

# Planning Committee

**Wednesday 13 November 2019 at 7.30pm**

**Council Chamber  
Runnymede Civic Centre, Addlestone**

## Members of the Committee

Councillors: M Willingale (Chairman), D Anderson-Bassey (Vice-Chairman), J Broadhead, I Chaudhri, M Cressey, E Gill, C Howorth, R King, M Kusneraitis, I Mullens, M Nuti, P Snow, J Sohi, S Whyte and J Wilson.

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chairman of the committee, if they are not a member of this Committee.

## 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, Democratic Services Section, Law and Governance Business Centre, 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. An objector who wishes to speak must make a written request by noon on the Monday of the week of the Planning Committee meeting. Any persons wishing to speak should contact the Planning Business Centre. **(Tel Direct Line: 01932 425131)** or email [publicspeaking@runnymede.gov.uk](mailto:publicspeaking@runnymede.gov.uk)

- 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.
- 6) **Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings**

Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If you wish to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

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

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<b>APPLICATION NUMBER</b>	<b>LOCATION</b>	<b>Page</b>
<b>RU.19/0449</b>	<b>18 Ongar Place, Addlestone</b>	<b>21</b>
<b>RU.19/0537</b>	<b>1 – 3 Vicarage Mews, Longcross Road, Longcross, Chertsey</b>	<b>30</b>
<b>RU.19/0881</b>	<b>Waggon and Horses, 43 Simplemarsh Road, Addlestone</b>	<b>37</b>
<b>RU.19/1174</b>	<b>7 Woodham Park Road, Addlestone</b>	<b>46</b>
<b>RU.19/1348</b>	<b>Woodlands, 420 Woodham Lane, Addlestone</b>	<b>56</b>

**PLEASE BE AWARE THAT THE PLANS PROVIDED WITHIN THIS AGENDA ARE FOR LOCATIONAL PURPOSES ONLY AND MAY NOT SHOW RECENT EXTENSIONS AND ALTERATIONS THAT HAVE NOT YET BEEN RECORDED BY THE ORDNANCE SURVEY**

7. FEES AND CHARGES – 2020/21	10
8. DESIGNATION OF ENGLEFIELD GREEN VILLAGE NEIGHBOURHOOD FORUM AND ENGLEFIELD GREEN VILLAGE NEIGHBOURHOOD AREA	14
9. EXCLUSION OF PRESS AND PUBLIC	20

### **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.

b) **Confidential Information**

No reports to be considered.

## GLOSSARY OF TERMS AND ABBREVIATIONS

TERM	EXPLANATION
AOD	Above Ordinance Datum. Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling
AQMA	Air Quality Management Area
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement
CIL	Community Infrastructure Levy – A national levy on development which will replace contributions under ‘Planning Obligations’ in the future
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
DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
Design and Access Statement	A Design and Access 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 Local Plan, Minerals and Waste Plans
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
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see ‘PD’)
LBC	Listed Building Consent
LDS	Local Development Scheme - sets out the programme and timetable for preparing the new Local Plan
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
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	The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
NPPF	National Planning Policy Framework. This is Policy, hosted on a dedicated website, issued by the Secretary of State detailing national planning policy within existing legislation
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
PINS	Planning Inspectorate
POS	Public Open Space
PPG	National Planning Practice Guidance. This is guidance, hosted on a

TERM	EXPLANATION
	dedicated website, issued by the Secretary of State detailing national planning practice and guidance within existing legislation. Also known as NPPG <i>National Planning Practice Guidance</i>
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
SAMM	Strategic Access Management and Monitoring
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan
SEA/SA	Strategic Environmental Assessment/Sustainability Appraisal – formal appraisal of the Local development Framework
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
SEP	The South East Plan. The largely repealed Regional Spatial Strategy for the South East. All policies in this Plan were repealed in March 2013 with the exception of NRM6 which dealt with the Thames Basin Heath SPA
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
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. The largest influence on the Borough is the Thames Basin Heath SPA (often referred to as the TBH SPA)
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest
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
Further definitions can be found in Annex 2 of the NPPF	

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 23 October 2019 as a correct record (Appendix 'A')

**(To resolve)**

**Background Papers**

None

Runnymede Borough CouncilPLANNING COMMITTEE23 October, 2019 at 7.30pm

Members of the  
Committee present

Councillors M Willingale (Chairman), D Anderson-Bassey (Vice-Chairman), I Chaudhri, M Cressey, R Edis, E Gill, R King, M T Kusneraitis, I Mullens, M Nuti, P Snow, J Sohi, S Whyte and J Wilson

Members of the Committee absent: Councillor P Snow

Councillor L Gillham also attended.

CHAIRMAN'S ANNOUNCEMENTS

On behalf of the Committee, the Chairman expressed condolences to Cllr Jim and Peggy Broadhead on the recent sad loss of their son.

FIRE PRECAUTIONS

The Vice- Chairman read out the Fire Precautions.

NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of their wish that the change listed below be made to the membership of the Committee. The change was for a fixed period ending on the day after the meeting and thereafter the Councillor removed would be reappointed.

<u>Group</u>	<u>Remove</u>	<u>Appoint instead</u>
Conservative	Cllr Broadhead	Cllr Edis

The Chief Executive had given effect to the change to Committee membership in accordance with section 16(2) of the Local Government and Housing Act 1989.

MINUTES

The Minutes of the meeting of the Committee held on 2 October 2019 were confirmed and signed as a correct record.

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Snow.

DECLARATIONS OF INTEREST

Councillors Chaudhri and Howorth declared a disclosable pecuniary interest in RU 19/0934 as they were both governors of St Peter's Hospital. Both Councillors remained outside the chamber while the application was determined.

PLANNING APPLICATION

The planning application listed below was considered by the Committee. All representations received on the applications were reported and copies had been made available for inspection by Members before the meeting.

**RESOLVED that –**

**the following application be determined as indicated: -**

<u>APP NO</u>	<u>LOCATION, PROPOSAL AND DECISION</u>
RU 19/0934	<p>St Peter's Hospital, Guildford Road, Chertsey</p> <p>Erection of three storey, seven deck multi-storey car park together with alterations to internal road layout for Area f (amendment to design approved under planning permission RU 17/1815)</p> <p><i>Some Members commented on the lack of renewable energy measures in such a major development scheme and, in particular, that there was insufficient provision of fast and passive EV charging points. The Committee imposed an informative strongly urging the applicant to consider opportunities for increasing the number of EV charging points in the development.</i></p>

**RESOLVED that**

**Subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 and failing any direction from the Secretary of State for Housing, Communities and Local Government (HCLG), the Development Manager be authorised to GRANT planning permission subject to conditions (conditions 23 and 24 amended as per addendum), reasons and informatives listed on agenda, and additional informative strongly urging the applicant to consider opportunities for increasing the number of EV charging points in the development.**

KEY PERFORMANCE INDICATORS QUARTERS 1 AND 2 2019/20 - PERFORMANCE

The Committee was informed of the performance against Key Performance Indicators for the Development Management and Building Control services for the first and second quarters of 2019/20.

The Chairman informed Members that the KPIs would be reviewed as part of consideration of the Planning Business Plan for 2020/21 at Committee in December and invited suggestions from Members on ways in which the KPIs could be improved to make them more measurable, quantifiable and meaningful to Members.

Some Members commented on the KPI performance figure for Planning Enforcement. Some Members felt that the KPI did not reflect how long some enforcement cases took to



resolve. In response, the Chairman stated that a Member training session on planning enforcement would be arranged to aid Members' understanding of the complexities of enforcement which, in turn, would assist them in their dealings with their residents on such matters.

In response to a Member enquiry, Officers would provide supporting information on entry 3 of the KPIs on percentage of Regularisation Notices secured where unauthorised works required a Building Regulation application.

Members were appreciative of the work undertaken by Officers taking account of the level of resources, vacancies and recruitment difficulties that had been experienced.

#### PRE-APPLICATION ADVICE – REVISIONS TO FEE SCHEDULE

The Committee considered increases in fees for the Council's pre-application advice service. The table of charges reported outlined the current and proposed fees for the pre-application advice services offered.

Officers had received no adverse feedback to suggest that the range of pre-application advice options needed to be substantially reviewed or changed. The Council generally applied a 3% uplift to fees and charges, and officers therefore recommended that this be applied to the pre-application charges schedule subject to three exceptions. The first was to have an enhanced increase for the fee for advice given in respect of listed buildings given the importance of the legal duty to protect heritage assets; this service had proved popular and normally required a site visit by the consultant heritage expert, justifying the recommended increase. Secondly no increase was recommended for the fee given for tree advice by the Council's Tree Officer. This was a fledgling service and was still in its infancy, having only been introduced in 2017. A similar recommendation is for the fee for the Validation check, to remain the same with no increase. For proposals not covered by any particular category, the fee would be negotiated on an individual basis.

The Committee supported the proposed increases, but agreed that the charge made in respect of two categories of advice (G and H) be increased by 6% to reflect the scale and complexity of advice required for developments in those categories.

Officers were satisfied that the proposed fees were reasonable, represented good value for money, were attractive to persons seeking advice as well as enabling the Development Management Team to provide an excellent service. Officers reminded Members that Councils must not recover costs in excess of the cost of providing the service.

#### **RESOLVED that-**

**the proposed revised schedule of pre-application charges, to come into effect on 1 January 2020, as reported, be adopted subject to an amendment to increase the charge given in respect of two categories of advice (G and H) to 6%.**

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 Democratic Services Officer at the start of the meeting. A supply of the form will also be available from the Democratic Services Officer at meetings. **Members are advised to contact the Council's Legal Section prior to the meeting if they wish to seek advice on a potential interest.**

Members are reminded that a non pecuniary interest includes their appointment by the Council as the Council's representative to an outside body and that this should be declared as should their membership of an outside body in their private capacity as a director, trustee, committee member or in another position of influence thereon.

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 a disclosable pecuniary interest or if the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

6. **PLANNING APPLICATIONS**

The planning applications to be determined by the Committee are attached. Officers' recommendations are included in the application reports. Please be aware that the plans provided within this agenda are for locational purposes only and may not show recent extensions and alterations that have not yet been recorded by the Ordnance Survey.

**If Members have particular queries or interests in the applications, Officers will be present from 7.00pm prior to the meeting in the Chamber.** This will be an informal opportunity for Members to discuss and clarify issues. Copies of all letters of representation are available for Members and the public to view on the Planning pages of the Council website <http://planning.runnymede.gov.uk/Northgate/PlanningExplorer/GeneralSearch.aspx>.

Enter the planning application number you are interested in, and click on documents, and you will see all the representations received as well as the application documents.

**(To resolve)**

**Background Papers**

A list of background papers is available from the Planning Business Centre.

7. **FEES AND CHARGES – 2020/21 (RESOURCES – PRINCESS CHRISTIAN-IWUAGWU)**

**Synopsis of report:**  
**To recommend the proposed fees and charges under this Committee's remit for next financial year.**

**Recommendation(s):**  
**The proposed fees and charges as set out in Appendix 'B' be approved to be effective from the dates within the appendix or as soon as practical thereafter.**

## 1. Context of report

- 1.1 The Council Constitution provides delegated authority to Officers to alter fees, charges and prices without reference to Committee in order to respond to market conditions, new needs, changes in tax rates, and so on. Nonetheless, the annual review of charges still remains an important part of the overall budget setting process and the policy framework for service provision in general.

As part of the budget setting process, Service Managers are requested to review their charges each year. Members have previously agreed that officers put forward recommended increases based on:

- Current market conditions
- Local competition
- The likely yield of any fee increase
- On-going savings targets and revenue reduction programmes

Members have accepted that in some service areas it may not be possible to significantly increase fees, and in others it may be necessary to decrease them to stimulate demand, however an average of 2% for discretionary locally set charges should be aimed for as the financial plans of the Council assume at least an inflationary increase.

- 1.2 The current fees and charges were agreed twelve months ago at the Committee meeting in November 2018.

- 1.3 This report reviews current levels of fees and charges, with a view to helping to balance next year's budget and is a key strand of the Council's Medium Term Financial Strategy of net revenue reductions.

The fees and charges proposed by service managers for next year are set out at Appendix 'B' along with the dates that they will take effect. The appendix includes a Yield column showing the current year's budget for each charges/group of charges, so that Members can estimate the financial implications of any price rises.

## 2. Resource implications

- 2.1 The proposed fees and charges are set out at Appendix 'B' along with the dates that they will take effect. The following paragraphs highlight the main changes.

### Development Management

- 2.2 The management of development through the determination of applications in a positive and proactive manner, and in a timely manner. Planning application fees are currently set by statute. There is no proposal by the Government to increase the fees in 2020.

- 2.3 The charges for the Council's pre-application advice service were reviewed by the Planning Committee on 23 October 2019 to come into effect on 1 January 2020 to carry forward into 2020/2021 financial year.

### Building Control

- 2.4 The Building (Local Authority Charges) Regulations 2010 aim to allow local authorities to respond to competition from the private sector by devolving the setting of charges for some building control functions. The Regulations require authorities to prepare systems within which they will fix and recover charges for the performance of the prescribed building regulation control functions. The aim is to recover the full

cost of operating a building control service by breaking even over each three-year period.

- 2.5 Building Control fees are currently set with guidance issued by Local Authority Building Control. The proposal to the Committee is for no increase to these fees from 1 April 2020.

#### General

- 2.6 All other discretionary fees and charges have been increased by approximately 2%.

### 3. **Legal implications**

- 3.1 Where the status of a charge is marked as 'statutory' the Council is required under the law to levy a fee. Where the status is given as 'discretionary' the Council may amend the fee charged or choose to make no charge for the service.

### 4. **Equality implications**

- 4.1 Where any major changes to the structure of any charging regime are proposed, an Equality Impact Assessment will have been carried out by the relevant Budget Manager.

#### **(To resolve)**

#### **Background papers**

None

<b>Fees and charges</b>
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<b>Planning and Building Control Services</b>
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		From April 2019 £	From April 2020 £	% Increase	Yield £	VAT treatment
<b><u>Borough Local Plan (second alteration) adopted version 2001</u></b>						
Hard copy (proposal map only); The new Local Plan Runnymede 2030 will be an online document only						
Discretionary		26.50	n/a	0.00%	0	Outside Scope
The Local Plan is also available on the Internet on www.runnymede.gov.uk						
<b><u>Planning fees</u></b>						
Planning application fees	Set by Statute				840,000	Outside Scope
<b><u>Pre-Application advice service fees</u></b>						
– Set by the Planning Committee on 23 October 2019						
					80,000	Standard
<b>High hedges complaint fee</b>	– Charge for processing and resolving dispute	687.00	701.00	2.04%	0	Outside Scope
<b><u>Building control fees</u></b>						
Discretionary	Set by the Planning Committee (last set on 1 October 2010) with guidance issued by Local Authority Building Control	Increased by 5% from 01 April 2019	No Increase	0.00%	344,000	Standard
Discretionary	Regularisation fees - set separately by the Planning Committee with guidance issued by Local Authority Building Control	Increased by 5% from 01 April 2019	No Increase	0.00%		Outside Scope

<b>Fees and charges</b>
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<b>Planning and Building Control Services</b>
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		From April 2019 £	From April 2020 £	% Increase	Yield £	VAT treatment
<b><u>Supply of Planning and Building Control histories, technical enquiries, background information and for checking compliance with planning Consents and conditions.</u></b>						
Discretionary	A minimum fee in respect of enquiries involving site inspections for the purpose of checking compliance with planning conditions	235.00	240.00	2.13%		Outside Scope
Discretionary	A minimum fee for general enquiries for the supply of planning and building control histories and background information on sites	92.00	94.00	2.17%	1,000	Outside Scope
Discretionary	Building Control completion letter	42.00	43.00	2.38%	0	Outside Scope
<b><u>Search and copying fees, paper/electronic (micro-fiche) (includes VAT)</u></b>						
Discretionary	Search and copying fees - planning decision notices	33.00	34.00	3.03%		Standard
Discretionary	Copies of 106 Agreements and appeal decisions	33.00	34.00	3.03%	8,000	Standard
Discretionary	Background papers / miscellaneous documents	3.50	3.60	2.86%		Standard
Discretionary	A4 print from website	0.30	0.30	0.00%		Standard

8. **DESIGNATION OF ENGLEFIELD GREEN VILLAGE NEIGHBOURHOOD FORUM AND ENGLEFIELD GREEN VILLAGE NEIGHBOURHOOD AREA (PLANNING – LIZ OSBORNE)**

**Synopsis of report:**

The Localism Act 2011 introduced the concept of neighbourhood planning enabling local communities to prepare their own neighbourhood plans.

A neighbourhood plan is prepared by a neighbourhood forum and its geographic extent is designated through a neighbourhood area. A neighbourhood plan, once adopted, will form part of the development plan for Runnymede and will be a material consideration in decision making for individual planning applications within that neighbourhood area.

Applications for neighbourhood forums and neighbourhood areas must be made to and determined by the Borough Council. Applications for the designation of an Englefield Green Village Neighbourhood Forum and Neighbourhood Area have been received by the Borough Council and have been subject to public consultation. Nine letters of representation have been received. The letters received either supported or raised no comment on the applications. No letters made representations objecting to the designations.

The Neighbourhood Forum application is considered to fully meet the conditions set out within the relevant regulations. The geographical extent of the proposed Neighbourhood Area is also considered appropriate and compliant with relevant regulations. As such, it is considered that an Englefield Green Village Neighbourhood Area can be designated as shown on the plan attached to this report at Appendix 'C' and an Englefield Green Village Neighbourhood Forum can be designated for the area shown.

**Recommendation(s):**

- i) The Englefield Green Village Neighbourhood Area as identified on the plan attached to this report at Appendix 'C' be designated; and
- ii) The Englefield Green Village Neighbourhood Forum be designated to cover the area as shown on the plan attached to this report at Appendix 'C'.

1. **Context of report**

1.1 The Localism Act 2011, through amendments to the Planning Act 1990 introduced the concept of neighbourhood planning enabling a Parish Council or a body designated as a neighbourhood forum to prepare neighbourhood plans or neighbourhood development orders for their area. Once adopted, a neighbourhood plan forms part of the development plan for an area and its policies would be a material consideration in decision making for that area along with the policies in the adopted Local Plan. Similar to Local Plans, neighbourhood plans can contain a suite of planning policies which are specific to that neighbourhood area, but which have regard to national planning policy and are in general conformity with the adopted Local Plan.

1.2 The first step towards preparing a neighbourhood plan is the designation of a neighbourhood forum. The forum oversees the preparation and content of the plan

for the designated neighbourhood area. Section 61F of the 1990 Planning Act sets out the requirements for a body to be considered a neighbourhood forum and Section 61G the requirements for the designation of a neighbourhood area.

- 1.3 Once prepared, a neighbourhood plan is subject to consultation and examination in a similar manner to the Local Plan, but if recommended for approval by an Inspector, the plan can only be made with agreement of the local planning authority, following the outcome of a local referendum.

## 2. Report and options considered

- 2.1 The Borough Council has received applications for the designation of an Englefield Green Village Neighbourhood Forum and an Englefield Green Village Neighbourhood Area. The geographic extent of the proposed neighbourhood areas is shown at Appendix C. The area proposed is bound by the Borough boundary to the north and the west and by the Virginia Water Neighbourhood Area already designated to the south. The proposed area largely encompasses the wards of Englefield Green East and Englefield Green West. To the east the boundary follows the eastern boundary of the Royal Holloway University of London (RHUL) campus incorporating the University, along Egham Hill and Coopers Hill Lane to join the northern borough boundary at the River Thames.

### The Neighbourhood Area Application

- 2.2 Any new neighbourhood area must be designated by the Borough Council. In considering an application for area designation, the Council must have regard to the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas and the appropriateness of the proposed neighbourhood area. A neighbourhood area cannot overlap with an existing designated neighbourhood area nor can a neighbourhood area overlap with a parished area if proposed by a neighbourhood forum, or body capable of being designated a neighbourhood forum.
- 2.3 The application for the area must also be subject to public consultation for at least six weeks. This was undertaken between 10<sup>th</sup> September 2019 and 22<sup>nd</sup> October 2019. The information submitted with the area application is available to view at (<https://www.runnymede.gov.uk/article/15577/Neighbourhood-Planning>). Nine letters of representation were received in response to the forum and area applications (six from organisations, namely Natural England, National Grid, Transport for London, Surrey County Council, Highways England and Elmbridge Borough Council; one from a planning consultant and one from RHUL). None of the letters of representation objected to the designation of an Englefield Green Village Neighbourhood Area or Forum. The letters received are summarised below:
  - Natural England, Elmbridge Borough Council and Transport for London did not wish to make any comments on the applications. However, Natural England did provide general advice and guidance on neighbourhood planning. The Environment Agency also provided general guidance on Neighbourhood Planning.
  - Highways England was satisfied that the designation of an Englefield Green Neighbourhood Area and Neighbourhood Forum would not materially affect the safety, reliability and operation of the Strategic Road Network.
  - Surrey County Council has advised that the proposed neighbourhood area seems to include two minerals safeguarding area and one mineral safeguarding area on the south eastern boundary. At this stage they did not wish to offer comments but looked forward to being consulted on future stages of the neighbourhood planning process.

- To ensure the safe operation of sites and facilities, National Grid wishes to be involved in the preparation, review and alteration of plans and strategies that may affect their assets. An assessment was carried out with respect to National Grids electricity and gas distribution apparatus and National Grid has identified no record of such apparatus within the submitted neighbourhood plan area.
    - RHUL raised no objection to the proposed Neighbourhood Area or Neighbourhood Forum. RHUL supported the aspiration of the proposed forum to consult widely with the local community including education providers and students though advised a more positive approach to growth could be drawn out in the forum's objectives. Given the proposed neighbourhood area will include the RHUL campus the letter outlines the current and future development of the universities estates and welcomed the opportunity to engage with the proposed neighbourhood forum on the production of the neighbourhood plan.
- 2.4 The Neighbourhood Planning Regulations 2012 (as amended) require a decision on area designations to be made by the Borough Council within 13 weeks from the date immediately following that on which the application is first publicised. As such, the Borough Council must make a decision on the area designation by 11<sup>th</sup> December 2019.
- 2.5 The options open to Members of the Planning Committee are:
- i) To **resolve to designate** the Englefield Green Village Neighbourhood area as identified on the plan attached at Appendix 'C'; or
  - ii) To **resolve to refuse** the Englefield Green Village Neighbourhood area as identified on the plan attached at Appendix 'C', **but to modify** the boundary so that some of this area is designated as a neighbourhood area.
- 2.6 In general a proposed neighbourhood area should be considered appropriate unless it is proposed to overlap with another neighbourhood area or parished area. Having reviewed the information submitted, the proposed area does not overlap with any other neighbourhood area and does not contain any area under the jurisdiction of a Parish Council. When considering the appropriateness of a neighbourhood area beyond these initial high-level considerations, national legislation provides little guidance. In reaching a judgement about the appropriateness of the extent of a neighbourhood area the Council should have regard to whether the proposed area is a consistent and coherent neighbourhood area to 'plan' for, if the proposed area makes sense to the community and is logical in spatial terms. If the Council wishes to refuse an application on the basis that the area is not considered appropriate, then the Council must use their powers of designation to conclude a more appropriate designated area.
- 2.7 The documents received with the Forum and Area applications state that the proposed area is based upon the wards of Englefield Green East and Englefield Green West but is rationalised to include or omit some areas based on feedback from consultation with the local community. Members of the proposed Forum therefore feel the proposed area shown on the plan attached to appendix 'C' to be representative of Englefield Green Village.
- 2.8 Having considered the information submitted, Officers are content that the proposed 'C' neighbourhood area shown at Appendix 'C' is appropriate and complies with the relevant legislation.
- 2.9 It is therefore recommended that the Planning Committee resolve to designate the Englefield Green Village Neighbourhood Area as set out in option i) above.



## The Neighbourhood Forum Application

- 2.10 A neighbourhood forum must be designated by the Borough Council and it must satisfy a number of conditions. Only one relevant body can be designated as a neighbourhood forum for the area. A forum must be established for the express purpose of promoting or improving the social, economic and environmental well-being of an area; its membership must be open to and can include at least 21 individuals who live, work or are elected members for that area. The forum must also have a written constitution.
- 2.11 In determining whether to designate a body as a neighbourhood forum, the Council must have regard to whether the body has secured at least one individual from each of the three different groups expressed in 2.10 above (those that live, work or are elected members for the area), that its membership is drawn from different parts of the proposed neighbourhood area, is representative of different sections of the community and that the purpose of the forum reflects, in general terms, the character of the area.
- 2.12 The application for the forum must also be subject to public consultation for at least six weeks. This was undertaken between 10 September 2019 and 22 October 2019. The information submitted with the forum application is available to view on the Council's website at <https://www.runnymede.gov.uk/article/15577/Neighbourhood-Planning>. As set out earlier in this report, nine letters of representation were received for the forum and area applications. None of the letters of representation objected to designation of an Englefield Green Village Neighbourhood Forum.
- 2.13 The Neighbourhood Planning Regulations 2012 (as amended) require a decision on forum designations to be made by the Borough Council within 13 weeks from the date immediately following that on which the application is first publicised. As such, the Borough Council must make a decision on the forum designation by 11<sup>th</sup> December 2019.
- 2.14 The documents received with the Forum and Area applications detail the consultation with the community undertaken, including meetings with RHUL and RHUL Students Union, leaflet drops and a stand at the Englefield Green Village Fair. Having assessed the information submitted, officers consider that the conditions for neighbourhood forum designation have been met and can confirm that:
- a) The statement accompanying the application for forum designation sets out that the forum intends to promote and improve the social, economic and environmental well-being of the area, to encourage development that respects the character of the area and of high architectural design, to make the area more sustainable and to consult widely with the local community;
  - b) Membership is open to anyone living or working in the neighbourhood area or who is an elected Member for the area. The list of proposed forum members provided with the application shows that the forum has at least 21 including those living and working in the area;
  - c) The list of forum members identifies members from different parts of the area;
  - d) The proposed forum has developed a written constitution which was made public during the consultation period, and;
  - e) There is no other neighbourhood forum currently designated for the proposed area.

- 2.15 It is therefore recommended that Members of the Planning Committee resolve to designate the Englefield Green Village Neighbourhood Forum covering the area as shown in appendix 'C'.

### **3. Policy framework implications**

- 3.1 Neighbourhood planning has been introduced through the Localism Act 2011. Whilst the designation of a neighbourhood forum and neighbourhood area does not have policy framework implications, a neighbourhood plan once made will form part of the development plan for Runnymede. Subsequently, any policies in a neighbourhood plan will be a material consideration in decision making on individual planning applications within that neighbourhood area alongside the policies of the Local Plan.

### **4. Resource implications**

- 4.1 Resource implications of the suggested course of action include:  
On staffing needs, the Neighbourhood Planning Regulations (2012) sets out the consultation for neighbourhood forums and areas have to be undertaken by the Borough Council. Similarly, consultation on the proposed neighbourhood plan, organisation of a referendum and payment for the examination is resourced by the Borough Council.

### **5. Legal implications**

- 5.1 The Town & County Planning Act 1990 (as amended) and Planning & Compulsory Purchase Act 2004 (as amended) place a statutory duty on local planning authorities to advise or assist communities in the preparation of Neighbourhood Development Plans.

### **6. Equality implications**

- 6.1 There are no equality implications relating to the designation of the neighbourhood forum or neighbourhood area. The membership of the Englefield Green Village Neighbourhood Forum is open to all members of the local community in line with Section 61F of the Planning Act 1990 (as amended). Equality implications will however need to be considered by the forum when preparing the Englefield Green Village neighbourhood plan policies.

### **7. Conclusions**

- 7.1 Planning Committee is asked to:
- i) Designate the Englefield Green Village Neighbourhood Area as identified on the plan attached to this report at Appendix 'C'; and
  - ii) Designate the Englefield Green Village Neighbourhood Forum to cover the area as shown on the plan attached to this report at Appendix 'C'.

**(To resolve)**

### **Background papers**

Appendix 'C': Plan of the proposed Englefield Green Village Neighbourhood Forum and Englefield Green Village Neighbourhood Area.



# Appendix A: PROPOSED ENGLEFIELD GREEN VILLAGE NEIGHBOURHOOD AREA



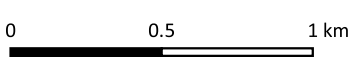
Runnymede Borough Council  
Runnymede Civic Centre  
Station Road  
Addlestone  
Surrey KT15 2AH

Date: 22/10/2019



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Scale: 1:25000



9. **EXCLUSION OF PRESS AND PUBLIC**

If the Committee is minded to consider any of the foregoing reports in private –

**OFFICERS' RECOMMENDATION that -**

**the press and public be excluded from the meeting during discussion of the appropriate 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 paragraph 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.**

- |   | <b><u>Para</u></b> |
|---|--------------------|
| a) <b><u>Exempt Information</u></b>       |                    |
| No reports to be considered.              |                    |
| b) <b><u>Confidential Information</u></b> |                    |
| No reports to be considered.              |                    |

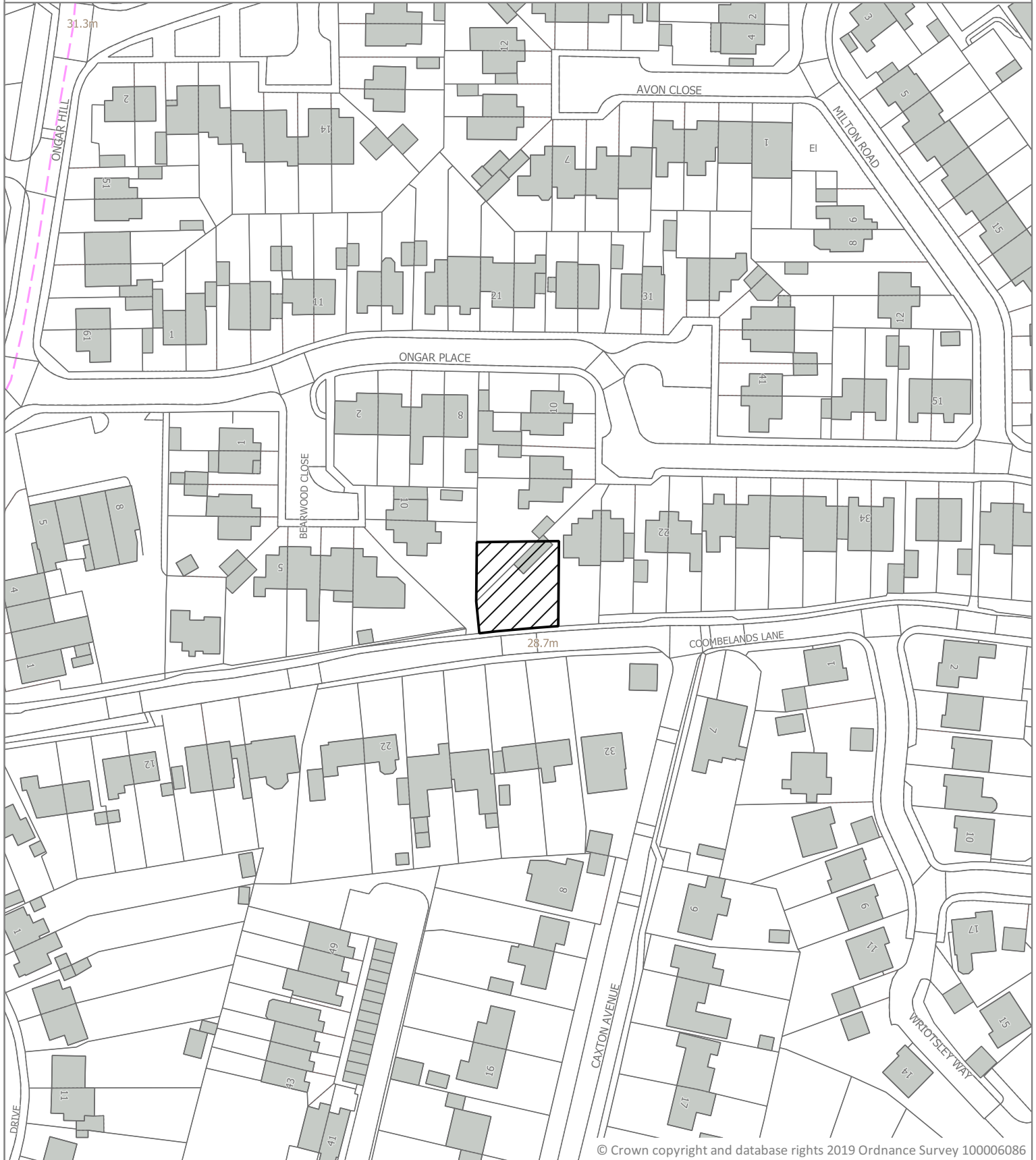


FOR LOCATION PURPOSES ONLY

Runnymede Borough Council  
Runnymede Civic Centre  
Station Road  
Addlestone  
Surrey KT15 2AH

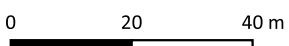
Date: 13/11/2019

18 Ongar Place, Addlestone



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Scale: 1:1250



RU.19/0449



RU.19/0449	Ward: Chertsey South and Row Town
LOCATION:	18 Ongar Place Addlestone KT15 1JF
PROPOSAL	Erection of a detached three bedroom chalet bungalow and detached garage with off-street parking and garden amenity space, and access taken off Coombelands Lane. (Revised plans received 24-10-2019 removing detached garage and updating tree survey.)
TYPE:	Full Planning Permission
EXP DATE	16 May 2019

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site
  - 1.1 The application site forms part of the rear gardens of Nos 16 & 18 Ongar Place which are two storey semi-detached properties located in a residential area which is characterised by similar style properties built in the 1960's. The application site would be accessed via an existing vehicular crossover off Coombelands Lane which is a tree lined road with the garden areas of properties in Ongar Place and Bearwood Close backing onto the Lane and residential properties of varied design on the southern side of the Lane (opposite the site). The properties which are accessed off Coombelands Lane have good sized properties in good sized plots being set back from the road with off street parking to the front.
  - 1.2 The site is located in the urban area. Tree Preservation Order No. 20 (which is an area order made in 1962) covers the whole site. The site is also located within 5kms of the Thames Basin Heath Special Protection Area.
2. Planning history
  - 2.1 RU.16/0539 – Erection of detached two storey dwelling with detached single storey garage within rear gardens of Nos 16 & 18 Ongar Place with new access from Coombelands Lane. Refused May 2016 and appeal dismissed January 2017.
  - 2.2 RU.15/0520 – Erection of a two storey detached dwelling with associated two parking spaces within rear garden of No. 18 Ongar Place with new access from Coombelands Lane. Refused May 2015.
  - 2.3 RU.13/0638 – Erection of a two storey detached dwelling with associated two parking spaces within rear garden of No. 18 Ongar Place with new access from Coombelands Lane. Refused August 2013
3. Application
  - 3.1 The applicant has applied for Full Planning Permission for the erection of a three bedroom two storey dwelling with off street parking to the front with access from Coombelands Lane following the demolition of an existing outbuilding within the garden of No. 18 Ongar Place. Amended plans have been submitted during the course of the application particularly in respect of adjusting the driveway, deleting a detached garage, and adjusting the position of the dwelling to reflect a tree within the neighbouring garden of No. 9 Bearwood Close. The proposed dwelling would be set back from the Coombelands Road frontage by approximately 11 metres, and 2.5m from the new rear boundary with the host dwelling No. 16 Ongar Place. There would be gaps of 5.3m and 3m to the west and side boundaries respectively. The main amenity garden would be to the front and side (west) of the dwelling. There would be off street parking for two vehicles within the site frontage. The dwelling would be 15 metres wide, 9 metres deep, minimum eaves height of 2.5 with a 6.9 metre ridge height. The proposal would be constructed of brown brick and concrete tile.
  - 3.2 The applicant has submitted a Tree Survey and a planning statement in support of their application. The applicant has also submitted a completed unilateral undertaking in respect of the TBHSPA SAMM.
4. Consultations
  - 4.1 8 Neighbouring properties were consulted in addition to being advertised on the Council's website and nine letters of objection have been received a summary of their concerns are detailed below:
    - The parking is inadequate for the size of the proposed dwelling
    - The proposal will lead to parking on the road which would be a danger to other users of

#### Coombelands Lane

- The proposal will set a precedent for other development
- No site has been displayed – (Officer comment – A site notice is not required to be displayed for this type of application)
- The size of the proposal would be out of keeping with the character of the immediate neighbourhood
- The garden area is small and fails to provide adequate usable private amenity space
- The front garden will be used more which would have detrimental impact on the amenities of nearby dwellings
- The proposal would be out of keeping with the pattern of development in the area.
- The access to the site is not in regular use.
- Coombelands Lane is a narrow Lane and is the sole access to properties in Caxton Aveune, Chaucer Way, Farm road, Redwoods, Hartlands road and other developments.
- The indicative landscaping plan is not correct as there is no close boarded fence along the boundary with No. 9 Bearwood Close
- The Tree is plotted incorrectly and is 1.2 metres from the boundary and not 5.3 as shown on the submitted proposed site plan. (Officer comment – Revised plans have been received showing the correct distance of T1 to the western boundary of the site.

4.2 The County Highways Authority - no objection to the application.

4.3 RBC Tree Officer – Raised concerns with the original plans about relationship with the neighbouring tree

4.4 RBC Drainage Engineer – No objection to the application subject to conditions regarding SuDS

#### 5. Relevant Local Planning Policies

5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001 – HO1, HO9, BE2, MV4, MV9 and NE14

5.2 The Draft Runnymede 2030 Local Plan was published for consultation on 11 January 2018, republished for consultation in May 2018, and, following consideration of representations, submitted to the Secretary of State on 31 July 2018. A limited number of policies may now be accorded some weight. However, until the outcome of the Examination in Public and final adoption, many of the policies may be accorded little weight. Each application will therefore continue to be considered against the existing Runnymede Borough Local Plan Second Alteration 2001 which is still the development plan applying within the borough, although the new draft plan may be referred to and more weight given to certain policies if relevant to the planning issues arising from an application.

#### 6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact the new dwelling would have on visual amenities of the street scene, the character of the area, the residential amenities of the occupiers of the adjacent neighbouring properties, the impact the works would have on the adjacent TPO tree, highway safety and whether the revised scheme overcomes the concerns raised in the previous appeal decision. Saved Policy HO1 encourages the effective use of land and the increase in housing supply, which is in compliance with the requirements of the NPPF.

6.2 The application site comprises land within the rear gardens of Nos 16 and 18 Ongar Place, but would have a frontage which addresses Coombelands Lane. The properties along Ongar Place and Bearwood Close have their rear gardens abutting Coombelands Lane, therefore this proposal would 'turn its back' on the neighbours. However, there are other properties along Coombelands Lane who are set back from the road with off street parking to the front and therefore the layout of this proposal would not be out of character with the area which has a varied style of properties and garden sizes. In dismissing the previous scheme (RU.15/0539) the Inspector commented that the two storey design of the dwelling and position close to the front boundary would appear prominent in the street scene and due to its proximity to Coombelands Lane would be contrary to the pattern of development in the area. The amended scheme as now proposed is a chalet style bungalow with accommodation in the roof area served by dormer windows. The dwelling has also been repositioned to be set back further from the front boundary. It is considered that the revised

position of the dwelling and design overcomes the concerns raised by the previous Inspector by reducing the prominence of the dwelling in the street scene. There would be ample space within the frontage for parking and amenity space, and generous space to the side boundaries of the site, although there would be very little space to the rear which is the convention. It is considered that by nature of the set back of the property from the street and the limited height of 6.9 metres the proposed dwelling would not be a prominent addition in the street scene and not materially harm the visual amenities of the street scene. The absence of a rear private amenity space is a negative of the scheme, however, the front space as a depth equivalent to the standard expressed in saved Policy HO9. The submitted plans indicate an area to the front of the site where a bin storage area is to be located. Whilst this would impact on the amenity space, it will be for the future occupiers to resolve any negative visual impacts. It is therefore considered that the development would provide acceptable amenities for future occupiers, and overall the scheme would comply with Saved Policies HO9 and BE2 in these respects.

- 6.3 The properties most affected would be the two 'host' dwellings Nos. 16 and 18 Ongar Place, and Nos. 9 and 10 Bearwood Close. The height of the proposed dwelling has been designed with half-hips to keep the height low in order to avoid a harmful overbearing visual impact. The upper floor accommodation is within the roofspace with the main windows on the front elevation facing Coomblands Lane. The dwelling would be closest to No. 16 Ongar Place (2.3m gap to the new boundary) but the only windows within the roofspace are high level, obscure and fixed glazing to bathrooms. Subject to a condition to secure these, it is considered that there would be no loss of privacy to the remaining garden of No. 16 Ongar Place, which would still be generous and comply with saved Policy HO9. No. 16 Ongar Place is oriented away from the proposed dwelling so that there would be no window to window overlooking. In terms of No. 18 Ongar Place, the absence of windows to habitable rooms on the rear elevation would also protect the amenities of this 'host' dwelling, and no windows are proposed in the side roof slope facing the garden of this dwelling. It is considered that the design, low height and separation distance would ensure that the proposed development would not have an overbearing visual impact on No. 18 Ongar Place, and there would still be a generous rear garden and outlook remaining for this existing dwelling.
- 6.4 In terms of Nos. 9 and 10 Bearwood Close, there would be no windows on the side elevation or rear elevation overlooking these neighbours, There would be a bedroom window on the front elevation which would have some views towards the southern-most corner of the garden of No. 9 Bearwood Close, and possibly the eastern corner of the garden of No. 8 Bearwood Close. However, the gardens of these neighbours are wide and there would still be a good standard of amenities for these neighbours. It is noted that the various amendments to the plans have increased the separation distance from the Bearwood Close properties, such that it is considered that there would be an acceptable relationship between these existing neighbours and the proposed development. There is also a good separation distance with the properties on the southern side of Coomblands Lane. It is therefore considered that the proposal as amended would not materially impact on the amenities of the occupiers of the adjacent neighbouring properties from overlooking or being overbearing. The proposal therefore complies with Saved Policy HO9.
- 6.5 The site is covered by TPO No. 20. There is a Douglas Fir which is sited in the rear garden of No. 9 Bearwood Close, close to the boundary with the site. Originally, officers considered the application had not sufficiently addressed the need to ensure that this tree was not adversely affected. After discussions, the applicant submitted an amended Tree Survey and Tree constraints plan, and has adjusted the hardstanding and parking area, and the extent of the building to ensure that the proposal does not extend into the root protection area of the Douglas Fir. There would be Tree Protective fencing around the root protection area and conditions are necessary to require full details of the fencing and to ensure that this is in place prior to works commencing. There is a Holly tree located close to the front boundary which is proposed to be removed to facilitate the proposal. However, given the level of tree cover in the area, it is considered its removal would not materially harm the amenity of the area and would not harm the integrity of the TPO. Subject to these conditions it is considered that the proposal would comply with Saved Policies NE12 and NE14.
- 6.6 The site would be accessed from Coomblands Lane, utilising an existing access. The County Highway Authority raises no objection to the application subject to conditions to provide visibility zones onto Coomblands Lane, parking spaces, construction Transport Management Plan and the provision of a vehicle charging point. The amended plans show space for two cars to be parked within the frontage which complies with the Council's adopted maximum parking standards. Subject to these conditions, the proposal would comply with Saved Policies MV4 and MV9. The applicant has not submitted any information regarding SuDS and therefore a condition regarding



details to be submitted prior to construction works at the site is recommended to ensure that surface water drainage is provided through sustainable means.

6.7 The application site is within 5km of the Thames Basin Heaths SPA. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.

6.8 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has a residual adverse effect that lead to a likely significant effect on habitats at the THBSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has agreed to provide mitigation measures which comply with the Council's adopted guidance and has submitted a completed unilateral undertaking in respect of SAMM payment and has confirmed that they will contribute towards SANGS to be secured by condition. It is therefore concluded through this appropriate assessment that on this basis, the development has avoided impact on the integrity of the TBHSPA. This is in accordance with Saved Policy NRM6 of the South East Plan 2009, Saved Policy NE16 of the Runnymede Borough Local Plan and guidance in the NPPF.

## 7. Conclusion

7.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.2 In the supporting information for the application, the applicant notes that the Council does not currently have a five year land supply. The NPPF states that for determining applications where the Council does not have a five year land supply granting planning permission unless the adverse impacts from doing so would significantly and demonstrably outweigh the benefits. The absence of a 5 year housing supply has to be given substantial weight. Officers have considered the impacts of the scheme and consider that they do not significantly or demonstrably outweigh the benefits of the scheme. The development would maintain the character of the area and would not harm the street scene. There would be some overlooking towards rear gardens and some changes in outlook of neighbours, but it is considered that these would not materially harm the amenities of the neighbouring occupiers. The applicant has dealt with the impacts on the Douglas Fir, and the County Highway Authority are satisfied that there would be no harms to highway safety. The applicant has avoided harm to the TBHSPA. The development has been assessed against the following Development Plan policies – saved Policies HO9, BE2, MV4, MV9, NE14 and NE20 of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation: Grant subject to the following conditions

1 Full application (standard time limit)  
The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans CBL-0718151-ASO101 Rev C, CBL-0718151-LP101 Rev D, CBL-0718151-P101 Rev C, CBL-0718151-P102 Rev C, CBL-0718151-P103 Rev C, CBL-0718151-P104 Rev C, CBL-0718151-P105 Rev C, CBL-0718151-P106 Rev C, CBL-0718151-P107 Rev C, CBL-0718151-PS101 Rev D, Tree Constraints Plan TCP/APA/AP/2019/158, Tree Survey Schedule, Planning Statement and statement about 5 year housing land supply Current position January 2018.

Reason: To ensure an acceptable scheme and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration 2001.

3 External materials samples required

Before the above ground construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

4 Tree protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protective measures in accordance with BS:5837 shall be installed in the location as shown on the approved Proposed Site Plan (showing location of protective fencing) CBL-0718151-PS101 Rev D. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees to be retained, enhance the appearance of the surrounding area and to comply with saved policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

5 High level windows

Notwithstanding any indication otherwise given on the plan hereby permitted, the high level windows in the North facing rear elevation shall have a minimum internal cill height of 1.7 metres above finished floor level and shall be obscurely glazed.

Reason: In the interests of amenity of neighbouring properties and to comply with saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

6 Visibility zones

The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Coombelands Drive has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason:

In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Saved Policies MV4 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001 and policies within the NPPF.

7 Parking

The development hereby approved shall not be first occupied unless and until space has been laid out within

the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Saved Policies MV4 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001 and policies within the NPPF.

8 Construction transport management plan

No development shall commence until a Construction Transport Management Plan, to include details of :

- a. parking for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials;
- d. programme of works (including measures for traffic management);
- e. provision of boundary hoarding behind any visibility zones;
- f. HGV deliveries and hours of operation;
- g. measures to prevent the deposit of materials on the highway;
- h. before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- i. on-site turning for construction vehicles;

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

9 Electric charging

The dwelling shall not be occupied until a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) is provided within the site.

Reason: In order to promote sustainable development and to mitigate climate change in accordance with policies within the NPPF.

10 SPA

No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

11 SuDS (scheme for approval - pre-development)

The development hereby permitted shall not commence (excluding any site clearance, demolition or ground investigation works) until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a. detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);
- b. details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
- c. details of drainage management responsibilities and maintenance regimes for the drainage system;
- d. a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and that the final drainage design does not increase flood risk on or off site.

12 Landscaping

- a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces including permeable surface for the parking areas, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out including between the existing and proposed dwellings, and details of the measures to be taken to protect existing features during the construction of the development.
- b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area and to comply with saved Policies NE14, NE15 and BE2 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

13 Biodiversity

The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance biodiversity and to comply with guidance within the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

2 SPA

The applicant is advised that to satisfy the above condition in respect of SANG there are likely to be two options.

The first is to provide, lay out and ensure the maintenance of, in perpetuity, of a Suitable Alternative Natural Greenspace (SANG). The physical provision of SANG is likely only to be suitable for schemes of in excess of 60 dwellings due to the need to meet Natural England's guidelines for SANGs. The achievement of this is likely to be through the mechanism of a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 (as amended).

The second is to enter into a land transaction, for an appropriate financial sum, with the Council to obtain a licence to utilise part of one of the Council's SANGs in mitigation. If the applicant wishes to pursue this option they should contact the planning case officer for further advice.

The applicant is further advised that the above arrangements will be in addition to the payment of any applicable Strategic Access Management and Monitoring (SAMM) payment through the Planning Obligation process.

3 Hours of Construction Works

The applicant is advised that the council has established the following guideline hours for noisy works:

8am to 6pm Monday to Friday; and  
8am to 1pm on Saturday.

There should be no noisy work on Sundays or Public Holidays.

Further information is available from the Council's Environmental Health Department.

4 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are

carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see

[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

- 5 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
- 6 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 7 **Surface Water Drainage**  
The applicant can find further advice on what information is required to enable the approval of conditions in relation to surface water drainage on the Runnymede Borough Council's website [www.runnymede.gov.uk](http://www.runnymede.gov.uk) Search for "surface water drainage" in the search function.
- 8 **Tree Preservation Order**  
The applicant is advised that Tree Preservation Order No 20 covers trees to the east and west of the site and permission from the Local Planning Authority would be required for any works to these trees.

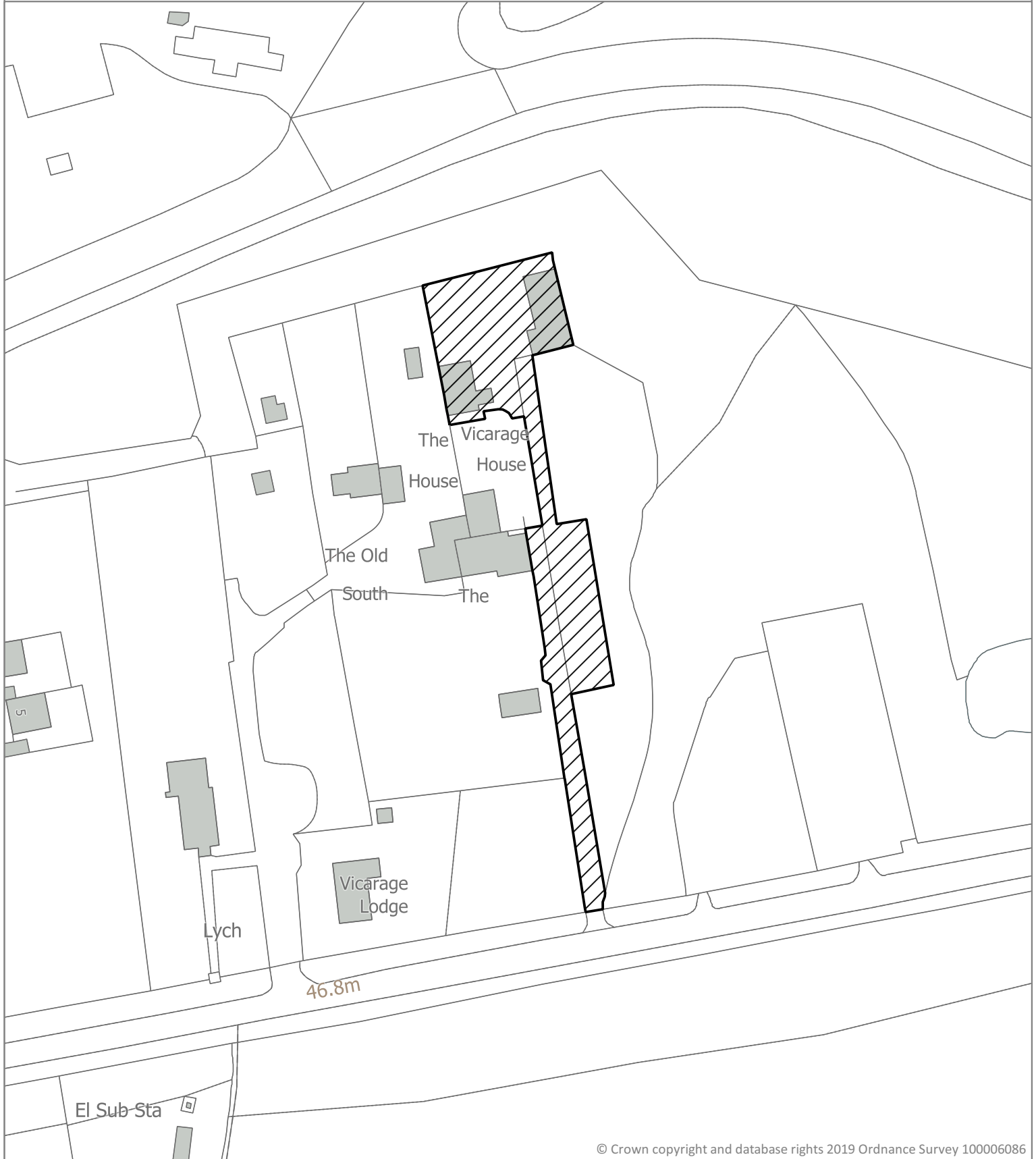


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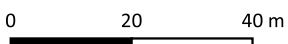
Date: 13/11/2019

1-3 Vicarage Mews, Longcross Road, Chertsey



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Scale: 1:1250



**RU.19/0537**



RU.19/0537	Ward: Foxhills
LOCATION:	1-3 Vicarage Mews Longcross Road Longcross Chertsey KT16 0DU
PROPOSAL	Use of the buildings as three self-contained dwellings, and use of building as a kennel building
TYPE:	Full Planning Permission
EXP DATE	05 June 2019 (Extended to 15 November 2019)

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site
  - 1.1 The application relates to land and buildings to the rear of Vicarage Wood House, but separate from this dwelling. The application site is accessed off Longcross Road. The application is retrospective as three of the buildings are already residentially occupied. The application site includes an area to the east of the access for parking. The site lies within the Green Belt and although there are trees within the site these are not subject to a TPO. There are residential properties in the immediate vicinity and open space to the north and east part of which lies within the former DERA site. The site is also within 5km of the Thames Basin Heath Special Protection Area.
2. Planning history
  - 2.1 RU.08/0612 - Certificate of proposed lawful development for the erection of a car port attached to the existing garage and three additional buildings (detached garage, tack room and kennels)- Granted 25/07/08
  - 2.2 RU.16/0440 – Certificate of Existing Lawfulness for the use of buildings as 3 no. x 1 bedroom self-contained dwellings – refused 28/12/16 for the following reason:  
‘the applicant has not provided sufficient evidence to demonstrate that on the balance of probabilities the properties called by the applicant as 1, 2 and 3 Vicarage Mews have been occupied as self-contained dwellings for a continuous period of 4 years immediately prior to the date of the application’.
3. Application
  - 3.1 The applicant seeks retrospective full planning permission for the use of three building as three self-contained dwellings, and use of a building as a kennel building. The applicant has provided the following information. ‘Vicarage Mews are buildings that were erected north of Vicarage Wood House in the summer of 2008, pursuant to a Certificate of Lawfulness relating to that property for the erection of a car port attached to the existing garage, and three additional buildings to be used for a detached garage, tack room and kennels. The buildings were erected and used for those purposes. The buildings were later separated from Vicarage Wood House by fencing and were provided with a separate garden, vehicular access and parking area from that property. The buildings were then converted into dwellings. 1 Vicarage Mews has been occupied by the applicant continuously since 2009, 2 Vicarage Mews has also been occupied continuously since 2009, and 3 Vicarage Mews has been occupied since 2008. There is also a kennel building which is associated with 1 Vicarage Mews, which was erected in 2008 and is used to house the owners’ dogs and to run a small business from home. The three Vicarage Mews properties have therefore been in existence, for 9-10 years. From the planning history of the site and from viewing aerial photographs it appears that the buildings have been in existence since they were first erected and used in 2008 pursuant to the original Certificate of Lawfulness. The dwellings are the subject of separate Council Tax, and have separate addresses. 1 Vicarage Mews is a one bedroom dwelling house, with kitchen, bathroom and living room. There is also a garden and paddock area, and a car parking area used by the residents of the dwelling. There is a kennel building to the east of this that is an ancillary building to this property and used as a home-based business by the owner herself, i.e. there is no employment of outside staff but it is just working from home. 2 Vicarage Mews is a one bedroom dwelling house, with kitchen, bathroom and living room. Parking, vehicular and pedestrian access exists to the property. Occupants of that property have therefore always lived in the house and then used the access road to reach Longcross Road. 3 Vicarage Mews is a one bedroom dwelling house, with kitchen, bathroom and living room. Parking, vehicular and pedestrian access also exists to this property, and so occupants of the house have similarly always had access to reach Longcross

Road.’

- 3.2 The applicant has submitted a unilateral undertaking with respect to SAMM payment in relation to the location of the site within 5km of the Thames Basin Heaths SPA, in accordance with the current guidance.

#### 4. Consultations

- 4.1 6 Neighbouring properties were consulted in addition to being advertised on the Council's website and 9 letters of representation consisting of 4 letters of objection and 5 in support have been received expressing the following comments;

- The material used to enclose the garage and former carport wall and convert it to residential use is not suitable
- The buildings and plots are out of character with the immediate area
- The site is within the Longcross Garden Village Boundary
- The plans are not correct
- Over-development of the site
- Don't know if any of the buildings meet the building regulations
- The size of the buildings are very small
- Don't now what additional drainage and sewage measures have been carried out and the impact it has on neighbouring properties
- Such a type of “ back garden “ development sets a precedence in the area and should not be encouraged
- No.1 has been extended with an enclosed ‘tool shed’ and the ‘covered walkway’ is not correct
- This is a great way to repurpose these buildings
- This is a better use of land rather than the larger developments that eat up huge areas of land

- 4.2 County Highway Authority – No objections subject to conditions.

#### 5. Relevant Local Planning Policies

- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001. GB1, GB7, MV4, MV9, HO1, HO9, NE16

- 5.2 The Draft Runnymede 2030 Local Plan was published for consultation on 11 January 2018, republished for consultation in May 2018, and, following consideration of representations, submitted to the Secretary of State on 31 July 2018. A limited number of policies may now be accorded some weight. However, until the outcome of the Examination in Public and final adoption, many of the policies may be accorded little weight. Each application will therefore continue to be considered against the existing Runnymede Borough Local Plan Second Alteration 2001 which is still the development plan applying within the borough, although the new draft plan may be referred to and more weight given to certain policies if relevant to the planning issues arising from an application. The area of land around Vicarage Wood House and Vicarage Mews is proposed to be removed from the Green Belt. This was first identified in the Council's Green Belt review in 2017. In accordance with this study and the allocation of the Longcross Garden Village, the Runnymede Submission Local Plan 2015-2030 (July 2018) shows the land to the north of Longcross Road – i.e., the land containing the buildings in question to come out of the Green Belt, however this has limited weight at this time.

- 5.3 Relevant Adopted Supplementary Planning Guidance:
- Householder Guide (July 2003)
  - Thames Basin Heaths Special Protection Area

#### 6. Planning Considerations

- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The site lies within the Green Belt where there is a strong presumption against new development that would conflict with the purposes of the green belt or adversely affect its open character. In the determination of this proposal regard must be had to the Development Plan and National policy within the National Planning Policy Framework (NPPF) and therefore the main consideration is whether the proposals comply with the requirements of saved Policy GB7 and Government Guidance. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the acceptability of the residential use of the buildings within the Green Belt, as well as providing an



acceptable environment for occupiers, impact to the surrounding area from the change of use and any potential impact to residential amenities.

- 6.2 In respect of the Green Belt, paragraph 146 of the NPPF confirms the re-use of buildings would not be inappropriate development provided that the buildings are of permanent and substantial construction. Saved Policy GB7 is consistent with the NPPF. The buildings are of permanent and substantial construction, there would be no change to the existing hardstanding or car parking arrangements at the site which will maintain openness. The proposal would result in the permanent use of these former ancillary buildings within the Green Belt as separate independent residential dwellings and a building for a home dog grooming business. It is considered necessary to remove permitted development rights for the dwellings in view of the limited curtilages and the potential impacts on the Green Belt. Subject to this, it is considered that there would be no harm to the openness or visual amenities of the Green Belt in compliance with saved Policy GB7 and the NPPF.
- 6.3 The buildings comprise a complex of low height timber clad buildings predominantly surrounded by woodland and similar to the character of residential properties close by and would not harm the character of the woodland areas surrounding the buildings. Therefore the continued use of the buildings, which are not proposed for any external alterations, would maintain the character and appearance of this residential area. In terms of amenities for the individual dwellings, the submitted plans do not annotate uses of rooms within the dwellings. No.1 Vicarage Mews which is in the south west corner of the application site immediately to the north of the rear garden of Vicarage Wood House, has three main rooms and a smaller room. This dwelling has a substantial amenity area comprising a large grassed area which is fenced off from nos. 2 and 3 Vicarage Mews to the east. It is considered that this dwelling has ample external amenities which complies with saved Policy HO9. Nos 2 and 3 Vicarage Mews however, do not have any private garden areas and have small rooms limiting internal amenities. The occupiers are reliant on gaining their amenity from an outlook towards the grassed area of No. 1 Vicarage Mews, albeit with an area for parking and turning in between, and also the woodland areas around the site. The absence of private amenity space and limited internal amenity is a negative of the scheme and will need to be balanced with the benefits of providing additional homes in compliance with saved Policy HO1 and the NPPF. The kennels are located in the south east corner of the application site away from Vicarage Wood House and it is considered the use as a kennel business ancillary to 1 Vicarage Mews would not harm residential amenities. However, it is considered necessary to remove permitted development rights for extensions under Classes A, B, C and D and outbuildings under Class E in order to protect the open character and the visual amenities of the Green Belt and residential amenities. It is also considered necessary to impose a condition restricting the use of the dog grooming business in the kennel building to an ancillary use to No.1 Vicarage Mews to maintain residential amenities.
- 6.4 There is ample space for parking adjacent to the private access drive off Longcross Road and the County Highway Authority does not consider that the residential and kennel use of the buildings would be significantly different in highway terms to the original use of the buildings for garages, tack room and kennels. Subject to conditions the proposal would comply with Saved Policies MV4 and MV9.
- 6.5 The site lies within 5km of the Thames Basin Heaths Special Protection Area. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.
- 6.6 The guidance is that Natural England is required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has residual adverse effects that lead to a likely significant effect on

habitats at the THBSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. However the applicant has agreed to provide avoidance measures which comply with the Council's adopted guidance and has submitted a completed unilateral undertaking in respect of SAMM payment and will contribute towards SANGS to be secured by condition. Subject to some final amendments to the UU, officers have been able to conclude through this appropriate assessment that with the completed UU in place and the condition, the applicant has fully avoided the impact of the proposal such that the proposal will not have an adverse effect on the integrity of the TBHSPA.

7. Conclusion

7.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

7.2 The development would not harm the Green Belt nor neighbouring amenity subject to conditions. There would be no harm to highway safety and the applicant has avoided harm to the TBHSPA. There are acceptable amenities for one of the dwellings, but a poor standard of amenities for the occupiers of Nos. 2 and 3 Vicarage Mews. This has to be balanced against benefits arising from an increase in residential homes in the borough, and members will need to exercise their judgement in this respect. The development has been assessed against the following Development Plan policies – saved Policies GB1, GB7, MV4, MV9, HO1, HO9, NE16 of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation: Grant subject to the completion of the Unilateral Undertaking and the following conditions:

1 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans - Covering Letter received 28/03/19, photos received 10/04/19, Site Location Plan, Kennel & Plant Room, 1 Vicarage Wood Mews, 2 Vicarage Wood Mews & 3 Vicarage Wood Mews, received 19/08/19

Reason: To ensure an acceptable scheme and to comply with saved Policies GB1, GB7 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001.

2 Restricted Permitted Development Rights

Notwithstanding the provisions of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any orders amending or re-enacting that Order with or without modification), no development following within the descriptions of Classes A to E shall be constructed or carried out, without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place and to protect the openness of the Green Belt and to protect residential amenities and to comply with saved Policies GB1 and GB6 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

3 Use of kennel building

The kennel building hereby approved as shown on plan 159395 shall only be used for purposes in association with the use of the dwelling currently known as 1 Vicarage Wood Mews and shall not be used for purposes independent of this dwelling.

Reason: To protect the green belt and to maintain residential amenities and to comply with saved Policies GB1 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF

4 Electric vehicle charging

Within six months of the date of this decision, each of the dwellings shall be provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with guidance in the NPPF.

5 Parking and turning

Space shall be laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes. All cycle parking shall be secure, covered and lit.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policies MV4 and MV9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

6 SPA

Within one month of the date of this decision, a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

Informatives:

1 Summary of Reasons to Grant Consent

The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

2 Electric vehicle charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

3 SPA

The applicant is advised that to satisfy the above condition in respect of SANG there are likely to be two options.

The first is to provide, lay out and ensure the maintenance of, in perpetuity, of a Suitable Alternative Natural Greenspace (SANG). The physical provision of SANG is likely only to be suitable for schemes of in excess of 60 dwellings due to the need to meet Natural England's guidelines for

SANGs. The achievement of this is likely to be through the mechanism of a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 (as amended).

The second is to enter into a land transaction, for an appropriate financial sum, with the Council to obtain a licence to utilise part of one of the Council's SANGs in mitigation. If the applicant wishes to pursue this option they should contact the planning case officer for further advice.

The applicant is further advised that the above arrangements will be in addition to the payment of any applicable Strategic Access Management and Monitoring (SAMM) payment through the Planning Obligation process

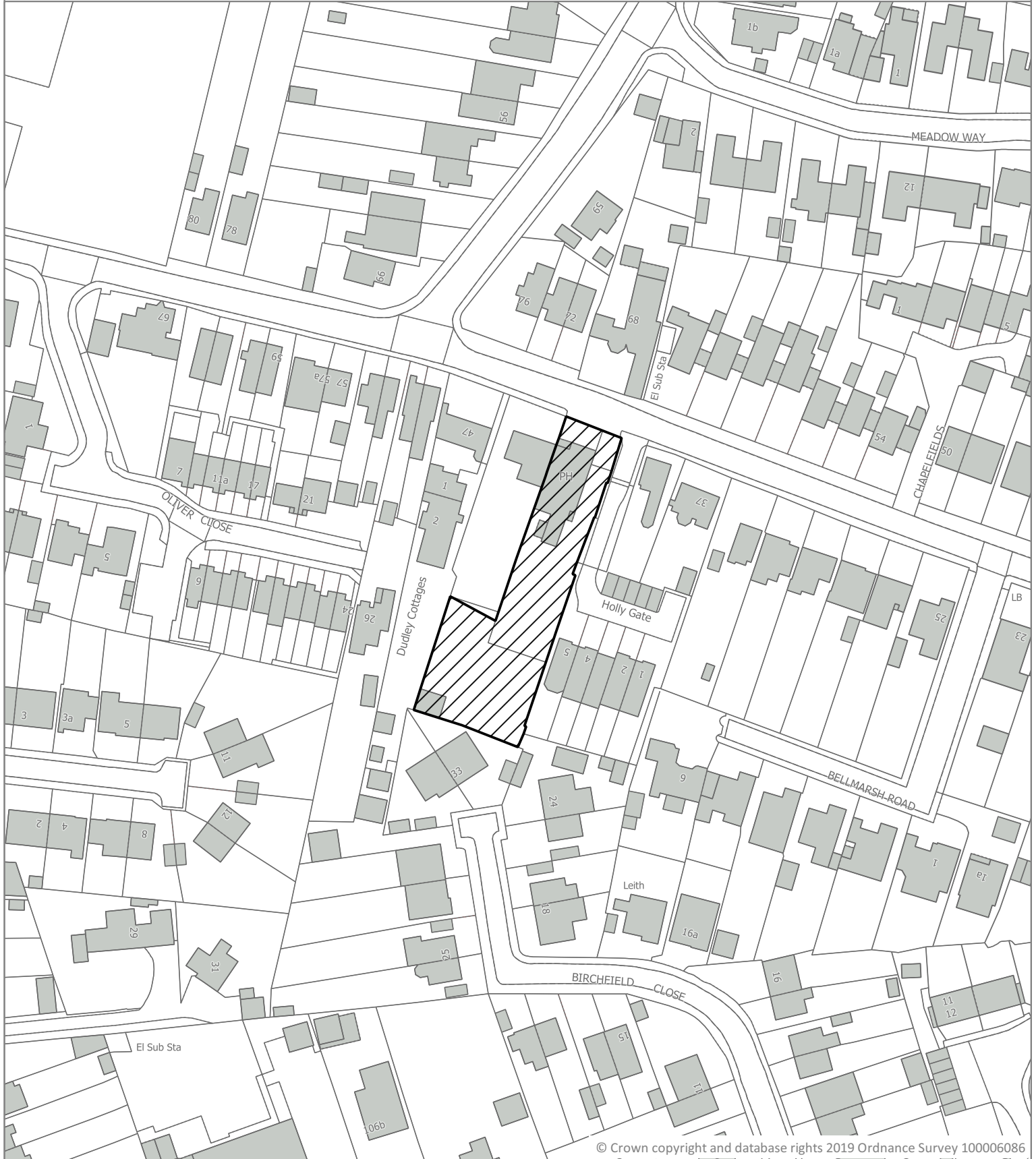


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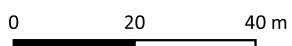
Date: 13/11/2019

Waggon and Horses, 43 Simplermarsh Road, Addlestone



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Scale: 1:1250



RU.19/0881



RU.19/0881	Ward: Addlestone North
LOCATION:	Waggon And Horses 43 Simplemarsh Road Addlestone KT15 1QH
PROPOSAL	Erection of two detached houses served by existing access, reconfiguration of existing car park, erection of 1.8-metre-high timber fencing and associated landscaping following the demolition of existing storage and shed outbuildings.(revised plans received 15/10/19)
TYPE:	Full Planning Permission
EXP DATE	12 August 2019

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site
  - 1.1 The Waggon and Horses Public House is a three-storey detached building located in a residential area of Addlestone which is comprised of a mixture of dwelling types. The pub occupies a large site which extends along the side and rear of the garden areas of a number of residential properties and includes a parking area as well as an enclosed rear garden with outbuildings and small children's play area. The site is within the urban area and also lies within 5 km of the Thames Basin Heath SPA.
2. Planning history
  - 2.1 RU.10/1054 – Retrospective planning permission for erection of wooden storage building to the rear of the property. Granted 30 December 2010.
  - 2.2 RU.06/0964 – Demolition of existing front porch entrance and gentlemen toilets, rear infill extension and roof alterations to existing pool table area. Granted 27 October 2006.
3. Application
  - 3.1 Full planning permission is sought for the erection of two detached houses within the southern-most part of the pub land on an existing grassed area used as the pub garden following the demolition of existing storage and shed outbuildings. The two dwellings would be accessed through the pub car park which would be reconfigured. It is noted that the original plans have been amended to alter the footprint of the dwellings to provide greater separation distances. The dwellings would have different layouts and external appearance but would have a traditional style and similar scale and form, with complementary materials. Plot 1 would have four bedrooms, plot 2 would have three bedrooms. Materials to be used would include brick and concrete roof tiles with the front drives/parking areas being block paved, tarmac and compacted gravel.
  - 3.2 The proposed dwellings would have hipped and pitched roofs with plots 1 and 2 having a maximum ridge height of 8.25m and 7.8m respectively and generally have a traditional appearance with stone window cills, entrance canopies, chimneys, with one first floor recessed side window serving stairs. Rear gardens with depths of at least 11 -14m and widths of at least 11 metres would be provided. 2 car parking spaces would be provided for each dwelling, to the side of plot 1 and front of plot 2, and covered bin/cycle stores provided for both with an area to the side of the pub identified for bin collection. There would be landscaping in front of plot 2. Following the reconfiguration of the existing public house car park 9 spaces (currently 11) which would include 1 disabled space would be provided. The application would involve no alterations to the public house although the associated outdoor seating area would be restricted to the frontage location.
  - 3.3 An arboricultural report has been submitted which indicates that 3 category B Oak trees along the southern and western boundaries of the site would be retained with the removal of some small hedging and shrubs within the site. An ecology report submitted concludes that the site is of low ecological value, with no evidence of protected species, however the proposed scheme could offer opportunities to improve this.
  - 3.4 A Transport Assessment has been submitted which concludes the proposals would not result in a severe impact on the existing network. A Design and Access Statement has also been submitted which concludes that the proposal will provide 2 high quality homes on unused previously developed land which would fit in with the general pattern of development in the area, ensuring that the proposal will not result in any loss of amenity to the occupants of adjoining properties as well as the ongoing viability of the public house. The applicant has submitted a unilateral undertaking with respect to SAMM payment in relation to the location of the site within 5km of the Thames Basin Heaths SPA, in accordance with the current guidance.

#### 4. Consultations

4.1 13 Neighbouring properties were consulted in addition to being advertised on the Council's website and 6 letters of representation have been received and a further 2 following the receipt of amended plans which can be summarised as follows;

- Don't mind the application but are concerned with any additional traffic as the existing site can get busy and block driveways
- Proposals will have a serious impact on our standard of living from overlooking and loss of privacy
- There should be controlled hours of working if the application is approved
- A Construction Management Plan should be provided in order to consider the residents of nearby properties
- delivery vehicles and customers will block the access, which would be inconvenient and dangerous for the new residents
- overlooking and loss of privacy from existing dwellings into new houses
- overlooking to deck and spa area in garden
- loss of light
- loss of visual amenity
- noise and disturbance from car parking
- Bin location will result in smells into adjacent garden
- Reduction in parking for the pub and the new houses will lead to an increase in additional car, visitors and deliveries on an already busy road
- Loss of a view of the sky and trees
- Removal of the pub garden will result in additional patrons congregating around the pub building, close to neighbouring residential boundaries
- Fencing and boundary treatments should be retained or replaced
- An Oak tree on the southern boundary of the site should be retained and maintained

4.2 RBC Arboricultural Officer – No objections subject to conditions

4.3 RBC Drainage Engineer – no comments received

4.4 SCC County Highway Authority – no objections subject to conditions

#### 5. Relevant Local Planning Policies

5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001. BE2, HO1, HO9, NE14, NE15, MV4 and MV9.

5.2 The Draft Runnymede 2030 Local Plan was published for consultation on 11 January 2018, republished for consultation in May 2018, and, following consideration of representations, submitted to the Secretary of State on 31 July 2018. A limited number of policies may now be accorded some weight. However, until the outcome of the Examination in Public and final adoption, many of the policies may be accorded little weight. Each application will therefore continue to be considered against the existing Runnymede Borough Local Plan Second Alteration 2001 which is still the development plan applying within the borough, although the new draft plan may be referred to and more weight given to certain policies if relevant to the planning issues arising from an application.

5.3 Council's SPG – Householder Guide (July 2003)

5.4 Supplementary Planning Guidance on Car Parking, October 2001

#### 6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact of the proposal on the visual amenities of the street scene and character of the area; and the residential amenities of the occupiers of the adjacent neighbouring properties. Consideration is also required in regard to the provision for parking and the impact on highway safety and drainage matters. Saved Policy HO1 encourages the effective use of land and the increase in housing supply, which is in compliance with the requirements of the NPPF.

6.2 The area is characterised by a variety of dwelling types, including both single storey and two storey detached and semi-detached properties. This would not be a frontage development but would form

a second tier of development to the rear of the pub. This would be similar to the existing pattern of development to the east of the site, namely Nos. 1-5 Holly Gate which are sited to the rear of Nos. 37 and 39 Simplemarsh Road. Oliver Close further to the west has a similar pattern of development. At two storeys in height and with traditional style, the dwellings would be reflective of the character of the area and would maintain its appearance with no impact on the street scene of Simplemarsh Road. Therefore it is considered that the siting, scale and form of the development, combined with the spacing to the boundaries, reflects the character of the surrounding area and would integrate with the existing development and would not harm the visual amenities of the street scene and would comply with saved Policy BE2. Whilst the principle of the development is acceptable, consideration has to be given to the desirability of locating new residential homes to the rear of an operational pub and its car park. It is considered that there would be noise and disturbance issues for future residents. However, the layout of the dwellings has been designed so that the primary rooms at ground and first floor are on the rear of the dwellings so that the quality of the external and internal space and the internal amenities for main bedrooms are acceptable. The control of the use and operation of the pub and its car park will be outside the control of the future occupiers and as this is an existing pub, it is considered that it is not reasonable or enforceable to impose conditions restricting operation of the car park. This is a negative of the scheme but it is considered that future occupiers will be fully aware of the situation and can make an informed choice. Some landscaping is proposed and a condition requiring details is necessary to ensure this is high quality. It is therefore considered that the proposal complies with saved Policy HO9 in respect of future occupiers.

6.3 The nearest residential neighbours to the proposed dwellings are Number 5 Holly Gate to the east, No. 33 Birchfield Close to the south, with the rear garden of no. 2 Dudley Cottages running alongside the western boundary of proposed Plot 2 and the end of the rear garden of no. 45 Simplemarsh Road facing towards the northern (front) elevation of this plot. Plot 1 would be set in from the eastern boundary with No. 5 Holly Gate by at least 5 metres and the 45 and 60 degree lines of visibility from this property would not be infringed. The new dwelling will have no windows on the east elevation to avoid overlooking the existing property, and none on the west elevation to benefit Plot 2. No. 33 Birchfield to the south of the site is positioned at an angle, and has one first floor side obscurely glazed window and separation distances are 12 metres to the rear of plot 1 and 17 metres to plot 2 at an oblique angle. A large tree is to be retained between the proposed and existing properties. Both dwellings would have a flank to flank separation distance of at least 2.5m and rear gardens in excess of 11 metres would be provided. Plot 2 would be sited further forward than plot 1 but would retain at least a 5.8 metres separation distance to the rear boundary of number 45 Simplemarsh Road, which also has a rear garden in excess of 37 metres. A first floor bedroom and a stair case window (which could be obscurely glazed) would face onto this boundary, however is considered that due to the separation distances there would not be an unacceptable relationship between the two sites. A two storey side gable would be set in from the rear garden boundary of 2 Dudley Cottages by 1.26m, however this would be lower in height than the main dwelling and have no windows on the west elevation to avoid overlooking into this property. A first floor side window on the main western elevation is proposed, however this would be set in by at least 4.5 metres and serve the stairs (and could be obscurely glazed) and 2 first floor windows at no.2 Dudley Close facing southwards into its rear garden area would be sited at least 19 metres away at an angle. These distances, combined with the siting of the buildings, would ensure that the proposals would not have an overbearing impact on neighbours. In terms of general concerns raised by neighbours about impacts from residential uses, it is considered that as the site is currently used as a garden and parking area for the public house and has been for many years it is not considered that the new activity created by 2 dwellings would cause any additional impacts and is likely to have a reduced impact on neighbours. It is therefore considered that the residential amenities of the neighbouring properties will be maintained. The proposal therefore satisfies saved Policy HO9.

6.4 The access to the proposed dwellings would utilise the existing pub access to Simplemarsh Road. Each dwelling would have two parking spaces which would comply with the Council's maximum adopted parking standards. The existing car park would be reduced from 11 to 9 spaces, also served by the existing vehicular access. The County Highway Authority has reviewed the scheme has raised no objections to the scheme in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway subject to conditions including the submission of a Construction Transport Management Plan and electric vehicle charging. The CHA notes residents' concerns regarding overspill parking due to the loss of an element of the existing parking for the Waggon and Horses Public House. However the Applicant has provided a Transport Statement indicating that the reduced size car park should be of sufficient capacity to cater for the needs of the Public House. It is also noted that there is on street parking available within the local area and any additional vehicles within this area are not likely to cause a



significant or severe highway safety or capacity concern as expressed in the NPPF. Concerns by residents have also been raised regarding the access and deliveries to the Public House, with vehicles overrunning a dwarf wall in order to exit the site when the access route is blocked (by delivery vehicles), this is however a civil matter. It is considered that the proposal complies with saved Policies MV4 and MV9.

6.5 The tree report has been reviewed by the Councils' Tree Officer who has raised no objection subject to conditions including a tree protection condition. No landscaping details have been submitted and it is considered necessary to require details to ensure that the environment for the residential dwellings is as high quality as it can be given the location to the rear of the pub car park – this can be dealt with by condition. A condition is required to be imposed in respect of surface water drainage in order to comply with saved Policy SV2 and the NPPF. An Ecology Assessment has been undertaken, which concludes that the site is of low ecological value, with no evidence of protected species, however the proposed scheme could offer opportunities to improve this and recommends mitigation measures such as bat and bird bricks and hedgehog holes in the base of the timber fencing separating the rear gardens of the dwellings. The proposal complies with saved Policy NE17.

6.6 The application site is within 5km of the Thames Basin Heaths SPA. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.

6.7 The guidance is that Natural England are required to be consulted and the Ipa must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has residual adverse effects that lead to a likely significant effect on habitats at the TBHSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has agreed to provide mitigation measures which comply with the Council's adopted guidance and has submitted a completed unilateral undertaking in respect of SAMM payment and has confirmed that they will contribute towards SANGS to be secured by condition. It is therefore concluded through this appropriate assessment that on this basis, the development has avoided impact on the integrity of the TBHSPA. This is in accordance with Saved Policy NRM6 of the South East Plan 2009, Saved Policy NE16 of the Runnymede Borough Local Plan and guidance in the NPPF.

## 7. Conclusion

7.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

7.2 The development would provide two new dwellings at a time when the Council is unable to

demonstrate a five year housing supply. The development would be an effective use of land with an acceptable layout and appearance, which maintains the character of the area and neighbouring amenity. There would be no highways impacts and the applicant has avoided harm to the TBHSPA. and no harm to visual amenities or neighbouring amenity. The County Highway Authority is satisfied that no highway impacts will arise. The development has been assessed against the following Development Plan policies - saved Policies BE2,HO1, HO9, NE14, NE15, MV4 and MV9, of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, and other material consideration including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation: Grant subject to the following conditions:

1 Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, D & A statement, Ecological Appraisal, Transport Assessment, 17.2314.102 P2, received 29/05/19, Arboricultural Impact Assessment received 30/09/19, 17.2314.110 P4, 17.2314.101 P3, 17.2314.104 P2, 17.2314.100 P7 and 17.2314.103 P3 received 15/10/19.

Reason: To ensure an acceptable scheme and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration 2001.

3 External materials (samples required)

Before the above ground construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

4 SuDS (scheme for approval - pre-construction)

Prior to the commencement of construction of the development hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b. include a timetable for its implementation; and
- c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To ensure that surface water does not discharge into the surface water sewer and to provide a sustainable development.

5 Parking and turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning area shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

6 Construction transport management plan

No development shall commence until a Construction Transport Management Plan, to include details of:

- a. parking for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials;
- d. programme of works (including measures for traffic management);
- e. measures to prevent the deposit of materials on the highway;
- f. before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- g. on-site turning for construction vehicles;

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

7 Electric vehicle charging points (per dwelling)

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply)

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with guidance in the NPPF.

8 Tree retention

No tree to be retained in accordance with the approved plans (hereafter known as retained trees and including offsite trees) shall be cut down, uprooted or destroyed and no works to the above or below ground parts of the trees in excess of that which is hereby approved shall be carried out without the written approval of the Local Planning Authority until the expiration of five years from the date of completion of the development. If, within this time, a retained tree is pruned not in accordance with BS3998, removed, uprooted, damaged in any way, destroyed or dies, replacement trees shall be planted at the same place, sufficient to replace the lost value of the tree as calculated using an amenity tree valuation system, unless otherwise agreed in writing by the Local Planning Authority. The number, size, species, location and timing of the replacement planting shall be as specified by the Local Planning Authority.

Reason: To protect the trees to be retained, ensure that the value of the trees is replaced and preserve and enhance the appearance of the surrounding area and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001.

9 Tree protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protection measures shall be installed in accordance with the approved Tree Protection Plan, Arboricultural Method Statement and Arboricultural Method Statement, ref: 191144 - AIA 2.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees to be retained, enhance the appearance of the surrounding area and to comply with saved policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

## 10 Landscaping

a) No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structure, the existing trees and hedges to be retained, together with the new planting to be carried out, and details of the measures to be taken to protect existing features during the construction of the development.

(b) All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and NEW planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the Local Planning Authority. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area and to comply with saved Policies NE14, NE15 and BE2 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

## 11 Biodiversity

Further to the recommendations in section 6 of the Preliminary Ecological Appraisal May 2019, details as to the exact measures and enhancements which shall be incorporated in the development to protect and improve biodiversity of the site shall be submitted to and approved in writing prior to the commencement of the development. The development shall take place wholly in accordance with the approved details, and measures retained for the lifetime of the development.

Reason: To protect and enhance the biodiversity of the area and to comply with saved Policy NE20 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

## 12 SPA

No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

Informatives:

- 1        Summary of Reasons to Grant Consent  
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.
  
- 2        Other Works to the Highway  
The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> . The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)
  
- 3        It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment <https://www.theiet.org/resources/standards/cop-electric.cfm>
  
- 4        The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
  
- 5        Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
  
- 6        SPA  
The applicant is advised that to satisfy the above condition in respect of SANG there are likely to be two options.  
  
The first is to provide, layout and ensure the maintenance of, in perpetuity, of a Suitable Alternative Natural Greenspace (SANG). The physical provision of SANG is likely only to be suitable for schemes of in excess of 60 dwellings due to the need to meet Natural England's guidelines for SANGs. The achievement of this is likely to be through the mechanism of a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 (as amended).  
  
The second is to enter into a land transaction, for an appropriate financial sum, with the Council to obtain a licence to utilise part of one of the Council's SANGs in mitigation. If the applicant wishes to pursue this option they should contact the planning case officer for further advice.  
  
The applicant is further advised that the above arrangements will be in addition to the payment of any applicable Strategic Access Management and Monitoring (SAMM) payment through the Planning Obligation process



FOR LOCATION PURPOSES ONLY

Runnymede Borough Council  
Runnymede Civic Centre  
Station Road  
Addlestone  
Surrey KT15 2AH

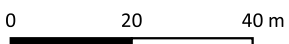
Date: 13/11/2019

7 Woodham Park Road, Addlestone



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Scale: 1:1250



**RU.19/1174**



RU.19/1174	Ward: Woodham & Row Town
LOCATION:	7 Woodham Park Road Addlestone KT15 3ST
PROPOSAL	Demolition of existing house and structures, and replacement with two number two storey houses and associated revisions to the existing site access.
TYPE:	Full Planning Permission
EXP DATE	09 October 2019

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

1.1 The application site is located on the western side of Woodham Park Road, close to the corner with Amberley Drive, and is surrounded by residential properties of varying styles and designs. There is an existing single storey bungalow and associated outbuildings within the site. The existing dwelling is untypical of other dwellings within the area. It is a detached 1950s style bungalow comprising a dual pitch roof with a small gable-front extension to the front and a canopy over the front door opening. There is a flat roof extension to the rear that extends to the side of the house and various outbuildings to the rear, one large outbuilding that abuts against the common boundary with No. 9 Woodham Park Road on the northern side which is a two storey dwelling, and garage along the southern boundary with No. 2 Amberley Drive which is a single storey bungalow.

1.2 The application site is large in comparison with other plots in the vicinity, in excess of 0.1 hectares in area, and has a wide frontage onto Woodham Park Road. There is an existing access at the southern corner of the site with various shrubs along the front boundary. There is a mature oak tree close to the site to the south. The site lies within the urban area and within 5 km of the Thames Basin Heath Special Protection Area.

2. Planning history

2.1 There is no relevant planning history for this site.

3. Application

3.1 This application for full planning permission proposes the demolition of all the existing buildings and the erection of two detached 2-storey, four-bedroom houses, including one ensuite bedroom within the roofspace. Both houses would have a single storey rear element, and include an integrated single garage with space for additional parking and turning within their frontages. Rear gardens would be 23m and 30m in depth. The dwellings would be site in a staggered arrangement with one of the dwellings approximately level with No. 9 Woodham Park Road to the north. Amended plans have been received during the course of the application amending the roof and removing rear roof lights.

3.2 In terms of design and appearance, the dwellings form a matching pair with the main roofs being half-hipped gable-ends, with a front dormer with dual-pitch roof, and two roof lights to the rear of the property. There is a gable-fronted double height square bay-windows the front door is recessed where the garage entrance is projected in line with the front elevation bay. The dwellings would be approximately 5 metres to the height of the eaves and 8.6 metres overall to the ridge.. The roof form has been amended to reduce that amount of flat roof section and in doing so, habitable space within the roof is reduced to contain a bedroom and bathroom and stair well, with windows to the front elevation only.

3.3 The existing vehicular access is retained and an additional access would be formed adjacent to the boundary with No. 9 Woodham Park Road. The applicant has submitted a Tree Survey and identifies the oldest tree which is an Oak tree located within the highway verge to the south of the site. The applicant has submitted a Design and Access statement which outlines the energy saving features and inclusion of a mechanical heat recovery system, high levels of insulation and low energy lighting systems. Also submitted is a Drainage Strategy report, a Tree report, and a unilateral undertaking in respect of the TBHSPA.

4. Consultations

4.1 8 Neighbouring properties were consulted in addition to being advertised on the Council's website and 3 letters of representation have been received which object to the application proposal on the following grounds:

- Overbearing impact on no.2 Amberley Drive dwarfing the bungalow property

- Loss of light and overshadowing a bedroom in no.2 Amberley Drive
- The proposed dwelling will bring development to as close a 1 metre of the common boundary with no.2 Amberley Drive, as such there will be emanating noise and light through glass lantern resulting in loss of neighbour amenity
- Loss of existing screening through the loss of trees
- Loss of privacy due to the third storey and windows
- Drawings are misleading as this is a three storey dwelling not two storey dwelling
- Light disturbance due to external security lights

4.2 RBC Arboricultural Officer – no objection subject to conditions

4.3 RBC Drainage Engineer – no comment received

4.4 SCC County Highway Authority – no objection subject to condition in respect of access, availability of parking and EV charging points

4.5 Surrey Bat Group – no objection and recommend no further surveys

4.6 Surrey Wildlife Trust – no objection subject recommend approach set out in the Conclusions and Recommendations of the ecological survey.

## 5. Relevant Local Planning Policies

5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001 HO1, HO3, MV4, MV9, NE2 NE12, NE14, NE15, NE16 and BE2.

5.2 The Draft Runnymede 2030 Local Plan was published for consultation on 11 January 2018, republished for consultation in May 2018, and, following consideration of representations, submitted to the Secretary of State on 31 July 2018. A limited number of policies may now be accorded some weight. However, until the outcome of the Examination in Public and final adoption, many of the policies may be accorded little weight. Each application will therefore continue to be considered against the existing Runnymede Borough Local Plan Second Alteration 2001 which is still the development plan applying within the borough, although the new draft plan may be referred to and more weight given to certain policies if relevant to the planning issues arising from an application.

5.3 Council's SPG – Householder Guide (July 2003)

## 6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact of the proposal on the visual amenities of the street scene and character of the area; and the residential amenities of the occupiers of the proposed dwellings and adjacent neighbouring properties, highway safety and parking and sustainability. There is a presumption in favour of increasing the supply of homes within the NPPF and Saved Policy HO1 is consistent with the NPPF requiring schemes to make effective use of land within the urban area.

6.2 The existing dwelling has no intrinsic architectural quality and makes little contribution to the character and quality of the area. It is therefore considered the demolition of the dwelling would have no harmful impacts on the area or street scene. The application proposal would provide 4 bed family dwellings with large gardens, providing a high standard of residential accommodation. Woodham Park Road is characterised by a two storey detached and semi-detached properties and it is considered the proposed dwellings would be in keeping with the area. The site occupies a prominent location within the street scene, but the dwellings would be set back from the frontage and in a staggered layout that would reflect the grain and pattern of development in the vicinity. The height and scale of the dwellings would be marginally higher than No. 9 Woodham Park Road but not harmfully so such that the dwellings would not be overly prominent in the street scene. The dwellings would be visible from the south over the roof of No. 2 Amberley Drive. However, this would be no different in visual terms to the relationship between the application bungalow and the two storey neighbour at No. 9 Woodham Park Road. There would be spacing to side boundaries, ample space within the frontages for parking, and generous rear garden depths, which are all characteristics of the area. It is therefore considered that the proposed development would maintain



and enhance the quality of the area, and would not appear cramped or harmfully prominent in the street scene, in compliance with saved policies HO9 and BE2.

- 6.3 With respect to neighbouring amenity, a one metre gap would be achieved to the northern and southern side boundaries of the site with No.9 Woodham Park Road and No.2 Amberley Drive which is consistent with the spacing in the area. The siting of the dwellings would mean that the northern dwelling would project some 4.2m further back than the rear of No. 9 Woodham Park Road, however, the 45 degree splayline from the nearest window at No.9 Woodham Park Road is not breached. There would be some overshadowing given that the new dwellings are to the south of this neighbour but it is considered that due to the substantial gardens that the impact if occurring would be very limited and would not harm the amenities of the neighbour. There would be a first floor bathroom window on the side elevation facing No. 9 but this can be obscurely glazed to protect privacy.
- 6.4 The neighbour most likely to be affected is No. 2 Amberley Drive which is a bungalow sited at an angle to the application site, and due to extensions, the bungalow is close to the common boundary with just a small triangular rear garden. The proposed development will therefore be highly visible from this neighbour. However, the scheme has been designed to acknowledge this neighbour and due to the staggered siting of the dwellings further to the east than the bungalow, the majority of the development would be out of direct line of sight from the rear of the bungalow. In addition, the design has provided just a single storey element at the rear, not two storey. This would have a similar impact on the outlook of the neighbour that the existing garage has, and there is space for reinforcing boundary screening. The development would be to the north of No. 2 and therefore would not cause loss of sunlight. There would be one small window in the ground floor side elevation of the single storey element facing towards No. 2 but with boundary screening in place, this would not impact on privacy. There would be two first floor bedroom windows on the rear elevation but it is considered that due to the configuration of No. 2 and its proximity to the boundary, that it would provide the privacy to the triangular amenity space. In addition, the bungalow is oriented to the north west and therefore the main outlook from the rear would continue to be towards the rear garden of the application site, where no buildings are proposed. Therefore, taking all these factors into account, it is considered that whilst there would be some impact on No. 2 Amberley Drive, the scheme has been designed such that the amenities of the occupiers of this neighbouring dwelling would not be materially affected.
- 6.5 Due to the depth of the application site, the dwellings in Amberley Drive to the rear of the application site and those neighbours with rear gardens extending behind the site would maintain their privacy and outlook. The plans have been amended to remove rear rooflights in response to concerns from neighbours. The dwellings on the eastern side of Woodham Park Road are set back from the road frontage and their privacy and outlook would not be harmfully affected. However, it is considered necessary to impose a condition removing permitted development rights for additional windows in order to protect privacy of neighbours, and also to remove permitted development rights for extensions and roof enlargements to maintain an acceptable outlook and overall amenity for neighbours. Subject to these conditions, it is considered that the scheme will maintain residential amenities of neighbouring properties and complies with saved Policy HO9.
- 6.6 The proposed dwellings each incorporate an integral single garage and the driveways can accommodate further parking which complies with the Council's maximum adopted parking standards. The County Highway Authority raises no objections on safety, capacity and policy grounds in respect of the proposed new access and highway safety, subject to conditions including electric charging points. The proposed development is considered to be acceptable in regards to highways safety and car parking provision, and therefore complies with Saved Policies MV4 and MV9.
- 6.7 Groups and individual Trees located to the southern and western boundaries of the site consist of Category C trees of low quality and value due to their sizes and condition and there are no concerns from the Council's Tree officer. There is a large tree close to the south east corner of the site and a condition is required to secure further details of how this tree will be protected. As the proposal includes a large landscaped frontage and changes to the boundary screening through the formation of the new access, it is considered further details of proposed landscaping area required, in order that the quality of the area is maintained, including details of additional boundary treatment through planting of new trees. Subject to conditions regarding tree protection and landscaping, the proposed development is considered to comply with Saved Policies NE12, NE14 and NE15.
- 6.8 An Ecological Survey has been undertaken by the applicant which identified the outbuildings,

structures and trees on site as having negligible or no roost potential for bats nor the loss of active bat roosts. The Surrey Bat Group have advised that they consider no further bat survey is required. The Surrey Wildlife Trust recommend that the approach set out in the Conclusions and Recommendations of the Survey be implemented to ensure wildlife and biodiversity are enhanced. It is also recommended that an appropriate informative be attached in respect of the use of artificial light and nesting birds. Mitigation and biodiversity enhancements can be secured by condition, subject to which, the proposal complies with saved Policy NE20 and the NPPF. The applicant has submitted a drainage strategy to deal with surface water drainage, which proposes geocellular storage under permeable paving within the front gardens of the dwellings. A condition is necessary to require further details particularly in respect of future maintenance, to accord with saved Policy SV2 and the NPPF.

6.9 The application site is within 5km of the Thames Basin Heaths SPA. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.

6.10 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has a residual adverse effect that lead to a likely significant effect on habitats at the THBSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has agreed to provide mitigation measures which comply with the Council's adopted guidance and has submitted a completed unilateral undertaking in respect of SAMM payment and has confirmed that they will contribute towards SANGS to be secured by condition. It is therefore concluded through this appropriate assessment that on this basis, the development has avoided impact on the integrity of the TBHSPA. This is in accordance with Saved Policy NRM6 of the South East Plan 2009, Saved Policy NE16 of the Runnymede Borough Local Plan and guidance in the NPPF.

## 7. Conclusion

7.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

7.2 The proposed development would be of an appropriate size, scale, siting and design that would maintain and enhance the character and appearance of the area and would maintain existing residential amenities. There would be no harm to protected species or highway safety, and the applicant has avoided harm to the TBHSPA. The NPPF is clear that planning permission should be granted and the absence of a 5 year housing supply is a material consideration which weighs substantially in favour of the application. The development has been assessed against the following

Development Plan policies – saved Policies BE2, HO1, HO9, MV4, MV9, NE12, NE14, NE15 and NE16 of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation: Grant subject to the following conditions:

1 Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

Proposed Floor Plans WP.P.101 Rev B; Proposed Elevation 2 WP.P.102 Rev B; Proposed Elevation 2 WP.P.103 Rev B; Proposed Perspective WP.P.104 Rev A; Proposed Street Scene WP.P.105 Rev A; Proposed Roof Plan WP.P.106; Site Survey 00224 0400 - 01 Rev A; Location Plan WP.P.010; Proposed Site Plan WP.P.013; Existing Site Plan WP.P.011

Reason: To ensure an acceptable scheme and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration 2001.

3 External materials (samples required)

Before the above ground construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

4 Obscure glazing

Before the first occupation of the dwellings hereby permitted, the first floor windows in the north and south facing side elevations shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the windows that are less than 1.7 metres above the floor of the room in which they are installed shall be non-opening and fixed shut. The windows shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining property and to comply with saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

5 No additional windows

Notwithstanding the provisions of Classes A, B and C of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, windows, dormer windows, roof lights or other openings shall not be formed in any elevation in the development hereby approved including the roof (other than those expressly authorised in the drawings) without the consent in writing of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of the adjoining residential properties and to comply with saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

6 Restricted Permitted Development Rights

Notwithstanding the provisions of Classes A B C D of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Classes A B C D shall be constructed or carried out, without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area and to comply with saved Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

7 SuDS (scheme for approval - pre-construction)

Prior to the commencement of construction of the development hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b. include a timetable for its implementation; and
- c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To ensure that surface water does not discharge into the surface water sewer and to provide a sustainable development.

8 Biodiversity

The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site, that is in full and complete adherence to the Conclusions and Recommendations section of the Ecological Survey undertaken by AAe Environmental Consultants dated 9th June 2019, and have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance biodiversity and to comply with guidance within the NPPF.

9 Additional Arboricultural Information

No development including groundworks and demolition shall take place until all supporting arboricultural information has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the:

- a) existing trees and hedges to be retained in the form of a Tree Survey and Arboricultural Impact Assessment, in line with BS5837:2012;
- b) measures taken to protect existing trees and hedges during construction, demolition, and delivery of materials / machinery, including a Tree Protection Plan;
- c) location and installation of services/utilities/drainage
- d) methods of demolition within root protection area (RPA as defined in BS 5837: 2012) of retained trees.
- e) details of construction and installations including methodologies within a root protection area or that may impact on retained trees.

f) full specification for the construction of any roads, parking areas, driveways, hard surfacing, including details of no dig specification and extent of the areas to be constructed using no dig surfacing.

g) detailed levels and cross sections to show that the raised levels of surfacing, where the installation on no dig surfacing within root protection area is proposed, demonstrating that they can be accommodated.

h) all arboricultural site monitoring and supervision required for the duration of the development. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To protect the trees to be retained, ensure that the value of the trees is replaced and preserve and enhance the appearance of the surrounding area and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001

## 10 Landscaping

a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out including additional tree planting along boundaries where appropriate, and details of the measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area and to comply with saved Policies NE14, NE15 and BE2 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

## 11 New access/modified access

1. No part of the development shall be first occupied unless and until the proposed and modified vehicular accesses have been constructed in accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policies MV4 and MV9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

## 12 Parking

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policies MV4 and MV9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

## 13 Electric vehicle charging points (per dwelling)

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket(current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply).

Reason: To sustain compliance with and contribute towards EU limit values or national objectives

for pollutants, in accordance with guidance within the NPPF.

14 SPA

No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

Informatives:

1 Summary of Reasons to Grant Consent

The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

2 Mud onto Highway

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148 and 149).

3 Habitat Trees

Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to [www.naturalengland.gov.uk](http://www.naturalengland.gov.uk)

4 Discharging of Planning Conditions

The applicant/developer is advised that there is a standard national form to be submitted to the Local Planning Authority when discharging the conditions specified in this decision notice.

5 Retained Tree

The applicant is advised that the term "retained tree" in Condition \* above means an existing tree which is to be retained in accordance with the approved drawings.

6 Hours of Construction Works

The applicant is advised that the council has established the following guideline hours for noisy works:

8am to 6pm Monday to Friday; and  
8am to 1pm on Saturday.

There should be no noisy work on Sundays or Public Holidays.

Further information is available from the Council's Environmental Health Department.

7 Surface Water Drainage

The applicant can find further advice on what information is required to enable the approval of conditions in relation to surface water drainage on the Runnymede Borough Council's website [www.runnymede.gov.uk](http://www.runnymede.gov.uk) Search for "surface water drainage" in the search function.

8 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please visit: [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)

- 9 In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
- 10 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from un-cleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).
- 11 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 12 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 13 The applicant is advised that attention should be given to the impacts of artificial external lighting on nesting birds.

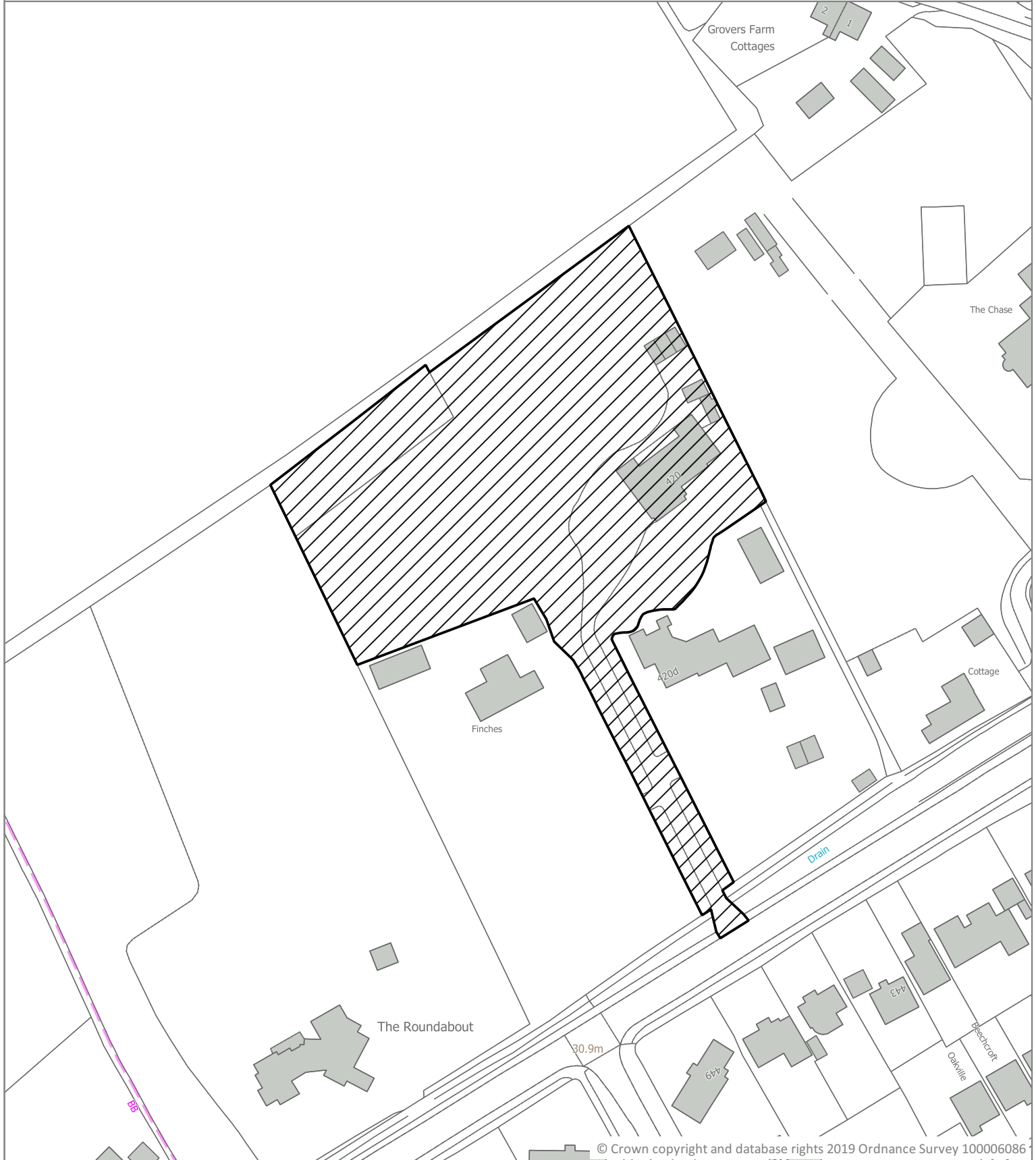


FOR LOCATION PURPOSES ONLY

Runnymede Borough Council  
Runnymede Civic Centre  
Station Road  
Addlestone  
Surrey KT15 2AH

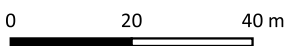
Date: 13/11/2019

Woodlands, 420 Woodham Lane, Addlestone



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Scale: 1:1250



RU.19/1348





RU.19/1348	Ward: Woodham & Row Town
LOCATION:	Woodlands 420 Woodham Lane Addlestone KT15 3PY
PROPOSAL	Change of use of 4x existing flats to C2 residential care home with associated landscaping and parking.
TYPE:	Full Planning Permission
EXP DATE	14 November 2019

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site
  - 1.1 Woodlands is a large detached building set in extensive grounds behind residential properties fronting Woodham Lane. It is accessed from an access drive between Finches and 420d Woodham Lane. The building is occupied by 4 flats, and there is space for parking and garden areas within the site. There is open land to the north and west. There are some trees within and neighbouring the site but the only trees subject to a Tree Preservation Order are those fronting Woodham Lane. The site lies within the Green Belt and within 5km of the Thames Basin Heaths Special Protection Area.
2. Planning history
  - 2.1 In 1966 an application to convert the building to a hotel, which was refused, but since then there have been no applications relating to the building other than an outline application RU.87/0122 encompassing a larger site for 32 dwellings, which was refused.
3. Application
  - 3.1 This is a full application for the conversion of the building from a residential use within Class C3 to a residential use within Class C2 for a residential care home for up to ten residents. Staff will not live in the building, and there will be 6 daytime staff and 3 overnight staff. There would be some minor internal and external alterations but there would be no increase in floor space. The applicant has submitted an extensive Design and Access Statement/Planning Statement, an Arboricultural and Planning Integration Report, and a Travel plan.
4. Consultations
  - 4.1 12 Neighbouring properties were consulted in addition to being advertised on the Council's website and 5 letters of representation have been received with the main points raised as follows:
    - Loss of privacy for neighbours
    - Staff, deliveries and health professionals and family visitors would result in significant increase in traffic noise, late night activities and light pollution
    - Urbanisation of Woodlands
    - Increase in noise level from children living at the site
    - Inadequacy of dirt track for this type of use, and disruption to neighbours
    - Cause major obstruction on main road
    - Environmental impact on Green belt, deer, buzzards, owls, protected bats and much wildlife
    - Pressure to increase size of facility in the future
    - Institutional use in a quiet family residential location with surround young families – make unsafe for existing children – impact on privacy (officer note: the proposal is for adult accommodation)
    - Track will fall apart
    - Increased level of noise across 24 hours;
    - May interrupt our peaceful activities – conversion to a school would have a detrimental effect on the quiet living in the neighbourhood – impact on neighbouring gardens from noise of children playing outside and impact from deliveries (officer note: the proposal is for adult accommodation)
    - Woodham Lane is congested and increase in trips to school will have huge impact on the access
    - Not a relevant use in a residential area
    - Need to retain 24 hour access to neighbouring property
  - 4.2 SCC County Highway Authority raises no objection and recommends conditions

4.3 RBC Refuse and Recycling Officer makes recommendations about refuse bins

5. Relevant Local Planning Policies

5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001.

5.2 The Draft Runnymede 2030 Local Plan was published for consultation on 11 January 2018, republished for consultation in May 2018, and, following consideration of representations, submitted to the Secretary of State on 31 July 2018. A limited number of policies may now be accorded some weight. However, until the outcome of the Examination in Public and final adoption, many of the policies may be accorded little weight. Each application will therefore continue to be considered against the existing Runnymede Borough Local Plan Second Alteration 2001 which is still the development plan applying within the borough, although the new draft plan may be referred to and more weight given to certain policies if relevant to the planning issues arising from an application.

6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green belt where the conversion of buildings is normally not inappropriate development as paragraph 146 of the NPPF states. The key planning matters are whether the proposal would comply with the NPPF, residential impacts and impacts on the TBHSPA.

6.2 The building is of permanent and substantial construction, and the conversion of the existing building would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. The external alterations relate to minor alterations to the elevations, and there are no changes required to the parking area or garden. It is therefore considered that the proposal complies with para 146d of the NPPF. The proposal is therefore not inappropriate development in the Green Belt.

6.3 Saved Policy GB7 goes further in that it requires there to be no detrimental effect on the rural character and appearance of the area or residential and visual amenities of adjoining properties. There would be a formalisation of the parking area in front of the building but there would be additional planting in addition to existing trees which would be retained. There would also be a new sensory garden which would be to the south of the building. It is therefore considered that the visual amenities and the openness of the Green Belt would be maintained and enhanced. Given the separation distances to the neighbouring dwellings, it is considered that there would be no increase in overlooking or loss of privacy. The existing parking area would be retained but formalised and the application form expresses that there would be an increase in parking from 8 to 14 spaces. The applicant has submitted a Travel Plan which aims to reduce the number of journeys by vehicle and intends to operate two mini-buses from the site to enable the residents to visit places outside the site. To promote employee use of alternative means of travel, limited on-site parking for staff is intended with promotion of car sharing and cycling. With all these measures in place, it is considered that the individual trips to the site will be managed and will not cause material harm to the amenities of the neighbours in terms of noise and disturbance from vehicles accessing and leaving the site. It is therefore considered that the proposal complies with saved Policies GB7, MV9 and HO9.

6.4 The County Highway Authority has raised no objection and has recommended that at least two of the parking spaces are provided with a fast charge electrical socket. This reflects the proposed site plan which shows two bays with electric charging points. It is considered the proposal complies with saved Policy MV4. As no significant alterations are taking place within the site, no further details are required regarding drainage or trees. The applicant has submitted a Tree Protection Plan which will ensure that existing trees within the site would be protected during the alterations works in accordance with saved Policy NE14.

6.5 The application site is within 5km of the Thames Basin Heaths SPA. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within

a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect. The guidance is that Natural England are required to be consulted and the lpa must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has an residual adverse effects that lead to a likely significant effect on habitats at the THBSPA. The existing flats are substantial in area each with several large bedrooms. The proposal is for primarily lounge, kitchen, dining, office and laundry facilities on the ground floor with one spare bedroom, 9 ensuite single bedrooms on the first floor, and staff room facilities within the roofspace. It is considered that this type of accommodation with maximum of 10 residents and the managed nature of this accommodation, would not introduce any new impacts on the Thames Basin Heaths Special Protection Area compared with the existing residential use for independent flats. It is therefore concluded through this appropriate assessment that on this basis, the development has no residual effects on the integrity of the TBHSPA. This is in accordance with Saved Policy NRM6 of the South East Plan 2009, Saved policy NE16 and guidance in the NPPF.

- 6.6 The letters of objection raise a number of concerns including that the scheme proposes a school which is not the case as this would be a different use class and the supporting documentation clearly states that the accommodation is for adults. Also concerns are raised as neighbours consider there would be 26 staff and the vehicle trips would cause harm and congestion. The supporting information is clear that the applicant has not proposed any such staffing levels. Letters also raise concerns about impact on wildlife. However, there are very few alterations to the fabric of the building, particularly under the roof, and the alterations to the garden are primarily to the existing parking area and proposed new sensory garden, which are not considered to be harmful to wildlife.

## 7. Conclusion

- 7.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

- 7.2 The development is considered to have no impacts on the openness and visual amenities of the Green Belt, nor gives rise to harm to residential amenities or on highway safety. There is also no effect on the integrity of the TBHSPA. The development has been assessed against the following Development Plan policies – saved Policies GB1, GB7, HO9, MV4, MV9, NE14, NE16 of the Runcy Mede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation: Grant subject to the following conditions

- 1 Full application (standard time limit)  
The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

- 2 List of approved plans  
The development hereby permitted shall not be carried out except in complete accordance with the following approved plans  
KS826-PLN-01-112 P1  
KS826-PLN-GR-111 P1  
KS826-PLN-02-113 P1  
KS826-ELE-21  
KS826-SK-03-Rev B  
KS826-SK=05 Rev A  
Tree Protection Plan  
Design and Access Statement  
Arboricultural and Planning Integration Report  
Travel Plan
- Reason: To ensure an acceptable scheme and to comply with saved Policy GB7 of the Runnymede Borough Local Plan Second Alteration 2001.
- 3 Electric vehicle charging points
- The development hereby approved shall not be occupied unless and until at least two of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230vAC 32 amp single phase dedicated supply).
- Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants, in accordance with guidance within the NPPF.
- 4 Tree protection
- Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protective measures shall be installed in accordance with the approved Tree Protection Plan.
- The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA. There shall be no burning within six metres of the canopy of any retained tree(s).
- Reason: To protect the trees to be retained, enhance the appearance of the surrounding area and to comply with saved policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.
- 5 Parking and turning/retention of parking and turning
- a. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles / cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. All cycle parking shall be secure, covered and lit. Thereafter the parking area(s) shall be retained and maintained for their designated purpose(s).
- Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.
- 6 Travel plan
- The development shall thereafter be carried out in all respects in accordance with the submitted Travel Plan hereby approved.
- Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with saved Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

2 SCC Informative - Dirt or Damage on Highway

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

3 Electric Vehicle Charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to [www.beama.org.uk](http://www.beama.org.uk) for guidance and further information on charging modes and connector types.