

Runnymede Borough CouncilPLANNING COMMITTEE22 January 2020 at 7.30pm

Members of the Committee present Councillors M Willingale (Chairman),
 J Broadhead, I Chaudhri, M Cressey, L Gillham, C Howorth,
 R King, M T Kusneraitis, M Maddox, I Mullens, M Nuti, P Snow,
 S Whyte and J Wilson

Members of the Committee absent: Councillor J Sohi

447. FIRE PRECAUTIONS

Councillor Snow read out the Fire Precautions.

448. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

<u>Group</u>	<u>Remove</u>	<u>Appoint instead</u>
Runnymede Independent Residents Conservative	Cllr Gill Cllr Anderson- Bassey	Cllr Gillham Cllr Maddox

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

449. MINUTES

The Minutes of the meetings of the Committee held on 4 December 2019 and 7 January 2020 were confirmed and signed as a correct record.

450. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Sohi.

451. PLANNING APPLICATIONS

The planning applications listed below were 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. An objector and applicant's agent addressed the Committee on application RU 18/0703 specified below.

RESOLVED that –

the following applications be determined as indicated: -

<u>APP NO</u>	<u>LOCATION, PROPOSAL AND DECISION</u>
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RU 18/0703

Cemex House, Coldharbour Lane, Thorpe

Alterations and change of use of offices to form 56 Extra Care apartments and communal facilities, and erection of 23 Extra Care apartments (79 in total) together with access and parking provisions to form a Continuing Care Retirement Community (Class C2).

The Committee was informed that this application had been brought back to Committee for determination as circumstances had materially changed since the Committee made its original resolution on 17 April 2019. There had been two main changes to circumstances. The Committee had previously resolved that officers could grant planning permission subject to the completion of a Deed of Easement between the applicant and Merlin to ensure no unreasonable interference with the future operation of Thorpe Park. No agreement was secured between the applicant and the operator of Thorpe Park in respect of the noise climate and no formal Deed of Easement was agreed between the parties as was expected by the Planning Committee in April 2019. The applicant has however produced their own deed which is a unilateral document. The second main change was that further noise surveys had been carried out in Summer 2019 which provided much more detailed information on the background noise levels currently experienced at the site which officers considered demonstrated an acceptable (internal) noise climate for future residential occupiers, which also had a bearing on the determination of the application. This survey report was reviewed in detail by the Council's Principal Environmental Health Officer. Officers now considered that since April 2019, all the required information had been made available to the planning authority to enable the application to be determined. Due to the passage of time and the significance of the changes in circumstances, Officers considered that it was appropriate for the determination to be made by the Committee, and not by officers.

The report before Members summarised the Committee's previous consideration of the application, all the subsequent actions undertaken by the applicant, the main objector, and officers, and submissions received. The main part of the previous officers' report was also reproduced for clarity and consistency.

In addition to the application report, the Committee received a detailed Officer presentation. A comprehensive addendum had also been circulated to Members and hard copies were available to Members and parties attending the meeting. The Addendum informed Members that the applicant had submitted a final draft unilateral Deed of Easement for inclusion within the s106 legal agreement. A copy had been forwarded to Merlin's planning representative so that they were aware of the existence of the document. The Deed of Easement was the grant by Eden (the applicant) for the

benefit of Thorpe Park, the right over the Cemex site to produce noise up to a certain specified level.

The Addendum also summarised various recent representations and key concerns made by Merlin on the day of the meeting including comment of the Council's Principal Environmental Health Officer's report and the Planning Officer's agenda report.

The Committee was again asked to balance the benefits of the application over the disbenefits as set out in the report and addendum, including the potential impact on the current and future operations of Thorpe Park. Having taken into account all material considerations, updated information in the application report and on the addendum, Officer advice and representations made by the public speakers, the Committee raised no objection to the proposed development and accepted that the combination of the 'very special circumstances', notably the very substantial weight attached to the heritage considerations, and some weight to the abnormal local transport improvements and community benefits, and to the contribution towards meeting housing and C2 need for which there was not a 5 year supply in the borough, and the social and economic benefits of the application proposals clearly outweighed the harm to the Green Belt and the other negative aspects arising from the proposal including the potential fettering of current and future operation of Thorpe Park, all tipped the balance in favour of the application.

DECISION;

The Development Manager be authorised to GRANT planning permission subject to the following obligations and planning conditions:

The completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (As amended) to secure the following obligations:

A: To ensure no adverse impact on the Thames Basin Heath Special Protection Area:

- **SAMM financial contribution of £34,650 in accordance with advice from Natural England**
- **Restriction on dog and cat ownership by occupiers**

B: To ensure no unreasonable interference with the future operation of Thorpe Park:

- **The marketing material given to each potential purchaser will contain information about the location of Thorpe Park and its proximity to the development;**
- **The lease of each dwelling will contain the same information;**
- **The owners will not make an application to amend details securing the noise mitigation**

works as approved unless the amendments improve or do not make worse the performance of the noise mitigation works;

- The owners will not make any planning application on the site unless such a planning application either improves or does not worsen the acoustic performance of the noise mitigation works approved unless they have the written consent of the then operator of Thorpe Park
- Clauses with regard to the investigation of noise complaints
- Unilateral Deed of Easement prior to occupation, for the benefit of Thorpe Park (whosoever holds the freehold title) to have the right to pass over the application site a level of noise 65 dB (as informed by the noise surveys carried out in July/August 2019 and reasonably adjusted upwards to recognise the likely increase in noise associated with the likely increase in activity and/or closer proximity of theme park activities associated with the anticipated future development of the theme park)

and subject to the conditions, reasons and informatives listed on the agenda, and additional condition as per addendum.

Upon a request from Cllr Kusneraitis for the names of those voting on the application to be recorded, the voting was as follows:

For: 14 (Councillors Broadhead, Chaudhri, Cressey, Gillham, Howorth, R King, Kusneraitis, Maddox, Mullens, Nuti, Snow, S. Whyte, Willingale and Wilson.

Against :0

Abstention:0

(Mrs Bull, objector on behalf of Thorpe Park, and Mr Montgomery, agent for applicant, addressed the Committee on the above application).

RU 19/0263

Thames Retreat, 141 Chertsey Lane, Staines-upon-Thames

Retention of electricity substation/security hut and erection of decking to units 1-11, 19 and 22 and retention of boundary fencing along the northern boundary.

No new salient planning points were raised by Members which were not addressed in the application report and addendum.

RESOLVED that

GRANT planning permission subject to conditions (condition 2 amended as per addendum), reasons and informatives listed on agenda.

RU 19/1932

Ashleigh, Redwood, Thorpe

Proposed rear extension and proposed loft conversion with dormers.

No new salient planning points were raised by Members which were not addressed in the application report.

RESOLVED that

GRANT planning permission subject to conditions, reasons and informatives listed on agenda.

RU 19/1514

30 Meadow Way, Addlestone

Two storey side and rear extension and single storey side extension.

No new salient planning points were raised by Members which were not addressed in the application report and addendum.

RESOLVED that

GRANT planning permission subject to conditions (condition 2 amended as per addendum), reasons and informative listed on agenda.

RU19/1530

The Old Workshop, West End Farm, Rosemary Lane, Thorpe

Erection of a detached chalet style dwelling with associated landscaping ,following demolition of existing workshops and offices (Renewal of permission RU 16/0907) .

No new salient planning points were raised by Members which were not addressed in the application report .

RESOLVED that

GRANT planning permission subject to conditions, reasons and informatives listed on agenda.

452. INFRASTRUCTURE DELIVERY & PRIORITISATION SUPPLEMENTARY PLANNING DOCUMENT (SPD) CONSULTATION

The Committee received and considered the Draft Infrastructure Delivery and Prioritisation Supplementary Planning Document (SPD),as amended by the addendum.

Members were informed that to help secure infrastructure improvements across the Borough to support the 2030 Local Plan, further guidance was required to outline how the Council would prioritise infrastructure funding, the relationship between different funding mechanisms and the basis for negotiating financial contributions via Section 106. The SPD would provide appropriate guidance thereon.

The draft SPD was based on the infrastructure evidence which underpinned the 2030 Local Plan and it suggested a prioritisation hierarchy and the cost impacts for different infrastructure types. The draft SPD also set out the approach to securing Section 106 agreements once a Community Infrastructure Levy (CIL) was in place.

The draft SPD suggested prioritisation of infrastructure funding towards two critical elements of infrastructure, firstly; Suitable Accessible Natural Greenspace (SANG) to avoid impact to the Thames Basin Heaths SPA and secondly; mitigation for the A320 corridor and confirmed that both these critical elements of infrastructure would continue to be funded by Section 106 contributions after CIL was introduced.

Contributions towards other infrastructure types would continue to be sought through Section 106 agreements until CIL was introduced. Thereafter, the physical delivery of infrastructure would remain via Section 106 with financial contributions largely secured through CIL. The SPD had the potential to prioritise and raise funds towards active & sustainable travel, green infrastructure and flood mitigation/drainage which would likely benefit sustainability, the environment and biodiversity in general.

The draft SPD would be subjected to a period of public consultation following which any representations received would be considered prior to adoption. The public consultation would take place at the same time as the CIL Draft Charging Schedule for 6 weeks. To avoid a clash with consultation on the Local Plan Main Modifications the SPD and CIL consultations would commence on 24 February, 2020 shortly after the Main Modifications consultation closed.

The Committee was updated that an Equalities Impact Assessment was not required. The draft SPD was accompanied by a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) which determined that a SEA and/or an HRA was not required and the appropriate statutory bodies were in agreement with this.

The Committee was agreeable to the SPD and the commencement of public consultation thereon.

RESOLVED that-

the Draft Infrastructure Delivery & Prioritisation SPD, as amended on the addendum, be approved for public consultation for a period of six weeks.

453. COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE CONSULTATION

The Committee received and considered the Community Infrastructure Levy (CIL) Draft Charging Schedule, as amended by the Addendum.

Members were informed that the Council could introduce a charge on new development known as the Community Infrastructure Levy (CIL) to help fund infrastructure across the Borough. In order to do this the Council had to have a 'relevant' Local Plan and demonstrate an infrastructure funding gap. Once the Local Plan was adopted both of these criteria would be fulfilled and a CIL could be introduced.

CIL was charged on a £s per sqm basis on the net level of floorspace of a development and was non-negotiable, although exemptions for certain types of development could be applied. CIL charges could be set across different areas of the Borough or by development scale or type and should be a balance of the desire to fund infrastructure and viability of development.

Based on evidence of viability, a CIL Draft Charging Schedule had been prepared which proposed seven different charging zones with rates for residential development between £90 and £380 per sqm as well as a single rate of £495 per sqm for student accommodation and £50 per sqm for office development. All other development was not considered to be viable for CIL and was zero rated. The CIL rate for each type of development and zone, and a map of the charging zones was shown in the draft Charging Schedule .

The Longcross Garden Village Site and Chertsey Bittams C allocation sites had been given separate charging zones with all development zero rated. This was based on evidence of viability.

Based on the proposed rates the amount of infrastructure funding from CIL was forecast to be approximately £18m over the Local Plan period after subtraction of £3.8m for neighbourhood funding and £0.9m for administration.

The CIL Charging Schedule had the potential to raise funds towards green infrastructure which would likely be of benefit to the environment and biodiversity in general.

The CIL Regulations required that a Draft Charging Schedule be subjected to a period of consultation before submission to an independent body for examination. The CIL Regulations also allowed the Council to implement a CIL Instalments Policy so that developers could pay CIL in instalments rather than as a single payment. A draft Instalments Policy had been prepared and although not required to undergo consultation would be available for information.

As mentioned as part of consideration of the previous item, to avoid a clash with consultation of the Local Plan Main Modifications the CIL Draft Charging Schedule and SPD consultations would commence on 24 February 2020 shortly after the Main Modifications consultation closed. If significant changes were recommended following consultation a report would be made to Committee.

The Committee was updated that a Full Equalities Impact Assessment was not required. The CIL Draft Charging Schedule was accompanied by a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) which determined that a SEA and/or an HRA was not required and the appropriate statutory bodies were in agreement with this.

The Committee was agreeable to the Draft Charging Schedule and commencement of public consultation thereon.

RESOLVED that-

- i) the Draft Community Infrastructure Levy Charging Schedule, as amended on the Addendum, be approved for public consultation for a period of six weeks; and**
- ii) if no significant changes are required to the Draft Charging Schedule following public consultation, the Corporate Head of Planning Policy and Economic Development, in consultation with the Chairman of Planning Committee, be authorised to make any necessary minor**

amendments and corrections to the Draft Charging Schedule and submit the schedule for public examination.

(The meeting ended at 9.12 pm)

Chairman