

# Planning Committee

**Wednesday 18 November 2009 7.30pm**

**Council Chamber  
Runnymede Civic Centre, Addlestone**

## Members of the Committee

Councillors G B Woodger (Chairman), D W Parr (Vice Chairman), J R Ashmore, Mrs F J Barden, J Broadhead, D A Cotty, R J Edis, J.M. Edwards, J R Furey, Mrs E Gill, C Knight, M T Kusneraitis, Mrs Y P Lay, H W V Meares and J J Wilson

## 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, Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425620). (Email: [bernard.fleckney@runnymede.gov.uk](mailto: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](http://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 425153)** or view the guidance on the Committee web page.
- 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**

	<u>Page</u>
1. FIRE PRECAUTIONS	5
2. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP	5
3. MINUTES	5
4. APOLOGIES FOR ABSENCE	5
5. DECLARATIONS OF INTEREST	5
6. PLANNING APPLICATIONS	5
7. LOCAL SETTING OF BUILDING CONTROL CHARGES	6
8. SERVICE PLAN 2008/10	8
9. FINANCIAL MONITORING STATEMENT	8
10. APPEAL DECISIONS	10
11. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES	10
12. EXCLUSION OF PRESS AND PUBLIC	10

**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

<b>TERM</b>	<b>EXPLANATION</b>
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
SANGS	Suitable Alternative Natural Greenspaces
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 28 October 2009 as a correct record, (Appendix 'A' – to follow).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an agenda item please record the interest on the orange coloured 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 (DTS)

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.

### 7. 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 1st January 2010.**

#### 2. Background Information

- 2.1 Applications for Building Regulation applications 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 service.
- 2.3 The Department for Communities and Local Government (CLG) are currently consulting on the setting of Building Control Charges. The results of the review are expected during 2010 and it is not anticipated that the review will affect the level of charges made but may introduce greater flexibility in the implementation of the Regulations.
- 2.4 The adopted scheme was last reviewed by this Committee in January 2009 when increases of an average of 15% were agreed to Schedule 1 (New Dwellings) and Schedule 2 (Domestic Extensions). No changes to Schedule 3 (Large Domestic Extensions, Alterations and Commercial Schemes) were made.

#### 3. Report

- 3.1 The report made to Committee in January 2009 had intended to ensure that income would not be less than the cost of the service.
- 3.2 Following the agreed increase of charges in January 2009, the downturn in workload due to the current economic conditions resulted in a deficit of £38,150 for the 2008/09 financial year.
- 3.3 Whilst arrangements have been made to reduce expenditure upon the retirement of the Building Control Manager in September 2009, a further increase in the charges is considered necessary to ensure that the income covers the cost of the service. It is suggested this be implemented from 1st January 2010 rather than the more normal 1st April. This will also coincide with the reversion of VAT back to 17½%, which will necessitate the re-issuing of the "Schedule of Fees" to all regular users of the service.
- 3.4 Schedule 1 of the scheme deals with fees payable in respect of new homes and flats. These charges were last increased by 15% from the 1st April 2009, and are currently within the upper quartile of other Surrey authority's charges. Due to the competitive nature of this category of works, it is proposed that Schedule 1 charges are not increased at this time.
- 3.5 Schedule 2 of the scheme deals with domestic extensions. These charges were last increased by 15% from the 1st April 2009. The Building Regulations continue to increase in complexity and content with regard to this type of development, resulting in a far greater level of assistance being necessary to householders and small builders/designers who operate in this market. It is therefore considered appropriate to increase these fees in the region of 5% as detailed in Appendix 'B'.
- 3.6 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. Whilst modest changes have been made to the "lower bandings" of these fees, no significant increases have been made in the last 10 years since their adoption in April 1999.
- 3.7 The majority of Surrey authorities and indeed those across the country have increased the level of fees payable for this Schedule. It is therefore considered appropriate for these now to be increased by between 15 and 20% as detailed in Appendix 'B'.

- 3.8 The above increases should place the authority in the upper quartile of fees charged by other Surrey authorities and ensure that the budget breaks even or a modest surplus is achieved.
- 3.9 A survey of 100 customers who regularly use the Building Control service in Runnymede is currently being undertaken and of the 32 customers who have responded to date, all are satisfied and the majority 'very satisfied' with the service provided. No adverse comments have been made in respect of the level of fees.
4. Financial Implications
- 4.1 The Building Control budget made a modest surplus in 2006/07 and 2007/08 although a deficit of £38,150 was made in 2008/09 due to the downturn in workload, reflecting the impact of the recession on the construction industry.
- 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 be set at a break even level, or so as to produce a nominal surplus which should be reinvested into the Building Control function.
6. Equality Issues
- 6.1 Any fee increase will have an impact on the users of the service but the revised fees reflect the quality and true value of the service provided when checking plans and inspecting building work in progress.
7. Conclusion
- 7.1 The proposed charges should ensure that the fee related service continues to at least "break even" and remain competitive.
- 7.2 The Runnymede schedule of fees will be in the upper quartile of charges, of Surrey authorities.

**OFFICERS' RECOMMENDATION that –**

**the amendments to Schedules 2 and 3 of the Runnymede Borough Council Charging Scheme No. 8 as set out in Section 3 above and in Appendix 'B' be adopted with effect from 1st January 2010**

**(TO RESOLVE)**

Background Papers

None

8. SERVICE PLAN 2008/10 (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to advise the Committee on the half-yearly performance of the 2008/10 Service Plan.**

2. Background Information

2.1 Members will be aware that a new strategy, planning and performance management framework of Sustainable Community Strategy and Corporate Plan has been agreed for the Council and Committee-based Service Plans has been produced. This approach was endorsed at Corporate Management Committee on 30 October 2008, and approved by Council on 18 December 2008.

2.2 The Service Plans have been based on an eighteen month cycle rather than the previous yearly programme to give greater continuity and avoid the need to update what are often ongoing targets.

2.3 At the June meeting of this Committee, a report was brought forward noting the outturn position for the period up to 31 March 2009. This report and appendix now notes the position as at 31 October 2009.

3. Report

3.1 Members are invited to note the half-yearly position on its Service Plan, attached at Appendix 'C'. A colour version of the Plan is on the website. The Service Plan provides a control document for senior managers and the responsible Committees to monitor and review, as well as highlighting where slippage or other difficulties are occurring, and appropriate recovery strategies need to be put in place. Attached to the Service Plan is the Departmental Equality Action Plan and Members are also invited to scrutinise contents of this.

**OFFICERS' RECOMMENDATION that –**

**the Service Plan half-yearly report for Planning and Development Services for 2009/10 as attached at Appendix 'C' be noted.**

**(TO RESOLVE)**

Background Papers

None.

9. FINANCIAL MONITORING STATEMENT (DF)

1. Purpose of Report

1.1 **To inform the Committee of the latest financial projections for the 2009/10 financial year for Planning and Development services.**

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.

2.2 Each statement reflects an updated position based upon the 2009/10 original estimates approved by this Committee in January. The statements have now been updated to include changes identified in the Financial Forecast considered at the Corporate Management Committee in October 2009.

3. Report

3.1 The statement at Appendix "D" is split into three distinct parts:

- Projected budget and forecast
- Savings still to be delivered

- Current year key budget indicators
- 3.2 The Projected budget and forecast sections show the anticipated variations in the current year's budget. These variations are categorised as approved changes and other potential changes. Implications for the following three years are included for completeness so that the full-year effect of any changes can be seen.
  - 3.3 The achievement of the revenue reductions programme approved by the Council is one of the Council's key performance indicators. Savings targets not yet achieved are reported in the second section of each statement. These savings are all incorporated into the projected budget and forecast figures in section one.
  - 3.4 The final section sets out the key budget indicators for the significant areas of this Committee's budget. This indicates the actual income received set against the amount expected (the budget) for the period covered by each statement. There has been a significant reduction in Planning Application fees and Building Control fees in this financial year and Officers are monitoring the position closely. There is a separate report in this agenda regarding the shortfall in Building Control fees.
  - 3.5 With regard to planning applications, there has been a drop of 30% in fees but only a 20% decline in planning applications. However, staff are involved in negotiations in several major applications (St Peters, Thorpe, RHUL and DERA) that currently have produced no income. They may bring in some fee income this financial year but discussions are taking place to see if an advance on the fee income can be secured by agreement. Staff are also being engaged in appeal work and enforcement action, together with work on the LDF.
  - 3.6 The Financial Forecast, considered by the Corporate Management Committee on 29 October 2009, included a reduction of fee income from planning applications as shown in the 2009/10 estimates. It is recognised that in the long term a recovery in income is expected and this is built into the forecast over subsequent years. However the shortfall in Planning Application fees in the current year was not included in the Financial Forecast and is estimated to be £100,000 in 2009/10, reducing to £50,000 in 2010/11.

#### 4. Savings

- 4.1 The projected budget forecast identifies the need to save £25,000 from Development Control salaries and £25,000 in general savings.
- 4.2 In the first instance the £25,000 annual savings in Development Control salaries reflects historic circumstances where there was an annual salary under-spend due to significant staff turnover and the savings were a recognition of this rather than viewed as a programmed reduction in service. However, over the past year most staff have remained in post with little turnover and the identified saving in excess of £25,000 has not occurred naturally. Nevertheless, it is anticipated that due to two vacancies this year, some £20,000 will be saved. There may be other vacancies before the end of the financial year that will meet the target but this saving should be set within the context outlined above. In addition there is a potential to save £5,000 from consultant/counsels fee budgets.
- 4.3 The cost of a supernumerary post is covered by the underused salaries element of four staff who do not work their establishment hours.
- 4.4 The Committee will be aware that negotiations are under way to secure an agreement with the owners of the former DERA site to fund staff costs over a 3 year period to work on the former DERA Supplementary Planning Document. Should this arrangement be finalised, it will contribute £50,000 annually to staff cost and provide an advanced fee income (on the eventual application) of £15,000 p.a., totalling £65,000 p.a. for 3 years. This would contribute towards dedicated staff costs but in part can be viewed as part of the £25,000 general savings.

#### **(FOR INFORMATION)**

#### Background Papers

None stated.

#### 10. APPEAL DECISIONS (DTS)

The Planning Inspectorate has recently determined the appeals mentioned below. Appeal Decision (a) is attached at Appendix 'E'. Appeal decisions (b) and (c) are available for inspection by Members in the Members' Room.

<u>Site/Development</u>	<u>Decision</u>
a) Winchcombe, Woodham Park Road, Woodham – planning appeal regarding a garage/carport and covered area and ramp to side access door to provide wheelchair access (09/0416)	PART ALLOWED/PART DISMISSED
b) Land adjoining 2 Meadway Drive and rear of 201 New Haw Road, Addlestone – planning appeal regarding erection of one 3 bed link detached house with attached garage and associated rear garden (08/1121)	DISMISSED
c) Great Grove Farm, Murray Road, Ottershaw – planning appeal regarding erection of 12 dwellings and retention of farmhouse, together with associated parking, landscaping and access, following demolition of all existing commercial buildings (08/1221)	DISMISSED

**(FOR INFORMATION)**

Background Papers

Appeal decisions.

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

**(FOR INFORMATION)**

Background Papers

None

12. EXCLUSION OF PRESS AND PUBLIC

If the Committee is 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)