

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday 27 October 2004 at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors G.B. Woodger (Chairman), Mrs. F.M. Angell (Vice-Chairman), J.R. Ashmore, Mrs. F.J. Barden, J. Broadhead, J.B. Dean, J.R. Furey, H.W.V. Meares, Mrs J. Norman, D.W. Parr, R. Pate, B.J. Relph, N. Thewlis, A.P. Tollett, and J.R. Whiteley.

A G E N D A

Notes:

- i) 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.
- ii) 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 Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425620). (Email: bernard.fleckney@runnymede.gov.uk).**
- iii) 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.
- iv) **Public speaking on planning applications only is allowed at the Planning Committee. For details please contact Mrs T Eeles, the Administrative Section of the Technical Services Department. (Tel Direct Line: 01932 425174)**
- v) 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. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP	3
2. MINUTES	3
3. APOLOGIES FOR ABSENCE	3
4. DECLARATIONS OF INTEREST	3
5. PLANNING APPLICATIONS	3
6. REVIEW OF PLANNING POLICY GUIDANCE NOTE 25 - DEVELOPMENT AND FLOOD RISK	3
7. SURREY MINERALS DEVELOPMENT FRAMEWORK	7
8. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES	10
9. APPEAL DECISIONS	10
10. EXCLUSION OF PRESS AND PUBLIC	11

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)

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 29 September 2004 as a correct record (Appendix 'A').

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

5. PLANNING APPLICATIONS (DTS)

A list of the 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 7.00 p.m. prior to the meeting in the ante room of the Council Chamber. This will be an informal opportunity for Members to see further details of 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 at the Technical Services Reception.

6. REVIEW OF PLANNING POLICY GUIDANCE NOTE 25 : DEVELOPMENT AND FLOOD RISK (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to seek the views of the Committee on the operation of the current PPG25 : 'Development and Flood Risk'. The Government has invited comments before deciding whether to revise the PPG as a new-style planning policy statement in accordance with the new Planning Framework.**

1.2 **Comments are requested by 29 October 2004. Copies of the consultation documents can be viewed on the Members' website.**

2. Background Information

2.1 Planning Policy Note 25 was issued in July 2001. The foreword to PPG25 states:

"This guidance explains how flood risk should be considered at all stages of the planning and development process in order to reduce future damage to property and loss of life. It sets out the importance the Government attaches to the management and reduction of flood risk in the land-use planning process, to acting on a precautionary basis and to taking account of climate change. It summarises the

responsibilities of various parties in the development process. The planning system should ensure that new development is safe and not exposed unnecessarily to flooding by considering flood risk on a catchment-wide basis and, where necessary, across administrative boundaries. It should seek where possible to reduce and certainly not to increase flood risk. It should help ensure that flood plains are used for their natural purposes, continue to function effectively and are protected from inappropriate development. The guidance also outlines how flood risk issues should be addressed in regional planning guidance development plans and in the consideration of planning applications.”

- 2.2 Accompanying the request for comments on PPG25 is a parallel consultation entitled ‘Making Space for Water’ published by the Department for Environment, Food and Rural Affairs (Defra). The Defra consultation attempts to set the context for flood and coastal defence planning for the next 20 years. Whilst it is not the intention of this item to examine the report in detail, it has provided a context for developing comments on the review of PPG25.
- 2.3 The Environment Agency on 7 October 2004, released a new set of flood maps setting out the 1:100 year flood risk area and the 1:1000 flood risk area. Full details are not yet available but the implications of the revised flood risk areas will need to be considered in due course.
3. Policy Considerations
- 3.1 The earth’s climate is changing and the Committee will recall that within the space of six months in 2003 the Borough experienced the worst flood since 1947 and was subject to the hottest and driest August since records began. Climate change is expected to have impact across a range of water policies, including those relating to flooding, water resources and bio-diversity over the longer term.
- 3.2 As far as flooding is concerned, climate change may increase the risk unless mitigation measures are vigorously pursued. At the national level this focuses on influencing the long term drivers of climate change such as controlling greenhouse gas emissions etc. However, the trend for the immediate future is established and it is necessary at the local level to adapt to the implications of climate change and flooding risk over the coming decades.
- 3.3 Flood risk is defined as a combination of probability (for example an annual probability of flooding of 1% or greater) and consequences (the damage that would result from a flooding event). Thus risk can increase if, for example, the probability remains the same but the number of properties in the flood area increase.
- 3.4 The planning system has an interaction with flood risk in that it regulates development and the use of land in the public interest. The Government is committed to ensuring that its development and planning policy seeks where possible to reduce and certainly not to add to the overall level of flood risk. However, the Government has set out its ambition to achieve significant housing provision in the south-east over the period to 2016.
- 3.5 The Government’s Sustainable Communities Plan recognises that, amongst other things, current and future potential flood risk must be addressed in order that the newly-created communities are truly sustainable. In particular, it is important that the siting and design of all new developments factor in the need to improve flood resilience and allow for renewal of sustainable river’s edge defences. The Government says in Making Space for Water paragraph 7.5 that:

“It is not appropriate to prevent all new developments in the mapped areas of flood risk. About 10 per cent of England – by land area, population and housing stock – is already within those areas. A significant proportion of the housing stock – is already within those areas. A significant proportion of the previously developed land suitable for housing and other regeneration and redevelopment is also within areas of higher flood risk. Extensive areas of land fall into high-risk zones, particularly in low-lying parts of eastern England, where alternative sites in zones of lower risk are not available for development. In such cases development may be needed to avoid social and economic stagnation or blight. The Government’s aim is to ensure that development in flood risk areas takes place in a way that achieves the objectives relating to flood risk set out above.”

- 3.6 PPG25 advises planning authorities when considering proposed developments in flood risk areas to take account of the risks involved and to work towards ensuring that an appropriate minimum standard of protection will be in place for the lifetime of the proposed development. It advises that new housing should generally be protected against a flood with an annual probability of 1 per cent and 0.5 per cent for river and coastal flooding respectively.
- 3.7 For the foreseeable future the Government envisages that some development in flood risk areas will continue. For example most of the 120,000 houses proposed for the Thames Gateway will be sited in existing urban areas within flood risk areas. The Government will need to ensure that where development takes place in flood risk areas the risk is managed in ways that include:
- putting in place and maintaining for the lifetime of the development protection measures to provide, as a minimum, the standards of protection specified in PPG25. In deciding whether a higher standard of protection would be appropriate in some cases, the Government expects planning authorities to take account of the consequences should a flood event occur in spite of the protection measures;
 - the provision of features, such as sacrificial areas, compartmentalisation arrangements and other appropriate measures that can reduce the consequences of flooding should defences be breached or over-topped;
 - the use of construction techniques that increase the flood resistance and resilience of buildings. The Government has issued interim guidance on this. By lessening the degree of vulnerability to flooding, these techniques and methods can reduce the consequences of flooding events if they occur.

Comment

- 3.8 ***The focus of guidance for future flood policy in Runnymede will be the Local Development Framework (LDF). The advice will need to consider the pressure for development in the Borough with the need to minimise the potential impact of development within a flood risk area. The Association of British Insurers (ABI) have made it clear that it is highly unlikely that insurance (and consequently mortgages) will be available for developments that proceed against the advice of the Environment Agency. Whilst this has not been traditionally an issue to directly influence the planning decision, the new planning regime expects the 'total picture' to be considered when developing LDF policy advice. In view of this position it would be helpful if the Government were to seek a view from the ABI to guide the preparation of the LDF.***
- 3.9 ***Whilst in the Runnymede Flood Risk Area some intensification of development has taken place there have normally been exceptional reasons to justify such an approach. With the Government commitment in a Flood Risk Area such as the Thames Gateway it is anticipated that sufficient mitigation/amelioration measures will be introduced to protect the scale of development envisaged.***

The Role of the Environment Agency

- 3.10 The Environment Agency (EA) is a statutory consultee for some types of development and in some specifically defined situations, but this does not currently include areas of flood risk. The Government has recently reviewed the role of statutory consultees under the General Development Procedure Order 1995. The Office of the Deputy Prime Minister (ODPM) intends to consult on extending the Agency's statutory consultee role to all planning applications in areas of flood risk.
- 3.11 The Government has indicated that the EA will continue to provide assistance to planning authorities. The Agency has recently issued maps identifying the flood zones defined in PPG25. Those proposing development, whether local planning authorities through their local development frameworks or developers through planning applications, are advised in PPG25 to assess the potential impacts of flooding on their development, and of their development on flood risk elsewhere.

- 3.12 The Government has further indicated that its monitoring of developments that proceed against the Agency's advice shows a continued decline. However, it will consider putting in place a standing planning Direction under article 14 of General Development Procedures Order 1995 if the decline is not maintained. This would provide, in cases where a planning authority proposes to proceed with approval of a development where there is a sustained objection from the Environment Agency, for a reference to be made to the Secretary of State (SoS) to decide whether it should be called in for determination.

Comment

- 3.13 ***In Runnymede approximately 23% of the area is within a high risk (1% or greater probability) area of flooding. Within this area there are some 13647 properties (representing 27% of the Borough housing stock). For minor applications the Council has agreed standing advice with the Environment Agency (EA) to process applications using agreed standard conditions. For other applications the EA requires a flood risk assessment (FRA) to be undertaken. The comments from the EA on the FRA are then taken into account when determining the application. However, other material considerations may be sufficient to outweigh flooding considerations in the interest of overall sustainable development (the social and economic issues) and allow appropriate development. This would enable an application to be determined in a manner that reflects local circumstances.***
- 3.14 ***The quality of FRA submissions by applicants is variable often requiring the submission of additional information which does not assist in speeding up decision making. A clearer direction is required regarding whether planning applications can be made invalid when an FRA is not submitted or whether the lack of FRA is sufficient a reason to refuse a planning application.***
- 3.15 ***The potential change in legislation enabling the Secretary of State (SoS) to intervene, may give rise to local concern. The Local Planning Authority would lose significant discretion when assessing the social, economic and environmental issues associated with a development scheme, if the SoS intervened in support of the EA. It would probably only take one or two local interventions to effectively set the future policy framework for applications in Flood Risk Areas.***
- 3.16 ***Table 1 of PPG25 defines what type of developments may be allowed within the high risk developed, undeveloped and sparsely developed areas. However, the criterion to define these areas on the ground is vague, unclear and open to interpretation. Consequently, a more detailed description of characteristics of a developed, undeveloped or sparsely developed areas in flooding terms is required for more consistent decision making.***
- 3.17 ***Further guidance and clarification on how the sequential tests in PPG25 should be applied is required. Does the search area for a lower risk site extend to the applicant's own land interest, Borough boundaries or flood catchment area?***
- 3.18 ***There is no reference in PPG25 to 'dry islands'. There are many dry islands of varying sizes in the Borough. The EA often raise objection to a development because it is located within a dry island and there is no dry escape route to safely evacuate people. The absence of any guidance on this issue in PPG25 makes it sometimes difficult to assess these applications. Clear and detailed guidance is required on this issue.***
- 3.19 ***PPG25 should also address the issue of groundwater flooding. There is generally little or no evidence of this type of flooding but it does have an impact on flood events. Groundwater flooding data does somehow need to be included with the flood zone maps issued by the EA. Direct and explicit references that groundwater flooding is required within FRA would be helpful.***
- 3.20 ***The issue of an agreed climate change tolerance figure over and above the known flood level for a site needs to be agreed for each flood catchment area. This is to ensure that any new building is raised above the anticipated future flood level.***

4. Council Policy

4.1 The guidance in PPG25 provides advice to the Council as a planning authority and also when undertaking development proposals. The issues set out in Section 3 are of material relevance to the Council as it considers development schemes in flood risk areas. The comments in Section 3 on the current arrangements highlight some of the issues that need clarification for the Council when determining development schemes.

5. Legal Issues

5.1 Any revisions to PPG25 will need to be taken into account when developing the LDF and associated policy guidance.

6. Sustainability Issues

6.1 The advice in PPG25 allows land use planning decisions to take the advice from the EA as a material consideration. Other material considerations, such as economic or social matters, may outweigh flooding considerations in the interest of overall sustainable development.

7. Conclusion

7.1 The Government has invited comment on the operation of flooding policy set out in Planning Policy Note 25. The PPG was issued in 2001 and the Government indicated at the time that it would review the policy approach. The current review is set within the context of the need to develop advice that recognises the requirements of the new planning framework.

7.2 The Council will be considering the issue of flooding as part of the LDF process. The comments set out in Section 3 of this report seek to clarify some of the matters that will need to be considered as policy guidance in the LDF is formulated. A review of PPG25 is therefore urgently required.

OFFICERS' RECOMMENDATION that –

the above-mentioned comments be forwarded as a formal response to the Government's request for observations on Planning Policy Guidance Note 25 : 'Development and Flood Risk.

(TO RESOLVE)

Background Papers

None

7. SURREY MINERALS DEVELOPMENT FRAMEWORK (DTS)

1. Purpose of Report

1.1 **To consider views on Surrey County Council's Report on Potential Mineral Working Zones.**

2. Background Information

2.1 In July 2003, the County Council published its issues and options paper as the first stage in preparing the Replacement Minerals Plan (now Minerals Development Framework).

2.2 Since then, the County has carried out a Strategic Environmental Assessment of 107 Potential Mineral Working Zones (PMZ's) for sand and gravel extraction across the County and published the results in September 2004.

2.3 A public presentation was arranged at the end of September which was attended by a number of Borough Members. Views have been sought on this report by 1st November.

3. Report

3.1 The report includes 13 sites within Runnymede which have been assessed. A further site at Addlestone Quarry lies within Elmbridge, but immediately abuts Runnymede and the Addlestone Bournside Ward.

3.2 Whilst the County Council indicates that no decisions have yet been made on the release of these sites for mineral extraction, each has been classified for 'inclusion' or 'exclusion' in the Development Framework.

3.3 The assessment report identified baseline environmental information and a preliminary assessment of the likely impacts of mineral activity in those areas. The next stage will be the production of an Environmental Report which will provide a comprehensive and objective account of the environmental considerations of the possible impacts of mineral extraction in the identified PMZ's.

3.4 A number of the sites that are identified for exclusion were identified in the adopted Minerals Local Plan as being Category 2 which was defined as having a very strong presumption against mineral working. These are:

Monks Grove, Chertsey
Abbey Mead, Chertsey
Abbey Chase Farm, Chertsey
Chertsey Meads, Chertsey
Hamm Court Farm, Chertsey
Runnymede, Egham
Land South East of Stroude, Stroude

3.5 These sites are all environmentally sensitive and it is agreed that they should be excluded from mineral extraction.

3.6 Three sites are designated for 'inclusion' which were also identified in the adopted Minerals Plan as Category 1, defined as having a presumption in favour of mineral working. These are:

Whitehall Farm, Egham
Milton Park Farm, Egham
Land South of Great Fosters, Egham

3.7 These sites all abut each other and therefore the impact of extraction would be concentrated in a single area over a considerable period of time. Nevertheless, given that they were identified to be brought forward as part of the adopted Minerals Local Plan and this was accepted by the previous Planning Inspector, it is considered that no objections in principle should be raised at this time. There is, however, an issue regarding restoration, which is dealt with later in this report.

3.8 One site, land north of Thorpe, is identified for inclusion, but is currently Category 2, very strong presumption against working. In the 1993 Surrey Minerals Local Plan, the description of this site concludes:

"The site is one of the few stretches of open land adjoining Thorpe Village which has not been worked for sand and gravel. As such, it provides an attractive approach to Thorpe from the north and should remain undisturbed in order to prevent further deterioration in the setting of this historic village. Furthermore, working would seriously affect the amenities enjoyed by residents in adjoining properties, the site being very exposed and open to view. For these reasons, and because it is not considered that these objections could be overcome satisfactorily, the site is included in Category 2".

3.9 In the current assessment, the following comments are made:

"Officers are of the opinion that the working of the southern part of the zone could still not be achieved without harm to local amenities and the integrity of the Thorpe Conservation Area even with extensive planting. The County Noise Engineer would have no objection to the working of the upper zone provided that 45 metres margins and bunding was placed along

the south-west boundary. The County Highway Authority considers that there is no transportation reason as to why the zone should not be utilised for mineral extraction. The Environment Agency would have no objection to working provided site investigations were carried out to ascertain the effect on the local groundwater regime and the impact of local contamination.

Officers are of the opinion that the northern part of the zone could only be worked with a generous margin along the south-west boundary to protect local amenities and the edges of the zone thickened with planting. Subject to borehole investigation it is estimated that this would reduce the sharp sand and gravel reserve to a net figure of approximately 830,000 tonnes. Given the extent of reserve it would only be viable to site a mobile plant or to move the mineral off-site unprocessed. Working should be in a northeast direction away from the village. Restoration could be back to a mix of agriculture and nature conservation.

Officers are of the opinion that the northern part of the zone should be considered for inclusion in the MDF at this stage”.

- 3.10 In the previous plan, there was a recognition of the cumulative impact of mineral extraction on Thorpe, and there are concerns that the presumption against working of this land may be reversed, especially as only a part of this relatively small site would be available. It is recommended that objections be raised to this.
- 3.11 There are two sites not identified in the adopted plan that are shown in the current assessment report, and both are suggested for ‘inclusion’. These are at Prune Hill, Egham and also at Trumps Farm, Virginia Water.
- 3.12 The Prune Hill site lies adjoining the Whitehall Farm site in Egham, and could only be worked in association with it. This would have the effect of further enlarging what is an area of potential extraction, comprising the abutting sites at Milton Park Farm, Whitehall Farm and Land South of Great Fosters.
- 3.13 It is suggested that restoration could be in the form of an ornamental lake. There is considerable concern that such restoration would destroy yet more of the traditional farming landscape in this part of the Borough. It is recommended that these points be passed to the County Council.
- 3.14 The Trumps Farm, Virginia Water site, lies immediately south of the former Trumps Farm landfill site, which has suffered severe landscape degradation. The current landowner of the site now identified has been seeking to restore this land to proper agricultural purpose, and whilst this Council recently objected to a proposal for land raising on the grounds that it went beyond what was considered acceptable, a more modest and appropriate scale of land improvement would be welcome in principle.
- 3.15 There is particular concern regarding the potential groundwater contamination because of the proximity of the Trumps Farm landfill. The mineral is described as poor quality fine-grained sand, and it is questioned whether there should be further landscape degradation over such an extensive area, plus the consequential disruption to the existing farming activities for the mining of such poor quality material.
- 3.16 The final site on which comment might be made is a potential extension to Addlestone Quarry. This would be an extension to the Wey Manor Farm workings, and lies within Elmbridge, but immediately abuts the Borough boundary, being the land between the Farm and the railway line, its impact generally is not widespread, and it is not recommended that objections are raised to this proposal.
- 3.17 It is considered that the new Minerals Development Framework gives the opportunity to give far greater prominence to restoration of sites than has perhaps previously been the case. North West Surrey already has suffered greatly from degraded landscapes and extensive areas simply restored to water which are out of character and alien features in the traditional landscape of this part of the County. It is believed that in future a more robust approach should be taken.
- 3.18 When any site is being considered to be brought forward, restoration plans must be agreed at the outset, with a demonstration that the required quantity and quality of fill is available to complete that restoration. Permissions should be granted on a phased basis, which should

be strictly adhered to so that if effective progressive restoration is not being achieved, then the next phase of mineral extraction is prevented.

- 3.19 Fundamentally, restoration should strive to restore the land at least to its previous state, if not further improved for agricultural purposes.

4. Conclusion

- 4.1 As indicated, the County Council has yet to endorse this Assessment Report, and this offers the opportunity to make early representations before these sites are formally considered.

- 4.2 The next stage is a more detailed environmental assessment of each of the sites designated for 'inclusion', and there will be further opportunities to comment on this.

OFFICERS' RECOMMENDATION that -

this report be forwarded to Surrey County Council as this Council's comments on the Report on Potential Mineral Working Zones.

(TO RESOLVE)

Background Papers

'Assessment of Potential Mineral Zones for Extraction of Sand and Gravel in Surrey', Surrey County Council, August 2004.

8. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES

A list of planning applications recently determined by the Director of Technical Services under his delegated powers is attached at Appendix 'B'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

(FOR INFORMATION)

Background Papers

None

9. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. Appeal decisions a) and b) are attached at Appendices 'C' and 'D'. The appeal decisions c) and d) are available for inspection in the Members' Room.

	<u>Site/Development</u>	<u>Decision</u>
a)	Sainsbury's, The Causeway, Staines - advert appeal regarding two 6 sheet display units (04/0611).	ALLOWED
b)	Whitedale, Tite Hill, Egham - planning appeal regarding insertion of velux style rooflights in roof area (03/1199)	ALLOWED
c)	30 The Causeway, Staines - planning appeal regarding redevelopment to provide 11, 419 sq m of office floorspace (B1a) with associated 326 car park spaces (03/0624)	DISMISSED

d) Land at Byfleet Road, New Haw – planning appeals regarding erection of 14 and 15 metre high streetworks columns with three antennae and two equipment cabinets (03/1473) (04/0251)	DISMISSED
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(FOR INFORMATION)

Background Papers

Appeal decisions.

10. 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 reports 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).