

Planning Committee

Wednesday 13 May 2020 at 6.30pm

The meeting will be held remotely via MS Teams with audio access to the public via registered dial-in only.

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).
- 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 <u>www.runnymede.gov.uk</u>.
- 4) Public speaking on planning applications only is allowed at the Planning Committee. An objector who wishes to speak <u>must make a written request by noon on the Monday of the week of the Planning Committee meeting</u>. In light of the current restrictions imposed to address the Covid -19 outbreak, this meeting will be held remotely. As this meeting is being

conducted remotely you should inform the Planning Business Centre if you wish to dial in and address the Committee and also provide a written statement of your speech(no more than 2 sides of A4 which is approximately the equivalent of 5 minutes speaking time normally allowed under Standing Order 39.24 of the Council's Constitution).

If you do not wish to exercise your right to speak by dialling- in, you can submit your representations in writing (no more than 2 sides of A4 which is approximately the equivalent of 5 minutes speaking time normally allowed under Standing Order 39.24 of the Council's Constitution) and this will be read out by the Chairman of the Committee or an Officer to those Councillors participating.

If you wish to speak and/or make a written submission please contact the Planning Business Centre by email <u>publicspeaking@runnymede.gov.uk</u>

- 5) If you wish to hear the debate by audio via MS Teams you must register by 10am on the day of the meeting with the Planning Business Centre by emailing your name and contact number to be used to dial-in to <u>publiclisteningplanning@runnymede.gov.uk</u>
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- 6) For meetings held at the Civic Centre, 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.

7) Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings held at Civic Centre or remotely via MS teams

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 <u>not extend to those in the public</u> <u>seating area</u>.

For meetings held remotely via MS teams ,you may only record the audio of those proceedings. The Council shall not be recording any remote meetings.

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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APPLICATION	LOCATION	Page
NUMBER		
RU.19/0465	Land to east of Orbis, The	12
	Causeway, Staines upon Thames	
RU.20/0331	Bellbourne Nursery, Glasshouse 2, Hurst	45
	Lane ,Egham	
RU.20/0169	Bellbourne Nursery, Unit 1, Hurst	59
	Lane, Egham	00
RU.19/1718	Fangrove Park, Lyne Lane, Lyne, Chertsey	81
RU.20/0068	51 Stepgates, Chertsey	90
RU.20/0303	4 Queens Road,Egham	100
RU.20/0340	7 Katherine Close, Addlestone	115

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

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7. **EXCLUSION OF PRESS AND PUBLIC**

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.

Confidential Information b)

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	A Design and Access statement is submitted with a planning application and				
Access	sets out the design principles that the applicant has adopted to make the				
Statement	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 dedicated website, issued by the Secretary of State detailing national				

TERM	EXPLANATION
	planning practice and guidance within existing legislation. Also known as NPPG <i>National</i> Planning Practice Guidance
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 Specia 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"
ТА	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 t 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

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. **MINUTES**

To confirm and sign the Minutes of the meeting of the Committee held on 29 April 2020 as a correct record (Appendix 'A'-to follow separately)

(To resolve)

Background Papers

None

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

If Members have an interest in an agenda item please record the interest on the form circulated with this Agenda and email it to the Legal Representative or Democratic Services Officer by 5pm on the day of the meeting. **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. Membership of an outside body in their private capacity as a director, trustee, committee member or in another position of influence thereon **should be regarded as a disclosable pecuniary interest**, as should an appointment to an outside body by the Council as a trustee.

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 withdraw from the meeting 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.

5. 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 on the applications, please contact Ashley Smith, Corporate Head of Development Management and Building Control by 11 May 2020. 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.

6. DELEGATION OF POWERS TO PLANNING OFFICERS (LAW AND GOVERNANCE-MARIO LEO)

Synopsis of report:

As a result of the restructure of the senior management team of the Council last year, it is necessary to agree the delegation of powers concerning certain planning matters to new officers.

Recommendation(s):

That the following powers be delegated to the Corporate Head of Planning Policy and Economic Development and ,in the absence of that officer, to the Local Plans Manager or the Strategic Projects Manager depending on who is present and able to deal with the matter:

- (i) All necessary approvals to progress any part or all of the Local Plan, including any Supplementary Planning Documents or associated guidance; and the approval of the Annual Monitoring Report and any other evidence base document for Publication;
- (ii) Strategy and Policy Making and Progression including all necessary agreements or authorisations in the consideration of designation of neighbourhood areas and neighbourhood forum, and all necessary agreements or authorisation necessary in the consideration of neighbourhood development plans, neighbourhood development orders or community right to build orders;
- (iii) The consideration of NSIP matters;
- (iv) The agreement and execution of Planning Performance Agreements;and
- (v) Unless there is time to report to Committee, to agree Statements of Common Ground pursuant to the Duty to Co-operate with other bodies and provide responses to the emerging Local Plans of other Local Planning Authorities or Strategic Plans subject to the Duty to Co-operate in consultation with the Chair and Vice- Chair of the Planning Committee.

1. Context of report

- 1.1 As Members will be aware decisions in local government are made by various organs of a local authority. All decision making power is vested in the Full Council discharging a number of functions e.g. Local Planning Authority, Housing Authority or Highway Authority.
- 1.2 It is accepted that Full Council cannot meet frequently enough to make all the day to day decisions required to discharge the obligations placed upon a local authority. The solution to the issue is to delegate functions to other parts of the organisation in accordance with the powers contained in section 101 Local Government Act 1972.

2. Report

2.1 In discharging its function as Local Planning Authority the Council has to make a number of decisions. These will range from approving planning applications,

authorising the taking of enforcement action, developing a Local Plan and responding to consultations on various projects.

- 2.2 Given the number of decisions that need to be made it is not practical for Full Council to deal with all matters and the Council has used the powers available to it to delegate decision making to the Planning Committee and officers. Until last year all Planning matters were dealt with in one department. Following the reorganisation of the Council's officer structure there are now what are termed as two Business Centres which deal with planning matters. Development control and planning enforcement matters are dealt with by Development Management and Building Control Business Centre. The formulation of planning policy falls within the remit of the Planning Policy and Economic Development Business Centre.
- 2.3 When all planning matters were dealt with by one department delegations were granted to officers in that department to deal with the full range of planning matters. As a result of the restructure it is necessary to seek Committee approval to allocate the delegated powers in respect of planning policy matters to officers who now form the Planning Policy and Economic Development Business Centre. Officers have reviewed the existing scheme of delegations to officers and extracted those which relate to planning policy matters and request that those delegated powers be allocated to the Corporate Head of Planning Policy and Economic Development and in the absence of that officer to the Local Plans Manager or the Strategic Projects Manager depending on who is present and able to deal with the matter.
- 2.4 The remaining powers, relating to development management and planning enforcement, will remain within the remit of officers within the Development Management and Building Control Business Centre.
- 2.5 It should be noted that whilst a power maybe delegated it is within the discretion of an officer to whom a delegated authority is granted to decline to exercise that power. Normally an officer will decline to exercise a power if a matter is sensitive and it is felt more appropriate that a decision is made by Members sitting in committee.
- 2.6 The first delegated authority requested is to deal with all necessary approvals to progress any part or all of the Local Plan, including any Supplementary Planning Documents or associated guidance; and the approval of the Annual Monitoring Report and any other evidence base document for Publication. As Members will appreciate when a Local Planning Authority creates a Local Plan a series of documents have to be created and produced. These documents will often be of a technical nature. There will clearly be stages when Member approval is required to progress matters as clarified in paragraph 23.14 of the constitution which reserves to the Planning Committee the decision to adopt documents as part of the Development Plan, including any Development Plan Documents and Supplementary Planning Documents. This delegated power will facilitate the ongoing process of preparing the local plan and reviewing its operation.
- 2.7 The second delegated authority sought is in relation to Strategy and Policy Making and Progression including all necessary agreements or authorisations in the consideration of designation of neighbourhood areas and neighbourhood forum, and all necessary agreements or authorisation necessary in the consideration of neighbourhood development plans, neighbourhood development orders or community right to build orders. The types of matters covered by this delegation would include authority to: consider and designate neighbourhood area applications; publish the area designation/refusal to designate; accept a submitted neighbourhood development plan or order for public consultation; submit a plan or order to examination; to proceed to referendum where the examiner's report recommends to do so; following a successful referendum, authority to make a neighbourhood development plan or order and to publish the made neighbourhood

plan or order. A major aspect of the exercise of this delegated power would be interacting with local groups who wish to create neighbourhood plans.

- 2.8 The third delegated authority sought is in respect of the consideration of Nationally Significant Infrastructure Projects (NSIPs) matters. NSIPs are large scale developments relating to energy, transport, water, or waste. A "Development Consent Order" (DCO) is a statutory instrument made under the Planning Act 2008. as amended by the Localism Act 2011. It is the requisite means of conferring powers for the construction, operation and maintenance of developments that meet the qualifying criteria for NSIPs. A local authority faced with a DCO application for a project within its administrative area has a specific role and particular responsibilities under the statutory consenting process, which it must fulfil regardless of whether or not it supports the scheme for which powers are being sought. The local authority's view carries weight with both developer and decision maker, and it is possible to maintain an in-principle objection to a scheme, or to object to specific aspects of it, whilst nevertheless engaging fully with the developer and the process. Indeed, such engagement is essential to secure from the developer, on behalf of affected communities, appropriate changes to the proposals, concessions and/or community gain. A host local authority will be engaged in all stages of the DCO process including.
 - Liaising and sharing resources with other affected local authorities;
 - Consultation on screening/scoping of the environmental impact assessment;
 - Input into the content and methodology of the developer's public consultation exercise;
 - Participating in consultation as a statutory consultee;
 - Possible submission of an "Adequacy of Consultation" representation;
 - Preparation and submission of a "Local Impact Report";
 - Evidence planning and preparation of Statements of Common Ground;
 - Participation in the examination process; and

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- Monitoring and enforcement of requirements once a DCO is made.
- 2.9 The fourth delegated authority sought is in relation to the agreement and execution of Planning Performance Agreements (PPA). These are voluntary agreements between applicants and local planning authorities which help to:
 - bring together the developer, the Local Planning Authority and key stakeholders to work in partnership throughout the planning process
 - ensure complex proposals progress through the process to mutually-agreed timescales
 - ensure appropriate resources and expertise are provided to advise on complex proposals
 - provide greater opportunity for dialogue through the planning process and help deliver high-quality development

The payment of fees for a PPA ensures that an application is processed to an agreed timetable with meetings to help overcome issues that arise during the application process. However, it does not guarantee that planning permission will be granted. If the planning proposal is contrary to the Council's adopted policies or national guidance, it will be recommended for refusal.

- 2.10 The final authority sought is in relation to agreeing Statements of Common Ground pursuant to the Duty to Co-operate with other bodies and provide responses to the emerging Local Plans of other Local Planning Authorities or Strategic Plans subject to the Duty to Co-operate in consultation with the Chair and Vice Chair of the Planning Committee.
- 2.11 Local planning authorities are bound by the statutory duty to cooperate. Strategic policy-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address

strategic matters. This includes those policies contained in local plans (including minerals and waste plans), spatial development strategies, and marine plans.

- 2.12 The National Planning Policy Framework sets out that these authorities should produce, maintain, and update one or more statement(s) of common ground, throughout the plan-making process.
- 2.13 Statement(s) of Common Ground document where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working. In the case of local planning authorities, it also forms part of the evidence required to demonstrate that they have complied with the duty to cooperate.
- 2.14 In addition to the Council having to prepare a Local Plan, neighbouring authorities will have to prepare their own or at a regional and national level there may be a need to prepare Plans. Given that such documents may have an impact on the borough the Council will from time to time be invited to comment on such documents.
- 2.15 As indicated above the delegated powers being dealt with in this report have previously been exercised by officers when all planning matters were dealt with by one department. The need to make this request arises from the restructure of the Council's departments which took place last year.

3. **Policy framework implications**

3.1 There are no changes to any policies arising from the contents of this report. The exercise of the delegated powers referred to in this report has been taking place for a period of time. The only change flowing from this report is that those powers will be exercised by a group of officers who are located in a newly created Business Centre.

4. Resource implications (where applicable)

4.1 There are no new resource implications arising from the contents of this report. The delegated powers requested will be exercised by officers as part of their day to day duties.

5. Legal implications

- 5.1 As mentioned in the body of the report local authorities are given specific statutory powers, see section 101 Local Government Act 1972, to delegate powers to Committee, Sub-Committees and officers to discharge functions that are allocated to them. The Council has in place a scheme which records the functions which have been delegated to Committees and officers.
- 5.2 The powers which this report requests are delegated to officers have been exercised by officers for a number of years. The only change flowing from this report is that the powers will be exercised by a specific number of officers in a new Business Centre.
- 5.3 The mere fact that a power has been delegated does not prevent the person to whom the power has been delegated declining to exercise the power. There may well be that in certain instances it will be more appropriate for the Planning Committee to make the decision in question rather an officer.

6. Equality implications

6.1 There are no equality issues arising from the proposals contained in this report. The report relates to the exercise of existing delegated powers and no new powers are proposed. The powers were previously delegated to officers and this report proposes a continuation of that practice.

7. Environmental/Sustainability/Biodiversity implications

7.1 There are no specific Environmental/Sustainability/Biodiversity implications arising from the proposals contained in this report. The report deals with an internal administrative matter.

8. Other implications (where applicable)

8.1 There are no other implications arising from the content of this report.

9. Conclusions

9.1 Given the wide range of decisions a local authority has to make to discharge its various functions it is necessary to delegate powers. The council has historically delegated the powers referred to in this report to officers. A restructure of the Council's various departments last year means that certain functions have been transferred to new departments. In order to enable those new departments to discharge their work effectively it is necessary to delegate specific powers to officers in those departments. This report deals with the delegation of specific powers to specific officers in a new department.

(To resolve)

Background papers

None

7. 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)

<u>PART II</u>

Matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection.

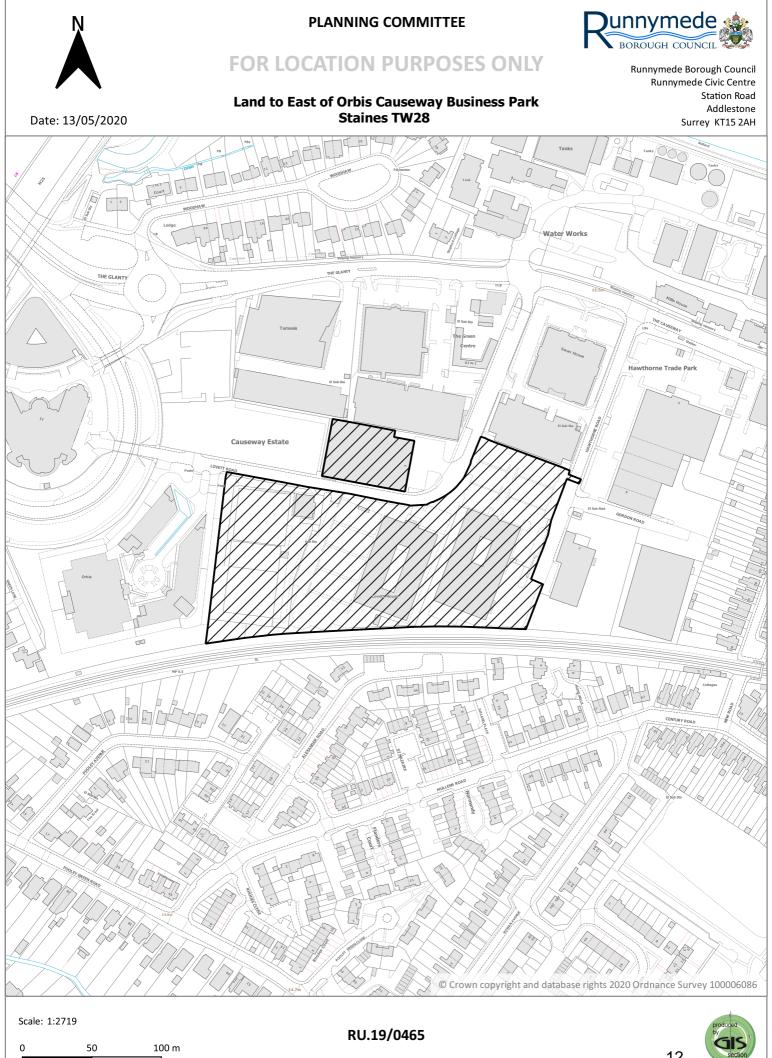
<u>Para</u>

a) <u>Exempt Information</u>

No reports to be considered.

b) <u>Confidential Information</u>

No reports to be considered.



Ward:			
Land to East of Orbis			
Causeway Business Park			
Staines			
TW28			
Hybrid planning application consisting of 1) full planning permission for redevelopment and erection of commercial buildings consisting of a retail supermarket (Use Class A1), light industrial uses (Use Class B1(b)/B1(c)B2/ B8), multi-storey car park, refurbishment of Celsur House, associated landscaping and works; and 2) outline planning permission for redevelopment and erection a hotel development (Use Class C1) with access to be determined and all other matters reserved.			
Outline Application			
13 June 2019			

SUMMARY OF RECOMMENDATION: Grant with conditions

- 1. <u>Site</u>
- 1.1 The application site consists of two former office buildings which have been subsequently demolished, a former covered reservoir and an industrial building Celsur House. There is also a large area of surface car parking on the site. The site is adjacent to a builders merchants and DIY Store to the east of the site, Egham to Staines railway line to the south and recently constructed offices to the west and north. There are residential properties to the south of the railway line. The buildings are a mixture of heights. The site is accessed from Lovett Road which is off The Causeway which is a busy arterial road linking Egham and Windsor to Staines and serves several commercial and light industrial estates which link off it. The access road also serves an office building with a dual layered parking area to the north of the application site and a further office building to the South West of the site.
- 1.2 The site lies within the Urban Area and wholly within the medium flood zone (flood zone 2) and partially within the high-risk flood zone (FZ 3A). The site also lies close to an area of High Archaeological potential to the north of the site along The Causeway.
- 2. <u>Planning history</u>
- 2.1 RU.95/0369 Change of use from class B1(B) and B1(C) (research and development etc; and light industry) to unrestricted class B1 (business) use. Granted June 1995
- 2.2 RU.95/1011 Two storey extension to entrance area and alterations to elevations. Granted January 1996
- 2.3 RU.96/0085 Change of use from Class B8 (storage or distribution) use to Class B1(c) (light industry) use. Granted March 1996
- 2.4 RU.00/0176 B1(a) office building together with the provision of associated car parking and landscaping. Withdrawn
- 2.5 RU.02/1311 Erection of a total of 22 no. conditioning units at ground level along the western and eastern elevations of the building. granted January 2003
- 2.6 RU.09/0742 Erection of 4 storey class B1 office building (5,853sqm) with associated access and car parking for 160 vehicles including a 2 storey multi storey car park. granted March 2010
- 2.7 RU.15/0140 Application to extend the time limit for the implementation of the extant planning permission RU.09/0742 for the erection of 4 storey class B1 office building (5,853sqm) with associated access and car parking for 160 vehicles including a 2 storey multi storey car park. granted April 2015 Not implemented and permission has now lapsed.
- 2.8 RU.17/1438 Installation of a replacement main entrance. Granted October 2017
- 2.9 RU.17/2039 Erection of a detached outbuilding to be used as a shower block. Granted February 2018

2.10 RU.19/0207 – Prior Notification for the proposed demolition of a two-storey office building and 2 no. reservoir tanks under Part 11 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended). Prior Approval Granted March 2019

3. <u>Application</u>

- 3.1 The applicant has submitted a Hybrid planning application consisting of 1) full planning permission for redevelopment and erection of commercial buildings consisting of a retail supermarket (Use Class A1), light industrial uses (Use Class B1(b)/B1(c)B2/B8), multi-storey car park, refurbishment of Celsur House, associated landscaping and works; and 2) outline planning permission for redevelopment and erection a hotel development (Use Class C1) with access to be determined and all other matters reserved.
- The applicant has submitted a Design and Access Statement to accompany the application. This 3.2 refers to extant planning permissions in the surrounding area and recent planning history of adjacent properties. Including RU.15/1933 – which granted planning permission for the erection of a 5 storey office building (Use Class B1) with associated multi storey car park and the creation of a new link road from the Glanty roundabout to Lovett Road. (This is under construction). The Statement refers to condition of the existing and former buildings on the site and notes that the buildings on the site have been vacant since 2007 and in poor condition and not energy efficient The statement identifies that the leases on the adjacent buildings (with the exception of the site approved under RU.15/1933 are expiring and the business could leave the site which could result in the loss of 1000 jobs. The applicant considers the proposed regeneration would update the building stock and improve the quality of the public realm in the estate and vitality of the estate, and would generate up to 295 jobs on the site and retain and create additional 2036 jobs in the immediate area of the estate. The statement refers to the height of proposed buildings ranging from 5.6 metres to 10.5 metres with the proposed hotel being a landmark building with maximum height of 30 metres. The buildings to the north of the site including the approval RU.15/1933 have a height of 25 metres. The units would be predominantly metal clad in keeping with the appearance of the buildings in the wider area, with the exception of the multi storey car park and commercial buildings which would have a living Green Wall on the Southern boundary adjacent to the railway line. There would be tree planting to the sides of Lovett Road.
- 3.3 The Statement refers to the Hotel building (proposed building A1 outline only with no details apart from access to be determined) within the south western quadrant of the site, having an ancillary bar and restaurant and that there is a significant demand for bed spaces with an adjacent occupier (Gartner) stating that they have a minimum requirement of 3000 bedrooms per year. The hotel would also provide meeting rooms and function spaces and create an active frontage when the adjacent office buildings are closed. The applicant has indicated that the building could have a height of 30 metres and a floorspace of 7,804 sqm. Access would be from Lovett Road.
- 3.4 The proposed multi storey car park (proposed building A2) located to the south of the hotel adjacent to the railway, would provide a total of 364 car parking spaces, 185 parking spaces for the hotel with the remaining being for the users at the adjacent Orbis building (outside of the application site) and users for Plot B. The southern elevation of the car park would be solid and have a living green wall this would block any disturbance to the users/occupiers of the residential properties to the South from noise and lights from users of the car park, encourage biodiversity and provide a green back drop from the adjacent residential properties. The car park would have a maximum height of 10.1 metres with the staircase enclosures on the eastern and western sides of the building having a maximum of 12.6 metres.
- 3.5 The three proposed buildings at Plot B in the central area of the site, are shown on the plans to comprise 9 business units, and would be predominantly single storey with mezzanine accommodation This would have a maximum height of 10.5 metres and be of a mixed B Class use which the applicant considers could be occupied by small and medium firms (SME's) and start-up businesses. The southern elevations of the buildings closest to the railway line would have a similar treatment to the Multi Storey Car Park and would also have green 'living' walls with an acoustic fence also proposed along the southern boundary adjacent to the service area for building B7.
- 3.6 Plot C in the eastern quadrant of the site proposes a large building of height approximately 21 metres, with retail on the ground floor and storage and distribution use on the upper floor. The retail element would have a surface car park to the north of the building, which is similar to the original situation at the site and would be accessed from Lovett Road. The servicing for the retail use would from the front of the plot C. Access to the B8 element within the building, parking and

servicing would be from the eastern side from Hawthorne Road. There would be an acoustic fence along the southern boundary.

- 3.7 The existing industrial building Celsur House at Plot D would be refurbished and clad in metal which would have a similar appearance to the other buildings in the wider area.
- 3.8 The table below outlines the intended floor areas, parking spaces, job creation and heights of the proposed units :

	Existing floor	Proposed floor	Height	Jobs created
	area	area		
Plot A – Hotel	Currently old	7804sq metres	30 metres –	55
and multi	reservoir	– Hotel	hotel	
storey car park		364 spaces in	10.1-12.6m	
		mscp	mscp	
Plot B – B1 -	5126	3764	10.5	60-120
B8				
Plot C	4918	1792 – Retail	21 metres	42
		6764 – B8		8-100
Plot D - 2857 refurbished		2786	9 metres	55

3.9 The applicant has submitted a Planning Statement, which includes a retail assessment. The statement notes that the Causeway Business Park, which includes the application site and wider area, has a 34% vacancy rate and is in a state of decline and its poor environment is not attractive place for investors. A retail impact assessment, hotel assessment, Arboricultural Assessment, Flood Risk Assessment and Transport assessment, noise impact assessment, Air Quality Assessment, Geo Environmental Report and an Ecological Appraisal has been submitted in support of the application. The Applicant has submitted a Statement of Community Involvement with the application which outlines the consultation exercises the applicant undertook prior to the submission of the application with the adjacent residents and stakeholders. The applicant has also submitted responses to the letters of objection received for this application.

4. <u>Consultations</u>

4.1 53 Neighbouring properties were consulted in addition to being advertised on the Council's website and 22 letters of representation have been received. 17 in support for the application and 5 raising concern for the application. A summary of these letters is detailed below:

Support

- Multi storey car park is a great idea
- Multi storey car park is needed to ease local parking on residential roads
- Aldi would enhance local choices
- Ideal use for an underused site
- Good positive use of the land
- Business in the Causeway has a demand for 3000 hotel beds per year and the current supply does not meet current requirements
- The park needs investment the proposal would improve its function and desirability.

Objection

- Shoppers and restaurant users should not use residential roads
- The proposed buildings would result in loss of privacy and overlooking
- The proposal would have an adverse impact on the already busy causeway
- Why should more commercial buildings be built given the number of vacant units in the area
- The hotel is not needed with other hotels in the area
- The site is within flood zone 3.
- The multi storey car park is quite tall
- The proposal would cause noise and disturbance
- The site is in a Strategic Employment Area the proposals would erode the ability of the site to perform its strategic role
- The impact assessment is inadequate
- The proposed job creation for the hotel and retail use would be much lower than the jobs create at Plot B

- The draft Local Plan target is to achieve no net loss of employment floorspace in strategic employment areas. The proposal would be contrary to this.
- The submitted retail impact assessment should assess the impact on committed and planned investment in the local centres
- The proposed retail store would act as a draw from nearby town centres
- The submitted sequential test for hotel does not include edge or in centre sites.
- The hotel and foodstore cannot be considered as limited ancillary facilities as required by Submission policy IE2
- The layout of the proposal particularly plot B would have a poor visual relationship with the surrounding area
- The proposal would result in an overdevelopment of the site with no amenity areas
- The Causeway is a single lane each way road and there is no bus lane
- The proposal would result in additional traffic on the Causeway
- The demolition works would cause noise and dust and traffic which would be detrimental to the users of the Green Business Centre.
- 4.2 Thames Water No objection
- 4.3 Surrey Archaeology No objection subject to condition regarding a written scheme of investigation to be submitted
- 4.4 Surrey Wildlife Trust raise no objection subject to condition regarding the submission of a Landscape and Ecological Management Plan for the site and implementation of biodiversity enhancement measures as outlined in the submitted Ecological Appraisal.
- 4.5 Highways England No objection
- 4.6 Cadent Gas No objection
- 4.7 Network Rail No objection applicant would need to liaise with landowner prior to any works commencing on site.
- 4.8 Lead Local Flood Authority No objection subject to condition
- 4.9 Surrey County Highways No objection subject to conditions regarding Construction Management Plan, travel plan
- 4.10 Environment Agency No objection subject to conditions regarding height of finished floor levels and provision of compensatory flood storage.
- 4.11 RBC Contaminated Land Officer No objection subject to condition regarding confirmation that a remediation scheme has been implemented and details of any other unexpected contamination has been submitted.
- 5. <u>Relevant Local Planning Policies</u>
- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001 LE1, LE4, SHO1, SHO6, MV3, MV4, MV5, MV8, MV9, MV11, NE14, NE15, BE2, BE17, BE25, SV2 SV2A Relevant policies in the Runnymede 2030 Local Plan submission document 2018: IE2, IE3, IE4
- 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. The examination has now concluded and the report from the Inspector is awaited. 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. <u>Planning Considerations</u>
- 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 within an established commercial 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 principle of the uses, the impact the proposal would have on the visual amenities of the area, the character of the area, the impact on neighbouring properties residential amenities, flood risk, archaeology, surface water drainage, highway capacity, safety and parking and contamination and ecology of the site.

- 6.2 Saved Policy LE4 of the Local Plan refers to existing economic sites and that permission for the redevelopment of existing industrial, office or warehousing premises to provide business uses will normally be granted but seeks to resists the loss of suitably located industrial and commercial land. The site is located within an identified Strategic Employment Area in the Runnymede 2030 Local Plan. Policy IE2 states that changes of use of land and or buildings from employment to nonemployment use will be resisted but the provision of limited essential facilities will be supported within the Strategic employment area where there is a clear justification that the facility will provide positive benefits for the strategic employment area and not conflict with uses in the employment area. Policy IE2 also refers to encouraging a range of type and sizes of employment floorspace. This is supported by Policy IE3 which refers to supporting the retention, creation and development of local business and to allow for flexibility to cater for the changing needs of the economy. The proposal would redevelop an existing commercial site and provide a range of business and storage uses which are consistent with policies LE4, IE2 and IE3. However, the additional uses of retail and hotel would result in the loss of space within the Employment Area that could otherwise be redeveloped for a policy compliant commercial use. There is also a large car park proposed.
- 6.3 The application site is located within a Strategic Employment Area and Policy IE2 states that applications for hotel use will only be permitted where the proposal accords with the sequential test and impact test and will not conflict with established uses in the Strategic Employment Area. The proposed hotel which would include approximately 160 bedrooms and ancillary food and beverage functions as well as meeting and function space. The applicant has submitted a hotel sequential assessment to support the application as the site is outside of nearby town centres. The statement refers to the Surrey Future Hotel Study 2015 which identifies that there is a demand for hotels within Runnymede. In addition, the submitted planning statement notes that there is a demand from immediate users to the site for hotel accommodation. The submitted sequential test outlines that there is a need for hotel accommodation and that there are no other suitable sites in adjacent town centres for a hotel and that the proposed use would not impact on the vitality or viability of town centre uses. The Runnymede 2030 Local Plan has several relevant policies. Policy IE3 of Runnymede 2030 refers to attracting businesses to the Borough and support the retention, creation and development of local business. The policy also refers to the visitor economy and that this provides and essential part of Runnymede's economy. Policy IE4 identifies that the provision of visitor accommodation is important to both business and tourism and that the Council will support additional provision in appropriate locations. Officers have carefully reviewed the evidence submitted by the applicant and have reviewed the provision of hotel accommodation in the area. The new Local Plan identifies the need for hotel accommodation in the Borough and the need to support business. There are no alternative sites within nearby town centres, including Egham which already has a hotel, and therefore it is considered that the proposed hotel use has satisfied It is also considered that as the nearby town centres have hotel the sequential test. accommodation which supports the town centre uses, the provision of a hotel use within this out of centre location would not have a material impact on the vitality and viability of the town centres. The hotel use would be compatible with the commercial uses within the Strategic Employment Area as it would provide facilities to support the commercial businesses, and therefore would be compliant with emerging policy IE2.
- 6.4 The provision of retail space would also be at odds with the site's status as a Strategic Employment Area. The NPPF expects that major retail development is located in town centres. Saved Policies SHO1 and SHO6 are consistent with the NPPF which direct retail proposals to town centres with the need to have regard to the need to preserve the vitality and viability of town centres and new large scale shopping development will only be permitted if located within a town centre or if it cannot be demonstrated that a suitable town centre location is available, on the edge of a town centre which are easily accessible by foot from the town centre. Out of town centre sites will only be considered where that there are no suitable town centre or edge of centre sites available. The NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. The applicant has submitted a retail impact assessment which has reviewed the availability of other sites within the Borough and immediate area for land which has the potential to deliver a supermarket. The submitted information identifies that there are no existing suitable opportunities within town centres or edge

of town centre locations for the proposed retail unit. With regard to the potential impact on the vitality and viability of the nearby town centres the report identifies that the proposed retail use would not materially divert trade from adjacent town centres. Officers have carefully reviewed the evidence submitted by the applicant and reviewed the retail context in the area. Following this review, officers consider that there is no evidence that there are any existing suitable alternative sites in town centre or edge of centre locations for the size of the retail space proposed in the application. It is considered that due to the location of town centres in the area with supermarkets, and a supermarket in the vicinity to the east, the potential impact of the draw of trade is low and therefore a retail use in this area would not materially harm the vitality of the adjacent town centres. Therefore it is considered that the retail use would comply with Saved Policies SHO1 and SHO6.

- 6.5 In support of the application the applicant has submitted a Socio-Economic benefits statement and a masterplan statement for the site along with several letters of support from business park providers. The applicant identifies that the business park surrounding the application site has been in decline for many years with a vacancy rate of approximately 53% and that there are no facilities on the site for users. The applicant considers that the proposed mix of uses hotel and retail would assist in the park being more modern and assist in attracting other users to the estate and wider area. The applicant has revised the scheme during the course of the application and the proposal now includes a B8 use over the proposed retail unit. The proposal would now provide an additional 413 sq. metres of B1- B8 use over what currently exists and provide 7804 sq. metres in hotel use and 1862 sq. metres A1 use.
- 6.6 It is therefore considered that there is a balancing of the merits of ensuring that land is available for employment uses in accordance with the existing and future local plans and the NPPF, and the merits of non-employment floorspace to the borough, which themselves will provide employment, and would support the commercial businesses in the wider area, which itself is a benefit and can be accorded weight. It is therefore considered that on balance the mix of uses proposed would comply with the NPPF and the existing and proposed development plans in this respect.
- 6.7 In relation to the disposition of land uses and design and appearance of the buildings, it is considered that the scale, siting and appearance of the buildings would be consistent with the location of the site within a mixed commercial area with large office and industrial buildings in the immediate vicinity. There is a new office building and multi storey car park under construction opposite the site which has an approved maximum height of 25 metres with the car park having a height of 16.5 metres. (RU.15/1933). The hotel building in parcel A1 (outline only) is expected to be in the order of 30 metres high (including plant) which would be consistent with the overall character of the surrounding buildings, however, a taller building would be likely to be overly prominent, and therefore it is considered necessary to impose a condition restricting the maximum height of the hotel building to 30 metres. The other buildings range from 10m - 21 metres which are consistent with other buildings in the area and are commonly found in commercial areas. The applicant has explained in the detailed Design and Access Statement, that there would be consistent architectural features and materials used throughout the development and consistency of public realm, which will enhance the campus appearance of the development, further enhancing and regenerating this part of the Strategic Employment Area. There would be a large area of surface parking to serve the retail unit but surface parking is a feature of the existing area. Landscaping is proposed along Lovett Road and with small pocket amenity areas and sitting out areas proposed within other parts of the site to provide a setting for the buildings. Details of the landscaping and planting including species and size of planting have not been submitted and further details can be secured by conditions. The Council's Tree Officer raises no objection to the application. A phasing condition is also considered necessary to ensure that the landscaping and biodiversity enhancements are implemented throughout the scheme. It is considered that given the varied commercial character and appearance of the surrounding area and the varied heights of existing and approved properties the proposal would maintain and enhance the character and appearance of the area and would comply with Saved Policies BE2 and NE15.
- 6.8 The closest neighbouring residential properties are located to the south, the other side of the railway line. The proposal includes a multi storey car park and single storey commercial units and a servicing bay adjacent to the boundary with the railway line. The multi storey car park would have a 'living wall' on the southern elevation which would be solid to prevent any light spillage from the car park and soften the appearance of the building. The rear of the commercial units in plot B would also include green living wall panels and planting is proposed along the rear boundary. An acoustic barrier fence is proposed along the southern elevation to the service yard for Plot C which would have a height of 3 metres. This would avoid noise spillage from activities and traffic movements within the service areas and business units. The applicant has submitted a noise

assessment, which states that there would be further equipment at the site which could generate noise and that silencers for the units are proposed. Details of the ventilation and any air conditioning units have not been submitted, and therefore a condition requiring details to be submitted prior to the occupation of the units is recommended in order that the amenities of residential properties are not disturbed. The submitted lighting plan for the application also shows no light spillage to the garden areas of the properties to the south of the site. The parking and service area for the retail store (Building C) is to the front of the building and is therefore at some distance from the residential properties to the south and it is considered that no conditions are necessary seeking to control hours of opening or hours of delivery. There would be a small parking and servicing area behind the building for the B8 use above the retail store, but it is considered that the use of this would not be materially harmful to residential amenities given the existing commercial uses in the area, and given the separation by the railway. It is considered that by nature of the boundary treatments, separation distance and design of the buildings closest to the southern boundary the proposal would not materially harm the amenities of the occupiers of the adjacent neighbouring properties from overlooking, overbearing or being un-neighbourly. The proposal is therefore considered to comply with Saved Policy LE4 of the Local Plan and NPPF in this aspect.

- 6.9 In respect of the outline application for the hotel in plot A, access is being requested for determination with this application, as well as full details of access for all the other elements of the scheme. A Transport Assessment has been submitted with the application which considers the differences being the existing and proposed uses at the site in terms of accessibility and the impact the proposal would have on traffic generation, parking and impact on surrounding highways and injunctions. The main elements arising from the report are as follows:
 - The plots would be accessed from Lovett Road which will benefit from two onward connections to the public highway once the consented connection to the A308/Woodhaw Roundabout is delivered. (Works to this have commenced)
 - Lovett Road is restricted to 10 MPH and double yellow lines run along the length of Lovett Road
 - Works to the Runnymede Roundabout to improve efficiency of vehicle flows and safety for pedestrians have been carried out.
 - There are bus stops along the A308 which is a 5 minute walk from the site. Buses stop here every 90 minutes
 - Egham Railway Station is approximately 1.2km from the site with Staines 3kms from the site
 - The Causeway (A308) has pavements alongside the road
 - National Cycle Route 4 runs along The Causeway
 - The proposal would be serviced from Lovett Road
 - The proposal would provide 429 parking spaces in plot A (364 in mscp and 65 surface spaces), 63 spaces for Plot B, 132 spaces for the A1 unit and 20 spaces for the B8 unit, and 10 on plot D. These would include vehicle charging spaces 26 for plot A, 9 for plot B, 12 for the A1 unit and 2 for B8 use.
 - The 364 spaces in the multi-storey car park would comprised 185 for the hotel, 45 for plot B, 30 for plot D and 104 for other users.
 - The proposed use would result in the reduction of trips to the site during morning peak hour, but would result in a limited increase of trips in the evening peak hours. (peak hours being 08.00-09.00 and 17.00 18.00)
 - The limited increase in traffic would not affect the local network.
- 6.10 The site would result in limited increase in traffic movements at the site. The County Highways Authority notes that weekend trips to the site would be higher with the A1 unit and hotel use and trips to these uses will be spread throughout the day. The site will be accessed from Lovett Road which is a private road and links to the public Highway at The Causeway and the new southern arm of the Woodhaw roundabout. It is considered that access to the development would eb from the two main junctions and it is not considered that the proposed use would unduly impact on these junctions. In addition, the spread of potential peak flows to the site would reduce the pressure on junctions during peak hours. The County Highways Authority raise no objection to the application and raise no objection to the details of the access to each of the parcels of the development. The site is close to the M25 junction and Highways England have been consulted on the potential impact on the Strategic Road Network. Highways England raise no objection as it is considered that the proposal would reduce pressure on the strategic road network in peak hours. In terms of parking, the updated Transport Assessment details all the parking provision. 132 parking spaces for the retail unit and 250 for the hotel would be consistent with the Council's current adopted standards for supermarkets. The multi-storey car park would provide spaces for users of the

commercial buildings in plots B and D but would also provide additional parking for the neighbouring existing offices which the Transport Assessment considers is under provided with parking. There are no objections from either Highways England or the County Highway Authority for this additional parking over and above that required to support the uses proposed in the application. Overall, it is considered that the parking proposals are compliant with policies and are sufficient to support the existing and proposed land uses without harm to the capacity of the network nor causing inconvenience to existing road users. However, this is another reason to require a phasing condition so that efficient provision of parking in tandem with development parcels is achieved. Electric charging points are also proposed. The site is in a sustainable location close to public transport and cycling links, and the applicant has submitted a Travel Plan to encourage sustainable travel to and from the site. The County Highway Authority considers this acceptable and has requested a condition, in addition to other conditions requiring Construction Transport Management Plan and electric charging. The proposal is therefore considered would comply with saved Policies, MV4, MV5 and MV9 and the NPPF.

- 6.11 The site is not within an area of Archaeological potential, nor are there any listed buildings on the site; the site is not within a Conservation Area. The site does however lie close to an area of High Archaeological potential to the north of the site along The Causeway. Special regard has to be given to the protection of heritage assets. The submitted Archaeology Assessment outlines that the site has been disturbed in the past, by previous development and it is unlikely that there are any remains of national significance at the site, but there may be Archaeological potential for Neolithic, Bronze Age, Iron Age, Roman, Anglo Saxon and Medieval periods on the site. The report recommends that trial trenches be dug, and further works would be dependent upon results of the evaluation. The County Archaeology unit raises no objection to the application, but does recommend a condition regarding the implementation of a programme of archaeology work prior to the commencement of development of the site. The proposal therefore complies with Saved Policy BE17.
- 6.12 The site is located partially within the High-Risk Flood Zone 3a and within the medium risk flood zone (flood zone 2). The National Planning Practice Guidance states that Hotel use is a more vulnerable use which is appropriate in flood zone 2. Commercial uses are appropriate in flood zone 3a and floor zone 2. Lovett Road which would be used to access the sites is within flood zone 3a. The applicant has submitted a flood risk assessment (FRA) which refers to finished floor levels for buildings being set above the 1 in 100 + 35% flood level pervious pavements, under cellular storage and Swales have been incorporated in the landscape design to ensure water storage and infiltration. The Environment Agency originally raised objection on the grounds that the submitted FRA did not satisfy their requires. The applicant has been considering the EA requirements and have submitted an updated FRA which the EA have considered. On this basis, the Environment Agency now raise no objection to the application subject to condition regarding height of finished floor levels and provision of compensatory flood storage. The Lead Local Flood Authority (SCC) raise no objection to the application subject to compliance with conditions regarding surface water drainage system to be submitted and a verification report regarding the implementation of a Sustainable Urban Drainage System. The proposal therefore complies with Saved Policies SV2 and SV2a and the NPPF.
- 6.13 The applicant has submitted an Environmental reports for the three plots where development would be carried out and potential contaminants are identified and measures which can be undertaken to remedy the site to facilitate the building works. The Council's Contaminated Land Officer raises no objection subject to measures being carried as per a remediation scheme and submission of information about any unexpected contamination.
- 6.14 The applicant has submitted a preliminary Ecology Appraisal in support of the application. This outlines that the site has negligible potential for roosting bats, badgers, great crested newts, low potential for foraging bats, dormice, water voles and reptiles and medium potential for breeding birds. The report does note that the proposal has opportunities to enhance the habitat by the provision of bird and bat boxes and planting. The Surrey Wildlife Trust support the habitat enhancements and recommend that biodiversity enhancements are achieved. A condition can be imposed to secure this. The application therefore complies with the NPPF in this respect.
- 6.15 The applicant proposes photovoltaic panels to be installed on the roofs of the buildings in Plot B and Plot C and a heat recovery system also proposed for the retail building in Plot C. These measures would comply with Policy SD9 of the Runnymede 2030 plan in providing at least 10% of the energy requirement of the building to be from renewable technology. A condition can secure

this. The hotel element is in outline and therefore renewable energy will be considered at the time of the reserved matters.

6.16 The site abuts the railway line to the south and informatives are recommended advising that the applicant liaise with Network Rail prior to commencing work at the site. In addition, there are also gas pipelines close to the site and the applicant should liaise with Cadent pipelines prior to commencing construction works at the site. Both utility companies were notified of the application and raised no objection.

7. <u>Conclusion</u>

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 redevelopment would provide a mixed range of land uses within a Strategic Employment area. There are matters which weigh against the application which are the take up of land by non-employment uses, however, taking the whole proposal into account, officers consider that overall the merits of the scheme outweigh the harms and that the proposal would support economic growth in the borough in accordance with the aims of the NPPF and the existing and emerging local plans. The County Highway Authority and Highways England are satisfied that the development would not harm highway capacity or safety and sufficient parking is proposed to support the uses. The development would enhance the character of the area, and would maintain the residential amenities of the occupiers of adjacent neighbouring properties to the south of the site. All the technical matters can be dealt with by condition. The development has been assessed against the following Development Plan policies - saved Policies LE1, LE4, SHO1, SHO6, MV3, MV4, MV5, MV8, MV9, MV11, NE14, NE15, BE2, BE17, BE25, SV2_SV2A of the Runnymede Borough Local Plan Second Alteration April 2001, Relevant policies in the Runnymede 2030 Local Plan submission document 2018: IE2, IE3, IE4, the policies of the NPPF, guidance in the PPG, Policies 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 Outline application (standard time limit)

Approval of the details of the appearance, layout and scale of the building(s) and the landscaping of the site (plot A.1) (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any works relating to the outline permission is commenced, and shall be carried out as approved.

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

3 Outline application (reserved matters standard time limit)

a. Application for approval of the reserved matters referred to in Condition 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

b. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the reserved matters to be approved, whichever is the later.

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

4 Phasing

No development shall take place (excluding enabling works, site clearance and preparation works) until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable scheme and to comply with saved Policies BE2, NE15 and MV9 of the Runnymede Borough Local Plan Second Alteration 2001.

5 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans Flood Risk Assessment126/22/R100 Revision 5.1 dated March 2020, Floodplain Contours & Areas Plan (project No. 12622 drawing number 113 March 2020, PL 006 Rev C. Design and Access Statement revision 7. received 9 March 2020. PL 005 rev C. received 18 February 2020, PL 030 Rev B, Energy Statement Issue 2 - Industrial Units, PL 031 rev B, Retail and Self storage unit Energy Statement Issue 2, Noise Impact Assessment DP502/18416/rev.2, transport addendum 184087/10 PL 006 rev A, External Lighting Proposals Issue 2, Daylight and sunlight update, received 21 October 2019, Causeway Masterplan Executive Summary, , Retail Accessibility Review Hotel Sequential Assessment, , Statement of Community Involvement 27 March 2019, Preliminary Environmental Risk Assessment Plot A, Plot B, Plot C, received 25 March 2019, Archaeological Desk-Based Assessment, Preliminary Ecological Appraisal, Geo-Environmental Report Plot A, Plot B and Plot C, Transport Assessment, Remediation Method Statement Plot A, Plot B, Plot C, Planning Statement, Arboricultural Impact Assessment, Socio-Economic Benefit Statement, Framework Travel Plan, Daylight and Sunlight Study (neighbouring properties) Air Quality Assessment, Drawings: PL 001, PL 003, PL 004, PL 009, PL 011, PL 012, PL 12 001 Rev *, PL 12 002 rev *, PL 12 003 Rev *, PL 12_004 Rev *, PL_005 Rev *, PL 12_006 rev *, PL 020, PL 023, PL 024, PL 025, PL 027, PL 040, PL 041, 1260-01 Rev A, received 15 March 2019

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

6 External materials (samples required)

Before the above ground construction of the relevant Phase of 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.

7 Construction Management Plan

No development shall commence on the relevant Phase of development until a Construction Management Plan for that Phase of development, 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) vehicle routing

(h) measures to prevent the deposit of materials on the highway

(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

(j) on-site turning for construction vehicles

(k) Details of how the existing drainage systems will be protected during construction

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

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Promoting Sustainable Transport in the NPPF and to comply with Saved Policies MV4, MV5 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001.

8

Prior to occupation of the relevant phase of development or first opening for trading shall not take place unless and until a space has been laid out within the relevant phase of development and in accordance with the approved plan for vehicles and cycles to be parked and for the loading and unloading of number vehicles and for vehicles to turn so that they may enter and leave the sites in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes. All cycle parking should be covered secure and lit.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Promoting Sustainable Transport in the NPPF and to comply with Saved Policies MV4, MV5 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001.

9 Prior to the occupation of the relevant Phase of development, a Travel Plan for that relevant phase of the development shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Framework Travel Plan, dated February 2019' document. And then the approved Travel Plan shall be implemented on occupation, and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority. Reason:

In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Promoting Sustainable Transport in the NPPF and to comply with Saved Policies MV4, MV5 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001.

10 No part of the development hereby approved shall be occupied unless and until a plan showing the location of the 22 double EVCP spaces have been submitted and approved by the Local Planning Authority. These should be provided with fast charge sockets (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Promoting Sustainable Transport in the NPPF and to comply with Saved Policies MV4, MV5 and MV9 of the Runnymede Borough Local Plan Second Alteration April 2001.

11 Renewable energy (as approved)

The development hereby permitted within parcels B (excepting B7) and C shall be built in accordance with the approved renewable energy/low carbon statements (both issue 2) dated 17 October 2019 and thereafter retained, maintained and operational for the lifetime of the development.

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources and/or low carbon technologies and to comply with Policy SD9 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

12 Programme of archaeological work

No works below current ground levels on the relevant Phase of development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To allow archaeological information to be recorded and to comply with saved Policy BE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

13 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 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.

14 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.

15 Landscape maintenance schedule

Prior to occupation of the relevant Phase of development, a schedule of landscape maintenance for a minimum period of 3 years for the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To enhance the appearance of the surrounding area and to comply with saved Policy NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

16 SUDS

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the 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) The results of further infiltration testing completed in the location of proposed soakaways and in accordance with BRE Digest: 365 and confirmation that groundwater levels are a minimum of 1m from the base of any soakaway.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

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.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) 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.

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

17 Prior to the first occupation of the relevant Phase of development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority for that phase of development. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

18 The proposed acoustic barrier fence as indicated on the PL 005 Rev C shall be retained and maintained in perpetuity.

Reason To ensure the amenities of the occupiers of the adjacent neighbouring properties are maintained and to comply with Saved Policy LE4 of the Runnymede Borough Local Plan Second Alteration April 2001.

19 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.

20 Tree planting

Details and plans of new trees to be planted shall be carried in accordance with the approved plans (Ref: PL_12_001 Rev. A; PL_12_002 Rev. A; PL_12_004 Rev. A;) prior to occupation of each phase of the development hereby permitted and these works shall be carried out as approved within 6 months of occupation of each phase of the development. Once planted, photographic evidence of the new trees shall be submitted to the LPA for approval.

Any new trees, or any replacement trees planted as a requirement of the conditions herein, which before the expiration of five years from the date of completion of the development, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable

with others of suitable size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To mitigate the loss of tree cover, to protect and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with and saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

21 Tree replacement

If within a period of five years from the date of the planting of any tree, shrub or plant, that tree, shrub or plant or any tree, shrub or plant planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted, shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect 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.

22 Tree protection

Prior to the commencement of any works on the relevant Phase of development 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 Arboricultural Impact Assessment and Tree Protection Plan 1260-01 Rev A.

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.

23 Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the relevant Phase of development hereby approved, details including acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority for that Phase of Development. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: To protect the amenities of the adjoining neighbouring premises and to comply with Saved Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001 and policies within the NPPF.

24 The external lighting along the Southern boundary of the site as detailed in the External Lighting Proposals Issue 2 Planning shall be switched off by no later than 22:30 Monday to Saturday and 19:30 on a Sunday and Bank Holidays.

Reason: To protect the residential amenities of the neighbouring properties from light pollution and to comply with Saved Policy LE1 of the Runnymede Borough Local Plan Second Alteration April 2001 and policy in the NPPF.

25 Land Affected by Potential Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence for each relevant Phase of development until Conditions (i) to (iv) or otherwise agreed remedial measures have been complied with for that phase of Development. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until Condition (iv) has been complied with in relation to that contamination.

(i) Site Characterisation - information received

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- ground waters and surface waters
- ecological systems
- archaeological sites and ancient monuments
 - (ii) Submission of Remediation Scheme Information submitted

If found to be required for a Phase of Development, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal and remedial options, proposal of the preferred option(s), a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works.

Upon completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be submitted for that Phase of Development to the local planning authority.

(iv) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of Condition (i) or otherwise agreed and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition (ii) in the form of a Remediation Strategy which follows the .gov.uk LCRM approach. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation (verification) plan and report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition (iii)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF.

26 The development shall be carried out in accordance with the submitted Flood Risk Assessment Rev 5.1 March 2020 and the following mitigation measures it details including:

" Finished floor levels shall be set no lower than 16.12 metres above Ordnance Datum (AOD)

Compensatory storage shall be provided in accordance with the Flood Plain Contours and Areas plan - 1 in 100 year storm + 35% CC project no. 12622 drawing number 113 dated March 2020

These measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that there are no detrimental impacts to flood storage and to reduce the risk of flooding and to comply with Saved Policy SV2 of the Runnymede Borough Local Plan and policies within the NPPF.

The proposed hotel building shall not exceed a maximum of 30 metres including plant area as specified in the submitted Design and Access Statement.
 Reason: In order to retain the visual amenities of the street scene and the character of the area and to comply with Saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration April 2001.

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 Land Ownership The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
- 3 Party Wall Act 1996

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

4 Advertisement Control

The applicant is advised that advertisement consent may be required for any new signs on the property.

5 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.

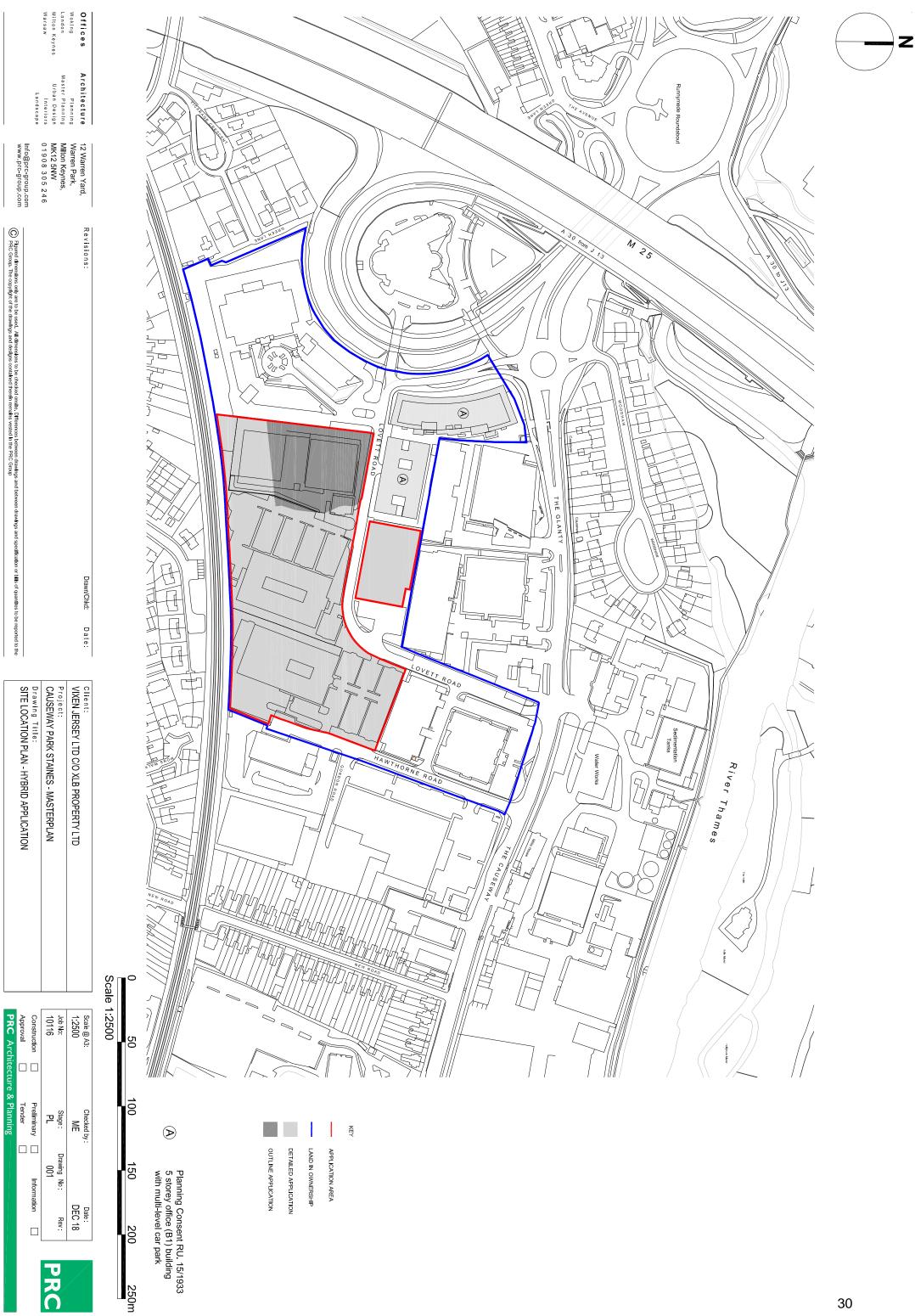
Further information is available from the Council's Environmental Health Department.

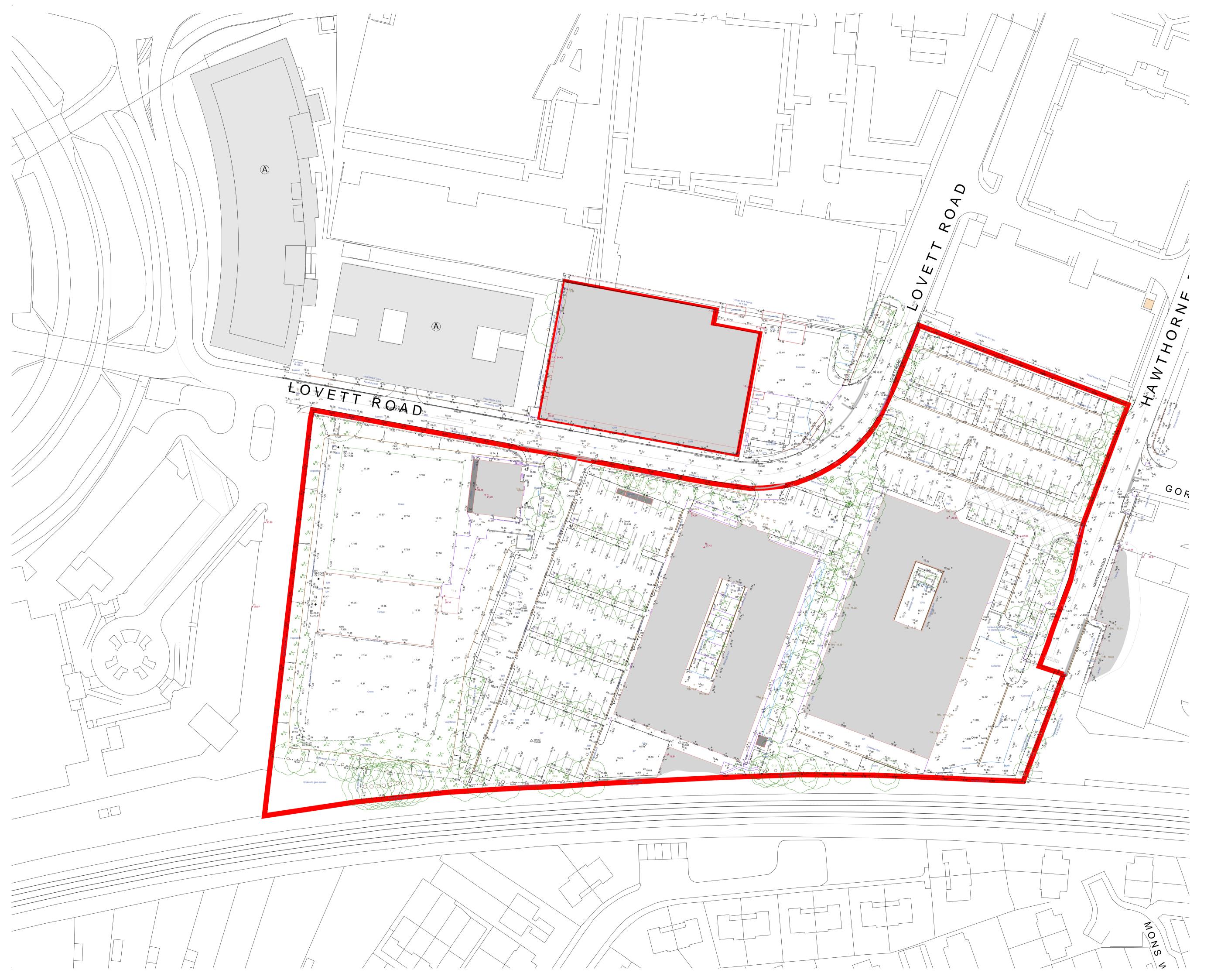
6 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

- 7 SCC Informative Monitoring Survey TRICS The Developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey must conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- 8 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).
- 9 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.



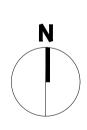


Figured dimensions only are to be used. All dimensions to be checked onsite. Differences between drawings and between drawings and specification or bills of quantites to be reported to the PRC Group.

C The copyright of the drawings and designs contained therein remains vested in the PRC Group

Revisions: Drawn/Chkd: Date:

A Planning Consent RU. 15/1933 5 storey office (B1) building with multi-level car park



Client: VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Project: CAUSEWAY PARK STAINES MASTERPLAN

Drawing Title: EXISTING SITE PLAN

Scale @ A1: Checked by Date 1:500 **DEC 18** MF _____ Job No: Stage: Drawing No: Rev: 10116 PL 009 Issue Status: Construction Preliminary Information Approval Tender

PRC Architecture & Planning



12 Warren Yard, Warren Park, Milton Keynes, MK12 5NW 01908 305 246

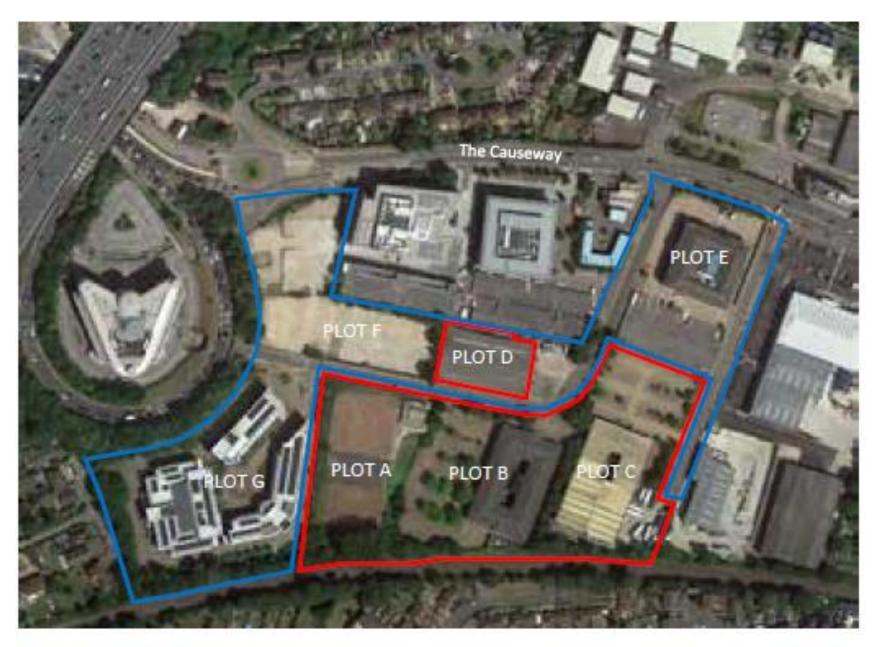
info@prc-group.com www.prc-group.com

Architecture Planning

Master Planning Urban Design Interiors Landscape

Offices

Woking London Milton Keynes Warsaw



PLOT REFERENCE PLAN



Plot A

Causeway Park ==

Proposed: Plot A1 Outline application for employment generating C1 use floor space with ancillary bar & restaurant, up to a maximum of 30m in height (including roof top plant) and a maximum of 160 beds.

Plot A2 Multi storey car park providing 364 car parking spaces. 185 spaces for hotel use and 179 provided to address the shortfall in parking for the adjacent British Gas building.

Proposed: Approximately 4,023.3m² GEA of flexible employment floor space for B1(b), B1(c), B2 & BB use classes

Plot C

Proposed:

1,862m2 GEA of employment generating floor space for an A1 use class (Aldi store), With 7,102m¹ GEA B8 employment space above.

Plot D

Proposed: External refurbishment of existing Celsur building 2,857m² GIA

Plot F

Proposed:

Implementation of the existing planning consent RU.15/1933 for 13,330m² of B1 use floor space and new link road

8.1 Proposed

masterplan

MASTERPLAN

27.



Figured dimensions only are to be used. All dimensions to be checked onsite. Differences between drawings and between drawings and specification or bills of quantites to be reported to the PRC Group.

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Revisions:	Drawn/Chkd:	Date:
A. Self storage added Unit B7 omitted	RM	Sep 19
B. Cycle shelter added	ME	Sep 19

VS Feb 20

PLOT A

Site area 2.18 acres / 0.88 hectares

A1. Proposed 160 bed hotel 1.18 acres / 0.48 hectares

The propsoed hotel is submitted in outline only, the layout for Plot A1 is shown for illustrative purposes only.

A2. Proposed multi storey car park 1.00 acres / 0.40 hectares

Total car parking provision 429 on plot, consisting of 65 open spaces and 364 in the multi storey, including 26no. electric charging spaces and 24no. cycle parking spaces.

Hotel requires 250 car parking spaces including 12 accessible spaces (65 open car parking spaces and 185 in the multi storey car park totaling 250 spaces).

179 car parking spaces provided in MSCP for British Gas

PLOT B

Proposed B1(b), B1(c), B2 and B8 use buildings

1.85 acres / 0.75 hectares Site area

GEA			
UNIT	GF m ²	FF m ²	Total
B1.	278	54	332
B2.	263	-	263
B3.	256	-	256
B4.	527.7	99.3	627
B5.	645.6	119.3	764.9
B6.	769.3	144.1	913.4
B7.	=	<u></u>	-
B8.	326	63	389
B9.	401	77	478
TOTAL			4,023.3 m ²

Parking provision:

63 car parking spaces (2.5mx5m) provided including 9no. accessible car parking spaces and 9no. electric charging spaces (two vehicles per post). 16 no. cycle parking spaces provided based on min 1 per 500m²

PLOT C

Site area	2.35 acres / 0.95 hectares		
Food retail store:			
Gross external are	a 1,862m²		
Gross internal area	a 1,784m²		
Sales floor area	1,314.5m ²		

Based on Aldi standard store type with 1,314.5m² sales floor area

Parking provision: 132 car parking spaces (2.5mx5m) provided including 8no. accessible car parking spaces (6%), 11no. parent and child spaces and 12no electric charging spaces.

8 no. cycle parking spaces provided based on min 1 per 500m²

B8 unit: Gross external area 7,102m² Gross internal area 6,764m²

Parking provision: 20 car parking spaces (2.5mx5m) provided including 1no. accessible car parking spaces (5%), 16 no. cycle parking spaces provided 2no. double electric charging spaces

PLOT D

Site area 0.61 acres / 0.25 hectares

Existing industrial building to be refurbished approx; GIA 2,857m² GEA 2,946m²

Demolition of single storey side extension, circa 185m².

APPLICATION TYPE:

Hybrid planning application

Outline planning application: plot A1 Full detailed planning application: plot A2, B, C, D

KEY

C. Acoustic fence altered

—	APPLICATION AREA			
_	LAND IN OWNERSHIP			
	2.4m BLACK WELDMESH FENCE WITH MATCHING GATES			
	ACOUSTIC FENCE 2M HIGH			
	ACOUSTIC FENCE 3M HIGH			
1111	CYCLE SHELTER WITH PARKING FOR 8 CYCLES			
EV•	ELECTRIC VEHICLE CHARGING POINT (TWO VEHICLES PER POST)			
В٠	BOLLARDS			
	SOFT LANDSCAPE			
	GRASSCRETE			
	BLOCK PAVING (VEHICULAR AND PEDESTRIAN)			
	TARMACADAM SURFACING			
	CONCRETE SERVICE YARD			
	WELL CONSOLIDATED GRAVEL (SILVER)			
-	GREEN WALL			
0	TREES			
	AMENITY SPACE			
\ge	NEW SUB - STATION			
DK	DROPPED KERB			
	NEW LINK ROAD IMPLEMENTED UNDER PLANNING CONSENT RU.15/1933			
	PROPOSED HOTEL			
	PROPOSED MULTI STOREY CAR PARK			
	PROPOSED FLEXIBLE EMPLOYMENT SPACE			
	EXTERNAL REFURBISHMENT			
	PROPOSED FOOD RETAIL STORE AND SELF STORAGE ABOVE			

OUTLINE APPLICATION AREA LAYOUT SHOWN FOR ILLUSTRATIVE PURPOSES ONLY, DOES NOT FORM PART OF THE APPROVED DRAWING

Client: VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Project: CAUSEWAY PARK STAINES MASTERPLAN

Drawing Title: SITE PLAN

Scale @ A1:

1:1000

Job No: 10116

Issue Status:

Tender

Checked	w		ate :	Architecture Planning Master Planning
ME		DEC 18		Urban Design Interiors
	Drawing 005	No :	Rev: C	Landscape

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MK12 5NW

PRC Architecture & Planning

Construction 🗌 Preliminary 🗌

Information 🗌 Approval 🗌



APPLICATION

INDICATIVE ARRIAL VEW OF THE DEVELOPMENT

9.0 Proposal image



35 ^{30.}



INDICATIVE EASTERN ELEVATION



Note:

These are illustrative drawings to indicate the likely scale and design of a hotel building that, fits within the parameter plans. They do not form application drawings for approval.

INDICATIVE NORTHERN ELEVATION



INDICATIVE WESTERN ELEVATION

Note:

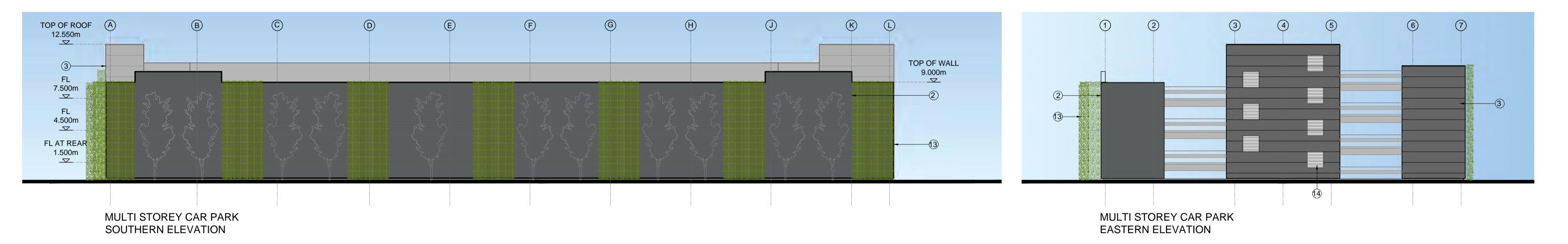
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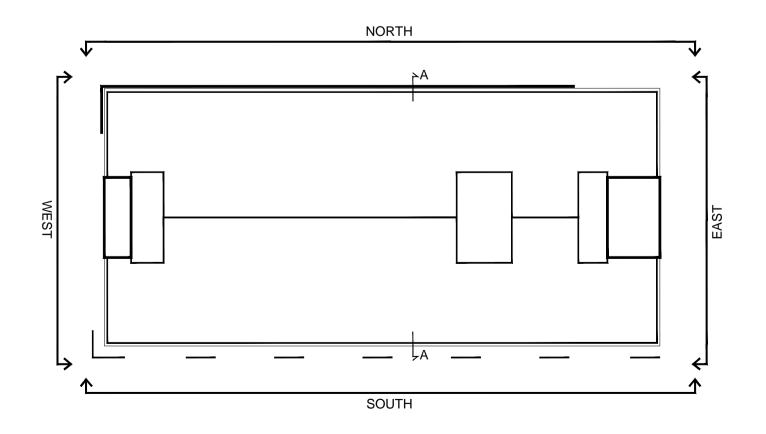


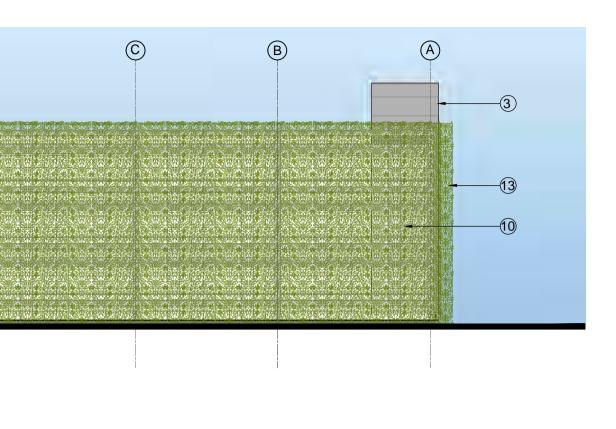
INDICATIVE SOUTHERN ELEVATION

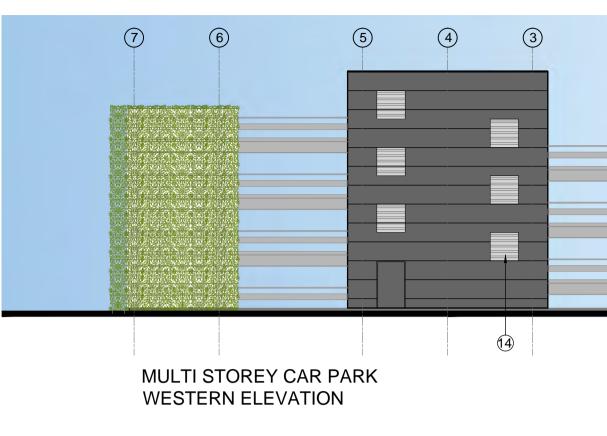


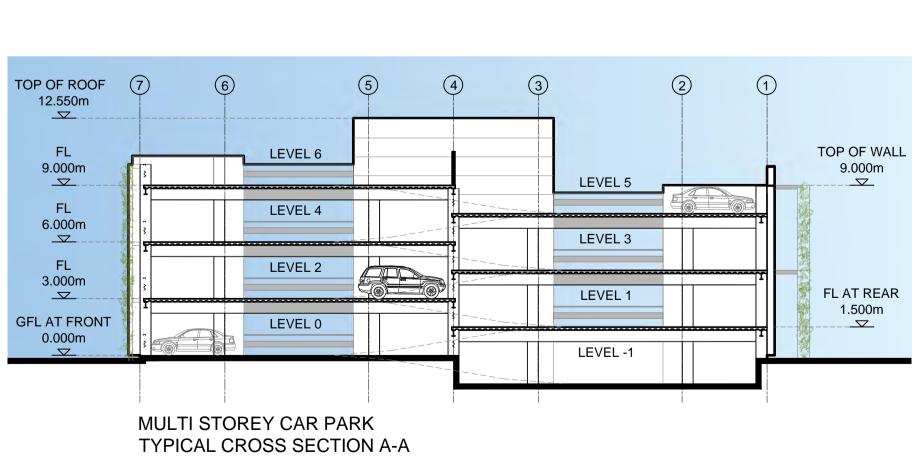
TOP OF ROOF 12.550m 		K	J	H) (G (F) (I	D
TOP OF WALL 10.550m FL 6.000m 	P A R K J N G						
MUI		EY CAR PARK					
		ELEVATION					

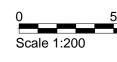












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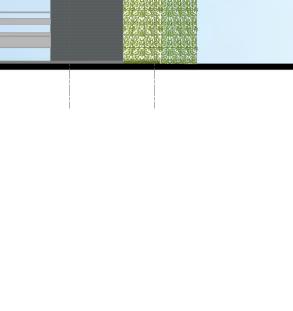
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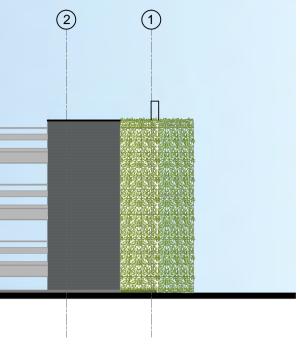
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Client: VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Project:

MASTERPLAN

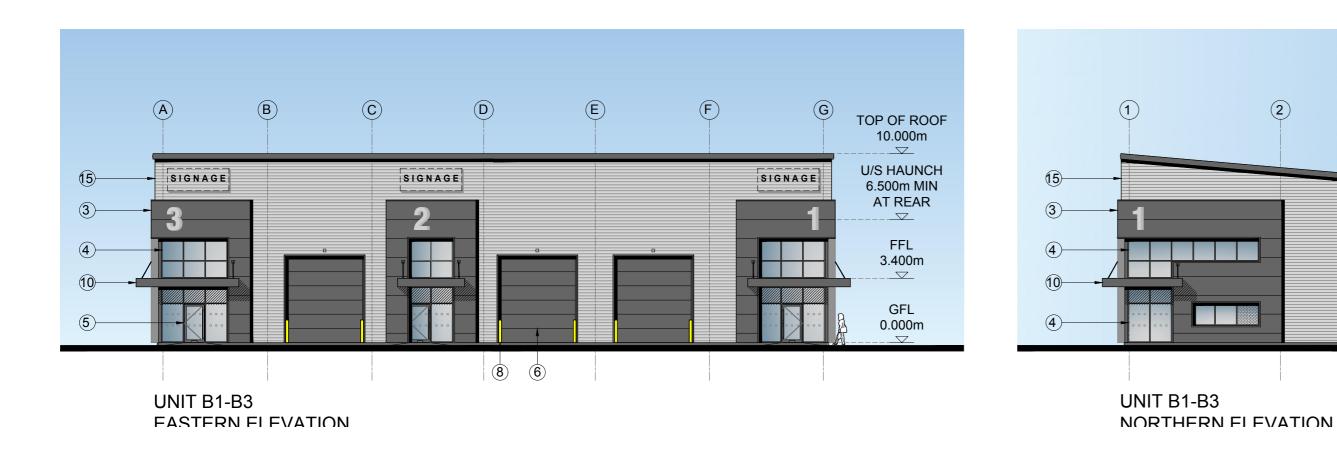
CAUSEWAY PARK STAINES

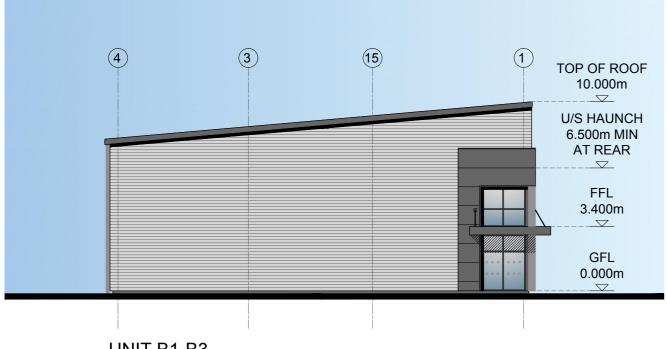
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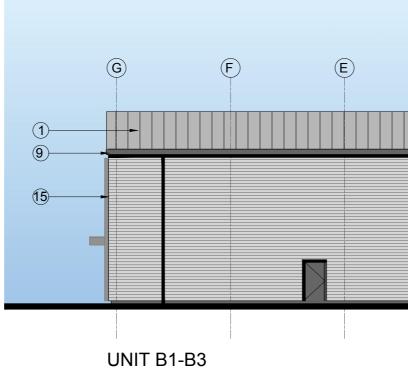
- (14) LOUVRED PANEL
- (3) GREEN WALL
- (12) UNIT NUMERAL
- (1) SIGNAGE ZONE
- 10 ALUMINIUM FRAMED CANOPY
- (YELLOW) (9) ALUMINIUM RAINWATER GOODS (ANTHRACITE)
- 8 STEEL BOLLARD
- (7) STEEL PERSONNEL DOORS (ANTHRACITE)
- (6) LOADING DOORS (ANTHRACITE)
- 5 ALUMINUM FRAMED ENTRANCE DOORS (ANTHRACITE)
- (4) ALUMINUM FRAMED WINDOWS (ANTHRACITE)
- ③ MICRO-RIB CLADDING (ANTHRACITE)
- (2) HORIZONTAL PROFILED CLADDING (SLATE GREY)
- 1 PROFILED ROOF CLADDING (GOOSEWING GREY)
- MATERIALS KEY:

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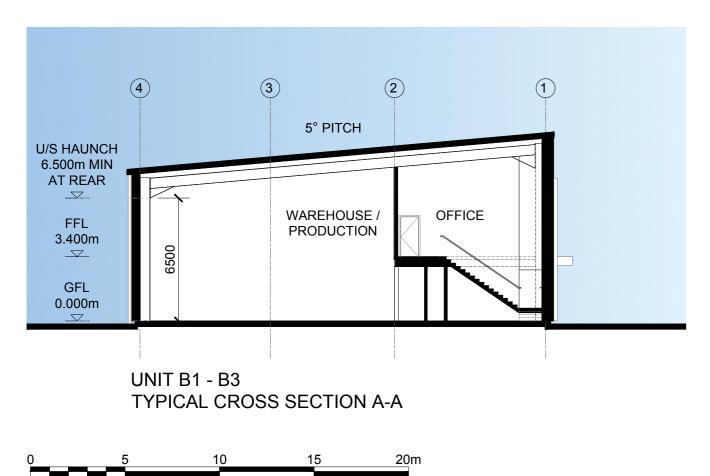
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UNIT B1-B3 SOUTHERN ELEVATION



WESTERN ELEVATION

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Revisions:

MATERIALS KEY:

- 1 PROFILED ROOF CLADDING (GOOSEWING GREY)
- 2 HORIZONTAL PROFILED CLADDING (SLATE GREY)
- MICRO-RIB CLADDING 3 (ANTHRACITE)
- 4 ALUMINUM FRAMED WINDOWS (ANTHRACITE)
- (5) ALUMINUM FRAMED ENTRANCE DOORS (ANTHRACITE)
- 6 LOADING DOORS (ANTHRACITE)
- 7 STEEL PERSONNEL DOORS (ANTHRACITE)
- 8 STEEL BOLLARD (YELLOW)
- 9 ALUMINIUM RAINWATER GOODS (ANTHRACITE)
- 10 ALUMINIUM FRAMED CANOPY
- 11 SIGNAGE ZONE
- 12 UNIT NUMERAL
- 13 GREEN WALL
- 14 LOUVRED PANEL
- 15 HORIZONTAL PROFILED CLADDING (SILVER)





Project: CAUSEWAY PARK STAINES MASTERPLAN

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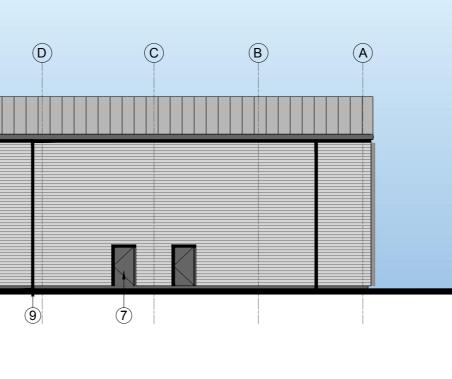
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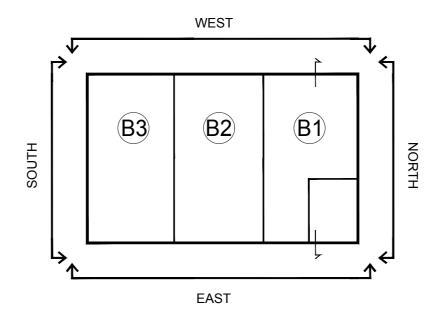
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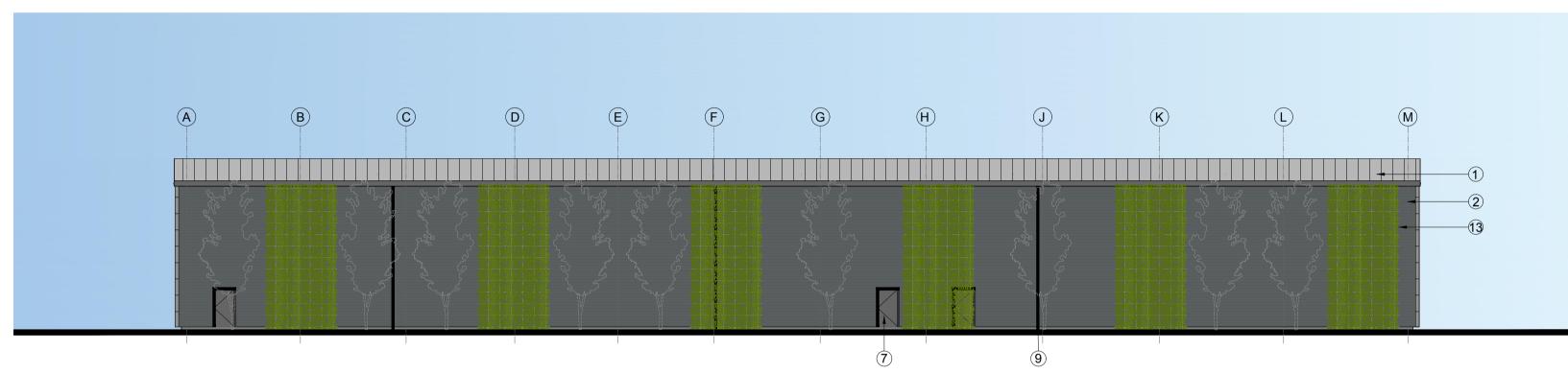
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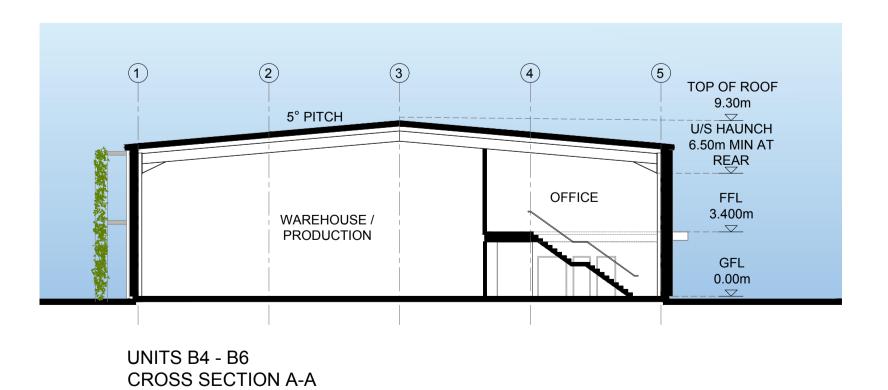
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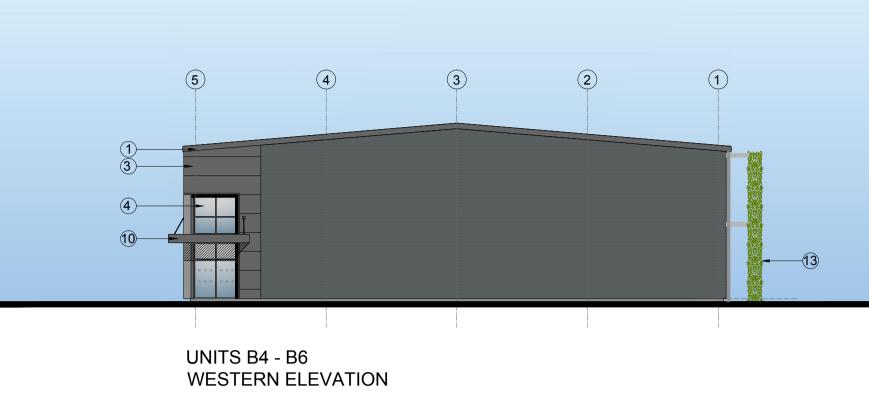


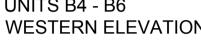
UNITS B4 - B6 NORTHERN ELEVATION

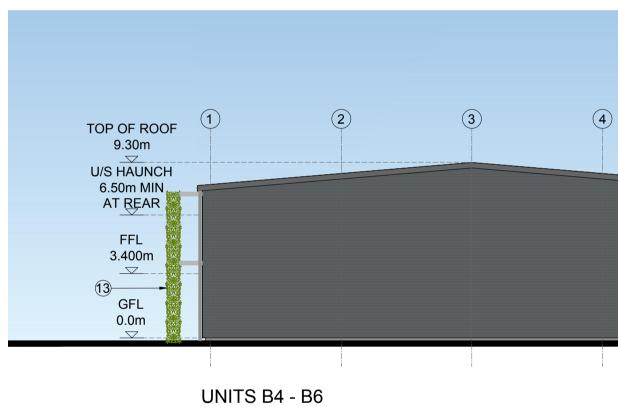


UNITS B4 - B6 SOUTHERN ELEVATION

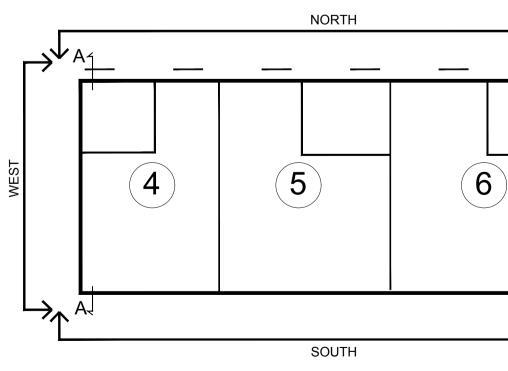












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Drawing Title: UNITS B4 - B6

Project: CAUSEWAY PARK STAINES MASTERPLAN

VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Client:





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- (5) HORIZONTAL PROFILED CLADDING (SILVER)
- (4) LOUVRED PANEL
- (3) GREEN WALL
- (1) SIGNAGE ZONE 12 UNIT NUMERAL
- 10 ALUMINIUM FRAMED CANOPY
- (9) ALUMINIUM RAINWATER GOODS (ANTHRACITE)
- 8 STEEL BOLLARD (YELLOW)
- (7) STEEL PERSONNEL DOORS (ANTHRACITE)
- 6 LOADING DOORS (ANTHRACITE)
- 5 ALUMINUM FRAMED ENTRANCE DOORS (ANTHRACITE)
- (4) ALUMINUM FRAMED WINDOWS (ANTHRACITE)
- ③ MICRO-RIB CLADDING (ANTHRACITE)

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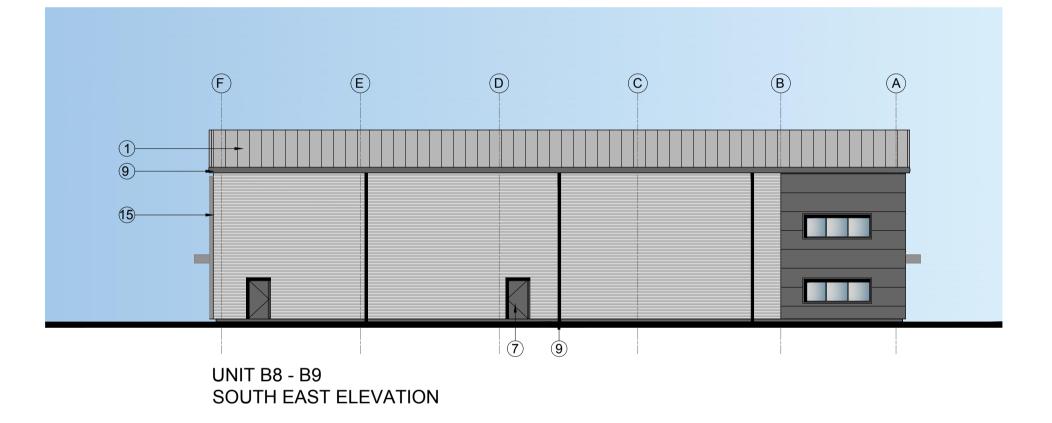
- (2) HORIZONTAL PROFILED CLADDING (SLATE GREY)
- PROFILED ROOF CLADDING (GOOSEWING GREY)

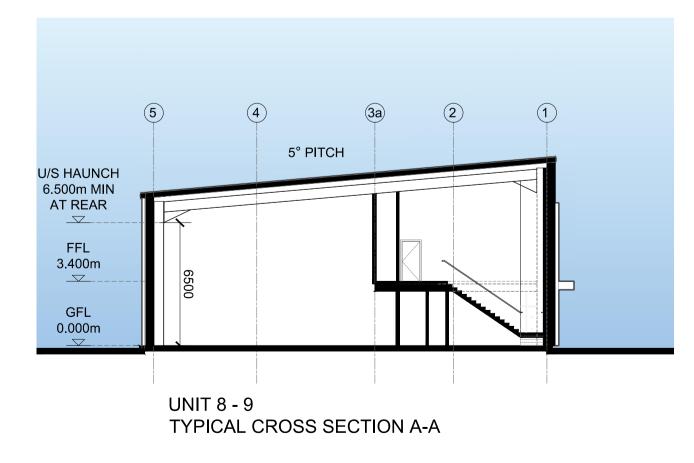
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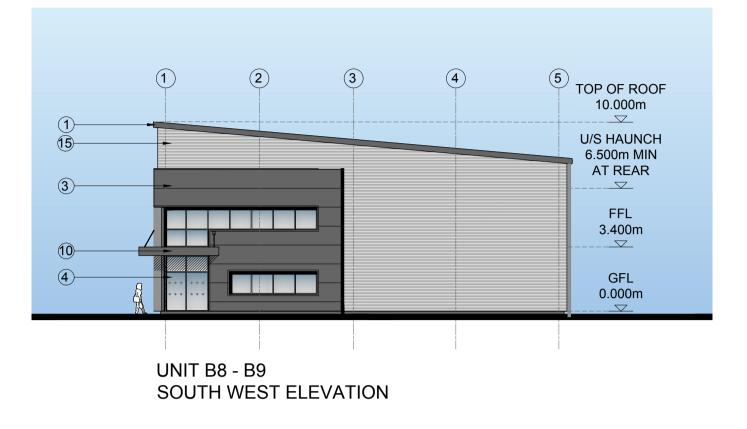
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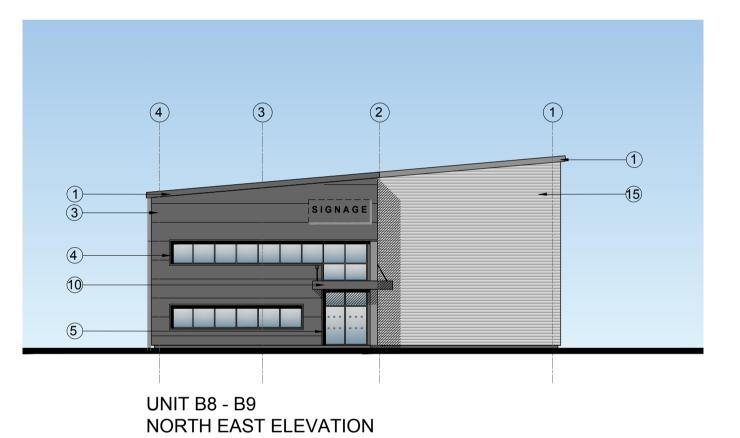
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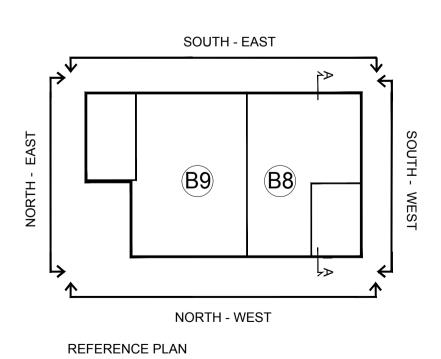












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Issue Status:

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Job No:

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Client:

Project:

MASTERPLAN

Drawing Title: UNIT B8 - B9

CAUSEWAY PARK STAINES

PROPOSED ELEVATIONS AND CROSS SECTION

Checked by :

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Stage: Drawing No: Rev:

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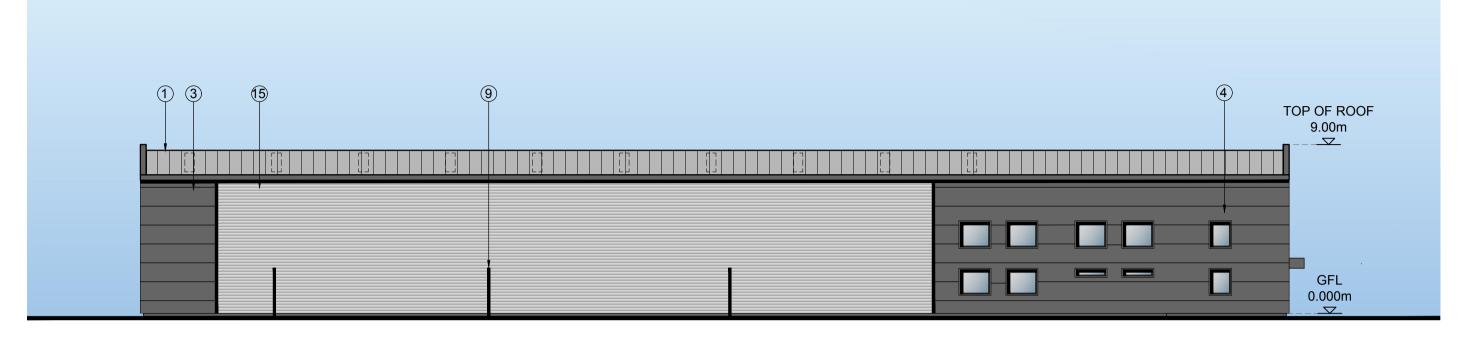
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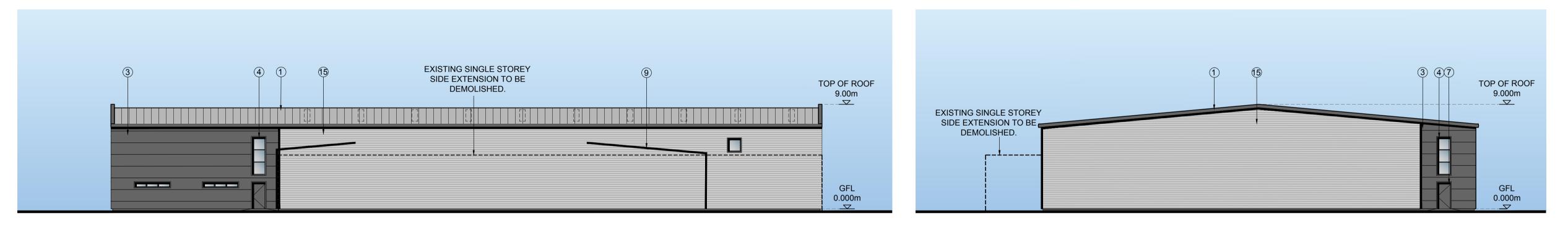
- 15 HORIZONTAL PROFILED CLADDING (SILVER)
- 14 LOUVRED PANEL
- 13 GREEN WALL
- (1) SIGNAGE ZONE 12 UNIT NUMERAL
- (10) ALUMINIUM FRAMED CANOPY
- (9) ALUMINIUM RAINWATER GOODS (ANTHRACITE)
- (8) STEEL BOLLARD (YELLOW)
- 7 STEEL PERSONNEL DOORS (ANTHRACITE)
- (6) LOADING DOORS (ANTHRACITE)
- (5) ALUMINUM FRAMED ENTRANCE DOORS (ANTHRACITE)
- (4) ALUMINUM FRAMED WINDOWS (ANTHRACITE)
- (3) MICRO-RIB CLADDING (ANTHRACITE)
- (2) HORIZONTAL PROFILED CLADDING (SLATE GREY)
- MATERIALS KEY: 1 PROFILED ROOF CLADDING (GOOSEWING GREY)

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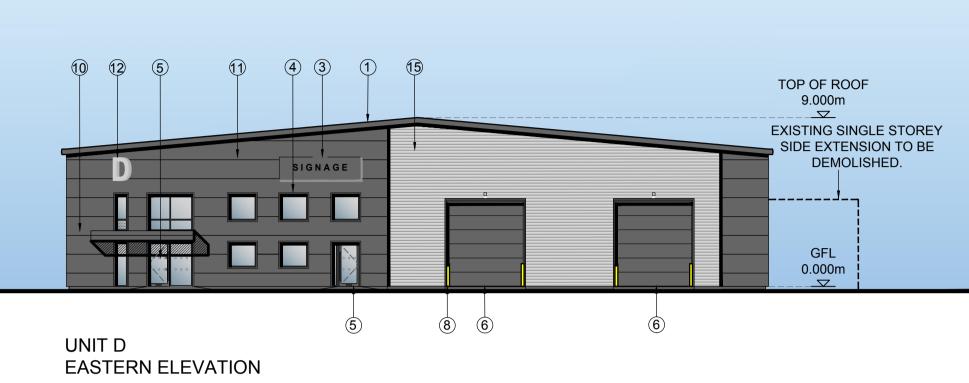
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UNIT D SOUTHERN ELEVATION

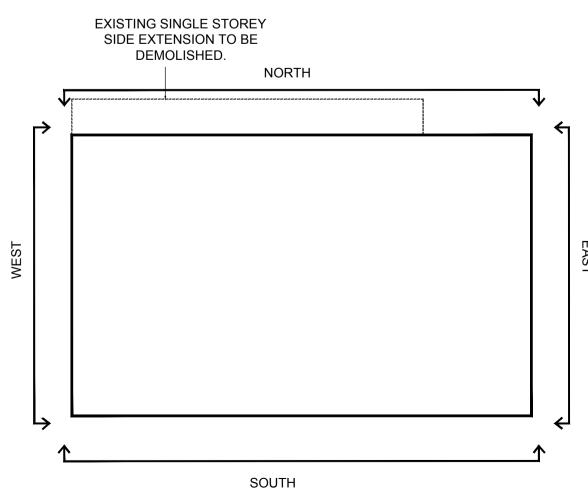


UNIT D NORTHERN ELEVATION





UNIT D WESTERN ELEVATION



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Information Approval

PRC Architecture & Planning

MASTERPLAN

PROPOSED ELEVATIONS

Drawing Title:

UNIT D

Issue Status:

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Project: CAUSEWAY PARK STAINES

VIXEN JERSEY LTD

Client:

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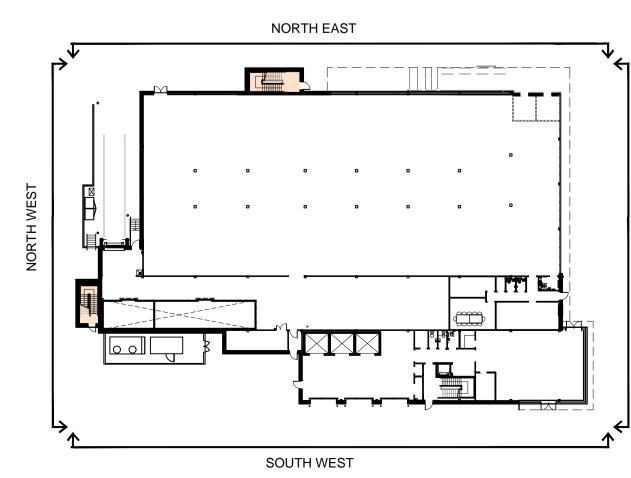
- HORIZONTAL PROFILED CLADDING (SILVER)
- (4) LOUVRED PANEL
- (13) GREEN WALL
- (1) SIGNAGE ZONE 12 UNIT NUMERAL
- 1 ALUMINIUM FRAMED CANOPY
- (9) ALUMINIUM RAINWATER GOODS (ANTHRACITE)
- 8 STEEL BOLLARD (YELLOW)
- (7) STEEL PERSONNEL DOORS (ANTHRACITE)
- 6 LOADING DOORS (ANTHRACITE)
- 5 ALUMINUM FRAMED ENTRANCE DOORS (ANTHRACITE)
- (4) ALUMINUM FRAMED WINDOWS (ANTHRACITE)
- (3) MICRO-RIB CLADDING (ANTHRACITE)
- (GOOSEWING GREY) WITH 12% NEW POLYCARBONATE ROOF LIGHTS (2) HORIZONTAL PROFILED CLADDING (SLATE GREY)
- 1 PROFILED ROOF CLADDING

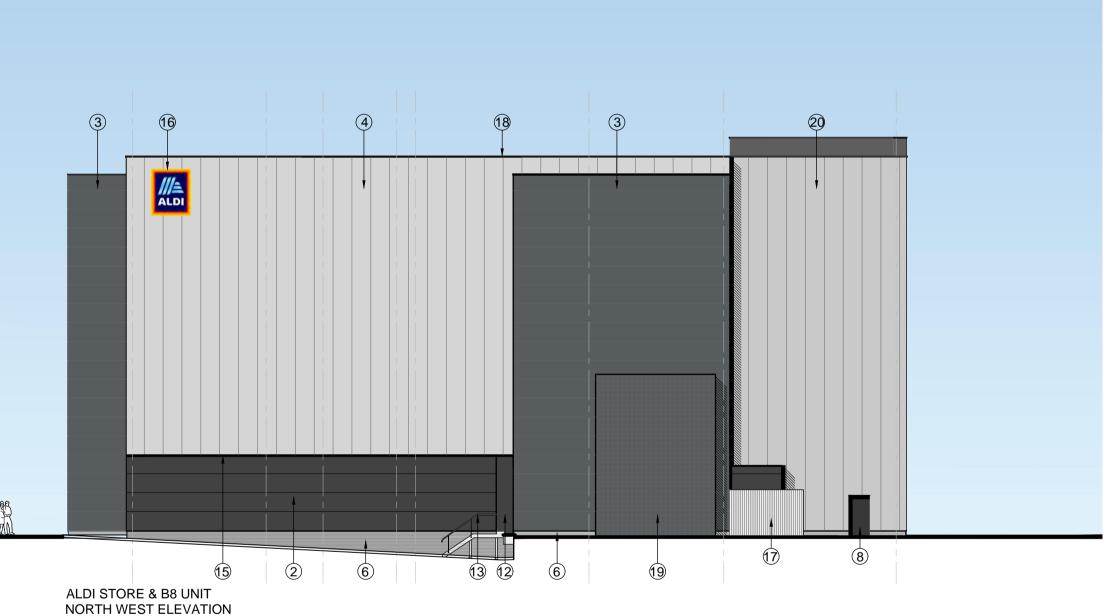
MATERIALS KEY:

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Revisions: Drawn/Chkd: D a t e :

A. South west elevation amended SA Apr 19 MT SEPT 19 B. Elevations amended to show self

storage unit above retail unit

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- (1) HORIZONTAL MICRORIB CLADDING -METALLIC SILVER - RAL 9006
- 2 HORIZONTAL MICRORIB CLADDING -ANTHRACITE - RAL 7016
- (3) HORIZONTAL MICRORIB CLADDING -MID GREY - RAL 7012
- (4) VERTICAL MICRORIB CLADDING -METALLIC SILVER - RAL 9006
- (5) PPC ALUMINIUM FRAMED SHOPFRONTS -RAL 7016 ANTHRACITE
- (6) CHARCOAL BRICKWORK
- (7) PPC ALUMINIUM FRAMED AUTOMATIC SLIDING ENTRANCE DOORS -RAL 7016 ANTHRACITE
- (8) PPC STEEL FRAMED ESCAPE DOORS -RAL 7016 ANTHRACITE
- (9) PPC ALUMINIUM FRAMED WINDOWS -RAL 7016 ANTHRACITE
- (10) PPC ALUMINIUM CANOPY FASCIA -RAL 7016 ANTHRACITE
- (1) PPC ALUMINIUM RAINWATER GOODS -RAL 7016 ANTHRACITE
- 12 PVF COATED STEEL SECTIONAL OVERHEAD DOOR - RAL 7016 ANTHRACITE
- (3) SATIN STAINLESS STEEL TROLLEY BAY RAILS - RAL 7016 ANTHRACITE
- (4) GALVANISED TUBULAR STEEL HANDRAILS
- (5) PPC METAL DRIP FLASHING -RAL 7016 ANTHRACITE
- (6) STORE SIGNAGE
- (7) GALVANISED MESH STEEL FENCING TO REFRIGERATION ENCLOSURE
- (18) PPC METAL PARAPET FLASHING -RAL 7016 ANTHRACITE
- (9) PERFORATED METAL MESH CLADDING
- 20 VERTICAL MICRORIB CLADDING -OYSTER (LIGHT GREY) - RAL 7035

Client: VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Project: CAUSEWAY PARK STAINES MASTERPLAN

Drawing Title: **RETAIL UNIT**

PROPOSED ELEVATIONS AND SECTIONS

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Urban Design Interiors

Landscape

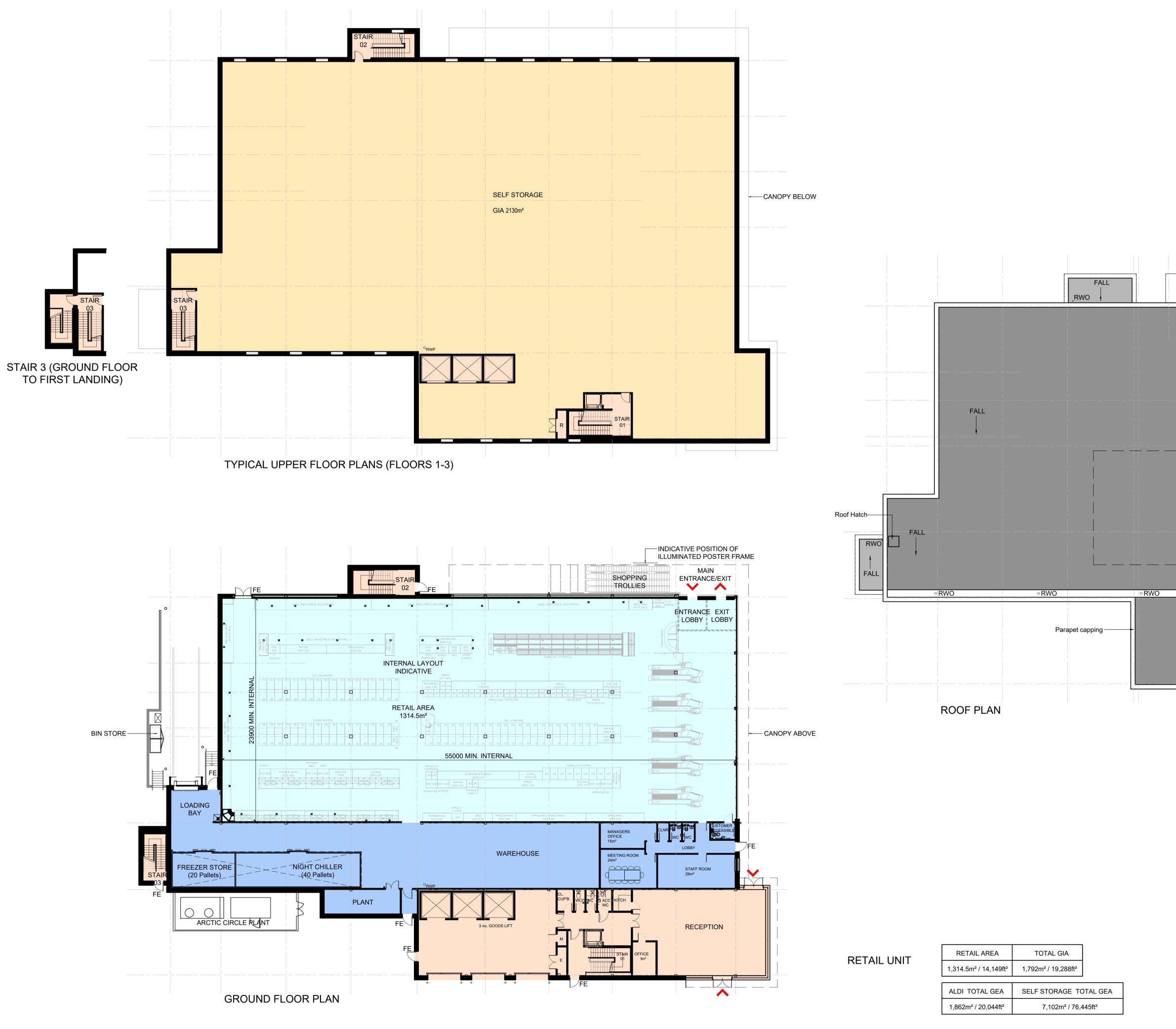
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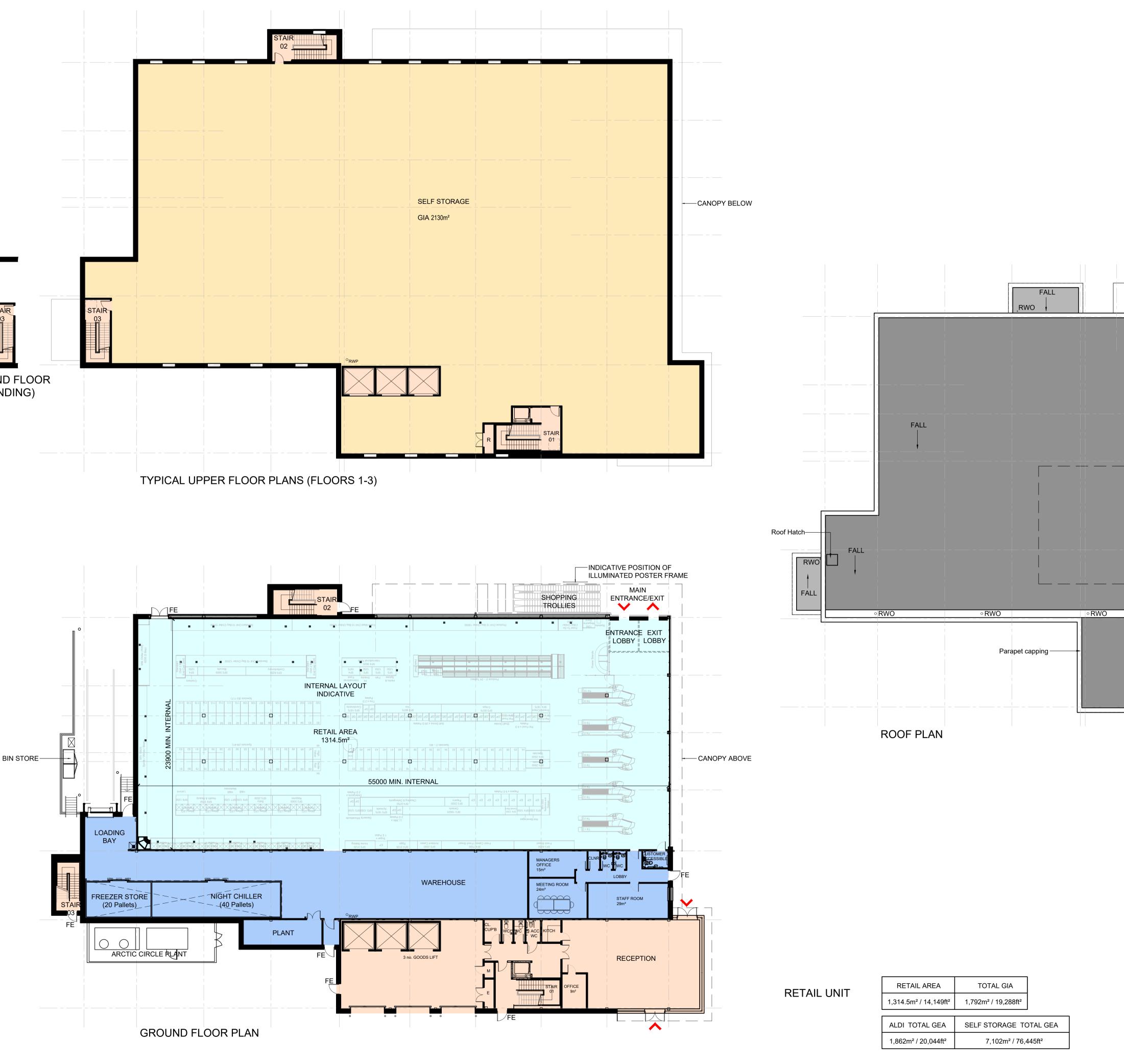
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Revisions:	Drawn/Chkd:	Date:
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B. Plans amended to show self storage unit above retail unit	MT S	SEPT 19

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FAI	-L			,		FALL	Goosewing Grey single ply roof panel
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_							Parapet capping Canopy below
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		FALL]		- FALL	
			Roof Hatch—				

Client: VIXEN JERSEY LTD C/O XLB PROPERTY LTD

Project: CAUSEWAY PARK STAINES MASTERPLAN

Drawing Title: **RETAIL UNIT** PROPOSED GROUND FLOOR AND ROOF PLAN

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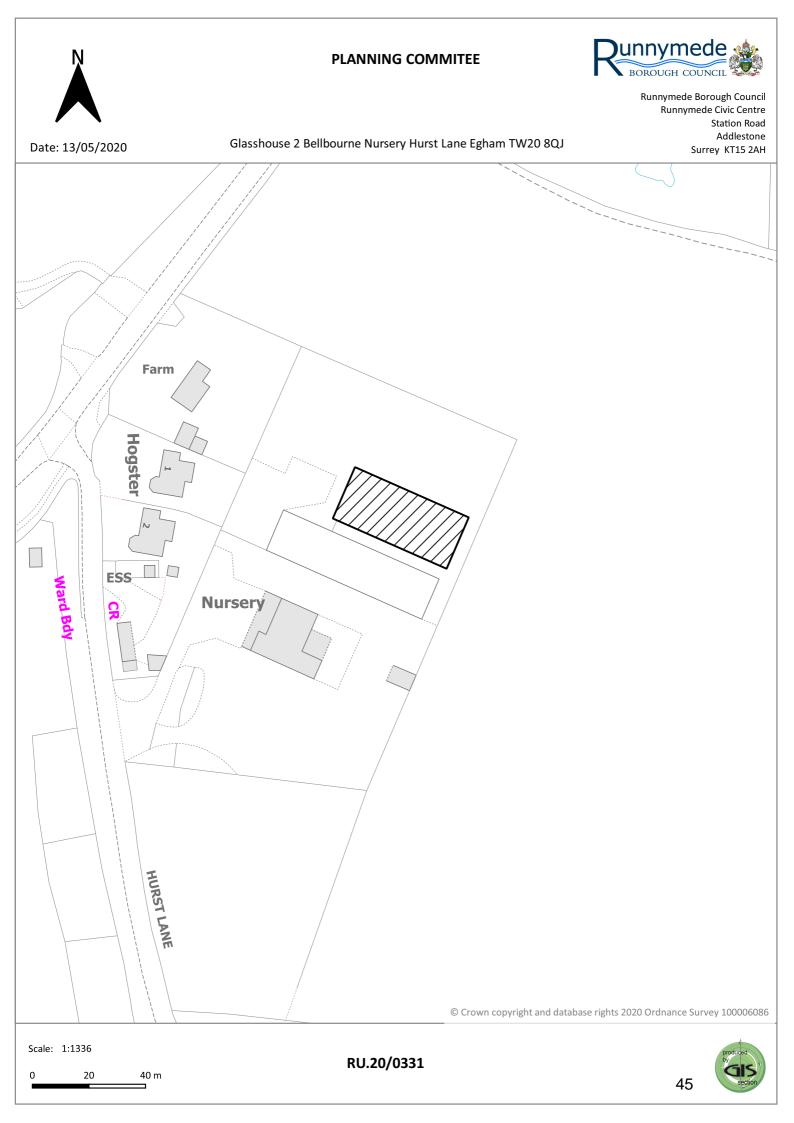
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RU.20/0331	Ward: Thorpe
LOCATION:	Glasshouse 2
	Bellbourne Nursery
	Hurst Lane
	Egham
	TW20 8QJ
PROPOSAL	Proposed alterations to the existing glasshouse to facilitate the recent approval for Prior Approval under application RU.19/1822 to allow the building to be utilised as an Aparthotel.
TYPE:	Full Planning Permission
EXP DATE	15 May 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. <u>Site</u>

1.1 Bellbourne Nursery is located and accessed off the eastern side of Hurst Lane close to its junction with Stroude Road and to the rear of Hogsters Farm and Hogsters Farm Cottages. Bellbourne Nursery is almost rectangular in shape extending to some 1.24 hectares and has been subdivided into two sections (north & south). This application relates to part of an existing glasshouse located within the northern part of the wider Bellbourne Nursery site known as Glasshouse 2. The application site is accessed from the main entrance to Bellbourne Nursery from Hurst Lane, across a driveway on the common parts of Bellbourne Nursery. The northern section of the nursery is physically separated from the south by existing gates. The site falls within the designated Green Belt and a Landscape Problem Area. The site also falls within a 'Mineral Safeguarding Area'.

2. Planning history

- 2.1 The site has an extensive planning history and the following is most relevant to the current application site:
- 2.2 Planning history for the northern part of the site which is in agricultural use:
 - An Enforcement Notice Appeal was refused in December 2013 for the change of use of the land from horticulture to use for the sale and/or storage of motor vehicles and trailers.
 - RU.13/0156 Certificate of Existing Lawful Use for the northern part of the site for Use Class B8. Refused.
 - RU.15/0701: Prior approval for the proposed change of use of the existing agricultural buildings to shops, financial and professional services, restaurants and café, storage and distribution, hotels, assembly or leisure. Refusal of prior approval details.
 - RU.18/0014: Proposed demolition of the existing glasshouses and the erection of 2 single storey buildings for B1 use with associated parking, turning and revised access. Refused.
 - RU.18/0017: Prior Notification of proposed demolition of existing glasshouses: Prior Approval required for the demolition works and proposed restoration of the site. January 2018
 - RU.18/1658: Demolition of existing glasshouses and erection of 2 single storey buildings for B1 use with associated parking and turning areas, revisions to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused.
 - RU.19/0015:Notification for prior approval for a proposed change of use of an agricultural building to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Prior Approval Granted (Glasshouse 2) 13.02.19.
 - RU.19/0575: Prior Notification for change of use on an agricultural building (Glasshouse 1) to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Prior Approval required and granted with conditions (glasshouse 1) 29.05.2019.
 - RU.19/1197: Prior Notification for partial demolition of Glasshouse 2 on the Northern side of Bellbourne Nurseries. Prior Approval granted 17 September 2019.
 - RU.19/1198: Prior Approval for the Proposed Conversion of Glasshouse 1 to 4 no 2 bed single storey dwellings and 1 no 4 bed single storey dwelling. Prior approval required and Refused 08.10.19
 - RU.19/1822: Notification for prior approval for a proposed change of use of an agricultural building to a flexible use within shops, financial and professional services,

restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Prior approval granted 06.02.20.

- RU.20/0237: Conversion of Glasshouse 1 to 4 terraced dwellings and 1 no detached dwelling. Prior approval granted 07.04.20.
- RU.20/0385: Application seeking approval of details reserved by planning condition 4 (noise) under RU.19/1822 for prior approval for a proposed change of use of an agricultural building to a flexible use. No decision to date.

The relevant planning history for the southern part of the site;

- RU.11/0275: Certificate of existing lawfulness for the use of the building and land to the south of the glasshouses as a use falling within Class B8 of the Town and Country Planning (Use Classes) Order 2008 independent of the main site. Granted
- RU.18/0108: Outline application for the proposed erection of up to 14 dwellings with associated residential curtilages, parking and turning areas and amendments to the existing access. Refused
- RU.18/1371: Outline application for the demolition of existing warehouse building and the erection of up to 5 detached dwellings. Refused
- RU.19/0470: Proposed Lawful Development Certificate for an unrestricted B8 use (storage and distribution). Refused 12.06.19.
- RU.19/0861: Application to confirm the lawful B8 use and retention of 10 structures on the site, consisting of storage containers & office cabins for a period in excess of 4 years. Split Decision 02.08.19.
- RU.19/1534: Certificate of Proposed Lawfulness for the erection of a detached building
 B8 storage and distribution use- Granted 13.12.19
- RU.20/0169: (outline application) Demolition of the existing warehouse, removal of all structures and bunds and the erection of 6 residential dwellings with associated parking and reconfiguration of existing access to Hurst Lane. No decision to date
- 3. <u>Application</u>
- 3.1 The Government through the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) gives planning permission in principle for certain 'changes of use' subject to prior notification to local planning authorities. Under these prior notification procedures, the Government specifies certain criteria which the 'change of use' has to demonstrate compliance with.
- 3.2 This application relates to a 'Prior Approval' which has been granted under application RU.19/1822 to change part of an existing single storey glasshouse known as glasshouse 2 (on the northern part of the site) comprising some 495 square metres to a flexible use under Class R which includes shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. The provisions of Class R limits the consideration by a local planning authority to transport and highway impacts, noise impacts, contamination risks and flooding risks. Under the provisions of Class R no other planning considerations can therefore be assessed under an application for prior approval under Class R, including Green Belt impacts. Planning application RU.19/1822 was considered by the Council on this basis.
- 3.3 Class R does not allow for any associated operational development to take place. However it is clear under Class R that building works may be reasonably necessary to use the building for the proposed new use. Under application RU.19/1822 it was acknowledged that the existing glasshouse building would need to be upgraded and/or repaired as necessary following a structural survey. The applicant confirmed that a separate planning application would be submitted for any proposed external alterations to the existing glasshouse which would require prior planning permission. This current application is seeking planning permission for the proposed alterations to the existing glasshouse which are required to facilitate the recent prior approval application RU.19/1822 to allow the building to be utilised as an Aparthotel.
- 3.4 This application is supported by a structural report to provide further information regarding the condition of the existing glasshouse structure and the proposed external works required to convert the building to aparthotels. The existing glasshouse would be partially demolished (comprising some 398 square metres of demolished floor area) and converted into 9 'self -contained' aparthotels. The 9 individual units would comprise a shared kitchen and living room area, a double bedroom and a bathroom. Two individual parking spaces would be provided towards the front of each of the 9 units. Cycle storage and bin storage would be provided towards the side of the building. The applicant confirms that the proposed external alterations to the building represent the

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2.3

minimum necessary structural alterations required to allow the aparthotels to operate, which includes the provision of a new roof structure and new walls (including new windows and doors).

3.5 The applicant has confirmed that new footings will need to be utilised to support the building and the existing stanchions and sheeting rails of the glasshouse will be kept in situ (where possible) and incorporated into the new external walls. The new external walls will be built using thermal and concrete blocks and will be externally finished in brick and cedar cladding. A new timber roof structure will also be constructed to provide a lateral brace for the whole structure and will be finished in clay or clay style roof tiles. Velux roof windows will also be incorporated in the roof to provide daylight and ventilation to the bathrooms. The building would extend to a maximum height of 4.5 metres (2.5 metres to eaves). All new doors and windows would be finished externally in wood. An appeal decision has also been submitted by the applicant as he considers it relevant to this current application.

4. Consultations

- 4.1 125 Neighbouring properties were consulted in addition to being advertised on the Council's website. In response to the above consultations 3 letters of representation have been received raising the following concerns:
 - The proposal will increase traffic along Hurst Lane and would not fit in with the Green Belt and the existing rural community.
 - Hurst Lane is not suitable for this development and the new uses would need to share an access with a neighbouring HGV use.
 - The access leads to a main road on a blind bend.
 - The owners are seeking to capitalise on increasing their land value through the planning process.
 - There would be significant impacts on the character and appearance of the site.
 - The original building was granted for horticultural purposes which fitted in with the existing surrounding residential properties and open space.
 - The need to protect the Green Belt has been forgotten. There would be significant harm to the Green Belt. The development would be an inappropriate development which has been confirmed by Government policy and relevant planning appeals. There are no exceptional circumstances to justify the development (Officers note: The Green Belt impacts of a development could not be considered under the 2019 Prior Approval application for the change of use as explained above)
 - Hurst Lane needs to be developed in a holistic way so as to prevent inappropriate piecemeal development or every effort should be made to keep it a residential country lane.
 - Concerned that there would be no guarantee that any future residential development would not be converted to B8 uses which would further extend the HGV yard. The ultimate aim is to provide a larger HGV enterprise.
 - Objections are raised to the number of small individual applications being considered as a single application could have required community infrastructure contributions.
 - Aparthotels are not needed along Hurst Lane and there are many other properties within the borough suitable for this proposed use.
 - The existing horticultural use should be retained and protected.
 - Harmful impacts on the Conservation Area (Officers note: The site does not fall within a designated Conservation Area).
 - Local residents have repeatedly objected to applications on the site and provided specific evidence to planning officers.
 - Hurst Lane has already been devastated by RBC officers. The area was once a beautiful lane which has been damaged by industrialisation and RBC failures.
 - This is the 12th of 13th application to develop the glasshouses.
- 4.2 No comments have been received from the Councils Environmental Health Manager
- 4.3 No comments have been received from the Virginia Water Neighbourhood Forum
- 4.4 The Councils Land Contamination officer raises no objections subject to conditions.
- 5. <u>Relevant Local Planning Policies</u>
- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001: GB1, HO9 and NE10.

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. <u>Planning Considerations</u>

- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. Prior approval has already been granted for the use of part of the existing glasshouse (glasshouse 2) for a flexible use under Class R of The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) under planning application RU.19/1822. A flexible use under Class R includes proposed hotel uses. On this basis the principle of the use of the building for 9 'self -contained' aparthotels has been approved by the prior approval process . The key planning matters to be considered under this new application relate only to the acceptability of the proposed external alterations to the building to facilitate the new use for 'aparthotel' and the impact of these proposed external alterations upon the Green Belt, upon the character of the area and upon neighbouring residential amenities.
- 6.2 The applicant seeks to demolish approximately 398 square metres (approximately 50%) of the existing glasshouse in order to facilitate the 'prior approval' granted for the new hotel use. It could be considered that this scale of demolition does not amount to the scale of operational works to facilitate conversion of the glasshouse to a different use. The appeal decision submitted by the applicant addresses this matter and the appeal inspector concludes that under Class R, it is the new use that is being considered not the conversion of a building, and he concluded that demolition of the same scale as this application was within the scope of Class R. The applicant has confirmed their agreement to a planning condition to secure the removal of the remainder of the glasshouse in order to protect the Green Belt. The existing glasshouse is designed with a part hipped/part gabled roof extending to some 4.35 metres. The overall ridge height of the proposal would increase by some 0.15 metres. The new roof of the altered building would be designed with a shallower roof pitch and lower eaves height when compared to the original glasshouse structure. On this basis it is considered that the proposed external alterations to the original glasshouse will be sensitively designed to protect the Green Belt and the overall floor area, height and massing of the glasshouse (as altered) would be significantly reduced when compared with the original glasshouse structure. The proposal is therefore considered to comply with saved policy GB1 of the Local Plan and Green Belt policy within the NPPF.
- 6.3 The proposed alterations to the existing glasshouse are considered to be sensitively designed and will be in character with the scale and design of existing surrounding development. The proposal will be restricted to single storey in height and designed to harmonise with the scale of the existing glasshouse and existing surrounding residential development to the west. The proposal will be constructed of high quality materials including external brickwork, cedar wood cladding and clay roof tiles. All new doors and windows would be externally finished in wood. On this basis, it is considered that the proposed external alterations to the existing glasshouse would be of a 'high quality' of design and would seek to protect and enhance the character of the area and would not harm the existing landscape, in accordance with saved Policy NE10.
- 6.4 A planning condition (condition 4) was imposed on the original 'Prior Approval' application RU.19/1822 to ensure that the amenities of existing surrounding residential development would be protected from noise. The applicant has submitted an application (RU.20/0385) seeking approval of this planning condition which is currently under consideration. It is recognised that the proposed external alterations to the existing glasshouse (submitted under this current application) to provide solid external walls and a new tiled roof will result in improved sound attenuation to the building when compared with the original glasshouse structure. These noise attenuation measures will be considered under application RU.20/0385.
- 6.5 The proposed external alterations to the existing glasshouse proposed under this current application including new roof, are not considered to result in any material increase in height of the existing building and will result in a shallower roof pitch and reduced eaves height when compared to the original glasshouse. It is also acknowledged that large areas of the existing glasshouse will

be demolished comprising of some 398 square metres. The proposal will be restricted to single storey in height with high level velux roof windows to provide light and ventilation to the proposed new bathrooms. This design coupled with the positioning of the building within the wider Bellbourne Nurseries site is not considered to result in any overlooking, loss of privacy or overbearing impacts to existing neighbouring dwellings.

- 6.6 For the avoidance of doubt the application relates soley to operational development. The use of the building as aparthotels has already been granted under the prior approval process. The council is therefore unable to revisit issues such as potential traffic generation or similar issues relating to use.
- 6.7 Since the approval of application RU.19/1822 a further 'prior approval' for the remaining glasshouse on the northern part of the Bellbourne Nurseries site (known as glasshouse 1) has been approved for conversion to 4 terraced dwellings and 1 no detached dwelling (RU.20/0237). This glasshouse is located to the south of glasshouse 2 (the subject of this application). The principle of the new 'aparthotel' use has already been established under the 2019 prior approval application and the only issues for consideration under this current application relate to the external alterations to the building which require planning permission. Given the scale and design of the proposed external alterations to the existing glasshouse, no objections are raised regarding the impacts of the development upon any future residential occupiers of the neighbouring glasshouse. On this basis the proposal is considered to protect the amenities of existing and future neighbouring residential properties and will comply with saved policy H09 of the Local Plan and policy within the NPPF.
- 7. <u>Conclusion</u>
- 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 be acceptable and will seek to protect the Green Belt, protect and enhance the character of the area and protect the amenities of existing residential properties. The development has been assessed against the following Development Plan policies – saved Policies GB1, HO9 & NE10 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

Comparison elevations (A202) received 08.04.2020. Existing plans (A.100) received 25.02.2020. Existing elevations (A.200) received 25.02.2020. Supporting Statement received 25.02.2020. Proposed plans A101F received 29.04.2020 Proposed elevations A201F received 29.04.2020. Location Plan A002 D received 27.04.2020. Site Plan A001 F received 29.04.2020

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

3 External materials

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 Policies GB1 and NE10 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

4 Demolition

Prior to the occupation of the 9 Aparthotels, the remainder of the existing glasshouse as detailed upon the proposed site plan (drawing number A.001D received 27.04.2020) shall be demolished and all resultant materials removed from the application site.

Reason: In order to accord with the terms of the application, to allow for the operation and use of the Aparthotel and to protect the Green Belt in accordance with saved policy GB1 of the Runnymede Borough Local Plan Second Alteration 2001 and policy within the NPPF.

5 Land Affected by Potential Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (i) to (iv) or otherwise agreed remedial measures have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until Condition (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local PlanningAuthority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to:
- " human health
- " property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes
- " adjoining land
- " ground waters and surface waters

- " ecological systems
- " archaeological sites and ancient monuments

(ii) Submission of Remediation Scheme

If found to be required no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal and remedial options, proposal of the preferred option(s), a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

iii) Implementation of Approved Remediation Scheme

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works.

Upon completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to the local planning authority.

(iv) Reporting of Unexpected Contamination

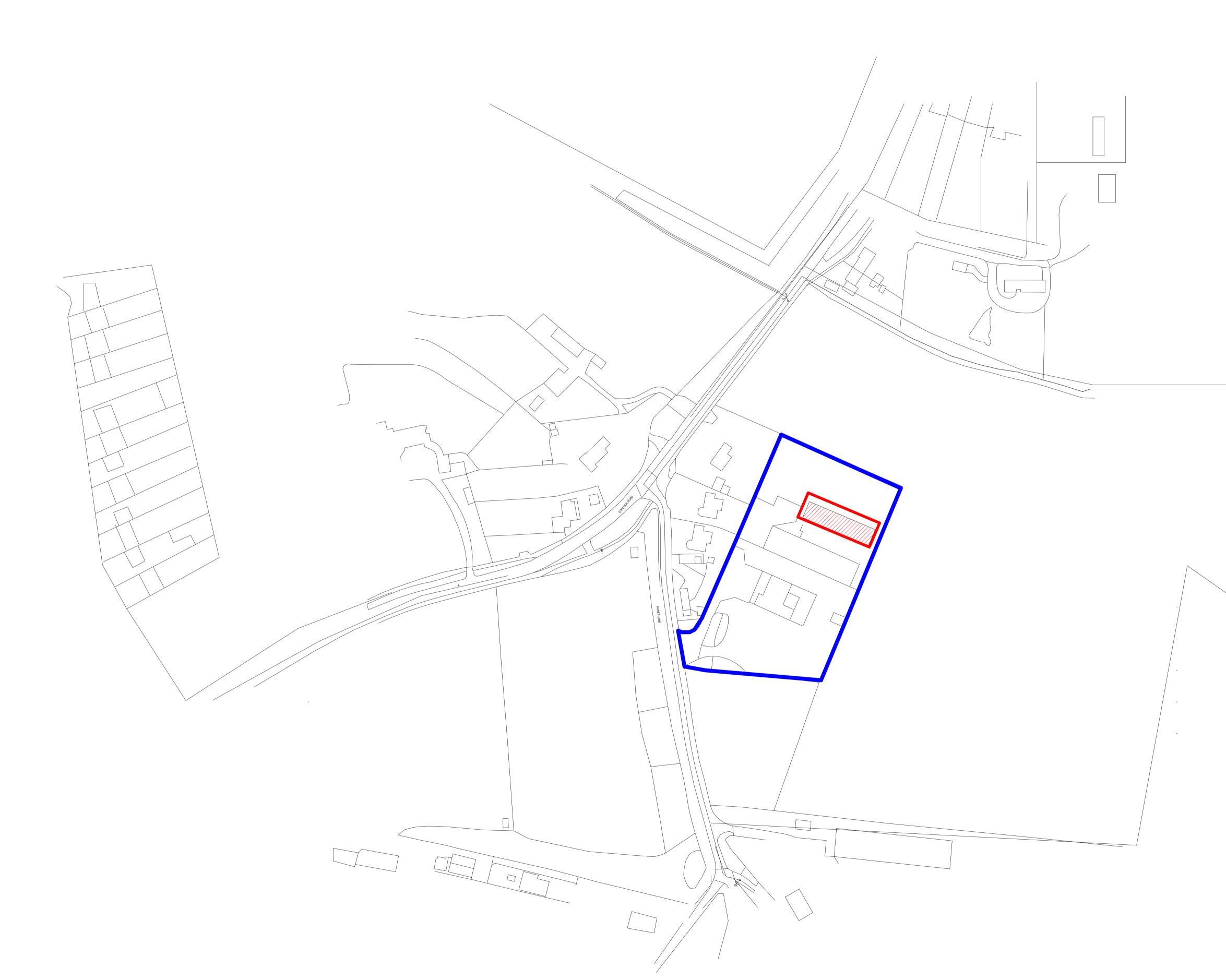
In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of Condition (i) or otherwise agreed and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition (ii) in the form of a Remediation Strategy which follows DEFRA CLR11 approaches. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation (verification) plan and report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition (iii)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

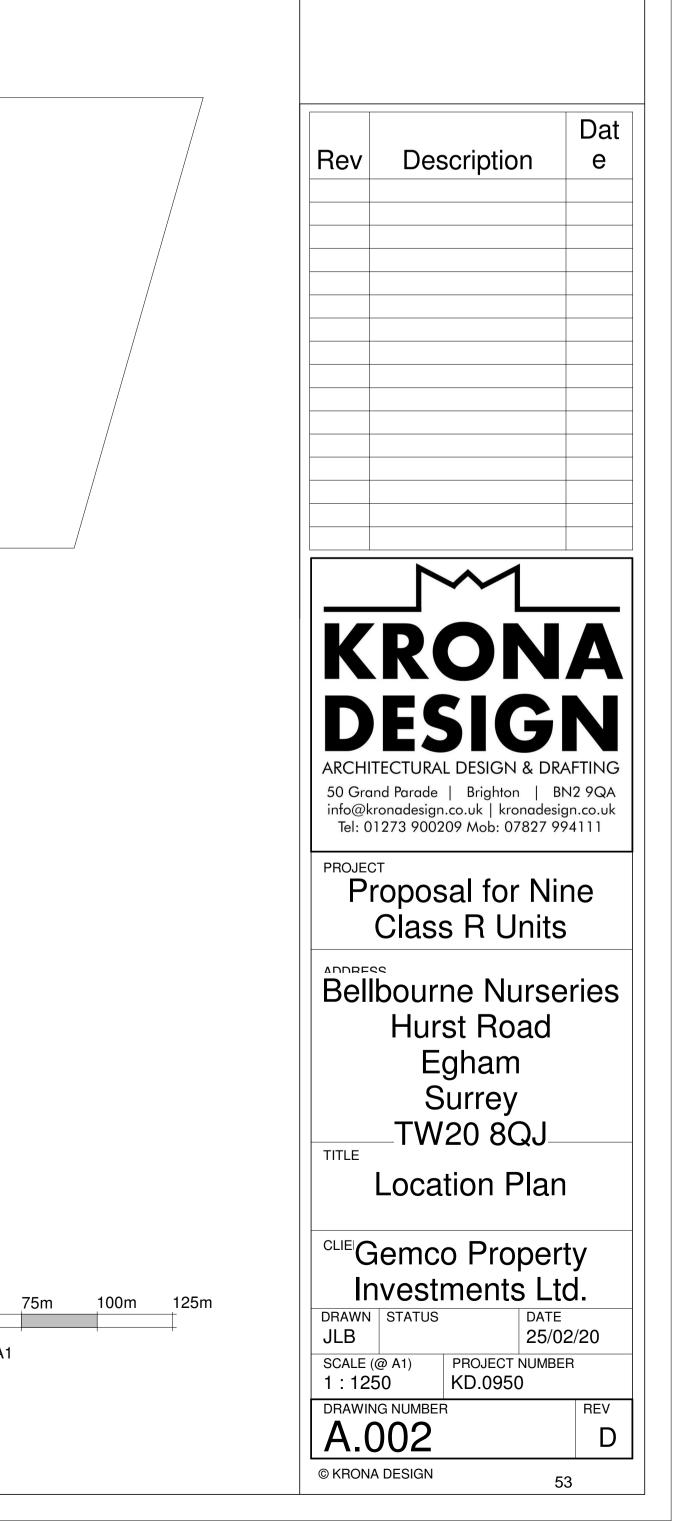
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.



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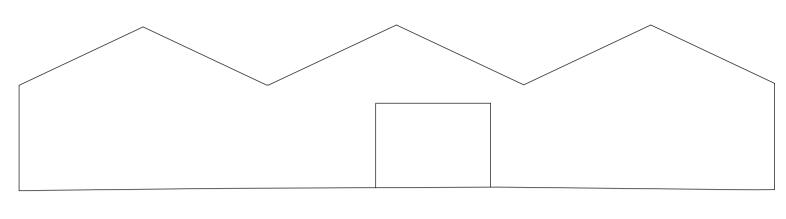


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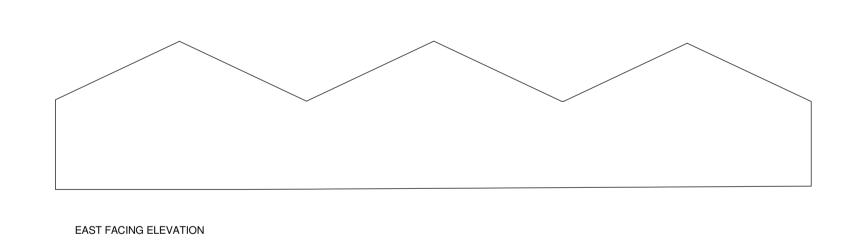
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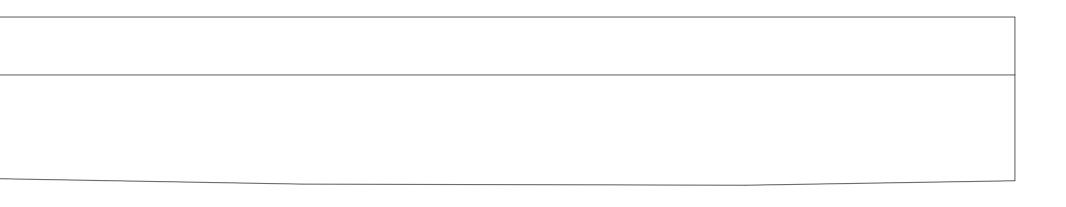
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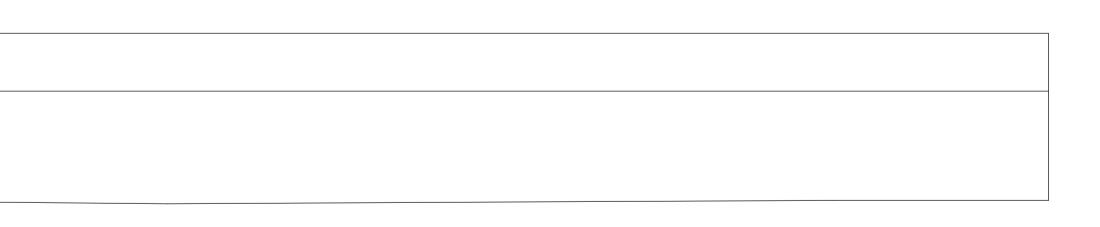
SOUTH FACING ELEVATION



NORTH FACING ELEVATION





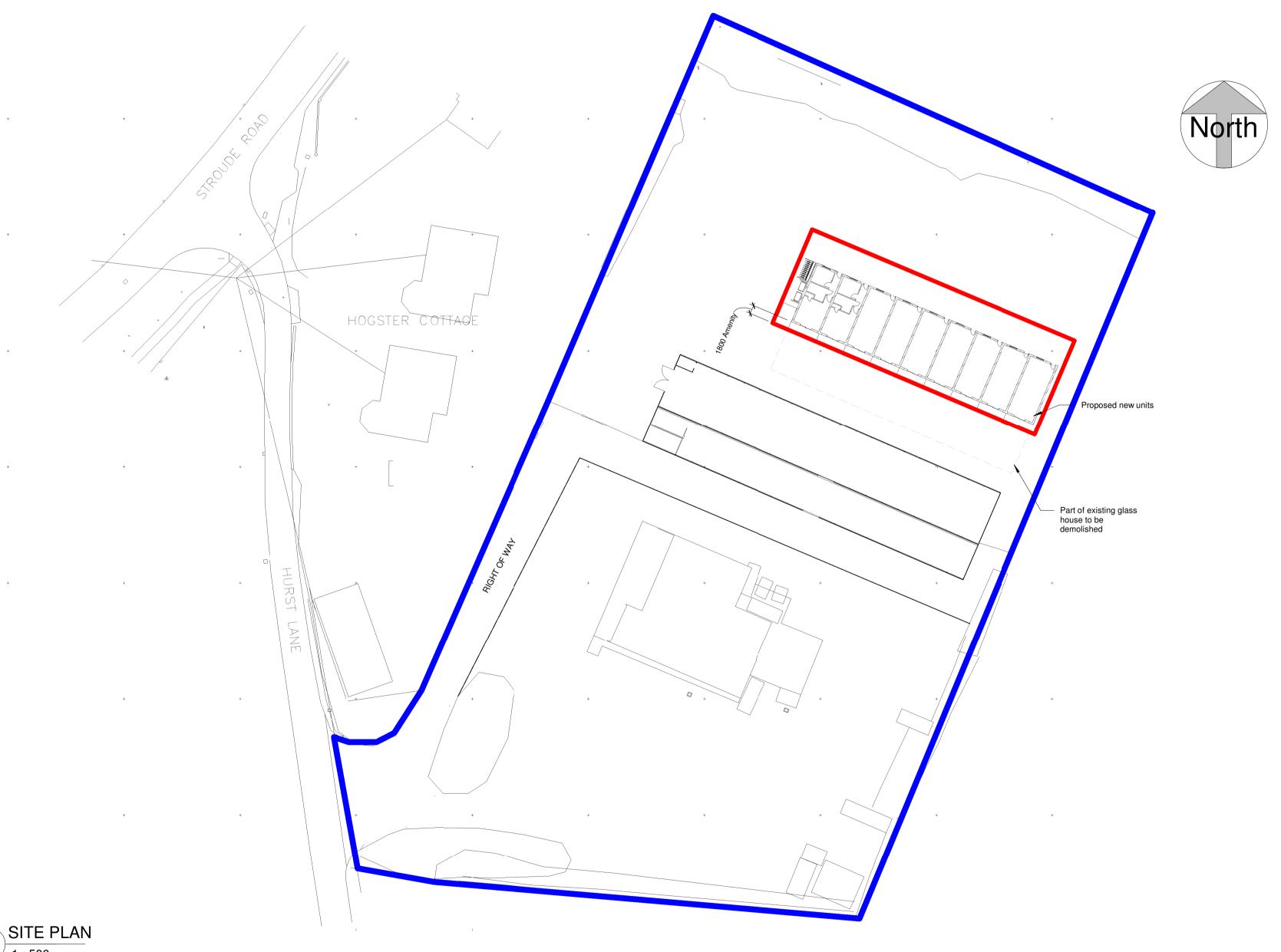


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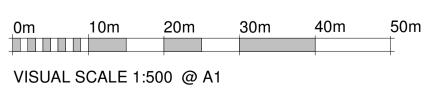
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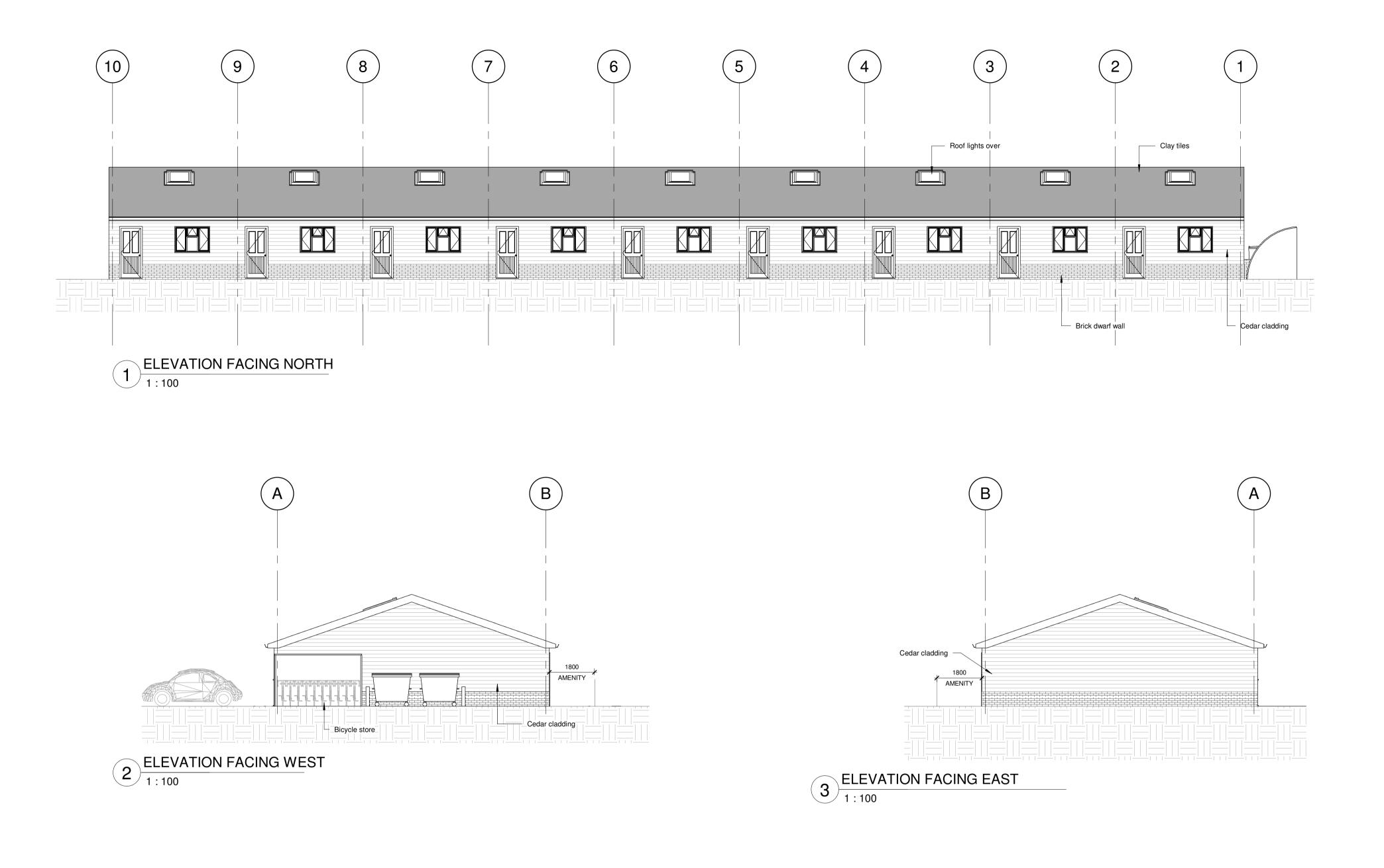
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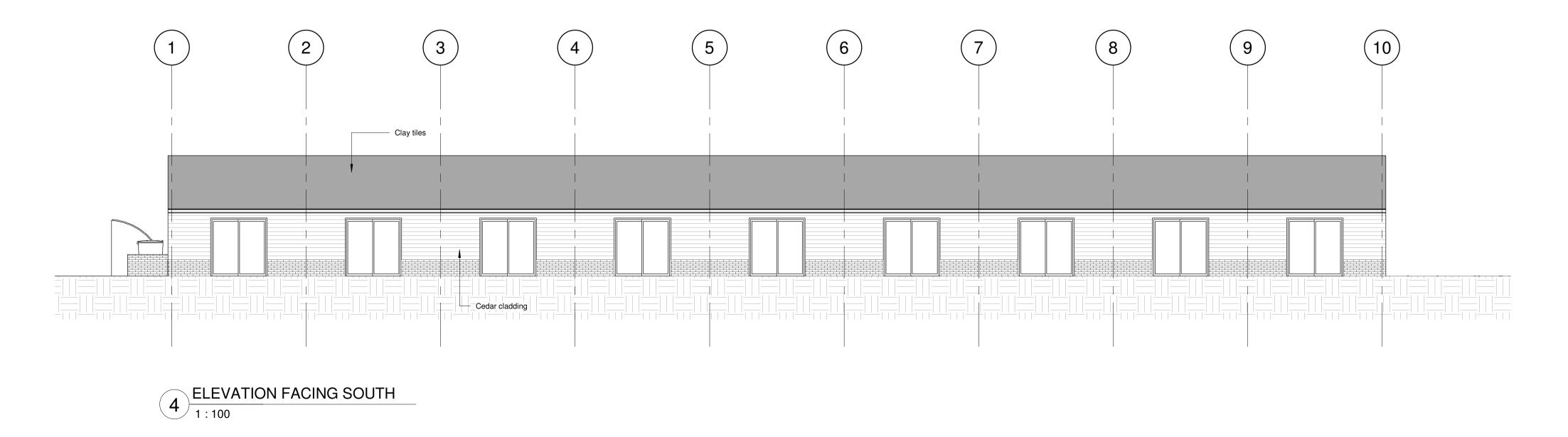








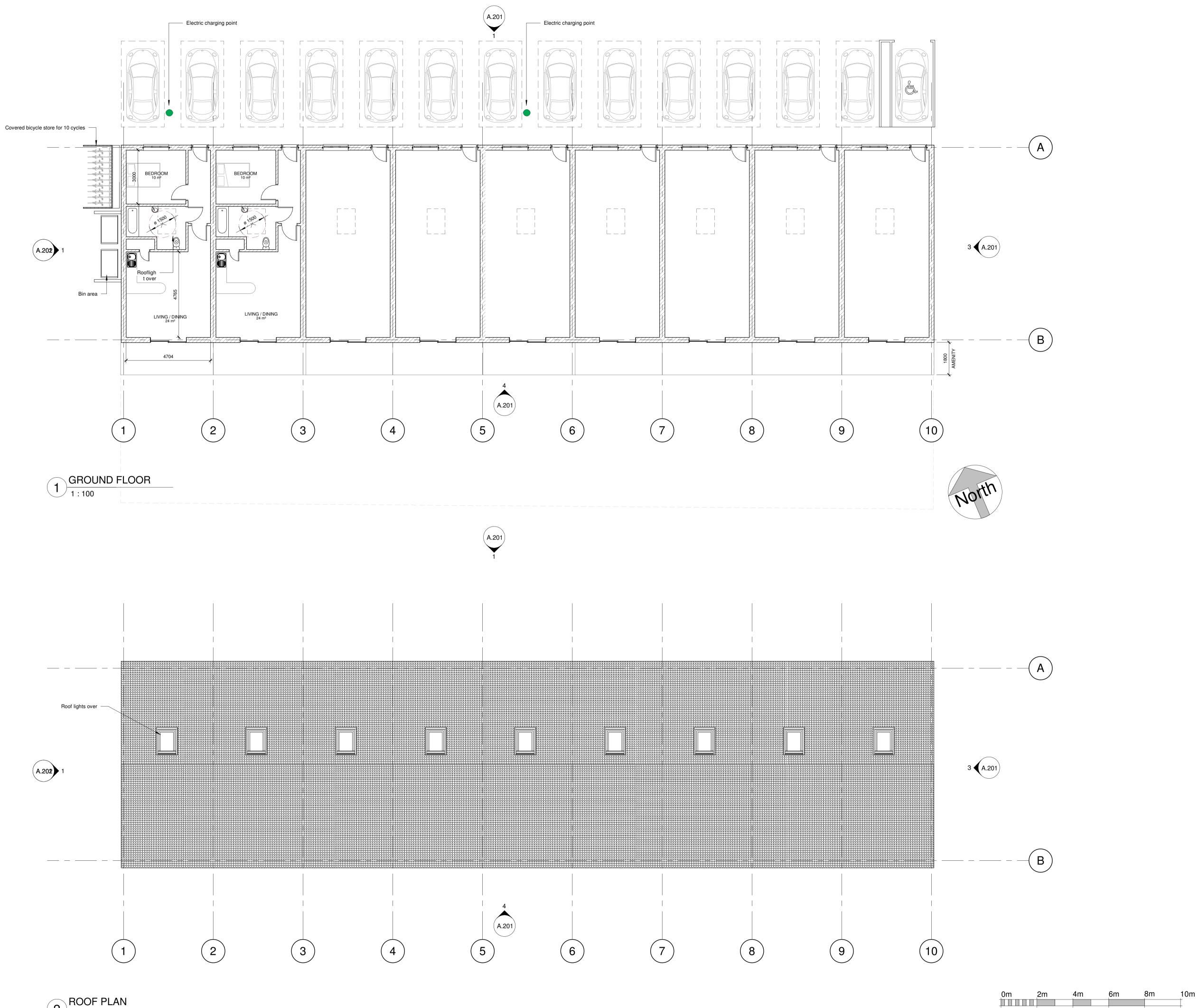


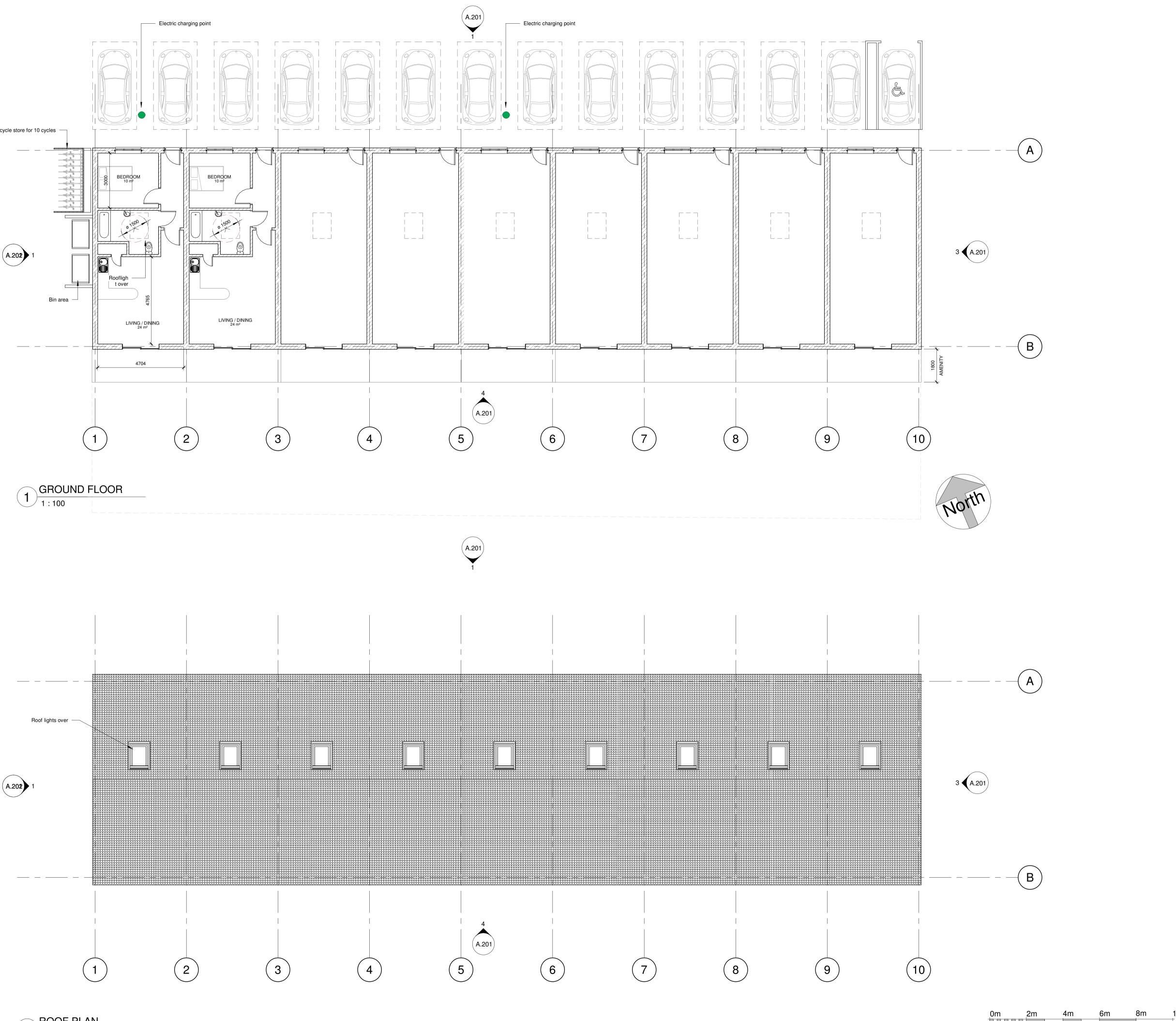


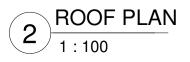
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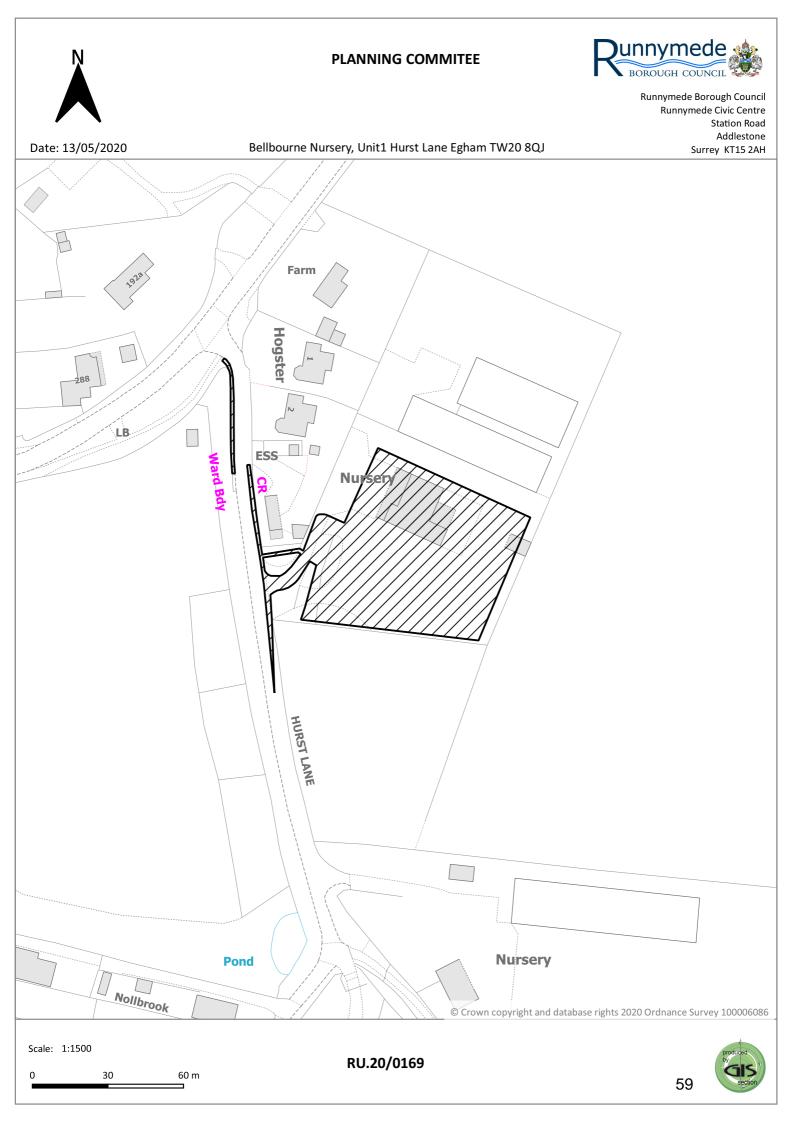
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RU.20/0169	Ward: Thorpe				
LOCATION:	Bellbourne Nursery				
	Unit 1				
	Hurst Lane				
	Egham				
	TW20 8QJ				
PROPOSAL	Demolition of existing warehouse, removal of all structures and bunds, erection of 6 residential dwellings with associated parking and reconfiguration of existing access to Hurst Lane.				
TYPE:	Outline Application				
EXP DATE	Extended date 17 th April 2020				

SUMMARY OF RECOMMENDATION: Grant with conditions and subject to a Unilateral Undertaking

- 1. <u>Site</u>
- 1.1 Bellbourne Nurseries is located to the east of Hurst Lane and comprises two parcels of land accessed via a single vehicular access onto Hurst Lane. The northern part of the site has a lawful agricultural use and comprises existing horticultural greenhouses and surrounding land. The southern part of the site, the subject of this application which comprises 0.45ha, comprises a detached building within the centre of the site utilised for B8 (storage & distribution) use within an extensive area of hardstanding. Additionally, there are a number of outbuildings, storage containers and other structures spread across the site. Bellbourne Nurseries is surrounded by existing open fields along its boundaries to the north east, south east and south west. Existing residential dwellings are located to the north west of the nurseries fronting Hurst Lane (known as Hogsters Farm and Hogsters Cottages). There is a band of non-native trees along the southern boundary and an earth bund marks the western boundary.
- 1.2 The site is located within the Green Belt and in a Landscape Problem Area. The site also falls within 5 km of the Thames Basin Heaths SPA and within a Mineral Safeguarding Area. An area to the west (on the opposite side of the neighbouring open fields) is designated as Ancient Woodland.
- 1.3 The site has been included on the Council's Brownfield Register which identifies previously developed land, whether in urban or Green Belt areas, over 0.25ha or capable of supporting at least 5 dwellings.
- 2. Planning history
- 2.1 The application site forms the southern part of a larger holding, Bellbourne Nurseries, all of which has an extensive planning history. The following are considered to be most relevant to the current proposal.
- 2.2 RU.20/0237 Prior Approval for Conversion of Glasshouse 1 to 4 terraced dwellings and 1 no detached dwelling Prior Approval Granted. (This proposal is on land immediately adjoining the application site to the north.)
- RU.19/1534 Certificate of Proposed Lawfulness for the erection of a detached building under Class
 H- B8 storage and distribution use Certificate granted October 2019.
- 2.4 RU.19/1198 Glasshouse 2 Conversion of Glasshouse 1 to 4 no 2 bed single storey dwellings and 1 no 4 bed single storey dwelling. Prior Approval refused August 2019.
- 2.5 RU.13/0156 Certificate of Existing Lawful Use for the northern part of the site for Use Class B8-Refused.
- 2.6 RU.19/0861 Application to confirm the lawful B8 use and retention of 10 structures on the site, consisting of storage containers & office cabins for a period in excess of 4 years. Split decision Lawfulness of seven structures confirmed Appeal outstanding.
- 2.7 RU.18/1371 Outline application for the demolition of existing warehouse building and the erection of up to 5 detached dwellings with maximum ridge heights of 5.5m with associated residential curtilages, car parking spaces and amendments to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused March 2019. Subsequent appeal dismissed on the single grounds that the

Inspector considered the applicant had not demonstrated that there would be no adverse effect on the integrity of the TBHSPA, but the Inspector found no other reason to dismiss the appeal.

- 2.8 RU.18/0108 Outline application for the proposed erection of up to 14 dwellings with associated residential curtilages, parking and turning areas and amendments to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused. Subsequent appeal dismissed in February 2019.
- 2.9 RU.13/0156 Certificate of Existing Lawful Use for the northern part of the site for Use Class B8 -Refused.
- 2.10 RU.11/0275 Certificate of Existing Lawfulness for the use of the building and land to the south of the site for B8 purposes independent of the main site. Granted March 2011.

3. Application

- 3.1 The application is made in outline with access, layout, scale and appearance to be determined at this time. Only landscape details are reserved for later approval. The application proposes the redevelopment of the southern parcel of land within the B8 use, and would involve the demolition of all existing commercial buildings and removal of hardstanding, and the erection of 6 no. three bedroom, single storey, detached dwellinghouses. each with a garden and parking. Access would be from the existing access to Bellbourne Nurseries from Hurst Lane, sharing with the access to the northern parcel for a distance of approximately 40m. There would be a spur off this access marked by a 'rumble strip' leading to a short cul-de-sac of three dwellings either side parallel to the access. Each dwelling would have a maximum ridge height of 5.5m. Two design types of dwelling are proposed; there would be 3 Type A dwellings, rectangular in shape and each with a footprint of 144m2. There would be 3 no. Type B dwellings which would be L shaped with a footprint of 132m2 each. The supporting statement explains that the dwellings will resemble 'barn conversions' and the use of timber cladding will 'also help to give a rural feel to the development' according to the applicant. Each dwelling would have a private rear garden of average depth between 10m and 14m across the full width of each property with an overall area of between 201m2 and 310m2 of private amenity space.
- 3.2 The existing wide drop kerbed site access onto Hurst Lane would be reconfigured to provide a more formal bellmouth arrangement. The residential road would continue with 1.5m footways on either side. Each dwelling would be provided with two off street parking spaces. The application also proposes a new footway from the access to the site along Hurst Lane up to the existing footway on Stroude Road which would provide a pedestrian link to the nearest bus stops.
- 3.3 The application is accompanied by a Supporting Statement, Surface Water Drainage Strategy, Archaeological Desk-based Assessment, Arboricultural Implications Assessment and Method Statement, Transport Statement, Ecological Statement and Unilateral Undertaking in respect of the TBHSPA. In support of this proposal, the Applicant has also submitted a number of appeal decisions and court judgments.
- 3.4 In the Supporting Statement the Applicant advises that the proposed scheme would result in a number of significant benefits:

The proposed scheme will improve the openness of the Green Belt when considered against the combination of the existing and allowed (Fall Back) B8 development in the following ways:

a. The removal of outside storage, HGV & Trailer parking, much of which extends to the boundaries – which is considered to cause 'significant harm' to the openness of the Green Belt by two Planning Inspectors.

b. A reduction in the amount of hardstanding by in excess of 60%.

c. The removal of 2m+ bunds currently at the entrance and along the eastern boundary.

d. The removal of HGV and B8 associated traffic movements & a significant reduction in traffic in general. Confirmed by the Inspector to have "a positive effect on the openness of the Green Belt".

e. The removal of built development currently, or potentially, at the boundaries of the site and visual from certain aspects.

f. There will be no increase in footprint or volume & therefore will not spatially have a greater impact on the openness of the Green Belt.

In addition to the above improvements to the openness of the Green Belt, the character & appearance of the site will also be improved, as confirmed by 2 Inspectors.

The living conditions and amenities of the immediate neighbours will be improved by the proposed scheme, as confirmed by the Inspector (Para 42 Appeal Ref 323048 Appendix 1), but also by the single reason for refusal of a Class Q (GPDO) application on the adjacent site Ref RU.19/1198 regarding impacts on the living conditions of its potential residential neighbours.

- 3.5 In addition to the above benefits, the Applicant advises that the following material considerations demonstrate that planning permission should be granted for the proposals:
 - the Council is unable to demonstrate a 5-year housing land supply (HLS) and Para 68 of the NPPF states:

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

a. a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved

- Para 118 (c) of the NPPF states: Planning policies and decisions should: give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- Para 145 of the NPPF states:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this includes, at bullet point g,:

- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development;
- The two parts of Bellbourne Nurseries are owned by the applicant. The viability of the entire Bellbourne site is dependent on both parts being mutually conducive to their respective planning uses. A continuing B8 use on the application site will effectively require a B8 use on the northern part under the Class R approval. This situation is an objective commercial fact that should be given consideration.
- Residential approval on the application site, removes the reason for refusal for the Class Q use on the northern part. It also follows that a use appropriate in a residential area, would be implemented under Class R for the smaller glasshouse.
- New Government Guidance updated on 22/07/2019 confirms that: 'openness is capable of having both spatial and visual aspects in other words, the visual impact of the proposal may be relevant, as could its volume'
- Case Law confirms that any 'fall back' position will be a material consideration where there is any "real prospect" of the position being implemented. The new warehouse will be erected if residential development does not progress, in order to enhance the commercial viability of the site. Therefore, the proposed warehouse must be considered with regards to its impact on the Green Belt alongside the existing warehouse and structures in comparison to this new residential application.

4. <u>Consultations</u>

- 4.1 116 Neighbouring properties were consulted and the application was publicised on the website and a site notice displayed. Five letters of objection from four properties have been received. Some points do not specifically address the proposed development but comments on the history of the site. A 7 page letter of representation has been received with several appendices which has been published on the website and the main points raised in summary are
 - -this is a single site
 - -the site is designated horticultural and 5 years worth of business accounts have to be shown for diversification
 - -the site has never had 10 years of occupational usage
 - -the Council was misled into the usage of the site
 - -if this was to be allowed, it would be stolen Green Belt
 - -failure of notification to residents
 - -impacts of the current operation on the lane and on residents

A summary of the other points raised is as follows:

• the removal of the whole transport yard would be better than the current situation from a safety stand point. However, the writer objects to the proposal because they and other

residents in Hurst Lane have been refused planning permission for development because of the area's Green Belt designation and "either the whole of Hurst Lane should be developed for housing or the parts of the Lane which have been industrialised should be returned to their original situation".

 all the recent applications for the wider site should be considered together as they relate to a single site and the current proposal seeks to replace a known troubled site with residential dwellings to 'solve' the present site which sets a dangerous precedent within planning and one which will set off a domino reaction across Hurst Lane.

A letter of support has been received – new use will improve the area and health and lives of people, better views of the fields and trees around the site, will prevent large amounts of dust and pollution from trucks

- 4.2 Summary of points made by applicant in response: each half of the site has separate land registry, different matters of planning unit and land registry; site has changed from agriculture to B8; 10 year usage was demonstrated and accepted by LPA; planning history confirms uses
- 4.3 The following were also consulted:

Affinity Water: no response received RBC Arboricultural Officer: No objection subject to condition RBC Contaminated Land Officer: No objection subject to conditions. RBC Drainage Engineer: has previously raised no objection. RBC Environmental Health Manager: No response received. RBC Safer Runnymede; No response received SCC Archaeology: Further work required and a condition is recommended. SCC County Highway Authority: No objection subject to conditions. SCC Drainage : No comments SCC Minerals and Waste : No further comments Stroude Residents Group : No response received. Surrey Wildlife Trust : No objection but recommends conditions and Informatives Thames Water Utilities – No objection if the sequential approach to the disposal of surface water is followed.

5. <u>Relevant Local Planning Policies</u>

- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001: GB1, H09, BE17,NE10, NE15, NE16, NE20, MV4, MV5 & 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.
- 6. <u>Planning Considerations</u>
- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF and any other material considerations. The application site is located within the Green Belt where there is a strong presumption against inappropriate development. New buildings other than in some limited exceptions listed in paragraph 145 of the NPPF are considered inappropriate.

The key planning matters are considered to be

- Whether the proposal would be inappropriate development in the Green Belt,
- the impact of the proposals upon the openness of the Green Belt,
- the impact upon the Thames Basin Heaths SPA and protected species,
- the effect of the development on the character of the area and neighbouring residential amenities,
- the impact upon highway safety,
- the loss of the existing B8 use

- If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed so as to amount to very special circumstances necessary to justify the grant of permission.
- Whether the previous reasons for refusal and dismissal of appeals are overcome
- 6.2 The application site has a Lawful Development Certificate under reference RU.11/0275 which establishes the use of the application site for Storage & Distribution (B8). The NPPF defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.
- 6.3 On the basis of the above definition, it is considered that the application site would fall within the definition of 'previously developed land' (PDL) for the purposes of the Green Belt assessment under paragraph 145 section (g) of the NPPF. Previously developed land, as defined within the glossary of the NPPF, includes any associated fixed surface infrastructure. In addition to the lawful buildings and structures on the site, the majority of the remainder of the site consists of hardstanding and is used for the parking of HGVs and other commercial vehicles. There is no restriction on the use of the site in this manner and therefore it is considered that, in this instance, it is reasonable to conclude that this amounts to fixed surface infrastructure and all of the land within the curtilage is developed.
- 6.4 Paragraph 145 (g) goes on to state that the redevelopment of PDL would not be inappropriate only if it would "not have a greater impact on the openness of the Green Belt than the existing development". In order to determine whether the proposal would amount to inappropriate development careful consideration needs to be given as to whether the development proposals for six detached dwellings would have a greater impact upon the openness of the Green Belt and the purpose of including land within it, than the existing development on the application site. In the most recent appeal decision for 5 dwellings, RU.18/1371, the Inspector considered that the then proposed five detached dwellings would not result in greater impacts on the Green Belt than the site in its present form and concluded that that proposal (for five dwellings) would not amount to inappropriate development in the Green Belt. However, the current application is for six detached dwellings, that is, an additional dwelling over and above that considered by the Inspector. This "sixth "dwelling would be located in the south eastern corner of the site, an area of the site which was proposed to be left open and landscaped in the appeal proposal. At present, the south eastern corner is occupied by three lawful shipping container structures with a maximum height of 2.6m and some HGV/trailer parking. It is considered that this proposed development with maximum heights of 5.5m and spread of new development would have a greater impact on the openness of the Green Belt across the site and therefore the proposal, as a whole, amounts to inappropriate development in the Green Belt which is harmful in principle and also there would be some harm to openness. Inappropriate development should not be permitted unless very special circumstances exist which clearly outweigh the harm to the Green Belt and any other harm.
- 6.5 The Inspector RU.18/1371 went on to say that the parking of vehicles and outside storage, spread across the site as they are, and their visibility over the existing boundary features from certain directions "have a significant effect on the openness of the Green Belt". In coming to his decision, the Inspector took into account the structures which were granted a Certificate of Existing Lawful Development under RU.19/0861. However, since that appeal decision a further Certificate has been granted, this time a Certificate of Proposed Lawful Development (CLOPUD) under RU.19/1531. The building, allowed under Class H of the GPDO, would have a footprint of 189m2 and a ridge height of 5m and would be located 5.4m from the eastern boundary of the site, spreading the built development to the east towards the open countryside. Although this has not been constructed the applicant submits that, if the current application for residential development is not approved, then this new warehouse building will be erected in order to enhance the commercial viability of the site. The applicant has submitted case law which confirms that, where there is real prospect of such permitted development being implemented, this amounts to a "fallback position" and as such will be a material consideration in determining the application.
- 6.6 Both of the previous appeal inspectors (RU.18/1371 for 5 dwellings and RU.18/0108 for 14 dwellings) concluded that the existing development, including the outside storage and parking of HGVs, "resulted in an unattractive appearance to the site that harmed the intrinsic character and beauty of the landscape". The most recent Inspector RU.18/1371 concluded that "the introduction of dwellings, gardens and a sizeable landscaped area would improve the visual appearance of the area". It is considered that the removal of the existing buildings and structures, along with the extensive areas of hardstanding and external storage, would result in significant visual improvements to the Green Belt and this weighs significantly in favour of the proposal. It is therefore

considered that there would be no harm to the visual amenities of the Green Belt, in fact there would be a positive improvement.

- 6.7 It is therefore necessary to consider whether there is any other harm other than the harm to the Green Belt. In the recent appeal decision (RU/18/1371) the Inspector concluded that, "having regard to the Habitats Regulations, permission should not be granted". He came to this conclusion because he could not "be certain that the contribution (*as proposed in the Unilateral Undertaking accompanying the application*) would ensure that there was alternative green space of appropriate quality and as conveniently located to the appeal site as the SPA". He went on to say that he had no clear and up to date details regarding the condition or capacity of the SANGS within the borough.
- 6.8. Since that appeal decision, the Council has engaged with Natural England(NE) about its mitigation strategy for the TBHSPA. The proposal provides new dwellings and in such circumstances, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) require that an Appropriate Assessment is carried out. The Habitats Regulations also indicate that permission may only be granted after having ascertained that a scheme will not affect the integrity of the European site. The Council as a competent authority has undertaken an Appropriate Assessment with regards the potential impact of the development upon the habitats site. NE agrees with the position that the Council has taken in relation to the provision of strategic SANGS and securing SAMM payments.

In addition, the TBH Delivery Framework states :

Developments of less than 10 dwellings do not need to be within a specified distance of SANG provided that a sufficient quantity and quality of SANG land to cater for the consequent increase in population is identified and available in that district or agreed in an adjoining district, and functional in advance of completion15. However, all net new dwellings (including on sites of less than 10 dwellings) will be required to contribute to the provision of avoidance measures. Monitoring of the available capacity of SANG must take account of this requirement.

The background to the decision to include all residential development is that

"The Assessor [South East Plan Technical Assessor] recommended that only new residential development of 10 dwellings or more would have an impact on the SPA. The Board considers that this approach fails to recognise the longer term cumulative effect of small-scale developments, however accepts his conclusion that individually developments of less than 10 dwellings will not have a significant impact on the SPA. Thus this Delivery Framework recommends a more flexible approach to the provision of SANG in relation to smaller developments. The threshold of 10 is identified on the basis of the definition of major development in the GDPO 1995.

The application site lies within the catchment area of both St Ann's Hill and Homewood Park SANGS and just beyond that of Chertsey Meads. The Council has knowledge of the suitability, quality and spare capacity available at these sites and considers them to provide suitable mitigation to help avoid the potential for recreational disturbance to the SPA through additional activity potentially generated by the proposed development, which would otherwise have had the potential to affect the integrity of the SPA.

Following assessment by the Council as a competent authority and confirmation from NE who are the statutory body, the council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided.

It is therefore concluded that the Unliteral Undertaking submitted with the application, which provides for a financial contribution for SANGS and SAMM, is acceptable mitigation of the impact of the proposed development on the TBHSPA, and has overcome the previous appeal Inspector's single reason for dismissal of the appeal for 5 dwellings RU.18/1371.

6.9 In relation to design, paragraph 127 of the NPPF advises that developments should function well and add to the overall character of the area, be sympathetic to the surrounding built environment (local character and history) and should be visually attractive as a result of good architecture, layout and landscaping. There would be some benefit to the extinguishing of the existing commercial use and the removal of the buildings, structures and hardstanding associated with it. The replacement residential properties would have the benefit of improving the visual appearance of the site as well providing a less intensive use for the site which would benefit the character of the wider area. The proposed dwellings would be set back from the highway allowing for landscaping to the road frontage which would benefit the visual appearance of the street scene and the wider area. The proposed dwellings would be of a simple design, with low roof form and resultant reduced mass and bulk. Single storey in height, with a pitched roof finished in a slate type material, the elevations would be finished with a brick base with timber cladding above which would be a traditional rural approach consistent with the setting of the site. Each dwelling would measure 5.5m to the ridge which is higher than the existing storage building. The dwellings proposed in the two recent appeal proposals also showed dwellings of 5.5m height. Neither Inspector found those proposals would be detrimental to the character or quality of the area and it is therefore also considered that the same conclusion can be made in respect of the current proposed development. There would be a good level of separation between the dwellings and to boundaries which will maintain the open character and appearance of the area, and provide buffers to neighbouring land uses. There will be good standards of privacy and outlook for future occupiers with generous rear garden amenity and space for parking. The proposal therefore complies with saved Policy HO9 in this respect.

- 6.10 In terms of impacts on neighbouring dwellings, the layout has been designed to ensure that the development seeks to protect the amenities of existing dwellings surrounding the application site. The nearest existing dwelling is No.2 Hogsters Cottage which is 26m from the boundary of the application site at its nearest point. The layout of the proposed development, in combination with the positioning of existing dwellings surrounding the application site, is not considered to result in any detrimental impacts, including overlooking or loss of privacy. There are other residential properties in the wider vicinity of the site including in Hurst Lane to the south of the site, but it is considered that none would be adversely affected by the proposed residential development. The proposal therefore complies with Policy HO9 in this respect as well.
- 6.11 At the current time the adjoining site to the north is vacant but was last used for horticulture. Previous proposals for residential use of the current application site did not raise concerns about the impact on amenities of this adjacent use. There has been an application for Prior Approval (RU.20/0237)for the change of use of the existing glasshouses to dwellings which has recently been approved. Although the existing glasshouses measure up to 6m at their highest point, the restrictions on the maximum floorspace of the proposed dwellings under the GPDO would mean that residential accommodation will be at ground floor level only. Therefore, no concerns regarding mutual overlooking are anticipated between the dwellings proposed in the current planning application and those which has been granted under the Prior Approval application.
- 6.12 The site is located in a Landscape Problem Area. Saved Policy NE10 supports the improvement of landscape in such areas. The Appeal Inspectors concluded that the existing development, "including the outside storage and parking of HGVs, resulted in an unattractive appearance to the site that harmed the intrinsic character and beauty of the landscape". The proposed dwellings would each have a reasonably large area of garden. Although landscaping is a reserved matter for later consideration, there is scope for landscape improvements which can be given some weight in favour of the proposal. The proposal therefore complies with saved Policy NE10.
- 6.13 In respect of highways, the County Highway Authority agrees with the Applicant's submission that the expected impact of the proposal is a decrease in numbers of vehicle movements and also a reduction in the size of vehicles using the site, with a consequent reduced impact on the local Highway network and raises no objections to the proposal on either highway safety or capacity grounds subject to the inclusion of conditions. There would be ample parking within the curtilages of the new dwellings in compliance with the Council's adopted maximum parking standards. It is considered that the proposal complies with Saved Policies MV4 (Access and circulation arrangements), MV5 (Access to public transport) and MV9 (Parking standards). The County Highway Authority has recommended electric charging points are provided for each dwelling, and that a construction management plan is secured. It is considered the reduction in trips weighs in favour of the proposal and significant weight can be attributed to this. The application also proposes highway improvements by way of the provision of a footpath link from the site access on Hurst Lane to Stroude Road. This would be a benefit to the wider community and weighs in favour of the proposed development and increases the sustainability of the site in accordance with the NPPF.
- 6.14 The area of the application site is in excess of the 0.4 hectares threshold which is recommended for archaeological assessment under saved Policy BE17. The Applicant has provided an archaeological desk-based assessment as part of the application. The report concludes that the site would appear to have moderate archaeological potential for archaeological remains to be present. Following consultation with the County Archaeological Service they advise that further work will be required and recommend that a planning condition should be imposed on any permission to secure the implementation of a programme of archaeological work which should comprise an archaeological evaluation trial trenching exercise. On this basis it is considered that the development would comply with saved policy BE17 of the local plan and heritage policy within the NPPF.

- 6.15 The application site falls within Flood Zone 1. On this basis, the development of the site for new residential development is considered to be acceptable in flooding terms as it is introducing new residents to an area with the lowest risk of flooding within the Borough. The proposed development is therefore considered to be acceptable in flooding and drainage terms and complies with policy within the NPPF and NPPG. A condition is necessary to ensure sustainable drainage for the new dwellings is provided in accordance with saved Policy SV2 and the NPPF.
- 6.16 The application is supported by a Phase 1 Ecological Study (Updated by letter of 10 March 2020) which also identifies opportunities for biodiversity enhancements. Surrey Wildlife Trust advises that these enhancements should be secured by condition. On this basis it is considered that the development would comply with policy in the NPPF. The site would also be suitable for renewable energy measures to be provided for each dwelling and a condition is recommended to secure this, also in compliance with the emerging Runnymede 2030 Local Plan and the NPPF.
- 6.17 In respect of contaminated land the application is accompanied by a Stage 1 Contamination Report which considers the historical data and information from a site walk over. The Phase 1 report concludes that there is a requirement for a second phase of investigation i.e. they need to carry out an intrusive investigation and also there needs to be a discovery (i.e. in the event of discovering further unforeseen contamination) strategy in place. There is an historic landfill site within 250m and hence consideration of gassing is required. The potential gassing issue has been identified in the Phase 1 report and therefore there will be a requirement either to risk assess it or simply put in a gas protective membrane. The Contaminated Land Officer raises no objections and recommends conditions.
- 6.18 The Applicant has submitted an Arboricultural Impact Assessment and Method Statement (updated 18 March 2020) which proposes the removal of an existing 'leyland cypress' planted tree screen along the southern boundary of the application site. The Council's Tree Officer does not object to this removal given its poor quality. However, it is acknowledged that this existing row of Leyland Cypress does currently provide a dense planted screen along the southern boundary, so its removal needs to be carefully considered. The Applicant has stated that it is the intention to mitigate against the loss of this screen planting with new native tree and hedge planting which would comprise part of the intended comprehensive landscaping of the application site. It is considered that on the basis of the above assessment, the loss of this planted screen would mitigated and enhanced subject to new native tree and hedge planting. Landscaping is a matter reserved for later consideration and a condition to that effect is recommended. On this basis the application is considered to comply with saved policies NE12, NE14 and NE15 and policies within the NPPF.
- 6.19 In response to previous applications on the site, Surrey County Council, as Minerals Planning Authority (MPA), advised that the application site is located within a 'Minerals Safeguarding Area' for concreting aggregate which the MPA seek to safeguard from development which would sterilise this underlying mineral resource. In the absence of a Full Mineral Assessment the MPA recommended refusal of a previous application on the basis that the proposed development was located within a mineral safeguarding area and the applicant has failed to demonstrate how the residential development proposed would not sterilise a significant quantity of important and potentially economic mineral resource, contrary to Policy MC6 of the Surrey Minerals Plan 2011 Core Strategy. In both previous appeal applications, the objection from the MPA was carefully considered and concluded that the current lawful B8 use of the application site has already had an impact upon the potential future use of the site for mineral extraction. It was considered that very limited weight, if any, be given to this consideration and there would be no reason to withhold planning permission purely on this basis. As circumstances at the site have not changed nor has there been any change in policy circumstances, it is considered that the same balancing can be made under this current application.
- 6.20 Therefore, from the above analysis of the planning merits of the proposal and the technical matters, it is considered that the development comprises inappropriate development in the Green Belt which is harmful by definition. There is also harm to openness of the Green Belt. Substantial weight has to be given to any harm to the Green Belt. Paragraph 145 of the NPPF confirms that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. However, it is considered that there are no other harms arising and conditions are recommended to secure any mitigation measures. This is a different situation to that in the previous appeal as the Inspector concluded that there would be harm to the TBHSPA. The applicant has addressed this matter and therefore this falls away under the current application.

consideration is whether any very special circumstances exist which clearly outweigh the harm to the Green Belt and carry out the planning balance.

- 6.21 The Applicant has submitted a range of supporting information in order to seek to demonstrate that very special circumstances exist, which have been carefully reviewed by officers. Weighing against the proposal is the harm to the Green Belt by definition and the harm to openness. Substantial adverse weight must be attributed to these harms. Moderate adverse weight is attributed to the loss of the existing B8 Storage & Distribution use. Very limited weight can be given to the objection from the Mineral Planning Authority. The proposal would contribute six new dwellings to the housing stock for which there is an identified need. In addition, there would be economic benefits during construction and from future occupiers' support of local services. Moderate positive weight can be attributed to these benefits.
- 6.22 The site has been identified in the Council's Brownfield Register as having the potential for 4-5 dwellings. Paragraph 68 of the NPPF states that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly". Paragraph 118 of the NPPF states that decision should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Some weight in favour of the proposal can be given to the contribution the proposal would make to housing supply through the reuse of brownfield land.
- 6.23 At present, the Council cannot identify a 5 year housing supply and the adopted local plan 2001 is out of date in this respect. Therefore this development would contribute to the number of homes being delivered through the planning process. Some weight can be attributed to this. However, as the site lies within the Green Belt, the 'tilted balance' in the NPPF is not applied but the merit of additional housing within the borough can still be accorded some weight.
- 6.24 The proposal would result in the redevelopment of previously developed land. The lawful development is spread across the site. The combined development, both existing and permitted, is substantial. The development for which a CLOPUD has been granted would allow additional built development on the site, close to the boundary with the open countryside beyond. This "fallback" position is considered by officers to be a realistic possible alternative of how the site could be developed and is therefore a material consideration in determining this application. This is a change in planning circumstances since the previous RU.18/1371 was considered at appeal. Such a development would have a substantial negative impact on the openness of the Green Belt. Taken in isolation and in comparison with the previous appeal scheme for 5 dwellings, the "sixth dwelling" would harm the openness of the Green Belt. However, when compared with the "fallback position" it is not considered that the harm would be materially greater than the fall back position. In addition, the implementation of the CLOPUD building would be likely to increase traffic movements and activity on the site to the further detriment to residential amenities. It is therefore considered that, in these particular circumstances, the identified harm to the Green Belt of the current proposals is clearly outweighed by the realistic alternative proposal. This was not available when previous inspectors considered their appeals and is a material change in planning circumstances.
- 6.25 Substantial positive weight can be attributed to the improvement in the visual amenities of the Green Belt as a result of the proposed residential development. The proposal would be likely to result in a reduction in both the type and number of traffic movements when compared to the existing use. The PPG advises that this can be taken into account when considering the potential impact of the development on the openness of the Green Belt. Therefore, the proposal would amount to a reduction in harm to the visual amenities of the Green Belt which attracts substantial positive weight.
- 6.26 In addition, the reduction in the number and type of vehicular movements and the removal of outside storage would bring benefits to the amenities of adjoining residents and this can also be given positive weight. The contribution of six additional dwellings to meeting housing need and the economic benefits, both during the construction phase and in the longer term from future residents, as well as the opportunities for biodiversity enhancement as a result of the proposed development are further benefits of some weight. The provision of a new section of footway on Hurst Lane would enable improved pedestrian access to the existing footway and bus stops on Stroude Road and is considered to represent a benefit to highway safety. Some positive weight can be given to this aspect in favour of the scheme.
- 6.27 This is a finely balanced case and officers have given detailed consideration to the planning history including Inspectors' reasonings, and also the changes to the status of the site in respect of the fall-

back position. Taking all these factors into account, on balance, it is considered that the benefits of the proposed development are such that, in combination, they amount to the very special circumstances which are necessary to clearly outweigh the identified harms and justify the grant of planning permission. However, it is considered necessary to remove permitted development rights for extensions under Class A and outbuildings under Class E of Schedule 2 Part 1 of the General Permitted Development Order 2015 (as amended), and also to limit the height of the dwellings to 5.5 metres, all to ensure the protection of the openness and visual amenities of the Green Belt and new and existing residential occupiers, as significant weight has been given to the low height of the dwellings and the spacious gardens and separation to boundaries, in the planning balance.

7. <u>Conclusion</u>

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 be inappropriate development in the Green Belt. However, the fallback position which has the ability to develop the site further is a material consideration of some significance. Taken as a whole, it is considered that this material consideration and the identified benefits of the proposed scheme would be such that they would amount to very special circumstances which would clearly outweigh the harm to the Green Belt and therefore planning permission should be granted. The development has been assessed against the following Development Plan policies saved Policies GB1, H09, BE17,NE10, NE15, NE16, NE20, MV4, MV5 & MV9 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 Outline application (standard time limit) Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved.

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

2 Outline application (reserved matters standard time limit)

a. Application for approval of the reserved matters referred to in Condition 1 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

b. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the reserved matters to be approved, whichever is the later.

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

3 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plansA.001; Site Survey 01 6567- March 2017; A.002 Rev F; A.101 Rev F;A.102.Rev F. Supporting Statement, Surface Water Drainage Strategy, Archaeological Desk-based Assessment, Arboricultural Implications Assessment and Method Statement, Transport Statement, Ecological Statement.

Reason: To ensure an acceptable scheme and to comply with saved Policies GB1 and GB6, HO9, MV4, NE15 of the Runnymede Borough Local Plan Second Alteration 2001.

4 External materials

Before the above ground construction of the development hereby permitted is commenced, full details 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 HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

5 Demolition (Green Belt)

The construction of the new dwellings hereby approved shall not commence until all the existing buildings shown on drawing 'Site Survey Existing' have been demolished.

Reason: To protect the openness of the Green Belt and to comply with saved Policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.

6 Height of development

The highest part of the development hereby permitted shall not exceed 5.5 metres in height measured from the immediate adjoining finished ground level.

Reason: In order to obtain a satisfactory form and scale of development to protect the openness and visual amenities of the Green Belt and residential amenities within and adjoining the site, and to comply with saved Policies GB6 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

7 Restricted Permitted Development Rights

Notwithstanding the provisions of Classes A and E of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or reenacting that Order with or without modification, no development following within the descriptions of Classes A and 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 and visual amenities of the Green Belt, and in the interests of the amenities of existing and future residential occupiers and to comply with saved Policies GB1, GB6 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

8 Ecology and Biodiversity

The development shall be implemented fully in accordance with the submitted Phase 1 Ecological Assessment prepared by Pro Vision. 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 protect the ecology of the site and to enhance the biodiversity of the site and to comply with guidance with Phase 1 Ecological Assessment prepared by Pro Vision and to comply with the policies and guidance in the NPPF.

9 Archaeology

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: To allow archaeological information to be recorded and to comply with saved Policy BE17 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 (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, all screen and boundary walls, fences, hedges and any other means of enclosure, access features, minor structures, 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 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, HO9 and GB1of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

11 Tree planting

Details and plans of new trees to be planted to replace the existing leylandii hedge accordance with the plans hereby approved shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to the commencement of the above ground construction of the development hereby permitted and these works shall be carried out as approved prior to the first occupation of the development. Once planted, photographic evidence of the new trees shall be submitted to the LPA for approval.

Any new trees, or any replacement trees planted as a requirement of the conditions herein, which before the expiration of five years from the date of completion of the development, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of suitable size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To mitigate the loss of tree and hedge cover, to protect and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with and saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

12 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.

13 SuDS (verification)

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure that the drainage system is constructed to the national Non-Statutory Technical Standards for SUDS.

14 Renewable energy

Prior to the first occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority (LPA).

Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the LPA.

In the event of air or ground source heat pumps being the chosen renewable energy measure, details shall be submitted to and approved in writing by the LPA prior to installation. Details shall include acoustic data to demonstrate that there will be no increase in the background noise level and that there will be no tonal noise emitted from the unit, as well as details of the location of the unit(s) and the distance to the closest dwelling.

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policy SD9 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

15 Electric vehicle charging points (per dwelling)

An electric vehicle charging point shall be provided for each dwelling. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The charging points shall be retained for the lifetime of the development.

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

16 Contamination

Land Affected by Potential Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (i) to (iv) or otherwise agreed remedial measures have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until Condition (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
- " human health

" property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

- " adjoining land
- " ground waters and surface waters
- " ecological systems
- " archaeological sites and ancient monuments

(ii) Submission of Remediation Scheme

If found to be required no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal and remedial options, proposal of the preferred option(s), a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works.

Upon completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to the local planning authority.

(iv) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of Condition (i) or otherwise agreed and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition (ii) in the form of a Remediation Strategy which follows DEFRA CLR11 approaches. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation (verification) plan and report must be submitted to and approved in writing by the Local Planning Authority in accordance with the Local Planning Authority in accordance with the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation (verification) plan and report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition (iii)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF.

17 Modified access

The development hereby approved shall not be first occupied unless and until the proposed modified access to Hurst Lane and the new section of footway on Hurst Lane as shown on 5844.001A of Appendix 2 of the Transport Statement (Stuart Michael Associates January 2020) have both been constructed and provided and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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.

18 Parking and turning space

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 Policy MV4 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

19 Construction 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. measures to prevent the deposit of materials on the highway;

g. before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;

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.

20 New footway

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:

(a) Provision of a footway link from the site access along Hurst Lane to Stroude Road.

(b) Provision of an informal pedestrian crossing point to allow for continuous footway access between Stroude Road and the site access.

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:

- 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 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.

3 Highway works

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 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/floodingadvice.

4 Mud/debris on the 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).

5 Accommodation work

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

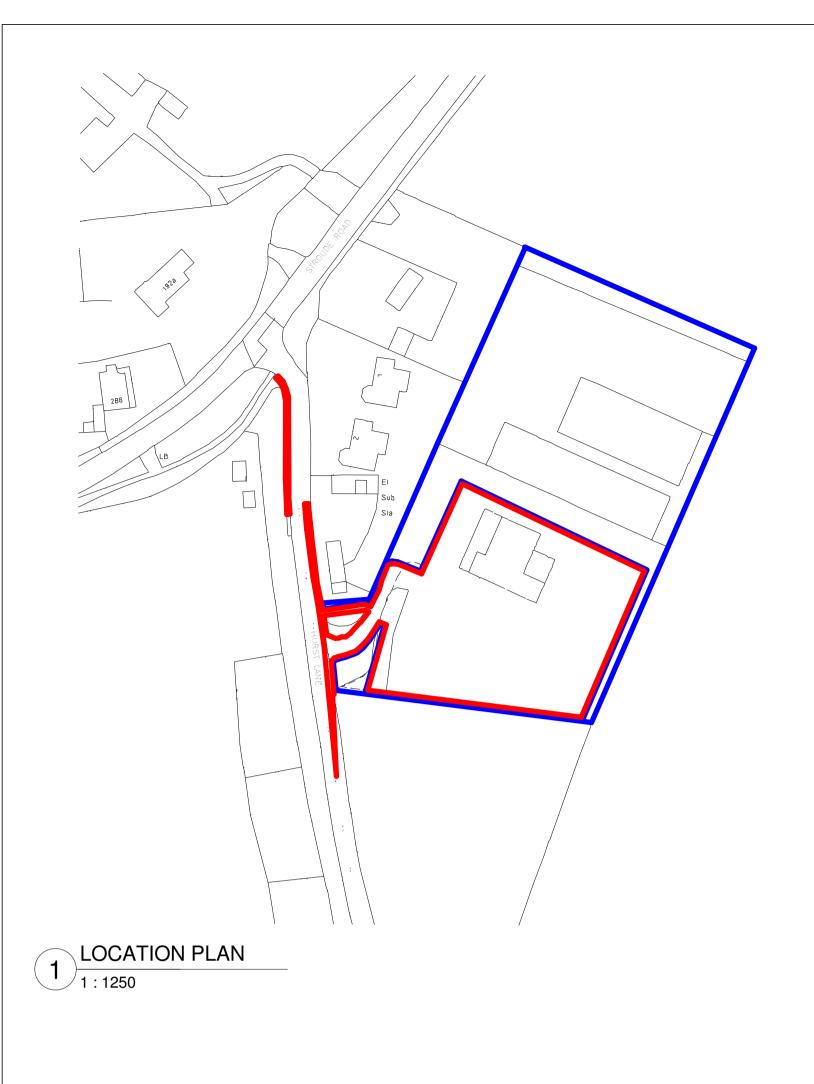
6 Damage to Highway

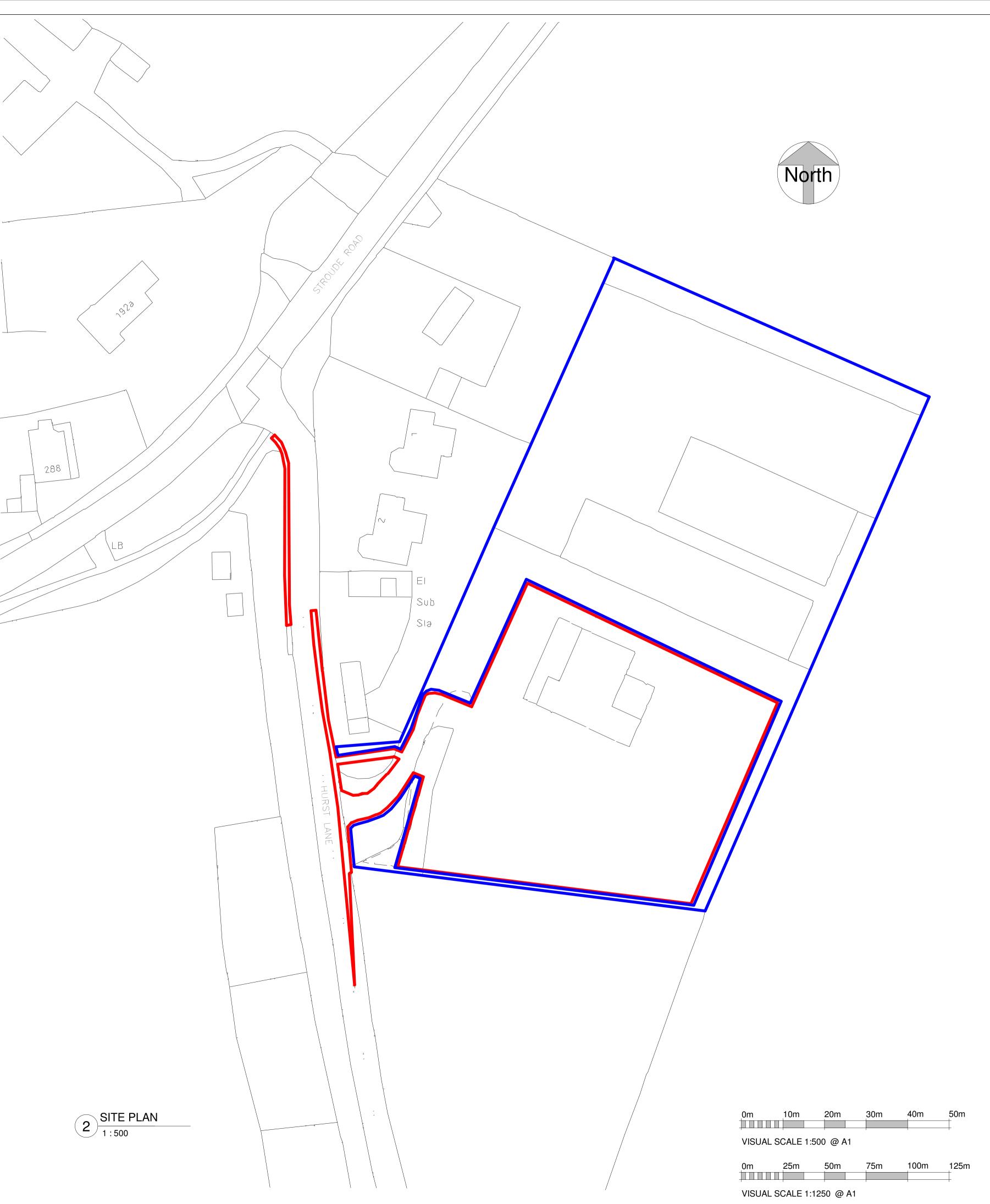
Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

7 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.

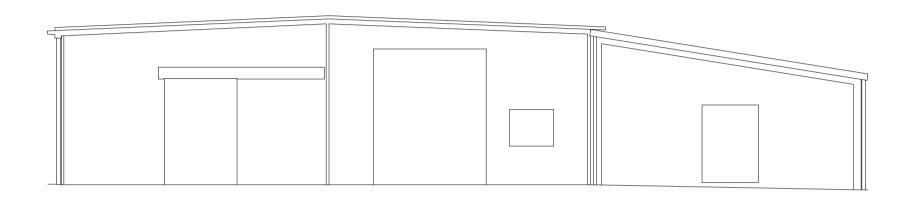
8 The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.





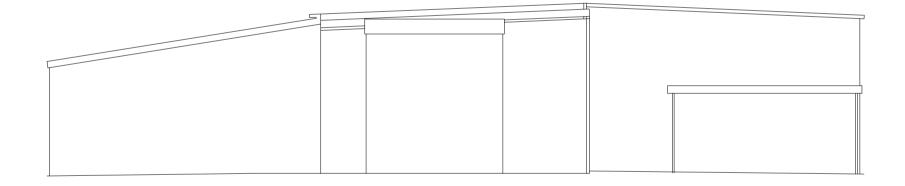
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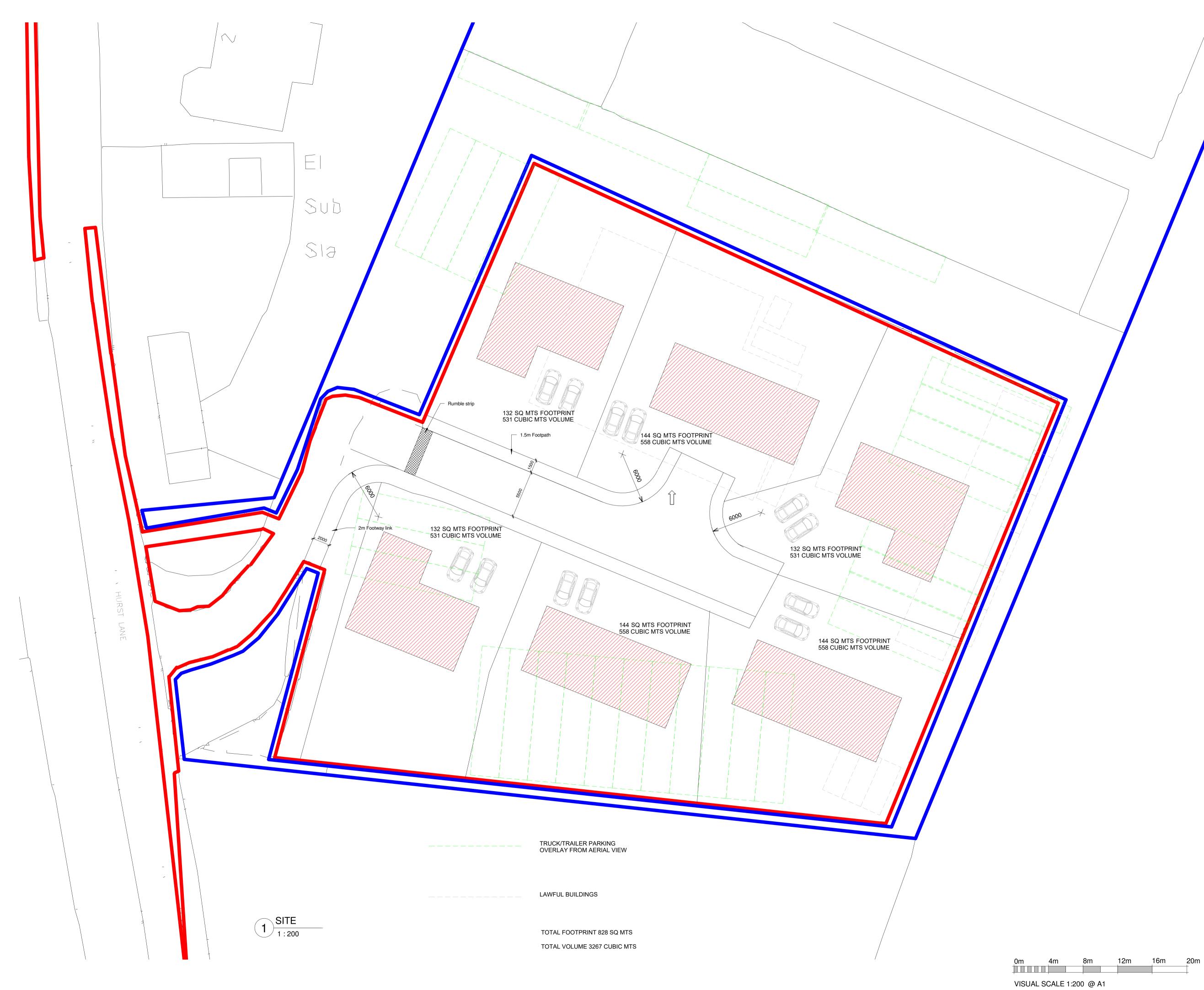
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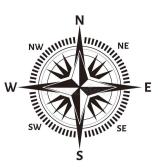
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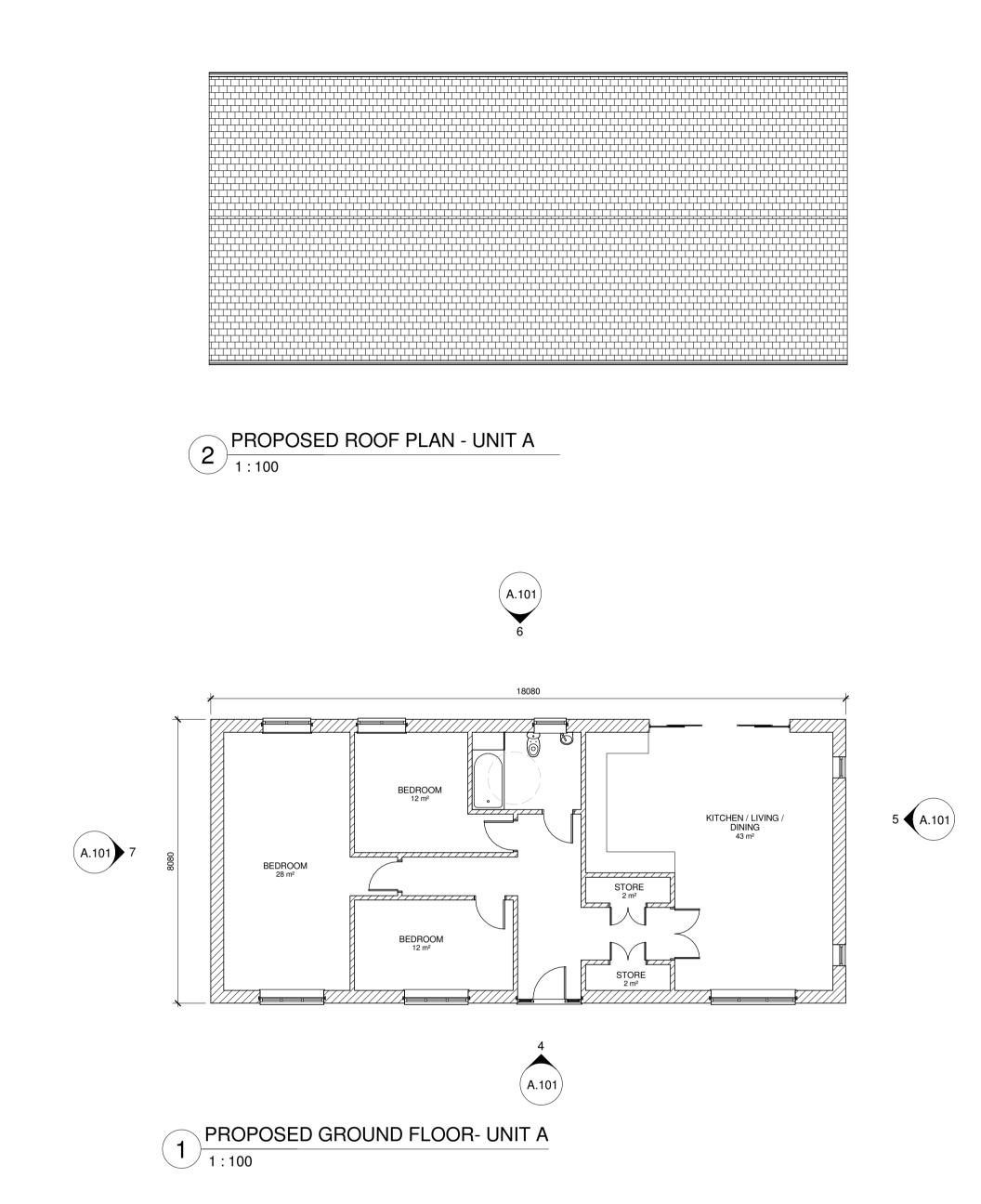
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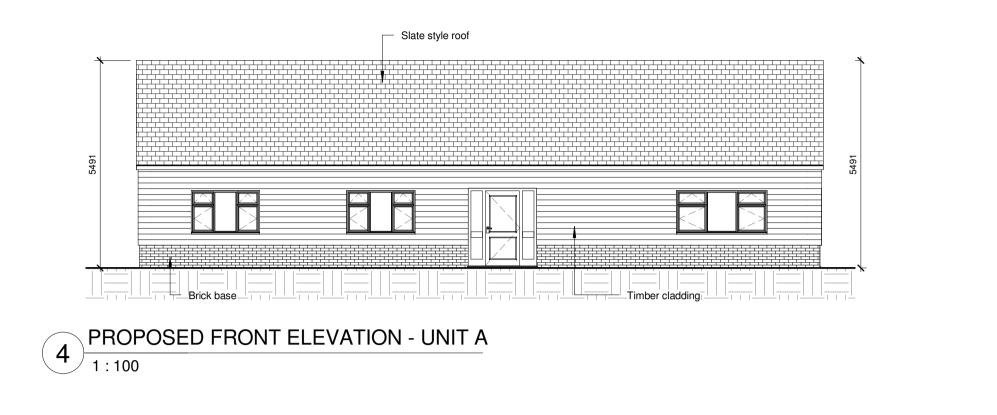


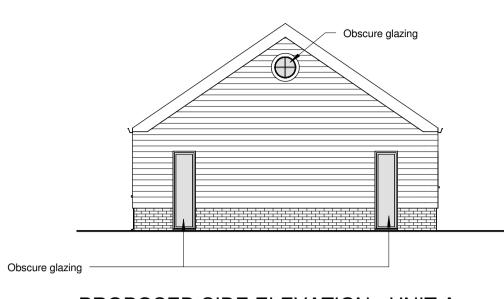




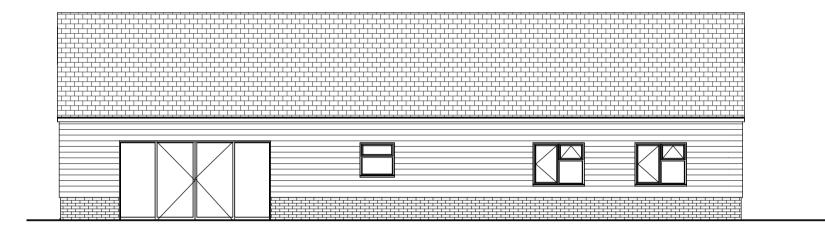
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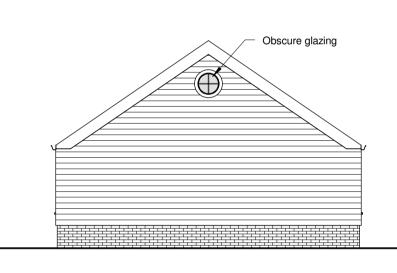






5 PROPOSED SIDE ELEVATION - UNIT A





6 PROPOSED REAR ELEVATION - UNIT A

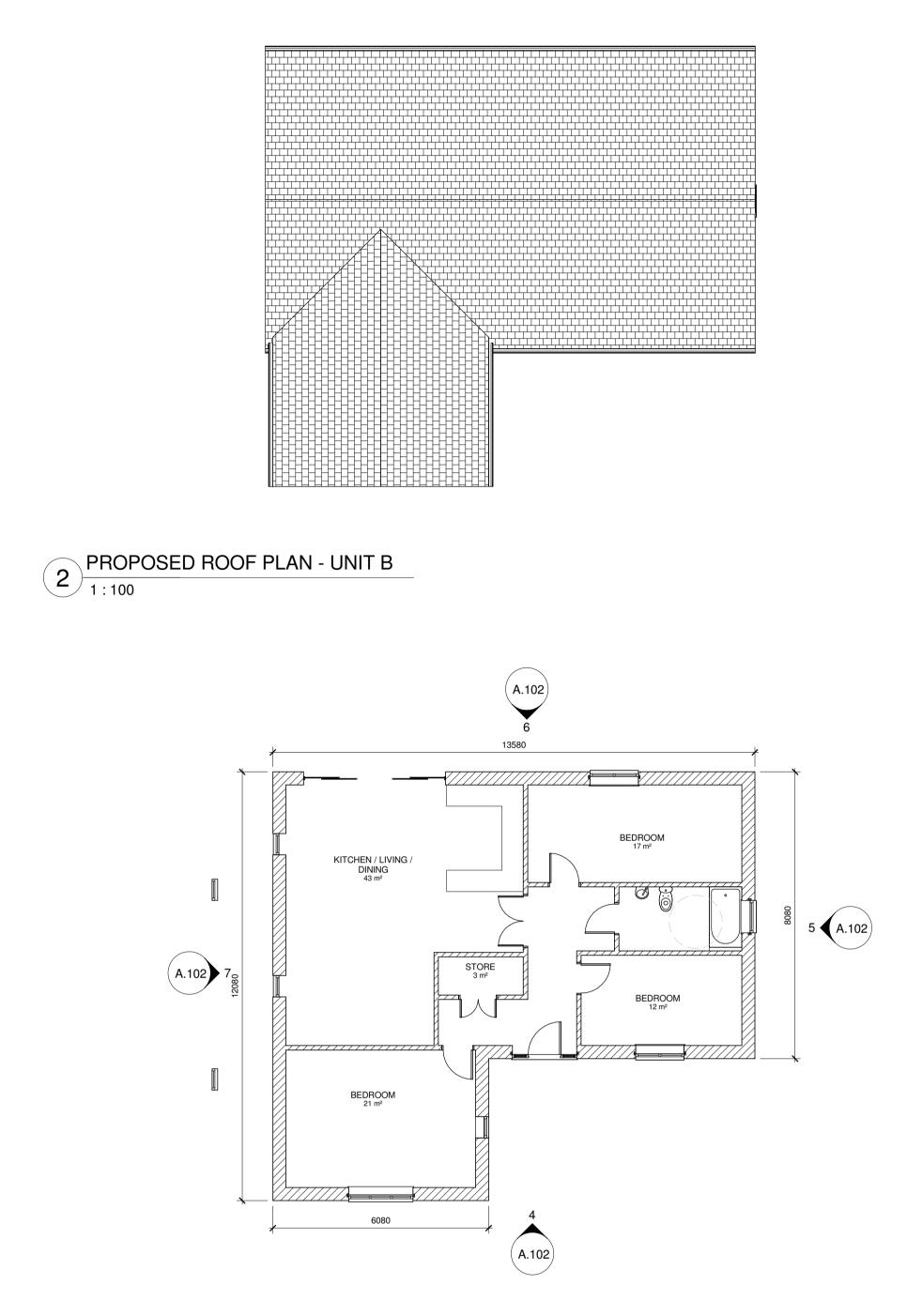




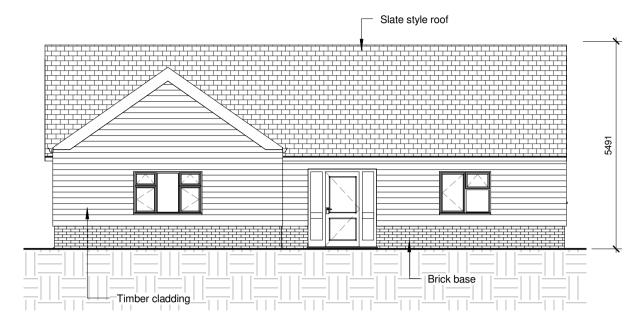
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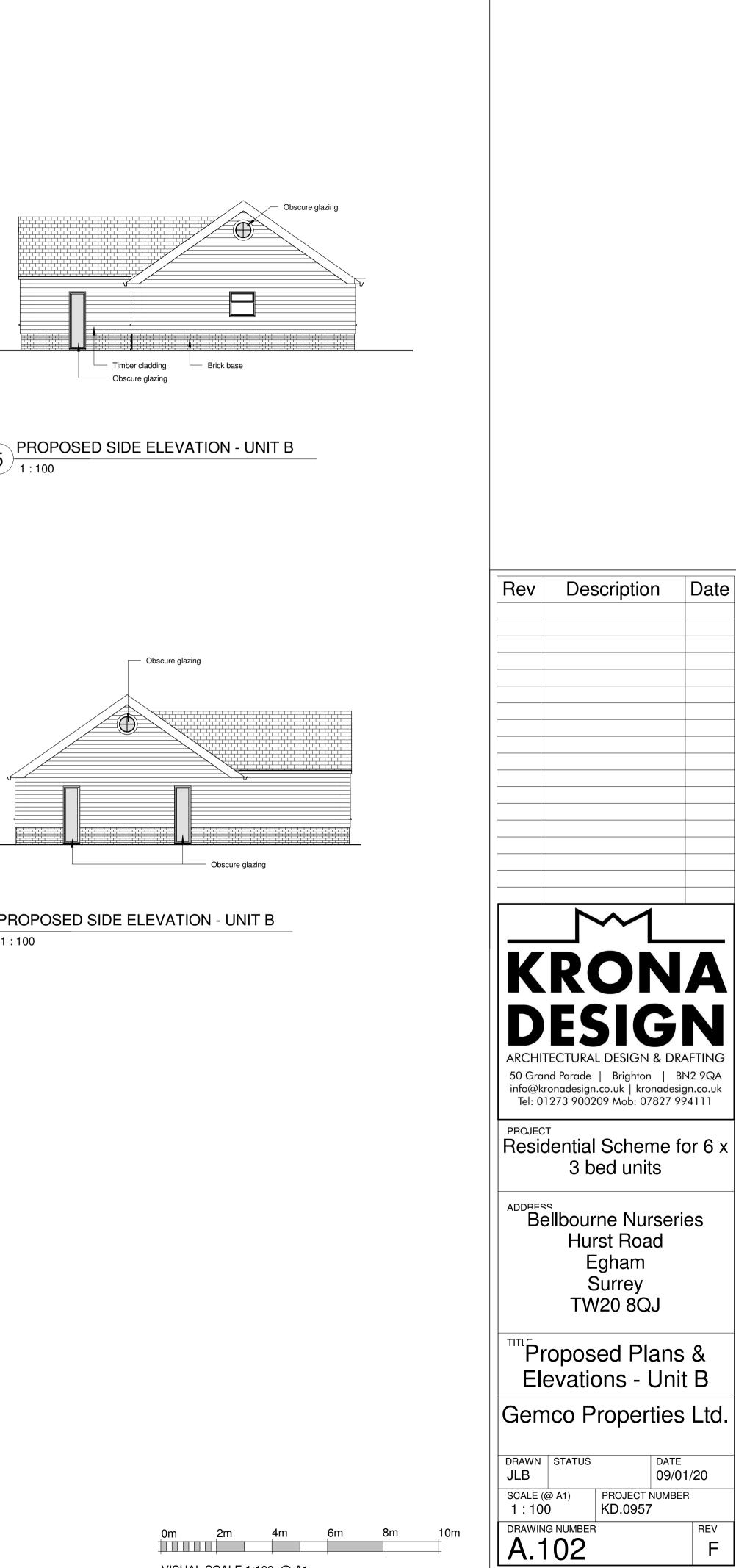
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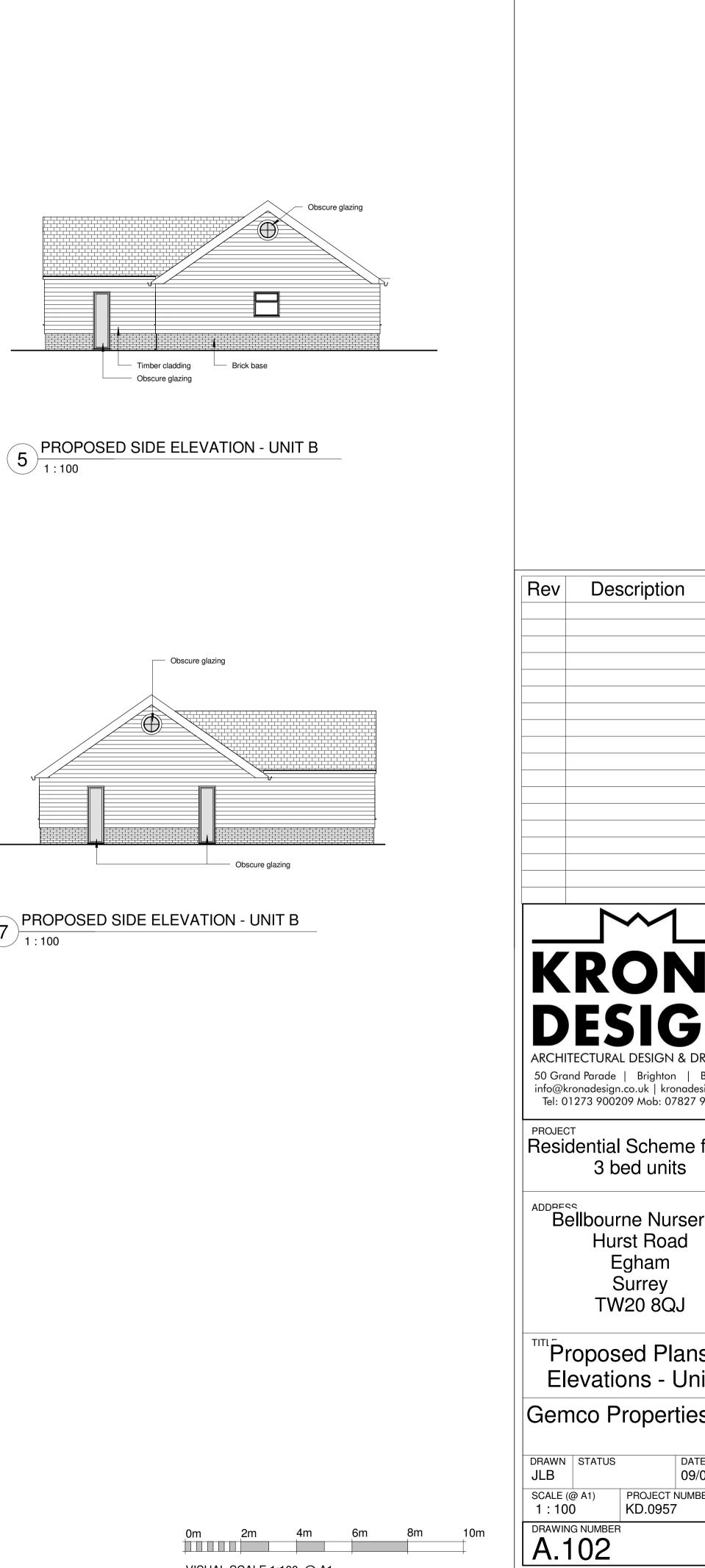


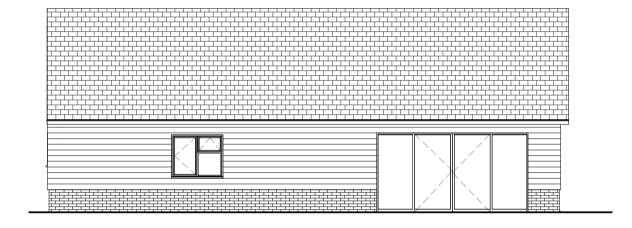
1 PROPOSED GROUND FLOOR- UNIT B

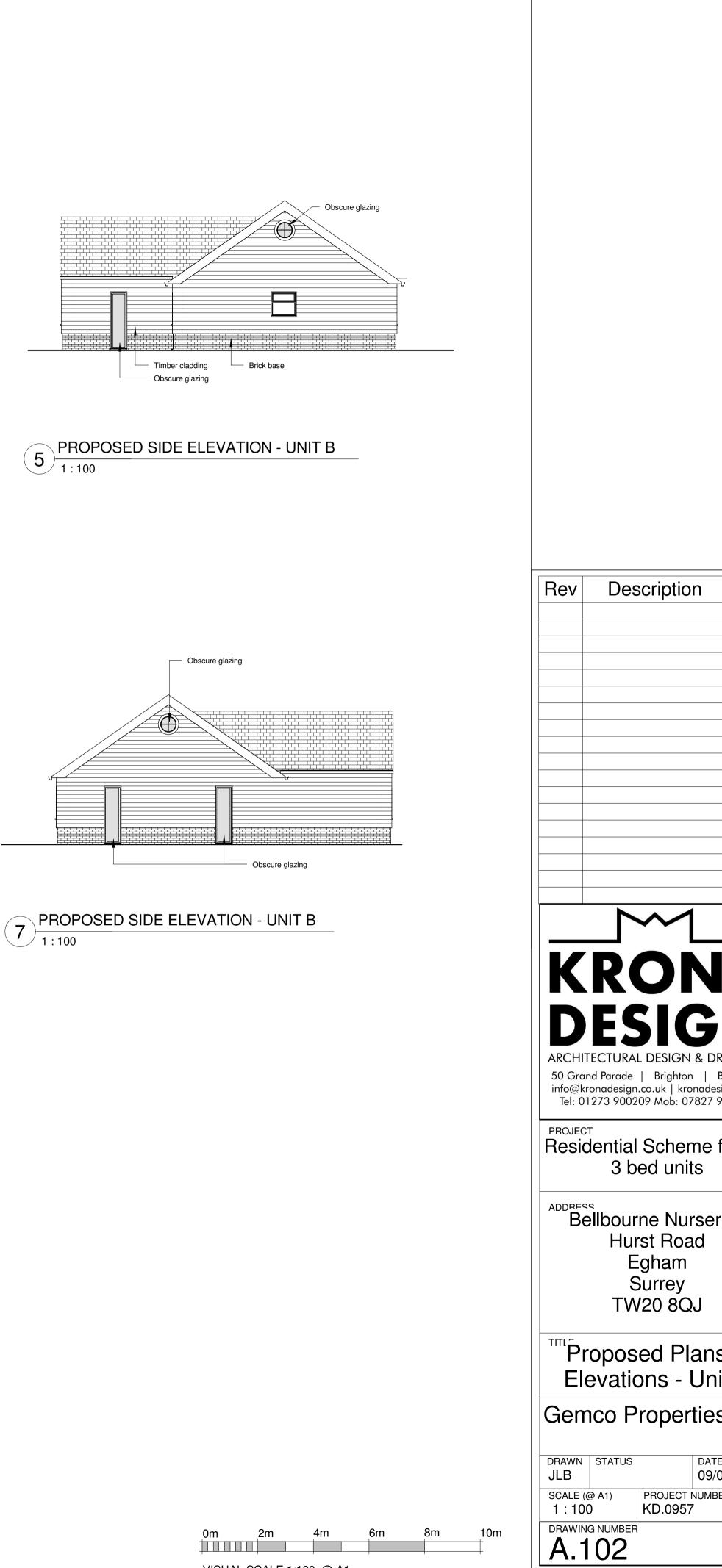




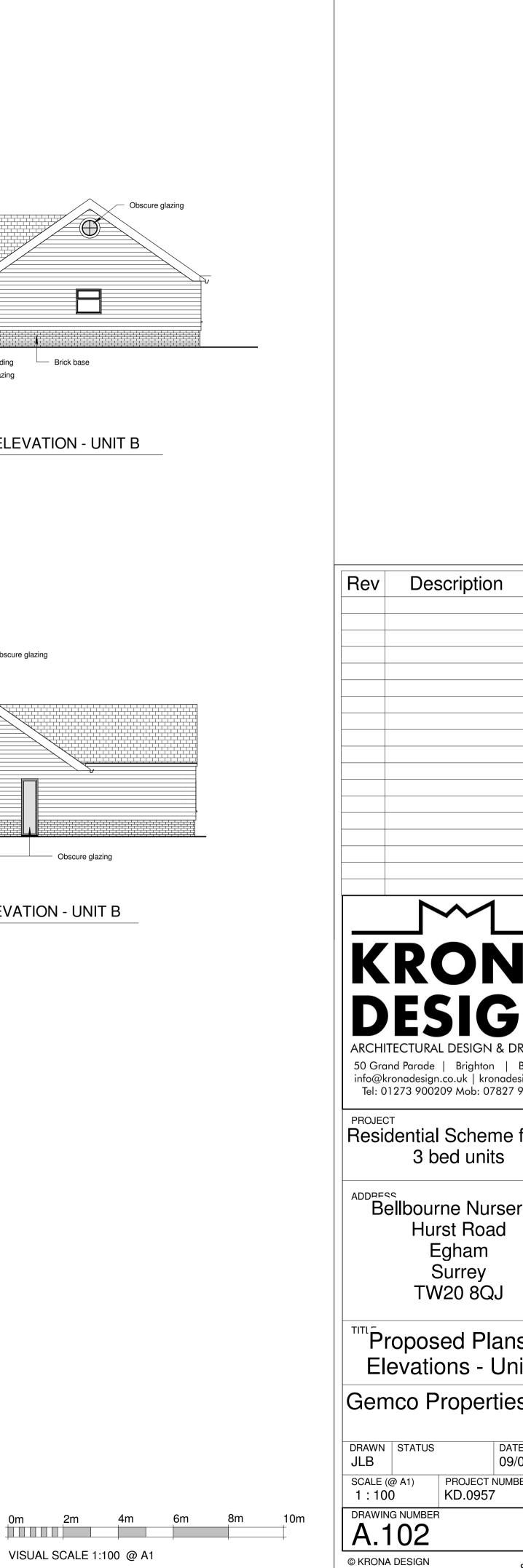
4 PROPOSED FRONT ELEVATION - UNIT B 1:100







6 PROPOSED REAR ELEVATION - UNIT B



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REV

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RU.19/1718	Ward:
LOCATION:	Fangrove Park
	Lyne Lane
	Lyne
	Chertsey
	KT16 0BN
PROPOSAL	Variation of condition 2 of planning permission CHE.15850)Use of 13 acres for stationing 150 caravans) to allow 156 caravans to be stationed within the caravan park
TYPE:	Removal / Vary Condition(s) from Planning Permission
EXP DATE	03 January 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. <u>Site</u>

1.1 Fangrove Park is a residential mobile home park covering approximately 13 acres situated on the east side of Lyne Lane, Lyne. The site is located in the Green Belt and within 5km of the Thames Basin Heath Special Protection Area. The site is bounded to the north by detached residential properties with spacious plots fronting Almners Road and separated from the site by long rear gardens. The access to the site is shared with a small number of isolated properties to the south east of the site. Planning permission for the caravan site is limited by condition to 150 mobile homes. From officer site visits, it appears that recently up to 154 mobile homes were located on the site and potential for a home recently burnt (plot 50) out to be replaced. However, the applicant has removed some of these caravans and there are currently 151 caravans stationed on the site. There are no Enforcement Notices affecting the site and investigations have been suspended pending the outcome of this current application. The caravan park is verdant with caravans located amongst mature trees and hedging across the site. The site is screened from the rear gardens of residential properties on the south side of Almners Road by narrow band of mature trees and is covered by a Tree Preservation Order (TPO) (no.226). The woodland directly east of the caravan site, also within the applicant's ownership, is also covered by TPO (no.439), is designated Ancient Woodland and a Site of Nature Conservation Importance (SNCI). The site is also within 5km of the Thames Basin Heaths Special Protection Area.

2. Planning history

2.1 The caravan park has been in existence since the 1960s, expanding from 50 caravans to 150 caravans in 1962 under reference CHE.15850, granted by the Council with conditions which were appealed and some conditions deleted regarding temporary permission. However. condition 2 was retained which restricted the number of caravans stationed on the land to 150 in the interests of the Green Belt. There were subsequent applications for provision of garages in the 1970s and 1980s, and the provision of a hut as a social club in 1990. In 2004, an application to vary the condition 2 was made to increase the number of homes to 152 (RU.04/0160) which was refused on the grounds of impact on the Green Belt being contrary to the Surrey Structure Plan and previous government planning guidance. No further applications were received until 2019. The most recent application was RU.19/0586 for the removal of Condition 2 of planning permission CHE.15850 (Appeal APP/966/A/65474 Granted, 05/12/1963) for the Use of 13 acres for stationing 150 caravans) to remove the restriction on the number of caravans on the site. This was refused planning permission for three reasons: impact on the Green Belt, impact on TBHSPA, and insufficient information about highways impacts.

3. <u>Application</u>

3.1 This current application proposes the variation of Condition 2 of CHE.1580 to allow the increase from 150 caravans to 156 caravans. This application follows on from the refusal of RU.19/0586. The plan showing the extent of the application (location plan) includes land to the north west of the caravan park but this is not the area where caravans are located. The applicant has provided a supporting statement and a unilateral undertaking in respect of the TBHSPA. The supporting statement sets out the history and states that the plan submitted demonstrates how the additional 6 units could be done within the existing infrastructure layout as they can be accommodated by using bases that have already been laid, plots that have been created or are suitable for subdivision and from land that is not currently being used. The supporting statement comments on, among other things, the planning history, statutory tests for planning conditions, parking arrangements, and policies and concludes that the increase in caravans by 6 is capable of being done in a way that is sympathetic to the site. The plots are 3, 50, 83, 164, and the subdivision of 119.

4. Consultations

- 4.1 93 Neighbouring properties were consulted in addition to being advertised on the Council's website and 38 letters of representation have been received which include some from the same address. The main points raised are summarised as follows:
 - Already in excess of the 150 homes of site licence
 - Quality of life is under constant threat
 - Already have extensive drainage/flooding issues (in the park) and adding more concrete bases would make matters worse; slippery mud is a problem
 - Insufficient parking now and when units are added
 - Impacts on trees; park is set in green wooded surroundings which have been destroyed by large homes on new plots
 - Referral to planning policies HO10.
 - People park all over the place and reduce entrance widths that could impede emergency vehicles; some residents park on their plots; many residents have 2nd or 3rd cars
 - Not enough visitor parking spaces; some residents use these; medical staff nowhere to park;
 - Roads in the park will not sustain the number of cars; utilities and entrance will need to be updated
 - Impact visually on the local area
 - Lyne Lane will be very congested at the village school; roads are all getting busy due to other developments in area; want Lyne to remain a village
 - Leaks and water supply more homes would put pressure on this
 - Road maintenance and pothole issues, made worse with extra vehicles; poor lighting; dog ownership issue; comments about management company; age restriction comments – not a retirement site; fire safety issues
 - Removal of garages is a removal of amenity
 - Query about content of application and factual accuracy
 - Same objection as to previous application commercial exploitation, no requirement for new homes, lack of care for green belt
 - Illegal dumping in private land

One additional letter of representation has been received since the agenda report was first published with the main points raised as follows:

- Refers to policy HO10 the Council will not permit new or enlarged sites for residential caravans
- Long history of site conclusion is that there will be a significant increase in the number of homes on the site
- Trees and shrubs have been removed to make way for three homes sited at the entrance

 is the whole site subject to a TPO (officer comment: the TPO covers the strip of trees along the northern boundary of the caravan park and covers the open area to the north east of the caravan park); destructiofn of trees etc is detrimental to visual and environmental appeal of the area
- Concern for fire-fighter access
- Increase in activity at Lyne Village school grid locked roads
- Increasing number of homes would stretch (parking) infrastructure to breaking point no information from owner how they will address this
- Many new developments in area will impact on existing infrastructure and services
- Increase in number of accidents
- 4.2 The applicant has submitted a paper responding to comments in representations.
- 4.3 Natural England no objection if applicant complies with Council's approved mitigation
- 4.4 RBC Environmental Health Manager no objection
- 4.5 SCC County Highway Authority no objection
- 5. <u>Relevant Local Planning Policies</u>
- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001: HO1, H10, GB1,MV4, MV9, NE12, NE14, NE16, NE17

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. <u>Planning Considerations</u>

- 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 there is a strong presumption against inappropriate development. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are whether the proposal to increase the number of caravan homes within the park from 150 to 156 would amount to a material change of use of the land, the impact that additional mobile homes would have on the Green Belt, impact on the residential amenities of the occupiers of the site and neighbouring properties, highways and traffic, trees and woodland. The site is also within 5km of the Thames Basin Heath Special Protection Area and the impact on the TBH SPA is a material consideration. The refusal of the previous application is also a material consideration as is the 2004 refusal. However, planning policy circumstances have significantly changed since this application was determined as there is no longer a Surrey Structure Plan as part of the development plan, and the national guidance existing then has been deleted and replaced by the NPPF which has introduced new considerations for developments in the Green Belt.
- 6.2 The application site is a lawful caravan site located within the Green Belt, granted planning permission by CHE.15850 in 1962 for use of 13 acres of land for the stationing of 150 caravans. This application proposes a variation of condition 2 of this planning permission, under s73 of the Town and Country Planning Act 1990. Where an application under s73 is granted the effect is the issue of a new planning permission. Planning permission is required to increase the number of caravans at the site by reason of the restrictive condition in the 1962 planning permission. Caselaw points to this being a small increase that would not amount to a material change of use by reason of the increase in caravans. The primary issue is therefore whether a caravan site for up to 156 caravan pitches is acceptable in planning terms. Saved Policy HO10 states that the Council will not permit new or enlarged sites for residential caravans or mobile homes. This is because the Council does not consider such a housing option to be a desirable long term housing solution. This application does not propose either a new site or an enlargement to the existing site. It was previously considered unrestricted additional caravans could have resulted in harmful impacts. this application proposes that a total of 156 caravans could be sited within the existing boundaries. an increase in 6 caravans. It is considered that the harmful impacts from unrestricted caravan numbers on local infrastructure would not arise from this small scale increase and there would be no conflict with saved Policy HO10. Saved Policy HO1 encourages the increase in the housing supply in the borough and this is consistent with the NPPF which promotes new residential homes. This NPPF requirement is a new policy requirement since the 1962 and 2004 applications.
- 6.3 Saved policy GB1 has a presumption against development that would harm the open character of the Green Belt and conflict with the purposes of the Green Belt. The limitation on the number of caravans in condition 2 of CHE.15850 has enabled the site to provide an effective residential use of the land whilst providing a good degree of spacing between caravans which provides a spacious appearance consistent with the Green belt rural location, and additionally maintaining space for trees, and providing a good standard of amenity for occupiers. Under the previous application for unrestricted caravans, it was considered that there would have been a more urban appearance, with an adverse impact on the openness of the Green Belt contrary to the provisions of the NPPF and saved Policy GB1. This current application proposes an uplift restricted to 6 caravans and has submitted a plan demonstrating how these additional caravans could be provided. Officers have reviewed this and consider that the intended plots are primarily areas where there have previously been plots (4), and two plots are proposed as a result of a subdivision of a previous plot. The plots are spread around the park with only the subdivided plot extending to the outer boundary. It is therefore considered that the limited increase of 6 plots, combined with the siting of the pitches primarily where there were previously caravans, would not have a harmful impact on the open character of the Green Belt and would not conflict with the purposes of the Green Belt. However, it is considered that additional plots could have such impacts, particularly if the siting of caravans was to take place in the remaining land within the red line location plan outside the existing caravan

park, which would amount to a material change of use with harmful impacts to the Green Belt, and therefore it is considered necessary to impose a new condition, restricting the number of caravans to 156, within the existing area of the caravan park. Subject to this, it is considered that the proposal complies with saved Policy GB1 and the NPPF and has overcome the previous first reason for refusal under reference RU.19/0586.

- Saved Policy HO9 requires high standards of amenity for existing and future residents, and is 6.4 consistent with the NPPF. Saved Policy HO9 also requires development to not damage the character and amenity of established residential areas, allow for the retention of appropriate trees and shrubs and provide landscaping of a high standard of design, provide appropriate space between existing and proposed residential units, and provide adequate privacy for existing and proposed properties. References have been made by both the applicant and in letters of representation about the site licencing. The site licencing regime may offer a degree of control over a site by requiring caravans to be situated so as to respect the prescribed distances between caravans and to other features such as boundaries and roads. Site licencing does not, however, provide any control in terms of safeguarding the character of a site and residential amenity, both for occupiers of the site and for neighbours. It is considered that the plan showing the locations of the caravans would mostly utilise existing or former plots with no harms to residential amenities. The subdivision of the final plot would also not cause material harm to residential amenities. For the same reasons, it is considered that the character and appearance of this residential area within the caravan park would be maintained. However, in order that the quality of the residential environment and residential amenities are maintained, it is considered that the continued imposition of a planning condition to limit caravan numbers to 156 is necessary in order that the development complies with saved Policy HO9. There are residential properties to the rear of the site fronting Almners Road. However, it is considered due to the separation distances, there would be no harm to the outlook or privacy of these neighbours. No other residential occupier is affected by the proposal including any disturbance due to traffic movements.
- 6.5 The caravan park is situated adjoining a designated Site of Nature Conservation Importance (SNCI). That woodland falls within the same ownership as the caravan site. Saved Policy NE17 seeks to safeguard SNCIs from development proposals on land adjoining SNCIs which would adversely affect, directly or indirectly, the ecological interests of the site. Due to the siting of the plots, and the resultant lack of spread of the caravan park closer to the SNCI, that there would be no harmful impacts on this designated area, in compliance with Saved Policy NE17. There are areas of Ancient Woodland and trees subject to Tree Preservation Orders, to the west, east and south of the caravan park. Paragraph 175 c) of the NPPF states that planning authorities should refuse permission for developments that would lead to the loss or deterioration of irreplaceable habitats unless the need for, and the benefits of the development clearly outweigh the loss or deterioration of habitat. Saved Policy NE12 of the Local Plan refers to the protection of trees in the Borough and states that the Council will continue to protect significant trees, hedgerows and woodlands. A number of the existing caravans are located within the Ancient Woodland 15m buffer zone. The previous 2019 application considered that an unrestricted increase in the number of caravans on the site would potentially place additional development within the buffer and close to the boundary of the Ancient Woodland and would affect TPO trees. However, due to the location of the plots under this current application, it is considered that there is no evidence that the risk to the Woodland or protected trees would occur and the proposal complies with saved Policies NE12 and NE14. However, as the red line application site includes this area, it is considered necessary to impose a condition preventing the siting of caravans within this area to protect the trees and woodland.
- 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 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 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. The applicant originally did not address the impact on the TBHSPA in both the 2019 application and this current application as originally submitted. Natural England were notified and their response is that subject to the applicant complying with the framework agreed with the Council, they would have no adverse comments. Subsequently, the applicant has submitted a unilateral undertaking which addresses the impact on the TBHSPA in respect of SAMM and SANGs. In carrying out an appropriate assessment to take into account the compliance with the Council's Supplementary Planning Guidance, it can now be concluded that the application proposal would not be likely to have an adverse effect on the TBHSPA. The proposal is therefore in accordance with Saved Policy NRM6 of the South East Plan 2009, Saved policy NE16 and guidance in the NPPF. Therefore the second reason for refusal of RU.19/0586 has been overcome.

6.8 Under the previous 2019 application, which proposed to remove all the restrictions on the number of caravans, the County Highway Authority recommended that the application be refused on the grounds that insufficient information had been provided so that a full assessment of the likely transport impact of the proposed development could be undertaken. In the absence of information, it was considered the unrestricted proposal could therefore lead to conditions prejudicial to highway safety contrary to saved Policy MV4 and the NPPF and the Surrey Transport Plan. This current application is materially different in that it does not propose an unrestricted occupation, but instead proposes an upper limit of 156 caravans. The CHA have advised that they have undertaken an assessment, carried out a site visit and notes concerns raised by local residents. The CHA can only comment on aspects of the application that relate to the public highway network - the junction between the site access road and Lyne Lane and any potential overspill onto the public highway due to lack of on site parking. The CHA does not expect the additional 6 pitches to generate a significant additional traffic load for the access or for Lyne Lane itself, as per NPPG guidelines. The CHA notes that residents have raised concerns regarding on site parking, however the CHA notes that it is also the case that existing parking restrictions operate at the junction with Lyne Lane - double yellow lines prohibit parking that could be potentially dangerous. Therefore, in terms of the likely net additional traffic generation, access arrangements and parking provision, the CHA are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The CHA therefore has no highway requirements and the proposal complies with saved Policies MV4 and MV9. Therefore the third reason for refusal of RU.19/0586 has been overcome.

7. <u>Conclusion</u>

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 with a variation of condition to increase the number of caravans from 150 to 156 is considered to have no harmful impacts on the Green Belt, the character of the area, residential amenities, trees and woodlands, parking and highways. The applicant has also addressed the impacts on the TBHSPA. All the three previous reasons for refusal of RU.19/0586 have been overcome and it is considered that there have been material changes in policy circumstances since the 2004 application was refused. The application does not propose an extension to the caravan

park and complies with saved Policy HO10, and provides additional residential accommodation in compliance with saved Policy HO1. A condition is necessary to restrict the number of caravans to 156 to protect the Green Belt and the character of the area and in the interests of residential amenities. The development has been assessed against the following Development Plan policies – saved Policies HO1, H10, GB1,MV4, MV9, NE12, NE14, NE16, NE17 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 There shall be no more than 156 caravans stationed within the area of the caravan park as shown on plan FP81119 sheet 3 of 3, and there shall be no caravans stationed within the land beyond the north east perimeter of the caravan park to the north east of plots 164, 162, 160, 158, 156, 154, 152, 135, 137, 142 and 147.

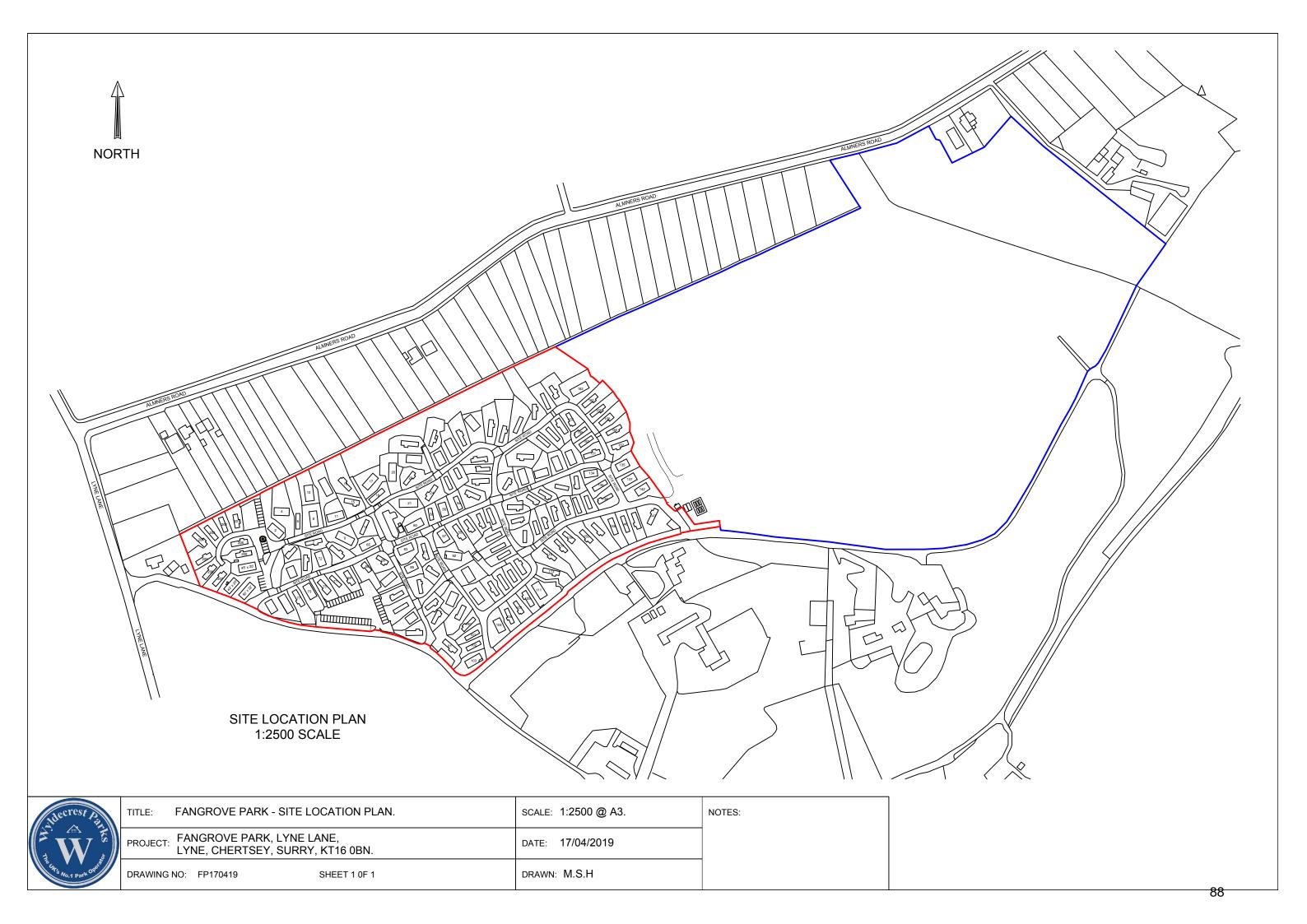
Reason: To protect the openness and visual amenities of the Green Belt, the residential character of the area and residential amenities of occupiers, and to ensure the long term protection of the adjoining protected woodland and protected trees and to comply with saved Policies GB1, HO9, NE12 and NE14 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

2 No caravans shall stationed within the land beyond the north east perimeter of the caravan park to the north east of plots 164, 162, 160, 158, 156, 154, 152, 135, 137, 142 and 147 as identified on plan FP81119 sheet 3 of 3.

Reason: To protect the openness and visual amenities of the Green Belt, the residential character of the area and residential amenities of occupiers, and to ensure the long term protection of the adjoining protected woodland and protected trees and to comply with saved Policies GB1, HO9, NE12 and NE14 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

Informatives:

1 The applicant is advised to contact the Council's Environmental Health department about licence requirements for the site.





idecres/ p	TITLE: FANGROVE PARK - PART SITE PLAN SHOWING BUY BACK PLOTS	SCALE: 1:1250 @ A3.	NOTES:
	PROJECT: FANGROVE PARK, LYNE LANE, LYNE, CHERTSEY, SURRY, KT16 0BN.	DATE: 08/11/2019	5 OFF BUY BACK PLOTS IN TOTAL. TO CREATE 6 OFF ADDITIONAL PLOTS.
13 LHS No.1 Park OPOR	DRAWING NO: FP81119 SHEET 3 0F 3	drawn: M.S.H	



RU.20/0068	Ward:
LOCATION:	51 Stepgates
	Chertsey
	KT16 8HT
PROPOSAL	2 storey rear extension including partial demolition of the existing house. (amended plans received 20/02/2020)
TYPE:	Full Planning Permission
EXP DATE	09 March 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

- 1. <u>Site</u>
- 1.1 The application relates to a two storey semi-detached dwelling, located on the southern side of Stepgates close to the junction with Fordwater Road. Meadhurst Road is nearby to the west of the site. Attached to the west is No. 49 Stepgates, and to the east is No.53 Stepgates, a two storey part-converted dwelling comprising commercial premises at ground floor level with residential above and is a corner building extending rearwards by approximately 12m. The application dwelling has an existing single storey rear extension of approximately 4m depth and with a mono-pitched roof extending towards the attached neighbour No.49, and inset from the boundary with No.53 with the rear garden bounded by fencing. The rear garden of No.49 includes a garage. The site lies within the urban area and outside the nearby Flood Zones 2 and 3.
- 2. <u>Recent Planning History</u>
- 2.1 RU.07/0227: Erection of a porch to front of property Granted
- 3. Application
- 3.1 The application proposes a two storey rear extension including partial demolition of the existing rear elevation and extension. The plans were amended during the course of the application to reduce the depth of the extension closest to the attached neighbour No. 49 Stepgates. The ground floor extension would span the full width of the original dwelling, approximately 4.6m width and 4.9m depth including the bay window feature. The existing west side elevation nearest No. 49 would be retained and would comprise the side elevation in the new extension with a small section of flat roof with a roof light, set back from the main two story projection. The first floor would have a shorter depth of 4.2m also including a bay feature and would be inset from the western side by approximately 1.3m. The extension would provide for an enlarged kitchen-living room on the ground floor and a new bedroom at first floor level. The applicant submitted a Design Statement with the application.
- 4. Consultations
- 4.1 9 Neighbouring properties were consulted in addition to being advertised on the Council's website and representations have been received from four addresses, and the main points raised are summarised as follows:
 - A party wall between 51 and 49 is not clearly shown.
 - Loss of privacy of garden at 49.
 - Loss of outlook, including removal of existing landscaping in garden of site
 - Loss of natural light to the residential use of the first floor flat at 53A.
 - Loss of light to the ground floor commercial premises at 53.
 - Concern about accuracy of sightlines and daylight lines on elevation drawing

5. <u>Relevant Local Planning Policies</u>

- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001: BE2 and HO9.
- 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 impact on the character and appearance of the area, and impact on neighbouring residential properties.
- 6.2 The extension would be to the rear of the dwelling and due to the siting of neighbours, would have no impact on the street scene of Stepgates. There would be limited views from Meadhurst Road and Fordwater Road and the extension is of a modest scale such that it would not be obtrusive from either road. The extension would designed having a ridged roof set lower than the main ridge with a traditional bay window form. It is considered that the proposed extension would maintain the character and appearance of the area in compliance with saved policy BE2.
- 6.3 In terms of impacts on neighbours, the proposed single storey part of the extension would be built on the same line in respect of No. 49 Stepgates as the existing extension utilising part of the existing flank elevation. The applicant has served the correct planning notice to the owner of No.49 to comply with planning requirements. The existing extension already has a degree of impact on this neighbour, constructed some years ago and prior to the Council's Householder Guide being adopted. Thus, it already breaches the 60 degree splayline from the nearest window on the rear elevation of the neighbour. The proposed plans have been amended so that there is no additional depth to the extension on this side. The height of the new flat roof would be lower than the existing mono pitch roof and therefore overall, it is considered that the single storey element would not have a harmful visual impact on the amenities of the neighbour. The proposed two storey element would be set away from No. 49 by approximately 1.3m, and would not breach the 45 degree spayline from the neighbour, thus avoiding overbearing impact. There may be some new overshadowing in the morning but this would not be materially harmful. In terms of privacy, there would be no window on the side elevation of the ground floor element (and a condition is recommended to maintain privacy), and the views from the proposed rooflight on the flat roof would not look into first floor rooms. The bay window design at first floor has angled windows but there would only be limited views of the rear garden of No. 49 as from the plans there would be obscured panels on the side windows, and no views into existing rooms, thus maintaining privacy. A condition is recommended to secure this.
- 6.4 The building to the east at No. 53 Stepgates comprises of a commercial premises at ground floor level, including rear facing and side facing (towards the proposed extension). However, it is considered that there is sufficient separation distance to avoid harmful impacts on the commercial occupiers. In relation to the impact on the first floor flat at No. 53 Stepgates, the proposed extension would not break the 45 degrees splayline from the nearest rear window, and with the obscure panels would not cause harm to privacy. The depth of the garden will ensure that there are no material impacts on the privacy or outlook of neighbours to the south, including No, 2 Fordwarter Road. It is therefore considered that the proposed extension would comply with saved Policy HO9 and the adopted Householder Guide.
- 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 an acceptable design and appearance, with no harm to the character of the area or residential amenities. The development has been assessed against the

following Development Plan policies – saved Policies BE2 and HO9 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 block and location plan, drawing 2A.01.rev.A Proposed elevations, drawing 4A.01.rev.E Proposed floor and roof plans, drawing 3A.01.rev.F

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 (as approved plan)

The development hereby permitted shall be constructed entirely of the materials, details of which are shown on plan no.4A.01 Revision E unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed works harmonise with that existing 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 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, no windows, dormer windows, roof lights or other openings shall be formed in the ground floor west side 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.

5 Obscure glazing

Before the first occupation of the extension hereby permitted, the two external side panels in the bay window at first floor level 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.

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 Amended Plans

The applicant is advised that this permission has been amended since the proposal was originally submitted to the Local Planning Authority. The approved drawing numbers are set out on this decision notice.

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 Party Wall Act 1996

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

5 Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

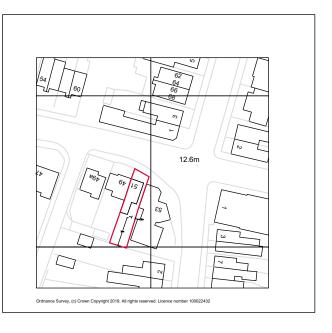




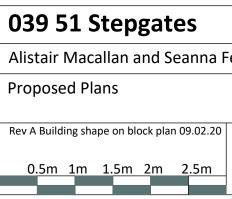
Hatching indicates footprint of extension



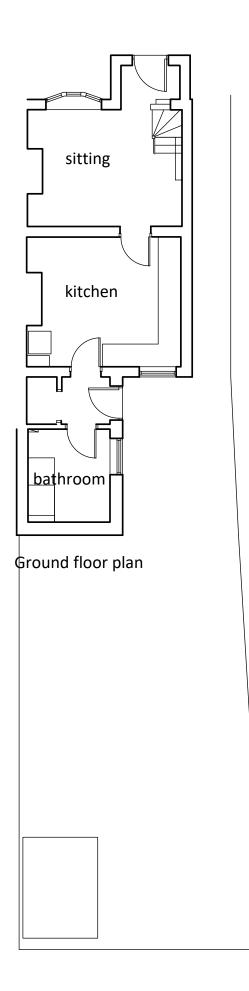
Block Plan scale 1:500

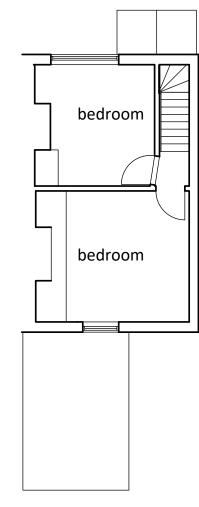


Site location plan scale 1:1250



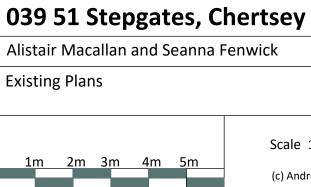
Fenwick	Andrew Macallan Architect Cottage Farm House North End Newbury RG20 0AY
2A.01 rev A	07928731962
Scale as noted @A3 18.12.19	macallan1956@gmail.com
(c) Andrew Macallan	

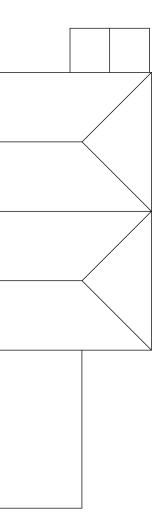




First floor plan







Roof plan



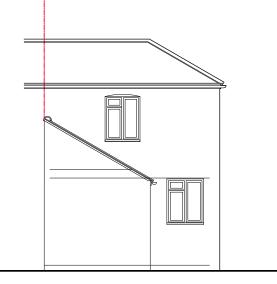
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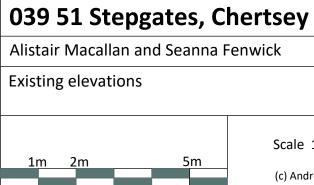


North elevation (street)



South elevation (Garden)





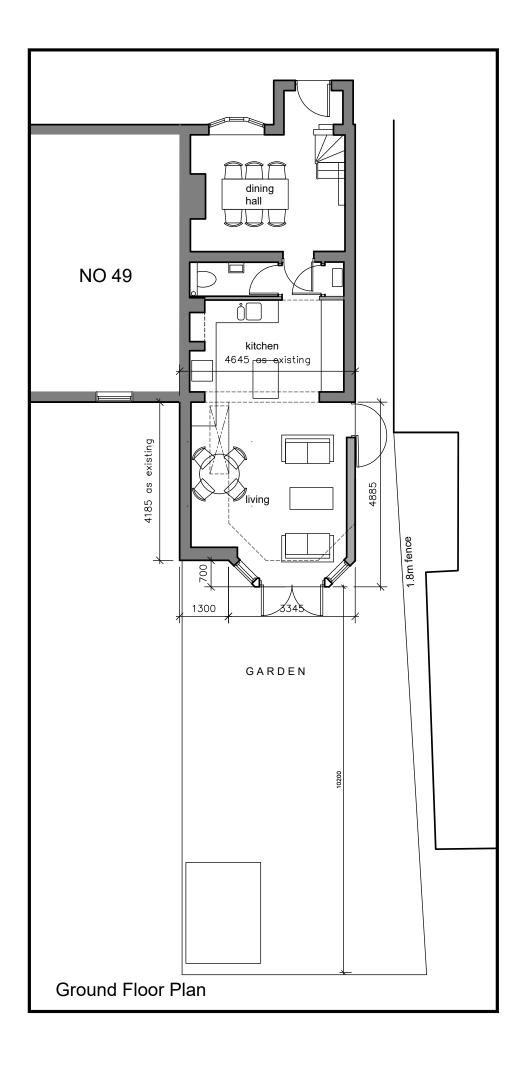
East elevation

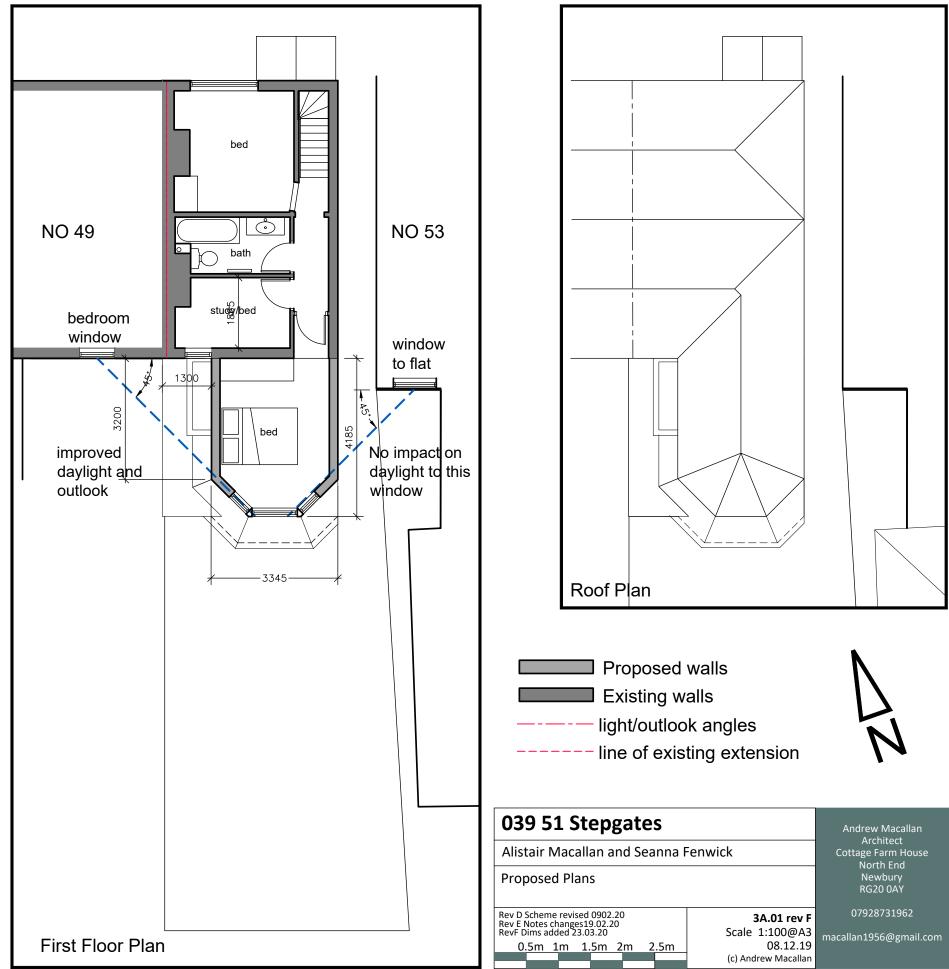
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Andrew Macallan Architect Cottage Farm House North End Newbury RG20 0AY

07928731962

macallan1956@gmail.com

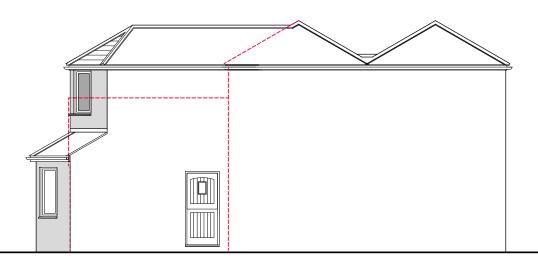










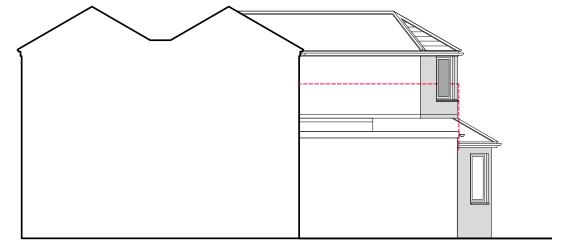


East elevation

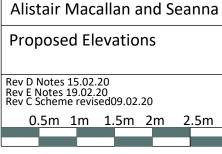
outiline of existing buildingto be altered shown in red dahed line

Materials

- **1.** Painted render to match existing
- 2. Painted timber doors and uPVC windows to match existing.
- Side windows to first floor to be onbscure glazed (hatched grey), fixed shut.
- 3. Black uPVC gutters and rwp's
- 5. Concrete tiles to match existing at first floor, slate roof to ground floor
- 6. Aluminium framed roof light over dining area



West elevation



039 51 Stepgates

а	Fenwick	
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4A.01 rev E Scale 1:100@A3 08.12.19 (c) Andrew Macallan

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RU.20/0303	Ward:		
LOCATION:	4 Queens Road		
	Egham		
	TW20 9RT		
PROPOSAL	Demolition of existing single storey rear addition. Construction of new part two storey, part single storey rear extension		
TYPE:	Full Planning Permission		
EXP DATE	27 April 2020		

SUMMARY OF RECOMMENDATION: Grant with conditions

1. <u>Site</u>

1.1 The application site is 4 Queens Road which is a two storey detached house on the western side of Queens Road. The dwelling is currently occupied as an HMO for 5 people. Queens Road is mostly characterised by two storey detached and semi-detached houses. The dwelling is set back from the road with a small front garden and has a single storey conservatory to the rear. The site is bounded by a standard height fence with mature vegetation along the rear and northern boundary. Neighbouring dwelling to the south east No. 3 Queens Road is a two storey detached house which has had multiple extensions including a single storey rear and side extension and a loft conversion with rear dormer window. No. 5 Queens Road to the north west has also had multiple extensions including a two storey rear extension and single storey side and rear extension. The application site is located in the urban area.

2. Planning history

2.1 The relevant planning history is summarised as follows. A planning application RU.19/1003 for the demolition of the existing single storey rear addition and the construction of a new part two storey, part single storey rear extension was refused on 2 September 2019, on grounds of scale of development and impact on the existing dwelling, and impact on neighbouring amenities particularly the outlook from No. 3 Queens Road. The applicant appealed the decision, but also subsequently submitted a second planning application RU.19/1273 for a similar but revised scheme reducing the ground and first floor elements and also removing a side window, which was granted subject to conditions on 29 October 2019. The appeal decision was issued on 14 February 2020; the appeal Inspector agreed that the first scheme would impact on the neighbour No. 3 Queens Road but disagreed that there was a harmful impact on the existing dwelling. The Inspector also took into account the planning permission and considered this was a realistic fall back position. The appeal was dismissed

3. <u>Application</u>

- 3.1 This application is therefore the third application proposing similar development to the two previous applications. This application seeks permission for a part two storey part single storey rear extension following the demolition of an existing single storey rear projection. The proposed development would provide one additional bedroom with a total of 6 bedrooms, and a larger living area. This is essentially a revision to the permitted scheme RU.19/1273. The changes made in this current application include the following: change from two elements of single storey extension (one with shorter depth closest to No. 5 Queens Road) to increase the single storey element to the same depth across the rear, maintaining the same overall depth as in the approved scheme RU.19/1273, and changing a window on the rear elevation to French doors. A design and access statement has also been submitted with the application.
- 3.2 The majority of the existing rear extension will be demolished, retaining the existing sloping side wall on the boundary with No. 5 Queens Road which has an existing depth of 2.9m and maximum height of 3 metres. The extension will continue this wall at ground level by a further 2.4, to a combined maximum depth of 5.3 metres. The existing side wall will be built up to join the new flat roof 3 metres in height. On the other side, the extension will have an L-shaped footprint, and would infill the existing space and will have an overall depth of 8.5 metres. The width of the proposed extension at ground floor will be 7.7 metres to match the existing width of the dwelling. The proposed first floor aspect of the extension will have a smaller width and depth as it will be set back from the rear of the ground floor and 2.8m from the side boundary with No. 5 Queens Road. The first floor will be 3.5- 6.6m in depth. The extension would have an eaves height of 5.1 metres at two storey with hipped roof and part gable to side to replicate the existing rear element. The ridge of the two storey addition would be just below that of the main ridgeline. The rear elevation will have two sets of doors at ground floor level and two windows at first floor level. The southern side elevation will have 3 windows at ground floor level and 1 window at first floor level and these four windows will be to serve bathrooms or en-suites.

4. <u>Consultations</u>

- 4.1 7 Neighbouring properties were consulted in addition to being advertised on the Council's website and three letters of representation have been received which make the following comments:
 - Increasing the size of the house will affect privacy and quality of life
 - A 6 bedroom student dwelling has no place on a quiet residential road. The current 5 bedroom house could accommodate 10 students and the extension could increase this to 12 (with double occupancy basis)- this raises concerns over privacy, noise and antisocial behaviour.
 - Royal Holloway offers substantial student accommodation in purpose built dwellings in designated areas. Why is there any requirement for an increase in size of an already large student house in a residential area surrounded by family homes.
 - No. 4 has no off street parking which means tenants park on the road. The increase in tenants will cause further parking related problems
 - Increasing the number of bedrooms and therefore number of tenants could lead to more issues with noise, anti-social behaviour and parking problems
 - No need for increase in already large student house
 - The height and depth of the extension will be visual dominating to No. 3 Queens Road and will block light coming into the skylight.
 - The gardens of neighbouring properties will be overlooked by the first floor windows resulting in a loss of privacy
 - Flat roof brings concerns that occupants may use this as a balcony
 - Additional glazed doors will encourage more late night usage of the garden and allow more noise to emit from the house
 - Loss of privacy, light and outlook to neighbouring properties
 - Increased anti-social behaviour from tenants
 - Harm to mature and healthy tree at No. 5 Queens Road which is situated close to the proposed extension

Two letters were submitted by the agent to respond to some of the above concerns including a statement that the current scheme is similar to the previous extant permission RU.19/1273 with only a 5.7 sqm enlargement of the kitchen, and that the footprint is identical to the appeal scheme RU.19/1003 and the appeal inspector considered it would not be likely to have an impact on the neighbouring tree.

5. <u>Relevant Local Planning Policies</u>

- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001: 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.
- 5.3 Council's SPG Householder Guide (July 2003)

6. <u>Planning Considerations</u>

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 matter is the impact on the residential amenities of the occupiers of the adjacent neighbouring properties and whether all the matters raised under previous applications are addressed, including the appeal Inspector's reasons for dismissing the appeal for the first application RU.19/1003. The first floor aspect of the scheme remains as previously granted under RU.19/1273 and it is the enlargement of the single storey element closest to No. 5 Queens Road which is the key difference. It is considered that the design and appearance of the development is acceptable and would be sympathetic to the existing dwelling, and thus the character and appearance of the area would be maintained, in accordance with saved Policy BE2.

- 6.2 The changes proposed under the current application include the increase in depth of part of the single storey rear extension to match the depth of the approved proposed single storey rear extension and changing a window on the rear elevation to French doors. The first floor enlargement proposed under this application is the same as previously approved under RU.19/1273. In assessing the previous application, it was considered that this took account of the relationship with neighbouring properties and concluded that there would be no harm to neighbouring amenity. The proposal complied with the guidance in the adopted Householder Guide in terms of separation between neighbours and there was considered to be no harmful overlooking, loss of privacy or overbearing impact as the proposal did not breach the 45 degree splayline from neighbouring windows, and there would be no harmful overshadowing. There have been no changes to planning policy or site circumstances since the grant of permission that would impact on this recommendation, and this first floor element is therefore still considered to be compliant with saved Policy HO9 and the Householder Guide.
- 6.3 The key difference between this application and the RU.19/1273 scheme is the increase in the depth of the single storey rear element closest to the attached neighbour No. 5 Queens Road, extending from the depth of the existing wall (to be retained) by a further 2.4 metres, to a maximum depth of 5.3m, to join with the rest of the single storey element under the first floor extension.
- 6.4 When considering rear extensions, the Council's SPG advises that as a guide, ground floor extensions are acceptable where they do not extend more than 3 metres from the rear of a property or break a 60 degree line from the centre point of the neighbours nearest window. The combined depth of the proposed single storey be greater than 3 metres, but will not break a 60 degree line from either neighbouring properties nearest ground floor windows. This is demonstrated on the proposed ground floor plan. The neighbour to the south No. 3 Queens Road has a high flat roof single storey rear extension and therefore it is considered that the proposed development would not be harmful to that neighbour. It is the attached dwelling No. 5 Queens Road which would be most affected from the increase in depth would result in the extension being more and therefore there would be some impact on the amenities of No. 5 Queens Road, specifically the existing extension to that dwelling. However, there is existing fencing along the boundary and a large laurel tree within the neighbouring garden close to the boundary which significantly affects the amenities of the rear window of the neighbour's extension. The applicant has submitted a plan to demonstrate that the proposed development could be constructed without harming the tree, which was considered in detail by the appeal inspector under RU.19/1003 . The applicant has stated that there would not be paving within the root protection area of the tree, and no ground level changes, and the Council's Tree Officer recommends a condition requiring details of protective fencing during construction. Therefore the development will be able to be constructed without harming the tree in accordance with saved Policy NE14, which will therefore continue to screen the extension from the neighbour's garden, and will protect the privacy of the neighbour. As there would be a large extent of flat roof, a condition preventing use of the roof as a balcony is required, to ensure privacy of neighbours is maintained. No other neighbours would be affected by the proposal and it is therefore considered that the proposal complies with saved Policy HO9 and the adopted Householder Guide.
- 6.5 In relation to other concerns raised in letters of objection, concerns were raised about noise and disturbance from occupiers of the development. There would be an increase in bedrooms from 5 to 6 and some of the bedrooms are large. However, the application is not proposing that there would be a material change of use from Use Class C4 (up to 6 people living together) and it is considered that there would be no material differences in use of the dwelling and its garden arising from this application. In respect of concerns about parking, there is no existing off street parking for the dwelling, and the absence of parking is not considered to weigh against the proposal as the site is close to Egham town centre where there is access to public transport including a train station and public parking. It is considered that there would be no harmful impacts on the safety or capacity of the highway network, nor harms to parking in the area, in compliance with saved Policies MV4 and MV9.
- 6.6 The proposed single storey rear elevation will be built up to the boundary with neighbouring property No. 5 Queens Road. It is noted that there will be Party Wall matters that the applicant is required to comply with. These civil matters cannot be dealt with under planning law, and therefore an informative will be placed on the decision notice notifying the applicant of the Party Wall Act.

- 7. <u>Conclusion</u>
- 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 adverse impact on the street scene or the residential amenity of occupiers of neighbouring residential properties, nor impact on highway safety. The development has been assessed against the following Development Plan policies – saved Policies H09, BE2, MV4, MV9 and NE14 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:

1907 OS01, 1907 AS11, 1907 AP30, 1907 AP31, 1907 AP32, 1907 AS10, 1907 SP02, 1907 BP30 received 02/03/2020

1907 SP30 received 17/04/2020

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 (as approved on form)

The development hereby permitted shall be constructed entirely of the materials stated in Part 5 of the submitted valid planning application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed works harmonise with that existing 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, a Tree Protection Plan shall be

submitted to the Local Planning Authority for approval. tree protective measures shall be installed in accordance with the approved Tree Protection Plan.

The works shall be carried out in accordance with the approved 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). 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 Balconies

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, the flat roof area of the extension hereby approved shall not be used as a balcony, roof terrace, sitting out area or similar amenity area, nor shall any railings or other means of enclosure be erected on top of, or attached to, the side of the extension without the grant of further specific permission from the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of 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.

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 Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

3 Party Wall Act 1996

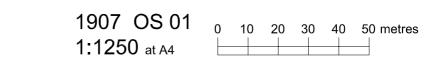
The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.



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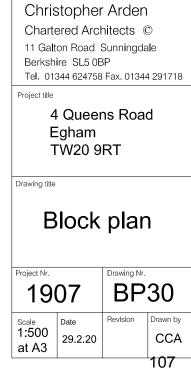
4 Queens Road Egham TW20 9RT



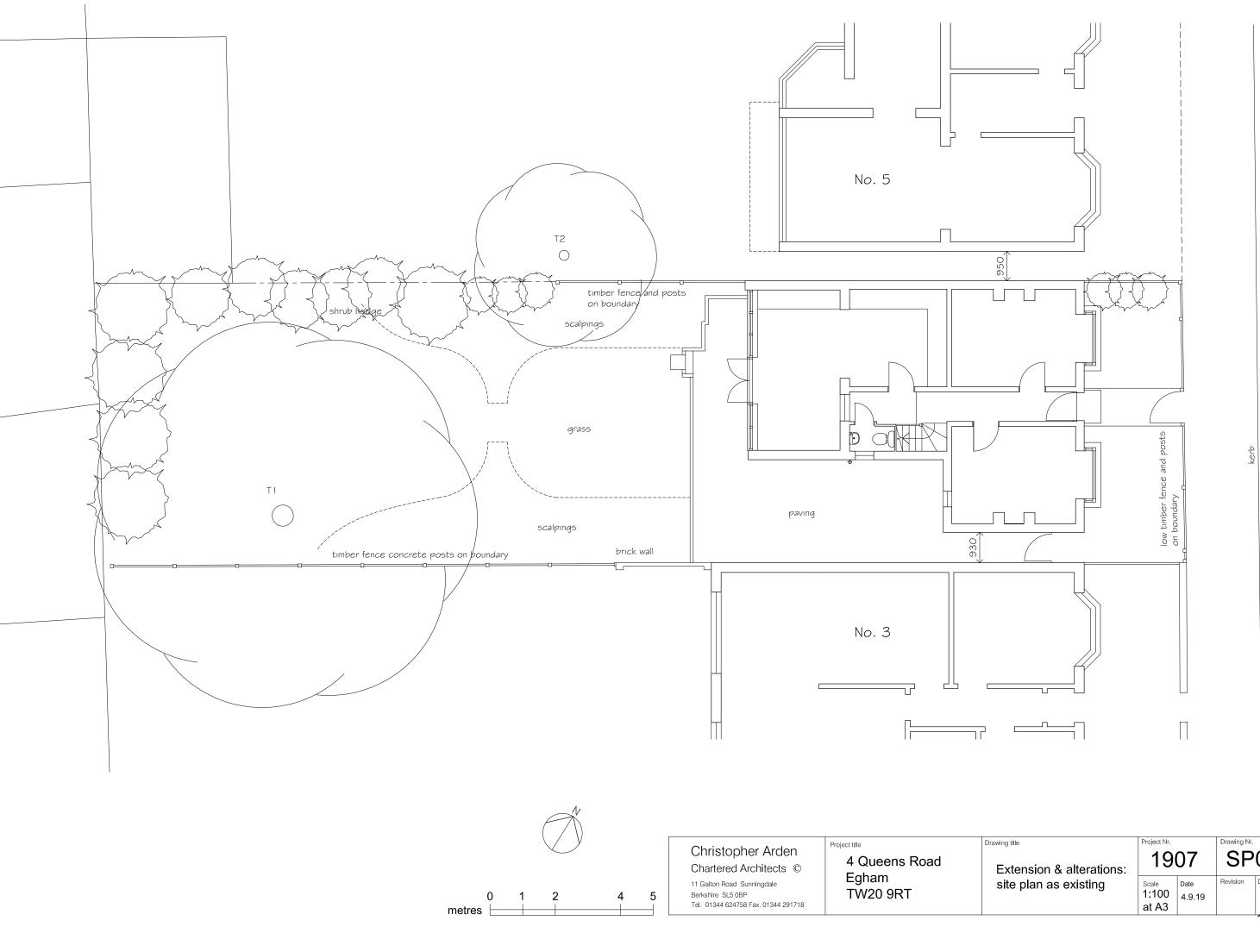




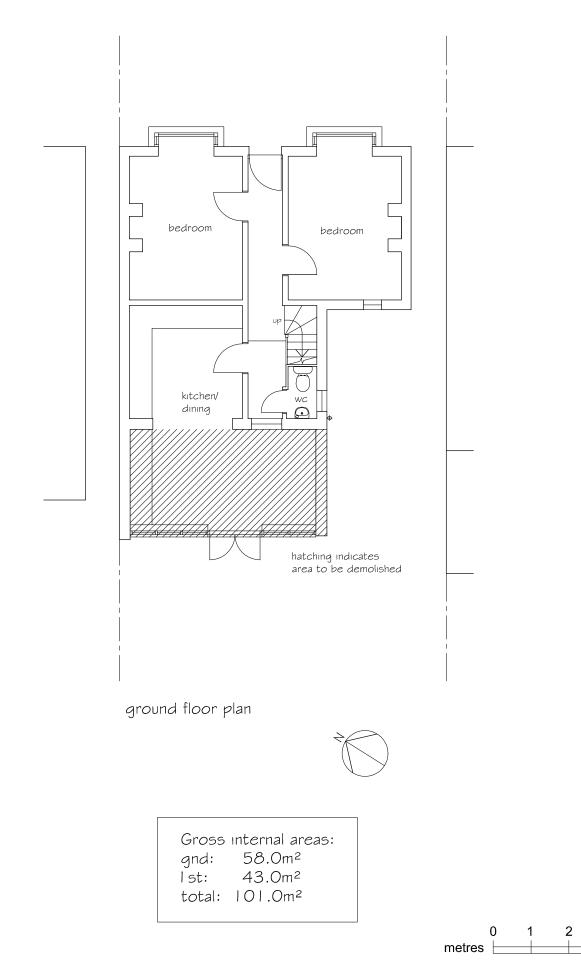


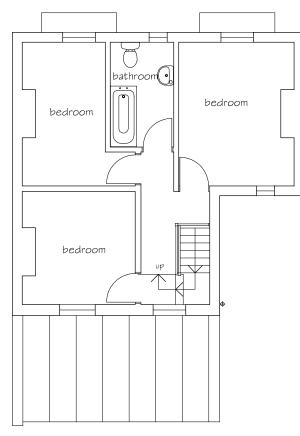


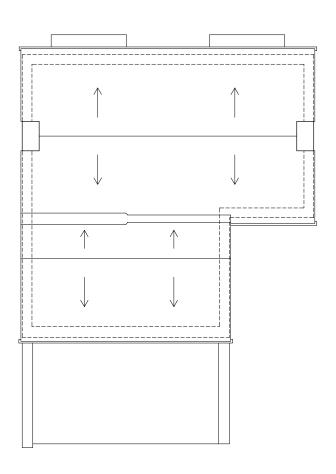
50m



sion & alterations:	Project Nr. 1907		Drawing Nr. SP02	
an as existing	Scale	Date	Revision	Drawn by
5	1:100 at A3	4.9.19		CCA
	1			108





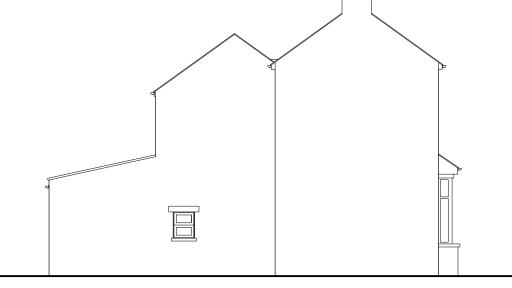


fırst floor plan

fırst floor plan

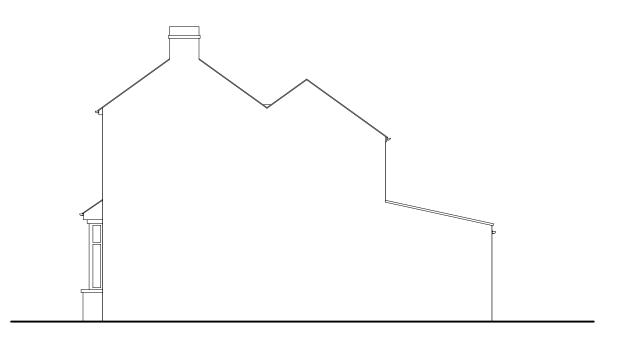






rear (west) elevation

side (south) elevation

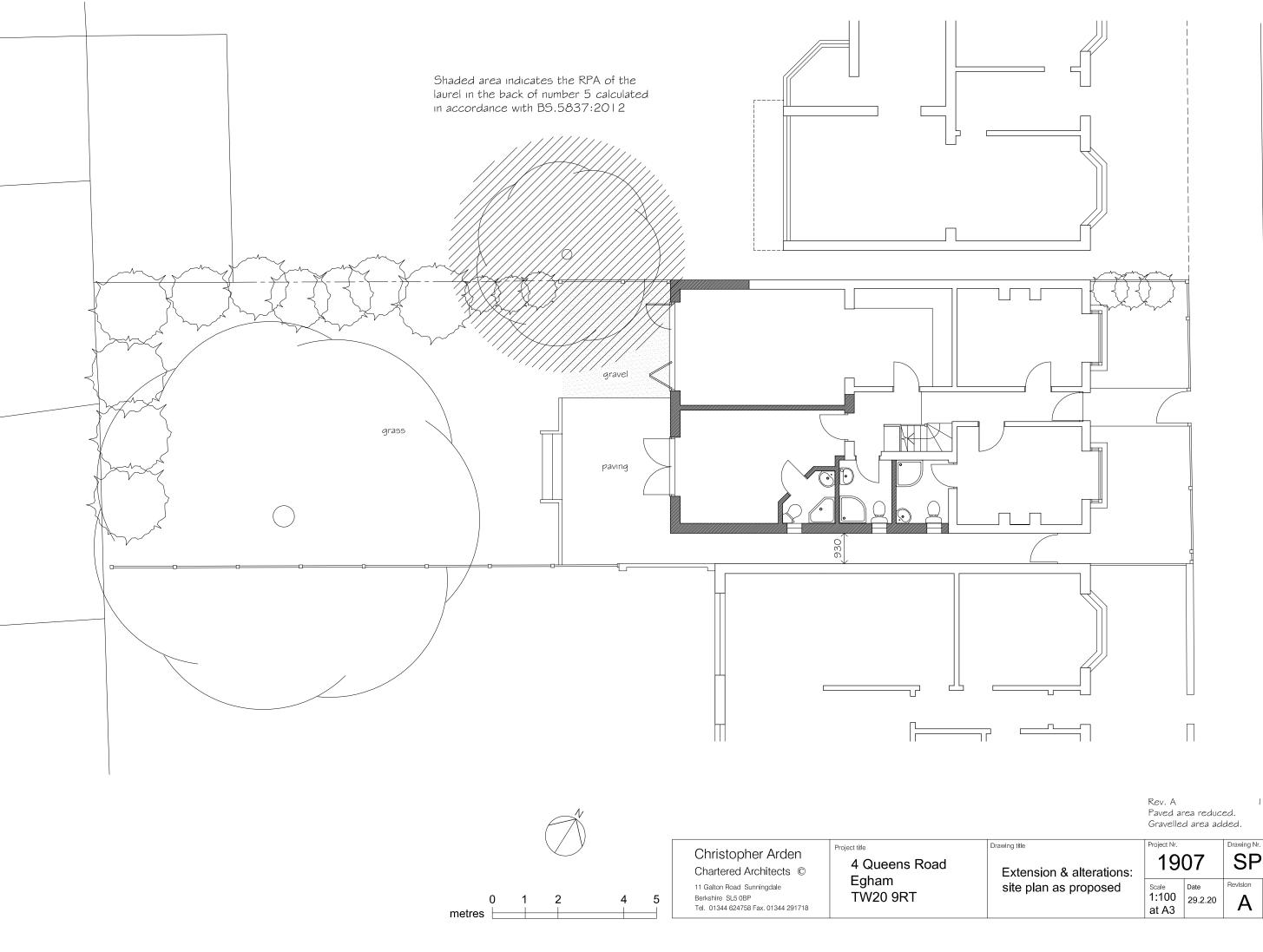




side (north) elevation

front (east) elevation





17.4.20

SP30 Drawn by CCA 111

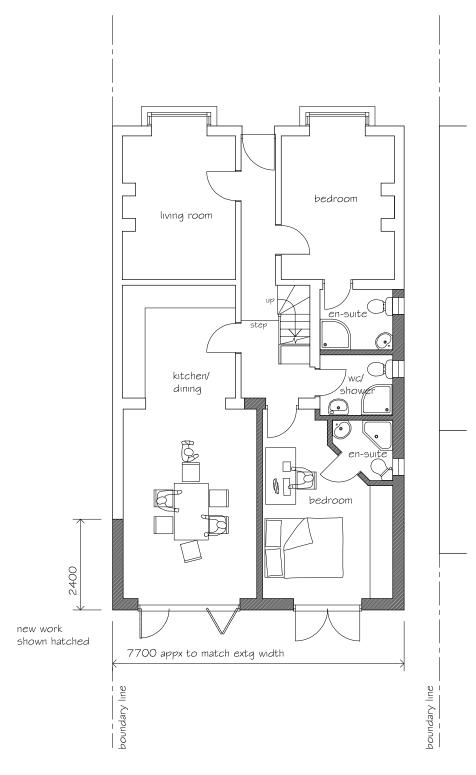


side (north) elevation

metres

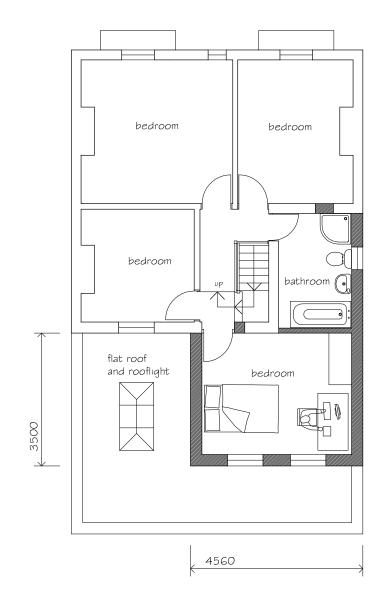
front (east) elevation



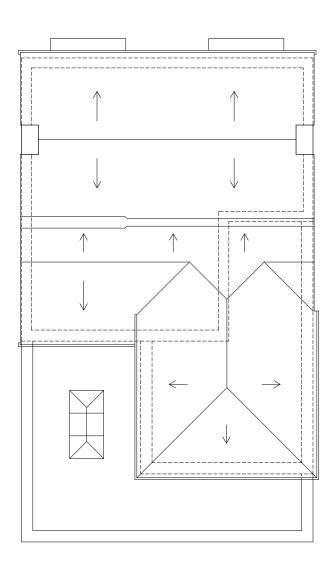


ground floor plan

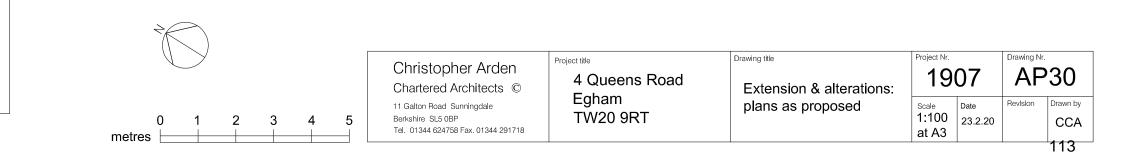
Gross internal areas: gnd: 89.0m² l st: 63.0m² total: I 52.0m² (52% increase over existing)

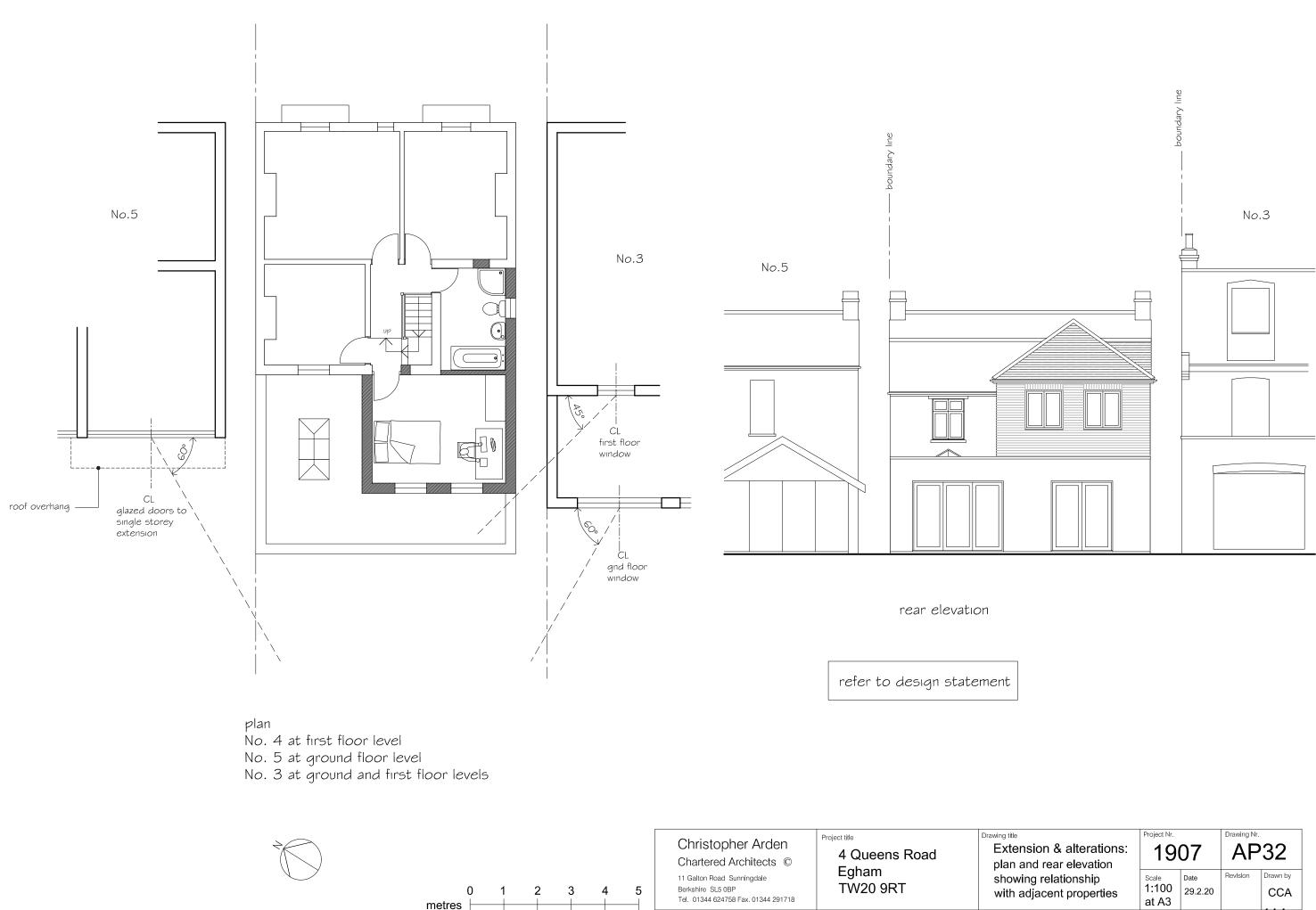


first floor plan



roof plan





	Project Nr.		Drawing Nr.	
ion & alterations:	1907		AP32	
g relationship	Scale	Date	Revision	Drawn by
jacent properties	1:100 at A3	29.2.20		CCA
				114



PLANNING COMMITTEE



FOR LOCATION PURPOSES ONLY

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

Date: 13/05/2020

7 Katherine Addlestone KT15 1NX



RU.20/0340	Ward:
LOCATION:	7 Katherine Close
	Addlestone
	KT15 1NX
PROPOSAL	Rear extension following removal of conservatory and conversion of existing and extended roof to habitable accommodation including the provision of side and rear dormer windows and rooflights.
TYPE:	Full Planning Permission
EXP DATE	05 May 2020
	·

This application has been referred to Committee as the applicant is a member of the Council

SUMMARY OF RECOMMENDATION: Grant with conditions

1. <u>Site</u>

1.1 No.7 is a detached bungalow located on the southern side of Katherine Close at the end of a cul de sac. It has a long rear garden backing onto Liberty Rise, with a detached garage accessed from the rear. The boundaries of the site are predominantly enclosed by fencing and hedging and the road itself is characterised by similar style properties. Immediately to the west of the property lies No. 19 Liberty Rise, a two storey semi-detached dwelling which fronts onto Liberty Rise and has its back garden on the northern side adjacent to the application property, with a detached garage sited adjacent to the side boundary with No.7 Katherine Close. The site lies within the urban area.

2. <u>Planning history</u>

2.1 RU.14/1158 - Rear extension following removal of conservatory and conversion of existing and proposed roof to habitable accommodation including the provision of side and rear dormer windows and roof lights – Granted 2014

RU.17/1239 - Single storey rear extension following removal of conservatory and conversion of existing roof to habitable accommodation including the provision of side and rear dormer windows and rooflights – Granted 2017 – not implemented.

3. <u>Application</u>

3.1 The application seeks planning permission for the demolition of the existing conservatory and erection of single storey rear extension. It is also proposed to convert the roof space to habitable accommodation including dormer windows to the south west and south east elevations. Roof lights are also proposed to the north west, north east and south west elevations. The proposed extension would project 3.7 metres from the original rear elevation and would match the ridge height of the existing property. The proposal would project approximately 1 metre beyond the existing conservatory and would span the width of the property. This is a similar scheme to that granted under the previous application RU.17/1239.

4. <u>Consultations</u>

4.1 6 Neighbouring properties were consulted in addition to being advertised on the Council's website and 1 letter of representation has been received, with the points raised summarised as follows:

Concerns have been raised that the site plan is incorrect with the neighbouring property numbered as No.16 when it should be No.19. This has been noted and the correct neighbours were notified of the application. Concerns are also raised over water damage to the neighbouring property from the digging of further foundations. There are also concerns over the side windows which could result in overlooking to the neighbouring property resulting in loss of privacy.

5. <u>Relevant Local Planning Policies</u>

- 5.1 Saved Policies in the Runnymede Borough Local Plan Second Alteration 2001 BE2 and HO9.
- 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. <u>Planning Considerations</u>
- 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 development upon the character of the area and established street scene; and on the residential amenities of the occupiers of the neighbouring properties.
- 6.2 The NPPF requires high standards of design and amenity, and expects proposals to enhance the quality of an area. Saved Policies BE2 and HO9 are consistent with the NPPF and also require high quality design and respect of neighbouring amenities. The proposed extension and roof enlargements would be in keeping with the scale of the existing bungalow and would include the addition of dormer windows and roof lights. The proposed rear extension and enlarged roof would be visible from several viewpoints, however, it would not appear over dominant when viewed in combination with the existing property. The proposed dormer windows would be positioned within the side and rear roof slope and as such would not be highly visible within the street scene. The proposed extension would also be positioned a sufficient distance from Liberty Rise to the rear and the presence of boundary screening would further reduce the views of the extension from this view point.
- 6.3 The proposed extension would, according to the submitted forms, be constructed in materials to match the existing property. The proposed pitched roof would be in keeping with the existing character of the dwelling and the dormer windows and roof lights would fit well within the loft conversion. The proposed rear projection would not be significantly greater than that of the existing conservatory and would therefore maintain the space around the dwelling. It is therefore considered that there would be no impact on the street scene of either road or the character of the area in compliance with saved policies BE2 and HO9.
- The neighbouring property, No.19 Liberty Rise, is located to the western side of the site. The 6.4 positioning of the properties is such that the front elevation fronts onto Liberty Rise and the rear garden of No.19 is located next to the western side elevation of the application dwelling at No.7 Katherine Close. The existing dwelling already breaches the 60 degree splayline from the centre of the nearest window on the rear elevation of No. 19. The proposed extension would therefore be positioned adjacent to the rear garden of No.19 projecting closer to the rear elevation and the main private amenity area of this dwelling. The proposal would increase the built form close to No.19, however the overall height and pitched design of the roof would prevent the proposal from appearing overbearing or resulting in significant increase in overshadowing. In respect of the loss of privacy from the proposed side dormer and roof light, the proposed side dormer window would look directly onto the rear garden of the neighbouring property, No.19 Liberty Rise. Officers raised concerns that while the window was proposed to be obscurely glazed, the perception of overlooking would still be present, affecting the enjoyment of the garden for the neighbouring occupiers. As such the applicant has submitted amended plans showing the window within the side dormer being high level and obscure glazed to prevent any further view or the perception of overlooking. A proposed rooflight would also be located in the side roof slope but is to a dressing room so can be obscurely glazed and fixed shut to avoid overlooking. The proposed rear dormer window would be positioned within the rear roof slope, facing southwards. Due to its location within the roof slope, it is not considered to result in any further overlooking to No.19. It is therefore considered that subject to conditions to ensure the privacy is maintained for No. 19, the proposal would not have a material impact on the amenities of this neighbour.
- 6.5 The neighbouring property, No.5 Katherine Close, is a detached bungalow which is set further forward towards the street than No.7. The proposed rear extension would extend 3.5 meters further rearwards than the neighbouring property, but it would be located at least 1m away from the boundary. The proposed rear extension would not infringe the 60 degree line of visibility from the rear window of this neighbor, and combined with the pitched roof design, it is not considered to result in significant overbearing to the property at No.5 nor harmful overshadowing, given the substantial rear garden. The rear dormer would be located centrally within the rear roof slope and as such would not cause significant overlooking to No. 5. A rooflight would be located facing

towards this neighbour, however it would not look directly into the property and can be obscurely glazed as it is to a bathroom and therefore would not result in loss of privacy. For the reasons set out above it is considered that the proposed rear extension and dormer windows would not have an unacceptable impact on the residential amenities of this property. There are no other neighbours who would be harmfully affected including Nos. 22 and 24 Katherine Close, and No. 26 Liberty Rise. The proposal therefore complies with saved Policy HO9 and the Householder Guide.

- 6.6 For the above reasons it is considered that the proposed development would comply with the requirements of the NPPF and saved local plan policies BE2 and HO9. Concerns have been raised in the letter of representation with regards to the land the properties are built on and concerns over subsidence and drainage. These are not planning matters and cannot be considered as part of this application but will be dealt with under Building Regulations.
- 7. <u>Conclusion</u>
- 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 maintain the character and appearance of the area and would not harm the residential amenities of the adjoining properties. The development has been assessed against the following Development Plan policies saved Policies BE2 and HO9 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 505 PL100 REV A, 505 PL101 REV D, 505 PL050 REV A, 505 PL010 REV A, 505 PL001 received on 10 March 2020 and 505 PL200 REV F received on 16 April 2020.

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

3 External material (materials to match)

The development hereby permitted shall be completed with external materials of a similar appearance to those used in the construction of the exterior of the existing building to which it is attached.

Reason: To ensure that the proposed works harmonise with that existing 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 extension hereby permitted, the high level staircase window in the side dormer (which shall remain high level) and the rooflight window to the dressing room, both in the south west side elevation, shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is 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 in the National Planning Policy Framework.

5 Obscure glazing

Before the first occupation of the extension hereby permitted, the bathroom rooflight in the north east side elevation shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window 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 in the National Planning Policy Framework

Informatives:

1 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.

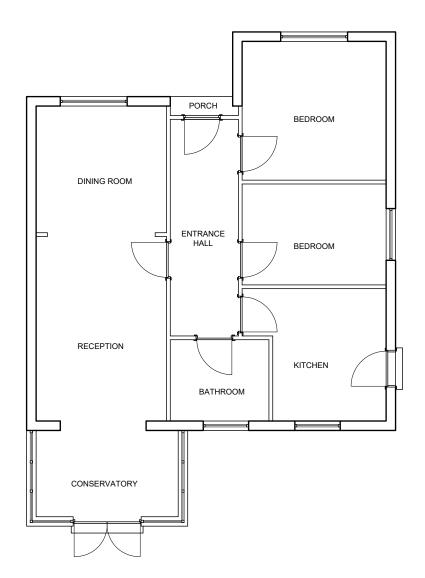
2 Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

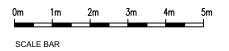
3 Party Wall Act 1996

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.





EXISTING GROUND FLOOR PLAN

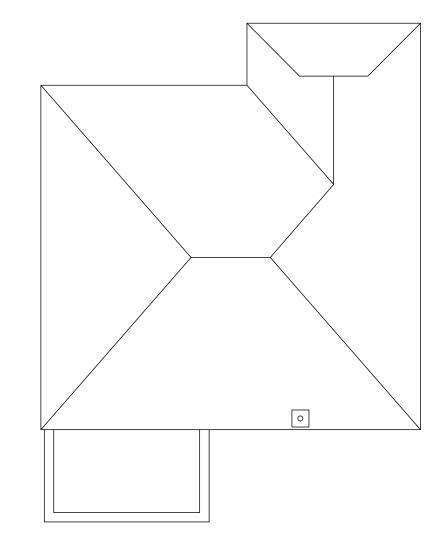


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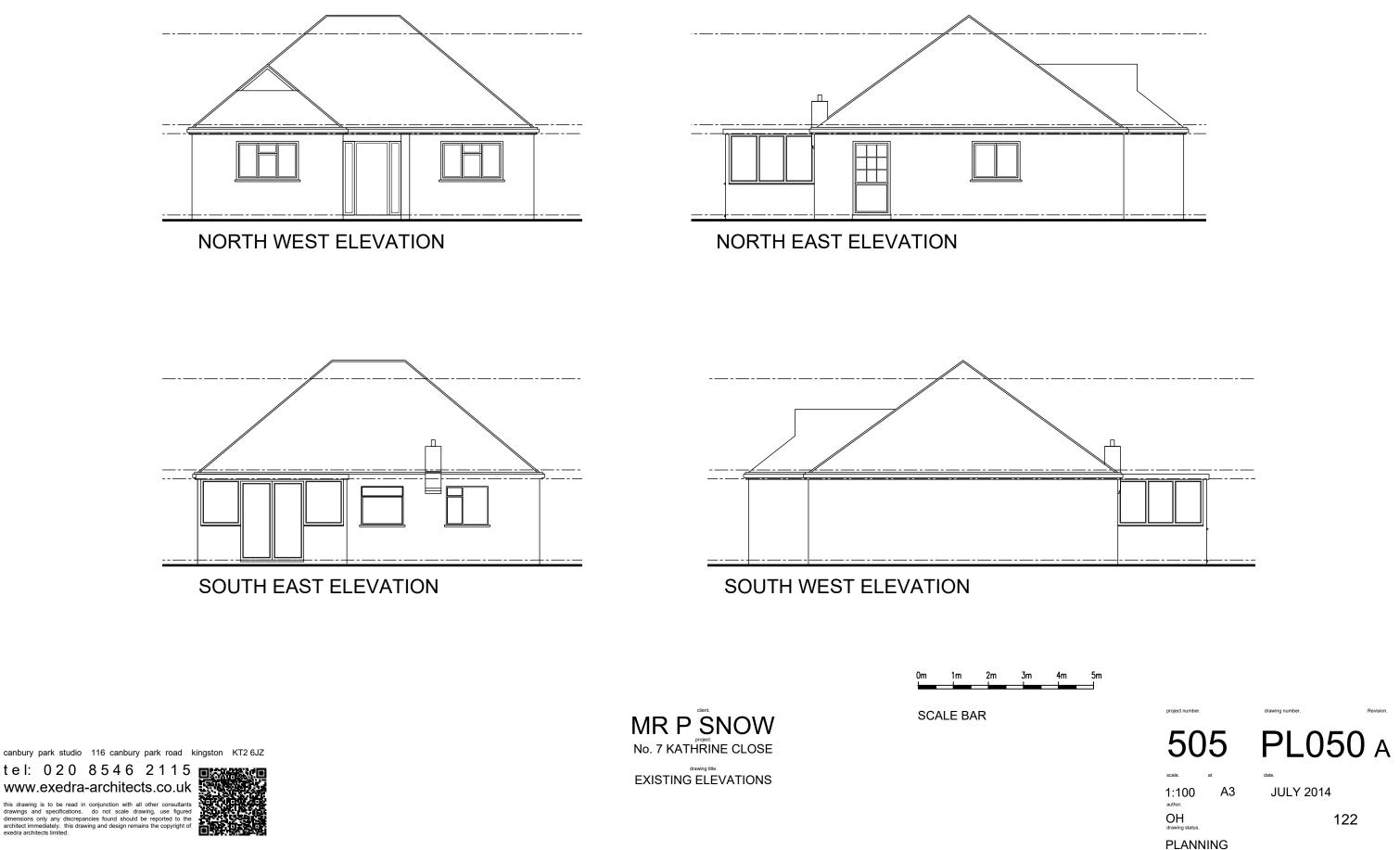




EXISTING ROOF PLAN



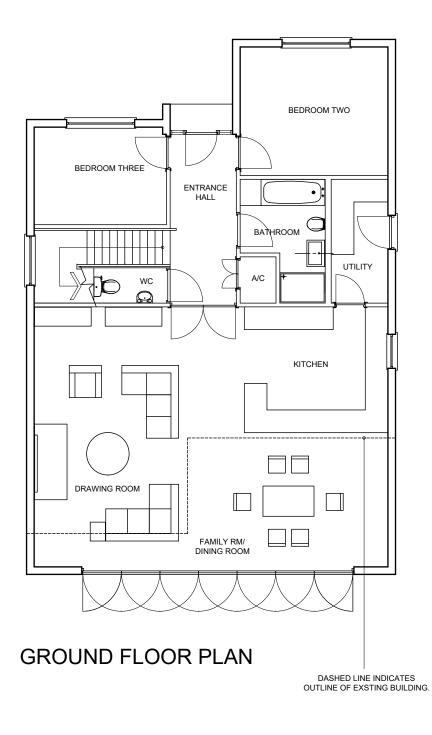
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OH drawing status.	121
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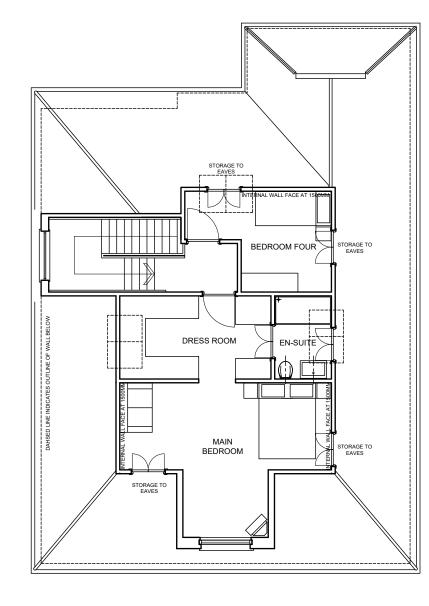


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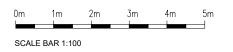






PITCHED ROOF

FIRST FLOOR PLAN



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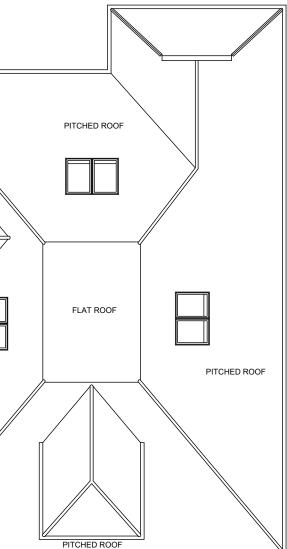
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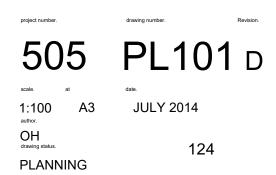
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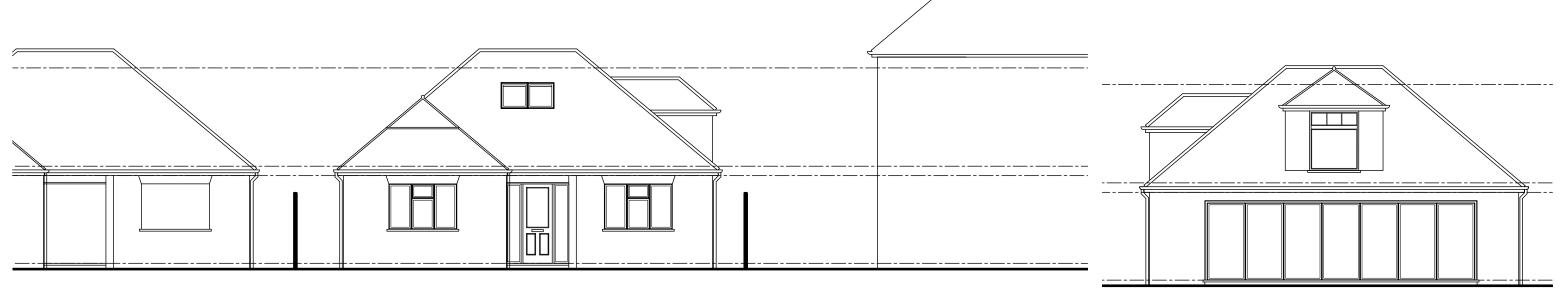




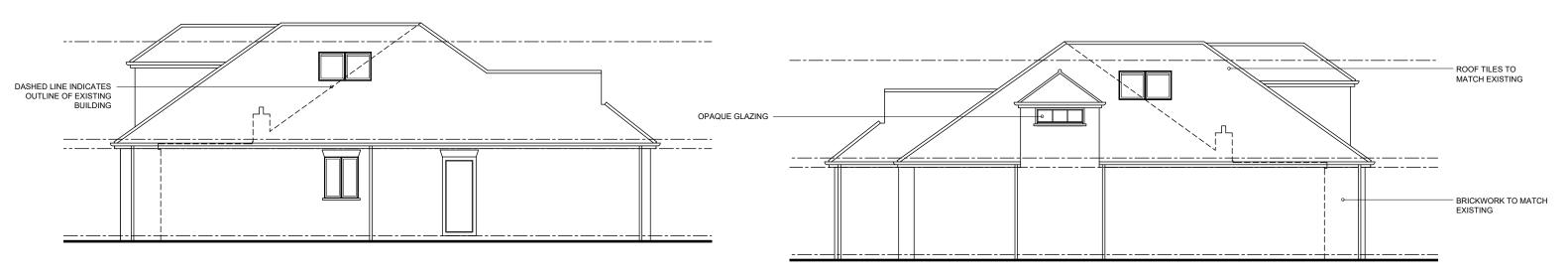
PROPOSED GROUND FLOOR PLAN **ROOF PLAN**







NORTH WEST ELEVATION



NORTH EAST ELEVATION

SOUTH WEST ELEVATION

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SCALE BAR



SOUTH EAST ELEVATION

