

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday, 5 February 2003 at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors V.E. Barker (Chairman), Mrs. J. Norman (Vice-Chairman), Mrs. F.M. Angell, J.R. Ashmore, Mrs. F.J. Barden, A.G. Collins, J.M. Edwards, J. R. Furey, Mrs. L.M. Gillham, P.A. Greenwood, R. Pate, Mrs. V.A. Smallman, N Thewlis, A.P. Tollett, and J.R. Whiteley.

and all other Members for information

## 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 & Leisure Department, Committee Section, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425620).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620.
- iv) 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.

COMMITTEE SECTION



## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

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

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### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection**

- a) Exempt Information
- 11. TPO IN BOROUGH 10
- 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 8 January 2003 (Appendix 'A') as a correct record.

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

List of background papers are available at the Technical Services Reception.

6. PRACTICAL GUIDANCE ON APPLYING DIRECTIVE 2001/42/EC – CONSULTATION ON DRAFT GUIDANCE (DTS)

1. Purpose of Report

1.1 To seek the views of the Committee in respect of the consultation document entitled "Draft guidance on the Strategic Environmental Assessment Directive - 23 October 2002" originating from the Office of the Deputy Prime Minister (ODPM).

1.2 Comments are requested by 24 January 2003. A copy of the document has been placed in the Members' Room and is available on the Intranet. An extension of time has been requested to receive the Council's comments.

1.3 This current draft guidance focuses particularly on plans that are in a broad sense concerned with land use and or spatial development, however, it is considered prudent to be aware of the wider application of other plans and programmes referred to by Directive 2001/42/EC.

## 2. Background Information

- 2.1 A Strategic Environmental Assessment (SEA) is a process of appraisal through which environmental protection and sustainable development may be considered, and factored into national and local decisions regarding government (and other) plans and programmes during the plan development stage. The European Directive 2001/42/EC on Strategic Environmental Assessment (SEA) came into force on 27 June 2001. The UK Government, as Member State, is required to comply with the Directive before 21 July 2004 by incorporating the SEA requirements into law before this date, thus it is currently considering ways in which this may be done.
- 2.2 The Directive's stated objective is "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment". The involvement of those who live and work in the Borough becomes a key part of developing new strategies.

## 3. Policy and Technical Considerations

### Regulatory Context to SEA

- 3.1 The Government expects the Directive to apply not only to the present system of local authority development plans under Town and Country Planning legislation, but also to regional planning guidance, and to the revised planning framework resulting from the forthcoming Planning and Compensation Bill.
- 3.2 Since the late 1990's Government guidance, specifically that contained within *Planning Policy Guidance Note 12: Development Plans (PPG12)*, has required that Local Authorities assess the sustainability implications of their development plan policies (including the Local Plan). PPG12 strongly encourages Local Authorities to ensure that their Sustainability Appraisals cover the four underlying themes set out in '*A Better Quality of Life*', which are :-
- Social progress which recognises the needs of everyone.
  - Effective protection of the environment.
  - Prudent use of natural resources.
  - Maintenance of high and stable levels of economic growth and employment.

PPG12 further states that :-

*'The appraisal process should be an important element of every stage of the development plan process.'*

- 3.3 The SEA effectively extends the requirements of PPG12 and a detailed analysis of the key aspects of the Directive together with Officer Recommendation are set out in Appendix 'B'. However, set out below are particular issues that have been highlighted for the Committee's attention.

### 3.4 Baseline Data

- 3.4.1 An SEA is an assessment of the environmental effects of certain plans and programmes and intended to be integrated into the plan/programme-making process. SEA's are described within this guidance as being "baseline-led": baseline environmental data must be provided, and the plan's performance is tested against that. In contrast the more familiar, sustainability appraisal (SA) is viewed as being "objectives-led".
- 3.4.2 The availability of sufficient high quality robust baseline environmental data upon which to make the SEA's is therefore a critical element of the SEA.

### 3.4.3 Comment

***The adoption of the European Community Directive 2001/42/EC on Strategic Environmental Assessments is necessary as a means to achieving a process of appraisal through which environmental protection and sustainable development may be considered and factored into the Council's decisions regarding plans and programmes. However, there are concerns about the availability of robust baseline data upon which to make the assessments required by the Directive and the resource implications involved in obtaining it.***

### 3.5 SEA/SA Framework Development

3.5.1. While the Directive does not prescribe who should carry out the SEA/SA, the Government guidance suggests that the "SEA/SA should be undertaken by a team of people who, between them, have a range of competences:-

- ability to give a fair and neutral view not biased or constrained by political pressures or sensitivities;
- context: understanding of the issues raised and ability to make comparisons with, and apply lessons from, good practice elsewhere;
- breadth of knowledge about the full range of environmental/sustainability issues;
- knowledge of local circumstances, opportunities and constraints; and
- authority to implement recommendations from the SEA/SA.

3.5.2 The guidance suggests that "people closely involved in producing the plan(s) are likely to be best qualified on the last two points"; going on to state that other professionals, Academics, and consultants from elsewhere (including elsewhere in the Authority) will be best at the first two. A diversity of experience will be the best guarantor of the third point.

### 3.5.3 Comment

***The need to assemble a SEA/SA team has potentially significant resource implications and one that needs to be fully addressed by the Government before the final guidance is issued. From a practical perspective the SEA will be undertaken as part of the policy work not only associated with the Local Plan Review, but it will ultimately need to be extended to become an integral part of all plans and programmes including the Community Strategic Process.***

***3.5.4 The Government will need to be aware that some external specialist consultation may be required to satisfy the SEA requirement.***

### 4. Resource Issues

4.1 The resource implications of incorporating the required functions of this Directive into Runnymede's current workload are wide ranging. Initially, the focus is upon the Local Plan process, however, the Directive does not make this distinction, as it encompasses many of the corporate activities that have an impact on the environment, for example – the Community Strategy and the effect of additional functions that will result from the enactment of the proposed Planning and Compulsory Purchase Bill. In addition, the synergistic effects of proposed plans and programmes will by virtue of their complexity add to this resource demand.

### 4.2 Comment

***It is difficult to assess the resource implications of implementing the SEA Directive based on the information contained within this Guidance, but it is another layer of activity for which the Government will need to recognise the resource impact on Local Authorities.***

5. Conclusion

- 5.1 The Government has published for consultation guidance of the appraisal mechanism necessary to assess the impact on the environment of a wide range of activities undertaken by the Council. It initially focuses on the planning process, but will be extended.
- 5.2 The Officers are of the view that there are potentially significant staff resource implications. The overall objectives of the Strategic Environmental Assessment Directive (SEA) are, as a process of appraisal through which environmental protection and sustainable development are considered and can be supported. In addition it is intended to raise awareness among those who live and work in the Borough of the environment and the way it is affected by policies and plans and those preparing them.
- 5.3 The Officers consider that the adoption of the European Community Directive 2001/42/EC on Strategic Environmental Assessments necessary as a means to achieving a process of appraisal through which environmental protection and sustainable development will be reflected into Local Government strategies and programmes. However, the Council may wish to express significant concerns about the assumed availability of robust baseline data upon which to make the assumptions required by the Directive and the resource implications involved in obtaining it. Additionally, Government funding will be needed to be made available to ensure this area of activity can be undertaken.

**OFFICERS' RECOMMENDATION that -**

**the comments set out in this report and in Appendix 'B' be forwarded to the Office of the Deputy Prime Minister as the formal observations of the Council in respect of the Strategic Environmental Assessment Directive – Draft Guidance.**

**(TO RESOLVE)**

Background Papers

DETR, (1999) A better quality of life - A strategy for sustainable development for the UK, London, HMSO.

7. SUPPLEMENTARY PLANNING GUIDANCE ON TREES AND HOUSEHOLDER DEVELOPMENT, DRAFTS FOR CONSULTATION (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to seek Members' approval to consult on draft Supplementary Planning Guidance.**

2. Background Information

- 2.1 At the Planning Committee on 18 September 2002 it was agreed that the Council should proceed with the preparation of Supplementary Planning Guidance as the preferred interim method for updating selected Local Plan policies. This approach would provide additional planning policy guidance until work commences on preparation of the new Local Development Framework.
- 2.2 The new Planning and Compulsory Purchase Bill was introduced in Parliament on 4 December 2002 and its second reading was completed before Christmas. The Bill should complete its Committee stage by the end of January 2003, be read in the House of Lords before Easter and become law by the end of the Summer this year. The Office of the Deputy Prime Minister states that the earliest they expect the development plan reforms set out in the Bill to come into force would be Spring 2004.
- 2.3 The Government has published, in conjunction with the Bill, a note explaining the implications for development plans between now and the commencement of the Act. It is also envisaged that draft Regulations for Local Planning will be produced and consulted on while the Bill is before Parliament.

- 2.4 The Bill may be subject to changes before it becomes law but in its present form it proposes major changes in the format and procedure for development plans. The Local Plan would be replaced by a Local Development Framework (LDF) which would consist of a number of Local Development Documents. These will be expected to provide greater local focus in policies and achieve effective community participation in developing policies.

3. Report

- 3.1 Government advice on the preparation and status and the role of Supplementary Planning Guidance (SPG) is that it should be made publicly available and be subject to consultation. SPG may be taken into account as a material consideration in deciding planning applications.
- 3.2 The draft SPG is attached at Appendix 'C'.

Trees

- 3.3 The SPG on trees provides guidance on the protection of trees, carrying out works to trees, protection of hedgerows. Trees are an essential part of the landscape of Runnymede and contribute much to the quality of the Borough's towns and villages.
- 3.4 The SPG includes and expands on existing Local Plan policy relating to trees and provides practical advice on a question and answer format to assist the public in understanding the relevant legislation.

Householder Development

- 3.5 The SPG on Householder Development will supersede the advice in the current Council leaflet on residential extensions. As well as advice on extensions it includes guidance on outbuildings and boundary treatments.
- 3.6 The existing extensions leaflet is well used but was produced and adopted some years ago before the current guidance on producing SPG was issued by the Government. It has therefore not been subject to public consultation. It is not given the same weight in planning appeals as SPG which has been widely consulted on.
- 3.7 The guidance in the draft SPG seeks to achieve householder development which is designed to be in harmony with the existing dwelling and its surroundings and does not cause undue harm to the amenities of neighbours.

Affordable Housing

- 3.8 It was the intention to produce guidance on Affordable Housing, to support and update the existing Local Plan Policy HO4 (Housing Need), as a means of increasing the amount of affordable housing provided through the planning process. The intention was that the SPG would support Policy HO4 for the remainder of the life of the Local Plan, up to 2006.
- 3.9 The 2001 Housing Needs Survey identified a need for 750 affordable housing units to be provided in Runnymede up to 2006. At the end of December 2002, 341 units had been completed, or were in the construction phase. A further 369 potential units had been identified, leaving 40 units to be found.
- 3.10 Although good progress is being made towards the affordable housing target it should be remembered that there is no certainty that all of the 369 potential units will be delivered. Some of the proposed schemes are within the flood plain and, in the light of recent events, their success may now be in doubt.
- 3.11 The opportunities to provide additional affordable housing on the Council's own housing land have now been exhausted and therefore provision through the planning system will be key to securing sufficient affordable housing in the future. A review of the affordable housing policy is therefore still considered to be very important and necessary. However it is felt that there are currently sufficient schemes in the pipeline to allow for this review to be considered as part of the creation of the new Local Development Framework (LDF).

3.12 The target of 750 units does not include any specific, or significant allowance to meet the demand for key worker housing in the Borough. Demand for key worker housing has been considered in both the 2001 Housing Needs Survey and Runnymede's Key Worker Housing Strategy, June 2002. However, as staff are often recruited from outside the Runnymede area the establishment of a specific unit target has not been possible. It would be difficult to justify a change in policy to meet the demand for key worker housing, without a specific unit target. For these reasons it is considered that amending the affordable housing policy through the introduction of SPG, would be liable to legal challenge. Discussions are underway regarding the need to research and quantify the actual demand for key worker housing. Any target reached through this process will be introduced into the full review of the affordable housing policy as part of the preparation of the Local Development Framework.

4. Consultation

4.1 In accordance with the relevant guidance it is proposed to carry out extensive consultation on the draft SPG. This would include consulting the County Council, Government Office for the Southeast, local amenity groups and a selection of those affected by the guidance. This would include a selection of past applicants for tree works and householder development.

4.2 The consultation period will last for six weeks. It is anticipated that the outcome of the consultation and any changes proposed as a result would be reported to the Planning Committee in April 2003.

5. Conclusion

5.1 The SPG proposed in this report for consultation will provide valuable guidance to help achieve the Council's objectives of preserving and enhancing the environment of the Borough.

**OFFICERS' RECOMMENDATION that -**

**the Supplementary Planning Guidance on Trees, and Householder Development at Appendix 'C' be approved for the purposes of consultation.**

**(TO RECOMMEND)**

Background Papers

None

8. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. The appeal decision in respect of (i) is attached at Appendix 'D'. Appeal decision (ii) is available in the Members Room for inspection.

<u>Site/Development</u>	<u>Decision</u>
i) 20 Sayes Court, Addlestone - enforcement appeal regarding erection of a conservatory at rear of property.	DISMISSED, NOTICE UPHELD SUBJECT TO VARIATIONS
ii) Rose Cottage, Shrubbs Hill, Sunningdale - planning appeal regarding a first floor front extension to provide a study, replacement bedroom and bathroom.	DISMISSED

**(FOR INFORMATION)**

Background Papers

Appeal decisions.

9. PLANNING APPLICATIONS DETERMINED BY BOROUGH TECHNICAL SERVICES OFFICER

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

**(FOR INFORMATION)**

Background Papers

None

10. EXCLUSION OF PRESS AND PUBLIC

**OFFICERS' RECOMMENDATION that -**

**the press and public be excluded from the meeting during discussion of the following report(s) under Section 100A(4) of the Local Government Act 1972 on the grounds that the report(s) in question would be likely to involve disclosure of exempt information of the description specified in paragraph 13 of Part I of Schedule 12A of the Act.**

**(TO RESOLVE)**