

PROPOSED COMMITTEE REPORT TEMPLATE AND GUIDANCE FOR AGENDA FRONTSHEET

ITEM NO

TO: PLANNING & REGULATORY COMMITTEE **DATE:**
BY: PLANNING DEVELOPMENT CONTROL TEAM
 MANAGER
DISTRICT(S) ? DISTRICT/ BOROUGH COUNCIL **ELECTORAL DIVISION(S):**

PURPOSE: FOR DECISION **GRID REF:**

TITLE: MINERALS AND WASTE APPLICATION/SURREY COUNTY COUNCIL
PROPOSAL

SUMMARY

Application site

Application proposal

The recommendation is

APPLICATION DETAILS

Applicant

Date application valid

Period for Determination

Amending Documents

(List letters, plans and documents received after application valid date)

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting. [The planning issues will vary according to the location of the site and proposed development.]

Planning issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
e.g. Procedural matters Highways and traffic Flood risk	N/A	

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1, 2 etc

Aerial Photographs

Aerial 1, 2 etc

Site Photographs

Figure 1, 2 etc

BACKGROUND

Site Description and background

Planning History

Use tables/lists and footnotes to outline the relevant planning history, and where relevant use text to expand on the detail.

THE PROPOSAL

CONSULTATIONS AND PUBLICITY

Standardise names and roles of consultees so consistency between reports in the way they are referred to.

Standardise so report as:

- No objection [subject to conditions, informatives if relevant]/Object
Where a consultee has made detailed comments report their views by summarising them rather than reporting verbatim.
- No comments to make on the proposal – use this wording where this is what the consultee has said
- No views received – use this wording when a consultee hasn't responded.]

District Council

Consultees (Statutory and Non-Statutory)

Parish/Town Council and Amenity Groups

Summary of publicity undertaken and key issues raised by public

The application was publicised by the posting of ??? site notices *and an advert was placed in the local newspaper*. A total of (*insert no.*) of owner/occupiers of neighbouring properties were *directly notified by letter*. (Include further rounds of publicity.)

Include the details of issues raised in the main report if there are only a small number of reps received and/or grounds of objection/support and issues raised. If a larger number of reps have been received and a large range of issues are raised summarise the grounds of objection/support in the report and use an annex to provide more detail.

PLANNING CONSIDERATIONS

Introduction

The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011/Surrey Waste Plan 2008/district/borough plan (insert document references and text as relevant)/Supplementary Planning Documents.

In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES) the environmental information contained in it will be taken into consideration and reference will be made to it. Standard paragraph for use where the application is accompanied by an Environmental Statement:

In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: [insert key issues to be considered which will vary according to the location of the site and proposed development].

Then text in remainder of the planning considerations section to cover the planning considerations relevant to the application under main headings such as:

HIGHWAYS AND TRAFFIC ENVIRONMENT AND AMENITY GREEN BELT

Each section to start with a list of development plan documents and policies e.g.:

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

Strategic Policy SP6 Maintaining and Improving the Environment

Policy EN3 Air Quality

Policy EN4 Provision of Open Space and Sport and Recreation Facilities

Policy EN8 Protecting and Improving Landscape and Biodiversity

Policy EN11 Development and Noise

Policy LO1 Flooding

Spelthorne Borough Local Plan 2001 (saved policies) (SBLP 2001)

Policy RU11 – Sites of Nature Conservation Importance

Policy RU14 – Sites of Nature Conservation Importance

The discussion to cover different topic areas (e.g. flood risk and drainage, noise, air quality, biodiversity, design and sustainable construction) with each setting out:

- Nature of issue
- Discussion of development plan policies and how the proposal complies/doesn't comply with policy and any material considerations
- Conclusion of issue (or cover in main conclusion section)

HUMAN RIGHTS IMPLICATIONS

The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraph.

CONCLUSION

Conclude each section in the planning considerations section if appropriate, or ensure covered in the overall conclusion section. The conclusion should set out the main reasons and considerations on which the recommendation is based and whether or not the proposal complies with development plan policy.

For applications accompanied by an Environmental Statement the report and conclusions should set out the main reasons and considerations on which the decision is based. It should also deal with the environmental impacts and measures to avoid, reduce and mitigate the main environmental effects.

RECOMMENDATION

Conditions [if to permit subject to conditions]

Reasons [for conditions or refusal]

Informatives

CONTACT

TEL. NO.

BACKGROUND PAPERS

Insert hyperlinks where available

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance [insert details]

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance 2014](#)

The Development Plan [delete/insert details]

[Surrey Waste Plan 2008](#)

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

[Surrey Minerals Plan Primary Aggregates DPD 2011](#)

[Surrey Minerals Plan Minerals Site Restoration Supplementary Planning Document \(SPD\) 2011](#)

[Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013](#)

TOWN AND COUNTRY PLANNING ACT 1990 – GUIDANCE ON THE DETERMINATION OF PLANNING APPLICATIONS

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to “*have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations*”. This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Plan 2008 (comprised of the Core Strategy, Waste Development and Waste Development Control Policies DPDs)
- Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the March 2012 National Planning Policy Framework (NPPF) and updates; the March 2014 national Planning Practice Guidance (PPG) and updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2013; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council or the district/borough council in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The March 2012 [National Planning Policy Framework 2012](#) (NPPF) and subsequent updates replaced 30 Planning Policy Statements, Planning Policy Guidance Notes, Minerals Policy Statements and Minerals Policy Guidance Notes and related Practice Guides, some Government Circulars and letters to Chief Planning Officers and provides consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government’s planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on

[Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development which the document states “*should be seen as a golden thread running through both plan-making and decision-taking*” (paragraph 14). The NPPF makes clear the purpose of the planning system is to contribute to the achievement of sustainable development which has three dimensions: economic, social and environmental. These give rise to the need for the planning system to perform a number of mutually dependent roles: an economic role, a social role and an environmental role. The NPPF sets out 12 core land-use planning principles that should underpin both decision-taking and plan making.

The NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 14) states that development proposals that accord with the development plan should be approved without delay; and where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 215 states that in determining planning applications local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given). For emerging plans the NPPF (paragraph 216) states that, unless material considerations indicate otherwise, weight may also be given to relevant policies in emerging plans according to:

- *“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given), and;*
- *The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

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