

Runnymede Borough Council

PLANNING COMMITTEE

20 November 2007 at 7.30 pm

Members of the
Committee present: Councillors G.B. Woodger (Chairman), D.W. Parr (Vice-Chairman), Mrs F.M. Angell,
J.R. Ashmore, Mrs F.J. Barden. J. Broadhead, J.R. Furey, Mrs E. Gill,
C. Knight, Mrs Y.P. Lay, Mrs J. Norman, Mrs M. Roberts and P.B. Tuley.

Members of the
Committee absent: Councillors J.M. Edwards and M.T. Kusneraitis

Councillor R.J. Edis also attended.

371. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kusneraitis.

372. SOUTH EAST PLAN UPDATE

The Committee was informed of the recommendations made by the Panel who oversaw the Examination of the Plan.

The Panel's recommendations were currently being considered by the Secretary of State and she will publish proposed changes in December, or the early New Year, followed by a twelve-week period of consultation, upon which this Council would be able to comment. The final Plan would be published and adopted in the Autumn of next year.

The Panel had accepted that there was no technical justification and support infrastructure for large scale increases in planning housing numbers.

In terms of spatial strategy, the Panel had recommended a stronger profile to the areas south west of London, the Thames Valley and Oxford, thus reflecting their economic importance. The London Fringe (including Runnymede) and Western Corridor provided a focus for economic and housing growth, notwithstanding the implications of the Thames Basin Heaths Special Protection Area. It was predicted that SANGS (suitable alternative natural green spaces) could accommodate a higher level of growth without significantly impacting on the SPA. Adjustments to Green Belt boundaries might be necessary.

Strategic housing market assessments would be needed to deliver an increased supply of affordable housing and this would require joint-working. Lower site sizes for affordable housing were required.

Local Area Agreements were highlighted as being a key future delivery mechanism which would have a major impact on the way local authorities operate and in giving teeth to partnership working.

The Committee was pleased that the Panel had accepted that windfall housing development would contribute towards supply and this was significant for Surrey. It lent support to the principle that windfall could be taken into account in assessing housing land availability which meant that less Greenfield sites would have to be identified in order to provide future capacity. It was also recognised that increased housing densities should not be at the expense of quality and character.

Runnymede, along with other Surrey Districts, had been allocated additional housing over the plan period (up to 2026). This was 300 units, representing 15 more per annum, the annual target rising from 146 to 161 units.

The Surrey Planning Collaboration Project on development related tariffs was endorsed by the Panel and the Government had since announced that their proposals for Planning Gain Supplements had been abandoned in favour of a tariff based approach.

The Committee was disappointed that the Panel had rejected a policy that would make development contingent upon the delivery of particular pieces of infrastructure. Furthermore the Committee disagreed with the Panel's view that additional growth in the region should not be conditional on infrastructure provision. Appropriate representations would be made at the time of the Secretary of State's response to the Panel recommendations.

The Committee considered that the greatest impact of the Panel's report on this Borough was the recommendation that the former DERA site in Longcross could accommodate 2,500 residential units together with 65,000 square metres of commercial development. If accepted, this would be subject to a specific policy in the Plan. The DERA site was in close proximity to the national and European designated site of Chobham Common and was affected by noise and other pollution from the M3. In addition, the social and physical infrastructure issues relating to the DERA site would need to be addressed if the Panel's recommendation were to be accepted and implemented. Accordingly it was

RESOLVED that –

the Committee notes the Panel's changes to the SE Plan recommended to the Secretary of State, in particular, the proposed increases in housing provision targets and endorses the concerns expressed in the report regarding the Panel's new proposal for the development of the former DERA site with 2,500 residential units and in the event that the Secretary of State accepts the Panel's recommendation regarding the former DERA site, Officers prepare a detailed response for consideration by the Committee.

373. LOCAL DEVELOPMENT FRAMEWORK PROGRESS REPORT

The Committee was advised of progress on the preparation of the Local Development Framework (LDF).

The revised Local Development Scheme (LDS) had envisaged that the LDF-CS (Core Strategy) would be adopted by 2010. Comments had been received from GOSE that the programme was ambitious and should be revised. It was now anticipated that the formal adoption of the LDF might be put back to 2011 if the advice of GOSE was adopted.

The programme of works was being adjusted to reflect the revisions to the LDF and the comments from GOSE. Further changes in Government guidance, the White Paper: "Planning for a Sustainable Future" and Housing Green Paper would also have implications for the LDF. The Government also intended to undertake a mini review in 2008 of the South East Plan to provide for higher housing provision. This should be completed by 2010/2011 and again would have implications for the LDF. Notwithstanding this, the Government required that progress was maintained on the production of the LDDs.

It was envisaged that, prior to May 2008, work would be focused on the preparation of the issues and options consultation document forming part of the first stage of consultation on the LDF-CS. A key part of the work would focus on developing much closer links with the Sustainable Community Strategy (SCS - formerly the Community Strategy). The LDF was viewed as the spatial expression of the SCS which meant that the issues contained in the SCS would be guided by the LDF mechanism when providing new economic, social and physical infrastructure.

It was expected that the original Community Strategy 2002 would need to be reviewed to satisfy the requirement of the new SCS. This would take place in tandem with the LDF-CS Consultation in Spring/Summer 2008 to make the best use of resources. There were close links between the consultation processes and the issues to be considered as part of the two documents. The Local Strategic Partnership will receive a report on these matters at its meeting scheduled for early December.

The next stage of work was to assess the evidence, identify the issues and develop options that provide the opportunity for public involvement and scrutiny. It was envisaged that the first part of this work would be assembled early in the New Year with a view to formal consideration by LDF-Members Working Group and the LDF-Planning Committee at its next meeting on 26 February 2008.

374. DRAFT STRATEGIC FLOOD RISK ASSESSMENT

The Committee received and considered the findings of the emerging Strategic Flood Risk Assessment (SFRA) for Runnymede and considered an appropriate policy approach to flooding for the emerging Runnymede Local Development Framework (LDF) Core Strategy.

The main purpose of the study had been to establish factual evidence about the extent and nature of flood risk and to highlight the options for policy guidance in the LDF. The Committee received the following findings of the emerging SFRA, which were indicated on a map published by the EA.

- a) Areas beyond the 1 in 1000 flood event (Zone 1) – low probability risk (less vulnerable).
- b) Areas between the 1 in 100 year and the 1 in 1000 year flood event (Zone 2) – medium probability risk (less vulnerable).
- c) The study also assessed the impact of climate change over the next 50 years by modelling the extent of the 1 in 100 year flood area plus a 20% increase in rainfall. This area was similar in extent to the 1 in 1000 year area (Zone 3a +cc) – high probability risk (more vulnerable).
- d) Areas flooded in a 1 in 100 year event (Zone 3a) – high probability risk (more vulnerable).
- e) Areas of land which were 'frequently flooded' in a 1 in 20 year event. (Zone 3b functional flood plain) It would be affected by open and fast flowing water and was where water would be stored in times of flood – high probability risk (more vulnerable).

The Assessment showed that significant areas of the Borough were at some degree of flood risk, with the area most at risk being the eastern part of Runnymede adjoining the River Thames, the Chertsey Bourne, the Addlestone Bourne and the River Wey flood plains. The area covered by the Zone 3a+cc flood event extended over a mile from the River Thames into the urban areas of Egham (Hythe), Chertsey and the Thorpe area as far as the M25 motorway.

Approximately 7,500 existing dwellings and 600 commercial premises in the Borough would be affected by a flood in Zone 3a+cc which represented 25% of the urban area. However, about 75% of the Borough was flood free (Zone 1) but most of this land was either in the Green Belt, mineral bearing land, open water, Crown land, restored gravel sites and/or within the Special Protection Area (SPA) exclusion zone. These constraints placed significant spatial limitations on the scope for Runnymede to meet long term future development needs.

Some concern was expressed over the accuracy of the data on the EA map, in particular the designation of Egham Hythe in a high flood risk area. This would place undue restrictions on householders and also increase household insurance premiums. Officers commented that the map was in the public domain and that costly external consultants would be required to challenge the assumptions underlying the flood zone designations, with no guarantee that there would be a different outcome.

Members noted that PPS25 sets out a sequential test whereby the most vulnerable (such as residential) new development should be located in areas of lower flood risk (Zones 1 and 2) with a more relaxed approach to less vulnerable (such as commercial) new development to be in Zones 1, 2 and 3a.

With regard to new housing development, no net new housing would be provided on sites within Flood Zone 3a+cc unless there was insufficient land supply in Zones 1 and 2 to meet the housing requirements. Such development in Zone 3a+cc would also have to comply with the exception test and a site specific Flood Risk Assessment (FRA) submitted with a planning application should identify that, on more detailed examination, the site and area around it is or could be redeveloped at a lower level of risk, and that there was a dry route of escape (to be defined) from the proposed development.

With 25% of the urban area in flood Zone 3a+cc, there were limitations on the area of the Borough within which additional net housing development could be granted permission. PPS25 indicated that a net gain in housing within Zone 3b should not take place. Housing sites in 'Zone 3a+cc' should

normally only be granted permission if a local FRA showed that the site, on detailed examination, was actually above the Zone 3a flood level (in Zone 1 or 2) and development on the site would not add to flood risk to existing nearby dwellings.

With regard to minor developments throughout the Egham Hythe area and in parts of Chertsey, Egham, Addlestone and Thorpe in theory, development would be precluded within the Zone 3a+cc flood area, if it would result in a greater built area than the footprint of existing buildings. However, many planning applications were for smaller development and on sites with a low size threshold. The cumulative effect of a large number of smaller developments, and their susceptibility to flood risk, required the Council to consider a policy position that ensured that equal protection was given to residents and businesses occupying or affected by minor developments. This included considering whether ground floor extensions to existing buildings in the flood plain should be subject to policy control. However, it was noted that the planning system could not resolve this matter alone and it was appropriate and more effective for the Environment Agency to address this matter.

The Council would therefore have to consider whether exceptions could be made to a general presumption against development that would be adversely affected by and itself affect flood risk or whether development in such locations should be required to provide compensatory flood storage provision, green roofs and sustainable urban drainage systems on site.

The Council had to ensure that there was a sustainable approach in economic, social and environmental terms to development in Runnymede. It was also important that the policies that were adopted and implemented identified all possible means of reducing flood risk.

The 'Zone 1 and 2 only' limitations on housing development set out in the 'sequential test' might need to be put aside in Runnymede so that some of the Borough's future net new housing needs could be met in Zone 3a+cc if that proved to be necessary. However, to ensure that housing in Zone 3a+cc did not add to risk, it was proposed in PPS25 that development proposals would be refused planning permission unless a flood risk assessment was provided that was able to show either that on detailed investigation a site would only be subject to 'medium risk Zone 2' flooding; and/or that suitable mitigating measures could be included in the development to reduce the risk of flooding to acceptable levels both on the application site and adjoining properties. Proposals that included sustainable urban drainage systems, additional flood storage capacity and dry means of escape (to be defined) would reduce the risk.

The Committee considered the framework policy that could form the basis of developing the policy options. The sequential test had been satisfied, in that the projected housing requirements could be accommodated in Zones 1 and 2, without the need to develop on Zone 3a+cc land. For development within Zone 3 the following options were suggested to the Committee to form the basis of policy guidance.

- Option 1 – allow only net new development that does not create either an increase in built footprint or reduces the footprint/floor space.
- Option 2 – allow an increase in floor space that does not increase the built footprint or if the built footprint does increase then this is accompanied by flood compensation measures.
- Option 3 – allow an increase in floor space that satisfies the exceptions test set out in PPS25.
- Option 4 – allow an increase in the built footprint only if it can be justified for exceptional social and/or economic reasons or where it reduces the impact on the flood plain.

The Committee expressed concern over these options and requested that Officers review them with a view to clarifying them and producing a wider spectrum of options, and report back to this Committee in February for further consideration prior to inclusion in the Issues and Options Consultation which would take place in late Spring 2008.

RESOLVED that -

- i) the map reported and the emerging Strategic Flood Risk Assessment, be used to develop policy guidance forming part of the LDF Core Strategy; and**
- ii) Officers review the Options with a view to clarifying them and producing a wider spectrum of options and report back to the Committee in February for further consideration prior to inclusion in the Issues and Options consultation to take place in late Spring 2008.**

375. PLANNING GUIDANCE

The Committee was advised of comments received during consultation on Interim Planning Advice Notes on Planning Obligations, Affordable Housing, The Thames Basin Heath - Special Protection Area and Renewable Energy.

The consultation gave rise to limited but very well structured comments on the Advice Notes. These comments did not give rise to material changes in the Advice Notes, but refinements were needed to reflect emerging material Government guidance and to integrate them into the LDF process. The comments submitted and Officer responses, which were endorsed by Committee, are set out in Appendix 'A'.

With regard to Planning Obligations, the countywide approach had set out a scale of fees, to be raised as part of Section 106 contributions for social and physical infrastructure, to support the provision of public services as part of new development and to address pressure on the local social and physical infrastructure. The Government had recently indicated that it had revised its position regarding the introduction of a Planning Gain Supplement to replace the Town and Country Planning Act 1990 Section 106 regime and would introduce these new changes as part of the forthcoming Planning Bill, and it was the intention to encourage Local Planning Authorities to introduce a statutory tariff based system anticipated to be similar to that proposed in the Planning Obligations Advice Note.

The Committee endorsed the tariff approach proposed in the Planning Obligation Advice Note but considered that the County Council, who would be the recipients of almost 70% of the tariff, should be requested to specify the projects on which this money would be spent as it was important that it supported projects in Runnymede. In this regard, the Committee felt strongly that the Surrey County Council Runnymede Local Area Committee should approve the list of schemes and their priorities which would be funded from the tariffs collected.

Members considered it appropriate to defer collection of this aspect of the tariff until the matter had been clarified. The Committee also wished to delegate to the Director of Technical Services, in consultation with the Chairman of this Committee, the decision on when to commence collecting the County Council tariff. It was recommended that the tariff system be introduced on 1 March 2008 to enable the necessary guidance to be issued prior to commencement.

The Committee considered the status of the Advice Notes and agreed that they be referred to as Interim Supplementary Planning Guidance (a term used under the former planning system but retained for saved policies). The Supplementary Planning Guidance will be developed further as part of the Local Development Framework and would provide the link between the saved policies of the Development Plan and the approach in the Local Development Framework.

RECOMMEND that -

- i) the recommendations, as amended on Addendum, set out in Appendix 'A' be endorsed;**
- ii) changes arising from the recommendations, set out in Appendix 'B' as amended on the Addendum be incorporated into the guidance;**
- iii) the guidance on Planning Obligations, Affordable Housing, The Thames Basin Heaths – SPA and Renewable Energy be approved as Interim**

Supplementary Planning Guidance until such a time as it is integrated into the LDF process;

- iv) **the revised advice be confirmed as the policy approach of the Council in respect of development proposals, until further notice, but with the commencement date for the Planning Obligations guidance to commence on 1 March 2008; and**
- v) **the Planning Obligation Supplementary Guidance only be implemented in respect of Borough Council Services until such a time as a full schedule is received setting out the provision of services by the County Council as approved by the Runnymede Local Area Committee, with this aspect of the Advice to be confirmed by the Director of Technical Services in consultation with the Chairman and Vice-Chairman, once satisfactorily resolved.**

376. LOCAL DEVELOPMENT FRAMEWORK ANNUAL MONITORING REPORT

The views of the Committee were sought on the third Local Development Framework Annual Monitoring Report, which would be submitted to the Secretary of State.

The Annual Monitoring Report provided a useful performance management tool in which to measure the progress of the Local Development Scheme and the performance of policies within the Local Development Framework. It was vital in terms of supplying consistent local data into regional and national monitoring, as well as being an important instrument for benchmarking against other Local Authorities. It also had very strong links with the monitoring of the Community Strategy.

The main themes set out by the Core Indicators in the Monitoring Report were noted. In particular, the Committee noted the implications for future housing provision.

The Housing Trajectory for Runnymede showed that it would be possible to meet the Structure Plan and draft (pre-panel report) South East Plan requirement as currently proposed without releasing reserve sites. However, the slightly higher figure in the report of the Panel on the South East Plan could only be met for the period 2006-2024 (compared to 2006-2026). This would be considered as part of the LDF in due course.

With regard to affordable housing, analysis of housing completion rates from 1 April 2006 to 31 March 2007 in Runnymede, revealed that of the 203 net new dwellings completed none were provided as affordable housing. The low completion figure was a reflection of the constraints the application of the Thames Basin Heaths – Special Protection Area had on the granting of planning permission for larger parts of the Borough. However, together with other current Borough Housing Strategy mechanisms, the Borough had performed well in terms of overall provision and had achieved approximately 130 affordable homes per annum over the past few years.

RESOLVED that -

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

Chairman

(The meeting ended at 9.12 pm)