

# Planning Committee

**Wednesday 15 September 2010 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, J.M. Edwards, J R Furey, Mrs E Gill, Mrs G M Kingerley, 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, Runnymede 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.

**'see overleaf'**

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## বাঙলা

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## 简体中文

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## Italiano

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## اردو

اگر آپ انگریزی زبان پڑھ اور بول نہیں سکتے ہیں اور آپ کو اس دستاویز کو سمجھنے میں دقت پیش آتی ہے؛ تو برائے مہربانی سے وٹس لنک لائن کو اس نمبر 01483 750548 پر رابطہ کریں اور اپنی زبان میں اپنا پیغام چھوڑیں۔

## Polski

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## Español

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**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
GPD0	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 25 August 2010 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. Officers' recommendations are included in the application reports.

**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.

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, in accordance with The Building (Local Authority Charges) Regulations 2010. It is proposed that the new scheme will come into effect on the 1 October 2010.**

### 2. Background Information

- 2.1 Applications for Building Regulation approval attract charges to cover the cost of checking plans and inspection of work on site to verify compliance.
- 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. Prior to this all charges were set centrally by Government.
- 2.3 The Building (Local Authority Charges) Regulations 2010 came into force on the 1 April 2010. The new regulations revoke and replace the 1998 regulations, and contain transitional provisions requiring local authorities to introduce a new charging scheme any time between 1 April and 1 October 2010.
- 2.4 The current Runnymede Borough Council Charging Scheme Number 8 was last reviewed in November 2009 and came into effect on the 1 January 2010.

### 3. Report

- 3.1 The Building (Local Authority Charges) Regulations 2010 aim to introduce greater flexibility, accuracy, fairness and transparency into the charging regime of Building Control Sections. It also aims to improve the environment in which Local Authorities and Approved Inspectors (private sector building control providers) operate and compete.
- 3.2 The Regulations require that Local Authorities ensure that 'taking one financial year with another' charges income as near as possible equates to the cost of carrying out their chargeable functions. They also establish the concept of balancing income and costs over a reasonable period of time, the view of the DCLG is that a rolling period of 3 – 5 years would represent good practice.
- 3.3 The proposed Runnymede Charging Scheme Number 9 has been produced in accordance with the requirements of The Building (Local Authority Charges) Regulations 2010, the guidance issued by CIPFA (Chartered Institute of Public Finance and Accounting) and laid out in accordance with the LABC (Local Authority Building Control) model scheme.
- 3.4 Setting of the charges for both 'Standard Charges' detailed in Tables A to E, and 'Individually Determined Charges' have to conform to strict guidelines laid down in both the primary legislation and CIPFA guidance for Building Control Accounting. With the individual charges calculated using the following factors ie productive hourly rate, time taken examining plans and undertaking site inspections, the duration and complexity of the project.
- 3.5 A key requirement of the new scheme is to set charges that ensure the end users pay the actual cost of the service they receive, adopting the 'user pays' principle.
- 3.6 The regulations also permit Local Authorities to set additional charges where applicants use non competent designers and contractors, the provision of professional advice after the first hour and individually determine charges for larger more complex projects. There is also a mechanism for applicants to claim partial refunds in certain cases.
- 3.7 To maintain a degree of consistency within Surrey, Building Control managers have worked together to agree a common set of categories and where possible similar fees.

- 3.8 It is proposed that Runnymede's charges will remain within the upper quartile and comparable with fees charged by other Surrey authorities; and ensure the budget breaks even or a modest surplus is achieved.
- 3.9 The Charges have been set to include VAT at 17.5% in accordance with current legislation. The VAT element will be increased in January 2011 in accordance with new VAT regulations.
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 and £61,616 in 2009/10 due to the downturn in workload. It is considered that this downturn reflects the impact of the recession on the construction industry.
- 4.2 Arrangements were put in place to address the situation and reduce the Section's expenditure following the retirement of the Building Control Manager in September 2009, with the Principal Building Control Surveyor acting up and his post temporarily frozen.
- 4.3 The proposed charges have been set to ensure the budget at least breaks even or a modest surplus is achieved, and the service remains competitive. Officers are conscious that at a time of economic downturn, greater burdens should not be imposed on the development industry. It is however, considered that in relation to the value of work being undertaken, the charges are relatively modest and will not act as a disincentive to development schemes.
- 4.4 The Director of Technical Services has delegated powers to adjust Building Control fees to respond to market changes.
5. Legal Implications
- 5.1 The Regulations require the Council to set charges at a level whereby the anticipated income would not be less than the cost of the service or so as to produce a nominal surplus which should be reinvested into the Building Control function.
- 5.2 The Building (Local Authority Charges) Regulations 2010 requires Local Authorities to adopt a new charging scheme complying with the requirements of the new regulations by the 1 October 2010. Failure to do so will prohibit the Council from charging for its Building Control function until such time as a new scheme is adopted.
- 5.3 The recent VAT changes require the VAT element of the charges to be increased further in January 2011.
6. Equality Issues
- 6.1 The new Charges Scheme will have an equal impact on all users of the service; however, the revised charges reflect the quality and true cost of the Building Control service.
7. Conclusion
- 7.1 The proposed charges should ensure that the Building Control fee related service continues to at least "break even" and remain competitive.
- 7.2 Runnymede Building Control Charges will remain in the upper quartile and comparable to charges set by other Surrey authorities.

**OFFICERS' RECOMMENDATION that –**

**the Runnymede Borough Council Charging Scheme No 9 as set out in Section 3 above and in Appendix 'B' be adopted with effect from 1 October 2010.**

**(TO RESOLVE)**

## Background Papers

None

### 8. FINANCIAL MONITORING STATEMENT (DF)

#### 1. Purpose of Report

1.1 **To inform the Committee of the latest financial projections for the 2010/11 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 2010/11 estimates approved by this Committee in January.

#### 3. Report

3.1 The statement at Appendix 'C' is split into two distinct parts:

- Projected budget and forecast
- Current year key budget indicators

3.2 The Projected budget and forecast sections show any anticipated variations in the current year's budget. These variations are categorised as approved changes and other potential changes. The achievement of the revenue reductions programme approved by the Council is one of the Council's key performance indicators and these savings targets are now included in this section of each statement. 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 second section of each statement 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.

#### 4. Housing and Planning Delivery Grant

4.1 On 10 June 2010, the Government published details of the local government funding that would be reduced in order to start tackling the fiscal deficit. Details of the announcement were reported to the Corporate Management Committee meeting on 30 June. Runnymede's 2010/11 budget includes income from Housing and Planning Delivery Grant of £213,100. It is very unlikely that the Council will now receive any grant. The figure of £213,100 used in the 2010/11 budget was based on the 2009/10 probable outturn (the final award in 2009/10, announced in March 2010, was £266,950). The Council's Directors are considering the implications of this reduction in grant. In the meantime, the Monitoring Statement is based on the assumption that equivalent savings will be made from the 2011/12 financial year.

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

## Background Papers

None stated.

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

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

Background Papers

None

10. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. The appeal decisions are attached at Appendices 'G' and 'H' respectively. Appeal decisions (c) and (d) are available for inspection in the Members' Room.

<u>Site/Development</u>	<u>Decision</u>
a) Rivers Edge, Laleham Reach, Chertsey – planning appeal regarding erection of a detached dwelling raised on 'legs' following demolition of existing dwelling, greenhouse, shed, summer house and double garage with retention of detached gym building without compliance with Condition 6 of RU 09/0524 (RU 09/0786).	ALLOWED
b) Lime Lodge, Tite Hill, Egham – planning appeal regarding amendments to approved house types on plots 4,6,8,10,11,13 & 14 of the development approved under ref 09/0418 (RU 09/1159).	ALLOWED
c) 16 Northcote Villas, Englefield Green – planning appeal regarding erection of a first floor side extension with rear roof terrace, loft conversion with rear dormer and installation of solar/voltaic panels (RU 09/1099).	DISMISSED
d) Co-operative Retail Services Ltd, 51-53 Green Lane, Addlestone – planning appeal regarding relocation of 2 existing A/C units and proposing 2 additional A/C units (RU 09/0741).	DISMISSED

**(FOR INFORMATION)**

Background Papers

Appeal decisions.

11. 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 reports in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part 1 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)