



Planning Committee

Wednesday 7 January 2009 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

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

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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. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 19 November 2008, which were included in the December 2008 Council Summons/Minute Book, as a correct record.

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. REVENUE ESTIMATES 2009/10 (DF)

1. Members are asked to consider the draft Revenue Estimates for 2009/10.

2. A budget is the expression in financial terms of the Council's policies over the next year and is a statement of intention against which achievement can be compared. The main objectives of budgeting are:

- Satisfaction of statutory requirements
- Determining the amount which needs to be raised from Council Tax or rents
- Assisting in the planning and policy making process
- Policy implementation and control
- A means of measurement, and
- Strategic planning

3. The report of the Director of Finance containing the draft Revenue Estimates and fees and charges for the services under the remit of this Committee is attached at Appendix 'A'. (The Estimates have been circulated to Members of the Committee and relevant

Officers only and a copy has been placed on the website for all other Members and the public).

4. The estimates are separated into the following sections:
 - i) Planning Committee Estimates (pages 1 - 19);
 - ii) Current and proposed fees and charges (pages 20 - 22).
 - iii) Assumptions used in setting the budgets for 2009/10 (pages 23 - 26).

OFFICERS' RECOMMENDATION that -

- i) the probable Outturn for 2008/09 and draft Revenue Estimates for 2009/10 be approved as submitted, and the Corporate Management Committee be requested to make provision accordingly; and**
- ii) the proposed fees and charges for 2009/10, as set out in Appendix 'A', be approved and be implemented with effect from 1 April 2009.**

(TO RESOLVE)

Background Papers

1. Director of Finance's Estimates Working Papers 2009/10 file for the Planning Committee.
2. Letter from DCLG on 'Housing and Planning Delivery Grant 2008/09 - Allocations', dated 10 November 2008.
3. Letter from DCLG on 'Housing and Planning Delivery Grant 2008/09 - Provisional Allocations', dated 16 July 2008.
4. "HPDG Allocation Mechanism and Summary of Consultation Responses", published by DCLG in July 2008.

7. 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 7.00pm 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.

8. LOCAL SETTING OF BUILDING CONTROL CHARGES (DTS)

1. Purpose of Report

- 1.1 **To seek the Committee's authority to amend the charging regime of the fee-earning element of Building Control work from 1 April 2009.**

2. Background Information

- 2.1 Applications for Building Regulation approval attract charges to cover the checking of plans and inspection of work on site.
- 2.2 The Building (Local Authority Charges) Regulations 1998 devolved the setting of Building Control charges to Local Authorities with the objective that income derived from the charges would cover the cost of providing the services.
- 2.3 The adopted scheme was last reviewed by this Committee in December 2006 when minor amendments were agreed.

3. Report

- 3.1 Schedule 1 of the scheme deals with fees payable in respect of new houses and flats. These charges were last increased from 1 April 2007.
- 3.2 The Building Regulations continue to increase in complexity and content with particular regard to this type of development and it is considered appropriate for these fees to be increased by an average of 15% as detailed in Appendix 'B'. This increase will place the fees in the upper quartile of fees charged by other Surrey Authorities
- 3.3 Schedule 2 of the scheme deals with domestic extensions. The fees charged have not changed since 1 April 2003. The complexity and content of the Building Regulations has also increased with regard to this type of development and it is considered appropriate to also increase these fees in the region of 15% as detailed in Appendix 'B'. This increase will place the fees in the upper quartile of fees charged by other Surrey Authorities.
- 3.4 Schedule 3 of the scheme deals with larger domestic extensions, alterations and commercial schemes. The fee paid is based on a sliding scale which increases with the value of the work.
- 3.5 These fees were last revised from 1 April 2007 and no further increase is seen necessary to retain the level of fees in respect of this schedule which remain in the upper quartile of fees charged by other Surrey Authorities.

4. Financial Implications

- 4.1 The fee related Building Control budget has made a modest surplus over the past three years although income has declined over the past 3 months, a trend which is likely to continue unless fees are increased.
- 4.2 The proposed increases should ensure that the budget at least breaks even or a modest surplus is achieved. Officers are conscious that at a time of economic downturn, greater burdens should not be imposed on the development industry. However, it is considered that in relation to the value of work being undertaken, fees are relatively modest and the increase will not act as a disincentive for development schemes. Impact on the development industry is clearly balanced by the need for the Council to maximise its fee income within the regulations.
- 4.3 The Director of Technical Services has delegated powers to adjust Building Control fees to respond to market changes.

5. Legal Implications

- 5.1 Generally, the Regulations require the Council to set the fees at a level whereby the anticipated income would not be less than the cost of the service. The District Auditor considers fees should not be set at such a level as to produce a surplus, which is not reinvested into the Building Control function.

6. Conclusion

- 6.1 The proposed changes should ensure that the fee related service continues to at least "break even" but remains competitive.

6.2 The fees will be in the upper quartile of that charged by other Surrey Authorities.

OFFICERS' RECOMMENDATION that -

the amendments to Schedules 1 and 2 of the Runnymede Borough Council Charging Scheme No 7 as set out above and in Appendix 'B' be adopted with effect from 1 April 2009.

(TO RESOLVE)

Background Papers

None

9. APPEAL DECISIONS

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

<u>Site/Development</u>	<u>Decision</u>
i) Akerwood, Sheerwater Avenue, Woodham - planning appeal regarding 2 rear slim dormers. (RU 08/0399)	DISMISSED
ii) 12 Willow Close, Woodham - planning appeal regarding demolition of a detached house and replacement with two new detached dwellings. (RU 08/0470)	ALLOWED
iii) 137 Almers Road, Lyne - planning appeal regarding erection of a single storey front extension and a side in fill extension following demolition of front porch. (RU 08/0123)	PART ALLOWED/PART DISMISSED

(FOR INFORMATION)

Background Papers

Appeal decisions

10. 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 'E'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

(FOR INFORMATION)

Background Papers

None

11. STANDING ORDER 42 - URGENT ACTION

The following action has been taken after consultation with the Chairman of the Committee under Standing Order 42.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Technical Services	Making of an emergency TPO on land north of Bridge Lane and rear of Fernbank Farm, Bridge Lane Virginia Water	677
Director of Technical Services	Wilmar, Hurst Lane Egham - Withdrawal of Enforcement Notices and their reservice	680

(FOR INFORMATION)

Background Papers

SO 677 and 680 on DAL SO42 file.

12. 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)