory Purchase Act 2004 and the Strategic Environmental Assessment Directive 2005.***
- 2.22 ***Of particular concern is the premise that Option A is the preferred option that gypsy and traveller needs should be met where the need exists. This is contrary to the views mentioned by individuals interviewed for the North West Surrey survey who, not surprisingly, by the very nature of their nomadic lifestyle, indicated that they were happy to have their need met generally rather than solely in the area where they were currently located.***
- 2.23 ***Meeting needs in current locations may also not be sustainable for a range of reasons such as limited and competing employment opportunities and strained existing resource/ support networks. Unless these issues are considered it is not felt that a true SA has been undertaken.***
- 2.24 ***Runnymede is a Borough that is subject to a number of development constraints such as, flooding, Thames Basin Heath SPA, and Green Belt. These limit the options for additional site provision and should be considered as part of the SA.***

2.25 *The SA should also have regard to the impact of provision on other plans, one of which would be the Regional Housing Strategy which acknowledges the rapidly growing demand for affordable housing. Pitch provision for gypsies and travellers, although acknowledged as a need, would directly compete with the supply of affordable housing. A continuing supply of affordable housing is necessary if homelessness is to be reduced. The impact of site provision on opportunities to assist vulnerable homeless people also living in unsatisfactory housing should therefore be considered as part of the SA.*

2.26 *These comments raise sufficient doubt about the conclusions of the SA that option A is the preferred option.*

3. Report

3.1 Having received the advice from each of the Districts and formulated the options SEERA is now required to consult on the options before determining the final level of pitch provision to be made in each area. The consultation process will be conducted over a period of 12 weeks from 1 September to 21 November and will take a range of forms. It will include:

- Opinion polling
- 3-4 stakeholder workshops
- Direct work with gypsies and travellers
- 1:1 sessions on GTAA/Advice issues where appropriate

3.2 A copy of the consultation document is attached at Appendix 'D'. This invites responses on two main issues:

- the proposed number of new spaces for gypsies, travellers and travelling showpeople in the South East
- four options for dividing how many pitches go into each Council area.

3.3 The Council is invited to respond to the consultation and a draft reply is attached at Appendix 'E'. Members' views are sought on the proposed content of the response.

3.4 It is noted that this matter is to be considered by both the Housing and Planning Committees and therefore changes will be needed to take account of the views of both. In view of this it is recommended that the Director of Housing & Community Services in consultation with the Chairman of Planning and Chairman of Housing & Community Services Committees be authorised to approve the final response.

4. New Site Provision

4.1 The Government is urging Local Authorities not to wait for the outcome of the Regional Assessment of pitch requirements. It has made it clear in a report¹ that "all local planning authorities where there is a demonstrable need for site provision – including those in regions where a Regional Spatial Strategy has not yet allocated pitch numbers to each Local Planning Authority – should give serious consideration to proceeding with a development plan document now."

4.2 Furthermore a letter was received from Iain Wright MP, Parliamentary Under Secretary of State, on 28 July in which he was urging Local Authorities to move into a new phase of delivering an increased number of pitches in order to reduce the amount of unauthorised camping that takes place.

4.3 Officers are currently developing the Core Strategy Development Plan Document (DPD) which will include a strategic policy on Gypsies, Travellers and travelling populations. A draft consultation version of the Core Strategy is anticipated early in 2009 with final adoption in late 2010. A Housing and Commercial Sites DPD, which will include the specific provision and allocation of sites for Gypsies, Travellers and travelling populations is programmed to

¹ The Road Ahead: Final Report on the Independent Task Group on Site Provision and Enforcement for Gypsies and Travellers, published in December 2007

start later this year. The anticipated adoption date for this DPD is October 2011. In the interim it is proposed to explore different options for provision including the following:

- i) extension of existing authorised sites;
- ii) authorisation of existing illegal encampments;
- iii) provision within new areas.

Comment

4.4 *Runnymede is a Borough that is subject to a number of development constraints such as, flooding, Thames Basin Heath SPA, and Green Belt, that limit the options for additional site provision. A significant increase in housing numbers is expected from the South East Plan (see item 7 on this agenda) and this may provide potential competition for suitable and sustainable sites. The Council has already enabled a significant number of sites to be provided within the Borough and is committed to making some further provision. It is, however, reasonable to suggest that the final allocation be undertaken both on an equitable and sustainable basis. It is recommended the Committee support Option C approach which achieves a wider distribution and greater equity and choice in the South East. The Housing and Community Services Committee had also supported Option 'C'.*

5. Council Policy

5.1 The Council's current strategic plans do not cover the issues identified within this report but future plans will make appropriate references to these needs. However, the DPD is part of a statutory requirement and will form Council policy in respect of this matter.

6. Resource Implications

6.1 The Runnymede share of the costs of the consultants fees for the travellers and showman survey was £27,000 (paid in 2007). There has been a considerable amount of Officer time devoted to this process. Government grant of £8,475 was received in 2007 towards the cost of the needs assessment process.

6.2 Additional pitch provision may well generate a need for new resources and will need to be considered in detail once the location of proposed sites has been determined. The South East has £18 million of Government funding for 2008 - 2011 to help Councils and Housing Associations provide new spaces and upgrade existing sites.

6.3 The work on the DPD forms part of the current programme contributing towards the production of the Local Development Framework (LDF).

7. Equality

7.1 Gypsies and Travellers are classified as an ethnic minority group under the Race Discrimination legislation. The Council should therefore actively seek the views of Gypsies and Travellers in relation to any proposed policy and plans for pitch provision. This would form a natural part of the LDF consultation.

7.2 The views of Gypsies and Travellers were taken into account during the GTAA process and Gypsy and Traveller representatives were also included on the Steering Group that provided the advice to SEERA. SEERA are arranging for Traveller Groups to be consulted as part of the current exercise and arrangements will also be made for them to be consulted in relation to the Runnymede DPD.

8. Conclusions

8.1 The Council is being asked to comment on the proposed number of pitches for gypsies, travellers and travelling showpeople in the South East. It is also being asked to comment upon four options for the distribution of Gypsy and Traveller pitches. A draft response is attached at Appendix 'E' and Members are invited to propose any amendments or additions to this.

- 8.2 The Council is also being urged to identify opportunities for specific site provision and therefore arrangements are being made for a Development Plan Document to be compiled.

OFFICERS' RECOMMENDATION that:-

- i) **Members note the content of the consultation documents and support the proposed response set out in sections 2 and 4; and**
- ii) **the Director of Housing & Community Services in consultation with the Chairmen of the Housing & Community Services Committee and the Planning Committee be authorised to approve the final response to SEERA.**

(TO RESOLVE)

Background Papers

DHCS files for GTAA Gypsy and Travellers Site Advice

8. 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)