

Planning Committee

Wednesday 2 September 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).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) Public speaking on planning applications only is allowed at the Planning Committee. An objector who wishes to speak must make a written request by noon on Tuesday 1 September 2020. 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 publicspeaking@runnymede.gov.uk

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 publiclisteningplanning@runnymede.gov.uk

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 not extend to those in the public seating area.

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

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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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PART II

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

a) **Exempt Information**

No reports to be considered.

b) **Confidential Information**

No reports to be considered.

GLOSSARY OF TERMS AND ABBREVIATIONS

TERM	EXPLANATION
AOD	Above Ordnance Datum. Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling
AQMA	Air Quality Management Area
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement
CIL	Community Infrastructure Levy – A national levy on development which will replace contributions under ‘Planning Obligations’ in the future
CLEUD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CLOPUD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development requires planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
Design and Access Statement	A Design and Access statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Local Plan, Minerals and Waste Plans
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
ES	Environmental Assessment under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see ‘PD’)
LBC	Listed Building Consent
LDS	Local Development Scheme - sets out the programme and timetable for preparing the new Local Plan
Listed building	An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
LNR	Local Nature Reserve
Local Plan	The current planning policy document
LPA	Local Planning Authority
LSP	Local Strategic Partnership – Leads on the Community Strategy
Material Considerations	Matters which are relevant in determining planning applications
Net Density	The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
NPPF	National Planning Policy Framework. This is Policy, hosted on a dedicated website, issued by the Secretary of State detailing national planning policy within existing legislation
PCN	Planning Contravention Notice. Formal notice, which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PINS	Planning Inspectorate
POS	Public Open Space
PPG	National Planning Practice Guidance. This is guidance, hosted on a 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 Special Area of Conservation under the European Community’s Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SANGS	Suitable Alternative Natural Greenspaces
SAMM	Strategic Access Management and Monitoring
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan
SEA/SA	Strategic Environmental Assessment/Sustainability Appraisal – formal appraisal of the Local development Framework
Sec. 106	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SEP	The South East Plan. The largely repealed Regional Spatial Strategy for the South East. All policies in this Plan were repealed in March 2013 with the exception of NRM6 which dealt with the Thames Basin Heath SPA
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community’s Directive on the Conservation of Wild Birds 1979. The largest influence on the Borough is the Thames Basin Heath SPA (often referred to as the TBH SPA)
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”
TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TPO	Tree Preservation Order – where a tree or trees are formally protected, and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Use Classes Order	Document which lists classes of use and permits certain changes between uses without the need for planning permission
Further definitions can be found in Annex 2 of the NPPF	

1. **NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP**

2. **MINUTES**

To confirm and sign the Minutes of the meeting of the Committee held on 15 July 2020 as a correct record. (Appendix 'A')

(To resolve)

Background Papers

None

Runnymede Borough CouncilPLANNING COMMITTEE15 July 2020 at 6.30pm via MS Teams

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

Members of the Committee absent: None

Councillors J Olorenshaw, N Prescott and P Sohi also attended for all or some of the meeting via MS Teams as non-members of the Committee.

84 NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

<u>Group</u>	<u>Remove</u>	<u>Appoint instead</u>
Conservative	Cllr Anderson-Bassey	Cllr Maddox

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

85 MINUTES

The Minutes of the meeting of the Committee held on 24 June 2020 were confirmed and signed as a correct record.

86 APOLOGIES FOR ABSENCE

No apologies had been notified.

87 DECLARATIONS OF INTEREST

Councillor Howorth declared a Non-Pecuniary Interest in the item on CIL Draft Charging Schedule as he was an employee of Royal Holloway University and some of the discussion related to the CIL rate for student accommodation. Councillor Howorth withdrew from the debate and returned to the meeting following this item.

88 PLANNING APPLICATIONS

The planning applications listed below were considered by the Committee. All representations received on the applications were reported and copies had been made available for inspection by Members before the meeting. The Addendum had also been published on the Council's website on the day of the meeting and sent to all public speakers.

RESOLVED that –

the following applications be determined as indicated: -

<u>APP NO</u>	<u>LOCATION, PROPOSAL AND DEISION</u>
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RU 18/0443	Land East of Highcross Place, Chertsey
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Outline planning application for the erection of up to 52 dwellings (including affordable housing), vehicular access via Pretoria Road and Hanworth Lane, with open space, landscaping including Sustainable Drainage System and all necessary ground works. All matters reserved except for means of access, layout and scale.

Members mainly commented on the number of flats, and layout and scale of the buildings, sited between the railway and existing residential properties and properties on the northern side of the railway, concerns about impacts on privacy of neighbours, proximity to railway and concerns about noise impacts, impact on A320 and timing of works, access arrangements including pedestrian and vehicle access, character of development, space for landscaping, and relationship with parcels of land already developed, and affordable housing below policy requirements. Of particular concern was the size of the internal space of the apartments below new standards in the emerging Local Plan.

The CHDMBC commented that the site was part of a long term reserve housing site in the current Local Plan and was the final area of land planned within allocated site SL3 in the emerging Local Plan; that many of the concerns would be addressed by conditions or through mitigation secured under the proposed S106 Agreement. The application represented a reasonable balance. There was a risk that a lower number of units would be likely to adversely impact the viability of the scheme with a consequent loss of contributions to infrastructure and affordable housing.

Taking into account the advice of the CHDMBC, the Committee was not minded to grant or refuse permission at this stage, but wished the CHDMBC to negotiate with the applicant to secure an improved layout with a reduced number of units to comply with the policy on internal space standards in the emerging Local Plan and

RESOLVED that:

The application be DEFERRED to enable the CHDMBC to negotiate with the applicant an improved layout with a reduced number of units to comply with the policy on internal space standards in the emerging Local Plan.

Upon a request by Cllr Kusneraitis for the names of those voting on the Motion to defer to be recorded under Standing Order 25.2, the voting was as follows:

*For the deferral (14) Councillors
Broadhead, Chaudhri, Cressey, Gill, Howorth, King, Kusneraitis, Maddox, Mullens, Nuti, Snow, Sohi, Willingale and Whyte*

Against (1) Councillor Wilson

Abstention (0)

(Ms Phillips, an objector, and Mr Fairman the applicant, addressed the Committee on the above application).

RU 18/1719

The White Lion, High Street, Egham

Demolition of storage buildings, erection of two, two storey terraced dwellings and associated 1.8 metre high boarded timber fencing together with reconfiguration of car park, alterations to retained outbuilding ,creation of beer garden and associated landscaping (amended plans reducing number of dwellings and update to Planning, Design and Access Statement and further amended plans raising floor levels above flood level (increase in height of dwellings)

The Committee fully supported the application as the proposed development represented a very effective use of land, was sympathetically designed and would enable the Public House to be improved.

RESOLVED that:

GRANT permission subject to conditions (replacement condition 9 and deletion of condition 10 as per addendum), reasons and informatives listed on agenda, and additional informatives 16-18 as per addendum.

RU 19/1823

Land rear of Portman House (formerly Rutherwyk House) Guildford Street, Chertsey

Proposed erection of a 3 -storey building containing 6 no. residential apartments (Use Class C3), ancillary bin and cycle storage, hard and soft landscaping and access works (amended plans received 25.06.20 and amended description 22.05.2020)

The Committee fully supported the application as it would be a sensitively designed addition to the existing building and would enhance the established character of Chertsey town centre.

RESOLVED that

GRANT permission subject to conditions (amended condition 16 as per addendum), reasons and informatives listed on the agenda, and additional condition as per addendum.

RU 20/0492

Sequoia, Sheerwater Avenue, Woodham

The construction of detached 5-bedroom dwelling with attached double garage

The Committee fully supported the application.

RESOLVED that

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

(Ms Vosloo, an objector, addressed the Committee on the above application. The applicant did not exercise their right of reply).

RU 20/0668 7 Weir Place, Staines-upon-Thames

Double storey rear extension

The Committee fully supported the application.

RESOLVED that

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

89 INFRASTRUCTURE DELIVERY & PRIORITISATION SUPPLEMENTARY PLANNING DOCUMENT (SPD) SECOND CONSULTATION

The Committee was informed that the draft SPD had been subject to public consultation during February - April 2020. In light of the comments received a number of minor amendments were now proposed by Officers to the SPD which included:

- Addition of Blue Infrastructure to the list of infrastructure types;
- Confirmation the Council would not request financial contributions through Section 106 toward infrastructure projects physically provided by a development other than for management/maintenance;
- Placing a cap on the monitoring contribution per Section 106 agreement;
- Clarification of how net dwellings/occupants should be calculated;
- Confirming a formula based approach to contributions at outline stage where deemed appropriate;
- Signposting that infrastructure for Controlled Parking Zones (CPZs) might be negotiated;
- Referencing the Playing Pitch Strategy for Outdoor Sports Contributions;
- Adding the methodology used to calculate estimated net floorspace from sites contingent on A320 improvements.

Members were informed that since consultation on the first iteration of the SPD the Council had received confirmation of the Housing Infrastructure Fund (HIF) grant for A320 improvements. The Council needed to target 100% clawback of the grant through developer contributions from sites identified in the 2030 Local Plan as contingent on the A320 rather than the 25% set out in the first iteration of the SPD. Officers considered this to be a significant change to the draft SPD requiring further consultation. The period for consultation would be 4 weeks which was the minimum requirement in the Local Planning Regulations 2012 and the Council's Statement of Community Involvement (SCI).

The Committee was advised that even with the amendments proposed, the general purpose of the SPD had not changed in that it continued to set out a prioritisation hierarchy for infrastructure funding, the same cost impacts for different infrastructure types (with the exception of A320) and contained an approach to securing Section 106 agreements once a Community Infrastructure Levy (CIL) was in place.

The amended draft SPD was accompanied by an update of the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) which determined that a SEA and/or an HRA was not required and this had been confirmed by the appropriate statutory bodies. It was also noted that a full Equalities Impact assessment was not required.

The Committee approved the amended Draft SPD for a second round of public consultation.

RESOLVED that

the amended Draft Infrastructure Delivery & Prioritisation SPD be APPROVED for public consultation for a period of four weeks.

90

COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE STATEMENT OF MODIFICATIONS CONSULTATION

The Committee was informed that a CIL Draft Charging Schedule had been consulted on between February – April 2020 which proposed seven different charging zones with rates for residential development between £90 and £380 per sqm, a single rate of £495 per sqm for student accommodation and £50 per sqm for office development. All other development was not considered to be viable for CIL and was zero rated along with the Longcross Garden Village Site and Chertsey Bittams C.

During consultation on the Draft Charging Schedule the UK entered a state of lockdown due to the Covid-19 pandemic. In light of this and representations to the Draft Charging Schedule, the viability underpinning the proposed CIL rates had been reviewed. A summary of the representations received and how these had been taken into account had been available to view on the Council's website. The viability evidence suggested Covid-19 would have an impact on CIL rates and therefore some of the rates had been adjusted downwards to reflect this. This included:

- Reduction in the rate for Ottershaw from £380 per sqm to £300 per sqm
- Reduction in the rate for Egham (west of M25) from £235 to £180 per sqm
- Reduction in the rate for Student Accommodation from £495 to £345 per sqm

The adjustments to CIL rates and subsequent changes to the CIL Charging Zone map had been set out in a CIL Statement of Modifications. In light of the modifications proposed Officers considered that the Statement of Modifications be open to consultation for a period of 4 weeks after which it was proposed to submit the draft Charging Schedule and Statement of Modifications for examination.

The Statement of Modifications including the reductions set out above were moved and seconded.

With regard to the proposed reduction in CIL rate for student accommodation, Officers confirmed that this was based on an independent viability assessment and the influence of Covid-19 on the economy. However, Members did not consider the level of reduction was justified and considered that it was important student developments made a contribution to much needed infrastructure improvements in the local area. An Amendment was moved and seconded that the CIL rate for student accommodation be retained at £495 and not reduced to £345 as proposed.

The Amendment was duly passed and upon the substantive Motion, as amended, being put to the vote, it was

RESOLVED that:

- i) **Subject to the CIL rate for student accommodation being retained at £495, the Statement of Modifications to the Draft Community Infrastructure Levy Charging Schedule be APPROVED for public consultation for a period of four weeks; and**
- ii) **if no further significant changes are required to the Draft Charging Schedule following public consultation of the Statement of Modifications, the Corporate Head of Planning Policy and Economic Development, in**

consultation with the Chair of Planning Committee, be authorised to make any necessary minor amendments and corrections to the Draft Charging Schedule and submit the schedule for public examination.

91 PLANNING VALIDATION DOCUMENT

The Committee received an updated Planning Validation Document to accord with Government requirements for regular reviews, and also to reflect the changing policy circumstances with the new Runnymede 2030 Local Plan. The Validation Document updated the existing suite of information requirements which applications would be checked against and would help applicants to navigate through the complex process of submitting a valid application and significantly improve the quality of applications to ensure swifter processing thereof.

The updated Validation Document would be subject to a period of consultation with the local community including applicants and agents, and responses would be taken into account when preparing the final revised list.

The Committee agreed the Validation Document for consultation.

RESOLVED that

the updated Validation Document be agreed and officers be authorised to carry out the required consultation, and the Corporate Head of Development Management and Building Control be authorised to publish the final revised document incorporating relevant comments following the consultation.

92 ANNUAL KEY PERFORMANCE INDICATORS 2019/20

The Committee noted the Key Performance Indicator results for the year 2019/20 for the Council's Development Management & Building Control Service.

The figures reflected a high level of performance in both business areas. Performance significantly exceeded the targets set by MHCLG and Officers and Members of the Committee were commended on the level of performance.

(The meeting ended at 10.13 pm)

Chairman

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 31 August 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. **LOCAL DEVELOPMENT SCHEME (PLANNING POLICY & ECONOMIC DEVELOPMENT-GEORGINA PACEY**

Synopsis of report: To seek Members' approval of a new Local Development Scheme (LDS) following the adoption of the Runnymede 2030 Local Plan. In particular, this latest LDS sets out a high level timetable for the review of the Runnymede 2030 Local Plan and policies update. The document also sets out the timetable for the preparation, adoption and implementation of a CIL charging schedule in the Borough.

Recommendation(s):

**(i)The Committee APPROVE the September 2020 Runnymede Borough Council Local Development Scheme; and
(ii) The Committee AGREE that the Local Development Scheme will come into effect on 3rd September 2020.**

1. Context of report

- 1.1 The Borough Council is required by law to produce a project plan, known as a 'Local Development Scheme' (LDS), setting out how its Local Plan and other related documents will be produced, and a timetable for their production. The purpose of the LDS is to keep the public and other stakeholders informed and to promote good management of the Local Plan preparation process.
- 1.2 The Localism Act (2011) amended parts of the Planning and Compulsory Purchase Act (2004) that relate to Local Development Schemes. Importantly, the Council is no longer obliged to submit a copy of its LDS to the Secretary of State to bring the Scheme into effect. Instead, the Local Planning Authority must resolve that the scheme is to have effect, and, in its resolution, specify the date from which the scheme is to have effect.
- 1.3 The format of the LDS is a matter for the Council, but the regulations do specify a number of key points that the LDS must address. This includes specifying the local development documents which are to be development plan documents, the subject matter and geographical area to which each document relates, and the timetable for the preparation and revision of the documents.
- 1.4 The LDS which has been prepared is attached as Appendix 'B'.

2. Report

- 2.1 The Council's current LDS was adopted in March 2018 and was primarily concerned with setting out the timetable for the preparation of the Runnymede 2030 Local Plan. Now that the Local Plan has been adopted, it is considered an appropriate point to revise the LDS.
- 2.2 The NPPF states at paragraph 33 that, '*Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy*'. The review of Local Plans at least every five years is also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.3 The Runnymede 2030 Local Plan also contains a commitment to the 5 year review process stating, '*The Council will commence a review of the Runnymede 2030 Local*

Plan as soon as possible to ensure that it is able to meet the requirement of the NPPF to complete a review of the plan within 5 years of the date of adoption of this plan. In practical terms this will mean that the Borough Council commences its review early in 2021, in order to complete a review before the summer of 2025. The Council will be revising its Local Development Scheme during 2020 to confirm the timetable for the review. In accordance with the NPPF, the review will also need to plan for a 15-year period from the date of its adoption (i.e. 2040)'. The LDS prepared by officers seeks to ensure that the Council is able to complete the Local Plan review and policies update by July 2025 as is required. The LDS also sets out the remainder of the timetable for the adoption and implementation of CIL.

- 2.4 The key milestones for the review and update of the Runnymede 2030 Local Plan as outlined in the LDS are as follows:

Milestone	Target
Regulation 18: Issues and Options consultation	Late Summer 2022
Regulation 18: Draft Plan consultation	Spring 2023
Regulation 19: Pre-Submission consultation	Winter 2024
Regulation 22: Submission	July 2024
Examination	August 2024 – May 2025
Adoption	July 2025

- 2.5 Officers are currently reviewing the proposed reforms set out in the Planning White Paper (August 2020) which includes reforms to the Plan Making system and to the Community Infrastructure Levy regime. It should be noted that at the current time, these proposals are subject to consultation only. Should the Government introduce the proposals set out in the White Paper, this may require the Council to revise its LDS. This would however be the subject of a future committee report.

3. Policy framework implications

- 3.1 The LDS will form the Council's work programme for reviewing the Runnymede 2030 Local Plan and updating its policies. It also sets out the work programme for introducing a CIL charging schedule in the Borough. The Council's progress in meeting the milestones set out in the LDS will be reviewed annually in the Annual Monitoring Report, which will also help to identify any necessary changes.

4. Resource implications

- 4.1 The LDS highlights the key risks that threaten the production of an updated Local Plan and CIL charging regime on time. It also sets out the resources available in the Planning Policy team to undertake the necessary work. At the current time there are considered to be sufficient resources (subject to filling one currently vacant post which, at the time of writing this report, is being advertised) to meet the milestones for the Local Plan review and policies update, and implementation of a CIL charging regime in the Borough as set out in the LDS

5. Conclusions

- 5.1 The LDS, which has been put before Members is considered to set out a realistic programme for the Local Plan review and policies update, and also for the implementation of a CIL charging regime in the Borough.

5.2 Planning Committee is therefore asked to:

- (i) **APPROVE the September 2020 Runnymede Borough Council Local Development Scheme**
- (ii) **AGREE that the Local Development Scheme will come into effect on 3rd September 2020.**

(To resolve)

Background papers

Appendix B- Local Development Scheme (September 2020)

Runnymede 2030

Local Plan

Local Development Scheme (LDS)

September 2020

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1. Introduction

- 1.1. The Borough Council, as local planning authority, is required to prepare a Local Development Scheme (LDS) under the provisions of the Planning and Compulsory Purchase Act 2004.
- 1.2 The main role of the LDS is to describe the documents that Runnymede Borough Council is preparing, or has already prepared, as part of its Local Plan. It explains the role of the individual documents, how they relate to one another and the timetable for their preparation – highlighting the stages at which public consultation will take place. It also summarises the evidence, resources and risks associated with their preparation.
- 1.3 In terms of managing the Local Plan process, this LDS is supported by a number of other key documents, including the Annual Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.4 The LDS will continue to be reviewed on a regular basis, with the Annual Monitoring Report (AMR) assessing its implementation and the extent to which planning policies are being achieved. Any formal amendments to the LDS will be made following agreement at Planning Committee.
- 1.5 The Council's Statement of Community Involvement (SCI) was adopted in December 2014. Temporary amendments were made to the SCI in May 2020 in response to the COVID 19 pandemic and updated Government Guidance on this matter. It sets out arrangements for public consultation in the connection with both the Local Plan and planning applications. The SCI is currently being reviewed with adoption of a revised document anticipated by late 2020/early 2021.
- 1.6 This LDS once adopted will supersede the previous version dated March 2018.

2. Overview of the Development Plan System

- 2.1 The Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing a development plan for the Borough.
- 2.2 The development plan is essentially a document, or series of documents, containing the planning policies that the local planning authority will take into account when determining planning applications. The Borough Council is responsible for preparing some, but not all, documents that comprise the development plan.

(a) The Development Plan for Runnymede

- 2.3 The current development plan for Runnymede Borough Council is made up of the following:
- Runnymede 2030 Local Plan (adopted July 2020)
 - Policy NRM6 of the South East Plan
 - Surrey Waste Plan (2008)¹
 - Surrey Minerals Plan Core Strategy Development Plan Document (DPD) (2011);
 - Surrey Minerals Plan Primary Aggregates Development Plan Document (DPD) (2011)
 - Aggregates Recycling Joint Development Plan Document (DPD) for the Minerals and Waste Plans (2013)
- 2.4 The preparation of Minerals and Waste Plans is the responsibility of Surrey County Council, although the Borough Council is an important consultee.
- 2.5 All Development Plan Documents (DPDs) are the subject of an independent examination by an Inspector. As part of the examination an Inspector will examine the “soundness” of the document(s) as well as legal compliance: i.e. whether the proper procedures have been followed; how the document(s) relate to national/strategic planning policy or other relevant strategic advice; whether the document(s) are coherent and stem from a credible evidence base: and whether the policies in the document(s) are effective and deliverable. Whilst the Inspector’s report is not formally binding, the Council cannot adopt a DPD unless it has been found ‘sound.’
- 2.6 All designations and allocations contained in an adopted Local Plan are illustrated on a Policies Map. Runnymede Borough Council has an interactive Policies Map on its website which can be viewed using its Maps² system.

¹ A replacement Surrey Waste Plan is due for consideration for adoption at Surrey County Council’s 27th October cabinet meeting. More information can be found at: <https://www.surreycc.gov.uk/land-planning-and-development/minerals-and-waste/waste-plan>

² <https://maps.runnymede.gov.uk/website/maps/index.html>

Runnymede 2030 Local Plan

- 2.7 The Runnymede 2030 Local Plan sets out the key planning policies which determine the location, scale and timing of new development in the Borough in the period up to 2030, including the spatial development strategy, allocations for housing, employment and retail development and protection of the environment. The Local Plan also contains a suite of planning policies against which planning applications in the Borough will be determined.
- 2.8 The Local Plan was submitted for Examination in July 2018 and the examination concluded in May 2020 when the Inspector issued her final report and recommendations to the Council. Following conclusion of the Examination, the Inspector found the Local Plan 'sound', subject to main modifications. Following consideration of the Inspector's Report, Runnymede Borough Council formally adopted its new Local Plan on 16th July 2020.
- 2.9 The new Local Plan plans for the delivery of at least 7,507 new homes including a new garden village at Longcross, significant new employment development, the regeneration of a number of town centre sites and commensurate growth in new transport and community infrastructure, including important improvements to the A320. The adopted Local Plan can be viewed at:
<https://www.runnymede.gov.uk/localplan>.

Neighbourhood Planning

- 2.10 In addition to the above, the Localism Act 2011 allows for Town and Parish Councils and established 'Neighbourhood Forums' to prepare Neighbourhood Plans for their areas. There are no town and parish councils within the Borough, however, there are now several formally constituted neighbourhood forums and designated neighbourhood areas where new neighbourhood plans are being brought forward. These include Thorpe, Virginia Water and Englefield Green. A community group in Ottershaw has also applied to the Council for the designation of a Neighbourhood Forum and Area in this part of the Borough.
- 2.11 Neighbourhood Plans are required to demonstrate that they meet a number of Basic Conditions when they are independently examined. If a neighbourhood plan passes through the examination successfully and gains a majority vote in a local referendum, neighbourhood plans will be adopted. At this point they become part of the Development Plan for Runnymede Borough.

(b) The review and update of the Runnymede 2030 Local Plan

- 2.12 The Council will soon begin work on the review of the Runnymede 2030 Local Plan in line with the commitment contained at paragraph 5.19 of the Plan which states,

'The Council will commence a review of the Runnymede 2030 Local Plan as soon as possible to ensure that it is able to meet the requirement of the NPPF to

complete a review of the plan within 5 years of the date of adoption of this plan. In practical terms this will mean that the Borough Council commences its review early in 2021, in order to complete a review before the summer of 2025. The Council will be revising its Local Development Scheme during 2020 to confirm the timetable for the review. In accordance with the NPPF, the review will also need to plan for a 15-year period from the date of its adoption (i.e. 2040)'

- 2.13 Evidence gathering to support the new Local Plan will begin in the latter part of 2020 with a Call for Sites exercise being scheduled to update the Council's evidence on the land in the Borough which may be available, suitable and achievable to meet the Borough's development needs in the future. Beyond this, during the course of 2021 and part of 2022, the Council will review and update other parts of its evidence base as necessary alongside discussions with neighbouring and nearby Local Authorities and statutory bodies on cross boundary matters. The Council's updated evidence base will help inform the update of the policies in the Runnymede 2030 Local Plan. At the time of writing this LDS, it is too early to say how many of the policies within the adopted Local Plan will require updating.
- 2.14 As part of the Local Plan review, the Council will also continue to monitor the effectiveness of the policies in the adopted Local Plan as part of the Annual Monitoring Report. This will involve the assessment of whether the targets set out in the Monitoring Framework at appendix A of the Local Plan are being achieved. This monitoring work will also help to determine whether updates to individual policies are required.
- 2.15 Beyond this, an initial Issues and Options consultation is proposed for late Summer 2022. Following detailed consideration of the responses to that consultation and the completion of further evidential work to inform preparation of the Local Plan, the Council will undertake further Regulation 18 consultation on a full draft plan in Spring 2023. Thereafter, Regulation 19 consultation on the Pre-Submission Local Plan will take place in the early part of 2024 (Winter). When completed, the updated Runnymede Local Plan will comprise a single document, containing strategic policies, site allocations and updated development management policies for the plan period.
- 2.16 It is envisaged that the new Runnymede Local Plan will cover at least a 15-year timeframe from adoption (2025-2040) to reflect the guidance contained in the National Planning Policy Framework (NPPF). A summary of expected plan content and governance arrangements for the Local Plan is set out in Appendix 1.
- 2.17 Chart A below sets out the expected programme for the review of the Runnymede Local Plan and policies update.

Chart A: Programme for the production of the Runnymede 2030 Local Plan: Review and policies

STAGE	2020	2021	2022	2023	2024	2025
Review of Local Plan (including monitoring of policies and update of evidence)						
Public and stakeholder engagement in preparing the plan (Reg 18): Issues & Options (I) and Draft Plan (D) consultation			I	D		
Publication of the proposed submission (Pre-Submission) plan for representations (Reg 19)					P	
Submission of Plan for Examination (Reg 22)					S	
Examination period						E
Adoption						A

Key:

- I - Issues and Options consultation (*consultation stage*)
- D – Draft Plan consultation (*consultation stage*)
- P - Pre-Submission / Publication consultation (*representations stage*)
- S - Submission of plan and associated documents to Secretary of State
- E – Examination process
- A - Adoption of plan by the Council

Notes:

- 1 *The Runnymede 2030 Local Plan was adopted in July 2020 and so is not shown on this programme.*
- 2 *All timings are subject to the programming of Planning Committee and Full Council meetings and the availability of Planning Inspectors to conduct the relevant Examinations.*
- 3 *The Runnymede 2030 Local Plan: Review and policies update timetable will be subject to review through the Annual Monitoring Report.*

3. Additional Planning Documents and Guidance

Community Infrastructure Levy (CIL)

- 3.1 The Council is currently preparing its first Community Infrastructure Levy (CIL). Public consultation on the draft CIL Charging Schedule took place between late February and late April 2020. Following the consideration of the representations received during this consultation, it was determined that additional viability work needed to be undertaken. This resulted in the proposed amendment of two of the proposed CIL charges and the addition of a further charging zone. These amendments were set out in a CIL Statement of Modifications which was agreed in July 2020 for public consultation for a 4 week period. It is anticipated that the Council's CIL charging schedule will be submitted for Examination by the end of August 2020. Examination will take place in Autumn 2020 and if found 'sound' by the Examiner, CIL will be adopted in the early part of 2021 and will become operational on 1st March 2021. Further details can be found at: <https://www.runnymede.gov.uk/article/15518/Community-Infrastructure-Levy-CIL-> .
- 3.2 A summary of governance arrangements for CIL is set out in Appendix 1. Chart B on the following page sets out the expected programme for the preparation and implementation of Community Infrastructure Levy (CIL) in Runnymede.

Supplementary Planning Documents (SPDs)

- 3.3 A range of Supplementary Planning Guidance (SPG) and Advice Notes were produced by the Council to support the policies and proposals within the Runnymede Borough Council Local Plan, 2001 (second alteration). These documents can be viewed at: <https://www.runnymede.gov.uk/article/15522/Policy-documents-and-guidance->
- 3.4 At the time of writing this LDS, the Council is currently producing a range of Supplementary Planning Documents (SPD) to support the newly adopted Runnymede 2030 Local Plan, and these will replace the existing SPGs and advice notes referred to above. Until replacement SPDs have been adopted, the existing SPGs and advice notes which can be viewed at the link above are still capable of being some weight in the decision making process but the amount of weight will depend on the level of consistency with the Runnymede 2030 Local Plan and the NPPF.
- 3.5 Supplementary Planning Documents currently being prepared by the Council can be listed as follows:
- Car Parking SPD
 - Development in the Green Belt SPD
 - Design Guide SPD
 - Thames Basin Heaths Special Protection Area SPD
 - Blue and Green Infrastructure SPD
 - Infrastructure Delivery and Prioritisation SPD

4. Evidence, Resources and Risks

(a) Evidence

- 4.1 A range of technical studies will be prepared as part of the evidence base to support the review and update of the Runnymede 2030 Local Plan, CIL and Supplementary Planning Documents (SPDs). Evidence can be viewed at:

<https://www.runnymede.gov.uk/article/15538/Evidence-Base-Documents->

- 4.2 In addition, the Council's latest Annual Monitoring Report can be viewed at:

<https://www.runnymede.gov.uk/article/15558/Monitoring-progress-of-Local-Plan-policies-policy-documents-and-guidance->

(b) Resources

- 4.3 The Council attaches high priority to the timely delivery of the review and update of the Runnymede 2030 Local Plan and its Community Infrastructure Levy (CIL), and despite financial stringency is maintaining the necessary mainstream funding. Budgets will continue to be reviewed on an annual basis and appropriate provision made. Where necessary some of the Local Plan budget will be used to bring in additional temporary staff resources, or consultancy support. Opportunities for additional funding sources such as grants from the Government's Planning Delivery Fund will also continue to be pursued. The table below indicates current permanent resources available to help prepare the new Local Plan and other planning policy documents. This may be supplemented by further temporary resource if required:

Permanent Posts	% time	FTE
Corporate Head of Planning Policy and Economic Development	10%	1.0
Local Plans Manager	90%	0.8
Assistant Local Plans Manager ³	90%	1.0
Principal/Senior Policy Officer	90%	1.0
Principal/Senior Policy Officer	90%	0.9
Policy Officer	90%	1.0
Local Plan Monitoring Officer	50%	1.0
Total	510%	6.7 FTE
Local Plan/Planning Policy preparation focussed		4.83 FTE

³ This post was vacant at the time of producing this document although recruitment was underway

(c) Risks

- 4.4 The timetables for production of an updated Runnymede Local Plan and implementation of the Council's CIL charging regime are considered realistic and achievable. The Annual Monitoring Report (AMR) will track performance and highlight any amendments required to the work programmes set out in this LDS. This will be supported through monthly reporting on milestones via the Council's in-house project management reporting process.
- 4.5 There are however a number of risks that could impact upon the delivery of the work programmes set out within Charts A and B. These risks, together with appropriate mitigation measures are set out in Appendix 2.

5. Contact information

5.1 For further information regarding planning policy matters please contact:

Email: planningpolicy@runnymede.gov.uk

Phone: 01932 425131

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

Summary of content and governance arrangements: Runnymede Local Plan and CIL

Title	
Runnymede Local Plan-Review and Policies update	
Description	Preparation of an updated Borough Local Plan incorporating strategic site allocations and updated development management policies (as necessary) for the plan period up to 2040, or longer if necessary, to guarantee land allocations sufficient to deliver for a 15-year period after the date of adoption.
Area Covered	Borough-wide, with some site-specific elements.
Status	DPD
Chain of Conformity	In general conformity with the NPPF.
Priority	High
Key milestones	
Regulation 18: Issues and Options consultation	Late Summer 2022
Regulation 18: Draft Plan consultation	Spring 2023
Regulation 19: Pre-Submission consultation	Winter 2024
Regulation 22: Submission	July 2024
Examination	August 2024 – May 2025
Adoption	July 2025
Arrangements for Production	
Lead	Planning Policy Manager.
Management arrangements	Planning Policy Manager, Corporate Head of Planning Policy and Economic Development, Infrastructure and Economic Development Member Working Party, Planning Committee and Council, Senior Leadership Team.
Studies/evidence required	To include update of key technical studies including (but not necessarily limited to) those relating to housing, employment, retail and infrastructure.
Resources required	See section 4.
Stakeholder/community involvement	To comply with adopted Statement of Community Involvement. Strong emphasis on close liaison with

	adjoining local planning authorities and others regarding strategic planning matters, as required under the duty to co-operate.
Monitoring and Review Arrangements	
Review of policy performance to be carried out as part of Annual Monitoring Report (AMR) process.	

Title	
Community Infrastructure Levy (CIL)	
Description	Preparation of a CIL Charging Schedule to help secure appropriate contributions towards infrastructure from new development. Once implemented, CIL sits alongside the ability to secure provision of new infrastructure through Section 106 agreements. Unlike Section 106 agreements, CIL is a non-negotiable charge.
Area Covered	Borough-wide.
Status	CIL
Chain of Conformity	In general conformity with the NPPF, other national planning guidance regarding CIL and planning obligations and compatible with the Borough Local Plan/Review as appropriate.
Priority	High
Key milestones	
Draft CIL Charging Schedule consultation	February 2020
CIL Modifications Schedule consultation	July 2020
Submission	August 2020
Examination (hearings)	Autumn 2020
Adoption	Jan/Feb 2021
Implementation	1 st March 2021
Arrangements for Production	
Lead	Principal Policy Officer
Management arrangements	Planning Policy Manager, Corporate Head of Planning Policy and Economic Development, Infrastructure and Economic Development Member Working Party, Planning Committee and Council. Senior Leadership Team. Governance arrangements for CIL spend to be determined in due course.
Studies/evidence required	Development viability evidence.
Resources required	See section 4.
Stakeholder/community involvement	To comply with adopted Statement of Community Involvement.
Monitoring and Review Arrangements	
Review of CIL performance to be carried out as part of Annual Monitoring Report (AMR) process.	

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Risk Assessment: Review and Policies Update of Runnymede 2030 Local Plan

Key
Red = high impact / likelihood
Amber = medium impact / likelihood
Green = low impact / likelihood

	Risk	Comment	Likelihood	Impact	Mitigation Measures
1	Preparation of Local Plan fails to meet key project milestones.		Amber	Red	Project management and monitoring of progress against the Local Development Scheme. Progress discussed with managers monthly and action taken as necessary. Progress on LDS timetable reported as part of Annual Monitoring Report. Formal review of the LDS to be carried out on a regular basis.
2	Changes in national policy and regulations which require a significant alteration to emerging plan content.	There have been a number of recent changes to national planning policy, as set out in the National Planning Policy Framework (NPPF), changes to permitted development rights and amendments to planning regulations, all of which need to be reflected when preparing the new Local Plan to ensure it can be found 'sound.'	Red	Red	The programme set out within this LDS takes account of the most recent changes to the National Planning Policy Framework (February 2019). However, significant changes to the Planning system are being proposed. At the time of producing this LDS, the Council is currently reviewing the proposed reforms set out in the Planning White Paper (August 2020) which includes reforms to the Plan Making system. It should be noted that at the current time, these proposals are subject to consultation only. Should the Government introduce the proposals set out in

Risk	Comment	Likelihood	Impact	Mitigation Measures
				<p>the White Paper, this may require the Council to revise its LDS. The changes could also impact on the scale of policies update required. This will need to be kept under close review and depending on the implications of any changes for the plan once the policies update has begun, this could require amendment to the plan and a further stage of consultation.</p> <p>Advice from the Planning Advisory Service (PAS) and the Planning Officers' Society (POS) will be taken to help mitigate these risks.</p>
3	Lack of suitably experienced staff	Difficulties recruiting and retaining suitably qualified Planning Officers are currently being experienced across the country and in the South East in particular.		Should usual mechanisms of direct recruitment to fill vacant posts not prove successful, consideration will be given to the employment of temporary staff and /or consultants to take on specialist areas of work and extend the capacity of the Planning Policy team. This option could be constrained by wider Council policies on vacancies and recruitment and available financial resources.
4	Delays to decision making process	Delays may be experienced due to democratic process and/or timetabling of meetings, or the inability to agree an appropriate content of the plan which can be found 'sound' by a Planning Inspector in due course.		<p>Agreeing the timetable for the LP process through this LDS will enable meetings to be appropriately timetabled to allow timely decision making.</p> <p>'Special' meetings of Planning Committee and Full Council can be arranged in certain circumstances.</p> <p>Continued member training is proposed to aid with the understanding of strategic planning issues and</p>

	Risk	Comment	Likelihood	Impact	Mitigation Measures
					<p>sound legal advice from Counsel is recommended to be sought to help guide members through the decision-making process.</p> <p>The Council's Infrastructure and Economic development Member Working Party will continue to be used to provide steer throughout the Local Plan review and policy update processes.</p>
5	<p>Failure to agree critical cross boundary strategic planning issues with prescribed Duty to Co-operate bodies.</p>				<p>Regular discussions regarding key strategic planning issues for the Borough will continue with neighbouring authorities and other duty to co-operate (DTC) bodies. Risks relating to how these issues will be addressed will be reduced through the production and regular review of Statements of Common Ground (SoCGs) with those bodies. Regular meetings with all DTC bodies will help minimise any wider issues arising or enable them to be addressed early in the plan-making process.</p>
6	<p>Pressure on financial resources</p>				<p>Annual budgetary provision has been made for plan-making work, however the length of public examinations and cost of defending any subsequent legal challenges could add significantly to the amount required. Annual budgetary review will provide the mechanism to bid for additional funding if required. The Corporate Head of Planning Policy and Economic Development will regularly review budgetary provision/spend with the CEx and Head of Finance</p>

	Risk	Comment	Likelihood	Impact	Mitigation Measures
7	Capacity of Planning Inspectorate (PINs) and other statutory consultees	The capacity of the Planning Inspectorate and other statutory consultees to provide detailed planning advice has previously been reduced due to internal reorganisation and financial constraints. The risk is outside the Council's control.			Public examination of the reviewed and updated Local Plan could be delayed through lack of Local Plan Inspectors or when commenced, could take longer than anticipated. Early sight of this LDS will help PINS plan for the timing of the examination within their work programmes. Any potential lengthening of the examination itself could in part be mitigated by ensuring all appropriate evidence is prepared and submitted to underpin the Local Plan when submitted for examination. Thereafter, it is important to ensure close liaison with the Programme Officer to assist in any arrangements for the examination which will help its smooth running. Early sight of the LDS and regular liaison with key statutory consultees during the plan-making process and in the lead up to the examination can also help to identify any capacity issues early which those consultees may be experiencing.
8	Failure of external parties to meet project deadlines	There is sometimes a need, either as a result of insufficient internal officer capacity, or the need to bring in specialist skills, for some work relating to the Local Plan to be carried out by external consultancies or organisations.			Work quality and project work timetables will be controlled through normal procurement processes and contract conditions.

	Risk	Comment	Likelihood	Impact	Mitigation Measures
9	Local Plan found 'unsound'	Local Plans must be underpinned by detailed evidence. This evidence will face detailed scrutiny from the Planning Inspector and other stakeholders during the independent examination process.	Yellow	Red	<p>Risk is reduced by ensuring that the Council's decision-making regarding the content of its Local Plan is firmly based on the technical evidence which emerges.</p> <p>Appropriate joint working arrangements with adjoining local planning authorities in line with the 'duty to co-operate' will continue to be essential.</p> <p>The soundness of the Local Plan will also continue to be guided by close liaison with the adjoining local planning authorities, statutory bodies, PINS, the availability of a robust evidence base and well-audited stakeholder and community engagement systems.</p> <p>Specialist external legal advice will be taken as and when necessary to help guide key decision-making and help mitigate this risk.</p>
10	Legal challenge	This would result in financial costs, and if a challenge is successful, could result in all or part of the plan being quashed.	Yellow	Red	<p>The likelihood of a successful legal challenge is substantially reduced where the Local Plan is prepared in accordance with relevant regulations, is strongly aligned to the conclusions of the evidence that underpins it and the plan-making authority can demonstrate it has met the necessary 'tests of soundness.'</p> <p>Specialist external legal advice will be taken at key stages, and if any threats of challenge are made through the plan-making process.</p>

Risk	Comment	Likelihood	Impact	Mitigation Measures

Risk Assessment: Community Infrastructure Levy

Risk	Likelihood	Impact	Mitigation
Single person dependency on the Project Manager who if absent for a period of time or leaves the organisation, timetable could be delayed until replacement can be found.	Green	Yellow	Establish chain of delegation/secondment identifying other members of staff to prioritise project subject to capacity, otherwise there is no mitigation. Expedite recruitment process. Introduce regular project meetings to improve information sharing and knowledge.
Potential for charging schedule not based on robust evidence of viability.	Yellow	Yellow	There is no mitigation for Covid-19 lockdown but a satisfactory alternative can be found. CIL modifications subject to consultation for four weeks Jul-Aug 2020
CIL Charging Schedule not found sound at examination	Yellow	Red	Continue with S106 developer contributions in line with Infrastructure Planning SPD for sites of 10 or more units. No mitigation for sites less than 10 units.

Risk	Likelihood	Impact	Mitigation
			Consider Examiner's Report and review evidence and/or amendments to charging schedule. Reconsult & re-submit if agreed by the Council.
Internal procedures for calculating/collecting/monitoring CIL not in place upon implementation			Ensure there is a lead officer to draw up and agree procedures. Continue with S106 developer contributions in line with Infrastructure Planning SPD for sites of 10 or more units until a CIL is implemented. No mitigation for sites less than 10 units until CIL is implemented.
IT Systems not in place upon implementation			There is a lead officer to review IT systems and put in place a timetable for delivery. Procurement of IT completed with testing in Summer 2020. Calculation of levy and generation of necessary CIL forms would need to be undertaken manually. In the short term ensure there is a lead officer for calculating CIL liability and issuing liability notices.
Staff not trained in CIL procedures or IT systems in time for CIL Implementation			Ensure there is a lead officer for staff training and put in place a timetable for delivery, otherwise no mitigation. Procurement of IT provider will also deliver staff training on IT systems. In the short term ensure there is a lead officer for calculating CIL liability and issuing liability notices.

All enquiries about this paper should be directed to:

Planning Policy Team,
Planning Policy and
Economic Development Business Unit.

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

Tel 01932 838383

Further copies of this publication can be obtained from the above address,
or email: planningpolicy@runnymede.gov.uk

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2020

7. **RUNNYMEDE BOROUGH COUNCIL DRAFT STATEMENT OF COMMUNITY INVOLVEMENT (SCI) (PLANNING, POLICY & ECONOMIC DEVELOPMENT- SUKHPREET KHULL**

Synopsis of report:

The aim of the Statement of Community Involvement (SCI) is to set out how Runnymede Borough Council will engage with the community; including residents, businesses, community groups and other stakeholders on Local Plan matters, planning applications and as part of the planning enforcement process.

The Council's SCI was adopted in December 2014. More recently it was updated in May 2020 to confirm how the Council will engage with its communities for the duration of the COVID-19 lockdown measures. This is because due to the pandemic, some of the methods of engagement specified in the original 2014 SCI cannot currently be utilised. The May 2020 amendments to the SCI are temporary in nature and will cease to be applicable once the lockdown measures are lifted.

The Council has a legal requirement to update its SCI every 5 years. As such, a comprehensive review of the SCI has been undertaken and the draft document proposed for public consultation can be viewed at Appendix C. The Council has had regard to national planning policy and legislation in preparing this September 2020 version. This SCI, once adopted, will replace the SCI adopted by the Council in December 2014 and the temporarily amended SCI which was published in May 2020.

This report summarises the content of the draft Runnymede SCI and seeks the Planning Committee's agreement to consult on this draft document. Whilst there is no statutory requirement to consult on the SCI, it is considered good practice to do so, and it is therefore proposed to undertake consultation for a period of six weeks with the local community and other stakeholders. A summary of all the comments received during this period of consultation and a final draft of the SCI will then be brought back to the Planning Committee with the aim of seeking Member resolution for adoption.

Recommendation(s): The Planning Committee is recommended to RESOLVE to: APPROVE the draft Statement of Community Involvement (SCI) for public consultation for a period of six weeks.

1. Context of report

- 1.1 Regulation 18 of the Planning and Compulsory Purchase Act 2004 requires Local Authorities to prepare a Statement of Community Involvement (SCI). The SCI is a statement of the authority's policy as to the involvement in the exercise of the authority's functions in relation to a number of planning matters specified in the Act (including, amongst other things, the preparation and review of Local Development Documents) of persons who appear to the authority to have an interest in matters relating to development in their area.
- 1.2 The SCI must also set out the local planning authority's policies for giving advice or assistance on proposals for the making of neighbourhood development orders, and in relation to the modification of neighbourhood development plans.
- 1.3 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review their SCIs at least once every 5 years from their adoption date to ensure that policies remain

relevant and effectively address the needs of the local community. It is for this reason that this report is being brought before this Committee.

- 1.4 The Council adopted its last SCI in December 2014, with temporary amendments being made to this document in May 2020 in response to the COVID 19 pandemic and updated Government guidance. The draft SCI at Appendix C has been comprehensively updated and once adopted will replace the 2014 and May 2020 versions.

2. Report

- 2.1 As summarised in the report synopsis above, the draft SCI sets out how the Council will involve the community and other stakeholders in the preparation of the Runnymede 2040 Local Plan, during the preparation of other planning policy documents and during the planning application and enforcement processes. The Council's Planning Teams have had regard to national planning policy and legislation in preparing this draft 2020 version.
- 2.2 To summarise, the draft SCI has been updated to include the following:
- The use of simplified language and limiting references to legislation unless absolutely necessary, yet ensuring the statutory background is clearly presented;
 - The insertion of new web links to revised legislation where legislative references are made;
 - The deletion of the lists of named groups and organisations from the current SCI Appendices A and C (which set out the list of Local Development Document consultees and Residents Associations), given that any person or group can add or remove themselves from the Council's Planning Policy and Strategy Database at any time, rendering the lists out of date;
 - Changes to the section on planning applications to ensure consistency with current legislation and best practice;
 - A review of the neighbourhood plan process to confirm at what stages interested parties can get involved, and also the Council's role in advising and assisting community groups as they progress their neighbourhood plans. Clarification of this process is considered necessary given the heightened interest from local communities in preparing Neighbourhood Plans since the 2014 SCI was published and the endorsement of their production by the Leader;
 - Clarification of how and when the development of the Community Infrastructure Levy will be consulted on; and,
 - Additional text to confirm how the Council will amend its consultation processes in light of any current or future COVID-19 lockdown measures. This includes how the Council will make documents available for public inspection during any periods of lockdown to ensure that those without ready access to technology/web access can still access/view consultation documents and make representations to the Council.
- 2.3 A Planning White Paper has recently been published for consultation. This sets out a number of changes that the Government is considering making to the Planning system. If any of these changes are introduced, or if issues arise at a local level relating to how the Council consults and engages on particular planning matter(s), the Council will assess the implications of these changes for the SCI and consider whether it is expedient to review all or part of the SCI at that time.
- 2.4 The draft SCI sets out the key stages that public consultation will take place during the preparation of different planning policy documents, and also during the

Development Management process. The document sets out the minimum level of consultation that will be undertaken by the Council in each case, as well as the range of additional consultation/engagement techniques which can be/are already utilised by the Council. In relation to Planning Policy consultations specifically, each consultation undertaken will be considered individually by officers and the suite of consultation measures tailored in each case.

- 2.5 The Council has a duty to assist in the preparation of Neighbourhood Plans/Orders although the Neighbourhood Plan/Order-making process itself must be community-led. The stages at which the Council's assistance is required have been set out clearly within this redrafted SCI having noted that there has been an increased interest within communities to produce Neighbourhood Plans in Runnymede Borough.
- 2.6 The Council also has a statutory role in the Neighbourhood Plan preparation process including through the designation of Neighbourhood Areas and Fora, arranging and funding Neighbourhood Plan examinations and arranging and funding the referendum. These matters are also set out within the SCI to guide communities proposing to produce Neighbourhood Plans/ Development Orders.

3. Policy framework implications

- 3.1 Although not a Development Plan Document, the SCI, once adopted, will support the preparation of the new Runnymede 2040 Local Plan and associated Supplementary Planning Documents, as well as the Development Management and Planning Enforcement processes.

4. Financial/Resource implications

- 4.1 The financial implications associated with the adoption of the SCI relate to the costs of undertaking consultations as part of the Local Plan and Development Management processes. The implementation of the measures set out as the minimum for all consultations, and the majority of the remainder of the potential consultation measures listed in the document would be covered by the existing budgets of the Planning teams. However, there could be cases when additional budgetary provision would be required, for example if hard copy leaflets were proposed to be produced and posted to a significant number of households, or every household in the Borough for one or more Planning Policy consultations.
- 4.2 In terms of resources, no additional resources are considered to be necessary in any of the Planning teams to implement the SCI.

5. Legal implications

- 5.1 The Planning and Compulsory Purchase Act 2004 places a legal requirement on Councils to have an adopted SCI. Under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 20102 (as amended), Local Planning Authorities must review their SCIs at least once every 5 years from their adoption date to ensure that they remain relevant and effectively address the needs of the local community. This is re-iterated in Planning Practice Guidance.
- 5.2 Without an up-to-date SCI to ensure appropriate consultation procedures are in place, an Inspector could find a new Local Plan to be not legally compliant. This same finding could be reached if the Council fails to comply as a minimum with the consultation commitments contained in its adopted Council's SCI, or it could put the Council at risk of a legal challenge.

6. Equality implications

- 6.1 The SCI will ensure that the preparation of all Local Plan documents and other planning policy documents involve widespread consultation and the participation of residents and businesses within the Borough as well as other interested parties, as far as possible, including hard-to-reach groups. The SCI also confirms the minimum level of consultation to be undertaken by the Council's Development Management team in their processing of planning applications, and other types of application.

The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the need to:

- a) Eliminate unlawful discrimination, harassment or victimisation;
- b) Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
- c) Foster good relations between those who share a relevant and persons who do not share those characteristics;

in relation to the 9 'Protected Characteristics' stated within the Act.

- 6.2 The Runnymede draft SCI has been screened to establish whether there may be an impact whether positive or negative on any of the nine protected characteristics (namely, age, disability, race/ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage / civil partnership). The conclusion of the screening assessment is that a full Equalities Impact Assessment (EqIA) is not required (see Appendix D to view the SCI Equalities Impact Assessment screening).

7. Environmental/Sustainability/Biodiversity Implications

- 7.1 The Statement of Community Involvement is not part of the Development Plan for Runnymede and as such is not subject to Sustainability Appraisal.

8. Other Implications

- 8.1 None

9. Conclusions

Planning Committee is asked to RESOLVE to: **APPROVE** the draft Statement of Community Involvement for public consultation for a period of 6 weeks.

(To resolve)

Background papers

Appendix C: The Runnymede Borough Council draft Statement of Community Involvement (SCI), September 2020

Appendix D: The Equalities Impact Assessment (EqIA) screening of the draft SCI

Runnymede 2030

Local Plan

Draft

Statement of
Community Involvement (SCI)

September 2020

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Introduction/ Foreword

This Statement of Community Involvement (SCI) sets out how the Council will involve the community and stakeholders in the preparation of the Runnymede Borough Council 2040 Local Plan, during the preparation of other planning policy documents and during the planning application process.

One of the Council's key responsibilities will be to influence and plan for how land is used in the Borough and what kinds of developments can happen and where. By getting involved in the preparation of planning documents and proposals at the early stages, residents, businesses and other stakeholders will have more opportunity to have their say on the proposals that will shape their local areas.

The Council has a legal requirement to prepare an SCI and then update it every 5 years. The Council has had regard to national planning policy and legislation in preparing this 2020 version. This SCI, once adopted, will replace the SCI previously adopted by the Council in December 2014, as well as the May 2020 SCI which contains temporary amendments to respond to the COVID 19 pandemic.

This SCI has been updated to include:

- The use of simplified language and limiting references to legislation unless absolutely necessary;
- The insertion of new web links to revised legislation where legislative references are made;
- The deletion of the lists of named groups and organisations from the current SCI in Appendices A and C given that any person can add or remove themselves from the Council's Planning Policy Database at any time, meaning that such lists can become quickly out of date;
- Changes to the section on planning applications to ensure consistency with current legislation and best practice;
- A review of the neighbourhood plan process to demonstrate at what stages interested parties can get involved. Clarification of this process is considered necessary given the heightened interest from local communities in preparing Neighbourhood Plans since the 2014 SCI was published; and
- Additional text to confirm how the Council will amend its consultation processes in light of any current or future COVID-19 lockdown measures, including confirmation of how the Council will make documents available for public inspection during any periods of lockdown.

Should changes be made by the Government to the processes associated with the preparation of planning policy documents and processing of planning applications, or if issues arise at a local level relating to how the Council engages on a particular planning matter(s), the Council will assess the implications of these changes for the SCI and consider whether it is expedient to review all or part of the SCI at that time.

The Council is seeking views on this revised draft SCI. [Consultation details to be added-subject to Member agreement post September Committee]. Should you have any queries regarding this document please e-mail the Council's Planning Policy Team at planningpolicy@runnymede.gov.uk, or telephone the Customer Services team on 01932 838383.

Representations on the draft content of this document must be made in writing and be submitted to the Council by XXX. Late representations may not be considered.

Representations should either be sent by email to planningpolicy@runnymede.gov.uk or by post to:

Runnymede Borough Council

Civic Offices

Station Road

Addlestone

KT15 2AH

Alternative formats

If you would like to receive a copy of the Statement of Community Involvement in a different format such as large print please let us know by calling the Planning Policy team via Customer Services on 01932 838383 or using the above email address.

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Section 1 - Looking ahead/shaping the Future

What is a Statement of Community Involvement (SCI)?

- 1.1 Local Planning Authorities (LPAs) are required to produce a Statement of Community Involvement (SCI) in accordance with Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 1.2 An SCI sets out how a Local Planning Authority intends to carry out consultation and engagement with its communities and other stakeholders during the preparation of its Local Plan and other planning policy documents, as well as during the consideration of planning applications. Section 4 of this SCI considers the latter, which falls under the Development Management function. This chapter also sets out the Council's approach to Planning Enforcement, which is how the Council responds to breaches of planning control.
- 1.3 In producing its SCI, the Council wishes to promote effective public participation in the planning process. This will ensure that all sections of the community (local residents, businesses, landowners, residents' groups, community organisations etc.) and other stakeholders have an opportunity to be actively involved in the Planning processes undertaken by the Council.
- 1.4 There may be some circumstances which are beyond the Council's control, such as the current time of national lock-down during the COVID-19 pandemic. This may result in a variation to the consultation and public engagement methods set out herein. In such circumstances, the Council will at all times remain committed to using its best endeavours to continue to involve the community and other interested parties in the various planning consultations undertaken, as far as practicable, whilst adhering to Government Guidance.

Duty to Involve - why is community involvement important?

- 1.5 Community Involvement and consultation is a key part of any Council's decision-making process.
- 1.6 Planning Policy involves making plans that help to decide where and when development takes place. These plans are used to help make decisions on planning applications and to plan the future needs of the Borough by assessing what changes are likely to happen and where. The key planning policy document that a Council must prepare is its Local Plan.
- 1.7 The Localism Act 2011 places engagement with local communities at the heart of the planning system. The Government encourages councils to seek involvement from local communities on the content of plans from the earliest stage in plan-making. It also guides councils to fully support and encourage the active role communities can play in the plan-making process such as through Neighbourhood Planning. The means of engagement used by the council to consult with the community and interested groups and organisations for planning applications are based upon the Government's statutory requirements as set out in the Development Management Procedure Order (DMPO) 2015.

Duty to Co-operate

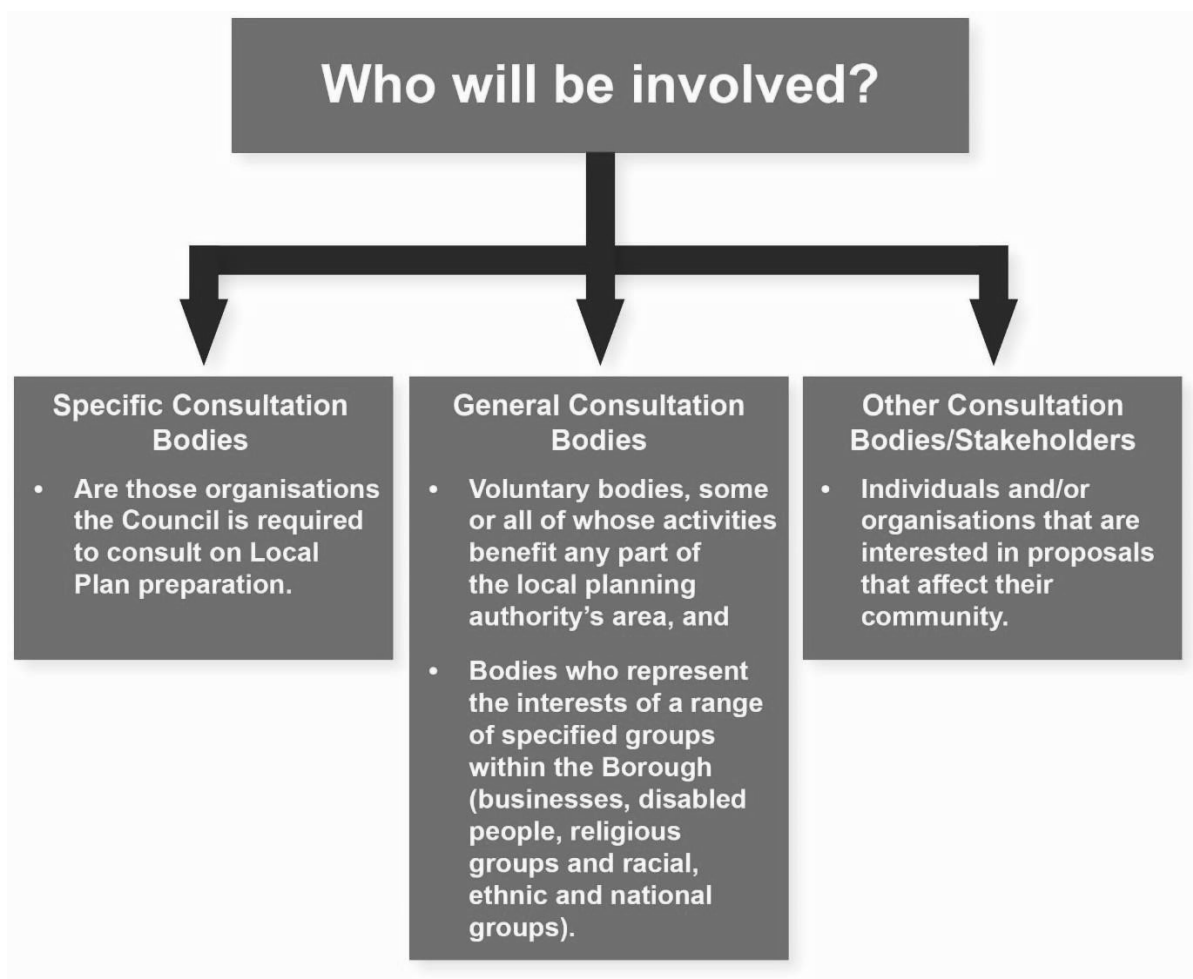
- 1.8 Section 33A of the Planning and Compulsory Purchase Act 2004 (local development), imposes a duty on a local authority to co-operate with specific bodies in relation to planning of sustainable development and strategic matters. A 'strategic matter' is defined as:
- a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
 - b) sustainable development or use of land in a two-tier area if the development or use –
 - i. is a county matter,
 - ii. has or would have a significant impact on a county matter.
- 1.9 In essence, some planning issues such as planning for housing and employment needs and understanding the transport or infrastructure impacts associated with new development may cross beyond the Borough boundary. In such scenarios, the Council needs to take into consideration the policies and proposals of a neighbouring Council(s) to ensure that 'cross border' issues are co-ordinated effectively and are clearly reflected in the policies of each of the councils affected. In working with, or in liaising with such partners, the Council is following the legal process known as the 'Duty to Co-operate'.
- 1.10 Runnymede Borough Council works closely with its neighbouring and nearby councils in relation to strategic priorities and areas of common interest such as contributing towards the Surrey 2050 Place Ambition, collaborating with strategic bodies and neighbours in addressing infrastructure projects like Heathrow expansion, the Thames Basin Heaths Special Protection Area (SPA), and in relation to cross boundary matters relating to issues such as the Green Belt, housing and employment. Ongoing and collaborative partnership working on such matters is a fundamental component of the Duty to Co-operate.
- 1.11 Refer to the Council's webpage on <https://www.runnymede.gov.uk/article/15516/The-Duty-to-Cooperate#:~:text=The%20council's%20Duty%20to%20Co,it%20prepares%20its%20Local%20Plan> for further information on how the Council is meeting its 'duty'. The duty to co-operate bodies are set out in Appendix B of this document.

Who do we consult?

- 1.12 It is important for the Council to consult as widely as possible and understanding who the local community is will be essential to ensure that the Council engages in the most effective way, and that the views received are representative of the community as a whole.
- 1.13 It is important that everyone is given the opportunity to get involved in decisions, including those relating to:
- where the homes that are needed are provided;
 - how and where new job opportunities will be created;
 - how people will move around the Borough; and,

- the quality of our environment.
- 1.14 The Council will aim to make the planning process more accessible to everyone within the community including those who traditionally have not engaged or may have felt excluded from planning decisions such as the elderly, school children, those less physically able (wheelchair bound, blind etc.), those impacted by language barriers etc.
- 1.15 In Runnymede Borough the following groups are considered particularly hard to reach or under-represented:
- Minority Ethnic Groups including the Gypsy and Traveller communities
 - Disabled People
 - Young people/school children
 - Older People
 - Low income groups
- 1.16 The Council will work with these groups to see how to best involve them in the Local Plan consultation process. For example, engaging with schools, having focused consultations etc. (refer to paragraph 1.29 below).
- 1.17 In addition, the Council will continue to engage with representative groups registered on the Planning Policy database and encourage them where possible to disseminate information as appropriate to their members to try and ensure that hard to reach groups are made aware of planning policy public consultations.
- 1.18 There are certain organisations that the council has a statutory duty to consult with when developing statutory documents like a Local Plan. These are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The organisations are grouped into 'specific' and 'general' consultation bodies (See Appendix A).
- 1.19 Specific consultation bodies are those organisations the Council is required to consult during the preparation of a Local Plan. General consultation bodies include voluntary groups, some or all of whose activities benefit any part of the local planning authority's area, and bodies who represent the interests of a range of specified groups within the Borough (businesses, disabled people, religious groups and racial, ethnic and national groups). These consultees and stakeholders will have a variety of different interests and priorities and can contribute expertise and knowledge across a range of subject areas. Unlike specific consultation bodies, there is not a definitive list of general bodies that the council must consult.
- 1.20 As stated above, the Council also consults with and works closely with neighbouring authorities on strategic priorities and areas of common interest. Community Infrastructure Levy (CIL) and Neighbourhood Planning have their own separate regulations and approaches. These are addressed in section 3.
- 1.21 The Council will consult with key statutory bodies including the Environment Agency, Natural England and Historic England on the scope of sustainability appraisals undertaken as required by the relevant regulations. This is set out and explained in section 3 of this SCI.

Figure 1- Who will be involved?



1.22 In addition to the specific and general consultation bodies, there are the 'other' consultees such as many businesses, residents associations and individuals in and around the Borough who request to be consulted, as well as interested parties including hard to reach groups. The latter are those groups that are difficult to engage with from an organisational perspective, either because they do not feel empowered to get involved or there are other barriers to their involvement that need to be overcome. These fall under the umbrella of 'Other' stakeholders, also generically described in Appendix A.

1.23 Residents' Associations (RA's) are important groups for Local Authorities to consult with in regard to formulating Plans and policies. They are formed of individuals from specific communities. The RA's meet regularly to discuss local issues, acting as a voice for their local community. There are a number of RA's within Runnymede that the Council has previously consulted – and will continue to do so – in formulating its Runnymede 2040 Local Plan. During any periods of lockdown associated with the COVID-19 pandemic, the Council will continue to consult with Residents Associations who are registered on the Council's Planning Policy database, encouraging them to disseminate information to their members as appropriate.

1.24 Rather than meet with RA's individually, the Council has preferred to meet with them collectively through the Community Planning Panel, which meets from time to time, normally at the Council offices in Addlestone. This approach is of particular benefit to the RA's themselves, as it facilitates contact between their various representatives

and encourages experiences to be shared. Since the submission of the Runnymede 2030 Local Plan to the Secretary of State in July 2018 for Examination in Public, the Community Planning Panel has not been convened. The Planning Policy team is currently considering the future scope of this group and how to best take it forward to support the preparation of the Runnymede 2040 Local Plan.

- 1.25 In the past, the Council has met with the development industry through a Developers Forum, although the Forum has not been convened for some time. The Council is looking to re-convene the Forum as it is the Council's intension that this will encourage better communication with local development stakeholders.

General Data Protection Regulations (GDPR)

- 1.26 In order for individuals to comment on consultation documents, and in accordance with the requirements of General Data Protection Regulations (GDPR) 2018, any group or individual wishing to be contacted in relation to such matters must register themselves online so that they receive notifications. The sign up form for the Planning Policy database can be viewed at <https://www.runnymede.gov.uk/article/15249/Register-New-User>
- 1.27 The Council also holds a hard copy Planning Policy and Strategy Database for people without access to email. Should a person wish to be added on to the Council's hard copy Planning Policy and Strategy Database, they should write to the Council making this request using the address provided on page 4.
- 1.28 Since GDPR came into force the database held by the planning department has reduced in size. Whilst other departments within the Council might hold contact details for organisations and community groups etc, these cannot be shared and therefore it is essential that all those wishing to be notified of Planning Policy and Strategy consultations/announcements register themselves, or request to be added to the Planning Policy database.

How will the Council consult?

- 1.29 Runnymede Borough Council will look to involve people as early as possible in drafting local documents and will invite feedback on draft documents. The Council recognises there is no one way to engage with the community. Depending on what the council is consulting on, the number and type of methods which are employed to engage with the community are likely to vary. The methods shown in bold in the box below will be utilised, as a minimum for all consultations. The Council may also use one or more of the additional methods listed:

- **Make consultation material clearly available on our website;**
- **Notify everyone registered on the Planning Policy and Strategy consultation database (email or postal);**
- Publish news/press releases to local media;
- **Use social media (e.g. Facebook and Twitter);**
- Utilise public exhibitions/displays and stalls - (hosted by staff and un-staffed);
- Publish leaflets and bulletins (paper and/or email);
- Publish formal notices in local newspapers distributed across the Borough;
- Place notices/posters on the Council owned notice boards;
- Hold public meetings;
- Hold one-to-one workshops/meetings (which could be facilitated by consultants, held by Neighbourhood Forums, with stakeholders etc.);
- Carry out targeted workshops with specific interest groups for example children, the elderly, the travelling community;
- Carry out targeted work with community groups, voluntary organisations, residents' associations etc.;
- Hold meetings of the Community Planning Panel and Developers Forum;
- Circulate articles and advertisements in internal publications/the intranet (aimed at informing staff and local councillors);
- **Send letters to statutory bodies;**
- Hold on-line interactive workshops via zoom/teams or other video conferencing software (particularly during periods of lockdown associated with the COVID-19 pandemic);
- **Make documents available for public inspection at the council offices and local libraries (unless this is unachievable due to lockdown restrictions associated with COVID-19).**

- 1.30 For the duration of any COVID-19 lockdown measures, at times it may be necessary to tailor the consultation methods from what is normally expected to maximise engagement during the development of planning policy documents, whilst recognising the restrictions placed on the Local Authority and local communities by the Government's lockdown measures. These methods are likely to be limited to one or more of the following: sending letters, placing local adverts, placing information in local Council owned noticeboards, using digital consultations, use of video conferencing, use of social media, providing documents for inspection on the Council's website and providing hard copies of documents on request to those who do not have ready access to the internet.
- 1.31 The Council will also work to ensure that people are kept informed throughout the document production process. The Council reviews and summarises the key points raised at each stage of consultation during the preparation of all planning policy documents and confirms where changes are to be made in response to consultation feedback. Whilst individuals will not receive individual responses to their comments, they can review the summary of comments received and the Council's responses on the Council's Planning Policy webpages.
<https://www.runnymede.gov.uk/localplanconsultation>
- 1.32 Consultation events, where utilised, will be arranged with advance notice and held in accessible venues and, where appropriate, at a range of times.

- 1.33 The Council will continue to utilise social media, especially through Facebook to publicise planning policy consultations and notifications to local residents' groups, interest groups and local amenity groups, as well as to other local people and interested parties. The Council will also continue to use Twitter to share information relating to planning policy updates and consultations.
- 1.34 In regards to planning applications, the Council is unable to respond individually to all questions and comments made, however, all the comments that are submitted on a planning application are taken into account by the planning officer in their assessment of the proposal within their case report. Reference should be made to Section 4 on Development Management for further information.

Monitoring and Review

- 1.35 The Council is required to prepare an Annual Monitoring Report (AMR) for the Local Plan every year. The AMR provides information on the implementation of the Local Development Scheme (LDS). The Local Development Scheme (LDS) lists the documents to be produced, timescales for their preparation, and sets out when consultation periods are expected to take place. The AMR also sets out the extent to which the planning policy requirements in the Local Plan are being achieved.
- 1.36 The Statement of Community Involvement will be reviewed every five years unless there are changes to legislation, Government guidance or local circumstances that indicate that an earlier review is required.
- 1.37 Further information on the Council's AMR, can be found at <https://www.runnymede.gov.uk/article/15558/Monitoring-progress-of-Local-Plan-policies-policy-documents-and-guidance->

Section 2- Links with other Council Strategies and Plans

- 2.1 This Statement of Community Involvement complements the Council's high level objectives and priorities in relation to community involvement in its activities, as set out here in the Council's Corporate Business Plan (2016-2020):
<https://www.runnymede.gov.uk/article/14622/Strategies-and-plans>
- 2.2 The Council is a second-tier Authority. Surrey County Council is responsible for considering planning applications in relation to minerals and waste management. The County Council is responsible for providing a range of strategic infrastructure and services. It is both the local highway and transport authority and also the local education authority for Surrey. It is also responsible for a wide range of service and infrastructure provision including social services, community facilities and a number of public health functions. References are therefore made to Surrey County Council documents in a number of planning policy documents and planning application reports produced by Runnymede Borough Council. The Council engages with Surrey County Council during the production of the Local Plan and other planning policy documents. It also engages with Surrey County Council when this body produces County wide strategies and plans.

Section 3 The Development Plan and Other Development Plan Documents

Current Adopted Local Plan

- 3.1 The Runnymede 2030 Local Plan is the Council's adopted Local Plan and sets out the planning strategy for growth to meet the social and economic needs of the Borough's communities while taking the opportunities to best preserve Runnymede's treasured built and natural environments including heritage assets for the Plan period.

National Legislation

- 3.2 The Localism Act 2011 sets out a series of measures designed to facilitate a shift in power away from central government and towards local people. These measures include changes to the planning system, both in relation to the preparation of local plans and consultation on planning applications.
- 3.3 The Localism Act introduces the need for greater involvement of local people in planning for their areas, particularly in the context of neighbourhood planning. The Act introduces a new right for communities to draw up a neighbourhood plan, allowing communities; including residents, employees and businesses, to come together through a neighbourhood forum and prepare a Neighbourhood Development Plan/or Order for all or part of their area. Paragraphs 3.28 - 3.35 expand on this.
- 3.4 Provided a neighbourhood development plan or order meets the relevant legal requirements and a number of specified basic conditions, local people will be able to vote on it in a referendum. If the plan is approved by a majority of those who vote, the local authority can bring it into force (reference should be made to table 2).
- 3.5 The Local Planning Authority has a duty to provide technical advice and support to Neighbourhood Fora during the preparation of Neighbourhood Plans including the appointment of a person to examine the documents and hold the referendum (table 2 sets out the Council's role in facilitating this process for local communities).

National Planning Policy and Guidance 2019

- 3.6 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and identifies the following three overarching and inter-dependent objectives for the planning system:
- Economic - building a strong economy by ensuring the right type of land is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - Social - supporting strong, vibrant and healthy communities, by providing sufficient housing to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces to support communities' health, social and cultural well-being; and

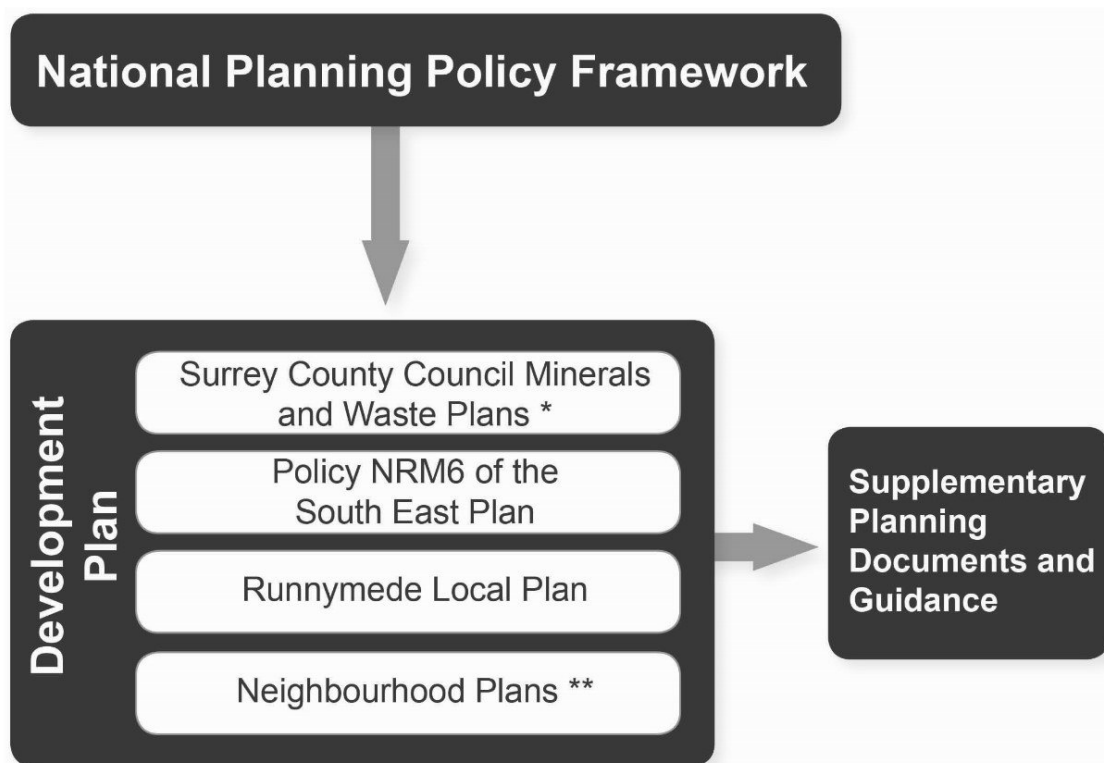
- Environmental - contributing to protecting and enhancing our natural, built and historic environment, minimising waste and pollution, and adapting to climate change, including moving to a low carbon economy.
- 3.7 The NPPF promotes a plan-led system and re-iterates the 'duty to co-operate' on planning issues that cross administrative boundaries, particularly those related to the strategic priorities, including the homes and jobs needed in the area or region.
- 3.8 The NPPF states that Local Planning Authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.
- 3.9 Planning Practice Guidance (PPG) provides advice on a wide range of topic areas including the Duty to Co-operate; Local Plans, Neighbourhood Planning, Community Infrastructure Levies (CIL) and consultation on planning applications. It is updated by the Government on an ad hoc basis.

Overview of the plan making process and its various document components

- 3.10 The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintain a LDS. The Council will be setting out its key aims and objectives in a new LDS for the Runnymede 2040 Local Plan before the end of 2020. The Council's adopted LDS can be found at: <https://www.runnymede.gov.uk/article/15515/Local-Development-Scheme-LDS->
- 3.11 The key stages for preparing the Local Plan, Supplementary Planning Documents (SPDs- which are described in section 3), and other Development Plan Documents are set out by law in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The SCI builds upon the requirements of the Regulations to set the local standards that the Council is seeking to achieve in terms of public consultation and community involvement.
- 3.12 Local Plans set out a forward plan or vision for the future development of the Borough. They generally look forward 15-20 years and set out detailed policies that Council officers, developers and the community use to make/guide their decisions on planning applications.
- 3.13 All planning policy documents are required to be based on evidence. The evidence used in preparing a Local Plan includes evidence such as census, county-wide or borough data, topic-specific studies, and non-planning strategies and plans. Evidence also includes feedback from consultations, surveys and workshops and discussions with the development industry to make sure proposals are deliverable. This is essential so that forecasted growth can be properly understood and planned for. The Council must balance the need to ensure that its policies are justified by the empirical economic, social and environmental evidence gathered whilst supporting the broader national aims of the Government, and taking into account the views of local people and other interested parties.

- 3.14 The Development Plan is the statutory term for formally adopted Development Plan Documents (DPDs) and 'made/adopted' Neighbourhood Plans. It should be noted that in Runnymede, the Development Plan also incorporates policy NRM6 of the South East Plan and the Waste and Minerals Plans produced by Surrey County Council. Applications for planning permission must be determined in accordance with the Development Plan unless 'material considerations' indicate otherwise. A material planning consideration is a matter that should be taken into account, in deciding a planning application or on an appeal against a planning decision. The Runnymede 2030 Local Plan is an example of an adopted DPD.
- 3.15 An Area Action Plan (AAP) is a type of DPD that can be used to guide the development of a specific site or location, for example, a town centre or other places where significant change is planned.
- 3.16 A Policies Map often accompanies a DPD. These maps are used to show the locations of land use designations and allocations for development. The adopted Policies Map is revised when new DPDs are adopted.
- 3.17 Other documents which influence policy formulation and expand on policy (sustainability appraisals and supplementary planning documents) are expanded on in section 3.

Figure 2 -The Hierarchy of Planning Policy Documents



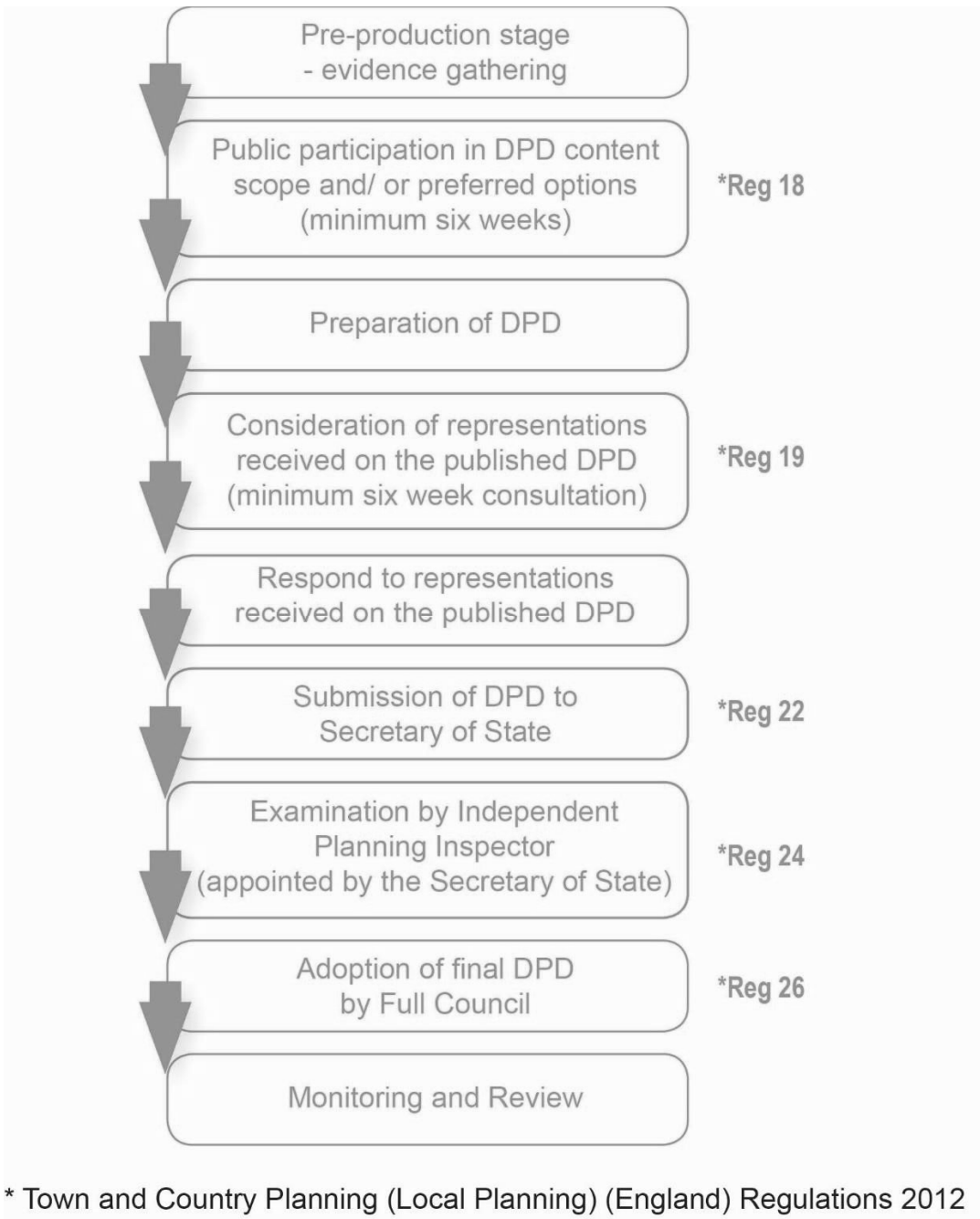
*Surrey County Council is responsible for preparing and consulting on these plans to provide up to date minerals and waste planning policies. More information on these plans, can be found at: <https://www.surreycc.gov.uk/land-planning-and-development/minerals-and-waste>

**Neighbourhood Plans- When voted on at referendum with a more than 50% vote in favour of a Neighbourhood Plan- it would become part of the Development Plan for the Borough.

3.18 As indicated in Section 1, paragraph 1.29 of this SCI, the type and amount of consultation which takes place will depend on the type of document that the Council is preparing, with a greater amount of consultation required for the preparation of the Local Plan.

Local Plan and Development Plan Documents (DPDs)

Figure 3: Key stages in preparing DPD's, such as Local Plans and Area Action Plans (AAP).



* Town and Country Planning (Local Planning) (England) Regulations 2012

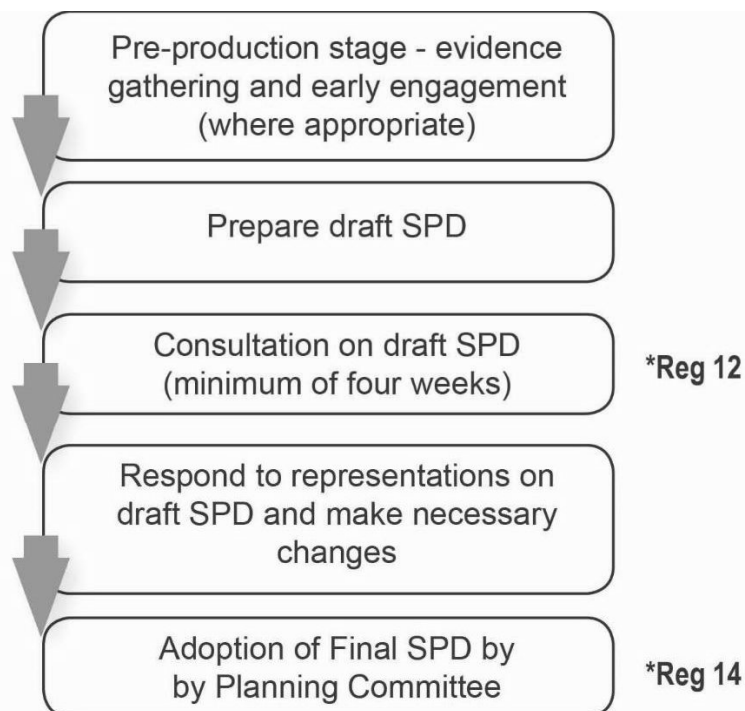
Table 1- Stages achieved in Plan production, following figure 3 above

Regulatory stages	Summary of document stages achieved
Reg 18	This stage of public and stakeholder consultation is often referred to as the 'Issues and Options' consultation. It can also incorporate Preferred Approaches The evidence base and representations from this stage assists in the production of the draft Plan.
Reg 19-20	Publication of a draft Plan and the opportunity for stakeholders to make formal representations.
Reg 22	Submission stage: The Local Plan, supporting documents and the representations received under regulation 20 are formally sent to the Secretary of State – The Planning Inspectorate or 'PINs'.
Reg 23-25	Examination process: An independent Inspector is appointed by the Planning Inspectorate to examine the Plan.
Reg 26	If the Plan is successful at Examination, it can be formally adopted by the Council and used to determine planning applications.

Supplementary Planning Documents (SPDs)

- 3.19 Supplementary Planning Documents (SPDs) provide further detail to supplement policies in Development Plan documents. They are produced only if necessary and build upon and provide more detailed advice or guidance on the policies in the Local Plan. They can cover a range of topics or be used to provide more information about individual sites. An SPD is subject to consultation and may sometimes also require a Sustainability Appraisal. Although SPDs are not subject to independent examination, they do need to obtain approval by the Planning Committee before they are adopted. SPDs are capable of being a material consideration in planning decisions but are not part of the adopted development plan.
- 3.20 Examples of Council SPDs being prepared by the Council include the Design SPD and the Thames Basin Heaths Special Protection Area SPD.
- 3.21 The key stages for SPD production are- preparation, public consultation and adoption.

Figure 4 shows the key stages in the preparation of Supplementary Planning Documents (SPDs)



* Town and Country Planning (Local Planning) (England) Regulations 2012

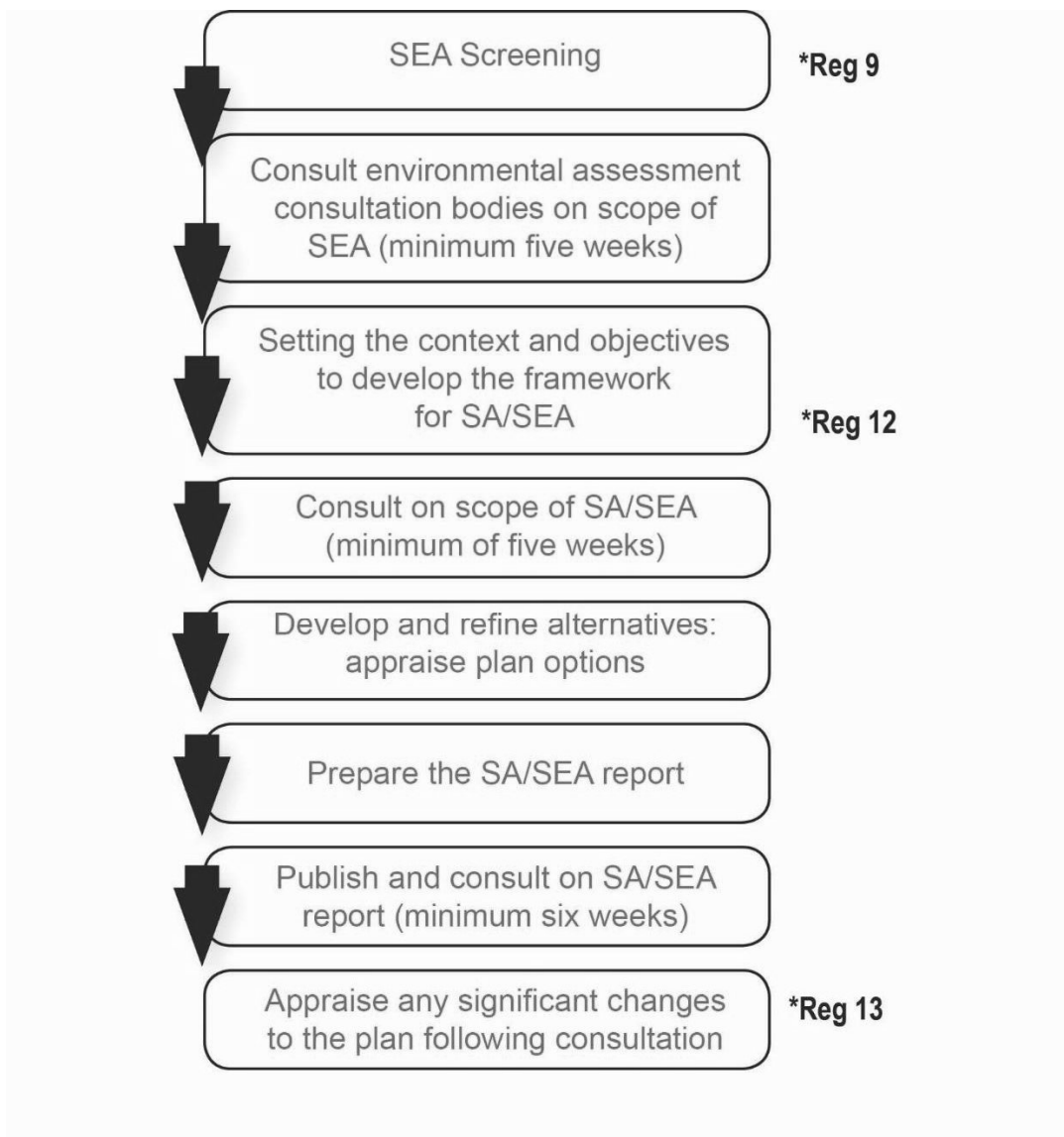
Sustainability Appraisal (SA), Strategic Environmental Assessments (SEA) and other relevant associated Assessments

- 3.22 The Council will undertake Sustainability Appraisals (SA) and Strategic Environmental Assessments (SEAs) of Development Plan Documents (DPDs) when they are being prepared. This will test the policies and proposals against social, environmental and economic objectives, and suggest how plans can be modified to minimise any negative effects. The SA/SEA will be published for public consultation alongside the DPDs where appropriate.
- 3.23 In carrying out sustainability appraisals, the Council will:
- consult key stakeholders, including the Environment Agency, Natural England and Historic England on the scope of the appraisal;
 - consult key stakeholders and the public as part of the public participation in the preparation of a Local Plan document; and
 - carry out public consultation on the final sustainability appraisal which supports the proposed submission Local Plan.
- 3.24 Section 19(5) of the Planning and Compulsory Purchase Act 2004 (reference:<https://www.legislation.gov.uk/ukpga/2004/5/section/19>) requires Local Planning Authorities to undertake a SA for Development Plan Documents and Supplementary Planning Documents. However, the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 removes the automatic need for a SA of SPDs. This is because SPDs do not normally introduce new policies or proposals or modify planning documents which have already been subject to SA. National Planning Practice Guidance confirms that SPDs do not require a SA but may in exceptional circumstances require a SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. A SEA screening is therefore required for SPDs in accordance with the requirements of Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 (reference: <https://www.legislation.gov.uk/wsi/2004/1656/made>) to determine that there will be no likely significant environmental effects.
- 3.25 Development Plan Documents and Supplementary Planning Documents also require a Habitats Regulation Assessment (HRA) under Regulation 105 of the Conservation of Habitats & Species Regulations 2017 (reference: <https://www.legislation.gov.uk/uksi/2017/1012/contents/made>) to determine whether plans or policies will have likely significant effect on sites designated for nature conservation importance. This requires DPDs & SPDs to be screened for likely significant effects and if these cannot be ruled out a full Appropriate Assessment (AA)¹ is required.
- 3.26 The Sustainability Appraisal can be brought together into one single document with an Equalities Impact Assessment (EIA) and a Health Impact Assessment (HIA), which is called an Integrated Impact Assessment (IIA).

¹ An Appropriate Assessment (AA) is an assessment of the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservations and Special Protection Areas. These sites are protected by National and European Law.

3.27 The reason these three assessments might be bought together is because there are often shared objectives from all three assessments. For example, poor air quality is a relevant consideration for a sustainability appraisal (because it has environmental, social and economic impacts), it also disproportionately affects some groups and has health impacts.

Figure 5: Key stages for consultation and production of Sustainability Appraisals/Strategic Environmental Assessments required by European Legislation



* Environmental Assessment of Plans and Programmes Regulations 2004

Neighbourhood Planning

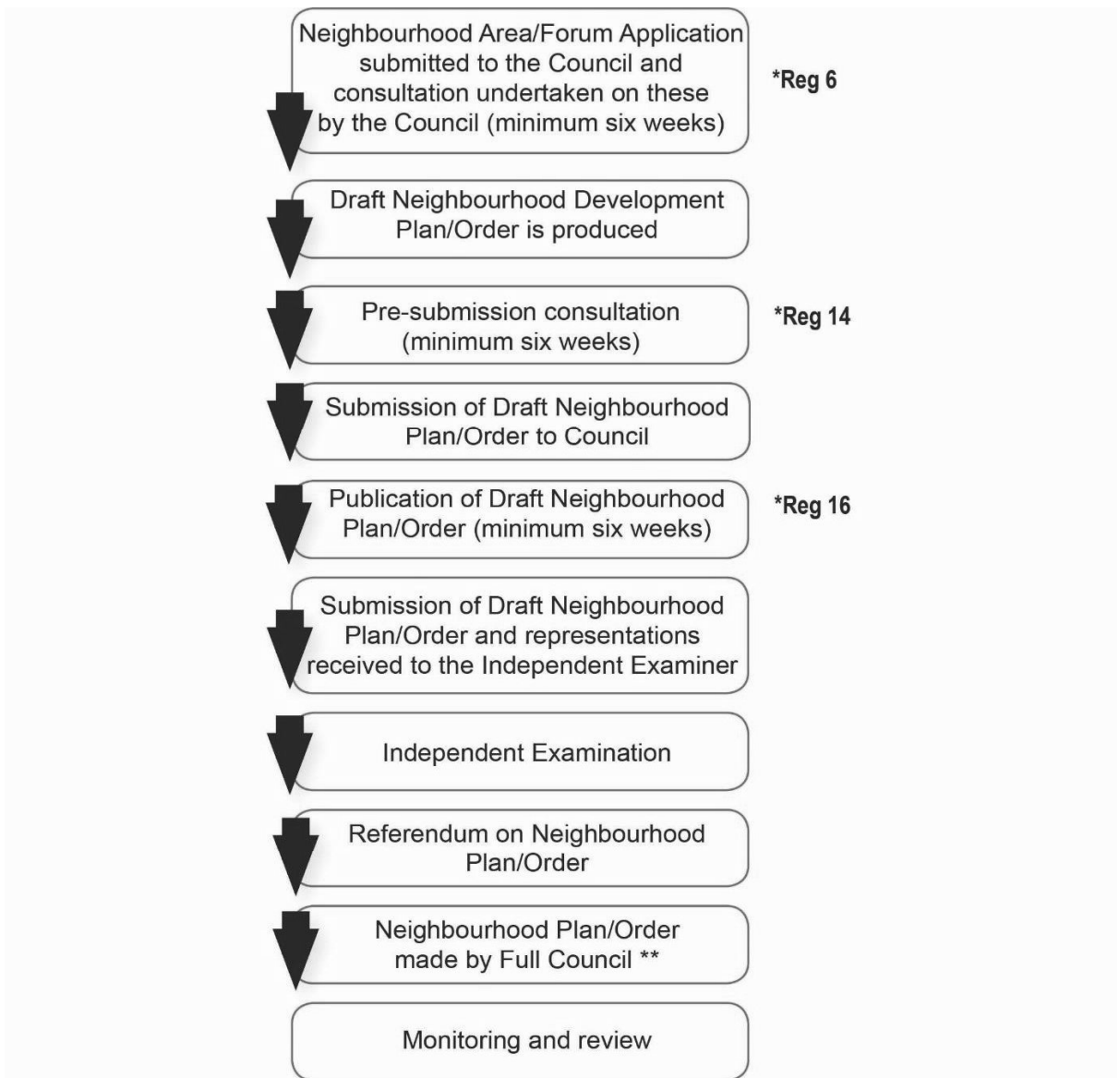
- 3.28 Neighbourhood planning is an important part of the Government's Localism agenda as described above in paragraphs 3.3-3.5. It aims to give local communities greater power to shape development by taking a more active role in the preparation of planning policies at a local level.
- 3.29 Neighbourhood planning can be taken forward by two types of body - town and parish councils (please note that there are no town or parish councils in the Borough of Runnymede) or neighbourhood forums. Neighbourhood forums are community groups that are designated by the Council to take forward neighbourhood planning in areas without parishes.
- 3.30 Local communities who wish to play an active role in planning for their area can do two things:
- Prepare a Neighbourhood Development Plan (NDP) setting out the vision, objectives and planning policies to shape development of their neighbourhood and/or;
 - Seek the grant of permission directly for certain types of development (in full or outline) in their neighbourhood through a Neighbourhood Development Order (NDO) or a Community Right to Build Order. The Neighbourhood Forum is the only body that can prepare a NDO in their area. As such, a neighbourhood area can be declared for the production of a NDO and does not specifically have to produce a Neighbourhood Plan.
- 3.31 A Neighbourhood Plan can build upon the strategic policies set out in the Council's Local Plan and allows local people to influence the location, appearance and type of development that comes forward in their neighbourhood.
- 3.32 The preparation of Neighbourhood Plans must undertake at least two stages of consultation: the first by the local community, the second by the Local Authority. The plan then undergoes independent examination. In Runnymede the first Neighbourhood Plan approaching this stage is the Thorpe Neighbourhood Plan. Neighbourhood Plans are also being prepared in Englefield Green, Ottershaw and Virginia Water.
- 3.33 The Council is required to provide advice, assistance, and support on a range of issues including consultation and the process of document production. Consultation procedures for Neighbourhood Plans and Neighbourhood Development Orders are set out in the Town and Country Planning Act (1990) (reference: <https://www.legislation.gov.uk/ukpga/1990/8/contents>) and the Neighbourhood Planning (General) Regulations 2012 (as amended) (reference: <https://www.legislation.gov.uk/uksi/2012/637/contents/made>).
- 3.34 The approach to consultation during the preparation of a Neighbourhood Development Plan will be a matter for the individual neighbourhood planning bodies to determine and is therefore outside the scope of this SCI. Notwithstanding this, Runnymede Borough Council will publicise consultations on Neighbourhood Development Plans where appropriate, primarily by using the Council's website.
- 3.35 There are five key stages in making a Neighbourhood Plan. The following table outlines the support that will be provided by the Planning Policy Team at each stage:

Table 2: Neighbourhood Plans-Stages of preparation and consultation requirements

Key stages of NP production	What the Council's role will be
<p>Stage 1: Area and Forum Designations</p>	<p>Advise as to the information required to be submitted to the Council for applications for designation as Neighbourhood Areas and Forums. These are two separate applications, however interested persons may want to apply to have Neighbourhood Area(s) designated first (so that Forum(s) membership reflects those living and working in the designated Neighbourhood Area(s), or they may wish to apply to designate the Neighbourhood Forum(s) and Neighbourhood Area(s) at the same time (reference: https://neighbourhoodplanning.org/about/neighbourhood-planning/).</p> <p>Once an application is received to designate a Neighbourhood Area, the Council must consult on the area application for a minimum 6 weeks before deciding to designate the Neighbourhood Area. It is also within the powers of the Council to modify the Neighbourhood Area put forward for designation.</p> <p>The Council also must consult on the Forum application for a minimum 6 weeks before deciding to designate the Neighbourhood Forum. The Council has to be satisfied that the Neighbourhood Forum satisfies a number of conditions before it can be approved for designation.</p>
<p>Stage 2: Drafting & Consulting</p>	<p>The plan will mainly be drafted by the Neighbourhood Forum together with any consultant that the Forum may appoint. Where appropriate, Council officers will provide guidance and advice on the legal requirements for consultation and publicity for Pre- Submission and Submission Plans.</p> <p>Consultation on the Pre- Submission Draft Neighbourhood Plan: Under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, the Council is a consultee. The Council will therefore provide a formal response to the Neighbourhood Forum as part of this consultation.</p>
<p>Stage 3: Independent Examination</p>	<p>Once the Neighbourhood Forum has a plan which it wishes to be put forward to Examination, the plan will be formally submitted to the Council together with a number of other documents which are required under legislation.</p> <p>The Council will check to ensure that the necessary documents have been submitted and will carry out a legal compliance check. If all information has been provided and the Council is satisfied that the Plan complies with the relevant legal requirements, the Council will hold a public consultation in line with Regulation 16 of the Neighbourhood Planning (General) Regulations (as amended). Comments will be invited over a minimum 6-week period.</p> <p>The Council will appoint an independent Examiner and will send the appointed person copies of all documents and the representations made at the regulation 16 stage. The Council will work with the</p>

	<p>Examiner and the Forum to organise any hearings the Examiner may request.</p> <p>If an Examiner recommends modifications are made to the plan in order to meet the Basic Conditions prior to proceeding to referendum, the Council will explain and discuss the modifications with the Forum. Modifications which are significant material changes may require further consultation or re- examination. It is for the Council to make the final decision on whether to progress the plan or go out to consultation again, reopen the examination or proceed to the referendum stage. If the Neighbourhood Development Plan meets the basic conditions, the Examiner will recommend that it proceeds to referendum Stage.</p> <p>Post examination, the Council will publish and share the Examiner’s Report, the Decision Statement and the Neighbourhood Development Plan.</p>
<p>Stage 4: Referendum</p>	<p>The Council will arrange for the referendum in accordance with the timescales set out in legislation unless agreed otherwise by the Forum. The referendum will consider whether the Council should use the Neighbourhood Plan for the area concerned to help it decide planning applications. All those registered to vote within the neighbourhood area are entitled to vote in the referendum.</p> <p>The Council must ‘make’ or adopt a Neighbourhood Plan which is the subject of a referendum if more than half of those voting have voted in favour of the plan. This should occur as quickly as reasonably practicable after the referendum is held if the vote is in favour of the plan.</p> <p>The Council can refuse to make a plan under section 38A(6) of the 2004 Act (reference: https://www.legislation.gov.uk/ukpga/2004/5/section/38A) if it considers that the making of the plan would breach, or otherwise be incompatible with any EU or human rights obligations within the Human Rights Act 1998.</p>
<p>Stage 5: Making the Neighbourhood Development Plan (NDP)</p>	<p>Once the plan has been brought into legal force by the Council, it is considered ‘Made’ and will be part of the development plan. The Council will then use it to determine planning applications and guide planning decisions in the Neighbourhood area.</p>

Figure 6: Shows in diagrammatic form the key stages for consultation and production of Neighbourhood Plans/ Neighbourhood Development Orders (explained above) as required by The Neighbourhood Planning (General) Regulations 2012



* Neighbourhood Planning (General) Regulations 2012

**If more than 50% per cent of people who voted in the referendum supported the plan/order, the council must adopt it, unless the decision would breach or otherwise be incompatible with an EU obligation to any convention rights.

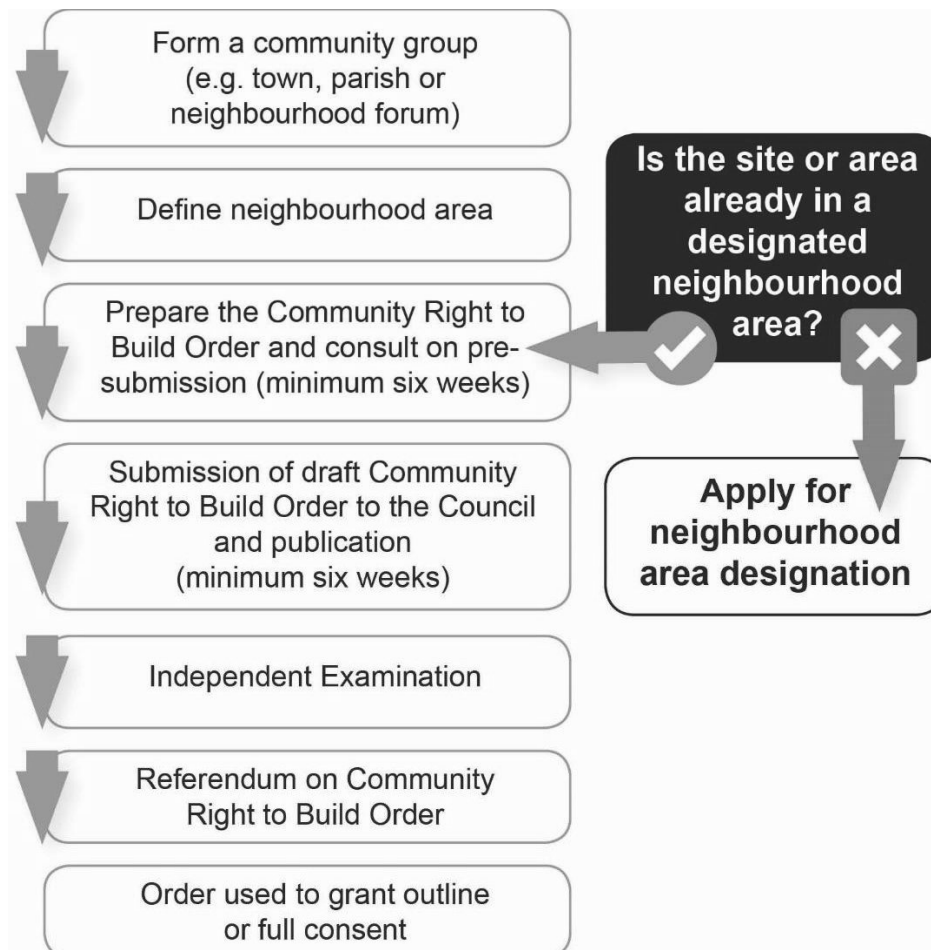
- 3.36 If you are interested in getting involved with the production of a Neighbourhood Plan in Runnymede or would like further information, please visit the Council’s webpage at <https://www.runnymede.gov.uk/neighbourhood-planning>.
- 3.37 The Government is encouraging communities to get involved in plan production and consultation, by responding to Local Plan consultations and/or by producing a Neighbourhood Plan. Guidance on Neighbourhood Planning can be found at <https://www.gov.uk/government/collections/planning-practice-guidance>. It is recognised that neighbourhood plan production requires a significant commitment

from local communities in terms of time and resources. The Government provides support to those wishing to develop neighbourhood plans. Information on funding can be obtained at <https://neighbourhoodplanning.org/about/grant-funding/>.

Community Right to Build Order

- 3.38 The Localism Act also allows for community organisations to bring forward a 'community right to build order' which is a type of neighbourhood development order. This allows certain community organisations to bring forward smaller-scale development on a specific site, without the need for planning permission. This could include community facilities or affordable housing as examples. It is put together by local people who can decide on the type, quantity and design of buildings they want, and the locations for these buildings.
- 3.39 A proposal can be developed as part of the full neighbourhood planning process, or on its own. The key stages of producing a Community Right to Build Order are set out below (Figure 7), along with the consultation stages:

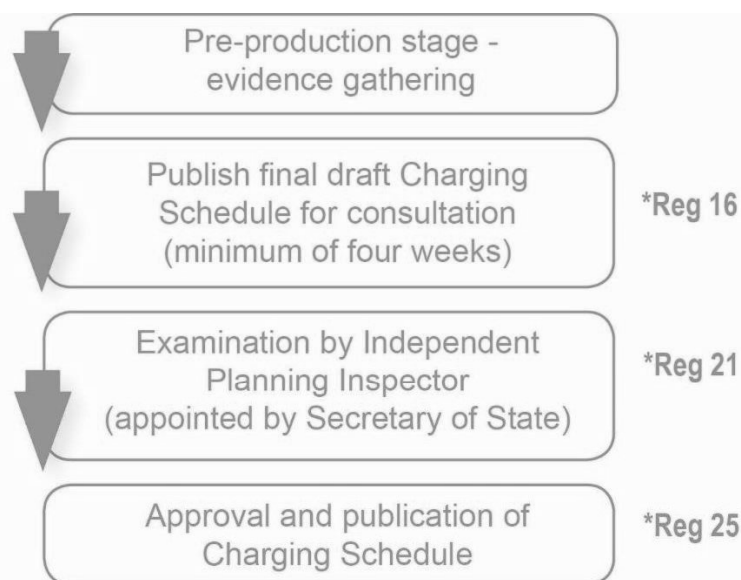
Figure 7: The key stages of producing a Community Right to Build Order, along with the consultation stages



Community Infrastructure Levy (CIL)

- 3.40 A Community Infrastructure Levy (CIL) is a tariff-based charging schedule (tax) that is levied on new development floor space. It is intended to contribute towards the provision of infrastructure to support growth. The statutory process for preparing a CIL Charging Schedule is set out in the Community Infrastructure Regulations 2010 (as amended) and is shown in Figure 8 below.
- 3.41 The first stage in the process of adopting CIL is the preparation of a draft charging schedule (DCS). The DCS can set out charges for different areas of the Borough and/or by different types or scales of development. The rates proposed are informed by viability evidence produced by the Council and/or consultants specialising in this type of work.
- 3.42 A 4-week consultation on the DCS is required at regulation 16 of the Community Infrastructure Levy Regulations 2010 before it is sent to the Secretary of State for examination.
- 3.43 Money from CIL will help fund infrastructure projects which will benefit the Borough and contribute towards individual projects within the Borough. Section 106 funding is different in that it is a legal agreement between a planning authority and a developer, or undertaking offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. More information on CIL can be found at: <https://www.runnymede.gov.uk/article/15518/Community-Infrastructure-Levy-CIL->

Figure 8- The process for preparing a CIL Charging Schedule and stages of community involvement



* The Community Infrastructure Levy Regulations 2010 (as amended)

Summary of minimum timeframes for consultation

- 3.44 The Council will consult the general public and stakeholders on planning policy documents at the relevant stages of plan-making.
- 3.45 The Council will carry out consultations in line with the principles for engagement as set out in Section 1 of this SCI, and in accordance with the timetable proposed in the Council's Local Development Scheme (LDS). The start and closing dates for planning policy consultations will be clearly set out in all relevant consultation material produced by the Council, including in information displayed on the Council's website. At the start of the consultation, the Council will notify statutory consultees, and those registered on the Planning Policy and Strategy Database of the commencement date and period for comment, along with clear guidance regarding how to comment, and in some cases, what the Council is looking to receive comments on specifically.
- 3.46 Legislation currently requires the Council to consult on planning policy documents for the minimum statutory periods as set out in table 3. If an update to the relevant legislation indicates any changes to the periods for consultation, the Council will ensure this is reflected in any forthcoming Planning Policy consultations that are undertaken. The duration of public consultations may also be extended, at the discretion of the Council.

Table 3: Minimum statutory period for public consultation on Planning Policy documents

Type of development plan document	The minimum statutory period for public consultation
Development Plan Documents (DPDs) such as the Local Plan (regulation 18 and 19 consultations); Area Action Plans	6 weeks
Supplementary Planning Document	4 weeks
Scoping exercise of Sustainability Appraisal/Strategic Environmental Assessment	5 weeks
Neighbourhood Plan Area and Forum designations	6 weeks
Draft Neighbourhood Plan/Neighbourhood Development Order	6 weeks
Community Right to Build Order	6 weeks
Community Infrastructure Levy (Preliminary Draft Charging Schedule and Draft Charging Schedules)	4 weeks

Section 4- Community Involvement in Development Management Process

- 4.1 The Council's Development Management Service is responsible for the processing of all planning applications within the Borough as well as carrying out other regulatory processes such as planning enforcement. This section sets out how you can be involved in the planning process at its various stages. The nature, scale and type of planning application will determine how the Council will engage with the community.
- 4.2 The Council considers it is vital that the community and stakeholders are involved in the planning process. Detailed information on the Council's Planning Service and the type of applications that we consider is available on our website, on the Planning pages.
- 4.3 There are four main stages to the planning applications process:
- The pre-application stage
 - The application stage
 - The decision Stage
 - The post application stage
- 4.4 This SCI primarily considers the methods of community engagement during the determination of planning applications and the planning enforcement process; however, in this chapter an overview of the remaining elements of the Development Management process are also considered and the way in which the community is engaged/involved. It should be noted that the Council has an adopted Development Management Charter and an adopted Planning Enforcement Charter.

The pre-application stage

- 4.5 An applicant can discuss the suitability of a scheme and possible improvements that could be made before a planning application is submitted. This process can be used to discuss all sizes of scheme from householder proposals to major developments. The Council encourages and offers a pre-application advice service and further information, including the Council's charging schedule can be found at: <https://www.runnymede.gov.uk/article/13837/Pre-application-advice> It should be noted that in Runnymede such pre-application discussions are confidential and not displayed on the website or made available for comment from third parties. In addition, applicants will also be encouraged to contact relevant statutory consultees for paid advice on any proposals.
- 4.6 The National Planning Policy Framework (NPPF)-see link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf emphasises the importance of pre-application discussions between an applicant and the Council. In line with the NPPF, the Council encourages applicants to engage with the local community during the pre-application stage wherever possible. The Council encourages developers to engage in early discussions on proposed schemes with the local community and relevant organisations and groups, before an application is finally put together and submitted as an application. This is of benefit to local communities as well as helping applicants identify areas where improvements or change might be beneficial to their proposal.
- 4.7 Larger or complex schemes should also consider entering into a Planning Performance Agreement with the Council. Applicants on major schemes are

especially encouraged to liaise early with infrastructure providers (i.e. water/electricity/gas) for new developments at the pre-application stage.

- 4.8 When applicants on large or complex schemes have undertaken community consultation, it is advisable for them to include a full Statement of Community Involvement alongside their planning application submission. This will allow the Council to understand how the community and other stakeholders have been involved and how the feedback from this consultation has been incorporated into the application proposals.

The application stage

- 4.9 Certain types of development or works require permission from the Council before works can commence. It is at this point when the majority of residents first become involved in the planning system, especially if they consider that the proposed development affects them directly.
- 4.10 Opportunities for formal community involvement occur when applications are lodged, regardless of any pre application process that has occurred. These may be planning applications and other applications types such as listed building applications or tree works applications.
- 4.11 There are also statutory consultees that need to be notified on specific planning applications before a decision is made. Consultation depends on the application type and location of the proposed development.
- 4.12 The consideration of these applications follows a regulatory process, and regulations require certain types of consultation to take place; and certain bodies to be consulted. Whether formally consulted or not, anyone can submit comments on an application and all comments from statutory consultees, neighbours and other interested parties are published on the website. Information on how to comment on a planning application can be found on the Council's website.
- 4.13 The requirements for advertising and notification on planning applications are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). As well as meeting these statutory requirements, the Council has well-established processes for publicising planning applications. These include:
- Letters to residents/businesses/properties immediately adjacent to the red line of the application site for most types of applications
 - Letters to statutory organisations and interest groups
 - Site notices (under certain circumstances)
 - Newspaper adverts, where required
 - Providing planning alerts via sign up on the Council website
 - Access to the councils online planning register/website
 - The interactive map on the Council's website.
- 4.14 In circumstances outside its control or in an emergency the Council may need to amend its standard consultation processes, however any consultation will still meet the minimum requirements set out in Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

- 4.15 Applications, including all of their supporting information, are made available on the Council's website. Comments can be made in writing direct to the Council through the online consultation option or via e-mail. We will also accept comments made in letter format.
- 4.16 More information about these types of applications can be found on the national Planning Portal website at:
https://www.planningportal.co.uk/info/200126/applications/59/how_to_apply/5

The decision-making stage

- 4.17 Applications are decided either by the Planning Committee or by officers under delegated powers in accordance with the Council's Scheme of Delegation. In both cases any representations received during the application process prior to the decision are taken into consideration.
- 4.18 Planning Committee meetings are open to the public. The agenda showing the applications is available on-line to view before the meeting and will include the officer's report and recommendation. There may be further written or oral reports at the meeting. For any application that will be determined by a Committee, the application may be subject to public speaking. Public speaking rules are set out in the Council's constitution.
- 4.19 Once a decision is made a copy of the notice can be viewed on the website either under the particular application reference number or by looking at recently decided applications. The officer report or minutes of a planning meeting will also be made available, these will detail why a particular decision was reached.

Post -Application stage

- 4.20 If an application is refused, or the decision includes a condition that the applicant/developer is not satisfied with, or the application has not been determined within the statutory time period, the applicant/developer may appeal the decision or non-determination to the Secretary of State (Planning Inspectorate). The Council will contact all those who made representations during the application to notify them of the appeal and, for some types of application, the Planning Inspectorate will invite further comments. All representations are taken into account during an appeal. The Planning Inspectorate will inform the Council and objectors of the outcome.
- 4.21 The appeal decision will be available on the website once the Council is notified. It can be viewed either under the particular application record or selecting the recently appealed application information.
- 4.22 The national planning portal website contains information on how the appeal process works and includes a range of downloadable leaflets and appeal information from the Planning Inspectorate. Only applicants have the right to appeal. There is no third-party right of appeal in England.

Planning Enforcement & resolving breaches of planning control

- 4.23 There will be occasions when individuals, companies or organisations may carry out work or use land or buildings in ways that may give rise to concerns that they may not have the necessary planning or other consents in place. The Planning Enforcement team investigates potential breaches of planning control.
- 4.24 Complaints/concerns about breaches of planning control are investigated in line with the Council's Planning Enforcement Charter. Further information is available on the Council's website at: <http://www.runnymede.gov.uk/planningenforcement>.
- 4.25 Runnymede Borough Council will keep the complainant updated on when there is significant progress in a case and of the final outcome. However, public access to complaint investigation information can be restricted for legal reasons and complaints are dealt with in a confidential manner.
- 4.26 If a matter results in the issuing of an Enforcement Notice, this is placed on the Enforcement Register which is available to view on the Council's website. If a Notice is appealed, the complainant will be notified, giving an opportunity to provide comments to the Planning Inspectorate.

Glossary of Terms

Term	Explanation
Adoption	The formal approval or acceptance of documents by the Council.
Annual Monitoring Report (AMR)	A report produced annually that monitors progress against the Local Development Scheme (project plan for Local Development Documents) and policy targets.
Community Infrastructure Levy (CIL)	Standard charge decided by local authorities and levied on certain types of new development on a per square metre basis to provide funds to pay for infrastructure needed to support new development set out in the Local Plan. It would be a standard charge on all chargeable development, informed by an assessment of viability. Although not a DPD, the CIL Draft Charging Schedule must undergo independent examination to ensure it is fit for purpose.
Community	Usually refers to those living within a specific area but can be any group with shared needs or interests living in the Borough.
Community Right to Build Order	The Localism Act allows for community organisations to bring forward a 'community right to build order' which is a type of neighbourhood development order. This allows certain community organisations to bring forward smaller-scale development on a specific site, without the need for planning permission.
Consultation Statement/Statement of Consultation	A report or statement issued by the Council explaining how they have complied with the Statement of Community Involvement during consultation on local development documents.
Development Plan Document (DPD)	Local Plan documents containing strategic planning policies, detailed development management policies and proposals. These are subject to independent examination. The Council's Local Plan, Runnymede 2030 is soon to be adopted, having received the Inspector's Report.
Duty to Co-operate	This is a requirement introduced by the Localism Act. It requires local authorities and other public bodies to work together on planning issues.
Examination	Formal examination of Local Plan, Neighbourhood Plan and CIL documents by an independent inspector.
Independent Examiner	Impartial person qualified to lead the examination of a CIL Draft Charging Schedule or Neighbourhood Plan/Order. Does not need to be a representative of the Planning Inspectorate (PINS) and can be from another approved body.

Local Development Documents (LDD)	Comprises of Development Plan Documents, Supplementary Planning Documents and Statement of Community Involvement (both statutory and non-statutory documents).
Local Development Order (LDO)	An Order made by the council (under the Town and Country 33 Term Definition Order (LDO) Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.
Local Development Scheme (LDS)	Is a project plan for the production of Local Development Documents.
Local Strategic Statement	Formally agreed by Surrey Leaders of Local Planning Authorities in July 2014, this document sets out common priorities on strategic matters across Surrey, which can be used in Local Plans and the associated examinations to demonstrate the LPA has met its Duty to Co-operate responsibilities. Now being taken forward through the Surrey Place Ambition.
Material consideration	<p>A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):</p> <ul style="list-style-type: none"> • Overlooking/loss of privacy • Loss of light or overshadowing • Parking • Highway safety • Traffic • Noise • Effect on listed building and conservation area • Layout and density of building • Design, appearance and materials • Government policy • Disabled persons' access • Proposals in the Development Plan • Previous planning decisions (including appeal decisions) • Nature conservation <p>However, issues such as loss of view, or negative effect on the value of properties are not material considerations.</p>
Minority groups	An ethnic, racial, religious, or other group having a distinctive presence within a society or a group having little power or representation relative to other groups within a society.
National Planning Policy Framework (NPPF)	This is a single document which contains national planning policies. Local authorities must take into account the contents when preparing their development plans and when decisions are made on individual planning applications and appeals.
Neighbourhood Forum	Local communities can apply to be designated as Neighbourhood Forums', which can then choose to:

	<ul style="list-style-type: none"> • write a neighbourhood plan which sets out planning policies that will be used to determine planning applications in that area; and • grant planning permission for specific development through neighbourhood development orders and the Community Right to Build.
Neighbourhood Development Order (NDO)	<p>A Neighbourhood Development Order (NDO) can be used to permit different types of development (in full or outline) without the need for planning permission.</p> <p>Also see Community Right to Build Order.</p>
Neighbourhood Development Plans	<p>A plan prepared by a Town or Parish or a Neighbourhood Forum for a particular Neighbourhood Area (made under the Planning and Compulsory Purchase Act 2004).</p>
Planning Inspectorate (PINS)	<p>The Planning Inspectorate is an executive agency of the Ministry of Housing, Communities and Local Government (MHCLG). It is often referred to as PINS. PINS holds independent examinations to determine whether or not Development Plan Documents are 'sound'. The Planning Inspectorate also deals with planning and enforcement appeals, National Strategic Infrastructure Projects and other planning specialist casework.</p>
Planning Inspector	<p>Planning Inspectors make decisions and provide recommendations and advice on a range of land use planning related issues indicated above.</p>
Planning Practice Guidance (PPG)	<p>The PPG is an online resource, which replaces and streamlines a high volume of previous national guidance. The advice contained within the PPG should be read in conjunction with the policies contained within the NPPF.</p>
Policies Map	<p>Ordnance survey base map showing the location of proposals and policy designations in all current development plan documents.</p>
Representations	<p>General comments or responses to a consultation which may support or object to proposals</p>
Residents' Associations	<p>Comprising individuals from specific communities who are usually formed to discuss local issues and sometimes representing the wider community.</p>
Site specific allocations	<p>Allocation of sites for specific or mixed-use development.</p>
Sound/soundness	<p>Describes where a DPD is considered to 'show good judgement' and also fulfils the expectations of legislation, as well as conforming to national planning policy.</p>
Spatial planning	<p>An approach to planning that uses land in the most effective way to promote 'sustainable development', which is the golden thread running through the NPPF.</p>

Stakeholder	Person or organisation with an interest either because they will be affected by a proposal/plan or may have some influence.
Statement of Community Involvement (SCI)	Sets out the Council's standards for involving the community in the preparation, alteration and review of Local Development Documents and during the consideration of planning applications.
Supplementary Planning Documents (SPD)	Non-statutory documents that expand upon policies and proposals in Development Plan Documents. SPDs can be used to provide further guidance for development on specific sites, or on particular policies, such as design. SPDs are material considerations in planning decisions but are not part of the statutory development plan.
Sustainability Appraisal (SA)	A process involving the identification, consideration and reporting of the likely impacts of planning proposals on social, environmental and economic interests. The findings of the sustainability appraisal are used to inform the production of Local Development Documents at each stage of their preparation. The Sustainability Appraisal Report (SAR) is a set of documents that are produced that incorporate SA and SEA and will form part of the evidence base that seeks to inform the Local Plan with regard to sustainability.
Sustainable Development	The core principle underpinning the planning system. This means meeting the needs of the present without compromising the ability of future generations to meet theirs.
Strategic Environment Assessment (SEA)	A system of incorporating environmental considerations into policies, plans and programmes. SEA assesses potential significant environmental impacts of LDDs being prepared and in some cases may recommend mitigation measures. SEA is incorporated into SA.

Appendices

Appendix A: General, Specific and Other consultation bodies

Specific Consultation bodies

“specific consultation bodies” means the following—

- (a) the Coal Authority,
- (b) the Environment Agency,
- (c) the Historic Buildings and Monuments Commission for England (known as Historic England),
- (d) the Marine Management Organisation,
- (e) Natural England,
- (f) Network Rail Infrastructure Limited (company number 2904587),
- (g) a strategic highways company (for the time being appointed under Part 1 of the Infrastructure Act 2015) any part of whose area is in or adjoins the area of the local planning authority;
- (ga) where the Secretary of State is the highway authority for any highway in the area of the local planning authority, the Secretary of State for Transport;]
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority's area, (ha) a relevant authority any part of whose area is in or adjoins the local planning authority's area,
- (i) any person—
 - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
 - (ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority's area,
- (j) if it exercises functions in any part of the local planning authority's area—
 - (i) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ia) the National Health Service Commissioning Board;
 - (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989 F15;
 - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
 - (iv) a sewerage undertaker; and
 - (v) a water undertaker;
- (k) the Homes and Communities Agency; and
- (l) where the local planning authority are a London borough council, the Mayor of London;

At the time of producing the SCI, the specific bodies below were registered with the Council, however it should be noted that these could be the subject of change in the lifetime of the SCI. It is therefore not an exhaustive list:

Affinity Water
Ashford & St. Peter's Hospital NHS Foundation Trust

British Gas Trading Ltd
BT Group PLC

Centrica Plc (British Gas)
Chobham Parish Council
Civil Aviation Authority

EDF Energy Networks Branch
East Berkshire Clinical Commissioning Group
Environment Agency (Sustainable Places)
Enterprise M3 LEP

Homes England
Highways England
Historic England London And South East Region

Mobile Operators Association

National Grid
National Grid UK Transmission
Natural England
Neighbouring and nearby Local Authorities
Network Rail
North West Surrey Local Education Office (Surrey County Council)

Office Of Road And Rail
Old Windsor Parish Council

Seaboard Energy
South East Coast Ambulance Service NHS Foundation Trust
Southern Electric
Sunningdale Parish Council
Surrey & Borders Partnership NHS Foundation Trust
Surrey County Council
Surrey Nature Partnership
Surrey Heartlands Clinical Commissioning Group
Surrey Police
Surrey Wildlife Trust

The Greater London Authority
Thames Water
Thames Water Property Services
The Coal Authority

Windlesham Parish Council
Wraysbury Parish Council

Some of these consultees may fall outside of the Council's jurisdiction but cross-boundary issues mean the Council tries to consult as widely as possible.

General Consultation bodies

- Voluntary bodies some or all of whose activities benefit any part of Runnymede Borough Council's area.
- Bodies that represent the interests of different racial, ethnic or national groups in Runnymede Borough Council's area

- Bodies that represent the interests of different religious groups in Runnymede Borough Council's area
- Bodies, which represent the interests of disabled persons in Runnymede Borough Council's area.
- Bodies, which represent the interests of persons carrying on business in Runnymede Borough Council's area

Other Consultation bodies

As well as Specific and General Consultation bodies, these could include:

- Individual residents, residents' associations, local strategic partnership, parish councils, community groups, societies, political parties
- Councillors- Local and County
- Local businesses, business associations, chamber of commerce, commercial companies
- Adjoining local authorities, developers, agents, planning consultants, architects, surveyors, landscape architects, housing associations
- Landowners, Estate agents (residential and commercial)
- Disabled groups, public agencies, charity organisations, voluntary organisations, care providers, health providers, leisure groups, minority groups, religious groups, sports bodies, young people, older people, faith groups, equalities, community support.
- Environment and nature, historic groups, Conservation Area Advisory Committees
- Infrastructure providers, schools and education institutes, transport groups
- Members of Parliament
- Government Departments

Appendix B: Duty to Cooperate prescribed bodies

(Excerpt from The Town and Country Planning (Local Planning) (England) Regulations 2012)

Duty to co-operate

4.—(1) The bodies prescribed for the purposes of section 33A(1)(c) of the Act are—

- (a) the Environment Agency;
 - (b) the Historic Buildings and Monuments Commission for England (known as English Heritage);
 - (c) Natural England;
 - (d) the Mayor of London;
 - (e) the Civil Aviation Authority(a);
 - (f) the Homes and Communities Agency;
 - (g) each Primary Care Trust established under section 18 of the National Health Service Act 2006(b) or continued in existence by virtue of that section;
 - (h) the Office of Rail Regulation(c);
 - (i) Transport for London(d);
 - (j) each Integrated Transport Authority(e);
 - (k) each highway authority within the meaning of section 1 of the Highways Act 1980(f) (including the Secretary of State, where the Secretary of State is the highways authority);
- and
- (l) the Marine Management Organisation.

(2) The bodies prescribed for the purposes of section 33A(9) of the Act are each local enterprise partnership.

(3) In this regulation “local enterprise partnership” means a body, designated by the Secretary of State, which is established for the purpose of creating or improving the conditions for economic growth in an area.

All enquiries about this paper should be directed to:

Planning Policy Team,
Planning Policy and
Economic Development Business Unit.

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

Tel 01932 838383

Further copies of this publication can be obtained from the above address,
or email: planningpolicy@runnymede.gov.uk

www.runnymede.gov.uk

2020

EQUALITY SCREENING

Equality Impact Assessment guidance should be considered when completing this form.

POLICY/FUNCTION/ACTIVITY	LEAD OFFICER
Runnymede Statement of Community Involvement (September 2020)	Sukhpreet Khull

A. What is the aim of this policy, function or activity? Why is it needed? What is it hoped to achieve and how will it be ensured it works as intended? Does it affect service users, employees or the wider community?

The aim of the Statement of Community Involvement (SCI) is to set out how Runnymede Borough Council will engage with the community; including residents, businesses, community groups and other stakeholders on Local Plan matters, planning applications and as part of the planning enforcement process.

The Council's SCI was adopted in December 2014. More recently it was updated in May 2020 to confirm how the Council will engage with its communities for the duration of the COVID-19 lockdown. This is because due to the pandemic, some of the methods of engagement specified in the original 2014 SCI cannot currently be utilised. The May 2020 amendments to the SCI are temporary in nature and will cease to be applicable once the lockdown measures are lifted. However, the current redrafting of the SCI has been undertaken as the Council has a legal requirement to update its SCI every 5 years. The Council has had regard to national planning policy and legislation in preparing this September 2020 version. This SCI, once adopted, will replace the SCI adopted by the Council in December 2014 and the temporarily amended SCI which was published in May 2020.

How will it deliver what is intended?

The SCI sets out the key stages for engagement during the production of various planning policy documents. It also sets out the consultation methods for the development management process. The SCI will be checked at each of the stages listed by Council officers to ensure that the methods of engagement specified in the SCI are utilised to ensure that the Council is using its best endeavours to engage with local communities and other interested parties, including those with protected characteristics.

The Council will consider consultee and Member feedback on the consultation/engagement processes undertaken by the Council's Planning teams during the lifetime of the SCI to help identify whether changes are required in the next iteration of the document to address any equalities issues which are highlighted or to improve the Council's engagement/consultation processes more generally.

The SCI sets out how the Council will engage with the wider community and regular service users. It has the potential to affect both groups. However, any effects it has on the wider Borough community and service users is likely to be beneficial through the more careful consideration of the consultation processes employed by the Council, the aim of which is to ensure that the engagement and consultation undertaken by the Council is accessible to all including those with protected characteristics. The SCI is not however expected to raise any equalities issues for employees.

B. Is this policy, function or activity relevant to equality? Does the policy, function or activity relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential based on adverse impacts or unlawful discrimination. The Protected Characteristics are; Sex, Age, Disability, Race, Religion and Beliefs, Sexual Orientation, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity.

The SCI does relate to an area where it is known that different groups have different needs, in particular in terms of how they are able to access Planning Policy documentation subject to consultation or notification. In particular young people/school children, older people and people with disabilities have been identified in the SCI as hard to reach groups/ groups that are under represented in the Planning process. These groups also cover the protected characteristics of age and disability.

The contents of the draft SCI sets out how the Council will seek to best overcome barriers to participation and engage with hard to reach or under-represented groups. This includes the measures set out at paragraphs 1.16 and 1.17 as well as the commitment to carrying out additional methods of consultation where necessary (for example, the carrying out of targeted workshops/work with specific interest groups for example young people/school children, the elderly, the travelling community and disabled people) to ensure that such groups are engaged as part of the consultation process.

It acknowledges that targeted consultation may be required with such groups to overcome equalities issues. The SCI also clarifies that the Council will ensure that hard copy documentation is made available in various locations across the Borough for inspection during public consultations and also sets out that the Council allows interested parties to respond to consultations in a variety of ways including by hand written letters posted to the Council as opposed to online or by email in line with its aim to facilitate engagement and to overcome barriers for those without ready access to technology.

Similarly, the Council has found that young people and school children are generally under-represented in the planning process. Social media is a popular means of interaction for young people and the Council is committed to the use of online platforms to try and reach young people and encourage them to engage on planning matters. The SCI also sets out that the Council is equally committed to carrying out targeted consultation with school children/young people as appropriate.

More generally, the Council's Planning Policy database contains the details of a number of groups who represent hard to reach groups (including those with protected characteristics, for example the Runnymede Access Liaison Group who seek to provide a representative "voice" for disabled residents). The SCI sets out that the Council will work with such groups to encourage them where possible to disseminate information as appropriate to try and ensure that hard to reach groups including people with protected characteristics are made aware of public consultations and other important notifications.

The draft SCI details consultation approaches which could be implemented individually or in combination, however, it is not specific as to which approaches will be applied for which document or stage of consultation. This is to future proof the document in the event of unexpected events such as the current COVID 19 pandemic. However it is considered that the range of consultation methods set out in the SCI provide flexibility to ensure that the Council is able to tailor its consultations to maximise participation from all interested parties including those with protected characteristics.

If the policy, function or activity is relevant to equality then a full Equality Impact Assessment may need to be carried out. If the policy function or activity does not engage any protected characteristics, then you should complete Part C below. Where Protected Characteristics are

engaged, but Full Impact Assessment is not required because measures are in place or are proposed to be implemented that would mitigate the impact on those affected or would provide an opportunity to promote equalities please complete Part C.

C. If the policy, function or activity is not considered to be relevant to equality, what are the reasons for this conclusion? Alternatively, if it is considered that there is an impact on any Protected Characteristics but measures are in place or are proposed to be implemented please state those measures and how it/they are expected to have the desired result. What evidence has been used to make this decision? A simple statement of 'no relevance' or 'no data' is not sufficient.

A six week public consultation on the SCI will provide the opportunity for relevant consultees and members of local communities to provide comments which will be considered in relation to any protected characteristics. Equality implications will also be discussed with the Equalities Group to ensure that the SCI is fully compliant with the Equalities Act.

When adopted, the SCI will set out clearly how the Council will engage with all members of the community and other interested parties, including hard to reach groups which includes those with the protected characteristics of age and disability. The SCI will be checked at each of the stages of consultation listed to ensure that the methods of engagement specified are utilised to ensure that the Council is using its best endeavours to engage with local communities and other interested parties, including those with protected characteristics.

With such 'best endeavours' being made in regards to consultation and engagement, including the amended processes to address the implications of the COVID 19 pandemic, and including a range of consultation techniques for Planning Policy consultations so that can be flexibly applied/tailored to maximise effectiveness of engagement, it is considered the document results in an overall neutral impact to any person or group with protected characteristics.

Continued monitoring of the SCI will take place after the SCI is adopted to help identify areas for future amendments to ensure that the Council can continue to carry out consultation and engagement in such a way as to minimise as far as possible any negative impacts on anyone with protected characteristics.

It is not considered therefore that a full EqlA is required.

Date completed: 05.08.20

Sign-off by senior manager: Georgina Pacey

8. **THAMES BASIN HEATHS SPECIAL PROTECTION AREA SUPPLEMENTARY PLANNING DOCUMENT (SPD) INITIAL CONSULTATION (PLANNING, POLICY & ECONOMIC DEVELOPMENT-ISABEL CORDWELL**

Synopsis of report:

The purpose of this report is to inform Members of the development of a new draft Supplementary Planning Document (draft SPD) setting out the avoidance and mitigation measures required to prevent development causing significant adverse impact on the Thames Basin Heaths Special Protection Area (SPA) and to seek approval for the period of public consultation set out within section 2.7 of this report. A copy of the draft SPD is attached as Appendix E for information.

The draft SPD updates the existing Thames Basin Heaths SPA Supplementary Planning Guidance (2009) and takes into account advice that has been issued since the 2009 SPG was adopted.

The draft SPD:

- Provides context to the SPA designation including regulations, harmful impacts and other issues;
- Describes buffer zones indicating where development can or cannot be located and which development types are affected;
- Sets out avoidance and mitigation measures relating to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring measures (SAMM) and their standards, criteria and costs;
- Sets out the methodology for changing from a dwelling to a bedroom-based tariff, which would align the Council's strategy with that of the other local authorities affected by the Thames Basin Heaths; and
- Provides information on the Borough's existing SANGs and guidance on the creation of new SANG.

Recommendation(s): The Planning Committee is recommended to RESOLVE to APPROVE the draft Thames Basin Heaths Special Protection Area SPD for public consultation for a period of six weeks.

1. **Context of report**

- 1.1 The Thames Basin Heaths Special Protection Area (TBHSPA) comprises over 8,000 hectares of fragmented heathland and woodland within Surrey, Hampshire and Berkshire, affecting 11 local authorities and 2 County Councils. The TBHSPA received designation on 9 March 2005 due to the presence of the breeding populations of three species of birds, the Woodlark, Nightjar and Dartford Warbler; each protected under Annex I of the Birds Directive 2009/147/EC. These birds nest on or near to the ground and as a result, they are susceptible to predation of adults, chicks and eggs (primarily by cats, rats and crows) and are particularly vulnerable to disturbance from recreational pursuits, such as rambling, biking and dog walking, in addition to pollution and wildfire. The designation protects habitats from adverse impacts under current European and UK law.
- 1.2 Chobham Common SSSI is part of the TBHSPA and has a significant influence within the Borough of Runnymede. Part of the Borough to the west is located within the 400m exclusion zone of the Special Protection Area (SPA) and all but the

northern most parts of the Borough lie within 400m to 7km of the perimeter of the SPA.

- 1.3 As a Competent Authority, the Council has a requirement to provide a strategy to ensure the long-term protection of the SPA, in compliance with the Habitats Regulations, whilst enabling otherwise acceptable development. In 2009, the Thames Basin Heaths Joint Strategic Partnership Board, comprising all affected local authorities adopted guidelines in the form of a Delivery Framework to protect the SPA from new residential development which is likely to have a significant effect on the ecological integrity of the Heaths. Subsequently, the following measures were put in place to provide avoidance and mitigation for impacts on the SPA arising from net new residential development:
- Implementation of a 400m exclusion zone around the SPA where no net additional residential development can be permitted, as its impact on the SPA cannot be mitigated;
 - Identification of a 5km zone of influence around the SPA where Natural England has advised that measures can be put in place to mitigate the impacts of additional residential development, subject to it being outside the 400m exclusion zone;
 - Provision of Suitable Alternative Natural Greenspaces (SANGs) utilising new or upgraded existing open space to divert recreational activity away from the designated SPA.
- 1.4 The Council formally adopted Supplementary Planning Guidance (SPG) in 2007 (amended in 2009) that set out a policy for residential development proposals within 5km of the TBHSPA. Since 2010, an additional contribution has been required towards Strategic Access, Management and Monitoring (SAMM) of the SPA.
- 1.5 These contributions are currently secured through a Section 106 Agreement and payment of £2,630 per net additional dwelling (equating to £2,000 for SANGs and £630 for SAMM contributions) is secured by the Council. For large-scale residential development, an alternative option is to provide and lay out land for SANG (in accordance with Natural England's guidelines). Funding is required to ensure that management and maintenance is assured in perpetuity.

2. Report and options considered

- 2.1 The draft SPD updates the existing Thames Basin Heaths SPA Supplementary Planning Guidance (SPG) and takes into account guidance that has been issued since the 2009 SPG was adopted. The SPD sets out the approach the Council will take to mitigating likely significant impacts to the Thames Basin Heaths SPA from new residential development between 400m and 7km of the SPA boundary. A copy of the draft SPD is attached as Appendix E for information.
- 2.2 Aspects of the existing SPG are now out of date and therefore the document requires review. By not producing an updated SPD which addresses this matter, this could start to have a significant impact upon the ecology of the Heaths. Most significantly, it is considered that the current approach to SANG and SAMM (on a per unit basis) does not adequately address the potential increase in residents within the vicinity of the SPA. To ensure that the strategy is more equitable in better reflecting the impacts from larger homes on the SPA, it proposed to alter the approach to calculating developer contributions from a dwelling to a bedroom-based tariff. This will align the Council's strategy with that of the other local authorities affected by the Thames Basin Heaths. The strategy set out in the SPD will also help to ensure that SANGs are delivered appropriately within the Borough and are managed and maintained in perpetuity, in accordance with Natural England's guidance.

- 2.3 It is estimated that through employing a bedroom-based methodology, an increase of between £5-£6M could be achieved for SANGs contributions over the remaining period of the Runnymede 2030 Local Plan. The draft SPD proposes the following new SANG and SAMM tariffs which would benefit smaller homes:

Dwelling Size	SANG Tariff	SAMM Tariff	Tariffs Total
1 bedroom/studio	£1,265	£398	£1,663
2 bedrooms	£1,671	£526	£2,197
3 bedrooms	£2,259	£711	£2,970
4 bedrooms	£2,575	£811	£3,386
5+ bedrooms	£3,343	£1,053	£4,396

- 2.4 The Council has looked at the rates applied by other local authorities affected by the Thames Basin Heaths and can demonstrate that the combined proposed SANG and SAMM tariffs would not exceed others:

Dwelling Size	Guildford	Surrey Heath	Bracknell Forest
1 bedroom/studio	£4,261	£4,039	£4,802
2 bedrooms	£5,984	£5,336	£5,719
3 bedrooms	£7,645	£7,211	£6,823
4 bedrooms	£9,036	£8,217	£7,645
5+ bedrooms	£10,366	£10,672	£8,938

- 2.5 The other main changes or additions to the 2009 TBHSPA Supplementary Planning Guidance include the following:

- Update of the SPA's geographical buffer zones, development types affected (including houses of multiple occupation [HMOs], care homes and replacement dwellings), the avoidance and mitigation measures that apply, and the timing in terms of delivery of mitigation;
- Details of catchment areas and the allocation of capacity to strategic SANGs; the requirements for provision of bespoke and third party SANGs;
- Additional text setting out the requirement for considering step-in rights where a SANG is not owned by the Council;
- Setting out the methodology proposed for calculating SANG and SAMM contributions, changing from a net new dwelling approach to take into consideration anticipated occupancy levels based on the number of bedrooms a property contains; and
- Information about the aims and management of the SAMM project.

- 2.6 Officers are currently reviewing the proposed reforms set out in the Planning White Paper (August 2020) which includes reforms to planning obligations under Section 106 and consolidation as part of an 'Infrastructure Levy' system. It should be noted that at the current time, these proposals are subject to consultation only. Officers will provide further advice in due course as to how the reforms, if introduced, could impact on the collection of monies for SANG and SAMM when further detail is published by the Government.

- 2.7 It is proposed that the draft SPD should undergo a period of public consultation following which any representations received will be considered by the Council prior to adoption. The period for consultation is proposed for 6 weeks. This is beyond the statutory minimum requirement set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However due to the current Covid-19 lockdown measures which remain in place at the time of writing this report, a 6-week consultation is recommended to give interested parties additional time to access and review the consultation material and make their comments. Officers will

utilise the consultation methods in the Council's amended May 2020 Statement of Community Involvement to ensure that it publicises the consultation as widely as possible during the current restrictions.

3. Policy framework implications

- 3.1 Supplementary Planning Documents (SPD) do not form part of the Development Plan for Runnymede but are a material consideration in decision taking.
- 3.2 Although not part of the Development Plan, the SPD supports saved Policy NRM6 of the South East Plan and Runnymede 2030 Local Plan objectives and policies with respect to Policies EE10: Thames Basin Heaths Special Protection Area; EE9: Biodiversity, Geodiversity and Nature; and EE11: Green Infrastructure. The SPD is integral to the delivery of the Local Plan in relation to supporting the projected level of housing coming forward to meet the housing target set out in the Local Plan.

4. Financial and resource implications

- 4.1 Production of the draft SPD has been undertaken in-house and as such there are no additional resource implications beyond that provided for within the agreed Planning Policy budget.
- 4.2 The Council monitors the collection of SAMM funds and sends any monies collected to the TBHSPA Joint Strategic Partnership's financial administrator, Hampshire County Council, on a quarterly basis. This money is divided between a long term investment fund and annual expenditure on a range of services including ecological surveys, wardening and monitoring visitor usage of SANGs and the SPA.
- 4.3 The contributions allocated to SANGs are recorded and monitored by the Planning teams in order to ensure that sufficient funds are available for all strategic SANGs sites within the Borough. Contributions are managed by the Planning teams via Section 106 Agreements, with 50% of the SANG contribution assigned towards current works and 50% allocated to the long term, in perpetuity fund.
- 4.4 The national Planning Policy Guidance on Planning Obligations sets out that local authorities can charge a monitoring fee through s106 obligations to cover the cost of monitoring and reporting. This can be a fixed percentage or fixed monetary amount. As such, under the current system a fee may be charged for monitoring the capacity of any or all SANGs owned by parties other than the Council. It is not yet clear whether such fees would continue to be collected if the reforms in the Planning White Paper, including a reformed infrastructure levy regime are introduced.

5. Legal implications

- 5.1 There is a legal requirement incumbent upon the Council as Competent Authority to provide a strategy to ensure the long-term protection of the SPA, in compliance with the Habitats Regulations.

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the need to:
 - a) Eliminate unlawful discrimination, harassment or victimisation;
 - b) Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;

- c) Foster good relations between those who share a relevant characteristic and persons who do not share those characteristics;

in relation to the 9 'Protected Characteristics' stated within the Act.

- 6.2 The draft Thames Basin Heaths Special Protection Area SPD is currently being screened to establish whether there may be an impact whether positive or negative on any of the nine protected characteristics (namely, age, disability, race/ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage/civil partnership). The conclusion of the screening assessment will be reported to the Committee via the addendum.

7. **Environmental/Sustainability/Biodiversity Implications**

- 7.1 The Thames Basins Heath Special Protection Area SPD is not part of the Development Plan for Runnymede and as such is not subject to Sustainability Appraisal.
- 7.2 The SPD has however undergone Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening with the conclusion that there will be no likely significant effects on designated habitats or any other significant environmental effects. Comments from the three statutory bodies (Environment Agency, Historic England and Natural England) on the screening assessment are currently being sought in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004. The deadline for comments from these three consultees is noon on 2nd September. The comments received will be reported to the Planning Committee via the addendum. A copy of the screening assessment is attached as Appendix F for information.
- 7.3 The SPD offers a strategy to mitigate the effects of net new residential development within the majority of the Borough on the SPA. This is likely to benefit biodiversity, the environment and sustainability in general.

8. **Other Implications**

- 8.1 None.

9. **Conclusion**

- 9.1 Planning Committee is asked to RESOLVE to: **APPROVE** the draft Thames Basin Heaths Special Protection Area SPD for public consultation for a period of six weeks.

(To resolve)

Background papers

Appendix E: Draft Thames Basin Heaths Special Protection Area SPD (August 2020)
Appendix F: SEA/HRA Screening Assessment



Thames Basin Heaths
Special Protection Area
Supplementary Planning Document

August 2020

Temporary cover

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Foreword

Guidance on the Council's strategy to avoid and mitigate the impacts of development upon the Thames Basin Heaths Special Protection Area is set out within this draft SPD, along with details of how Section 106 planning agreements and undertakings will operate once planning permission has been granted.

This draft SPD has been subject to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening which found no likely significant effects on designated habitats or any other significant environmental effects. The screening document produced by the Council can be found alongside this draft SPD. In line with regulation 9 of the Environmental Assessment of Plans & Programmes Regulations, the Environment Agency, Natural England and Historic England have been consulted on the findings of the screening document. Their comments are awaited at the time of writing.

Once adopted, this SPD will replace the existing Thames Basin Heaths SPA Supplementary Planning Guidance dated February 2009.

It is proposed that this draft SPD is open to public consultation for a period of 6 weeks from **Thursday 3rd September to 5pm 30 September 2020**.

All representations made during the course of the consultation must be made in writing. Anonymous representations will not be accepted. Any comments that could be construed as derogatory towards any particular individual or group will not be recorded or considered.

Copies of comments received during the course of the consultation will be made available for the public to view on the Council's website. Comments therefore cannot be treated as confidential. Personal details will be redacted prior to publishing. Data will be processed and held in accordance with the Data Protection Act 2018.

We would like you to send us your views electronically if possible. Representations should be sent to: planningpolicy@runnymede.gov.uk

If you are unable to submit your comments electronically please send your written comments to the Planning Policy and Economic Development team, Runnymede Borough Council, Civic Centre, Station Road, Addlestone, KT15 2AH to arrive by the close of the consultation period.

If you need help with your representation, please contact the Technical Administration team in the first instance on 01932 425131 or email planningpolicy@runnymede.gov.uk

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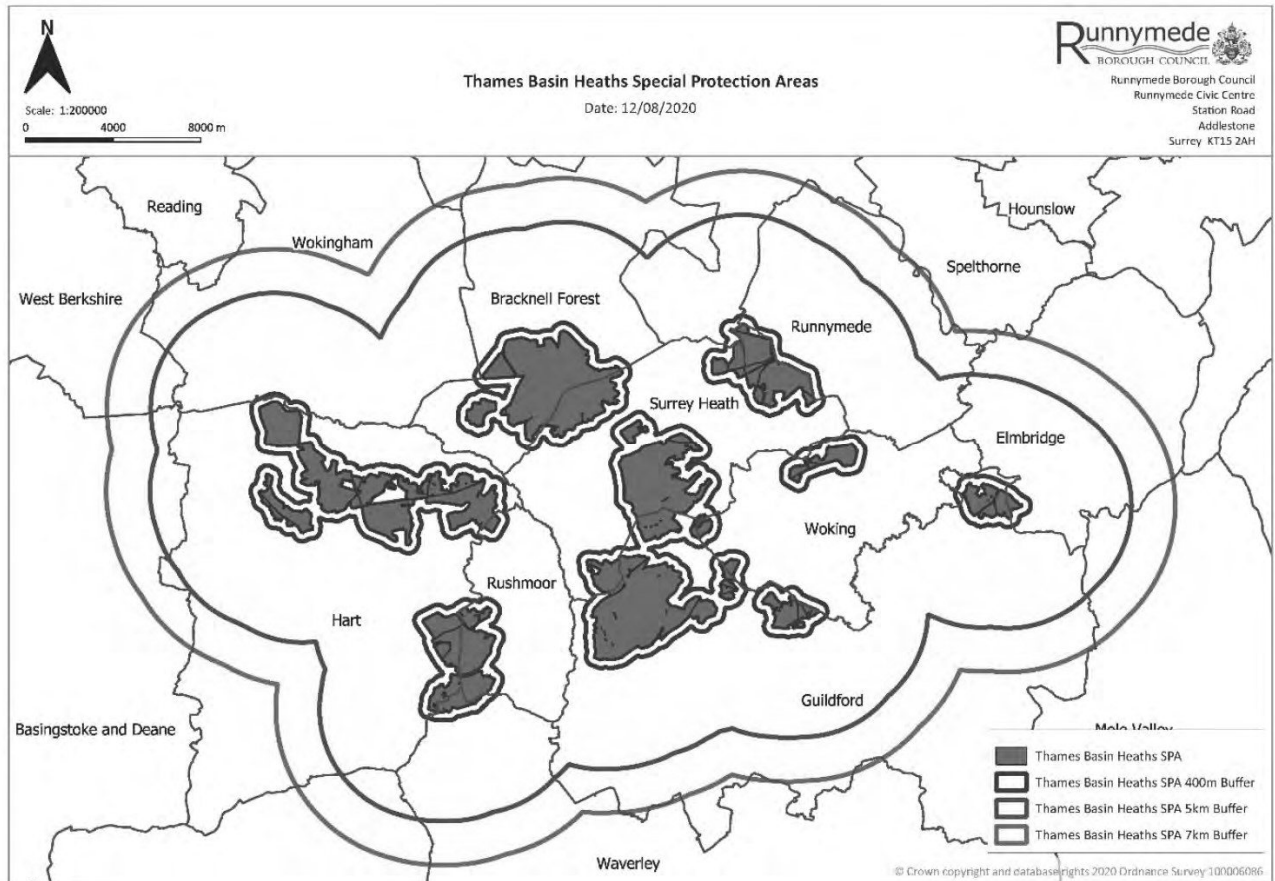
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1. Introduction and Background

1.1 Thames Basin Heaths Special Protection Area

1.1.1 The Thames Basin Heaths (TBH) comprise over 8,000 hectares (ha) of heathland sites located across Surrey, Hampshire and Berkshire (Figure 1) and forms part of a Natura 2000 network of sites of international importance to nature conservation, established under the Habitats directives.

Figure 1. Thames Basin Heaths Special Protection Area



1.1.2 Located only 30 miles to the south west of London on the M3/A3 corridor means that the heaths have historically been subject to high development pressure, and over the last century have become significantly fragmented, reduced in size and subjected to urban development pressures, including pollution and uncontrolled heathland fires.

1.1.3 Heathlands are open spaces, typically featuring extensive areas of groundcover plants with very little tree coverage. This means that birds within these landscapes habitually nest on the ground or within low level vegetation and are therefore vulnerable to disturbance from recreational use and predation from wildlife and domestic pets.

- 1.1.4 The Thames Basin Heaths account for around two-thirds (approximately 2,000 ha) of Surrey's remaining heathland¹ and were designated on 9th March 2005 as a Special Protection Area (SPA) for internationally important birds; providing habitat for woodlark (*Lullula arborea*), nightjar (*Caprimulgus europaeus*) and Dartford warbler (*Sylvia undata*). These birds nest on or near the ground and as a result they are very susceptible to predation of adults, chicks and eggs (particularly by cats, rats and crows) and to disturbance from informal recreational use, especially walking, cycling and dog walking.
- 1.1.5 Approximately two-thirds of the Borough of Runnymede lie within the SPA's 5km buffer zone, requiring avoidance and mitigation strategies to be considered for new residential development within this area.

1.2 Purpose and Scope of the SPD

- 1.2.1 This SPD provides an updated avoidance and mitigation strategy to show how the adverse effects of development on the integrity of the Thames Basin Heaths SPA within Runnymede should be avoided and mitigated. This is essential to protect the Heaths from recreation-related harm and to permit a net increase of residential development between 400m and 5km of the SPA, whilst also ensuring that the Council is in line with the adopted Local Plan.
- 1.2.2 A review of this SPD shall be undertaken within 5 years or earlier, if deemed necessary.

1.3 Policy Framework

- 1.3.1 This SPD provides updated guidance to demonstrate how the adverse effects of development within Runnymede on the integrity of the Thames Basin Heaths SPA should be avoided and mitigated. Elements of national, regional, and local policies that are relevant to this SPD are outlined below.

National Planning Policy Framework (NPPF) (2019)

- 1.3.2 Chapter 15 'Conserving and enhancing the natural environment', paragraph 177 of the NPPF states that "the principle of 'presumption in favour of sustainable development' does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

South East Plan (2009)

- 1.3.3 Although the South East Plan was partially revoked on 25th March 2013, Policy NRM6, which deals with the Thames Basin Heaths Special Protection Area, remains in place. This sets out the principle of the protection of the Thames Basin Heaths SPA in the South East. The policy wording can be found in Appendix 1.

Runnymede 2030 Local Plan (2020)

- 1.3.4 Due to the number of new homes proposed over the plan period, and the fact that two-thirds of the Borough lies within the zone of influence, the Plan includes Policy EE10 which relates to the protection of the Thames Basin Heaths Special Protection Area. The policy wording can be found in Appendix 2.

¹ https://www.surreycc.gov.uk/__data/assets/pdf_file/0020/49421/Heathland-GuideR.pdf

1.3.5 The plans and policies listed above are supplemented with the following guidance:

Thames Basin Heaths SPA Interim Supplementary Planning Guidance (2009)

1.3.6 This SPD replaces the Council's previous strategy to show how the effects of new (and principally) residential developments on the Thames Basin Heaths SPA should be avoided and mitigated in partnership with other local authorities and in accordance with the Local Plan.

1.3.7 It should be noted that prior to the adoption of this SPD, Runnymede Borough Council employed a dwelling-based strategy to regulating development, the details of which are set out in the 2009 TBH SPA Supplementary Planning Guidance. To ensure a more equitable approach, and to align with the other affected local authorities, this version details the transition to an occupancy-based approach.

Thames Basin Heaths SPA Delivery Framework (2009)

1.3.8 The Thames Basin Heaths SPA principally affects 11 local authorities. These are: Hart District Council; the Royal Borough of Windsor and Maidenhead; Bracknell Forest; Elmbridge, Guildford, Runnymede, Rushmoor, Surrey Heath, Waverley, Woking and Wokingham Borough Councils.

1.3.9 In order to be sure of a consistent approach across the whole area, a Joint Strategic Partnership (JSP)² was set up in 2007 to provide a vehicle for joint working, liaison and exchange of information between local authorities and other organisations affected by the Thames Basin Heaths SPA.

1.3.10 In 2009 the JSP adopted guidelines in the Thames Basin Heaths Special Protection Area Delivery Framework; this is available on the Council's website. These guidelines form the basis of the approach adopted in this SPD. The JSP Board meets twice a year and oversees matters such as the Strategic Access Management and Monitoring (SAMM) project and the monitoring of Suitable Alternative Natural Greenspaces (SANGs). This joint working also helps to fulfil duty to cooperate requirements.

1.3.11 A Councillor from Runnymede Borough Council is a member of the Joint Strategic Partnership Board.

² <https://www.tbhpartnership.org.uk/about-us/>

2. Principles for the Avoidance of Harm to the SPA

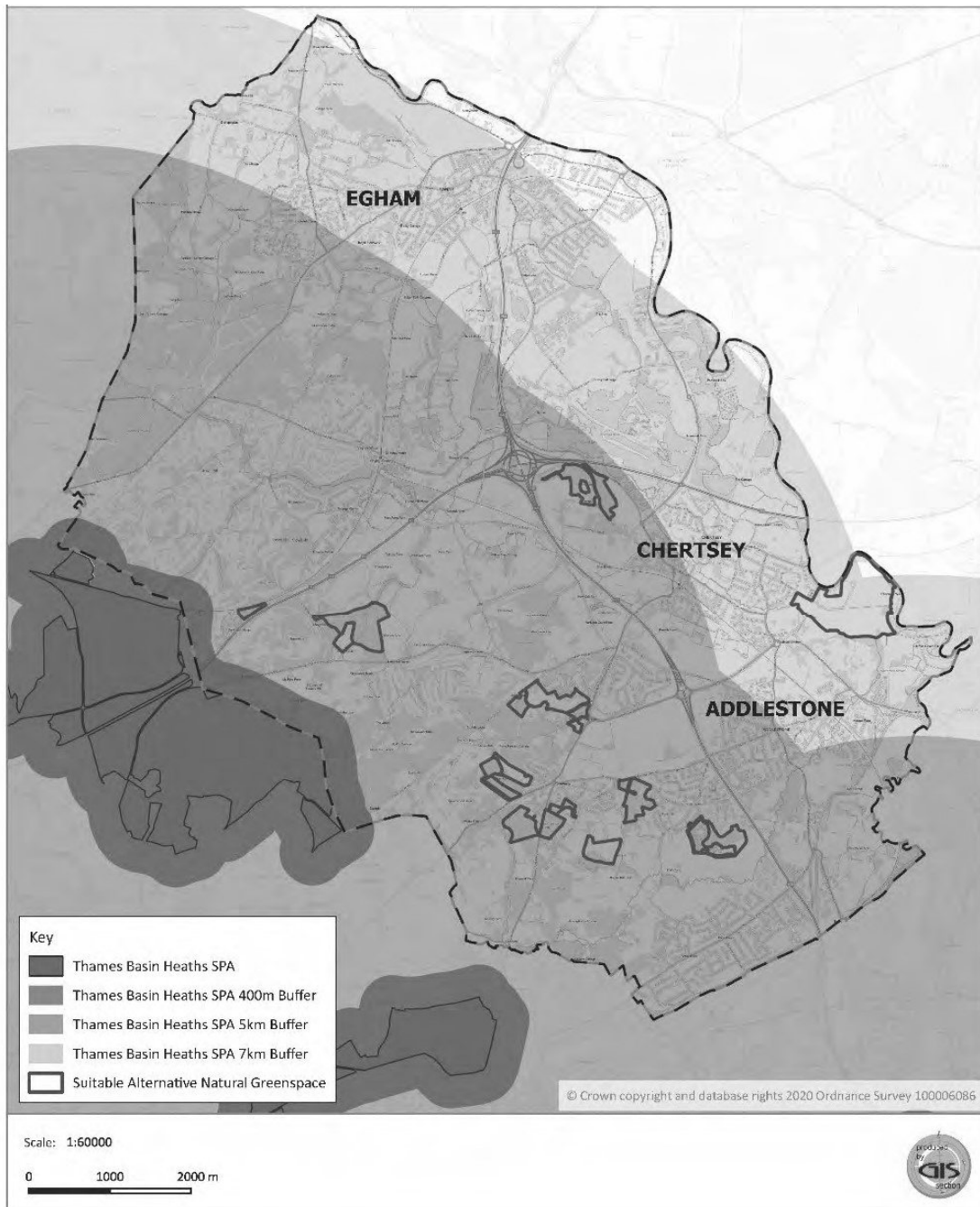
2.1 Introduction

- 2.1.1 As mentioned within the previous chapter, during 2009 the TBH Joint Strategic Partnership produced the Thames Basin Heaths Special Protection Area Delivery Framework. Endorsed by Natural England, the Framework contains guidelines which form the basis of the approach which will be implemented within Runnymede to avoid likely significant effects on the integrity of the SPA from development.
- 2.1.2 Any net increase in residential dwellings within 5km of the SPA is likely to have a significant adverse effect on the SPA either alone or in combination with other plans or projects. Consequently, every proposal for net additional dwellings must make provision to avoid and mitigate the effect. Residential developments within 5-7km of the SPA, with a net increase of 50 or more dwellings, may also be required to provide appropriate mitigation. This will be considered on a case by case basis in agreement with Natural England.
- 2.1.3 The Delivery Framework currently recommends a combination of the following three avoidance measures to protect the SPA from the adverse impacts of new residential development:
- The establishment of a 400-metre buffer around the SPA within which no net new residential development will be permitted;
 - Provision of Suitable Alternative Natural Greenspace (SANG) to attract people away from the SPA and thus reduce pressure on it; and
 - Strategic Access Management and Monitoring (SAMM) to reduce the impact of visitors.
- 2.1.4 Habitat management may, theoretically, be taken to be an avoidance measure; however, the focus in the short-term must be improving the quality of the SPA to favourable condition status. This is a duty of SPA landowners which falls outside the planning system and is not the focus of this guidance.
- 2.1.5 The option remains for developers to undertake a Habitats Regulations screening assessment and, where necessary, a full Appropriate Assessment to demonstrate that a proposal will not adversely affect the integrity of the SPA. Should any other package of avoidance and mitigation measures be put forward, these must be in accordance with the Habitats Regulations and the local authority must adopt a precautionary approach. Any avoidance and mitigation measures must be agreed in advance with the Council and Natural England.

2.2 Buffer Zones

2.2.1 A core principle of the approach is the existence of three buffer zones, each measured as a linear distance from the SPA boundary. These zones are shown in Figure 2 and set out in Table 1 below:

Figure 2. SPA Zones within Runnymede



- 2.2.2 The distance from the SPA perimeter (including both pedestrian and vehicular accesses) to the nearest point of access on the curtilage of the dwellings, is measured as a straight line, as set out within the TBHSPA Delivery Framework.

Table 1. SPA Buffer Zones

Buffer Zone	Linear Distance from SPA Boundary
Exclusion zone	Between 0m to 400m
Zone of influence	Between 400m to 5km
5km to 7km zone	Between 5km to 7km

Zero to 400m Exclusion Zone

- 2.2.3 There is a presumption against residential development that results in a net increase in residential units within this zone as the impact of net new residential development so close to the SPA is likely to be such that it is not possible to conclude no likely significant effect. As a result, it is extremely unlikely that any net new residential development within the exclusion zone would be acceptable.
- 2.2.4 All proposals for net new residential development within the zero to 400m zone will be required to undertake a Habitats Regulations Assessment to demonstrate:
- a. That they will not have an adverse effect on the SPA; and/or
 - b. The acceptability of any avoidance and mitigation measures provided.
- 2.2.5 The Council and Natural England will need to be satisfied that any such development will not lead to further recreational use of the SPA or have any other significant effect on its integrity.
- 2.2.6 Applications for non-residential development within 400m of the SPA will be assessed on a case by case basis, in agreement with Natural England.

400m to 5km Zone of Influence

- 2.2.7 Where net new residential development is proposed within the zone of influence, avoidance measures must be delivered prior to occupation of new dwellings and provided in perpetuity. Measures must be based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision and/or improvement and/or maintenance of Suitable Alternative Natural Greenspace (SANG). More information is provided on SANG and SAMM within sections 2.3 and 2.4.
- 2.2.8 A large proportion of new housing development within Runnymede up to 2030 will be located within this zone.

5km to 7km Zone

- 2.2.9 Large scale residential developments of 50 or more net new dwellings that fall between 5-7km from the SPA may be required to provide avoidance and mitigation measures. There are various types of other development which may impact on the integrity of the SPA, including permanent caravan sites, student accommodation and houses of multiple occupation (HMOs). The strategy for these uses is set out within section 3 but for some applications may be assessed on a case by case basis in agreement with Natural England.

2.3 Suitable Alternative Natural Greenspace (SANG)

- 2.3.1 Two avoidance measures are promoted by Natural England and endorsed by the JSP Board. These are Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). SANGs are areas that currently are not in use for recreation and so are a new alternative provision to the SPA or are existing areas that are significantly under-used and so have the capacity to absorb additional recreational use. In the latter category it is important to consider why the site is under-used and whether it truly represents an alternative resource. SANGs should be in place before any development arising on the SPA is avoided.
- 2.3.2 Access management is seen as an important part of the avoidance strategy for Runnymede. It is proposed to promote the use of SANGs by improving the accessibility of sites, identifying recreational routes (in particular circular walks easily accessible from residential areas) and promoting these measures.
- 2.3.3 Chapter 4 of this document sets out the approach for SANGs to be pursued within Runnymede.

2.4 Strategic Access Management and Monitoring (SAMM)

- 2.4.1 The Thames Basin Heaths SPA comprises multiple SSSI sites, owned and managed by many different organisations and some private individuals. In order to ensure that access management implemented in one area does not simply displace visitors onto another part of the SPA, it is necessary to take a strategic approach to visitor access management.
- 2.4.2 SAMM is a joint project between the 11 Local Planning Authorities affected by the SPA (namely Bracknell Forest; Elmbridge, Guildford, Runnymede, Rushmoor, Surrey Heath, Waverley, Woking and Wokingham Borough Councils; Hart District Council; and the Royal Borough of Windsor and Maidenhead), along with Natural England (as the delivery body) and Hampshire County Council (as the administrative body). In July 2011, the SAMM legal agreement was signed by Runnymede Borough Council, Natural England and the ten other local authorities affected by SPA issues.
- 2.4.3 The aims of the SAMM project are to:
- Promote SANGs as new recreational opportunities for local people and particularly encourage their use during the breeding bird season;
 - Provide on-the-ground wardening service to supplement existing wardening efforts;
 - Provide an SPA-wide education programme;
 - Create new volunteering opportunities;
 - Demonstrate best practice for strategic access management of visitors and visitor infrastructure where the supply of greenspace is heavily dependent on protected areas;
 - Monitor visitor usage of SANGs and SPA; and
 - Monitor populations of the bird species protected under Annex 1 of the Birds Directive 2009/147/EC³.

³ https://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

2.5 Habitats Regulations Assessment for Planning Applications

- 2.5.1 The Conservation of Habitats and Species Regulations 2017 (as amended) implement in Great Britain the requirements of the EU Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive) (Council Directive 92/43/EEC). They also protect areas classified under Directive 2009/147/EC of the European Parliament and of the Council of 30th November 2009 on the conservation of wild birds (codified version) (the Birds Directive). The Regulations aim to protect a network of sites that have rare or important habitats and species in order to safeguard biodiversity.
- 2.5.2 Under Article 6(3) of the Habitats Directive, Competent Authorities have a duty to ensure that all the activities they regulate have no adverse effect on the integrity of any of the Natura 2000 sites. The Competent Authority (in this case Runnymede Borough Council) must assess the possible effects of a plan or project on any Natura 2000 sites through a Habitats Regulations Assessment (HRA). The European Court of Justice judgement in *'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17'* established the legal principle that a full Appropriate Assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that a Habitats Regulations Screening Assessment cannot take into account any proposed measures to mitigate any likely impact at the screening stage. The council is therefore now required to carry out a full Appropriate Assessment of relevant plans and planning applications.
- 2.5.3 New residential and employment development within Runnymede has the potential to increase air pollution. Ongoing studies have highlighted a link between nitrogen deposition from air pollution to adverse impacts on the Heaths' ecology. In time this could result in further review of the SPA avoidance and mitigation strategy. The majority of significant developments have been identified through the Local Plan process, in accordance with the 2017 *'Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority EWHC 351'* judgement. Any measures proposed to avoid or mitigate the effects of air pollution on the SPA must be agreed with the Council and Natural England and satisfy the Habitats Regulations.
- 2.5.4 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD elaborates on Policy EE10 of the Runnymede 2030 Local Plan and South East Plan Policy NRM6, which have already undergone HRA. Further, this SPD only sets out guidance on the approach to avoiding impacts on the SPA and does not set out proposals for individual SANGs.

3. Types of Development Affected

3.1.1 This guidance applies to applications for full or outline planning permission, including temporary permission for developments within the vicinity of the SPA. Applicants are advised to seek advice before submitting a planning application or carrying out conversions under Permitted Development Rights and should consider how any impacts of their development on the SPA can be avoided. Reserved matters, discharge of conditions, amendments to existing planning consents and non-residential development will be considered on an individual basis by the Council and will be screened to assess whether they will have a likely significant effect on the integrity of the SPA (individually or in combination with other plans or projects) and where necessary a Habitats Regulations Assessment will be undertaken.

3.1.2 Future changes to the General Permitted Development Order (GPDO), to other legal/regulatory frameworks or to Government policy may mean that certain types of development which currently require planning permission may not do so in future. However, if there is a net gain in the types of residential units referred to within this section, the development will be considered to have a likely significant effect and will therefore be required to contribute towards or provide avoidance measures. This strategy largely concerns itself with the effects arising from the developments listed below:

Care homes

3.1.3 In assessing any planning application for a C2 or C3 care or extra care facility the Council will take account of whether there is any risk of the residents of the facility causing a likely significant effect upon the integrity of the SPA.

3.1.4 If the development is located within 400m of the SPA and the patrons of the facility are truly immobile or unlikely to ever visit the SPA then the only mitigation which may be required are measures to ensure that the car park cannot be made available to the general public wishing to access the SPA and that residents are prohibited from owning pets, such as cats or dogs, which may access the SPA. For such developments within 400m-5km of the SPA, any facilities that house residents that will never or are very unlikely to visit the SPA would not require any mitigation.

3.1.5 Where residents within this SPA buffer zone are in self-contained accommodation and can therefore live reasonably independently, even if there is a level of care required, then it is assumed that the residents are of a mobility level that would not preclude them from visiting the SPA. In these cases, avoidance and mitigation measures will be required.

Dwellings

3.1.6 For developments within Use Class C3 (dwellinghouses) where there is an increase of one or more dwellings these are considered to give rise to likely significant effect to the SPA and will be required to contribute towards avoidance measures.

Houses of Multiple Occupation (HMOs)

3.1.7 For planning applications to convert or increase a property to an HMO of 7 or more units, each room meeting the criteria listed in paragraphs 4.3.2 and 4.3.3 will be treated as a separate one-bedroom dwelling and avoidance and mitigation measures will be required.

Student accommodation

- 3.1.8 Applications for new student accommodation will be assessed on a range of criteria and as such, it is strongly advised that applicants engage with the Council at the pre application stage. Each room meeting the criteria listed in paragraph 4.3.2 and 4.3.3 will be treated as a separate one-bedroom dwelling but where areas of shared living space are supplied, and are considered to be proportionate to the number of students they are anticipated to serve, these areas will not be subject to the strategy set out in this document.

Replacement dwellings, annexes, extensions and loft conversions

- 3.1.9 Where an application for development results in an increase in potential occupancy levels, it is possible that this will also lead to increased recreational pressure during the lifespan of the development. It is therefore considered that the development is likely to have a significant effect on the SPA and will be required to provide avoidance and mitigation measures. For details of the criteria used to determine occupancy levels, see paragraph 4.3.2 and 4.3.3.

Hotels

- 3.1.10 For traditional hotels offering short stay accommodation, avoidance and mitigation measures will generally not be required. However, for hotels located within 400m of the SPA with a new car park, measures may be required to ensure that the car park cannot be made available to the general public wishing to access the SPA. For hotels offering accommodation for longer periods of time or where the address is to become the full time residence for a person, then this is considered to give rise to likely significant effect to the SPA and will be required to contribute towards avoidance and mitigation measures.

Campsites and caravans

- 3.1.11 Where a plot or pitch becomes the permanent full-time address of a person, then this is considered likely to have a significant adverse effect in combination with other residential development and will be required to contribute towards avoidance and mitigation measures.
- 3.1.12 Allocations in relation to locations for plots and pitches for gypsies, travellers or show people are listed within the site allocations section of the adopted 2030 Local Plan.

Major residential development schemes

- 3.1.13 In exceptional circumstances, evidence may demonstrate that significantly large residential development proposals which, on account of their scale and potential impact on the SPA, their ability to offer their own alternative avoidance measures, and the availability of strategic SANG, may be expected to provide bespoke SANG that provides a combination of benefits including biodiversity enhancement, green infrastructure and, potentially, new recreational facilities. Details of the standards for SANGs within each buffer zone can be found within Table 2, paragraph 4.1.3.
- 3.1.14 The definition of “significantly large residential development proposals” and their ability to provide their own avoidance measures may vary depending on their type, character and specific location.

Non-residential development

- 3.1.15 The Council has a duty to consider the impact of non-residential development within the vicinity of the SPA. Where this is deemed likely to have significant effect (individually or in combination with other plans or projects), a full Habitats Regulations Assessment will be undertaken.

Permitted Development, Prior Approval, Permission in Principle and Technical Consents

- 3.1.16 Some types of development do not require planning permission from the Council. These include developments covered by technical consents, prior approval, permission in principle and permitted development (such as the conversion of non-residential space to residential units). As a matter of law, these developments must be compliant with the Habitats Regulations, and it is expected that these developments adhere to the principles set out in this strategy.
- 3.1.17 Where avoidance and/or mitigation measures are required, these should be provided in line with the approach set out in this document. In the absence of an appropriate assessment for net new residential development within the 400m-5km zone of influence and for residential schemes of 50 or more dwellings within the 5-7km zone, the provisions of Article 3 of the General Permitted Development Order (GPDO), would require a full planning application to be submitted and the permitted development listed within Schedule 2 could not be lawfully implemented. Where appropriate, the Council will enter into an agreement with anyone undertaking such developments to provide avoidance and mitigation measures in line with this strategy.

4. SANGs within Runnymede

4.1 Introduction

4.1.1 The provision of alternative recreational land to attract new residents away from the SPA is a key part of avoiding the effects of new development on the Thames Basin Heaths SPA. There are three different types of SANGs, of which details may be found later in this section.

- Strategic SANGs;
- Bespoke SANGs; and
- Third Party Private SANGs.

4.1.2 All SANGs, regardless of type, ownership or organisation responsible for managing and/or maintaining the site, must be open to the public in advance of occupation of the dwellings, provided in perpetuity and require planning permission where a material change of use is to occur.

4.1.3 The following table sets out the SANG standards for each zone. For developments in closer proximity to the SPA the standard applied may be higher than the minimum set out in the table below. All SANGs must comply with Natural England's SANG Quality Guidance (2008), for which checklists can be found under Appendices 5 and 6. A form to assist with gathering information for potential SANGs can be found under Appendix 7.

Table 2. SANG Standards for Net Increase in Dwellings

Buffer Zone	SANG Standard	Notes
0m to 400m	No standard	There is a presumption against any net increase in residential development within this zone. An HRA will be required, and agreed with Natural England, to demonstrate that any development within this zone will not have an adverse effect on the SPA and/or the acceptability of any avoidance and mitigation measures provided.
400m to 5km	Minimum of 8 hectares per 1,000 persons	Some development schemes may require SANGs to be significantly in excess of 8 hectares per 1,000 persons especially those which lay in closer proximity to the SPA.
5km to 7km	Likely to be a minimum of 2 hectares per 1,000 persons but to be assessed on a case by case basis in agreement with Natural England	Only developments of 50 or more dwellings will be affected

- 4.1.4 In line with the table above, Runnymede Borough Council will provide SANGs for new developments within 400m to 5km of the SPA at a standard of at least 8 hectares per 1,000 head of population, as set out in the JSP Board Delivery Framework. All SANGs, including on-site provision, will be expected as a minimum to meet this standard. The provision of new SANG will be subject to a case by case consultation with Natural England and depending upon the characteristics of the site or the proposed development, as well as its proximity to the SPA, a level of provision in excess of 8ha/1,000 persons may be required.
- 4.1.5 Strategic SANGs within Runnymede are owned and maintained by the Council and provide avoidance measures for developments that cannot provide their own on-site SANG. It will usually be possible for developments to take up capacity at the borough's strategic SANGs, subject to availability. However, in exceptional circumstances, evidence may demonstrate that developments should consider the feasibility of providing bespoke SANG. In these cases, the proposed measures must be agreed by Natural England. Further guidance on types of SANGs and the site size threshold is set out within this chapter.

4.2 SANG Catchments

- 4.2.1 All SANGs have catchment areas which are based on the overall size of the SANG. Residential developments with a net increase of 10 or more units that are allocated to a SANG should be located within the specific SANG's catchment area. SANG catchment areas are as follows:

Table 3. SANG Catchment Areas

SANG Size	Catchment Area
2 to 12 hectares	2km
12 to 20 hectares	4km
20+ hectares	5km

- 4.2.2 The standards for proximity to SANG apply to all residential developments with a net increase of 10 or more units. Developments with a net increase of less than 10 units need not be within a specified distance of a SANG, provided that overall there is sufficient SANG capacity within the Borough.
- 4.2.3 Natural England have indicated that where a suite of smaller SANGs can be linked through access management measures to function in combination as a much larger SANG, it will be acceptable to assign development against joint capacity.
- 4.2.4 For catchment areas of existing strategic SANGs provision within the borough, see Appendix 3.

4.3 SANG Capacity

4.3.1 Capacity at strategic SANGs is based on a tiered structure so that larger houses, which are likely to accommodate more people, use up more of the SANG capacity than small houses. This is in line with the approach adopted by the other local authorities affected by the Thames Basin Heaths and by the SAMM Project. Rather than being considered in terms of the numbers of dwellings, SANGs are considered in terms of the number of additional people that can be mitigated for. Average occupancy rates will be taken to be as follows:

Table 4. SANGs Occupancy Rates

Dwelling Size	Occupancy ⁴
1 bedroom/studio	1.40
2 bedrooms	1.85
3 bedrooms	2.50
4 bedrooms	2.85
5+ bedrooms	3.70

4.3.2 Where calculating the number of bedrooms for the purposes of determining the amount of SANG capacity a development requires, additional habitable rooms capable of realistic conversion to bedrooms will be included. Habitable rooms capable of future conversion into a bedroom will include, for a dwelling house with more than one storey, any room at first floor level and above with an external window (excluding kitchens, bathrooms and other sanitation areas), with a floor area greater than 6.5 sqm.

4.3.3 Where it is reasonable to assume that topography or the nature of the development, such as split level dwellings or houses of multiple occupation, will provide bedrooms on the ground floor, this area will be assessed in accordance with the guidance in paragraph 4.3.2. Applications for roof extensions and enlargements will be assessed in terms of habitable space and the potential for future conversion into bedrooms.

4.4 Delivery of SANG

4.4.1 The following guidance is based upon the Delivery Framework and Natural England's guidance on the creation of SANG⁵.

SANGs may be created from:

- Existing open space of SANG quality with limited or no existing public access, which for the purposes of mitigation could be made fully accessible to the public;
- Existing open space which is already accessible to the public but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the SPA;
- Land in other uses which could be converted into SANG.

⁴ Occupancy rates taken from Natural England's SAMM Tariff Guidance document, March 2011 and based on analysis of Census 2001 data for Thames Basin Heaths Authorities.

⁵ Natural England. (May 2006) Thames Basin Heaths Special Protection Area: Mitigation Standards for Residential Development.

- 4.4.2 No guidance is included on minimum site size, but the requirements set out in Appendix 5, including the requirement for a circular walk of a minimum 2.3 - 2.5km, may affect the practical size of a SANG. However, smaller areas of land may be used as SANG provided they physically connect to an existing SANG or other areas of land which are also suitable for SANG. Guidelines for the creation of suites of SANGs are located within Appendix 6.
- 4.4.3 Sufficient SANG must be delivered (identified, functional and secured in perpetuity) in advance of dwelling occupation / prior to first occupancy of a dwelling to ensure that there is no likely significant effect on the Thames Basin Heaths SPA from the development. The Council will seek to ensure that adequate SANG capacity is provided in the borough to provide avoidance measures for the expected amount and location of development as set out in the adopted Local Plan.
- 4.4.4 Planning consent is required for all types of SANG where a material change of use is to occur. All proposals for SANGs must include an in depth SANG Management Plan that clearly outlines the practical habitat management and explains how the requirements of the SANG Guidelines (see Appendices 5 and 6) will be met. The Council will seek biodiversity enhancements on sites which are to be SANGs and expect wildfire issues to be addressed where relevant in terms of design and planting.
- 4.4.5 The SANG Management Plan should include details of the managing body or organisation, capital costs and costs for in perpetuity management of the SANG in order to demonstrate that the SANG will deliver effective avoidance both at the outset and in perpetuity. The Management Plan should have regard to Policy EE9 of the Runnymede 2030 Local Plan, as well as any subsequent biodiversity and nature conservation policies in emerging Development Plan Documents, and Chapter 15 of the NPPF (Conserving and Enhancing the Natural Environment).
- 4.4.6 For new SANGs with no existing usage the carrying capacity will normally be the 8ha per 1,000 population standard, as shown in Table 2. Carrying capacity refers to the quantity of new visitors or recreational activity that a SANG can accommodate without detriment to the site. It will be necessary to carry out visitor surveys on potential SANGs prior to their adoption so that current usage levels can be assessed. Calculations of the capacity of individual SANGs will be set out in the proposal document for each SANG and will be agreed with Natural England.
- 4.4.7 Where a proposal for a SANG includes the use of existing public open space, the existing rights and patterns of public use must be taken into account and protected, and a degree of discounting carrying capacity must be applied to reflect this. Discounting is used to account for the existing carrying capacity for a given area, meaning the overall capacity of the SANG is reduced because some of the visitor capacity is already used. The impact of the proposed improvements to the land and accessibility through implementation of a SANG will, to some extent be absorbed by existing visitors' use of the site area. Appendix 7 includes a template for initial information gathering for prospective SANG proposals.
- 4.4.8 In the case of SANGs which have a recognised nature conservation interest, capacity will only be released where monitoring indicates that additional usage is having no adverse effect and the site can accommodate more recreational usage. In such cases it will be difficult to identify a definitive capacity. For this reason, it may be necessary to identify SANG capacity at a rate that is above the 8ha per 1,000 population standard.

- 4.4.9 As set out earlier in this document, SANGs are expected to be provided and funded in order that they can function in perpetuity which is considered to be at least 80 years, in accordance with legislation which defines ‘in perpetuity’ period (Perpetuities and Accumulations Act 2009).
- 4.4.10 The provision of SANG means that increased local pressure on the Thames Basin Heaths SPA will be offset in perpetuity. In considering what represents an “in perpetuity” solution for the purposes of funding, the Council will have regard to the following matters as appropriate:
- The funding must be sufficient for the indefinite future;
 - Where appropriate, as the basis for calculations, regard will be given to the statutory definitions of in perpetuity in force at the time; and
 - Funding mechanisms must be reliable, workable and enforceable, providing sufficient funding for the long term management of the SANG over an indefinite period to the satisfaction of the Council as the competent authority.
- 4.4.11 Natural England’s preference is for SANGs to be handed over to local authorities or similar bodies. This is to ensure that in perpetuity management can be securely provided by a body that is unlikely to become insolvent or dissolve. Where SANG land is not owned by the Council, Natural England may require the Council to agree ‘step-in rights’ either for itself or an approved and named organisation to ensure that mitigation is secure. Step-in rights will always be required where a third party management company is proposed to own and/or manage a SANG.
- 4.4.12 The use of step-in rights will be triggered where a SANG’s Management Plan is not being fulfilled, or in instances where it is necessary to ensure a SANG remains funded and maintained in perpetuity. In all cases where SANG land is not owned by the Council, the Council will seek an interest in the land to ensure that the SANG endures and the funding is used as set out in the SANG agreements. In every situation where step-in rights are required, they will be secured through a Section 106 or similar legal agreement and must be agreed with Natural England.
- 4.4.13 For large-scale developments, bespoke or third party private SANG proposals, Runnymede Borough Council encourage developers to engage with both Natural England and the Council at an early stage.
- 4.4.14 The Council will continue to work with other Councils, organisations and separate parties to deliver new SANGs. Joint working between the Council and other parties may be appropriate where the Council alone cannot provide sufficient SANG or there is the opportunity to add value and/or capacity to individual SANG by developing a network of SANG across local authority boundaries.

4.5 Strategic SANGs

- 4.5.1 Strategic SANGs are land which is owned and managed by the Council and to which developers pay financial contributions towards their enhancement to SANG status and long term management. Strategic SANGs provide avoidance for developments that cannot provide land for their own SANG. These are generally smaller developments for which the provision of bespoke SANG is not viable. Developments using strategic SANGs as mitigation contribute towards their enhancement, ongoing management and maintenance through contributions secured through a unilateral undertaking made pursuant to Section 106 of the Town and Country Planning Act 1990.

- 4.5.2 The level of the financial contribution depends upon the number of dwellings in the scheme, anticipated occupancy levels and their distance from the SPA as set out in Table 2.
- 4.5.3 Appendix 3 contains maps showing the location and catchment areas of Runnymede's strategic SANGs. Table 5 below lists the spaces in the borough which have been designated as suitable strategic SANGs and their catchment areas.

Table 5. Existing Strategic SANGs within Runnymede

Site	Date Designated ⁶	Original Capacity (units)		Discounted SANG (ha)	Catchment (km)
		Phased	Total		
Chertsey Meads	June 2020	1,822	1,822	35	5
Hare Hill	April 2007 December 2012	83 82	165	3.38	4
Homewood Park	August 2008	300	300	5.85	5
Queenswood / Ether Hill / Ottershaw Memorial Field	April 2007 December 2012	151 150	301	2.3	4
St Anns Hill	August 2008 December 2012	100 174	274	5.38	5
Timber Hill / Chaworth Copse / Ottershaw Chase	April 2007 December 2012	266 267	533	8.95	5
		Totals	3,395	60.86	

- 4.5.4 A schedule of Runnymede's remaining strategic SANG capacity will be made available on the Council's website and updated regularly.
- 4.5.5 Developers with large sites of residential units who wish to use a strategic SANG are encouraged to engage with the Council at an early stage to establish whether this approach will be acceptable. In exceptional circumstances, evidence may demonstrate that a bespoke solution will be effective in avoiding or mitigating the adverse impacts of housing development and visitor pressure on the SPA. In these cases, the proposed measures must be agreed by Natural England. A key consideration will be whether allocating strategic SANG capacity to the site would result in a shortage of SANG within Runnymede, especially for small scale developments.

4.6 Bespoke SANGs

- 4.6.1 Bespoke SANGs are new open spaces provided in exceptional circumstances by large developments, where the developer upgrades part of the land to SANG status or provides SANG off-site. Due to the scale of these developments; and the concentration of new residents arising in these locations, developers should seek to provide areas of SANG on-site in the first instance. Where this is not possible, off-site provision may be acceptable, assuming that the Council, in agreement with Natural England, can conclude that the off-site SANGs will function as an effective alternative to the SPA.

⁶ Two dates indicates that a second phase of SANG came forward following the original designation.

- 4.6.2 The land must be enhanced to SANG standard through in-kind works by developers as established within a s106 Agreement. Levels of existing visitor use on the land in question will need to be discounted to protect current access. Any existing nature conservation interests must also be taken into account and potentially discounted.
- 4.6.3 Whilst the SANGs quantity and quality standards set out within Table 2 and Appendices 5 and 6 are a useful starting point for the assessment of bespoke SANGs, compliance with these standards may not be sufficient to demonstrate that the requirements of the Habitats Regulations are met. A Habitats Regulations Assessment will be necessary to ensure that there is no likely significant effect or no adverse effect on the integrity of the SPA.
- 4.6.4 Due to the practicalities of providing bespoke SANGs which are large enough to be attractive to new residents, it is likely that only larger developments will be in a position to deliver acceptable bespoke SANGs. In order to generate a requirement for a minimum 2ha SANG, it is calculated that a minimum of 113 additional dwellings is necessary. This is based upon an average of 2.2 persons per dwelling and a SANG standard of at least 8ha per 1,000 new population. In practice SANGs are generally much larger since they are required to incorporate a minimum 2.3 to 2.5km walk.
- 4.6.5 In some circumstances, sites of fewer than 100 units situated between 400m and 5km of the SPA may be asked to make some on-site provision. Where the Council considers that an individual development proposal represents phased or piecemeal development of a larger overall site, the total capacity of the larger site will be taken into account when reaching a decision on whether an individual proposal should provide on-site mitigation.
- 4.6.6 Bespoke SANGs may have excess SANG capacity which can be allocated to developments in their catchment area in addition to those for which they were originally constructed. This needs to be carried out with the permission of the owner of the SANG and agreed with the Council and Natural England.
- 4.6.7 Rather than retain responsibility for maintaining in-kind semi-natural open space, a developer may want to offer the land to Runnymede Borough Council (with an in perpetuity maintenance contribution), another public body or set up a management company or community trust (all subject to appropriate ongoing funding). In this case the Council will need assurance that such an organisation has the necessary skills and resources to maintain the SANG and that it will remain in existence to achieve this in perpetuity. Early dialogue with the Council and Natural England is encouraged.
- 4.6.8 The maps in Appendix 4 show the locations and catchment areas of the agreed Bespoke SANG sites listed below in Table 6.

Table 6. Existing Bespoke SANGs within Runnymede

Site	Capacity Allocated (units)	Discounted SANG (ha)
Franklands Park	350	11.8
Chertsey Common, Longcross	200	5.1
Totals	550	16.9

4.7 Third Party Private SANGs

- 4.7.1 Third party, privately owned SANGs are SANGs provided and run by organisations or individuals other than the Council that are not tied to a particular development.
- 4.7.2 The land must be upgraded to SANG status in accordance with Natural England's SANG Quality Guidance and in agreement with the Council and Natural England, made publicly accessible at all times and arrangements put in place to ensure their maintenance in perpetuity.
- 4.7.3 Developers seeking to purchase SANG capacity from the third party SANG provider must agree the cost via a private contractual agreement between themselves and the owner of the SANG. Council approval must be sought to ensure that the development is located within the catchment area of the SANG and that there is sufficient SANG capacity remaining. The purchasing developer must then ensure that the mitigation is tied to their development scheme and ensure that SAMM payments are secured with the Council via a s106 Agreement. The s106 will include clauses to:
- ensure that the development is not occupied prior to the third party SANG capacity being secured, provided, made publicly available and that in perpetuity maintenance has been guaranteed; and
 - pay the required SAMM contributions.
- 4.7.4 For all privately owned SANGs, the Council will need to be able to monitor the allocation of SANG to new developments to ensure that the capacity of the site will not be exceeded. The Council will also need to monitor the cost of SANG provision to developers in order to monitor development viability. An effective mechanism for this process must be agreed with the Council and a monitoring fee may be charged.
- 4.7.5 At the time of writing, Runnymede does not contain third party private SANGs.

5. Strategic SANG Contributions

- 5.1.1 New development will be required to make financial contributions toward both SANG and SAMM. Contributions may in part be used to fund the staffing costs for monitoring and administration either within the Council or by a joint body to oversee parts or all of this work.
- 5.1.2 Monitoring will include surveys to be undertaken in future to observe visitor numbers to SANGs and the SPA.
- 5.1.3 For developments that must provide avoidance measures and which are not providing a bespoke SANG solution, contributions must be made to the Council for the use of capacity at one of the strategic SANGs the Council allocates to. As stated elsewhere in this SPD, it is advised that in exceptional circumstances developments may be required to consider the feasibility of providing bespoke SANG.
- 5.1.4 Each Strategic SANG has a finite SANG capacity in terms of the number of dwellings it can accommodate. Applications that require the allocation of strategic SANG capacity will be reserved when the application is registered. Strategic SANG capacity will be reserved on a first come, first served basis. This also applies to appeals that are registered. In instances where applications are refused or dismissed on appeal or where planning permission lapses, then the relevant allocated SANG capacity is returned for another development to utilise. Capacity is assigned when planning permission is granted but requires completion of a s106 agreement and payment in full of both SANG and SAMM contributions in order to secure the allocation in perpetuity. The Council monitors strategic SANG capacity on an ongoing basis.
- 5.1.5 Existing SANGs are required to be maintained to in accordance with Natural England's SANG standards. For new strategic SANG, the Council enhances the site on an incremental basis. These works are funded through contributions secured under a s106 obligation. Each development cannot be occupied until the relevant enhancement works are provided on the assigned strategic SANG. This is secured via a s106 Agreement with the developer to restrict occupation. The Council does not wait for the contributions to come in but instead 'pump primes' SANG enhancement works, the cost of which is then paid back by an equivalent amount from pooled s106 contributions. This ensures that occupations can take place in a timely manner.
- 5.1.6 All SANGs have catchments areas as described in section 4.2. Developments with a net increase of 10 dwellings or more can purchase capacity (subject to Council approval) if they fall within the catchment of a SANG. However, developments under 10 dwellings do not need to be within the catchment of a specific SANG and may be allocated SANG capacity from any Strategic SANG in the Borough.
- 5.1.7 Monies that are collected through s106 obligations for SANG will be ring-fenced in perpetuity to provide:
 - Initial capital enhancements of new strategic SANGs in accordance with the relevant SANG Management Plan;
 - Management and maintenance of strategic SANGs;
 - Facilitation costs associated with the operation and review of the strategy.

5.1.8 The Council has agreed the SANG enhancement works with Natural England and these are set out in SANG Management Plans. The works are carried out by the Council in accordance with the relevant SANG Management Plan. To determine the extent of the works required in the SANG Management Plan information is collated such as:

- survey information regarding visitors; accessibility; parking; user perception; and habitat/nature conservation qualities;
- the expertise of those with responsibility for open space management; and
- information from Natural England based upon its research.

5.1.9 The key SANG enhancements are to improve accessibility, to provide well-designed circular walks of more than 2.3 - 2.5km and to make semi-natural habitat more attractive in line with research carried out by Natural England.

5.1.10 The TBH Joint Strategic Partnership has agreed that the SANG contribution should be applied on a 'per bedroom' basis. Contributions need to be in proportion to the proposed development and sufficient to avoid and mitigate adverse effects.

5.1.11 The level of SANG contributions for a net increase in residential dwellings, based on an anticipated occupancy rate and within the 400m to 5km zone of influence are summarised as follows:

Table 7. SANG Tariff

Dwelling Size	Expected Occupancy	SANG Tariff
1 bedroom/studio	1.40	£1,265
2 bedrooms	1.85	£1,671
3 bedrooms	2.50	£2,259
4 bedrooms	2.85	£2,575
5+ bedrooms	3.70	£3,343

5.1.12 For residential conversions within use class C3 (residential) where the overall number of units increases, such as through sub-division of an existing dwelling, avoidance measures must be provided through the allocation of SANG.

5.1.13 The SANGs contribution will be calculated by taking both the net additional capacity and the occupancy of the existing dwelling into consideration, as demonstrated in the following worked example.

Example: Conversion of a 4-bedroom house to two 2-bedroom houses	
Existing Occupancy:	1 x 2.85 (1 x 4-bed) = 2.85
Proposed Occupancy:	2 x 1.85 (2 x 2-bed) = 3.70
Net Occupancy:	3.70 - 2.85 = 0.85 additional people
Therefore, mitigation would be required for 0.85 additional people.	

5.1.14 As noted within section 2.2, schemes incurring a net increase of 50 or more residential dwellings within the 5-7km zone are likely to be subject to discounting, the level of which is to be agreed by Natural England on a case by case basis.

6. SAMP Contributions

- 6.1.1 Strategic Access Management and Monitoring (SAMP) is a further avoidance measure, which is separate from SANGs. A contribution towards the SAMP project is required for all net new residential development, regardless of whether the SANGs provision is strategic, bespoke or via a third party private SANG. SAMP funds are not used for the delivery, maintenance or management of SANGs. Contributions are divided between annual expenditure (30%) and a long term investment fund (70%). Whereas SANG contributions are collected individually by each local authority, the Board of the Joint Strategic Partnership Board (JSP) endorsed the principle of a separate single tariff to fund SAMP measures, to be collected centrally and used strategically across the SPA.
- 6.1.2 The SAMP Project is funded by s106 contributions. The tariff is collected from the relevant local authorities by an administrative body (Hampshire County Council) and the delivery managed by Natural England. The JSP has agreed that the SAMP contribution should be applied on the basis of expected occupancy. Local occupancy rates based on evidence underpinning the adopted Local Plan have been used to calculate SAMP contributions. This is based on a programme of access management and monitoring measures set out in the Thames Basin Heaths SAMP Project Tariff Guidance document, produced by Natural England in March 2011⁷.
- 6.1.3 SAMP contribution rates for a net increase in residential dwellings within the 400m to 5km zone of influence, and prior to any level of discounting permitted by Natural England, are set out within Table 8.

Table 8. SAMP Tariff

Dwelling Size	Expected Occupancy	SAMP Tariff
1 bedroom/studio	1.40	£398
2 bedrooms	1.85	£526
3 bedrooms	2.50	£711
4 bedrooms	2.85	£811
5+ bedrooms	3.70	£1,053

- 6.1.4 Schemes incurring a net increase of 50 or more residential dwellings within the 5-7km zone are likely to be subject to discounting, subject to agreement by Natural England and evaluated on a case by case basis.
- 6.1.5 Contributions may be updated to reflect increased costs or works, in accordance with guidance from the JSP. This will not affect contributions already paid or committed. Where a development site is providing mitigation through a bespoke onsite SANG, there will still be a requirement to provide SAMP contributions.

⁷ Natural England (2011) Thames Basin Heaths Strategic Access Management and Monitoring Project Tariff Guidance

- 6.1.6 Where developments are seeking to contribute to a SANG controlled by a third party, all contributions for SAMM must be paid to the Council who will release funds to the third party in accordance with the arrangements in place to deliver and maintain the SANG. In addition to the tariff quoted below, an administration cost would also be applied in such instances to account for officer hours. This will ensure that the Council fulfils its duty as competent authority to ensure that avoidance measures are provided to the required standard and that monies are available for access management and monitoring.
- 6.1.7 Based on the information contained within chapters 5 and 6, Table 9 provides a summary of cumulative SAMM and SANG contributions within the 400m to 5km Zone of Influence.

Table 9. Summary of Tariffs

Dwelling Size	SANG Tariff	SAMM Tariff	Tariffs Total
1 bedroom/studio	£1,265	£398	£1,663
2 bedrooms	£1,671	£526	£2,197
3 bedrooms	£2,259	£711	£2,970
4 bedrooms	£2,575	£811	£3,386
5+ bedrooms	£3,343	£1,053	£4,396

- 6.1.8 Any s106 contribution payments to be made to the Council are to be secured by planning obligations and paid no later than prior to occupation of the first dwelling. If a large development is likely to be built in phases, payment by instalment may be considered.

Glossary and Abbreviations

Annual Monitoring Report (AMR): A statutory requirement, the report contains specific information such as status and progress of the Authority's Local Plan, the performance of policies and details as to the Authority's endeavours with regard to Duty to Cooperate

Appropriate Assessment (AA): An assessment, required under the Habitats Directive, if a plan or project is judged as likely to have a significant effect on a Natura 2000 site.

Competent Authority: The decision maker under the Habitats and Species Regulations 2017 (or as subsequently amended); often the local authority but could be a planning inspector or other body responsible for assessing a plan or project.

Delivery Framework: Sub-regional guidance on Thames Basin Heaths SPA avoidance and mitigation methods, produced and endorsed by the Thames Basin Heaths Joint Strategic Partnership Board.

Development Plan: A set of documents, which at the time of this SPD's adoption comprises the Runnymede Local Plan 2030, saved Policy NRM6 in the South East Plan and the waste and minerals plans produced by Surrey County Council. It also includes any 'made' neighbourhood plans. Section 54A of the Town and County Planning Act 1990 requires that planning applications and appeals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Duty to Cooperate (DtC): The Duty to Cooperate was introduced by the Localism Act 2011 to replace Regional Strategies. It places a legal duty on all local planning authorities and other public bodies to work together constructively, actively and on an ongoing basis in the planning of cross-boundary issues.

Habitats Regulations Assessment (HRA): An assessment, required under the Habitats Directive, if a plan or project is judged as likely to have a significant effect on a Natura 2000 site.

Local Plan: A Local Plan is a portfolio of documents which plans for the future development of a local area. It is drawn up by the local planning authority in consultation with the community and subject to an examination before an independent Planning Inspector. It sets planning policies for the area as well as allocating land for development or protection. A Local Plan is part of the development plan for an area and is the key document used to determine planning applications for new development within Runnymede.

Local Planning Authority (LPA): A Local Planning Authority undertakes the town planning function at the local level (except minerals and waste planning which is undertaken at a County Council level).

National Planning Policy Framework (NPPF): The National Planning Policy Framework sets out the government's planning policies for England.

Natura 2000 Sites: An ecological network of sites (SPAs and SACs) established under the Habitats Directive to provide a strong protection for Europe's wildlife areas.

Natural England (NE): A non-departmental public body that advises the government about the natural environment for England. NE is responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils, are protected and improved. It also has a responsibility to help people enjoy, understand and access the natural environment.

Section 106 Agreement (s106): A legal agreement between planning authorities and developers, described at section 106 of the Town and Country Planning Act 1990 as amended. S106 agreements secure planning obligations (such as financial contributions or infrastructure) that are required to make a development acceptable in planning terms.

South East Plan (SEP): The Regional Spatial Strategy for the South East of England which was adopted in May 2009 and set out a vision for the future of the region to 2026. It outlined how the region would respond to challenges such as housing, the economy, transport and protecting the environment. It was partially revoked in February 2013, excepting Policy NRM6 'Thames Basin Heath SPA' which remains in force.

Special Area of Conservation (SAC): Sites that have been adopted by the European Commission and formally designated by the government of each country in whose territory the site lies. They form part of a European network of important high-quality conservation sites that make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the European Commission's Habitat Directive (as amended).

Special Protection Area (SPA): Sites which are strictly protected and classified in accordance with the European Commission's Birds Directive which came into force in April 1979. They are classified for rare and vulnerable birds (as listed on Annex I of the Birds Directive), and for regularly occurring migratory species for rare and vulnerable birds and for other migratory species.

Site of Special Scientific Interest (SSSI): A conservation designation, the SSSI designation provides statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. It also underpins other national and international nature conservation designations, such as national nature reserves, SPAs and SACs.

Strategic Access Management & Monitoring (SAMM): This is a financial contribution sought from certain types of new development within the Borough which goes towards access management of the Thames Basin Heaths Special Protection Area and towards monitoring this and the effectiveness of Suitable Alternative Natural Green Spaces.

Strategic Access Management and Monitoring Project: This is a project overseen by Natural England that implements monitoring, warden arrangements and public education messages across the Thames Basin Heaths SPA.

Suitable Alternative Natural Greenspace (SANG): This is the name given to the green spaces that are of a quality and type suitable to divert potential visitors away from the Thames Basin Heaths Special Protection Area.

Supplementary Planning Document (SPD): A planning document produced at the local level to build upon and provide more detailed advice or guidance on local policies.

Thames Basin Heaths Joint Strategic Partnership (JSP): Partnership of Thames Basin Heaths-affected Local Authorities and key stakeholders, which form and oversee the implementation of sub-regional guidance, for example the Delivery Framework.

Thames Basin Heaths Special Protection Area (TBHSPA): Designated on 9th March 2005, the Thames Basin Heaths Special Protection Area forms part of Natura 2000, a European-wide network of sites of international importance for nature conservation established under the European Community Wild Birds and Habitat directives. It comprises lowland heath supporting important populations of Dartford Warbler, Nightjar and Woodlark - vulnerable ground-nesting birds. It extends over 11 local authorities in Surrey, Berkshire and Hampshire.

Appendix 1: Saved South East Plan Policy NRM6 (2009)

Thames Basin Heaths Special Protection Area

New residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Such measures must be agreed with Natural England.

Priority should be given to directing development to those areas where potential adverse effects can be avoided without the need for mitigation measures. Where mitigation measures are required, local planning authorities, as Competent Authorities, should work in partnership to set out clearly and deliver a consistent approach to mitigation, based on the following principles:

- i. a zone of influence set at 5km linear distance from the SPA boundary will be established where measures must be taken to ensure that the integrity of the SPA is protected.
- ii. within this zone of influence, there will be a 400m “exclusion zone” where mitigation measures are unlikely to be capable of protecting the integrity of the SPA. In exceptional circumstances, this may vary with the provision of evidence that demonstrates the extent of the area within which it is considered that mitigation measures will be capable of protecting the integrity of the SPA. These small locally determined zones will be set out in local development frameworks (LDFs) and SPA avoidance strategies and agreed with Natural England.
- iii. where development is proposed outside the exclusion zone but within the zone of influence, mitigation measures will be delivered prior to occupation and in perpetuity. Measures will be based on a combination of access management, and the provision of Suitable Accessible Natural Greenspace (SANG).

Where mitigation takes the form of provision of SANG the following standards and arrangements will apply:

- iv. a minimum of 8 hectares of SANG land (after discounting to account for current access and capacity) should be provided per 1,000 new occupants
- v. developments of fewer than 10 dwellings should not be required to be within a specified distance of SANG land provided it is ensured that a sufficient quantity of SANG land is in place to cater for the consequent increase in residents prior to occupation of the dwellings
- vi. access management measures will be provided strategically to ensure that adverse impacts on the SPA are avoided and that SANG functions effectively
- vii. authorities should co-operate and work jointly to implement mitigation measures. These may include, inter alia, assistance to those authorities with insufficient SANG land within their own boundaries, co-operation on access management and joint development plan documents
- viii. relevant parties will co-operate with Natural England and landowners and stakeholders in monitoring the effectiveness of avoidance and mitigation measures and monitoring visitor pressure on the SPA and review/amend the approach set out in this policy, as necessary

- ix. local authorities will collect developer contributions towards mitigation measures, including the provision of SANG land and joint contributions to the funding of access management and monitoring the effects of mitigation measures across the SPA
- x. large developments may be expected to provide bespoke mitigation that provides a combination of benefits including SANG, biodiversity enhancement, green infrastructure and potentially, new recreational facilities.

Where further evidence demonstrates that the integrity of the SPA can be protected using different linear thresholds or with alternative mitigation measures (including standards of SANG provision different to those set out in this policy) these must be agreed with Natural England.

The mechanism for this policy is set out in the TBH Delivery Framework by the TBH Joint Strategic Partnership and partners and stakeholders, the principles of which should be incorporated into local authorities' LDFs.

Appendix 2: Runnymede 2030 Local Plan Policy EE10

Policy EE10: Thames Basin Heaths Special Protection Area

Within 400m of the boundary of the Special Protection Area, no additional residential development will be permitted. Non-residential development within 400m may require an Appropriate Assessment under the Habitats Regulations.

All additional residential development (including strategic allocations) beyond the 400m Special Protection Area exclusion zone, but within 5km of the Special Protection Area boundary, will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area. These must be delivered prior to occupation and in perpetuity and agreed with Natural England. To meet these requirements developments will need to:

- provide or contribute to Suitable Alternative Natural Green Space at a standard of at least 8 hectares per 1000 residents (minimum after any discounting); Proposals for new Suitable Alternative Natural Green Spaces will not be accepted unless agreed by Natural England; and
- Make a financial contribution towards Strategic Access Management and Monitoring at the Special Protection Area.

or

- contribute towards enhancing the strategic Suitable Alternative Natural Green Space provision that is made in the Council's Special Protection Area Interim Guidance or any subsequent update of it through the existing licensing scheme or any future agreed mechanism. Developments of fewer than 10 dwellings should not normally be required to be within a specified distance of SANG land; and
- make a financial contribution towards Strategic Access Management and Monitoring at the Special Protection Area.

or

- in exceptional circumstances, evidence may demonstrate that a bespoke solution will be effective in avoiding or mitigating the adverse impacts of housing development and visitor pressure on the Special Protection Area. In these cases, the proposed measures must be agreed by Natural England.

For sites beyond the 5km zone of influence, an Appropriate Assessment may be required under the Habitats Regulations Assessment to determine whether there will be a likely impact on the integrity of the Thames Basin Heath Special Protection Area. This is likely for residential developments of 50 new dwellings and above between 5km and 7km from the Special Protection Area. Likewise, development that falls within a C1 or C2 use may have an impact on the integrity of the SPA. For any sites where impacts are likely, a bespoke solution will need to be assessed on a case by case basis and agreed with Natural England but will be based on the above three options.

Over the lifetime of the Local Plan, should the Council not be able to demonstrate there is sufficient Suitable Alternative Natural Greenspaces capacity for mitigation, the Local Plan will need to be reviewed.

Appendix 3: Strategic SANG and Catchment Area Maps

Figure 3. Chertsey Meads SANG Catchment Area

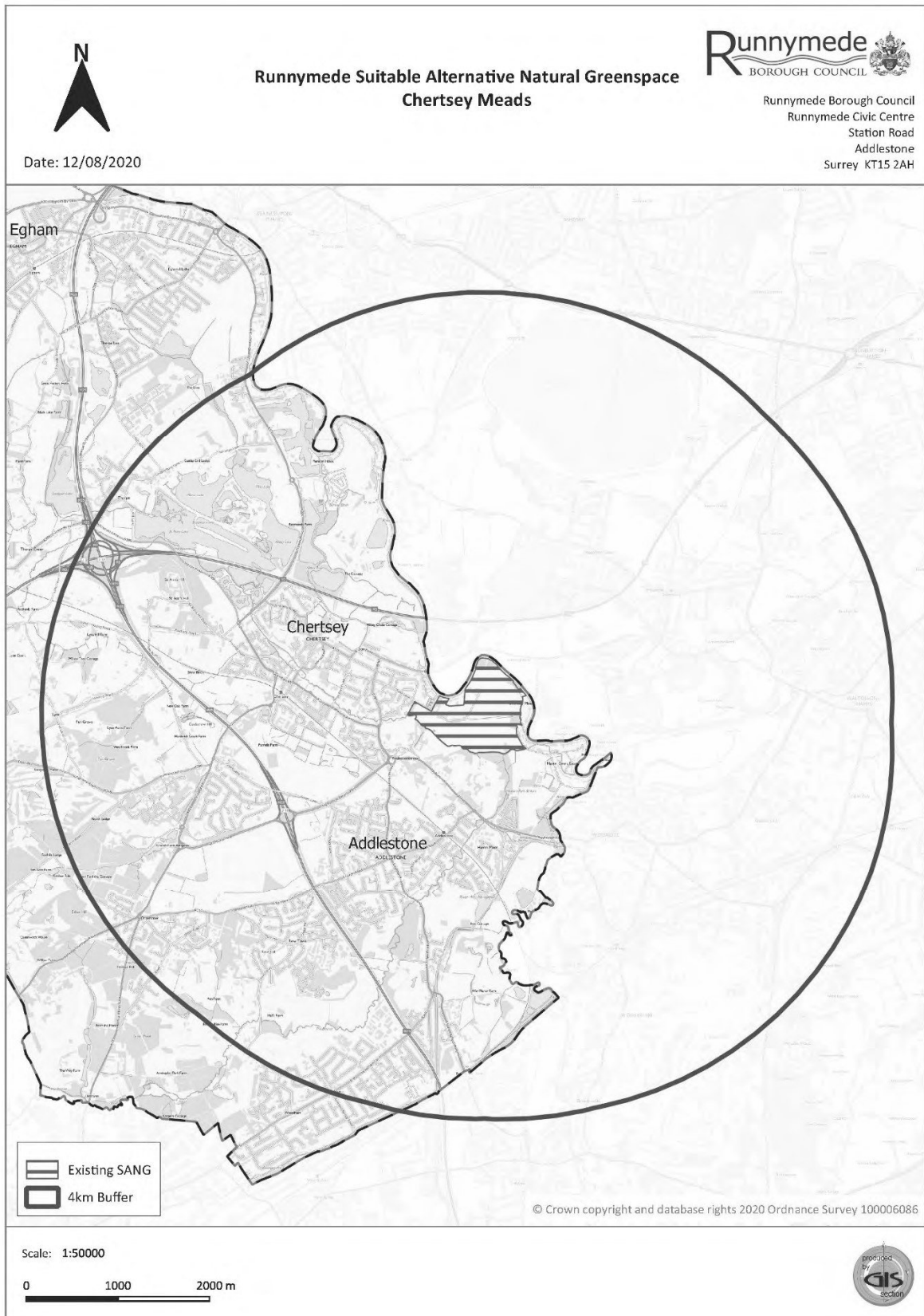


Figure 4. Hare Hill SANG Catchment Area



Figure 5. Homewood Park SANG Catchment Area



Figure 6. Queenswood, Ether Hill and Ottershaw Memorial Field SANGs Catchment Area



Figure 7. St. Ann's Hill SANG Catchment Area

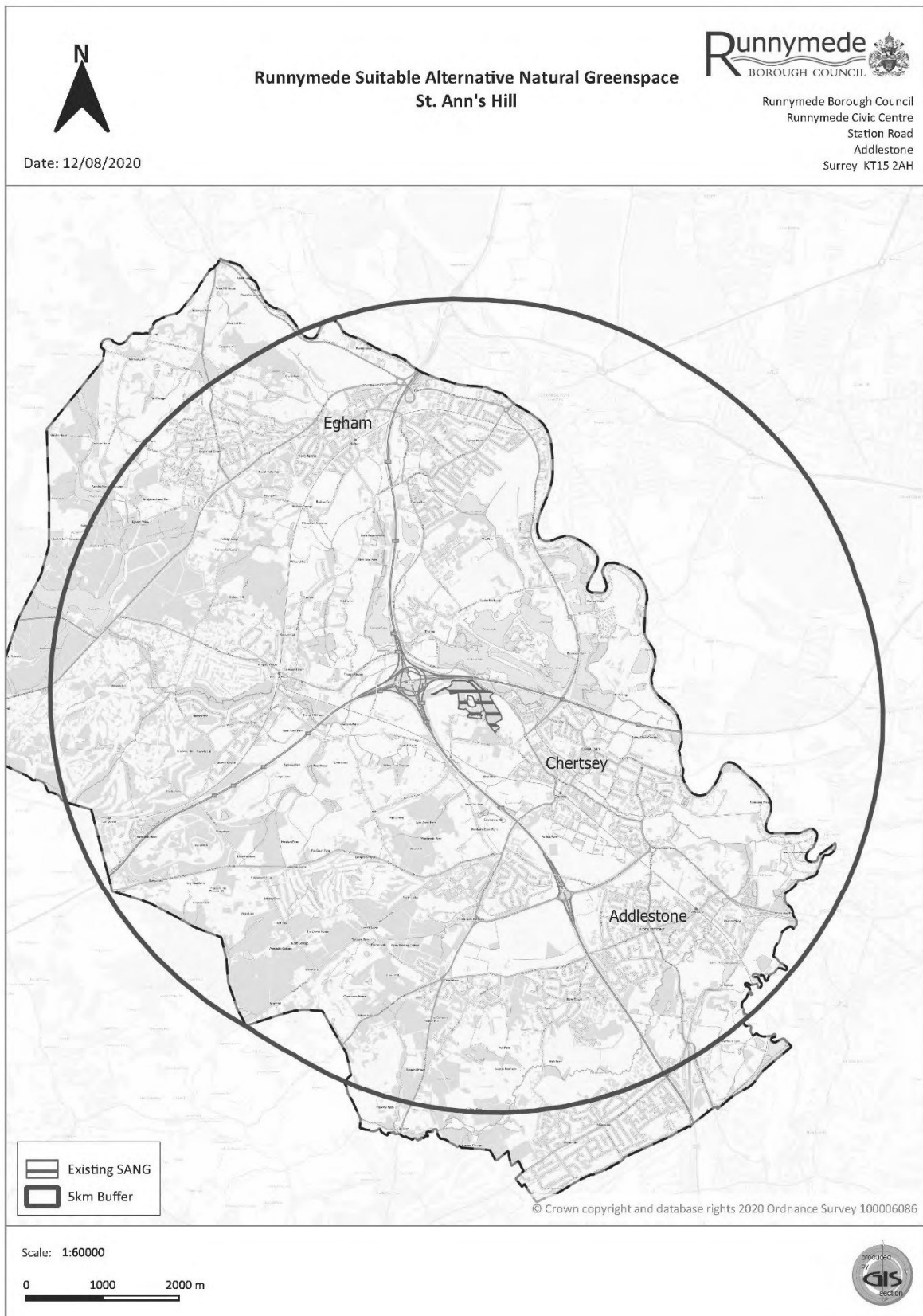


Figure 8. Timber Hill, Chaworth Copse and Ottershaw Chase SANGs Catchment Area



Appendix 4: Bespoke SANGs Maps

Figure 9. Chertsey Common SANG



Figure 10. Franklands Park SANG



Appendix 5: Guidelines for the Creation of SANGs

Natural England (2008)

The wording in the list below is precise. The requirements referred to as “must” are essential in all SANGs. Those requirements listed as “should have” should all be represented within the suite of SANGs, but do not all have to be represented in every site. All SANGs should have at least one of the features on the “desirable” list.

Must have

- For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance (400m) of the developments linked to it.
- It should include a circular walk of 2.3-2.5km around the SANGs. On sites with car parks this should start and finish there.
- Sites of 10ha or more must have adequate car parking. These should be clearly signposted and easily accessed.
- Car parks must be easily and safely accessible by car and should be clearly sign posted.
- The accessibility of the site must include access points appropriate for the particular visitor use the SANGs is intended to cater for.
- The SANGs must have a safe route of access on foot from the nearest car park and/or footpath/s.
- SANGs must be designed so that they are perceived to be safe by users; they must not have tree and scrub cover along parts of the walking routes.
- Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming too urban in feel.
- SANGs must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks. Visually sensitive way-markers and some benches are acceptable.
- All SANGs larger than 12 ha must aim to provide a variety of habitats for users to experience.
- Access within the SANGs must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.
- SANGs must be free from unpleasant intrusions (e.g. sewage treatment works smells etc).

Should have

- SANGs should be clearly sign-posted or advertised in some way.
- SANGs should have leaflets and/or websites advertising their location to potential users. It would be desirable for leaflets to be distributed to new homes in the area and be made available at entrance points and car parks.
- SANGs should link into longer walks of 5km or more through footpath or other green networks

Desirables

- It would be desirable for an owner to be able to take dogs from the car park to the SANGS safely off the lead.
- Where possible it is desirable to choose sites with a gently undulating topography for SANGS.
- It is desirable for access points to have signage outlining the layout of the SANGS and the routes available to visitors.
- It is desirable that SANGS provide a natural space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water on part, but not the majority of sites is desirable.
- Where possible it is desirable to have a focal point such as a viewpoint within the SANGS.
- Larger SANGS or those grouped close together should aim to provide longer walks of 5km or more.
- Design and management of the SANG should contribute to relevant Biodiversity Opportunity Area Priority habitat restoration/creation objectives, where appropriate.

Appendix 6: Guidelines for the Creation of a Suite of SANGS

Natural England (2008)

The wording in the list below is precise and has the following meaning:

- Requirements referred to as “must” are essential in all SANGS
- Those requirements referred to as “should have” should all be represented within the suite of SANGS, but do not all have to be represented in every site.
- All SANGS should have at least one of the “desirable” features.

Must have

- For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance (400m) of the developments linked to it. The amount of car parking space should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANGS and the SPA.
- It should be possible to complete a circular walk of 2.3-2.5km around the SANGS.
- Car parks must be easily and safely accessible by car and should be clearly sign posted.
- The accessibility of the site must include access points appropriate for the particular visitor use the SANGS is intended to cater for.
- The SANGS must have a safe route of access on foot from the nearest car park and/or footpath/s
- All SANGS with car parks must have a circular walk which starts and finishes at the car park.
- SANGS must be designed so that they are perceived to be safe by users; they must not have tree and scrub cover along parts of the walking routes
- Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming too urban in feel.
- SANGS must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks. Visually sensitive way-markers and some benches are acceptable.
- All SANGS larger than 12 ha must aim to provide a variety of habitats for users to experience.
- Access within the SANGS must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.
- SANGS must be free from unpleasant intrusions (e.g. sewage treatment works smells etc.).

Should have

- SANGS should be clearly sign-posted or advertised in some way.
- SANGS should have leaflets and/or websites advertising their location to potential users. It would be desirable for leaflets to be distributed to new homes in the area and be made available at entrance points and car parks.

Desirable

- It would be desirable for an owner to be able to take dogs from the car park to the SANGS safely off the lead.
- Where possible it is desirable to choose sites with a gently undulating topography for SANGS
- It is desirable for access points to have signage outlining the layout of the SANGS and the routes available to visitors.
- It is desirable that SANGS provide a naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water on part, but not the majority of sites is desirable.
- Where possible it is desirable to have a focal point such as a viewpoint, monument etc. within the SANGS.

Appendix 7: SANGs Information Form

This form is designed to help you gather information about any potential SANGS. For more guidance on the creation of SANGS, please also refer to the relevant Borough Council's Thames Basin Heaths SPA Interim Avoidance Plan.

Natural England, Local Planning Authorities, and other organisations will then be able to consider the potential suitability of the proposed SANGS based on this initial information.

Background information

Name and location of proposed SANGs <i>(please attach a map of the site with the boundaries clearly marked)</i>	Name: Address: Grid reference:
Size of the proposed SANGs (hectares), excluding water features	
Any current designations on land – e.g. LNR / SSCI	
Current owners name and address <i>(if there is more than one owner then please attach a map)</i>	
Who manages the land?	
Legal arrangements for the land – e.g. how long is the lease?	
Is there a management plan for the site? <i>(if so, please attach)</i>	

Current visitor arrangements

Is the site currently accessible to the public?	
Does the site have open access?	
Has there been a visitor survey of the site? <i>(if so, please attach)</i>	
If there has been no visitor survey, please give an indication of the current visitor levels on site	High / Medium / Low
Does the site have existing car parking? <i>(if yes, please mark car parks and number of car parking spaces on the site map)</i>	Yes / No How many car parks? How many car parking spaces?
Are there any existing routes or paths on the site? <i>(if yes, please mark these on the map)</i>	Yes / No
Are there signs to direct people to the site? <i>(please indicate where and what type of sign)</i>	

Runnymede Borough Council

**Thames Basin Heaths Special Protection Area
Supplementary Planning Document (SPD)**

Strategic Environmental Assessment (SEA)

Screening Statement - Determination under Regulation 9 of the SEA Regulations 2004

Habitats Regulations Assessment (HRA)

Screening Statement – Determination under Regulation 105 of the Conservation of Habitats
and Species Regulations 2017

August 2020

Introduction

- 1.1. This Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening determination has been undertaken by Runnymede Borough Council in their duty to determine whether the Thames Basin Heaths Special Protection Area (SPA) Supplementary Planning Document (SPD) requires SEA or HRA. This screening assessment is based on the draft SPD dated August 2020.
- 1.2. Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities to determine whether or not a Strategic Environmental Assessment is required for certain plans, policies or programmes. This statement also sets out the Borough Council's determination as to whether Appropriate Assessment is required under Regulation 105 of the Conservation of Habitats & Species Regulations 2017.
- 1.3. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent of projects or which require Appropriate Assessment must be subject to an environmental assessment.
- 1.4. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.
- 1.5. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Borough Council must determine if a plan requires an environmental assessment. In accordance with Article 6 of the Habitats Directive (92/43/EEC) and Regulation 105 of the Conservation of Habitats & Species Regulations 2017, the Borough Council is the competent authority for determining if a plan requires Appropriate Assessment.

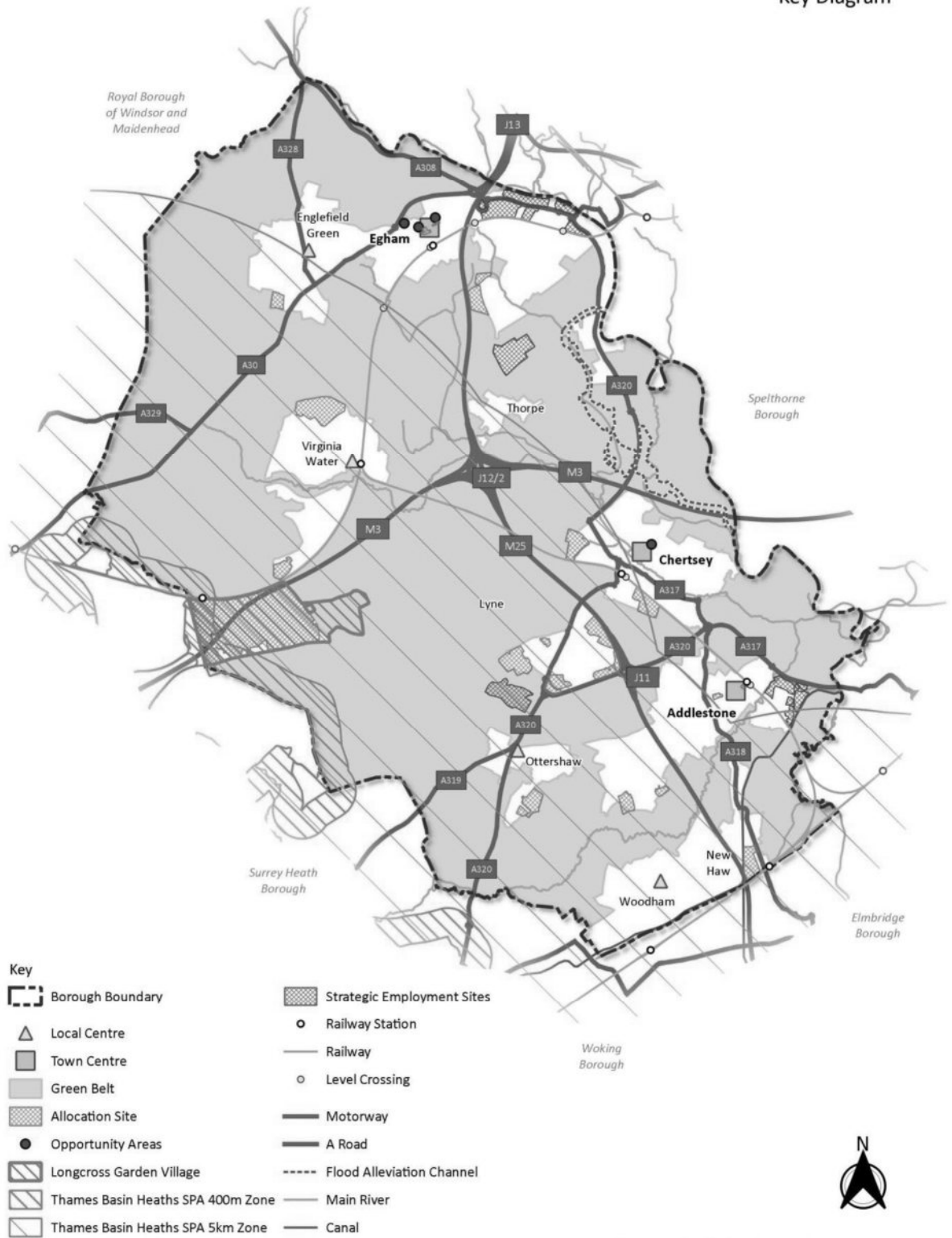
Background to the Thames Basin Heaths Special Protection Area SPD

- 1.6. The Planning & Compulsory Purchase Act 2004 (as amended) makes provision for local authorities to prepare and adopt Local Development Documents which can include SPDs. However, an SPD does not form part of the Development Plan for an area as set out in Section 38 of the Planning & Compulsory Purchase Act 2004 (as amended) but it is a material consideration in taking planning decisions.
- 1.7. An SPD is required to be consulted on and adopted by the Borough Council and once implemented sets out additional planning guidance that supports and/or expands upon the Policies of a Local Plan. Chapter 15 of the National Planning Policy Framework (2019), saved Policy NRM6 of the South East Plan (2009) and Policy EE10 of the adopted Runnymede 2030 Local Plan require the SPA to be protected from new residential development which is likely to have a significant effect on the ecological integrity of the SPA.
- 1.8. The 2009 Thames Basin Heaths SPD took forward the agreed approach set out in the JSPB Delivery Framework in relation to the Borough's mitigation strategy. Aspects of the existing Thames Basin Heaths Special Protection Area Avoidance Strategy are now out of date and therefore the SPD requires updating to ensure it is in accordance with current policy and guidance, and to reflect changes to more equitable mechanisms for collecting developer contributions. It will also help to ensure that Suitable Alternative Natural Greenspace (SANG) is delivered appropriately within the Borough and is managed and maintained in perpetuity, in accordance with Natural England's guidance.

- 1.9. The proposed Thames Basin Heaths Special Protection Area SPD is intended to provide general guidance on the Council's approach to avoidance of likely significant effect on the Thames Basin Heaths SPA arising primarily from a net increase in residential development located between 400m to 7km from the perimeter of the Special Protection Area. This area covers all but the northern most parts of the area within the jurisdiction of Runnymede Borough Council and contains the urban areas of Ottershaw, Woodham & New Haw and Virginia Water, along with parts of Addlestone, Englefield Green and Chertsey.
- 1.10. Interspersed between the urban areas is designated Green Belt holding numerous wooded copses, golf courses and businesses as well as small pockets of development, agriculture and equestrian uses. The M25 and M3 motorways bisect the Borough north-south and east-west respectively and effectively cut the Borough into four quarters. There are six rail stations in Runnymede Borough offering direct services to London Waterloo, Reading & Woking. A plan of the designated area is shown in Plan 1-1.

Plan 1-1: Map of Runnymede Borough

Runnymede Borough Key Diagram



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- 1.11. There are numerous areas of woodland/copses designated as ancient/semi-natural or ancient replanted woodland which are also identified as priority habitat as well as swathes of woodpasture and parkland which is a national Biodiversity Action Plan (BAP) designation. Priority habitat designations also include areas of lowland meadows, lowland heathland, and lowland fens. There are five SSSIs located in the Borough area, Basingstoke Canal, Langham Pond, Thorpe Haymeadow, Thorpe no.1 Gravel Pit and Windsor Forest.
- 1.12. Unit 2 of the Basingstoke Canal SSSI lies to the south of the Borough and is in an unfavourable, no change status which does not meet the PSA target of 95% in favourable or unfavourable recovering status. Status reasons are extent of habitat, lack of plant diversity and poor water quality.
- 1.13. Langham Pond SSSI is formed of 3 units. 100% of the SSSI is in a favourable or unfavourable recovering status, meeting the PSA target. The Thorpe Haymeadow SSSI is formed of one unit in a favourable condition, which also meets the PSA Target.
- 1.14. The Thorpe no.1 Gravel Pit SSSI is formed of one unit and is in a favourable condition status meeting the PSA target. The SSSI also forms part of the wider South West London Water Bodies Special Protection Area (SPA) and Ramsar, an internationally designated site for nature conservation importance.
- 1.15. The Windsor Forest SSSI is formed of 22 units with units 10, 11 and 16 within or partly within Runnymede. The SSSI is in 100% favourable condition status and meets the PSA target of 95%. The SSSI also forms part of the Windsor Forest & Great Park Special Area of Conservation (SAC) another internationally designated site for nature conservation importance.
- 1.16. Another internationally designated site, the Thursley, Ash, Pirbright & Chobham SAC, is located outside of the Borough but within 5km of its boundary. This also forms part of the wider Thames Basin Heaths SPA with the Borough also lying within 5km of other units of the TBH SPA. As such, small areas in the west of the Borough lie within the 0-400m zone of influence with large areas of the borough covered by the 400m-5km or 5km-7km zones of influence.
- 1.17. The Borough also lies within 12km of the Mole Gap to Reigate Escarpment SAC, 12.2km from Burnham Beeches SAC, 13km of the Richmond Park and Wimbledon Common SACs, 20km from the Chiltern Beechwoods SAC, 23km from the Wealden Heaths Phase I SPA and its component parts (including Thursley, Hankley & Frensham Commons SPA and Thursley & Ockley Bog Ramsar) and 30km from the Wealden Heaths Phase II SPA.
- 1.18. There are also over 30 Sites of Nature Conservation Importance (SNCl)s in the Borough as well as two Local Nature Reserves at Chertsey Meads and Riverside Walk in Virginia Water. The Borough lies within the River Wey and Tributaries catchment and there are large areas of the Borough, including within its urban areas which lie within flood risk zones 2 and 3 including functional floodplain.
- 1.19. The Thames Basin Heaths Special Protection Area SPD dated August 2020 does not form part of the Development Plan for the area and does not allocate any sites for development or propose policies for the use of land but is a material consideration in decision making. The adopted 2030 Local Plan which is the document which allocates sites and contains policies concerning land use has been the subject of Sustainability Appraisal (including the requirements for Strategic Environmental Assessment) as well as Habitats Regulations Assessment (HRA).

- 1.20. The SPD instead sets out guidance on how Runnymede Borough Council will implement avoidance and mitigation measures for a net increase in residential development located between 400m to 7km of the SPA. It also sets out the issues which may need to be considered for non-residential development.
- 1.21. The SPD includes information on:
- the potential effects of development proposals on the integrity of the SPA;
 - the types of development proposals likely to require SPA avoidance and mitigation measures;
 - SPA buffer zones;
 - Suitable Alternative Natural Greenspaces (SANGs);
 - Strategic Access Management and Monitoring (SAMM);
 - bespoke and third party mitigation solutions; and
 - developer contributions.
- 1.22. The Council intends to adopt the Thames Basin Heaths Special Protection Area SPD following a thorough public consultation process. Once adopted, it will form part of the Council's policy context and will be a material consideration when applications are being considered.

Sustainability Appraisal

- 1.23 The Planning and Compulsory Purchase Act 2004 and associated Regulations (as amended), requires a local authority to carry out a Sustainability Appraisal (SA) for their Local Plan documents. This considers the social and economic impacts of a plan as well as the environmental impacts. SPDs are not Local Plan documents and therefore a Sustainability Appraisal is not required.

Habitats Regulations Assessment (HRA) – Screening

- 1.24 The need to undertake an Appropriate Assessment as part of an HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 105 of the Conservation of Habitats and Species Regulations 2017. The Appropriate Assessment stage of HRA is only required should the preliminary screening assessment not be able to rule out likely significant effects.
- 1.25 The European Habitats Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. The Habitats Directive states that any plan or project not connected to or necessary for a site's management, but likely to have significant effects thereon shall be subject to appropriate assessment. There are four distinct stages in HRA namely:

Step 1: Screening – Identification of likely impacts on a European site either alone or in combination with other plans/projects and consideration of whether these are significant. Following the decision of the ECJ in the *People Over Wind & Sweetman v. Coillite Teoranta (C-323/17)* case, avoidance and/or mitigation measures cannot be taken into account at the screening stage and it is purely an exercise to determine if possible pathways for effect exist and whether these can be ruled out taking account of the precautionary principle. It is the opinion of this HRA screening assessment and in light of the Planning Practice Guidance Note on Appropriate

Assessment that adopted policies of the current development plan cannot be taken into account at this stage of HRA where they are proposing mitigation for European Sites. Similarly any HRA undertaken for other development plan documents which have not been through Examination in Public (EiP) and found sound should only be given limited weight.

Step 2: Appropriate Assessment – consideration of the impact on the integrity of the European Site whether alone or in combination with other plans or projects with respect to the sites structure, function and conservation objectives. Where there are significant effects, step 2 should consider potential avoidance and/or mitigation measures.

Step 3: Assessment of Alternative Solutions – Assessing alternative ways of achieving the objectives of the plan/project which avoids impact, if after Step 2 significant effect cannot be ruled out even with avoidance or mitigation measures; and

Step 4: Assessment of Compensatory Measures – Identification of compensatory measures should impact not be avoided and no alternative solutions exist and an assessment of imperative reasons of overriding public interest (IROPI) deems that a project should proceed.

- 1.26 Should step 1 reveal that significant effects are likely or effect cannot be discounted because of uncertainty, then it is necessary to move onto step 2: Appropriate Assessment. If step 2 cannot rule out significant effect even with avoidance and/or mitigation, then the process moves onto step 3 and finally step 4 if no alternative solutions arise.

Step 1 - Screening

- 1.27 There are four stages to consider in a screening exercise:

Stage 1: Determining whether the plan/project is directly connected with or necessary to the management of the site;

Stage 2: Describing the plan/project and description of other plan/projects that have the potential for in-combination impacts;

Stage 3: Identifying potential effects on the European site(s); and

Stage 4: Assessing the significance of any effects.

Stage 1

- 1.28 It can be determined that the Thames Basin Heaths Special Protection Area SPD is not directly connected with or necessary to the management of a European site.

Stage 2

- 1.29 Information about the Thames Basin Heaths Special Protection Area SPD can be found in paragraphs 1.6 to 1.22 of this screening assessment. Table 1-1 lists those other plans and projects, which may have in-combination impacts.

Table 1-1: Other Key Plans/Projects

Plan/ Project	<p>National Planning Policy Framework (2019): High level national planning policy covering topics such as housing, economy, employment, retail as well as biodiversity, flood risk and heritage.</p> <p>South East Plan (2009): Saved Policy NRM6 sets out protection for the Thames Basin Heaths SPA.</p> <p>London Plan (2016): Contains planning policies for the development of land across the wider London area including housing and employment allocations with a target of 42,000 new homes per annum.</p> <p>Runnymede 2030 Local Plan (2020): The current adopted Local Plan sets out policies for the Thames Basin Heaths SPA; consideration of development and the spatial strategy for the Borough including provision of 7,920 dwellings over the Plan period; and allocations for residential, employment and retail development.</p> <p>Other Local Authority Local Plans within 10km or adjoining sites identified in paragraphs 1.14-1.16: Housing target for areas around European sites set out in Table 1-2.</p> <p>Large Scale Projects within 10km or adjoining European Sites: Large scale projects within 10km are subsumed in the consideration of 'Other Local Authority Local Plans' above.</p> <p>Thames Basin Heaths Joint Delivery Framework (2009): Sets out the agreed Framework regarding the approach and standards for avoiding significant effects on the Thames Basin Heaths SPA.</p> <p>Environment Agency, Thames River Basin District Management Plan (2015): Sets out actions to improve water quality. Future aims for the River Wey include implementing Lower Wey Oxbow Restoration Project to enhance and restore the main Wey river channel and Wey Diffuse Advice Project throughout the catchment.</p> <p>Environment Agency, Thames Catchment Flood Management Plan (2009): Aim is to promote more sustainable approaches to managing flood risk. Will be delivered through a combination of different approaches.</p> <p>Environment Agency, River Wey Catchment Abstraction Management Strategy (2019): identifies the Wey having restricted 'Water available for licensing'.</p> <p>Environment Agency, Water Resources Strategy: Regional Action Plan for Thames Region (2009): Key priorities for Thames region include ensuring sufficient water resources are available, making water available in over-abstracted catchments and reducing demand.</p>
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Table 1-2: List of Local Authority Housing Targets within 10km of European Sites

Site	Local Plan Area	Housing Target
Thames Basin Heaths SPA*	Windsor & Maidenhead	14,260
	Wokingham Borough	13,230
	Waverley Borough	11,210
	Bracknell Forest Borough	11,139
	Guildford Borough	10,678
	Rushmoor Borough	8,884
	Runnymede Borough	7,920
	Hart District	6,208
	Woking Borough	4,964
	Elmbridge Borough	3,375
	Surrey Heath Borough	3,240
Total	95,108	
Windsor Forest & Great Park SAC	LB Hounslow	13,040
	Bracknell Forest Borough	11,139
	Runnymede Borough	7,920
	LB Hillingdon	6,375
	Slough Borough	6,250
	Woking Borough	4,964
	Elmbridge Borough	3,375
	Spelthorne Borough	3,320
	Surrey Heath Borough	3,240
	South Bucks District	2,800
Total	76,683	
South West London Water Bodies SPA & Ramsar	Windsor & Maidenhead Borough	14,260
	LB Ealing	14,000
	LB Hounslow	13,040
	Bracknell Forest Borough	11,139
	Runnymede Borough	7,920
	LB Hillingdon	6,375
	Slough Borough	6,250
	LB Kingston	5,625
	Mole Valley District	3,760
	Epsom & Ewell Borough	3,620
	Elmbridge Borough	3,375
	Spelthorne Borough	3,320
	LB Richmond	3,150
South Bucks District	2,800	
Total	98,634	

*** Also includes the Thursley, Ash, Pirbright & Chobham SAC**

Stage 3

- 1.30 Information regarding the European site(s) screened and the likely effects that may arise due to implementation of the Thames Basin Heaths Special Protection Area SPD can be found in Tables 1-3 to 1-6 and 1-7. All other European Sites were screened out of this assessment at an early stage as it was considered that their distance from the Borough area meant that there is no pathway or mechanism which would give rise to significant effect either alone or in combination. In this respect regard has been had to the 2030 Local Plan HRA specifically paragraphs 2.1 to 2.2.

Table 1-3: Details of Thames Basin Heaths SPA and Potential Effects Thereon

European site:	Thames Basin Heaths Special Protection Area (SPA).
Site description:	The Thames Basin Heaths SPA was proposed in October 2000, and full SPA status was approved on 9 March 2005. It covers an area of some 8,274 ha, consisting of 13 Sites of Special Scientific Interest (SSSI) scattered from Surrey, to Berkshire in the north, through to Hampshire in the west. The habitat consists of both dry and wet heathland, mire, oak, birch acid woodland, gorse scrub and acid grassland with areas of rotational conifer plantation.
Relevant international nature conservation features:	Thames Basin Heaths SPA qualifies under Article 4.1 of the Birds Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive: During the breeding season: <ul style="list-style-type: none"> - Nightjar <i>Caprimulgus europaeus</i>: 7.8% of the breeding population in Great Britain (count mean, 1998-1999): - Woodlark <i>Lullula arborea</i>: 9.9% of the breeding population in Great Britain (count as at 1997); - Dartford warbler <i>Sylvia undata</i>: 27.8% of the breeding population in Great Britain (count as at 1999).
Environmental conditions which support the site:	<ul style="list-style-type: none"> • Appropriate management • Management of disturbance during breeding season (March to July) • Minimal air pollution • Absence or control of urbanisation effects, such as fires and introduction of invasive non-native species • Maintenance of appropriate water levels • Maintenance of water quality
Potential Effects arising from the Thames Basin Heaths SPA Area SPD:	<ul style="list-style-type: none"> • None (see Table 1-7)

Table 1-4: Details of Thursley, Ash, Pirbright & Chobham SAC and Potential Effects Thereon

International site:	Thursley, Ash, Pirbright & Chobham Special Area of Conservation (SAC)
Site description:	The Thursley, Ash, Pirbright & Chobham SAC covers an area of some 5,154 ha with areas of wet and dry heathland, valley bogs, broad-leaved and coniferous woodland, permanent grassland and open water.
Relevant international nature conservation features:	The Thursley, Ash, Pirbright and Chobham Special Area of Conservation is designated for three Annex I habitats. The qualifying Annex 1 habitats are: <ul style="list-style-type: none"> - Wet heathland with cross-leaved heath - Dry heaths - Depressions on peat substrates
Environmental Conditions which Support the Site:	<ul style="list-style-type: none"> • Appropriate management; • Managed recreational pressure; • Minimal air pollution; • Absence or control of urbanisation effects such as fires and introduction of invasive non-native species; • Maintenance of appropriate water levels; • Maintenance of water quality.
Potential Effects arising from the Thames Basin Heaths Special Protection Area SPD:	<ul style="list-style-type: none"> • None (see Table 1-7)

Table 1-5: Details of Windsor Forest & Great Park SAC and Potential Effects Thereon

International site:	Windsor Forest & Great Park SAC
Site description:	The Windsor Forest & Great Park SAC covers an area of some 1,680 ha with Atlantic acidophilus beech forests with Ilex and sometimes Taxus. It is one of four outstanding locations in the UK for oak woods on sandy plains and is one of only three areas in the UK for <i>Limoniscus violaceus</i> (violet click beetle).
Relevant international nature conservation features:	Annex I habitat of oak woods on sandy plain which is the primary reason for designation with Atlantic beech forests.

Environmental Conditions which Support the Site:	<ul style="list-style-type: none"> • Loss of trees through forestry management • Urbanisation • Managed recreational pressure • Air Quality
Potential Effects arising from the Thames Basin Heaths Special Protection Area SPD:	<ul style="list-style-type: none"> • None (see Table 1-7)

Table 1-6: Details of South West London Water Bodies SPA & Ramsar and Potential Effects Thereon

International site:	South West London Water Bodies SPA & Ramsar
Site description:	The South West London Water Bodies SPA & Ramsar covers an area of some 825 ha and is formed from 7 former gravel pits and reservoirs which support overwintering populations of protected bird species.
Relevant international nature conservation features:	Supports overwintering populations of: <ul style="list-style-type: none"> • Gadwall • Shoveler
Environmental Conditions which Support the Site:	<ul style="list-style-type: none"> • Managed recreational pressure • Water quality • Water abstraction
Potential Effects arising from the Thames Basin Heaths Special Protection Area SPD:	<ul style="list-style-type: none"> • None (see Table 1-7)

Stage 4

1.31 The consideration of potential effects are set out in Table 1-7.

Table 1-7: Assessment of Potential Effects

<p>Indirect effect from recreational disturbance and urbanisation.</p>	<p>The likely effects of recreational disturbance have been summarised in the Underhill-Day study for Natural England and RSPB (2005); this provides a review of the urban effects on lowland heaths and their wildlife. The main issues relating to the conservation objectives and the integrity of the SPAs and SAC's effected by recreational disturbance and urbanisation as a whole are: fragmentation, disturbance, fires, cats, dogs (as a result of nest disturbance and enrichment), prevention of management, off-roading, vandalism and trampling.</p> <p>Natural England has advised that recreational pressure, as a result of increased residential development within 5km of the Thames Basin Heaths SPA & Thursley, Ash, Pirbright & Chobham SAC (or sites of 50 or more dwellings within 7km), is having a significant adverse impact on the Annex I bird species. Woodlark and Nightjar are ground nesting and Dartford Warblers nest close to the ground. They are therefore sensitive to disturbance, particularly from dogs, but also from walkers, and cyclists, etc. They are, in addition, vulnerable to other effects of urbanisation such as pollution arson and in particular, predation by cats.</p> <p>Joint work involving Natural England and the authorities affected by the SPA/SAC have agreed a mechanism to avoid impacts to the SPA/SAC from recreational activities in the form of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management & Monitoring (SAMM) and from the impacts of urbanisation by not allowing any net additional dwellings within 400m of the SPA.</p> <p>In terms of the Windsor Forest & Great Park SAC the Runnymede 2030 Local Plan HRA states that forestry management and recreational impacts has the potential for loss of trees and damage to trees from burning (arson).</p> <p>For the South West London Water Bodies SPA & Ramsar threats arise through unmanaged recreational activities such as use of motorboats and fishing.</p> <p>The Thames Basin Heaths Special Protection Area SPD contains guidance on the zones within which</p>
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	<p>avoidance or mitigation is required, the types of development likely to be affected and the routes and basis for delivery and funding. However, it does not allocate or safeguard any land or sites for net additional dwellings or other types of development including infrastructure projects that could give rise to increased recreation or urbanisation impacts.</p> <p>As such, there are no pathways for effect for impacts either alone or in-combination with other plans and projects. Therefore it is considered, at the time of undertaking this assessment and even in the absence of avoidance and/or mitigation measures which cannot be taken into account at the screening stage of HRA (including any adopted policies in the adopted 2030 Local Plan) that the Thames Basin Heaths Special Protection Area SPD will not give rise to likely significant effects on any of the European Sites in terms of recreation or urbanisation and Appropriate Assessment is not required.</p>
Atmospheric Pollution	<p>The Runnymede 2030 Local Plan HRA concludes no likely significant effect as a result of atmospheric pollution in combination with other plans and projects on the Thames Basin Heaths SPA, Thursley, Ash, Pirbright & Chobham SAC or the Windsor Forest & Great Park SAC, given the findings of the Council's air quality evidence.</p> <p>The Thames Basin Heaths Special Protection Area SPD contains guidance on the zones within which avoidance or mitigation is required, the types of development likely to be affected and the routes and basis for delivery and funding. However, it does not allocate or safeguard any land or sites for net additional dwellings or other types of development including infrastructure projects that could give rise to increased impacts from atmospheric pollution.</p> <p>Therefore it is considered, at the time of undertaking this assessment and even in the absence of avoidance and/or mitigation measures which cannot be taken into account at the screening stage of HRA (including any adopted policies in the adopted 2030 Local Plan) that the Thames Basin Heaths Special Protection Area SPD will not give rise to likely significant effects on any of the European Sites in terms of air quality.</p> <p>In this respect an Appropriate Assessment is not required.</p>

<p>Water Quality & Resource</p>	<p>The Runnymede 2030 Local Plan HRA concludes no likely significant effects to European sites as a result of water quality or abstraction.</p> <p>The Thames Basin Heaths Special Protection Area SPD contains guidance on the zones within which avoidance or mitigation is required, the types of development likely to be affected and the routes and basis for delivery and funding. However, it does not allocate or safeguard any land or sites for net additional dwellings or other types of development, including water related infrastructure projects such as the River Thames Scheme or site-specific flood/drainage projects. This is the role of the adopted Local Plan and as such there are no pathways for effect for impacts either alone or in-combination with other plans and projects.</p> <p>Therefore it is considered, at the time of undertaking this assessment and even in the absence of avoidance and/or mitigation measures which cannot be taken into account at the screening stage of HRA (including any adopted policies in the adopted 2030 Local Plan) that the Thames Basin Heaths Special Protection Area SPD will not give rise to likely significant effects on any of the European Sites in terms of water quality or resource.</p> <p>In this respect an Appropriate Assessment is not required.</p>
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- 1.32 It is the conclusion of this HRA that following a screening assessment it can be ascertained, in light of the information available at the time of assessment and even in the absence of avoidance and mitigation measures that the Thames Basin Heaths Special Protection Area SPD **will not** give rise to significant effects on European Sites either alone or in-combination with other plans and/or projects. Given the findings of the screening assessment it is considered that a full appropriate assessment is not required.

The SEA Screening Process

- 1.33 The process for determining whether or not an SEA is required is called ‘screening’. For some types of plan or programme SEA is mandatory and includes the following:
- Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
 - Plans which have been determined to require an assessment under the Habitats Directive (this has already been screened out as set out in paragraphs 1.24 to 1.32 of this screening assessment).

- 1.34 However, the main determining factor when considering whether a plan or programme requires SEA is whether it will have significant environmental effects.
- 1.35 Within 28 days of making its determination, the determining authority must publish a statement, such as this one, setting out its decision. If it is determined that an SEA is not required, the statement must include the reasons for this.
- 1.36 This Screening Report sets out the Council’s determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not SEA is required for the Thames Basin Heaths Special Protection Area SPD. The Borough Council must consult with the three statutory bodies (Environment Agency, Historic England, Natural England) and take their views into account before issuing a final determination. The responses received from the three statutory bodies on a draft Screening Assessment dated August 2020 and how the Council has taken these into account in this final screening determination are set out in Table 1-8.

Table 1-8

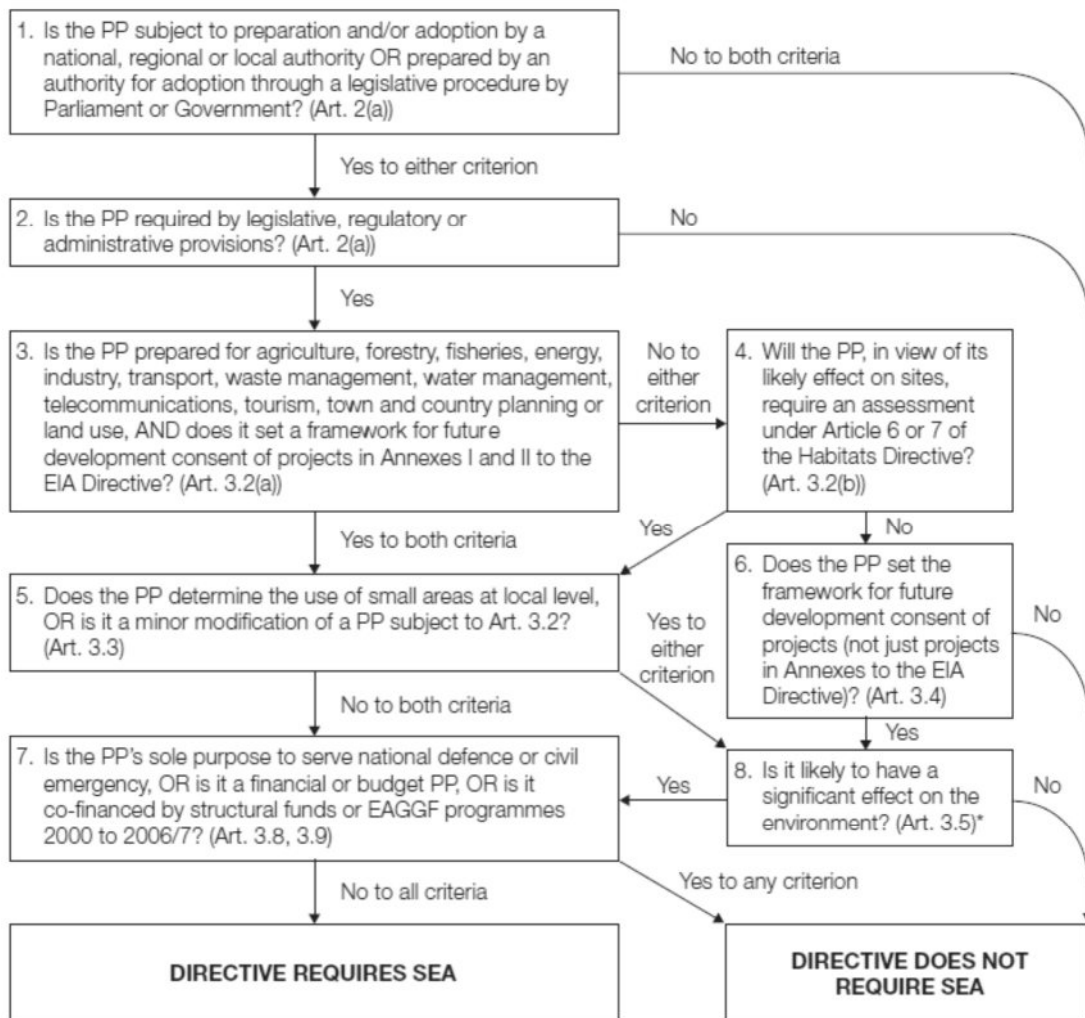
Statutory Body	Response	Comment & Action
Environment Agency	TBC	
Historic England	TBC	
Natural England	TBC	

- 1.37 The determination is based on a two-step approach, the first of which is to assess the plan against the flowchart as set out in government guidance *A Practical Guide to the Strategic Environmental Assessment Directive*¹. The flowchart is shown in Figure 1.

¹ A Practical Guide to the Strategic Environmental Process (2005) ODPM. Available at: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

Figure 1: Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

1.38 The second step is to consider whether the Thames Basin Heath Special Protection Area SPD will have significant environmental effects when considered against the criteria set out in Annex II of the Directive and Schedule I of the Regulations. The findings of step 1 and step 2 are shown in Tables 1-9 and 1-10.

Table 1-9: SEA Screening Step 1

Stage in Flowchart	Y/N	Reason
<p>1. Is the plan/programme subject to preparation and/or adoption by a national, regional or local authority or prepared by an authority for adoption through a legislative procedure by parliament or Government? (Article 2(a))</p>	<p>Y</p>	<p>The provision to prepare and adopt a Local Development Document is given by the Planning & Compulsory Purchase Act 2004 (as amended). The Thames Basin Heaths Special Protection Area SPD has been prepared and will be adopted by Runnymede Borough Council. The preparation and adoption procedure is set out in the Town & Country Planning (Local Development)(England) Regulations 2012. Whilst not forming part of the Development Plan the SPD will be a material consideration in planning decisions. Move to Stage 2</p>
<p>2. Is the plan/programme required by legislative, regulatory or administrative provisions? (Article 2(a))</p>	<p>N</p>	<p>There is no mandatory requirement to prepare or adopt Supplementary Planning Documents and if adopted it will not form part of the Development Plan for Runnymede. As answer is No, flowchart identifies end to screening process, but move to Stage 3 for completeness.</p>
<p>3. Is the plan/programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))</p>	<p>N</p>	<p>Whilst the plan is prepared for town & country planning, the SPD does not set the framework for future development consents for projects in Annex I or II to the EIA Directive. Move to Stage 4.</p>
<p>4. Will the plan/programme, in view of its likely effect on sites, require an assessment under</p>	<p>N</p>	<p>The HRA screening undertaken in paragraphs 1.24 to 1.32 of this assessment has determined that</p>

Stage in Flowchart	Y/N	Reason
Article 6 or 7 of the Habitats Directive? (Article 3.2(b))		Appropriate Assessment is not required. Move to Stage 6.
5. Does the plan/programme determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Article 3.3)	N/A	The SPD will not form part of the Runnymede Development Plan and does not therefore determine the use of small areas at a local (or any) level. The plan is not a minor modification of an existing plan. Move to Stage 6
6. Does the plan/programme set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	N	The SPD does not allocate any land or sites for development or set a framework for future development consents. As answer is No, flowchart identifies end to screening process, but move to Stage 8 for completeness.
7. Is the plan/programme's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	N	The sole purpose of the SPD is not to serve national defence or civil emergency. Whilst the SPD does set out financial matters concerned with developer contributions, this is not its sole purpose and it is not a budget plan or programme.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	Effects on the environment and whether these are significant are considered in Table 1-10. No Significant Effects identified in Table 1-10, so determine that SEA is not required.

Table 1-10: SEA Screening Step 2

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
Characteristics of the plan or programme		Significant Effect?
<p>(a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>The framework is set by regional and local policy guidance on avoiding impacts to the Thames Basin Heaths SPA in the form of policies NRM 6 of the South East Plan and Policy EE10 of the Runnymede 2030 Local Plan. The SPD will supplement this regional and local policy, or successive policies, on measures to avoid impacts to the SPA and will help to ensure successful implementation of SANGs at a local level.</p> <p>The Thames Basin Heaths Special Protection Area SPD does not set out policies against which development proposals in the Runnymede area will be considered, although it will be a material consideration in decision making. The prioritisation of allocation or levels of development within the Borough and how these will be secured are not matters in the SPD which set the framework for projects.</p> <p>The section of the SPD dealing with developer contributions could be seen as setting a framework for projects in terms of allocating financial resources or physical infrastructure. However, the SPD is not the document which secures the contributions or allocates the land for physical provision but simply guides the Council in its negotiations with developers to make a project acceptable in planning terms. As such, it is considered that the SPD only sets a framework for projects to a limited degree.</p>	<p>N</p>
<p>(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The Thames Basin Heaths Special Protection Area SPD does not influence other plans or programmes but is itself influenced by other plans or programmes. It therefore does not influence any plans in a hierarchy.</p>	<p>N</p>

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	<p>The SPD has some relevance to the integration of environmental considerations and the promotion of sustainable development in terms of securing measures to avoid harm to European Sites of Nature Conservation Importance (Natura 2000).</p> <p>The SPD does not however, allocate any land/development or safeguard any infrastructure projects and as a consequence its relevance to the integration of environmental considerations is likely to be limited.</p>	N
(d) Environmental problems relevant to the plan or programme.	<p>Environmental problems include potential recreational or urbanising impacts, atmospheric pollution and water resources to European sites. Paragraphs 1.24 to 1.32 of this assessment sets out the effects of the SPD on European sites and has determined no significant effects.</p> <p>The Thames Basin Heaths SPA Avoidance and Mitigation SPD elaborates on the principles set out in both the National Planning Policy Framework (NPPF) and Policy EE10 (Thames Basin Heaths SPA) of the adopted Local Plan and sets out how development proposals can achieve them. It does not present any policies and serves only to provide greater clarity about the council expectations in relation to existing policies within the adopted Local Plan.</p> <p>The Runnymede 2030 Local Plan has already been subject to full Sustainability Appraisal (including SEA).</p>	N
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The Thames Basin Heaths Special Protection Area SPD is relevant to the Habitats Directive (92/43/EEC) and the Birds Directive (79/409/EEC). However the implementation of these Directives in terms of avoiding impacts is primarily through national, regional and local policy, not through this SPD.	N

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
Characteristics of the effects and of the area likely to be affected		
(a) The probability, duration, frequency and reversibility of the effects.	The proposed SPD will affect almost the entire Borough but will not in itself set out, guide or bring forward development plans or projects. It will purely set out the approach taken to avoid harm to the SPA based on existing and proposed policies. As such, no significant effects will arise as a result of the strategy.	N
(b) The cumulative nature of the effects	<p>The Thames Basin Heaths SPA Avoidance and Mitigation SPD elaborates on the principles set out in both the National Planning Policy Framework (NPPF) and Policy EE10 (Thames Basin Heaths SPA) of the adopted Local Plan and sets out how development proposals can achieve them. It does not present any policies and serves only to provide greater clarity about the council expectations in relation to existing policies within the adopted Local Plan.</p> <p>The Runnymede 2030 Local Plan has already been subject to full Sustainability Appraisal (including SEA). As such, no significant effects will arise as a result of this strategy.</p>	N
(c) The transboundary nature of the effects	Given the geographic scope of the SPD it is considered that no transboundary effects will arise.	N
(d) The risks to human health or the environment (for example, due to accidents)	None.	N
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<p>The Thames Basin Heaths Special Protection Area SPD will cover all but the most northerly areas of the Borough of Runnymede.</p> <p>This SPD sets out the Council's approach to implementing SPA avoidance measures which are delivered through higher tier policies. Therefore, given the nature of the SPD it is considered that effects will not be significant.</p>	N

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
<p>(f) The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> i) Special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit values; iii) Intensive land-use. 	<p>Given the nature of the Thames Basin Heaths Special Protection Area SPD:</p> <p>The area covered by the SPD contains 4 SSSIs with the majority in a favourable condition status which meets the PSA target of 95% in favourable or unfavourable recovering condition status. The Basingstoke Canal SSSI is in an unfavourable no change status which does not meet the PSA target.</p> <p>The Runnymede area is a mixture of urban and Green Belt and contains features such as green spaces, wooded copses and golf courses. However, the SPD does not allocate any land for development or set development targets or safeguard any infrastructure projects and therefore significant effects on natural characteristics and cultural heritage are unlikely.</p> <p>ii) There are two Air Quality Management Areas (AQMAs) in the Runnymede area, along the entire length of the M25 which runs through the Borough and the other in Addlestone at the High Street and Station Road junction. Air quality standards are exceeded at 5 air quality monitoring sites in the Runnymede area². The Environment Agency has identified the Wey catchment as having restricted water available for licensing. However, the SPD does not allocate any land for development or set development targets or safeguard infrastructure projects and therefore significant effects on air quality and water availability/quality are unlikely.</p> <p>iii) Intensive land use occurs in the urban areas (built development), but the SPD does not allocate any land or sites for development or safeguard any infrastructure projects. As such significant effects are unlikely.</p>	<p>N</p>

² Runnymede 2017 Air Quality Annual Status Report (2017) RBC, Available at: <https://www.runnymede.gov.uk/airquality>

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
(g) The effects on areas or landscapes which have recognised national, community or international protection status.	The effects on European Sites for Nature Conservation are dealt with in Table 1-10: SEA Screening Step 2 (e) above. There are no landscapes which have recognised national, community of international protection status in the Runnymede area.	N
Conclusion	The Thames Basin Heaths Special Protection Area SPD is unlikely to give rise to significant environmental effects and as such an SEA is not required.	

1.39 On the basis of the Screening process it is determined that the Infrastructure Delivery & Prioritisation SPD does not require a SEA under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). This is because: -

- The SPD is unlikely to give rise to significant environmental effects given that it does not allocate sites or development or safeguard infrastructure projects; and
- The content of the SPD when taken as a whole and in combination with policies in the emerging 2030 Local Plan will not give rise to significant effects.

1.40 This assessment was made on the 06 August 2020.

9. **EXCLUSION OF PRESS AND PUBLIC**

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

OFFICERS' RECOMMENDATION that -

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

(To resolve)

PART II

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

Para

a) **Exempt Information**

No reports to be considered.

b) **Confidential Information**

No reports to be considered.

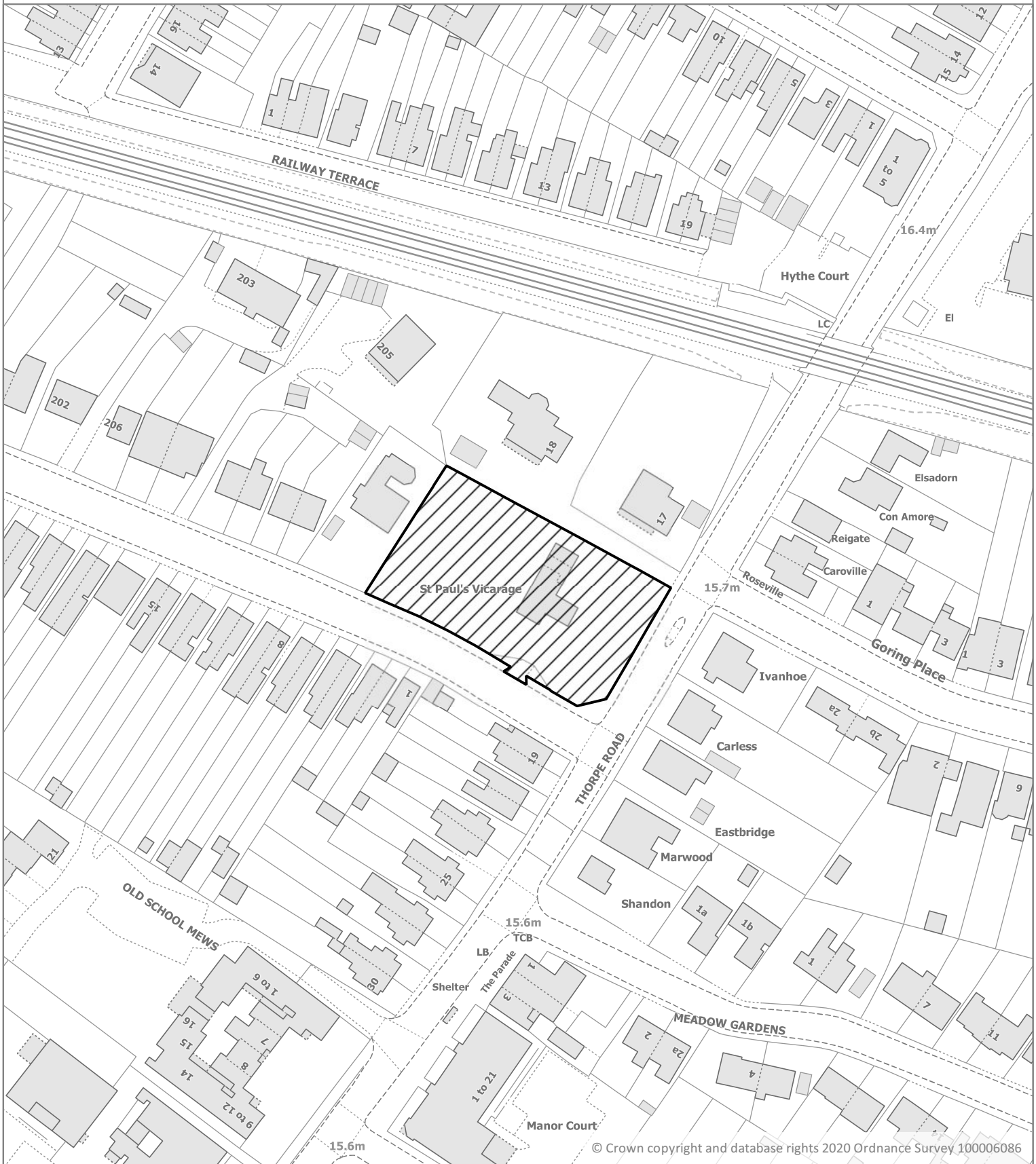


FOR LOCATION PURPOSES ONLY

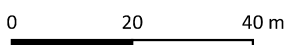
Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 02/09/2020

214 Wendover Road, Staines-Upon-Thames, TW18 3DF



Scale: 1:1250



RU.19/1146



RU.19/1146	Ward: Egham Hythe
LOCATION:	214 Wendover Road Staines-Upon-Thames TW18 3DF
PROPOSAL	For the demolition of the former Vicarage and the erecting of 4 No. Cottages and an apartment building containing 8 No. apartments with associated bin and cycle stores and ancillary works including minor alterations to access arrangements.(amended plans received 30/07/2020)
TYPE:	Full Planning Permission
EXP DATE	08 November 2019 (agreed extension to 30 September 2020)

SUMMARY OF RECOMMENDATION: Grant subject to the completion of a s106 legal agreement and planning conditions

1. Site

1.1 The site occupies a corner plot and is located at the junction of Thorpe Road and Wendover Road with vehicular and pedestrian access off Wendover Road. It is occupied by a detached, two storey former vicarage and detached garage built in the early 1970s. There is a belt of mature protected trees along the Wendover Road frontage and at the corner with Thorpe Road which screens the existing building and garden in the streetscene (TPO 405). This includes a Cedar and Robinia under individual TPO plus three groups comprising a mix of Lime, Horsechestnut, Sycamore, Pine and Robinia.

1.2 The surrounding area is very mixed in character with no particular dominant style. The adjoining site to the north, Nos. 17 & 18 Thorpe Road is currently being redeveloped to erect a detached two storey building with accommodation in the roof, to provide 29 one and two bedroom retirement apartments with associated communal facilities and car parking. This building is being constructed approx. 1m above ground level to provide underfloor voids in the event of flooding. To the west of the application site, No 213 Wendover Road is a detached bungalow with accommodation in the roof and a rear conservatory. To the south are Victorian semi-detached houses. Opposite the site, on Thorpe Road are detached dwellings, primarily bungalows, some with roof accommodation. A railway level crossing lies about 65m to the north east, crossing Thorpe Road, with the River Thames beyond and Staines town centre within 500m.

2. Planning history

2.1 EGH.70/14364 – Erection of new vicarage and garage – Approved with conditions - 1971
TPO 405 – 10 March 2017 – Two group orders along the Wendover Road frontage, a further group order along the boundary with 17 Thorpe Road and two individual orders, one a Robinia, near the existing access and a Cedar on the Thorpe Road frontage. and at the corner with Thorpe Road .

3. Application

3.1 The application as amended proposes a block of twelve flats with frontage onto Thorpe Road (5 x 1-bed and 7 x 2-bed flats), in a detached 2.5-storey block. Sixteen parking spaces are proposed, 3 to the front (including 1 disabled bay) and the remainder in a parking court on the west side of the building. The ground and first floors of the block of flats would each provide 2No. 1 bedroom flats and 3No. 2 bedroom flats, a further 1 bedroom and 2 bedroom flat on the 2nd floor within the roof-space. In addition, a 'Co-Working' room is provided at ground level, accessed off the central hallway and leading to the rear exit to the garden. This 32 sqm space is intended to be utilised for communal recreational purposes, such as an informal work-space, gym, party room or other use to be determined and managed by the residents.

3.2 The building would have a traditional design and appearance, being described as a 'Georgian' style, utilising London stock brick under a pitched slate roof. Windows would be white painted timber sash style with deep, white painted window reveals. Each flat would have a private balcony, with the exception of one of the roof-level flats due to the need to prevent overlooking due west (although a balconette is provided). Access would be from Wendover Road, and trees along the Wendover Road and Thorpe Road boundaries would be retained and enhanced. There would be a detached bins and cycle store to the west of the site entrance, close to the main parking area. A lift for disabled access to the raised ground floor level is provided within an open, but covered integral entrance lobby. Each flat would have an allocated parking space and there would be 4 visitor parking bays (total 16 spaces), including 3 disabled bays. There would be a secure entrance gate, recessed to allow visiting cars to wait clear of the public footway.

3.3 The application is supported by a Design & Access Statement, Arboricultural Impact Assessment, Ecological appraisal, Bat Activity Survey, Flood Risk Assessment and Financial Viability Appraisal. These have been updated where necessary to reflect the amended scheme.

3.4 The application has been amended on several occasions during the course of consideration, focusing principally upon the originally proposed terrace of houses and the relationship to No.213 Wendover Road. The first set of amendments turned the proposed terrace of houses by 90° and reduced the height of the end terraced unit closest to the boundary with No 213 Wendover Road. Having regard to further neighbour representations and further officer negotiation with the applicant, the orientation of the terraced houses was amended again to the original proposed siting perpendicular to Wendover Road, but with further design measures to mitigate neighbour overlooking concerns. However, updated EA flood modelling required a further review of the development scheme and ultimately, the applicant has decided to remove the houses from the western part of the site in favour of a single block of 12 flats, enabling necessary flood mitigation measures whilst addressing privacy concerns raised by the occupiers of the closest neighbouring property, No.213 Wendover Road.

4. Consultations

4.1 22 Neighbouring properties were consulted in addition to being advertised on the Council's website and the applicants carried out their own notification of twenty neighbouring properties. Four letters of representation have been received to the initial notification relating to the original mixed flats and houses scheme, making the following representations:

- Properties are described as “cottages” which the writer considers misleading and should be more appropriately described as houses
- Terrace of houses is out of character with adjoining bungalow and detached and semi detached houses in the locality – contravenes policy H09
- Description of houses as ‘Georgian’ is misleading;
- Development does not follow existing built footprint as suggested;
- Terrace would dwarf adjoining bungalow and cause significant overlooking due to extent of first floor windows;
- Terrace only 11m from No.213 boundary, even less at ground level;
- Habitable lounge and bedroom windows of No.213 are only 2.5m from the boundary;
- Gardens would be shorter than adjoining properties and would create overshadowing;
- No BRE daylight/sunlight assessment undertaken;
- Noise and disturbance to existing properties, especially if families occupy the houses;
- Inadequate parking provision – roads already at capacity and worsened by commuter parking due to restrictions elsewhere;
- Boundary hedge is only 1.8m high, not 3m indicated by applicants;
- Proposed frontage railings would reduce privacy and worsen security;
- Breach of human rights due to reduced privacy;
- Security risks to No.213 as boundary not secure and family pets will be able to access the garden;
- Concerned about sheds at rear of gardens causing more overshadowing and disturbance;
- Submitted reports are based on scheme for 10 units, not 12 and are marked as ‘draft’ so cannot be relied upon;
- Gravel should be avoided on driveways due to noise;
- Several positive aspects to the proposal and understands the need for housing in the area
- Can building works on this site be postponed until after the retirement building next door is complete to reduce parking congestion from construction workforce?
- Increased traffic, pollution and decreased wildlife habitat
- Would be irresponsible to build further in the flood plain given the recent flooding
- Impact on protected trees
- Would like to see the vicarage site designated a green oasis
- Overdevelopment of a relatively small plot
- New building would be closer to Thorpe Road and therefore there would be overlooking of properties on the opposite side of the road, particularly due to high level balcony;
- Undesirable precedent for high level balconies across street;
- Contravenes policy BE2 as flats detract from street scene;

Following the receipt of amended plans repositioning the proposed terrace of houses with frontage to Wendover Road, further representations were received from two properties, making the following comments:

- Concerns of overbearing impact, worse than original scheme;
- The flank of 213 is a principal outlook, unlike other properties in the street;
- Only 4m distance between proposed flank wall and lounge and bedroom windows serving No.213;
- Loss of sunlight and daylight;
- Increased construction disturbance as building next to No.213 would be closer;
- The County Council have concerns about the Flood Risk Assessment;
- Greater impact on protected trees than original scheme;
- No improvement to the scheme for properties on opposite side of Thorpe Road.

Following further scheme amendments (rec. 27.4.20) involving reversion of the orientation of the terraced houses to being perpendicular to Wendover Road with design changes, further neighbour notification was undertaken and the following comments received:

- The occupiers of 213 Wendover Road, whilst pleased that the terrace of houses have reverted to original siting and taking a flank wall away from the boundary, previously expressed concerns remain valid (see above) and recommend removal of houses altogether in favour of a single block of flats on the site;
- Concerns about overlooking across Thorpe Road have not been addressed and the applicants are ignoring neighbour concerns.

In response to the final round of publicity (commenced 21.7.20), including site notice and press notice (24th July), associated with the current flats-only scheme, 3 further representation have been received:

- Inadequate car parking on site will add pressure to existing parking stress in local roads having regard to recently introduced parking controls and local businesses; should be at least 20 spaces provided;
- Additional traffic and pollution;
- Concerned about potential loss of protected trees;
- Over-development of the site.
- The fence and hedge between 213 Wendover Road and the site is only 1.8m high, not 3m, and straddles the boundary;
- Concerns about security for No.213 remain;
- Likely noise from car parking spaces close to boundary of 213;
- Distance of boundary to closest flank wall of 213 is not recognised by applicants.

Environment Agency - Standing Advice for flood zone 2 for 'More Vulnerable' category of development. No response to follow-up consultation.

RBC Affordable Housing Officer – no response received.

RBC Arboricultural Officer – the arboricultural information submitted is detailed and gives a good account of the arboricultural implications on site. No objection to the proposal subject to full compliance with the amended impact assessment and method statement and recommended conditions.

RBC Contaminated Land Officer – no objection.

RBC Deputy Direct Services Manager – no response received

RBC Drainage Engineer – additional voids are required in the front elevation (should be no more than 5m apart). A Flood Risk Management/Evacuation Plan should be submitted, to include details of an emergency escape route to Thorpe Road to cover 1 in 100 year flood events in accordance with current EA hazard mapping. The site drainage strategy is acceptable.

RBC Environmental Health Manager – no response received

SCC County Highway Authority – no objection, subject to conditions

SCC SuDS Team (Lead Local Flood Authority) - following receipt of amended drainage drawings, FTA and drainage calculations, including the mitigation measures outlined in the updated design, The Lead Local Flood raise no objection subject to conditions.

SCC Education – based on the amended dwelling mix, require a contribution of £13,582 made up of £7,404 for Early Years and £6,178 for Primary stage.

Surrey Bat Group - No objection

Surrey Wildlife Trust - No response received

Thames Water Utilities - No objection

5. Relevant Local Planning Policies

5.1 The Runnymede Local Plan 2030 was adopted by the Council for development management purposes on 16th July 2020 and the saved policies of the 2001 Local Plan, and the previously saved policy NRM6 of the revoked South East Plan, no longer apply. The following Local Plan policies apply to this application: SD3 (Active and Sustainable Travel); SD4 (Highway Design Considerations); SD5 (Infrastructure Provision and Timing); SD7 (Sustainable Design); SD8 (Renewable and Low Carbon Energy); SL1 (Health and Wellbeing); SL19 (Housing Mix and Size Requirements); SL20 (Affordable Housing); EE1 (Townscape and Landscape Quality); EE2 (Environmental Protection); EE9 (Biodiversity, Geodiversity and Nature Conservation); EE10 (Thames Basin Heaths Special Protection Area); EE11 (Green Infrastructure); EE12 (Blue Infrastructure); EE13 (Managing Flood Risk).

6. Planning Considerations

6.1 In the determination of this application regard must be had in the first instance to the policies of the adopted Local Plan 2030, with reference also to the NPPF 2019. 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 proposals on the character of the area; design, scale and layout and dwelling mix; residential amenities of adjoining and future occupiers; impact upon protected trees; biodiversity; affordable housing; highway safety and parking; drainage and flood risk and infrastructure contributions.

6.2 Policy EE1 states that developments will be supported where they respect and enhance the local, natural and historic character of the environment. The locality of the site is primarily residential in character, comprising a mix of suburban semi-detached and detached dwellings of single or 2- or 2.5-storey scale, but close to Staines town centre where the scale and character of development becomes increasingly commercial. The site is a corner plot with frontage to a busy classified road. The sheltered housing development under construction to the immediate north of the site (Langton Lodge) is of greater scale and massing, having regard to the depth of development and raised ground floor to secure necessary flood protection. The introduction of flatted development on this corner plot is therefore considered to be acceptable in this location and the scale and appearance in the street scene would be comparable to that existing.

6.3 Policy EE1 also sets out criteria for site layout, scale and design of development. The scheme has had regard to the siting of the existing vacant vicarage (shown in dotted yellow outline on the site layout plan) and to the scale and building lines of surrounding development, including the newly constructed sheltered housing scheme north of the site. In addition, the proposed enlarged block of flats has extended footprint principally westwards, across the former proposed parking area. New-building footprint now ends at this point, leaving only the car parking area and boundary landscaping and fencing between the flats and the closest neighbour at No.213, a distance of just over 24m between existing and proposed buildings. There is also scope for further buffer planting between the edge of the parking area and the boundary with No.213 and these details would be captured by way of recommended condition xx. Obscure glazing is clearly marked on the only west-facing second floor window, acting as a secondary lounge window and this is considered to protect the privacy of No.213 whilst also recognising the 24m distance from the shared boundary. The scheme as amended has further reduced the potential for loss of light or depreciation of

outlook from No.213, due to the increased separation between existing and proposed development and a BRE daylight unobstructed skyline is marked on cross section drawing 19-003-143F.

- 6.4 Whilst concern has been raised in representations of a loss of privacy to occupiers of dwellings on the opposite side of Thorpe Road, in particular from the proposed 2nd floor balcony of the block of flats, in view of the distance of approximately 26m between the front elevation of the proposed block to the closest facing property opposite and the busy public street between the two, such concerns are not considered to be sustainable. Properties on the south side of Wendover Road are well screened by the protected belt of trees along the site boundary and greater separation distance exist across a public street.
- 6.5 The layout has also sought to minimise impact upon the protected trees on site, discussed later in this report. A detached and secure bin and cycle store is provided (15 sqm footprint) which would be well located close to the main entrance and parking area. This would contain separate areas for communal recycling and landfill bins plus lockable racks for 12 cycles.
- 6.6 In terms of design, there has been little of merit in the design of the existing building to inform the new development. Nonetheless, the design approach is considered to be well considered and sensitive to the site's context and pattern of development. There would be a strong symmetry and consistency to the use of windows, dormers, gables and bay windows and in particular a consistency with the scale and appearance of the new sheltered housing development to the north. Balconies would now be incorporated into the fabric of the main building, providing privacy screening to and from adjacent flats and valuable private amenity space, such space being of heightened importance in recent Covid-19 times. The flats would also benefit from communal amenity space of approximately 539 sqm (roughly 45sq m per flat) which is considered acceptable. The proposed external materials are indicated as being London stock bricks under slate tiled roof and the precise specification can be secured by way of planning condition. The development is therefore considered to comply with policy EE1.
- 6.7 Policy SL19 stipulates a requirement for schemes of 10 or more (net) residential dwellings to contribute to meeting the housing mix as set out in the Strategic Housing Market Assessment (SHMA) as updated in 2018. The development as proposed would provide a mix of 1- and 2-bedroomed flats, with a greater proportion of 2-bed, family-sized units which reflects the priority focus of the SHMA. Having regard to the numerous amendments that have proved necessary to deliver acceptable development for this site, it is considered that the scheme as currently proposed would provide the optimal, achievable dwelling mix and that 3-bedroomed or larger homes could not be viably delivered on this relatively small site. The scheme as amended also provides units which meet the required minimum internal space standards set out in the policy. The 1-bed flats range from 51sqm to 73 sq m and 2-bed flats from 70sqm to 102 sqm. Overall therefore, the development is considered compliant with policy SL19.
- 6.8 Policies EE1 and EE11 require developments to protect existing trees that are worthy of retention (including TPO trees) and deliver high quality landscaping schemes. The application is supported by an Arboricultural Impact Assessment and Method Statement together with a tree protection plan and tree planting plan, which has been updated to reflect the amended scheme. Whilst some existing trees would be removed, the Council's Tree Officer previously confirmed his satisfaction with the tree removal and landscaping proposals based upon the information provided and raised no objection to the preceding iteration of the development scheme. With the removal of the houses in the current scheme and westward extension of the flatted block, no new material tree implications are considered to arise in the latest amendments. The built footprint of the block of flats is largely unchanged in relation to the protected trees on site and Officers remain satisfied that these impacts would be acceptable subject to the previously recommended conditions, in particular in relation to protection during construction. A condition is added to secure further details on tree planting proposals, notably in respect of the boundary with No.213. It is considered that the green infrastructure assets of this site, notably the protected trees, would be successfully incorporated into the proposed development for the benefit of the proposed occupiers and the established street scene. The development is therefore considered to comply with policies EE1 and EE11.
- 6.9 Policy NE20 and draft policy EE9 requires developments to avoid harm to protected species. In addition, the draft policy EE9 seeks net gains for biodiversity in line with the NPPF. The submitted ecological survey, including bat activity survey, advises that the only protected species surveyed were pipistrelle bats. However, there was no evidence of roosting bats present on site. However, there is evidence of bat foraging and commuting in the existing garden areas. The Bat Activity

Survey makes several recommendations including bat sensitive lighting, provision of bat boxes and precautions during demolition. Surrey Bat Group raise no objection to the development. With regard to other protected species, the Ecological Appraisal document indicates potential for nesting birds and recommends caution during nesting months. As such a specific condition is recommended in this regard to ensure that the measures outlined in these two reports are implemented. Overall, with the maintenance of the vast majority of tree cover on site and proposed bat mitigation measures, including bat boxes. Landscaping and other measures can enhance biodiversity and conditions are recommended accordingly. Overall, the development is considered to comply with policy EE9 and the NPPF in this respect.

- 6.10 In terms of affordable housing, the applicant originally did not propose any affordable housing as the relevant policy in the 2001 local plan (HO4) did not require affordable housing for schemes until they reached the threshold of 15 net additional dwellings. However, the newly adopted policy SL20 has reduced the threshold for affordable housing to apply to all major residential schemes (i.e. of 10 (net) dwellings and above) and the proportion of affordable housing required is 35% of net dwellings. Policy SL20 states that, in seeking affordable housing provision, the Council will have regard to scheme viability.
- 6.11 Notwithstanding this however, it is first necessary to have regard to the Vacant Building Credit (VBC), which is a Government policy to support the delivery of brownfield sites. This applies to the redevelopment of residential and commercial sites and allows developers to off-set existing vacant gross floorspace against new floorspace, providing a 'credit' to be set against the expected affordable housing contribution. In this instance, the existing vacant vicarage has a GFA of 305.2 sqm. National planning practice guidance on application of the VBC indicates that the floorspace 'credit' can be equated to an equivalent number of dwelling units in determining the required on-site provision. As such, the existing floorspace represents 35% of the proposed floorspace (864 sqm); therefore this is the 'credit' that has to be applied to the affordable homes required by the policy, which will reduce the amount of affordable housing. 35% of the full affordable policy requirement of 4.2 homes, would be 1.47 dwellings. As it is not technically possible to construct half a home, this is rounded up to 2 homes to be the policy compliant requirement for this development.
- 6.12 The applicants have submitted an updated Financial Viability Appraisal to reflect the change of the scheme to 100% flats. The appraisal concludes that the development would not prove viable if affordable housing were to be included in the proposals, whether on-site or by way of off-site contribution. Indeed, the viability position appears to have worsened, with a return of only 5.8% compared to 13% previously. This is caused by a reduction in residual site value associated with increased construction costs for the enlarged block of flats and more robust flood risk mitigation measures to reflect the current EA flood modelling.
- 6.13 As is standard practice, the Council obtained an independent review of the applicant's initial viability appraisal of the mixed flats and houses scheme, at the applicant's expense. This review concluded that the applicants' appraisal methodology was generally sound, but that whilst the viability was considered to be marginal, there may be scope for some affordable housing provision based upon challenge to the applicant's input assumptions. However, having regard to the VBC and the updated viability assessment figures Officers now accept that the development as amended cannot viably deliver any affordable housing, whether on-site or by way of financial contribution. Overall, it is recognised that the purpose of the VBC is to stimulate and support the delivery of brownfield sites. At the time the application was submitted, the site would not have been liable for any affordable housing and the applicants had initially sought planning permission under the previous policy framework. The site has been vacant for in excess of 5 years and the scheme is otherwise considered to be policy compliant, subject to s106 planning obligations and conditions recommended below. In this particular instance therefore, no affordable housing is to be secured in line with the viability exception set out in policy SL20.
- 6.14 Policy EE13 sets out relevant criteria in respect of the development of sites within areas prone to flooding risk and the requirement for developments not to impede the flow of flood water, to reduce the capacity of the flood plain or to increase the number of properties put at risk from flooding. With regard to flooding the site is located in Flood Zone 2. Residential dwellings are in the category "more vulnerable" and are considered by the NPPF to be acceptable within Flood Zone 2 subject to the Sequential Test which aims to steer development to areas with the lowest probability of flooding. The applicant has submitted a Flood Risk Assessment, (version 2.0, updated July 2020) which concludes that the development would be safe subject to the proposed FFL being 300mm above the 1:100 year (plus climate change) flood level (at 15.85m AOD). This requires ground floor

slab levels to be 300mm above existing ground level. This has been achieved with the proposed voids below the building. The driveways and parking bays would fully comprise porous brick pavements with a central perforated drain and deep granular trenching. The LLFA raise no objection to the development based upon surface water calculations provided and amended site drainage plan, which is specifically listed in the schedule of proposed approved drawings (recommended condition 2). Conditions 6 and 7 recommended below would secure full details and verification of the sustainable drainage scheme needed to accommodate a 1 in 30 and 1 in :100 year storm event (+40% climate change allowance). The FRA also notes that the site is likely to benefit from planned flood risk alleviation via the EA River Thames Scheme, anticipated for completion in 2029. However, no weight can be attributed to this at this current time. Nonetheless, an escape route for residents to reach Thorpe Road from the rear exit of the building is indicated on the site layout plan and a condition added requiring details of the construction of this raised pathway as part of a Flood Risk Management and Evacuation Plan for the development. This has been agreed with the Borough Drainage Officer having regard to the latest EA hazard mapping data. For the above reasons, the development is considered to comply with policy SV2 and draft policy EE13.

- 6.15 Policy SD5 expects new development to mitigate infrastructure impacts where needed. The development would give rise to additional pressure on school place capacity and the County Education Authority have requested financial contributions to support potential additional school place demand arising from the proposed development. Whilst there is stated to be sufficient school place capacity at Secondary level, it is requested that the applicants provide contributions towards Early Years and Primary schooling. Based upon the amended dwelling mix (and deducting the existing dwelling from calculations) these sums amount to £7,404 and £6,178 respectively, totalling £13,582. The request is considered to meet the relevant tests for planning obligations as set out in the CIL Regulations 2010 as amended in 2015 and 2019, and for the reasons set out in the SCC Education consultation response. The request for contributions has been informally agreed with the applicants and it is therefore recommended that any permission granted is subject to completion of a s106 Legal Agreement to secure these obligations, in accordance with policy SD5. In respect of the Thames Basin Heaths SPA, the site lies beyond the 5-7km buffer zone and given the small scale nature of the scheme, there would be no impact on the SPA in accordance with Natural England guidance.
- 6.16 Policy EE2 addresses necessary environmental protection measures. In respect of noise from the railway, the development would be between 50m – 60m (west to east) from the railway line due north. However having regard to the presence of extensive retained and protected tree cover on site, the presence of the recently completed care home development to the north of the site (and its built form filling the width of the northern site boundary) and only secondary habitable room windows facing due north, it is not considered that concerns in respect of noise to the proposed occupiers are sustainable. The application also stipulates that flats would be fully double glazed, providing further protection. The Borough Contaminated Land Officer has raised no concerns in respect of this residential site. A Construction and Environment Management Plan is to be sought by way of condition. As such, the development is considered to comply with policy EE2.
- 6.17 The applicant has submitted an Energy and Sustainability Statement pursuant to requirements of policies SD7 and SD8. This report has reviewed the potential of the development to incorporate a range of renewable energy technologies, including Combined Heat and Power community heating, wind turbines, photovoltaic panels, ground source heat pumps, solar water heating and air source heat pumps. In addition, passive measures by way of a fabric first approach for the development will be adopted, utilising timber frame construction and multifoil insulation, double glazing and appropriate building orientation (as amended) to optimise daylight and sunlight to the new dwellings. The report concludes that air source heat pumps are the most viable renewable technology for a development of this scale and having regard to the scheme design and layout and the supply of hot water, bearing in mind that mains gas will not be permitted to be installed in new properties from 2025. Heating will be provided electrically. This is considered to represent a robust level of performance for a scheme that falls below the thresholds set in policy SD8 (1,000 sqm), with only 864 sqm total floorspace proposed. Water efficiency would also remain below 110 litres per person in line with policy SD7. Overall, the measures outlined, including the sustainable drainage measures agreed with the LLFA (subject to further details to be secured by condition) are considered to fully comply with policies SD7 and SD8 and the NPPF.
- 6.18 With regard to issues raised in representations, the majority of the points raised in responses are considered to have been addressed in this report. However, some additional comments warrant discussion. Previous concerns raised in respect of the terraced houses are no longer applicable as these do not now form part of the proposals. There are not considered to be sunlight implications

for the occupier of No.213 having regard to the amended building siting and boundary treatment. Security risks are not considered to be heightened for No.213 as boundaries would be fully enclosed and the use of frontage metal railings would facilitate surveillance of the street. In terms of the Human Rights Act this is addressed below, but individual rights to privacy must be balanced against the community's need for new housing. Whilst it is acknowledged that some of the originally submitted supporting technical reports alluded to 10 dwellings, rather than 12, this has since been corrected and this has not materially altered the overall validity of the conclusions therein and statutory consultees are satisfied with the scheme. Concerns raised about precedents being set for high level balconies are not considered sustainable in this instance, having regard to the location of the site within the urban area and the satisfactory distances between existing and proposed dwellings as discussed above. Each application is to be considered on its own merits in this regard. The use of gravel driveway surfacing is not considered grounds for objection to the scheme and facilitates surface water drainage where utilised. The designation of the site as a green park is not a proposal in the new Local Plan. The delay of commencement of construction until completion of the sheltered housing development to the north would not be reasonable or indeed possible in planning terms and is to be a commercial decision subject to such commencement being in compliance with planning conditions as recommended below.

7. Conclusion

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

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

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

- 7.1 The development is considered to be acceptable and will provide new housing in compliance with the relevant policies of the Local Plan 2030 and the NPPF as outlined above. The report discusses the planning issues arising from the development, and considers that subject to planning conditions and planning obligations in respect of education, the proposed development complies with the Local Plan. The development has been assessed against the Development Plan policies outlined in this report, and weighed against the NPPF and guidance in the NPPG, and other material considerations including third party representations. The development would make full and effective use of a vacant brownfield site in accordance with the NPPF. 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.

7.2 Officer's Recommendation:

The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:

- 1 A financial contribution of £13,582 towards education provision (Early Years £7,404 and Primary school £6,178);

And the following planning 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 The development hereby permitted shall not be carried out except in complete accordance with the following approved plans 19-003-050; 19-003-055 Rev J; 19-003-120C; 19-003-121C; 19-003-122C; 19-003-125D; 19-003-126C; 19-003-127C; 19-003-140 Rev F; 19-003-141 Rev F; 19-003-142 Rev F; 19-003-143F; 19-003-150 Rev F; 19-003-151Rev F; 19-003-152 Rev F; 19-003-153F; 19-003-128C; 19-003-129C; 19-003-160A and the following documents, including associated mitigation measures and recommendations included therein; Sustainability and Energy Statement (Blue Sky Unlimited May 2020); Biodiversity survey and report; Design & access statement (13.7.2020); Flood risk assessment (v.2.0, Ambiental, July 2020) including Drainage layout plan WR214-01 – Rev P3 and Surface Water Attenuation Calculations Rev.P3; Statement of community involvement; Arboricultural Impact Assessment and Method Statement (Arbortrack Ltd), dated 12th May 2020, including Tree Protection Plan (rev: E) and Tree Planting Plan (rev: B); Preliminary Ecological Appraisal (The Ecology Partnership, Aug 2019); Bat Activity Survey Report (The Ecology Partnership, Sept 2019); Financial Viability Assessment (Section 106 Management, 15 July 2020);

Reason: To ensure an acceptable scheme and to comply with Policy EE1 of the Runnymede Local Plan and guidance within the NPPF.

- 3 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 Policy EE1 of the Runnymede Local Plan 2030 and guidance within the NPPF.

- 4 Notwithstanding the approved drawings, the second floor west-facing lounge window serving Flat No.11 and the north-facing windows of Flat Nos.7 and 8 respectively, shall remain permanently fixed with non-opening obscure glazing.

Reason: To avoid overlooking into the adjoining properties and to comply with saved Policy EE1 of the Runnymede Local Plan 2030 and guidance within the NPPF.

- 6 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 infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- 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. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.6 l/s.
- 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.

- 7 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 the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

- 8 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 Policy EE11 of the Local Plan and guidance within the NPPF..

- 9 Details and plans of new trees to be planted 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. 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 Policy EE11 and guidance within the NPPF.

- 10 Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protective measures shall be installed in accordance with the Tree Protection Plan Rev E. as contained with the approved Arboricultural Impact Assessment and Method Statement. 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 Policy EE11 and guidance within the NPPF.

- 11 No vehicle shall access the proposed development from Wendover Road unless and until the proposed modified access hereby approved has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy SD4 of the Local Plan and guidance within the NPPF.

12 Construction transport management plan

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

- a. parking for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials;
- d. programme of works (including measures for traffic management);
- e. provision of boundary hoarding behind any visibility zones;
- f. HGV deliveries and hours of operation;
- g. 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;

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 Policy SD4 and guidance within the NPPF.

- 13 The development hereby approved shall not be occupied unless and until 2 of the parking spaces serving the flatted accommodation are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) plus passive power supply to serve a further 2 parking spaces, in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants, in accordance with policy SD7 and guidance within the NPPF.

- 14 The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking area(s) shall be retained and maintained for its designated purpose(s) and there shall be no more than one allocated parking space per dwelling.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with policy SD4 and guidance within the NPPF.

15 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 Policy EE1 and guidance within the NPPF.

16 Renewable energy (as approved)

The development hereby permitted shall be built in accordance with the approved renewable energy/low carbon statement and thereafter retained, maintained and operational for the lifetime of the development.

Reason: To deliver low carbon development and comply with Policy SD8 of the Local Plan and guidance within the NPPF.

17 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 in accordance with the recommendations of the Preliminary Ecological Appraisal by The Ecology Partnership August 2019, 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 policy EE9 of the Local Plan and guidance within the NPPF.

18 Bat boxes and bricks

Prior to the first occupation of the development, details (including the number, design and positions) of proposed bat boxes and bat bricks to be incorporated within the site, and details of any external lighting to be installed, as recommended in the Bat Activity Surveys report by the Ecology Partnership September 2019, shall be submitted to and approved by the Local Planning Authority. Such details as may be approved shall be incorporated into the development prior to the first occupation of any part of the development hereby granted and permanently maintained thereafter.

Reason: In accordance with the terms of the application and to ensure the provision of suitable mitigation in accordance with Policy EE9 of the Local Plan and guidance within the NPPF.

19 Bat survey

In the event that demolition of the existing building does not take place by 28 February 2021, a further bat survey shall be conducted on the whole site and the findings of the survey, and any recommended mitigation, submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with the findings of the survey.

Reason: To protect the habitat of the bats and to comply with Policy EE9 of the Local Plan and guidance within the NPPF.

20 Flood Risk Management and Evacuation Plan

Notwithstanding evacuation measures outlined in the submitted Flood Risk Assessment, a Flood Risk Management and Evacuation Plan for the development shall be submitted to, and approved by, the local planning authority. This shall include details of an emergency escape route to Thorpe Road, such route to be 300mm above ground level and DDA compliant and include detailed specification of walkway materials and on-going maintenance thereof. Such approved details shall be fully implemented prior to first occupation of the development.

Reason: In the interests of flood protection pursuant to Policy EE13 of the Local Plan and guidance within the NPPF.

Informatives

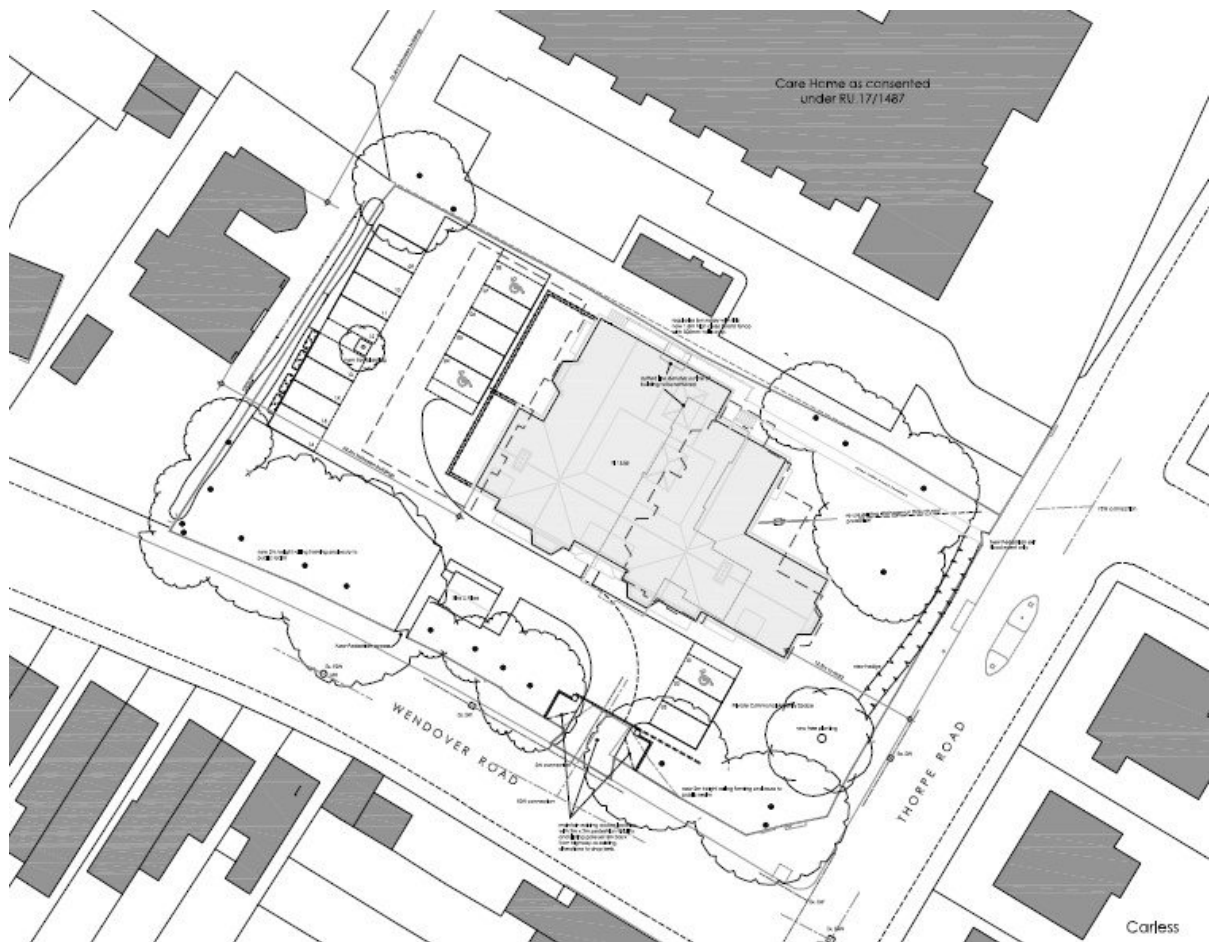
1 Summary of Reasons to Grant Consent

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

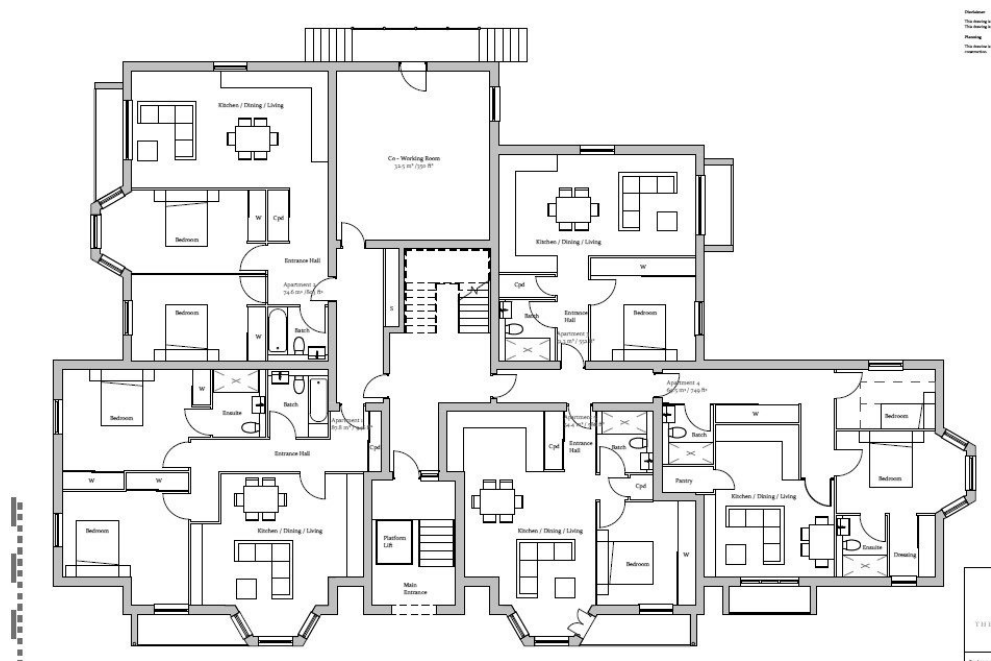
- 2 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- 3 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
- 4 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice
- 5 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).
- 6 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 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.

RU.19/1146 214 Wendover Road

Proposed site layout



Ground floor plan



Front elevation



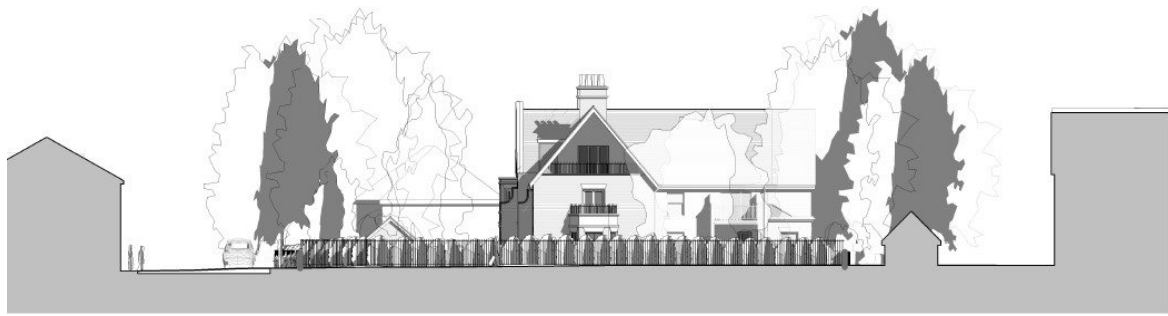
Front Elevation

Left flank elevation



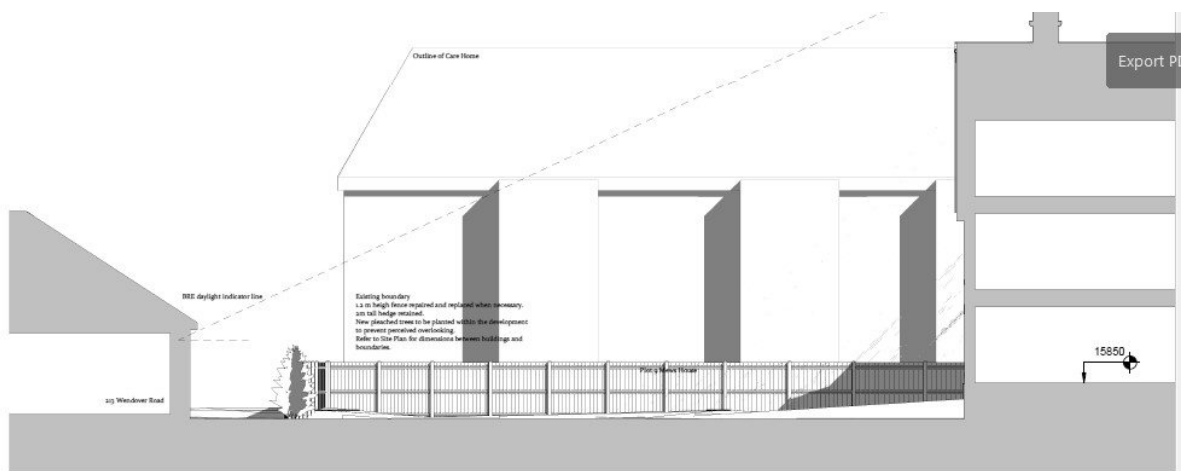
Left Flank Elevation

Section fronting Thorpe Road



Section B - B

Section through car park to left flank elevation



Section D - D

Front view image



Overhead view image



Overhead view image



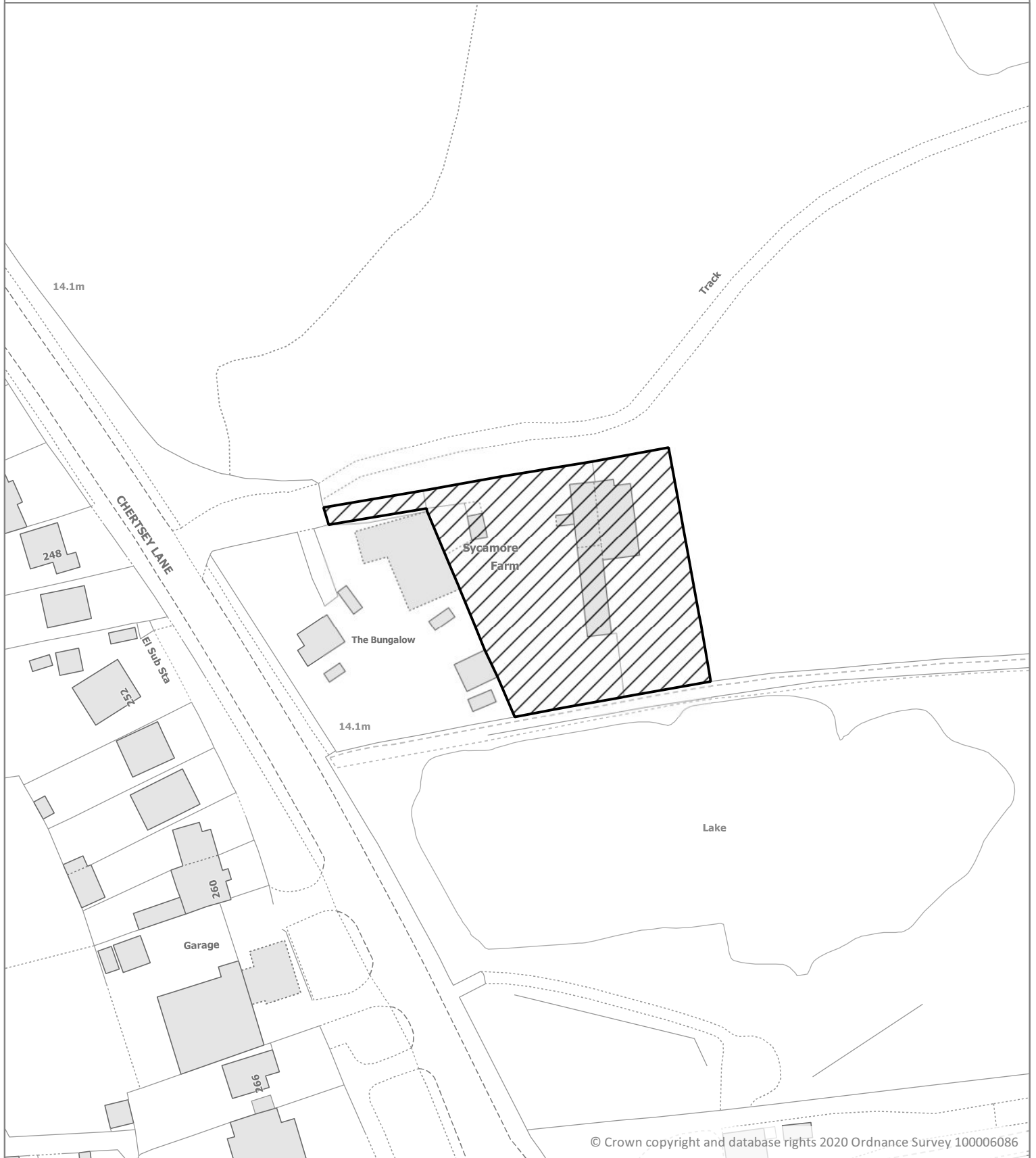


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Runnymede Civic Centre
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Surrey KT15 2AH

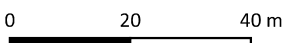
Date: 02/09/2020

Sycamore Farm, Chertsey Lane, Staines-Upon-Thames, TW18 3NG



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Scale: 1:1250



RU.19/1436



RU.19/1436	Ward:
LOCATION:	Sycamore Farm Chertsey Lane Staines-Upon-Thames TW18 3NG
PROPOSAL	Continued use of the site for storage (Use Class B8), including external storage in the form of 14 no. storage containers, erection of 2.4m high perimeter fencing (retrospective), resurfacing of yard, provision of 6 no. car parking spaces, and landscaping.
TYPE:	Full Planning Permission
EXP DATE	14 November 2019

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site
 - 1.1 Sycamore Farm is a lawful commercial yard with a large detached L-shaped building in the centre of the site and hardstanding around the perimeter. The site is enclosed with a metal fence approximately 2 metres high. The site is within the Green Belt and is within the High Risk flood zone (3a). The site is bordered by scrub land to the North and east of the site, a lake and scrub land (owned by RBC) to the South and a residential property to the East of the site. The site is accessed off Chertsey Lane via a shared accessway which also serves the adjacent residential property The Bungalow.
2. Planning history
 - 2.1 RU.04/0119 – The provision of four lorry parking spaces to the rear of the building to relax conditions of planning permission RU.01/1269, the demolition of the existing WC and fenced storage area and retention of existing dog compounds. Granted March 2004
 - 2.2 RU.03/0871 – The provision of five lorry parking spaces to the rear of the building to relax conditions on planning permission RU.01/1269. Refused November 2003
 - 2.3 RU.01/1269 – Removal of condition 3 (temporary consent) of RU.99/1215 and condition 1 (personal user) of RU.99/1216 to allow a permanent and unrestricted storage and distribution Class B8 use with ancillary offices and parking. Granted January 2002
 - 2.4 RU.99/1216 – Use of modified building for storage purposes together with ancillary office without complying with Condition 4 of RU.98/1077. Granted December 1999
 - 2.5 RU.99/1215 – Continued use of modified building for storage purposes together with ancillary office (temporary permission fought for additional 2 years. Granted December 1999
 - 2.6 RU.98/1077 – Reuse of modified building for storage purposes together with ancillary office. Granted November 1998
 - 2.7 RU.98/0103 – Temporary use of site as Civil Engineering contractors depot. Refused March 1998
3. Application
 - 3.1 The application originally proposed the continued use of the site for storage (Use Class B8) by the siting of 14 storage containers, being 8 along the southern boundary adjacent to the lake and scrub land, and 6 adjacent to the existing building in the centre of the site, retention of 2.4 metre fencing, resurfacing of yard and provision of 6 car parking spaces and landscaping. The western boundary would be landscaped with a grassed area and trees along the boundary with the parking spaces approximately 10 metres away from the boundary. The surfacing would be tarmac and the storage containers would be raised above ground and have a maximum height of 3.4 metres. The fencing has been erected and is open palisade fencing. The applicant submitted a Planning Statement, noise report, transport assessment, lighting details and a phase 1 preliminary risk assessment and Flood Risk Assessment. The applicant considers the site is previously developed land and the proposal would not have any greater impact on the Green Belt than the existing development and would be an appropriate form of development.
 - 3.2 Amended plans have been received during the course of the application and neighbours renotified. The applicant has also provided an addendum to the Planning Statement which states that further to discussion with case officers, consultee responses and considerations of

neighbour's comments, the applicant has amended the plans to provide the addition of an acoustic fence to the western boundary of the site and along the southern boundary of the access road; deletion of the 8 containers proposed adjacent to the southern boundary, and the raising of the 6 containers to between 0.64-0.89m above ground level. A revised site layout and landscape proposals plan have been submitted. The revised planning application therefore proposes the siting of 6 containers adjacent to the existing storage building in the centre of the site. The planning statement also addresses other planning issues.

4. Consultations

4.1 12 Neighbouring properties were consulted in addition to being advertised on the Council's website and 7 letters of representation have been received from different households.

- The entrance is unsuitable for heavy vehicles
- The site is located in a residential area
- The site would access onto a busy commuter road
- The site is in a high flood risk area
- Resurfacing the area with tarmac would reduce the capacity of the floodplain and increase flood risk elsewhere
- The containers should be raised above ground by at least 0.8 metres.
- Any water run off from the site would impact on the lake which is used by Runnymede Angling Association
- The submitted contaminated report has identified contaminated land on the site.
- The height of the containers will be overbearing to the users of the adjacent lake
- Lorries entering and using the site will shine lights into properties and cause noise
- The proposal is inappropriate development in the Green Belt
- No Very Special Circumstances have been submitted
- The proposal would result in noise and disturbance to occupiers of adjacent neighbouring properties.
- Proposal should not have external storage

4.2 The Environment Agency originally raised objection but a second response received removed that objection due to a change in the flood modelling carried out by the Environment Agency; the final position of the EA is they raise no objection subject to conditions regarding height of the storage containers and the fencing to be open.

4.3 RBC Tree Officer – No objection

4.4 RBC Contaminated Land Officer – No objection subject to condition

4.5 Surrey County Highways – No objection subject to condition regarding layout of parking on site.

4.6 Natural England – No comments to make on application.

4.7 Surrey County Council Minerals and Waste – No objection

4.8 Surrey County Council LLFA – No objection

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

5.2 Any previous SPG which might be a material consideration – none

6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the green belt where there is a 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 the impact of the development on the Green Belt and whether the proposal would constitute inappropriate development, the impact on the amenities of the occupiers of adjacent neighbouring properties and flooding impacts.

- 6.2 The proposed containers have the effect of being permanent structures and for the purposes of the Green Belt assessment, are considered to be akin to buildings in terms of the impacts. The NPPF states that new buildings should be inappropriate development in the Green Belt which is by definition harmful to and should not be approved except in very special circumstances. When considering any application substantial weight is given to any harm to the Green Belt and Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations. Policy EE14 is consistent with the NPPF and provides some considerations to be taken into account when considering extensions to buildings, which the containers would not be, and Policy EE17 is also consistent with the NPPF and considers infilling on previously developed land.
- 6.3 The site was granted planning permission for storage and distribution within use Class B8 under RU.01/1269. This permission restricted any external storage at the site and has restrictions on the operating hours of machinery and deliveries. In 2004 planning permission RU.04/0119 was granted for the provision of 4 lorry parking spaces to the rear of the building with one on the southern boundary. This was a personal permission to the applicant and also restricted external storage, hours of operation and deliveries to the same hours as approved under RU.01/1269. There was also a condition regarding the maintenance of a landscaping area to the western side of the site. The site is currently in breach of this condition. The ownership of the land changed in 2004. However, the site still has a lawful B8 storage and distribution use. Policy IE3 supports the retention, creation and development of local businesses, and encourages a range of types and sizes of new employment floorspace, with specific reference to small warehousing units (which the containers are). The Policy does cross reference with the Council's Green Belt policies.
- 6.4 Policy EE17 allows the limited infilling of previously developed land providing there would be no greater impact on the openness of the Green Belt than existing development, and includes a range of considerations. The 8 containers proposed to be located adjacent to the southern boundary were considered by officers to spread development within the site and therefore would be harmful to the openness of the Green Belt. The applicant has agreed to delete these containers and has submitted an amended site plan to show this, which will ensure there is an open buffer around the central developed part of the site to the benefit of the openness of the Green Belt. The remaining 6 containers will be sited in the L-shape of the building so that there is no increase in width or depth of built form overall and no harmful spread within the site. Due to the box-like form, the containers would not be higher than the existing building and although they are not consistent with the style and appearance of the existing building, they would be sited behind the building and would not be visible on entry into the site. The land falls within the definition of previously developed land and the proposal would not result in any greater impact on the openness of the Green Belt than the existing. A condition would be necessary to ensure that there are no containers on the site other than in the position shown on the amended site plan. Subject to this, the application is therefore considered to fall within the exception listed in Paragraph 145g of the NPPF and is not inappropriate development.
- 6.5 The existing site is largely covered by hardstanding. As part of the application, the applicant proposes to replace some of the hardstanding closest to the western boundary with soft landscaping (meadow planting) and planting (native trees and shrubs) along the boundary, together with 6 parking spaces laid out. The planting would extend around part of the southern boundary and the remaining part and that of the eastern boundary would have climbing plants. The Council's Tree Officer raises no objection to this planting proposal. The applicant also proposes the installation of a 2.4m close boarded fence along the western boundary and along the access drive to provide acoustic screening to the neighbouring residential property The Bungalow. This will significantly improve the appearance of the site within the Green Belt and from the neighbouring residential property, and consequently will improve the integration of the site with neighbouring land including the lake. It is therefore considered that the proposal complies with Policy EE17. However, conditions are necessary to ensure that no containers are sited adjacent to boundaries as referred to above, and that the area of soft landscaping and boundary planting are maintained and retained.
- 6.6 In respect of flooding, the site lies within flood zone 3a (high risk) and the applicant has submitted a Flood Risk Assessment. The Environment Agency has reviewed the proposal and is satisfied that subject to the containers being raised about the level of 14.61m AOD and fencing to be open and permeable, there would be no flood risk issues. The palisade fencing already installed is open in accordance with this requirement, and the acoustic fence can have openings designed within it. In addition, the removal of some of the existing hardstanding and replacement with soft

landscaping will improve the flood capacity at the site. Subject to the conditions requested by the Environment Agency, the proposal is therefore considered to comply with Policy EE13 and the NPPF.

- 6.7 The site has a lawful B8 storage and distribution use and has been operating as such for a number of years, adjacent to the residential neighbour The Bungalow. There are also residential properties on the western side of Chertsey Lane opposite the access to the site. The installation of an acoustic fence around part of the northern boundary of The Bungalow and the eastern boundary, will provide a significant improvement to the amenities of the occupiers of The Bungalow. In addition, the provision of a landscaped area adjacent to The Bungalow provides a buffer between the access to the parking and circulation areas within the site, which is another positive improvement in respect of the amenity of the neighbour. The applicant has explained that although the site has a lawful storage and distribution status, they are only proposing storage, and not a distribution centre. The applicant considers that a storage use would be quieter than the existing lawful use and the number of operational vehicle movements would be lower, as well as staff numbers, reducing car parking and other movements. The applicant is in agreement to have a planning condition to ensure that a distribution centre use would not take place. Taking into account all these positive factors, it is considered that the application as amended would not increase the noise and disturbance to the occupiers of The Bungalow and the residential occupiers on the western side of Chertsey Road, and would improve these residential amenities. The proposal therefore complies with Policies EE1 and EE2 in this respect, and a condition restricting the use of the site for storage would also comply with policy IE3.
- 6.8 In relation to other technical matters, the County Highway Authority considered the original proposal for 14 storage containers to be acceptable in terms of highway capacity and highway safety. By implication, the amended scheme for 6 containers must also be acceptable in highway terms. They note that the exiting access to Chertsey Road maintains good visibility and is sufficient width for heavy goods vehicles. The parking provision would not cause a problem because there is plenty of space within the site for parking. The proposal complies with Policy SD4. In terms of contaminated land, the applicant has submitted a Phase 1 Preliminary Risk Assessment which recommends that due to the nature of the works to the site including removal of hardsurfacing, that a Phase 2 investigation take place given the history use of the site as a vehicle and maintenance repair yard and the land to the north and east subject to previous gravel working/landfill. The Council's contaminated Land Officer has reviewed the document and agrees further investigation is required, and this can be secured by condition. The proposal complies with Policy EE2 in this respect.

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 will provide additional space for storage which the Runnymede 2030 Local Plan supports in principle. There are no harms to the Green Belt, and there is positive improvement both to the Green belt and neighbouring residential amenities. The development has been assessed against the following Development Plan policies –Policies EE1, EE2, IE3, EE13 and EE17 of the Runnymede 2030 Local Plan, 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:

Location Plan 23952-1

Amended Proposed site layout and landscaping plan JSL 3374 No. 9 Rev 2

Container details images received 19 September 2019

Supporting documents received 19 September 2019:

Flood Risk Assessment and Conceptual Surface Water Drainage

Transport Note

Noise Report

Phase 1 Preliminary Risk Assessment

Photo of Existing fences to be painted green

Lighting details

Landscape and Visual Appraisal

Supplementary information to FRA received 14 January 2020

Additional supporting information received 29 July 2020

Reason: To ensure high quality design and to comply with Policies EE1, EE2, EE11, EE13, EE17, IE3 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3 Landscaping

a. The use of the storage containers hereby approved shall not commence until the landscaping works including the boundary planting and the removal of the hardsurfacing and planting of meadow plants as shown on plan have taken place and been completed.

b. 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 and written approval of the local planning authority.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area and to assist with the openness of the Green Belt and to reduce flood risk, and to comply with Policies EE1, EE9, EE11, EE13, EE17 of the Runnymede 2030 Local Plan and guidance within the NPPF.

4 Parking and turning/retention of parking and turning

The development hereby approved shall not be first used 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 area(s) shall be retained and maintained for their designated purpose(s).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 No Land raising

There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity and to comply with Policy EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 6 The development shall be carried out in accordance with the submitted Flood Risk Assessment by RPS Group, dated 29 August 2019, reference HLEF74126, and the following mitigation measures it details:

" The storage containers shall be raised above the level of 14.61 m AOD. These mitigation 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 prevent increased flood risk elsewhere and to comply with Policy EE13: Managing Flood Risk in the Runnymede 2030 Local Plan and paragraph 163 of the National Planning Policy Framework (NPPF).

- 7 Any walls or fencing constructed within or around the site shall be open and permeable to flood water for the lifetime of the development.

Reason: To prevent increased flood risk elsewhere and to comply with Policy EE13: Managing Flood Risk in the Runnymede 2030 Local Plan and paragraph 163 of the National Planning Policy Framework (NPPF).

- 8 Restriction on use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modifications) the premises shall only be used for storage and for no other purpose (including any other purpose in Class B8 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of the protection of the Green Belt and to protect the residential amenities of nearby occupiers and to comply with Policies EE1, EE2, and IE3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 9 Acoustic fence

Prior to the first use of the storage containers hereby approved, a close boarded acoustic fence of 2.4 metres in height with openings at ground level to comply with condition 7 shall be installed along the southern boundary of the access and the western boundary of the site with The Bungalow as shown on the Site Layout and Landscape Proposals Plan JSL 3374 No. 9 Rev 2 received 29 July 2020. The acoustic fence shall be retained and maintained for the lifetime of the development.

Reason: To protect the amenities of occupiers of nearby properties and to comply with Policies EE1 and EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 10 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

A Phase 1 Preliminary Risk Assessment has been submitted.

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. A

Phase 2 intrusive 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) an intrusive sampling survey of the extent, scale and nature of contamination;
 - (b) a detailed 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 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)

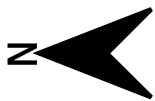
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours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

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 The applicant is advised that the Council's Contaminated Land Officer has advised the following: 'The Phase 1 Preliminary Risk Assessment report, identified, amongst other Potential Pollutant Linkages (PPLs), the potential for off-site migration of contaminants. Once the next Phase 2 investigation has been completed and submitted, the presence of actual PPLs can then be addressed. Recommend further Phase 2 intrusive investigations which would also assist in drainage design. I would also recommend that the findings of this Phase 2 investigation be passed to the EA for their consideration regarding groundwater issues.'



Date: 15/07/2020

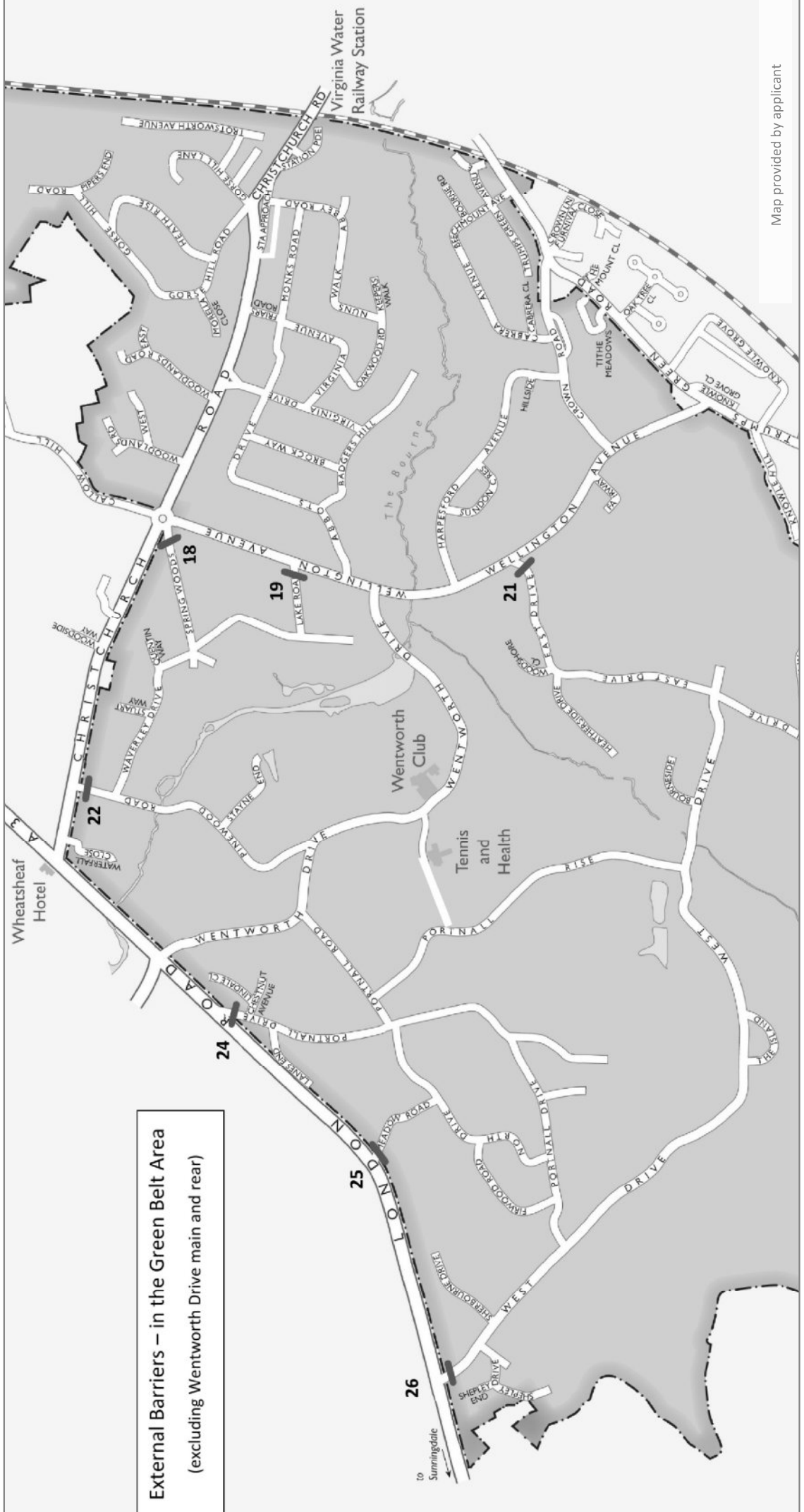
PLANNING COMMITTEE

FOR LOCATION PURPOSES ONLY

Wentworth Estate Roads, Wentworth, Virginia Water



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



External Barriers – in the Green Belt Area
(excluding Wentworth Drive main and rear)

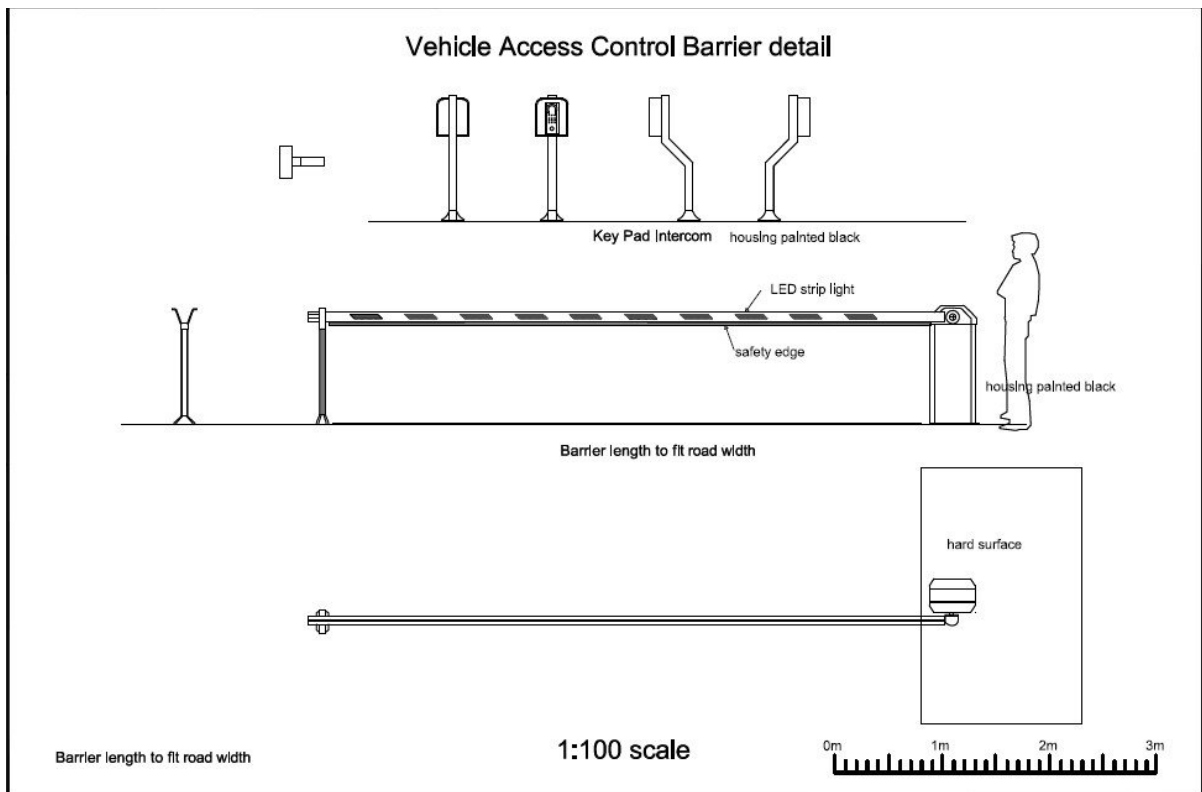
Map provided by applicant

Scale: 1:15000



RU.20/0880

Indicative plans of barriers proposed under RU.20/0789, RU.20/0780 and RU.20/0880



RU.20/0880	Ward:
LOCATION:	Wentworth Estate Roads Wentworth Virginia Water GU25 4LS
PROPOSAL	The installation of 7 Vehicle Access Control Barriers, with free standing intercoms, plus paving slabs adjacent to the VACB on the Wentworth Estate, Virginia Water.
TYPE:	Full Planning Permission
EXP DATE	26 August 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

- 1.1 Wentworth Estate is a large, predominantly residential private estate that stretches from London Road to the west, to Virginia Water station in the east. Wellington Avenue runs north-south through the Estate with Green Belt land to the east comprising of expansive plots with larger mansion-style homes and the urban area to the west consisting of higher density, smaller residential plots. The Wentworth golf course is interwoven into the Green Belt plots with the Club House situated in the middle of the estate. There are a number of TPOs and areas of Ancient Woodland on the Estate as well as nationally and locally listed buildings. Footpath 63 runs along West Drive.

2. Planning history

- 2.1 There is a vast number of planning applications relating to the individual plots and buildings on the Estate. The most relevant for this current application is planning application RU.20/0166 for the installation of 26 Vehicle Access Control Barriers, with free standing intercoms, plus paving slabs adjacent to the VACB and moveable bollards in locations 8 and 9; on the Wentworth Estate, Virginia Water. This was considered by the Planning Committee on 3 June 2020 and was refused planning permission for the following reason:

The proposal by reason of the spread of barriers and the associated equipment within the Wentworth Estate and their appearance, would comprise inappropriate development in the Green Belt and would harm the openness of the Green Belt and the character of Wentworth, with no very special circumstances existing which clearly outweigh these harms. The proposal is therefore contrary to saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration 2001 and policy EE18 in the emerging Runnymede 2030 Local Plan

The applicant has now submitted three applications seeking to address the concerns raised in the consideration of this application all subject to reports in this agenda.

RU.20/0789 – 8 replacement barriers at the entrances to the estate within the urban area along Christchurch Road and at Abbots Drive (nos. 6,11,12,13,14,15,16,17)

RU.20/0790 – 1 new barrier at Monks Road

RU.20/0880 - 7 replacement barriers at the entrances to the estate within the Green Belt along Christchurch Road, Wellington Avenue and London Road (Nos 18, 19,22,24,25,26)

3. Application

- 3.1 The application proposes to install 7 Vehicle Access Control Barriers (VACB), each with a free standing accompanying intercom key pad (IKP) system. The application has been made following the refusal of RU.20/0166 for a larger scheme of barriers across the Estate. The barriers will be located at the external entrances to the west half of the Estate off London Road, Christchurch Road and Wellington Avenue. All 7 barriers will replace existing swing gates. It is proposed that the barriers will rise automatically on entry and exit between 7:30am and 6:30pm on weekdays and 7:30am to 12 noon on Saturdays. All other times will be controlled via fob, intercom and code. The applicant has stated that emergency services will be provided with the entry code and upon power failure, the barrier will automatically stay open.

The barriers will cover the width of the road they are located upon and will have a height of 1m. They will have alternating red markings and LED strip lighting across which the applicant has stated is required under current health and safety guidelines. A small area of hard standing, approximately 3.5sqm, will be placed around the barrier housing unit to allow for pedestrian access. The IKPs will be approximately 1.2m in height and both the barrier housing units and IKPs will be black in colour.

4. Consultations

4.1 23 Neighbouring properties were consulted in addition to being advertised on the Council's website and by site notice at each proposed barrier location. 12 letters of representation were received. The main concerns are outlined below:

- The application is an attempt to circumvent the previous refusal and should be considered alongside the 2 parallel applications.
- Pedestrians should be kept apart from the gate by a physical barrier and no safe space is provided.
- Erecting the barriers is illegal.
- The keypads are on the wrong side of the road
- The neon lighting is not in keeping with the aesthetic of the estate and will cause light pollution.
- The application breaches paragraphs 127 (c), (f) and 130 of the NPPF and policy EE18 of the 2030 Runnymede Local Plan
- West Drive is a public footpath and it is illegal to block it.
- The previous application was refused on green belt grounds.
- The application is a stepping stone to an estate wide scheme with future changes allowing closure of the gates.
- The application doesn't make sense on its own and would create an estate within an estate.
- There has been no consultation of residents
- The previous barriers were never there to control movements
- Not enough space for turning circles should access be denied.
- The scheme contradicts the Estate covenant and property deeds.
- Potential delays to emergency services access and impacts on traffic flows in the surrounding area.
- The intercom is on the passenger side causing driver's to exit the vehicles
- The proposal causes harm to amenity and the character of the area

SCC County Highway Authority – no objection subject to condition

SCC Rights of Way – no comments received

Virginia Water Neighbourhood Forum – no comments received

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where development is considered to be inappropriate subject to a number of exceptions. 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 development has overcome the previous reasons for refusal relating to development in the Green Belt as well as considerations regarding the impact on the townscape character of the area and local highways network.

6.2 Regarding the impact of development in the Green Belt, RU.20/0166 was refused on green belt grounds as it proposed barriers at new external and internal locations across the Estate. However, this application, which is within the Green Belt, only proposes to replace existing swing gates at the external entrances. The barriers will be similar in height and small in overall scale. The barriers will have a slender design and would have no material additional impact on the Green Belt compared with the existing. The areas of hard standing provided for non-vehicular access are small in area and will be positioned adjacent to the much more expansive covering of the estate roads. As the proposed barriers replace existing gates of a similar extent with no greater visual impact, the development is considered to preserve the openness of the Green Belt and does not conflict with the purposes of including land within it, thereby not inappropriate development in compliance with Policy EE18 and the NPPF.

6.3 All 7 of the external barriers will be replacing existing barriers on site therefore they are not considered out of character with the area. Concerns have been raised in letters of representation regarding the impact of the lights on the barriers on the aesthetic of the Estate. The Estate is

currently well lit through street lamps and the barrier lights will be modest in scale, helping to illuminate the barriers for safety purposes and not considered to be detrimental to the overall visual amenities of the Estate, the Green Belt or surrounding residential area. The proposed barriers are of similar scale and form to the existing. The barriers will be set back from the public highways and, in combination with their limited scale, officers therefore consider that the proposed development will not have a detrimental impact on the visual amenities of the public realm, nor the character of the surrounding area, in compliance with policy EE1.

- 6.4 Surrey County Highway Authority were consulted on the application and raised no objection to the application subject to the inclusion of a condition requiring a diversionary order to be confirmed prior to the installation of the barrier on West Drive. In order to ensure pedestrian access and safety around the barriers and to encourage the continued use of active and sustainable travel, a condition has been imposed requiring the installation of the hard standing before the installation of the barriers. In response to concerns raised regarding the positioning of the intercom systems on the right hand side of the road, the CHA have previously stated that road users would be forced to exit their vehicles to use the intercom if it was on the left side and would therefore pose a greater safety risk. In response to comments made by the planning committee during the consideration of the previous application RU.20/0166 regarding vehicle deliveries and emergency access to the Estate, the applicant has stated they are also agreeable to a condition requiring a transport management plan to provide specific details of how access to the Estate will be given when required. It is therefore considered that the proposed barriers would have no harmful impacts on the safety or operation of the public highway and deliveries and service vehicles would also have acceptable access, in compliance with Policy SD4.

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 It is considered that as the barriers are replacing existing of a similar scale there is no greater harm to the Green Belt thereby constituting not inappropriate development in the Green Belt and therefore overcoming the previous reasons for refusal. The development is also considered acceptable in terms of appearance and with no harmful impacts on residential amenities or the local highways network. The development has been assessed against the following key Development Plan policies –policies EE18, EE1, SD4 of the Runnymede 2030 Local Plan, 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:

Received 01/07/2020: VACB-26/a; VACB-25; VACB-24/a; VACB-22; VACB-21; Master plan; VACB-19; VACB-18; R Clarke Planning Ltd cover letter dated 29/06/2020

Reason: To ensure high quality design and to comply with Policies EE1 and EE18 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3 External materials

The development hereby permitted shall be constructed entirely of the materials, details of which are shown on page 4 of the R Clarke Planning Ltd cover letter.

Reason: To ensure high quality design and to comply with Policies EE1 and EE18 of the Runnymede 2030 Local Plan and guidance within the NPPF

4 The barriers hereby approved shall not be operational until the adjacent pedestrian hard standing shown on the approved plans is fully installed.

Reason: To provide safe access for non-vehicle users around the barriers and to encourage the use of sustainable modes of travel and to comply with Policy SD4 of the 2030 Runnymede Local Plan.

5 The barriers hereby approved shall not be operational until a detailed Transport Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan shall include specific details of how vehicles will access and exit the Wentworth Estate through the approved barriers with particular reference to the safe movement of delivery and emergency vehicles.

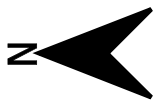
Reason: To take into account the safe access and egress of all road users and to ensure no adverse impacts on the amenities of the residents of the Wentworth Estate and to comply with Policies SD4 and EE1 of the 2030 Runnymede Local Plan.

6 No part of the proposed barriers shall be installed unless and until the proposed Diversionary Order has been secured allowing for the diversion of footpath 63. Once secured the barriers shall not be operational unless and until a scheme, to be submitted to, and approved in writing by the Local planning Authority has been provided detailing the proposed design of the diversion.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to satisfy Policy SD4 of the 2030 Runnymede Local Plan and to meet the objectives of National Planning Policy Framework.

Informatives:

- 1 Diversionary Order
The permission hereby granted shall not be construed as authority to carry out any works on the footpath 63. The applicant is advised that prior approval must be obtained from the relevant Authority before any works are carried out on any footpath. Please see https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/12



Date: 15/07/2020

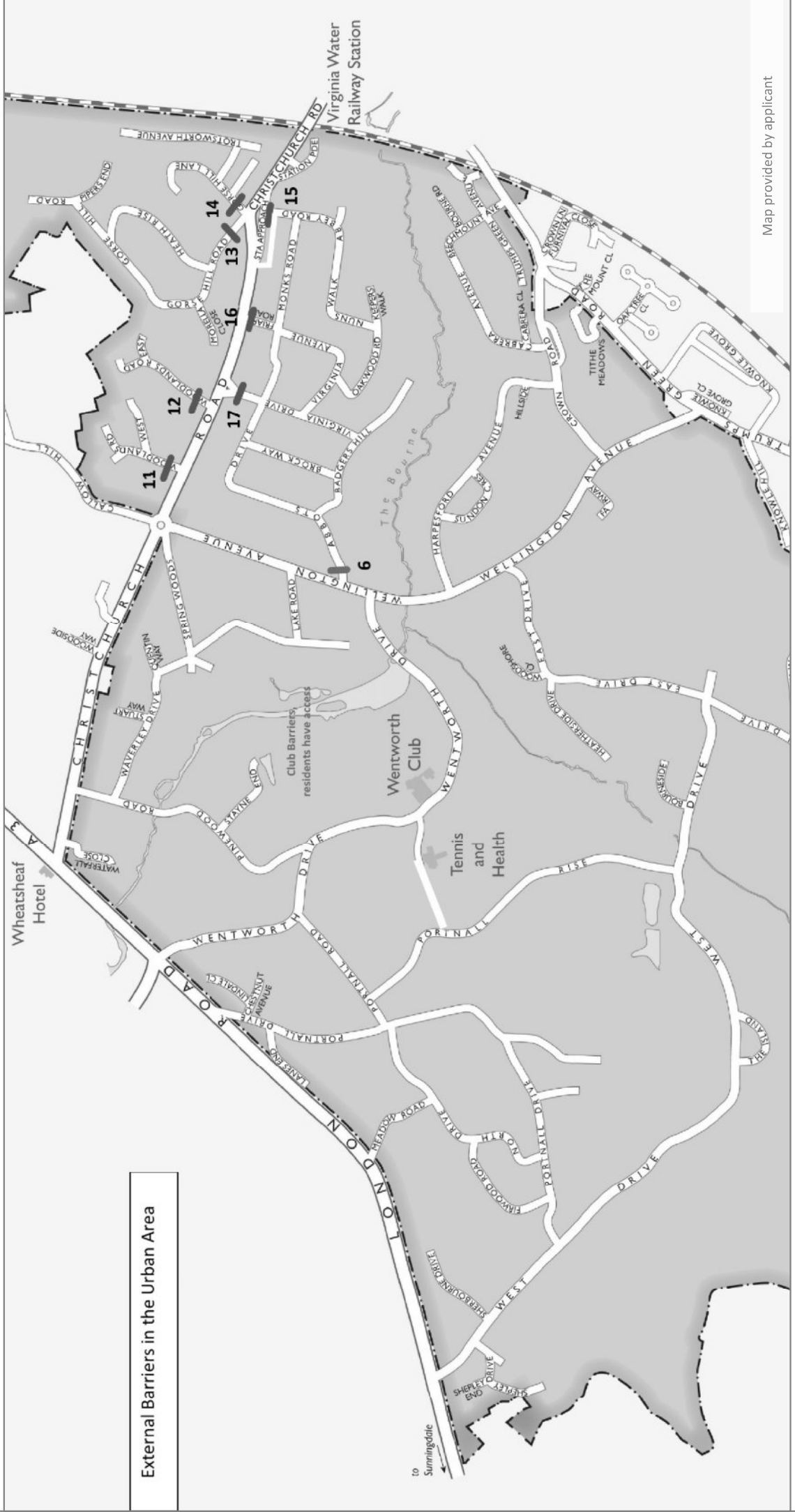
PLANNING COMMITTEE

FOR LOCATION PURPOSES ONLY

Wentworth Estate Roads, Wentworth, Virginia Water



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



External Barriers in the Urban Area

Map provided by applicant

Scale: 1:15000
0 300 600 m

RU.20/0789

206

RU.20/0789	Ward:
LOCATION:	Wentworth Estate Roads Wentworth Virginia Water GU25 4LS
PROPOSAL	The installation of 8 Vehicle Access Control Barriers, with free standing intercoms, plus paving slabs adjacent to the VACB on the Wentworth Estate, Virginia Water.
TYPE:	Full Planning Permission
EXP DATE	12 August 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

- 1.1 Wentworth Estate is a large, predominantly residential private estate that stretches from London Road to the west, to Virginia Water station in the east. Wellington Avenue runs north-south through the Estate with Green Belt land to the east comprising of expansive plots with larger mansion-style homes and the urban area to the west consisting of higher density, smaller residential plots. The Wentworth golf course is interwoven into the Green Belt plots with the Club House situated in the middle of the estate. There are a number of TPOs and areas of Ancient Woodland on the Estate as well as nationally and locally listed buildings.

2. Planning history

- 2.1 There is a vast number of planning applications relating to the individual plots and buildings on the Estate. The most relevant for this current application is planning application RU.20/0166 for the installation of 26 Vehicle Access Control Barriers, with free standing intercoms, plus paving slabs adjacent to the VACB and moveable bollards in locations 8 and 9; on the Wentworth Estate, Virginia Water. This was considered by the Planning Committee on 3 June 2020 and was refused planning permission for the following reason:

The proposal by reason of the spread of barriers and the associated equipment within the Wentworth Estate and their appearance, would comprise inappropriate development in the Green Belt and would harm the openness of the Green Belt and the character of Wentworth, with no very special circumstances existing which clearly outweigh these harms. The proposal is therefore contrary to saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration 2001 and policy EE18 in the emerging Runnymede 2030 Local Plan

The applicant has now submitted three applications seeking to address the concerns raised in the consideration of this application all subject to reports in this agenda.

RU.20/0789 – 8 replacement barriers at the entrances to the estate within the urban area along Christchurch Road and at Abbots Drive (nos. 6,11,12,13,14,15,16,17)

RU.20/0790 – 1 new barrier at Monks Road

RU.20/0880 - 7 replacement barriers at the entrances to the estate within the Green Belt along Christchurch Road, Wellington Avenue and London Road (Nos 18, 19,22,24,25,26)

3. Application

- 3.1 The application proposes to install 8 Vehicle Access Control Barriers (VACBs) with a free standing intercom key pad (IKP) system accompanying each barrier. The barriers will be located at the external entrances to the section of the Estate in the urban area, replacing existing swing gates. It is proposed that the barriers will rise automatically on entry and exit between 7:30am and 6:30pm on weekdays and 7:30am to 12 noon on Saturdays. All other times will be controlled via fob, intercom and code. The applicant has stated that emergency services will be provided with the entry code and upon power failure, the barriers will automatically stay open. It is proposed to keep barriers 13 and 14 permanently raised as they lead to adopted roads.

- 3.2 The barriers will cover the width of the road they are located upon which varies across the estate and will have a height of 1m. They will have alternating red markings and LED strip lighting across which the applicant has stated is required under current health and safety guidelines. A small area of hard standing, approximately 3.5sqm, will be placed around the barrier housing unit to allow for pedestrian access. The IKPs will be approximately 1.2m in height and both the barrier housing units and IKPs will be black in colour. A highways report has been submitted however this has not been updated from RU.20/0166 to reflect the current proposal.

4. Consultations

4.1 41 Neighbouring properties were consulted in addition to being advertised on the Council's website and by site notice at each proposed barrier location. 17 letters of representation were received. 3 letters support the application, 2 of which are from the same address. 14 letters raised concerns, 6 of which are from the same address. The main concerns are outlined below:

- The separate planning applications are an attempt to circumvent the previously refused application RU.20/0166 and all applications should be considered together
- A single gate at the junction of Abbots Road and Wellington Avenue will achieve the same purpose of preventing rat runs
- Issues regarding delivery vehicles using the access road behind the shops on Station Parade turning onto the wrong side of the road to use the barrier and potential damage to private property. A survey should determine the maximum size vehicle that can use the road and signs should be erected to indicate the limit.
- Visual impact of barrier 15 on nearby buildings and shops and possible safety issues from barrier lowering close to pedestrians and the pedestrian walkway not being wide enough.
- Conditions requested for detailed drawings of barriers and safety report with any recommendations being implemented.
- Light pollution from neon barriers and proposal breaches paragraph 127(c) of NPPF.
- Several barriers are proposed to be kept open 24/7 and the application is a stepping stone toward these being closed in the future.
- The existing barriers were never there to restrict movements and the proposal is not supported by residents and will segregate the estate.
- The barriers do not leave sufficient safety margins or turning circles.
- The proposal contravenes rights of way including those in property deeds.
- The proposal is in breach of paragraph 130 of the NPPF and harms the character and amenity of the area.
- Limitations for delivery services and ambulances to enter the site.
- The gates should be redesigned for improved pedestrian safety.

4.2 SCC County Highway Authority – no objection subject to condition

4.3 Virginia Water Neighbourhood Forum – no comments received.

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

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 whether the development has overcome the previous reasons for refusal and specifically, the impact on the townscape character of the area and local highways network.

6.2 All 8 of the external barriers will be replacing existing barriers on site therefore they are not considered out of character with the area. Concerns have been raised in letters of representation regarding the impact of the lights on the barriers on the aesthetic of the Estate. The Estate is currently well lit through street lamps and the barrier lights will be modest in scale, helping to illuminate the barriers for safety purposes and not considered to be detrimental to the overall visual amenities of the Estate or surrounding area. The proposed barriers are of similar scale and form to the existing. The barriers will be set back from the public highways and, in combination with their limited scale, officers therefore consider that the proposed development will not have a detrimental impact on the visual amenities of the public realm, nor the character of the surrounding area, in compliance with policy EE1.

6.3 Surrey County Highway Authority were consulted on the application and maintained no objection to the application subject to the inclusion of a condition requiring barriers 13 and 14 to be permanently open as proposed by the applicant. In order to ensure pedestrian access and safety around the barriers and to encourage the continued use of active and sustainable travel, a further condition has been imposed requiring the installation of the hard standing before the installation of the barriers. In response to concerns raised in representations regarding the positioning of the

intercom systems on the right hand side of the road, the CHA have previously that road users would be forced to exit their vehicles to use the intercom if it was on the left side and would therefore pose a greater safety risk. In response to comments made by the planning committee during the consideration of the previous application RU.20/0166 regarding vehicle deliveries and emergency access to the Estate, the applicant has stated they are also agreeable to a condition requiring a transport management plan to provide specific details of how access to the Estate will be given when required. It is therefore considered that the proposed barriers would have no harmful impacts on the safety or operation of the public highway and deliveries and service vehicles would also have acceptable access, in compliance with Policy SD4.

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 barriers proposed under this application are within the urban area. As the previous reasons for refusal of RU.20/0166 related solely to the barriers within the Green Belt policy, it is considered this application addresses the matters in that refusal. In addition, no new impacts have been identified. The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities or the local highway network. The development has been assessed against the following key Development Plan policies –policies EE1 and SD4 of the Runnymede 2030 Local Plan, 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:

Received 14/07/2020: Amended masterplan

Received 16/06/2020: VACB-6; VACB-11; VACB-12; VACB-13; VACB-16; VACB-17; R Clarke Planning Ltd Cover Letter dated 15/06/2020

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3 External materials

The development hereby permitted shall be constructed entirely of the materials, details of which are shown on page 3 of the R Clarke Planning Ltd cover letter.

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF

- 4 The barriers located on Gorse Hill Road and Gorse Hill Lane (nos. 13 and 14) shall not be capable of extending across a greater width of the highway than the existing barriers (in accordance with approved drawing VACB-13) and are to remain in a permanently open position to allow for access to the public highway located on Trotsworth Avenue and Morella Close.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policy SD4 of the 2030 Runnymede Local Plan and to meet the objectives of National Planning Policy Framework.

- 5 The barriers hereby approved shall not be operational until the adjacent pedestrian hard standing shown on the approved plans is fully installed.

Reason: To provide safe access for non-vehicle users around the barriers and to encourage the use of sustainable modes of travel and to comply with Policy SD4 of the 2030 Runnymede Local Plan.

- 6 The barriers hereby approved shall not be operational until a detailed Transport Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan shall include specific details of how vehicles will access and exit the Wentworth Estate through the approved barriers with particular reference to the safe movement of delivery and emergency vehicles.

Reason: To take into account the safe access and egress of all road users and to ensure no adverse impacts on the amenities of the residents of the Wentworth Estate and to comply with Policies SD4 and EE1 of the 2030 Runnymede Local Plan.



FOR LOCATION PURPOSES ONLY

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

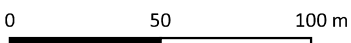
Date: 02/09/2020

Monks Road, Wentworth, Virginia Water, GU25 4LS



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Scale: 1:2500



RU.20/0790



RU.20/0790	Ward:
LOCATION:	Monks Road Wentworth Virginia Water GU25 4LS
PROPOSAL	The installation of 1 Vehicle Access Control Barriers, with free standing intercoms, plus hard surfacing to secure pedestrian / wheel chairs access to the side of the VACB at Monks Road, Wentworth Estate, Virginia Water.
TYPE:	Full Planning Permission
EXP DATE	12 August 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

- 1.1 Wentworth Estate is a large, predominantly residential private estate that stretches from London Road to the west, to Virginia Water station in the east. Wellington Avenue runs north-south through the Estate with Green Belt land to the east comprising of expansive plots with larger mansion-style homes and the urban area to the west consisting of higher density, smaller residential plots. The Wentworth golf course is interwoven into the Green Belt plots with the Club House situated in the middle of the estate. There are a number of TPOs and areas of Ancient Woodland on the Estate as well as nationally and locally listed buildings.

2. Planning history

- 2.1 There is a vast number of planning applications relating to the individual plots and buildings on the Estate. The most relevant for this current application is planning application RU.20/0166 for the installation of 26 Vehicle Access Control Barriers, with free standing intercoms, plus paving slabs adjacent to the VACB and moveable bollards in locations 8 and 9; on the Wentworth Estate, Virginia Water. This was considered by the Planning Committee on 3 June 2020 and was refused planning permission for the following reason:

The proposal by reason of the spread of barriers and the associated equipment within the Wentworth Estate and their appearance, would comprise inappropriate development in the Green Belt and would harm the openness of the Green Belt and the character of Wentworth, with no very special circumstances existing which clearly outweigh these harms. The proposal is therefore contrary to saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration 2001 and policy EE18 in the emerging Runnymede 2030 Local Plan

The applicant has now submitted three applications seeking to address the concerns raised in the consideration of this application all subject to reports in this agenda.

RU.20/0789 – 8 replacement barriers at the entrances to the estate within the urban area along Christchurch Road and at Abbots Drive (nos. 6,11,12,13,14,15,16,17)

RU.20/0790 – 1 new barrier at Monks Road

RU.20/0880 - 7 replacement barriers at the entrances to the estate within the Green Belt along Christchurch Road, Wellington Avenue and London Road (Nos 18, 19,22,24,25,26)

3. Application

- 3.1 The application proposes to install 1 Vehicle Access Control Barrier (VACB) with a free standing accompanying intercom key pad (IKP) system. The application has been made following the refusal of RU.20/0166 for a larger scheme of barriers across the Estate. The barrier will be located within the Estate on Monks Road close to the junctions with Friars Road and Virginia Avenue. The applicant has stated that the barrier will be down when the external barriers proposed under RU.20/0789 are on automatic control and access will be achieved by key fob or using the intercom. The applicant has stated that emergency services will be provided with the entry code and upon power failure, the barrier will automatically stay open.

The barrier will cover the width of the road it is located upon and will have a height of 1m. They will have alternating red markings and LED strip lighting across which the applicant has stated is required under current health and safety guidelines. A small area of hard standing, approximately 3.5sqm, will be placed around the barrier housing unit to allow for pedestrian access. The IKPs will be approximately 1.2m in height and both the barrier housing units and IKPs will be black in colour. A highways report has been submitted however this has not been updated from RU.20/0166 to reflect the current proposal.

4. Consultations

4.1 4 Neighbouring properties were consulted in addition to being advertised on the Council's website and by site notice. 15 letters of representation were received. The main concerns are outlined below:

- The barrier serves no purpose and will only redirect traffic down other roads.
- The road is too narrow for vehicles to turn around if no access gained
- The application attempts to circumvent the previous refusal and should be considered alongside the 2 parallel applications.
- A single gate at the junction of Abbots Road and Wellington Avenue would prevent rat runs.
- The infrastructure already installed provides no suitable non-vehicular access and is potentially dangerous.
- There is no evidence of traffic need for single gate
- Negative impact on character of the area, local amenity, the environment and traffic and safety.
- Restriction on movement of residents across the estate and contravenes established rights of way. The scheme goes against the Estate constitution.
- Proposal goes against paragraphs 127(c), 127(f) and 130 of the NPPF.
- The barrier is not required and represents inappropriate development.
- There's not enough space to provide safe access around the gates and the scheme should have full support from the residents.
- The proposal is against policy EE18 of the 2030 Local Plan – (Officer's comment: the development is situated in the urban area therefore this policy does not apply).
- Intercom is on the wrong side of the road.
- Limitations for delivery vehicles and ambulances for free access across the Estate
- The gate will cause light, noise and air pollution for residents

4.2 SCC County Highway Authority – No objection

4.2 Virginia Water Neighbourhood Forum – no comment received

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

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 whether the development has overcome the previous reasons for refusal and specifically, the impact on the townscape character of the area and local highways network.

6.2 The proposed barrier will be located wholly within the private Estate and will not be visible from the public highway. The barrier and accompanying equipment are low in height compared to surrounding development. Concerns were raised regarding the impact of the lights on the barriers on the aesthetic of the Estate however the Estate is currently well lit through street lamps and will illuminate the barriers for safety purposes and are therefore not considered to be detrimental to the overall visual amenities of the Estate or surrounding area. Concerns were raised regarding impacts on neighbouring amenity in regards to noise, air and light however the installation of only 1 internal barrier is not considered to result in greater material harm than existing circumstances. Officers therefore consider that the proposed development will not have a detrimental impact on the visual amenities of the public realm, nor the character of the surrounding area or residential amenities, in compliance with policy EE1.

6.3 Surrey County Highway Authority were consulted on the application and raised no objection to the application noting that the barrier is located on a private estate and therefore outside the jurisdiction of the CHA. In order to ensure pedestrian access and safety around the barriers and to encourage the continued use of active and sustainable travel, a condition has been imposed requiring the installation of the hard standing before the installation of the barriers. In response to concerns raised regarding the positioning of the intercom systems on the right hand side of the road, the

CHA have previously stated that road users would be forced to exit their vehicles to use the intercom if it was on the left side and would therefore pose a greater safety risk. In response to comments made by the planning committee during the consideration of the previous application RU.20/0166 regarding vehicle deliveries and emergency access to the Estate, the applicant has stated they are also agreeable to a condition requiring a transport management plan to provide specific details of how access to the Estate will be given when required. It is therefore considered that the proposed barriers would have no harmful impacts on the safety or operation of the public highway and deliveries and service vehicles would also have acceptable access, in compliance with Policy SD4.

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 imposed 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 barrier proposed under this application is within the urban area. As the previous reasons for refusal of RU.20/0166 related solely to the barriers within the Green Belt policy, it is considered this application addresses the matters in that refusal. In addition, no new impacts have been identified. The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities or the local highway network. The development has been assessed against the following key Development Plan policies – policies EE1 and SD4 of the Runnymede 2030 Local Plan, 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:

Received 16/06/2020: VACB-16; Master plan

Received 17/06/2020: R Clarke Planning Ltd cover letter dated 15/06/2020

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3 External materials

The development hereby permitted shall be constructed entirely of the materials, details of which are shown on page 3 of R Clarke Planning Ltd cover letter.

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF

- 4 The barrier hereby approved shall not be operational until the adjacent pedestrian hard standing shown on the approved plans is fully installed.

Reason: To provide safe access for non-vehicle users around the barriers and to encourage the use of sustainable modes of travel and to comply with Policies SD3 and SD4 of the 2030 Runnymede Local Plan.

- 5 The barrier hereby approved shall not be operational until a detailed Transport Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan shall include specific details of how vehicles will access and exit the Wentworth Estate through the approved barriers with particular reference to the safe movement of delivery and emergency vehicles.

Reason: To take into account the safe access and egress of all road users and to ensure no adverse impacts on the amenities of the residents of the Wentworth Estate and to comply with Policies SD4 and EE1 of the 2030 Runnymede Local Plan.

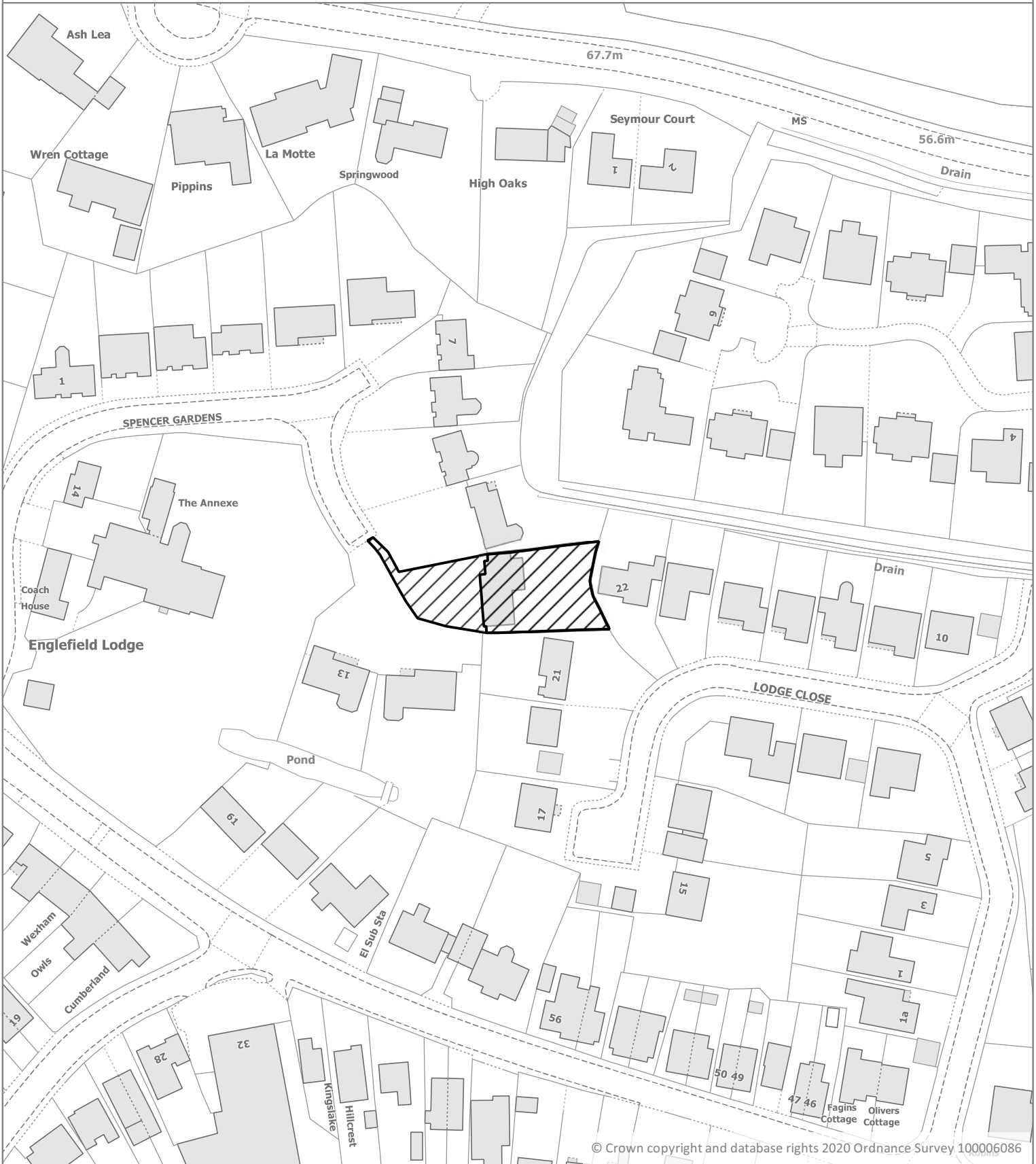


FOR LOCATION PURPOSES ONLY

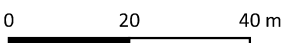
Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 02/09/2020

11 Spencer Gardens, Egham, TW20 0JN



Scale: 1:1250



RU.20/0110 & RU.20/0824



RU.20/0110	Ward:
LOCATION:	11 Spencer Gardens Englefield Green TW20 0JN
PROPOSAL	2 storey extension to front, single storey extension to north side, 2 storey extension to rear and alterations/extension to south including accommodation in the roof space. The alterations also include the removal of the rear conservatory and the porch structure to the front. (amended plans received)
TYPE:	Full Planning Permission
EXP DATE	17 March 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

1.1 11 Spencer Gardens is a two storey dwelling house on the eastern side of a cul-de-sac of similar dwellings. The dwelling is one of a cluster of dwellings at the southern end of Spencer Gardens which have a shared access leading across open landscaped areas to the individual properties. The land slopes down from Spencer Gardens so that the rear garden is lower than the front garden. The dwelling has an attached double garage on the southern side, and originally had a rear conservatory. Planning permission was granted in 2019 for various extensions and these have been constructed or in the process of being constructed. There are dwellings to the east (rear) and south (side) which front Lodge Close (Nos. 21 and 22) and these are on lower land than the application site. No. 10 Spencer Gardens is to the north of the application site. The area is characterised by detached dwellings within gardens of varying sizes. The site is located within the urban area of Englefield Green.

2. Planning history

2.1 RU.84/0955 - Single storey rear extension of approx. 790sq.ft gross floor area comprising a kitchen extension, conservatory, tool room and shower. - Grant Consent - subject to conditions - 11/01/1985

2.2 RU.18/1440 was granted planning permission in January 2019 for a two storey front extension with porch, a single storey side extension on northern side, a two storey rear extension, and single storey front and rear extensions to garage. The works have commenced is under construction but elements of the development are not in accordance with the approved plans and therefore this current application seeks to regularise the development, as well as proposing a new front extension which was not part of the original approved scheme. A summerhouse and store recently erected within the rear garden are now the subject of planning application RU.20/0824 which is considered elsewhere on this agenda.

The details of the permitted scheme are as follows:

- Two storey front extension with hipped roof over and eaves to match the existing, 7.4 metres in width and 3 metres in depth with the porch projecting a further 1.1 metres from the front elevation.
- Two storey rear extension which would have a staggered rear elevation with two hipped roofs 10.9 metres in width and 3.6 metres in depth at the maximum.
- Single storey front and rear extensions to the garage enlargements by 1 metre in depth to the front and 3.1 metres to the rear. This would allow for the retention of the garage to the front and an office area provided at the rear to the rear. The rear elevation would join with the rear elevation of the proposed two storey rear extension. The garage would still have a flat roof with the extensions having 'false pitches.
- Single storey side larder extension 3.9 metres in depth and 1.6 metres in width with a gap of 0.3 metres to the boundary. The proposal would have a flat roof, 2 metres in height.
- Openings are proposed to the front, rear and southern side elevation as well as several rooflights to the front roof slope and a single rooflight to the side garage.

. Application

3.1 Although the applicant has implemented and constructed the extensions under the planning permission RU.18/1440, changes have been made which require permission and a new element to the front extension is proposed. The application description by the applicant includes all the previous approved development and the new elements. Full planning permission is sought for a similar scheme to that approved under RU.18/1440 to include

- a two storey front extension incorporating all the previously approved and constructed front extension and additionally a two storey element in the north west corner recess of

the dwelling approximately 3.4m width x 2m depth to provide a sitting room on the ground floor and a shower room above. This would infill the north west corner of the dwelling. This extension would have a hipped roof as the approved scheme has.

- a single storey flat roof extension on the northern side of the dwelling. The approved extension was 4m in depth, and the extension constructed is 7.7m in depth, an increase of 3.7m. The extension has a flat roof with a height of 2.2m at the rear. There are no windows on any of the elevations of this extension.
- As approved and constructed, two storey rear extension across the full width of the existing dwelling joining with a single storey extension to the rear of the garage; the garage was also approved to be extended to the front also constructed. The floorplan dimensions are the same as has been approved, but the parapet flank wall across the flat roof of the garage has been increased in height as have the two end sloping roofs; this higher parapet wall its to screen an air conditioning unit installed on the side elevation of the dwelling.
- Minor variations to the width and depth of front entrance porch, fenestration at ground floor rear elevation, re-alignment of the rear garden terrace.

During the course of the application, amended plans have been received removing a proposed first floor over the existing garage that was originally proposed but which officers advised would be harmful to neighbours.

- 3.2 A landscape plan shows changes to the hard and soft landscaping, realignment of the terracing in the rear garden and vehicle parking arrangement for the front garden. Also shown is a summerhouse with attached store; this is for information purposes and is the subject of a separate planning application, reference RU.20/0824.

4. Consultations

- 4.1 10 Neighbouring properties were consulted in addition to being advertised on the Council's website and representations were received from thirteen households. The following main concerns were raised:

- The proposed front extension would be incongruous and out of character with the neighbourhood
- The proposed extensions would result in an overbearing and overshadowing impact and a loss of sun and light to occupiers of the dwelling at No.10 and to the occupiers of the dwellings to the south and to the rear
- The development so far has not been constructed in materials to match as required by planning condition of planning permission RU.18/1440
- An air condition unit has been erected; this is unsightly and noisy
- The replacement of a boundary hedge with a close boarded fence is unsightly and the addition of (previously approved) side facing windows to the garage will cause a loss of privacy to the occupiers of the neighbouring dwelling and garden
- A summerhouse has been erected in the rear garden. (*Officer comment: this is now the subject of planning application RU.20/0824*)
- The windows in the side elevation of the garage are clear glazed and openable instead of obscurely glazed and fixed shut (*Officer comment: this has now been corrected on site and on the plans*)
- The first floor extension over the garage would overshadow 21's garden (*officer comment: now resolved by deletion of first floor extension from the planning application*)
- The access drive is shared by No's 10,11,12,13 Spencer Gardens rather than belonging to No.11 . Officer comment: this boundary dispute does not affect the proposed extensions
- 3 Flood lights have been erected (one above front of garage, two at first floor level on the rear elevation (*officer comment: the agent has confirmed that the floodlighting has been removed*))

- A bathing pool has been installed (*Officer comment: this refers to a potable jacuzzi style pool and does not require planning permission*)

Englefield Green Village Neighbourhood Forum:

Nil representations received

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

5.2 Any previous SPG which might be a material consideration – 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 previous planning permission RU. 18/1140 was considered to be compliant with the Council's then development plan, the Runnymede Borough Local Plan Second Alteration 2001 and the adopted Householder Guide. This current application has to be considered against the new Runnymede 2030 Local Plan but it is considered that the new policy EE1 draws through the same considerations as the previous saved Policies BE2 and HO9. The key planning issues remain as previously, these are the impact of the enlargements to the dwelling on the streetscene and character of the area, and the impact on the residential amenities of neighbouring occupiers. It is a material consideration that there is an extant permission being implemented for a very similar scheme including the two storey rear extension, the extensions to the garage, the side extension on the northern side and porch. The key changes are the new two storey front extension, the enlargement to the northern side extension, and the changes to the garage roof, and the following paragraphs focus on these aspects of the development.

6.2 The application dwelling is situated at the end of the cul-de-sac and is set back from the road by approximately 18m, with the land level reducing towards the rear. The additional proposed two storey front extension would be sited in the north west corner of the dwelling, set back from the newly enlarged front elevation with a small hipped roof lower in height than the existing ridge. Due to its siting at the end of the cul de sac, set back from the road, limited projection and low roof, it is considered that the proposed extension would be a subservient addition to the dwelling and would not have an adverse impact on the street scene of Spencer Gardens. The design and appearance of the extension would be similar to the two storey rear extension previously approved under RU.18/1440 and constructed so that the enlarged dwelling as a whole would remain sympathetic to the character of the area. The front porch has also been constructed slightly larger than previously approved. It is still of an open-sided lean-to design but it is wider and slightly deeper. The design is still appropriate to the dwelling and it has been finished with roof tiles to match the host dwelling. The external finish of the sides of the porch is white which at present does make the porch stand out. However, this will soften in time, and because of the location of the property at the southern end of the cul de sac and the set back from the road, it is considered that the visual impact is not harmful to the street scene or character of the area. The front garden has at the same time been landscaped with borders and raised beds and the vehicle parking area has been re-configured as part of the landscaping

6.3 The single storey side extension to the north side of the dwelling has already been constructed but the extra depth is at the rear and not visible from the street. Due to its flat roof and set back from the front of the dwelling, it has no harmful impacts on the street scene or the character of the area. The two storey rear extension and the front and rear extensions to the garage were also previously considered to have no impacts on the character of the area or the street scene, and the same conclusions are drawn under this current application as the minor changes to the pitch of the roof slope of the front and rear of the garage and the raising of the flank wall would not be prominent in the street scene. Letters of representation have raised concerns about the quality of the brickwork and the variation in colour of the bricks. Officers consider that any such variations are minor and not materially harmful to the appearance of the dwelling or the character of the area. The alterations to the rear garden also have no harmful impacts on the character of the area. The application is therefore considered to respond to the local context and contributes to the townscape of the area, in compliance with Policy EE1.

- 6.4 In terms of impact on neighbouring occupiers of the original scheme, these were fully considered under RU.18/1440. It was concluded that although the extensions would be highly visible from neighbouring dwellings, that there would be an acceptable separation distance to neighbours, and that amenities would be maintained to an acceptable degree in terms over impact on outlook and impact on privacy. The key neighbours are as follows: No.21 Lodge Close is a two storey detached dwelling situated on lower lying land to the south of the site and which is located to the south east of the application site, oriented to the east, and has views from the rear rooms and garden towards the application dwelling. No 22 Lodge Close is a bungalow immediately to the rear of the application site, oriented facing south so that its side elevation faces the rear garden boundary of the site. Being on low lying land, it is substantially lower than the application dwelling. No 10 Spencer Gardens is the detached dwelling to the north of No.11.
- 6.5 In relation to No. 10 Spencer Gardens to the north, it was previously concluded that the original two storey front and rear extensions and the garage extensions were of sufficient distance from No. 10 to avoid overlooking and impact on outlook, and would not cause harmful overshadowing. The single storey side extension had been amended at that time to provide some separation to the boundary. The extra depth of this extension as constructed does not encroach any closer to No. 10 than was previously permitted and would not harm the side element at No. 10. It is considered the additional depth of this side extension does not break the 60 degree splayline from the neighbour's dwelling and does not harmfully encroach on the outlook from their rear conservatory. In terms of the proposed front corner extension, this would be closest to No. 10. However, due to the shallow depth and separation, the proposal would not breach the 45 degree splayline from the neighbour's windows. It is considered that the extension would not harm the outlook or privacy of the neighbour. There would be some shadowing, but due to the shallow depth of the extension, this is not considered harmful would be no material loss of privacy arising.
- 6.6 In relation to No. 21 Lodge Close, it is the alterations and enlargement of the garage roof which most affect this neighbour. The forming of a parapet wall to screen the air conditioning unit which has been located on the southern side of the dwelling has resulted in an increase in height of the flank wall of the garage by about 300mm, with associated adjustments to the sloping roofs at the front and rear. The garage extensions are highly visible from No. 21 Lodge Close both from the garden and the rear rooms at ground and first floor level. Under the previous application, it was considered that there would be some impact on this neighbour arising from the extensions to the garage, but that on balance there would be adequate privacy and screening and due to differences in land levels, would maintain acceptable amenities for the occupiers of No. 21 with weight given to the existing boundary screening including a hedge. Officers have therefore carefully considered the impacts of the amendments to the garage on No. 21. It is considered that the increase in the garage roof will have a degree of additional visual impact on the neighbour. However, it is considered that the benefits of the increase in roof to shield the air conditioning units, outweigh the minor change in visual impact. There has been a change in boundary screening since the last application was considered in that part of the boundary hedge along the common boundary with No. 21 has been removed and replaced by a 2m fence, as shown on the landscaping plan. In order that the garage is better screened from view, there is an opportunity for the new fence to have an additional trellis and this can be secured by condition. This will also provide additional screening for the terracing within the rear garden. The windows in the side of the approved garage are all either high level or fixed shut and obscure glazed so that privacy of No. 21 is protected. Subject to the extra detail of the boundary screening, it is considered that on balance there would still be an acceptable relationship maintained with No. 21 Lodge Close and that the amenities of the occupiers would still be a good standard in accordance with the Local Plan and the NPPF.
- 6.7 The alterations to the height of the garage would not be readily visible from the other neighbour No. 22 Lodge Close, nor would the enlarged single storey side extension on the northern side. The front extension and the porch is away from this neighbour, and the two storey rear extension previously granted was considered to be compliant with the Council's policies and would not harm the amenities of this neighbour. This is still considered to be the case. There have been changes within the rear garden with terracing but it is considered that these are not harmful to No. 22. No other neighbouring dwellings are impacted by this current proposal. The application is therefore considered to comply with policy EE1. However, due to the changes in land levels, and the cumulative enlargement of the dwelling, it is considered that any additional extensions or roof enlargements that may be capable of being constructed without planning permission under permitted development, could impact on neighbours to the detriment of their amenities. Although the scope for this is quite limited now, it is considered necessary to remove permitted development rights for extensions and roof enlargements under Classes A and B of the General Permitted Development Order.

7. Conclusion

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

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

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

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

7.2 The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities subject to conditions. The development has been assessed against the following key Development Plan policy EE1 of the Runnymede 2030 Local Plan, 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:

Existing site plan and location plan: GTB-874-4
Proposed elevations: GTB-874-3A, revision G
Proposed first floor plan: GTB-874-2A, revision B
Proposed ground floor plan: GTB-874-1A, revision A
Proposed landscape plan: GTB-874-4B, revision B
Proposed daylight angles: GTB-874-1B
Proposed roof plan: GTB-874-6, revision B

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3 External materials

The additional front extension in the north west corner of the dwelling hereby permitted shall be constructed with materials to match the recently constructed front extension.

Reason: To maintain the character and appearance of the area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

4 In respect of the windows in the southern side elevation of the garage as shown on the approved plans, the high level windows shall have a minimum internal cill height of 1.7 metres above finished floor level, and the remaining windows 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: In the interests of amenity of neighbouring properties and to comply with saved Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 Restricted Permitted Development Rights

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

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6 A trellis or equivalent shall be installed along the top of the 2.0m fence (shown on plan GTB-874-4B Rev B) along part of the southern boundary of the site. Within one month of the date of this decision, details of this trellis, or equivalent, shall be submitted to and approved in writing by the Local Planning Authority. The trellis shall be installed within two months of approval of the details and shall be retained for the lifetime of the development.

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

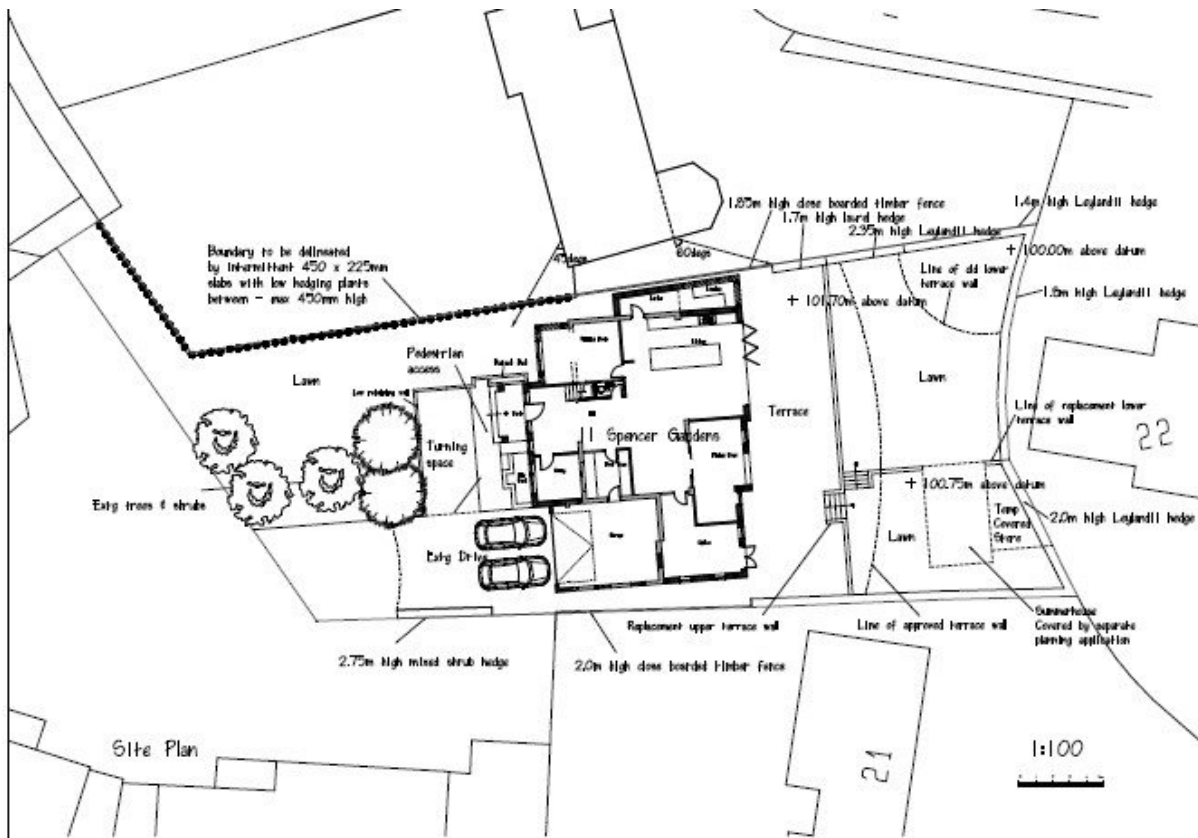
Informatives:

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.

RU.20/0110

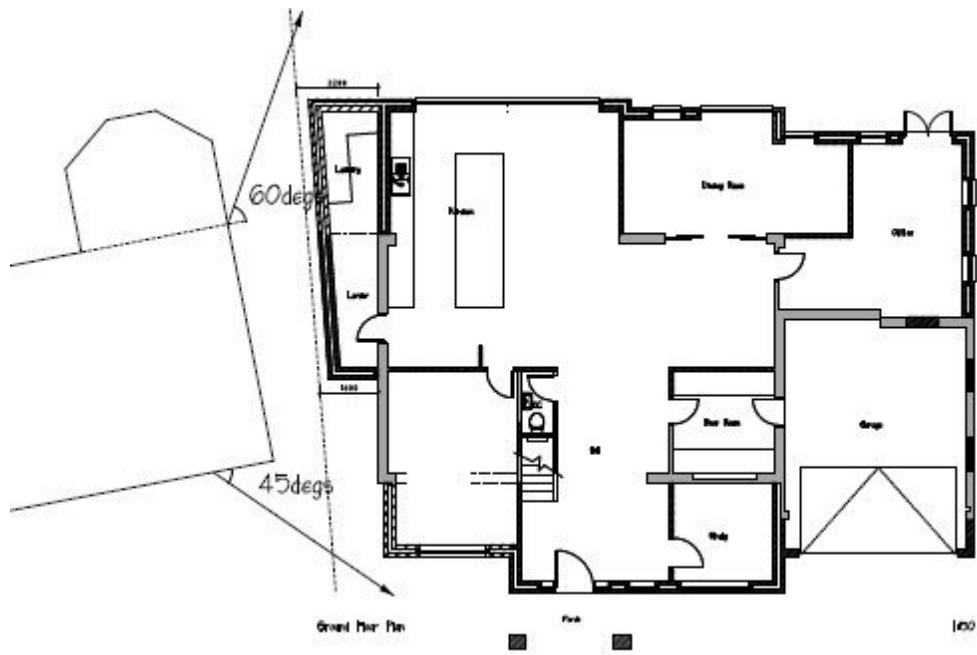
Proposed site plan



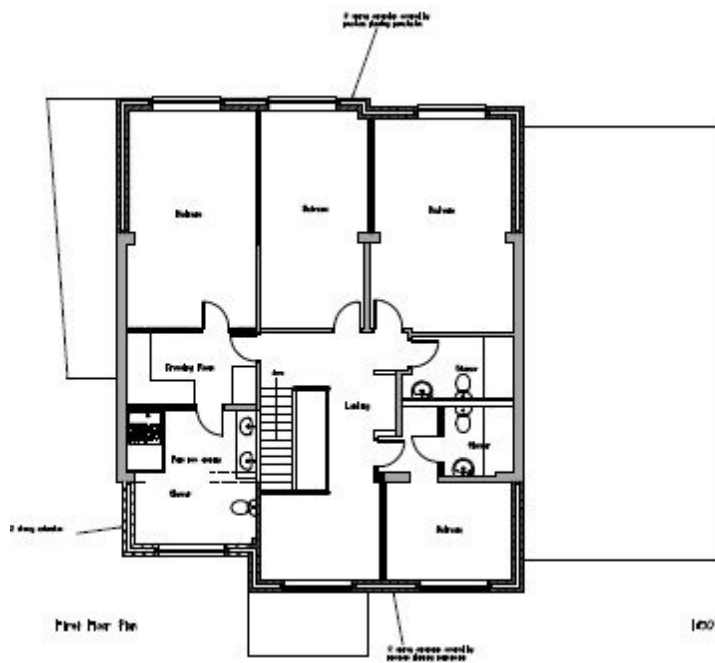
Proposed elevations



Proposed ground floor



Proposed first floor



RU.20/0824	Ward:
LOCATION:	11 Spencer Gardens Englefield Green TW20 0JN
PROPOSAL	Retention of Summerhouse/Garden Store
TYPE:	Full Planning Permission
EXP DATE	04 August 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

1.1 11 Spencer Gardens is a two storey dwelling house on the eastern side of a cul-de-sac of similar dwellings. The dwelling is one of a cluster of dwellings at the southern end of Spencer Gardens which have a shared access leading across open landscaped areas to the individual properties. The land slopes down from Spencer Gardens so that the rear garden is lower than the front garden. The dwelling has an attached double garage on the southern side, and originally had a rear conservatory. Planning permission was granted in 2019 for various extensions and these have been constructed or in the process of being constructed. There are dwellings to the east (rear) and south (side) which front Lodge Close (Nos. 21 and 22) and these are on lower land than the application site. No. 10 Spencer Gardens is to the north of the application site. The area is characterised by detached dwellings within gardens of varying sizes. The site is located within the urban area of Englefield Green. The dwelling has recently undergone extensions and alterations on all four elevations and the rear garden has been re-landscaped and terraced. A summerhouse with wooden store has been constructed close to the rear eastern boundary with No. 22 Lodge Close where there is a high hedge.

2. Planning history

2.1 RU.18/1440 was granted planning permission in January 2019 for a two storey front extension with porch, a single storey side extension on northern side, a two storey rear extension, and single storey front and rear extensions to garage, the details of which are as follows:

- Two storey front extension with hipped roof over and eaves to match the existing, 7.4 metres in width and 3 metres in depth with the porch projecting a further 1.1 metres from the front elevation.
- Two storey rear extension which would have a staggered rear elevation with two hipped roofs 10.9 metres in width and 3.6 metres in depth at the maximum.
- Single storey front and rear extensions to the garage enlargements by 1 metre in depth to the front and 3.1 metres to the rear. This would allow for the retention of the garage to the front and an office area provided at the rear to the rear. The rear elevation would join with the rear elevation of the proposed two storey rear extension. The garage would still have a flat roof with the extensions having 'false pitches.
- Single storey side larder extension 3.9 metres in depth and 1.6 metres in width with a gap of 0.3 metres to the boundary. The proposal would have a flat roof, 2 metres in height.
- Openings are proposed to the front, rear and southern side elevation as well as several rooflights to the front roof slope and a single rooflight to the side garage.

The works have commenced is under construction but elements of the development are not in accordance with the approved plans and therefore an application RU.20/0110 has been submitted to regularise the development, as well as proposing a new front extension which was not part of the original approved scheme. This is reported elsewhere on the agenda.

3. Application

3.1 Full planning permission is sought for the retention of the summerhouse and store which due to its size (approximately 3m in height, 6.5m length x 3.5m width) and proximity to the boundary requires planning permission. The limitation of height for outbuildings within residential curtilages under Class E of the General Permitted Development Order 2015 as amended is 2.5m within 2 metres of the boundary and eaves. The summerhouse is constructed from blockwork and has been smooth rendered and painted in an off-white colour. It has a flat roof of grey roofing felt maximum 2.9m high. It has one, hi level window on the west facing side elevation and the front, north facing elevation is fitted with full length, full width bi-fold doors, all in white UPVC. The summerhouse is connected to the water and electricity supply and includes a shower room and wc.. An enclosed and covered storage area has been created by attaching a timber framed structure to the eastern elevation and making use of a "left over" triangular shaped area of garden between the summerhouse and the edge of the site.

4. Consultations

4.1 3 Neighbouring properties were consulted in addition to being advertised on the Council's website and representations have been received from three households with the main points raised as follows:

- concern that the building may be a dwelling as it has running water, electricity and is fitted with a shower room
- concern that the timber structure attached to the summerhouse may create a fire hazard
- the development is built close to the boundary of the garden and is visible and intrusive to occupiers of neighbouring dwellings
- concern that the summerhouse may be intended as a guest room

Englefield Green Village Neighbourhood Forum

Nil response received

5. Relevant Local Planning Policies

5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.

5.2 Any previous SPG which might be a material consideration – Householder Guide (July 2003)

6. Planning Considerations

6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the visual impacts and the impacts on neighbours. Weight can also be given to the opportunities under permitted development for the erection of outbuildings in rear gardens, and the fallback position. The outbuilding is 0.5m higher than the permitted development allowance.

6.2 The rear garden reduces in level towards the rear eastern boundary with No.22 Lodge Close and the summerhouse is sited at the lower tier near the boundary hedge. Although the building is visible from neighbouring properties, the boundary fencing and hedging largely screens the views. The building is in the eastern corner of the site close to the frontages of Nos. 22 and 21 Lodge Close. The doors face away from these neighbours and with the boundary screening, there is no overbearing or overlooking and loss of privacy. Similarly, due to boundary screening combined with separation distance, there would be no harmful impacts on No. 10 Spencer Gardens. It is considered the design and appearance of the building and the store do not harm the character or appearance of the area and the white render of the summerhouse fits with the retaining walls and all hard landscape surfaces within the rear garden which are also in off white colours, including stone work and concrete and render. Letters of representation have raised concerns about the potential use of the building for guest accommodation or a separate residential unit. There is no separate access to the building, and the building would not have the attributes/capability of being occupied as an independent residential dwelling. The use of the building for occasional sleeping by guests or family members would not be harmful to the amenities of neighbours and this is not an uncommon facility in residential gardens. The retention of the summer house/store is therefore considered to have an acceptable design and appearance, with no harm to the area, and with no harmful impacts on the residential amenities of neighbouring occupiers, in compliance with Policy EE1 and the NPPF.

7. Conclusion

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

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

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

7.2 The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities. The development has been assessed against the following key Development Plan policies Policy EE1 of the Runnymede 2030 Local Plan, 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 List of approved plans

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

Site and location plan:GBT 874.4D
Elevations and plan: GBT 874.9.rev.A
Plan and sections: GBT 874.9A. rev..A
Landscaping GTB-874-4B Rev B

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

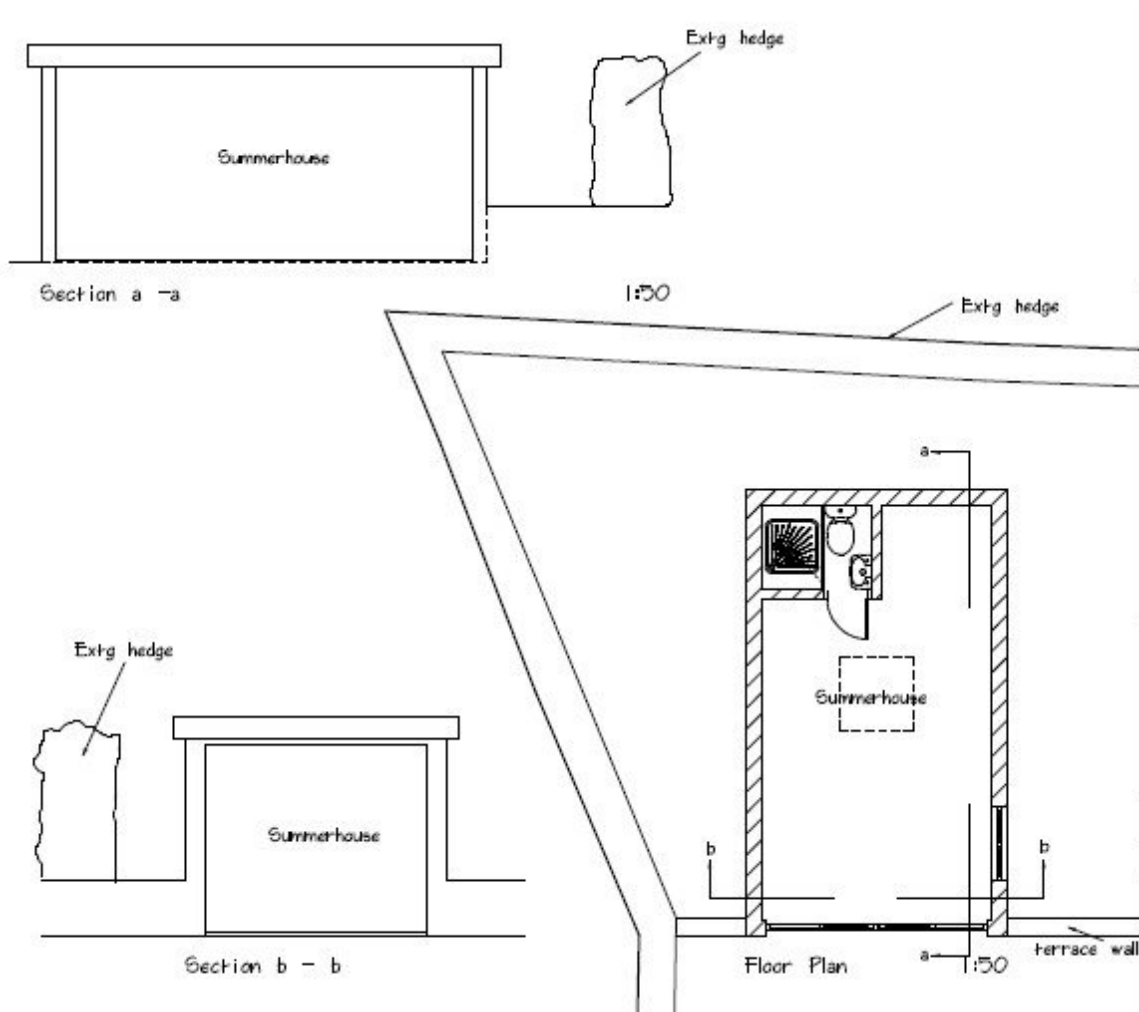
Informatives:

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.

RU.20/0824 11 Spencer Gardens

Proposed summer house



Proposed site layout

