

Planning Committee

Wednesday 23 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 Monday 21

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

PART I

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

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APPLICATION NUMBER	LOCATION	Page
RU.20/0952	Thames Retreat, 141 Chertsey Lane, Staines Upon Thames	53

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 Ordinance Datum. Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling
AQMA	Air Quality Management Area
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement
CIL	Community Infrastructure Levy – A national levy on development which will replace contributions under 'Planning Obligations' in the future
CLEUD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CLOPUD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development requires planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
Design and Access Statement	A Design and Access statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Local Plan, Minerals and Waste Plans
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
ES	Environmental Assessment under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD')
LBC	Listed Building Consent
LDS	Local Development Scheme - sets out the programme and timetable for preparing the new Local Plan
Listed building	An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
LNR	Local Nature Reserve
Local Plan	The current planning policy document
LPA	Local Planning Authority
LSP	Local Strategic Partnership – Leads on the Community Strategy
Material Considerations	Matters which are relevant in determining planning applications
Net Density	The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
NPPF	National Planning Policy Framework. This is Policy, hosted on a

TERM	EXPLANATION
	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 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

TERM	EXPLANATION
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 2 September 2020 as a correct record. (Appendix 'A')

(To resolve)

Background Papers

None

Runnymede Borough CouncilPLANNING COMMITTEE2 September 2020 at 6.30pm via MS Teams

Members of
Committee present

Councillors, J Broadhead, I Chaudhri, R J Edis,
L Gillham, C Howorth, R King, M Kusneraitis,
I Mullens, M Nuti, P Snow (in the Chair), J Sohi and
S Whyte

Members of the
Committee absent:

Councillors Anderson-Bassey, Cressey and
Willingale

Councillor D Whyte also attended the meeting via MS Teams as a non-member of the Committee.

ELECTION OF CHAIRMAN AND VICE -CHAIRMAN

In the absence of the Chairman and Vice- Chairman, it was

RESOLVED that-

Councillor Snow be elected Chairman of the Committee and Councillor Broadhead be elected Vice -Chairman of the Committee for this evening's meeting only.

NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

<u>Group</u>	<u>Remove</u>	<u>Appoint instead</u>
Conservative	Cllr Wilson	Cllr Edis
Runnymede Independent Residents'	Cllr Gill	Cllr Gillham

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

MINUTES

The Minutes of the meeting of the Committee held on 15 July 2020 were confirmed and signed as a correct record.

APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Anderson-Bassey and Willingale

DECLARATIONS OF INTEREST

Cllrs Broadhead, Chaudhri, Howorth, King, Kusneraitis, Nuti, Snow, J Sohi and Whyte declared non-pecuniary interests in applications RU 20/0789,0790 and 0880 as they knew

the objector who addressed the Committee in a personal or professional capacity, None of the Members had discussed the applications with the objector in advance of the meeting nor predisposed or predetermined the applications In addition Cllr Howorth declared that he was a local resident but not materially affected by the 3 applications on Wentworth Estate. In view of the nature of the interest, the Councillors remained in the room and participated in the debate on the applications and voted or abstained as indicated below.

Cllr R King declared a non-pecuniary interest in RU 19/1146 as he was an attendee at the Church to which the Vicarage is attached. Cllr King had not discussed the merits of the application with anyone concerned with the applicant and had not predisposed or predetermined the application. On that basis, Cllr King remained in the room and participated in the debate on the application and voted thereon

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. Public speakers addressed the Committee as specified below. With regard to applications RU20/0880,0789,0790,0110 and 0284, under Standing Order 39.23, the Chairman permitted the objectors and applicants or their agents to speak more than once on these applications.

As the meeting was being held remotely by audio via MS Teams, the Chairman requested that a named vote be taken on each planning application, and on the items on Local Development Scheme and Draft Statement of Community Involvement

RESOLVED that –

the following applications be determined as indicated: -

<u>APP NO</u>	<u>LOCATION, PROPOSAL AND DEISION</u>
RU 19/1146	<p>214 Wendover Road, Staines-upon-Thames</p> <p>Demolition of the former Vicarage and the erection of an apartment building containing 12 No apartments with associated bin and cycle stores and ancillary works including minor alterations to access arrangements (amended plans received)</p> <p><i>The Committee was informed that the description of the development had been amended to reflect the revised plans deleting the individual dwellings and increasing the size of the flatted building.</i></p> <p><i>The Committee was supportive of the application and pleased with the amendments which had been made to the original application, but some Members commented on the lack of affordable housing. Officers confirmed that the development, as amended, could not viably deliver any affordable housing, but this could be reviewed if any subsequent revisions were made to the development.</i></p> <p><i>Members also welcomed the proposed amendment to condition 13 to require all parking spaces in the development to be provided with Electric Vehicle Charging Points in compliance with Local Plan Policy SD7, although some comment was made at the late imposition of this condition and potentially placing of unreasonable costs on the developer to make this provision .Officers confirmed that this would not place an unreasonable burden on the applicant and that it was common practice to</i></p>

impose or amend conditions at this stage of consideration of an application ,and that if the applicant felt the condition was unreasonable they could apply to the local planning authority to vary the condition or appeal to the Planning Inspectorate to remove/vary the condition.

RESOLVED that:

Subject to the completion of a section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure a financial contribution of £13,582 towards education provision (Early Years £7,404 and Primary School £6,178) the Corporate Head of Development Management and Building Control be authorised to GRANT permission subject to the conditions (amended condition 13 as per addendum),reasons and informatives listed on the agenda.

The voting was as follows:

For the Grant of permission (11) Councillors
Broadhead, Chaudhri, Edis, Gillham, Howorth, King, Mullens, Nuti, Snow, Sohi, and Whyte
Against (0)
Abstention (1) Councillor Kusneraitis

RU 19/1436 Sycamore Farm, Chertsey Lane, Staines-upon -Thames

Continued use of the site for storage (Use Class B8) ,including external storage in the form of 6 no. storage containers, erection of 2.4m high perimeter fencing (retrospective),resurfacing of yard ,provision of 6 no. car parking spaces, and landscaping (amended plan received 29.7.2020 removing container storage from southern boundary, acoustic fence to western boundary and along southern boundary of access road and raising of containers above ground level)

The Committee was informed that the description of the development had been amended to reflect the revised plans removing 8 of the storage containers from the scheme so that only 6 storage containers were now proposed.

The CHDMBC made a factual correction to a comment made by the objector in addressing the Committee. The CHDMBC advised the Committee that contrary to the comment made by the objector, Green Belt Policy had changed since 2001, PPG2 had been replaced by several versions of the NPPF which affected the application of Green Belt policy.

Some Members commented on the potential impact of additional storage in the Green Belt as well as the potential impact of the security fencing. Officers commented that the storage use was considered to be appropriate development for the reasons set out in the report (paras 6.3 & 6.4). The CHDMBC commented that a boundary treatment had previously existed on the site and that the impact of the fence on the Green Belt was not likely to be significantly greater than the impact of a fence that could be erected under permitted development. In combination with the additional landscaping the boundary treatments were considered to be acceptable to officers in Green Belt and visual terms.

Some Members commented on the potential for impact on the flood plain. Officers advised that this was considered in the report and that the Environment Agency had raised no objection and there were no planning grounds to refuse the application

RESOLVED that:

GRANT permission subject to conditions, reasons and informatives listed on agenda and additional conditions as set out in the Addendum

The voting was as follows:

For the Grant of permission (6) Councillors
Broadhead, Howorth, Mullens, Nuti, Snow and Sohi,

Against (5) Councillors Edis, Gillham, King, Kusneraitis and Whyte
Abstention (1) Councillor Chaudhri.

(Mr, McInulty, an objector and Ms Wilson, agent for the applicant addressed the Committee on the above application)

RU 20/0880 Wentworth Estate Roads, Wentworth, Virginia Water

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

Officers advised that the submission of a Transport Management Plan under proposed condition 5 would address some of the issues raised by Members regarding vehicle deliveries and access to the Estate.

The CHDMBC would inform the Applicant and management company of the need for provision of sufficient space around the barriers to accommodate mobility scooters

In response to Member comments, Officers confirmed that as the barriers would be replacing the existing of a similar scale, no special circumstances were required to be put forward to justify the proposed development.

RESOLVED that

GRANT permission subject to conditions (condition 6 amended as per Addendum), reasons and informative listed on the agenda,

The voting was as follows:

For the Grant of permission (8) Councillors
Broadhead, Chaudhri, Edis, Gillham, Howorth, Mullens, Snow, Sohi,

Against (1) Councillor Nuti
Abstention (3) Councillors King, Kusneraitis and Whyte.

(Mr Few, on behalf of an objector, and Mr Clarke, agent for the applicant addressed the Committee on the above application),

RU 20/0789 Wentworth Estate Roads, Wentworth, Virginia Water

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

Members enquired over the need for the barriers and level of support among residents on the estate for the barriers. Officers advised that the level of support or otherwise was not relevant to the determination of this application. The barriers were an acceptable form of development in a residential location and it was for the management company to be accountable to the residents for the provision of the barriers and its management of the Estate

RESOLVED that

GRANT permission subject to conditions and reasons listed on agenda.

The voting was as follows:

For the Grant of permission (9) Councillors
Broadhead, Chaudhri, Edis, Gillham, Howorth, Mullens, Snow, Sohi, Whyte

Against (0)

Abstention (3) Councillors King, Kusneraitis and Nuti

(Mr Few, on behalf of an objector, and Mr Clarke, agent for the applicant addressed the Committee on the above application)

RU 20/0790 Monks Road, Wentworth, Virginia Water

The installation of 1 Vehicle Access Control Barrier, with free standing intercoms. plus, hard surfacing to secure pedestrian /wheelchairs access to the side of the VACB at Monks Road, Wentworth Estate, Virginia Water

Apart from the CHDMBC advising the Committee that the previous refusal of planning application RU 20/0166 for a higher number of Vehicle Access Control Barriers on the Estate was a material planning consideration in making decisions on current and any future applications on the Estate, no new salient planning points were raised which had not already been raised during consideration of the previous applications relating to the Estate on the agenda.

RESOLVED that

GRANT permission subject to conditions and reasons listed on agenda.

The voting was as follows:

For the Grant of permission (8) Councillors
Broadhead, Chaudhri, Edis, Gillham, Howorth, Mullens, Snow, Sohi,

Against (2) Councillors Nuti and Whyte

Abstention (2) Councillors King and Kusneraitis.

(Mr Few, on behalf of an objector, and Mr Clarke, agent for the applicant addressed the Committee on the above application)

RU 20/0110 11 Spencer Gardens, Englefield Green

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)

The Committee expressed concern that the previous planning permission had not been fully complied with. The CHDMBC confirmed that the site would be monitored for future compliance with approved plans and conditions.

Members commented on treatment of the southern boundary of the site and the Committee agreed that an additional condition be imposed to require submission of all boundary treatments for approval to protect the privacy of the occupiers of the neighbouring dwelling.

RESOLVED that

GRANT permission subject to conditions, reasons and informative listed on agenda, and additional condition requiring submission of details of all garden boundary treatments for approval.

The voting was as follows:

For the Grant of permission (12) Councillors
Broadhead, Chaudhri, Edis, Gillham, Howorth, King, Kusneraitis, Mullens, Nuti, Snow, Sohi, Whyte

Against (0)
Abstention (0)

(Mrs Simmonds, an objector and Mr Palen, the applicant, addressed the Committee on the above application)

RU 20/0824 11 Spencer Gardens, Englefield Green

Retention of summerhouse /garden store

The Committee agreed that an additional condition be imposed restricting use of the summerhouse to an ancillary fashion to the main dwelling house, and not as separate residential accommodation.

RESOLVED that

GRANT permission subject to condition, reason and informative listed on agenda, and additional condition restricting use of the summerhouse to an ancillary fashion to the main dwelling house, and not as separate residential accommodation.

The voting was as follows:

For the Grant of permission (12) Councillors

Broadhead, Chaudhri, Edis, Gillham, Howorth, King, Kusneraitis, Mullens, Nuti, Snow, Sohi, Whyte

Against (0)
Abstention (0).

(Mrs Simmonds, an objector and Mr Palen, applicant, addressed the Committee on the above application)

LOCAL DEVELOPMENT SCHEME

The Committee considered approval of a new Local Development Scheme (LDS) following the adoption of the Runnymede 2030 Local Plan.

The Borough Council was 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 would be produced, and a timetable for their production. The purpose of the LDS was to keep the public and other stakeholders informed and to promote good management of the Local Plan preparation process.

The Council was 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 had to resolve that the scheme was to have effect, and, in its resolution, specify the date from which the scheme would have effect.

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 had been adopted, Officers considered it an appropriate point to revise the LDS.

The LDS prepared by officers sought to ensure that the Council would be able to complete the Local Plan review and policies update by July 2025 as was required by legislation and the Local Plan. The LDS also sets out the remainder of the timetable for the adoption and implementation of CIL

The key milestones for the review and update of the Runnymede 2030 Local Plan as outlined in the LDS were 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

Officers were currently reviewing the proposed reforms set out in the Planning White Paper (August 2020) which included reforms to the Plan Making system and to the Community Infrastructure Levy regime. These proposals were subject to consultation and should the Government introduce the proposals set out in the White Paper, this might require the Council to revise its LDS and a further report thereon would be made to Committee.

The Government had confirmed that due to the current COVID19 pandemic, all neighbourhood planning referendums that had been recently cancelled, or were scheduled to take place, between 16 March 2020 and 5 May 2021 were postponed. However where the local planning authority had issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan could be given significant weight in decision-making, so far as the plan was material to the application. A footnote to this effect would be added to paragraph 2.11 of the LDS.

RESOLVED that:

- (i) the September 2020 Runnymede Borough Council Local Development Scheme, as amended, be approved; and**
- (ii) the Local Development Scheme come into effect on 3rd September 2020.**

The voting was as follows:

For the Motion (12) Councillors

Broadhead, Chaudhri, Edis, Gillham, Howorth, King, Kusneraitis, Mullens, Nuti, Snow, Sohi, Whyte

Against (0)

Abstention (0)

RUNNYMEDE BOROUGH COUNCIL DRAFT STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

The Committee received a draft SCI which set out how the Council would 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 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 Council had a legal requirement to update its SCI every 5 years. As such, a comprehensive review of the SCI had been undertaken and the draft document proposed for public consultation was reported to Members. The Council had regard to national planning policy and legislation in preparing the new SCI, and, once adopted, would replace the SCI adopted by the Council in December 2014 and the temporarily amended SCI which was published in May 2020

The draft SCI had been updated to include the following:

- The use of simplified language and limiting references to legislation unless absolutely necessary, yet ensuring the statutory background was clearly presented;
- The insertion of new web links to revised legislation where legislative references were 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 could 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 could get involved, and also the Council's role in advising and assisting community groups as they progress their neighbourhood plans. Clarification of this

process was 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 would be consulted on; and
- Additional text to confirm how the Council would amend its consultation processes in light of any current or future COVID-19 lockdown measures. This included how the Council would make documents available for public inspection during any periods of lockdown to ensure that those without ready access to technology/web access could still access/view consultation documents and make representations to the Council.

The Runnymede draft SCI had 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). An updated Screening Assessment was circulated which had concluded that a full Equalities Impact Assessment (EqIA) was not required

Whilst there was no statutory requirement to consult on the SCI, Officers considered it good practice to do so, and the Committee agreed for consultation to be undertaken 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 would then be reported to the Planning Committee for adoption.

RESOLVED that:

the draft Statement of Community Involvement (SCI), with the updated Equality Screening Assessment, be approved for public consultation for a period of six weeks.

The voting was as follows:

For the Motion (12) Councillors

Broadhead, Chaudhri, Edis, Gillham, Howorth, King, Kusneraitis, Mullens, Nuti, Snow, Sohi, Whyte

Against (0)

Abstention (0)

THAMES BASIN HEATHS SPECIAL PROTECTION AREA SUPPLEMENTARY PLANNING DOCUMENT (SPD) INITIAL CONSULTATION

This item was deferred and would be reported to a future meeting of the Committee.

(The meeting ended at 10.07 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 APPLICATION**

The planning application to be determined by the Committee is attached. Officers' recommendation is included in the application report. 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 application, please contact Ashley Smith, Corporate Head of Development Management and Building Control by 21 September 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. **INFRASTRUCTURE DELIVERY & PRIORITISATION SUPPLEMENTARY PLANNING DOCUMENT (SPD) ADOPTION (PLANNING, POLICY & ECONOMIC DEVELOPMENT) (JOHN DEVONSHIRE)**

Synopsis of report:

To help secure infrastructure improvements across the Borough to support the 2030 Local Plan, further guidance is required to outline how the Council will prioritise infrastructure funding, the relationship between different funding mechanisms and the basis for negotiating financial contributions via Section 106. Appropriate guidance has been prepared through a draft Infrastructure Delivery & Prioritisation Supplementary Planning Document (SPD) which has now been the subject of two rounds of public consultation in February to April and July to August 2020

A total of 21 representations were received during the two rounds of consultation and a copy of the Consultation Statement which summarises these representations and how they have been taken into account is set out on the Council's web-site with the Committee Agenda. The proposed amendments to the draft SPD considered for consultation by the Planning Committee on 15 July were as follows:

- Addition of Blue Infrastructure to the list of infrastructure types;
- Confirmation the Council will 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) may 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.
- Clarifying the approach to developer contributions towards A320 improvements

In light of representations received during the July-August consultation further minor amendments to the draft are proposed as follows:

- Amend 2030 Local Plan Policy number for Longcross Garden Village in Table 3-4 from SD10 to SD9;
- Clarify that where a developer provides A320 improvements physically, if the costs of this are greater than would be achieved through a financial contribution, to consider whether this warrants a reduction in other contributions to maintain proportionality;
- Clarify that Surrey County Council are the accountable body for HIF recovery and recycling and that recovery of funds may be spent throughout the County;
- Clarify that where development exceeds policy requirements the Council will still seek 100% clawback of HIF;
- Clarify that developer contributions to S106 monitoring will be on a case by case basis and related to the S106 obligation sought;
- Clarification that retrospective education contributions are only sought from a development where it has been necessary to forward fund education infrastructure due to that development.

All of the amendments proposed do not change the general purpose of the SPD in that it continues to set out a prioritisation hierarchy, the same cost impacts for different infrastructure types and contains an approach to securing Section 106 agreements once a Community Infrastructure Levy (CIL) is in place. Therefore, as the amendments are for clarification, it is considered that no further consultation is required. For information, all proposed amendments following the first consultation are highlighted in red and after the second consultation in blue with deletions struck through. (NB: These will only show in colour on the web version of this Agenda).

A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening determined that a SEA and/or an HRA is not required.

The SPD as recommended for adoption is attached at Appendix B.

Recommendation(s): The Planning Committee is recommended to RESOLVE to APPROVE the Draft Infrastructure Delivery & Prioritisation SPD for adoption as shown at Appendix B;

1. Context of report

- 1.1 The emerging Runnymede 2030 Local Plan seeks to secure infrastructure improvements across the Borough, in parallel with the new development it proposes. The Council's infrastructure evidence to accompany the Local Plan is set out in the Infrastructure Delivery Plan (IDP). The IDP identifies the new infrastructure needed and its broad prioritisation.
- 1.2 In order to secure physical provision or financial contributions from development toward infrastructure, the Council currently enters into Section 106 agreements or undertakings with developers. However, the Council is also in the process of preparing its first Community Infrastructure Levy or CIL, to help fund future infrastructure provision. The National Planning Policy Guidance Note on CIL sets out that when CIL is implemented, local authorities should be clear to developers about how infrastructure projects/types will be paid for, whether through a Community Infrastructure Levy (CIL), Section 106 agreements or both. The draft Infrastructure Delivery & Prioritisation SPD is intended to help provide further clarity on when CIL or S106 will be used to secure new infrastructure or financial contributions towards it. The Infrastructure Delivery & Prioritisation SPD (as amended for adoption) is attached at Appendix B to this report.

2. Report and options considered

- 2.1 The draft Infrastructure Delivery & Prioritisation Supplementary Planning Document (SPD) was considered at the 22 January 2020 and 15 July 2020 Planning Committees and approved for public consultation. A total of 21 representations were received during the two rounds of consultation and a copy of the Consultation Statement which summarises these representations and how they have been taken into account is set out on the Council's web-site with the Committee Agenda. The proposed amendments to the draft SPD considered for consultation by the Planning Committee on 15 July 2020 were as follows:
 - Addition of Blue Infrastructure to the list of infrastructure types – At the request of the Environment Agency;
 - Confirmation the Council will not request financial contributions through Section 106 toward infrastructure projects physically provided by a development other than for management/maintenance – Considered necessary for clarification;

- Placing a cap on the monitoring contribution per Section 106 agreement – Requested by developers and considered to be reasonable;
- Clarification of how net dwellings/occupants should be calculated – considered necessary for clarification;
- Confirming a formula based approach to contributions at outline stage where deemed appropriate – considered necessary for clarification;
- Signposting that infrastructure for Controlled Parking Zones (CPZs) may be negotiated – considered necessary for clarification;
- Referencing the Playing Pitch Strategy for Outdoor Sports Contributions – requested by Sport England and considered necessary for clarification;
- Adding the methodology used to calculate estimated net floorspace from sites contingent on A320 improvements – considered necessary for clarification.
- Clarifying the approach to developer contributions towards A320 improvements

2.2 In light of representations received during the July-August consultation further minor amendments to the draft are proposed as follows:

- Amend 2030 Local Plan Policy number for Longcross Garden Village in Table 3-4 from SD10 to SD9;
- Clarify that where a developer provides A320 improvements physically, if the costs of this are greater than would be achieved through a financial contribution, to consider whether this warrants a reduction in other contributions to maintain proportionality;
- Clarify that Surrey County Council are the accountable body for HIF recovery and recycling and that recovery of funds may be spent throughout the County;
- Clarify that where development exceeds policy requirements the Council will still seek 100% clawback of HIF;
- Clarify that developer contributions to S106 monitoring will be on a case by case basis and related to the S106 obligation sought;
- Clarification that retrospective education contributions are only sought from a development where it has been necessary to forward fund education infrastructure due to that development.

2.3 Aside from the modifications proposed, the SPD is the same as the first iteration in that it suggests a prioritisation hierarchy, includes cost impacts for different infrastructure types and contains an approach to securing Section 106 agreements once a Community Infrastructure Levy (CIL) is in place. Therefore, as the amendments are for clarification, it is considered that no further consultation is required.

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 The introduction of this SPD, when adopted, will support Corporate Business Plan (2016-2020) themes of 'Improving our Economy' and 'Enhancing our Environment' particularly the priorities to review and support delivery of county and regional infrastructure strategies and support projects which improve integration of road and rail to reduce congestion.

3.3 Although not part of the Development Plan, the SPD also supports 2030 Local Plan objectives and policies with respect to infrastructure delivery.

3.4 Since the second round of consultation on the SPD began the government published its consultation White Paper on reforms to the planning system 'Planning for the Future' in August 2020. The consultation paper contains a section on infrastructure and developer contributions including reforms to the Community Infrastructure Levy (CIL) through a mandatory nationally set levy and abolishing

developer contributions through Section 106. Whilst these reforms, if enacted in their current form, have the potential to render the Infrastructure SPD obsolete in time, the White Paper is only at the consultation stage and there will be a period of time when Section 106 and the CIL continue to operate. The Infrastructure SPD will therefore be a material consideration in decision taking until such time as changes to Section 106 and/or CIL are enacted.

4. Resource implications

- 4.1 Implementation of the SPD does not require any additional resources and is within budget.
- 4.2 The National Planning Policy Guidance on Planning Obligations sets out that local authorities can charge a monitoring fee through Section 106 obligations to cover the cost of monitoring and reporting. This can be a fixed percentage or fixed monetary amount but should only be sought to cover the Council's costs. As such there is the opportunity for additional resource to cover the Council's costs on a case by case basis and in relation to the obligation sought.

5. Legal implications

- 5.1 None.

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 Infrastructure Delivery & Prioritisation SPD as amended 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 is not required.

7. Environmental/Sustainability/Biodiversity Implications

- 7.1 The Infrastructure Delivery & Prioritisation SPD is not part of the Development Plan for Runnymede and as such is not subject to Sustainability Appraisal.
- 7.2 The Infrastructure 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, with comments from the three statutory bodies (Environment Agency, Historic England and Natural England) concurring with this conclusion.
- 7.3 The SPD has the potential to prioritise and raise funds towards active & sustainable travel, green infrastructure and flood mitigation/drainage which is also likely to benefit sustainability, the environment and biodiversity in general.

8. **Other Implications**

8.1 None.

9. **Conclusion**

9.1 Planning Committee is asked to RESOLVE to:

APPROVE the amended Draft Infrastructure Delivery & Prioritisation SPD for adoption.

(To resolve)

Background papers

Appendix B: Infrastructure Delivery & Prioritisation SPD for adoption

Infrastructure Delivery & Prioritisation SPD

Runnymede Borough Council

September 2020

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Foreword

This Infrastructure Delivery & Prioritisation SPD sets out guidance on how the Council will prioritise infrastructure funding to support the 2030 Local Plan and how it will operate Section 106 planning agreements and undertakings once a Community Infrastructure Levy (CIL) has been implemented.

This SPD also sets out the cost impact implications of development on various infrastructure types which will act as a starting point for the Council in negotiating financial contributions in lieu of physical infrastructure provision through Section 106 agreements/undertakings.

This SPD was adopted on the 23 September 2020 and replaces the existing Planning Obligations Supplementary Planning Guidance (SPG) dated December 2007.

1. Purpose of this SPD

- 1.1 The Runnymede 2030 Local Plan proposes the delivery of nearly 8,000 new dwellings, around 80,000sqm of employment and nearly 6,000sqm of retail floorspace. In parallel to this development, new supporting infrastructure is required.
- 1.2 This Supplementary Planning Document (SPD) sets out the Council's approach to infrastructure delivery and funding including how developer contributions will help provide infrastructure and the infrastructure projects that are the Council's priority. The SPD is an important material consideration in the Council's planning decision taking, setting the framework for how the Council will prioritise and fund supporting infrastructure through developer contributions.
- 1.3 In addition to the physical provision of infrastructure by developers, financial contributions in lieu of physical provision are a further means by which a developer can mitigate the impact of their development.
- 1.4 Financial contributions can be secured either by negotiation with the developer through the use of planning obligations commonly referred to as Section 106 or when implemented by the Council, through a non-negotiable contribution called a Community Infrastructure Levy (CIL) or by a combination of both. Developers can also enter into S106 planning obligations unilaterally.
- 1.5 This SPD sets out how the Council intends to approach the negotiation of planning obligations in the short term prior to the implementation of a CIL. The SPD also sets out the Council's approach to negotiating planning obligations once CIL has been adopted.
- 1.6 It is not the role of this SPD to set out the charges associated with a CIL. The preparation of a CIL is subject to different legislative procedures and will be set out in a separate CIL Charging Schedule which will be subject to public consultation and independent examination in due course.
- 1.7 The costs of providing supporting infrastructure associated with the levels of growth set out in the Local Plan are identified in the Runnymede Infrastructure Delivery Plan (IDP) and its accompanying schedules. The schedules show an overall infrastructure cost (without the River Thames Scheme) in the region of £289m with a current funding gap of around £100m.
- 1.8 Given the scale of the funding gap, delivering all the infrastructure needed in the area will be challenging and is unlikely to be met through developer contributions alone. The Council, along with other service providers and partners such as Surrey County Council, will continue to explore other forms of available funding to complement developer contributions.
- 1.9 Other sources of funding will include: -
 - Local Enterprise Partnership (LEP) funding;
 - Central government funding which Runnymede Borough is able to bid for itself or with other organisations such as Transport for South East, Surrey County Council etc;
 - Capital funds identified by the Borough and/or County Council; and

- Funding identified by local area committees.

Infrastructure and Funding

- 1.10 Section 216 of the Planning Act 2008 (as amended) sets out the types of infrastructure to which a CIL charge may be applied. The Runnymede 2030 Local Plan also sets out a definition of infrastructure which expands on this list and to which S106 obligations may also apply.
- 1.11 Some infrastructure, such as utility services, will continue to be delivered by the private sector and it is not the role of this SPD to plan its delivery or set out mechanisms to secure funding. Developers may need to contribute directly to the private sector utility companies for connections or reinforcements to the network, but this is not a matter for this SPD or the responsibility of the Borough Council.
- 1.12 There will also be publicly funded infrastructure where the Borough or County Councils are not responsible for delivery. In these circumstances, the Borough Council may agree Section 106 contributions or apply CIL towards these types of infrastructure, but delivery will be the responsibility of other organisations. The Borough Council will enter into governance arrangements with other public bodies in this respect prior to negotiating or committing any developer contributions to ensure transparency in the transfer and use of any developer funding.
- 1.13 Section 216 of the 2008 Act and the CIL Regulations 2010 (as amended) do not define affordable housing as infrastructure. The Council will therefore continue to secure delivery of affordable housing through Section 106 planning obligations in accordance with the requirements of Policy SL20 of the Runnymede 2030 Local Plan. Applicants are advised to refer to further guidance on the Council's approach to affordable housing including how it applies the vacant building credit on the Council's website.
- 1.14 The Strategic Access Management & Monitoring (SAMM) avoidance measure for the Thames Basin Heaths SPA does not constitute infrastructure and the Council will therefore continue to agree contributions towards SAMM through Section 106 planning obligations.

The Runnymede 2030 Local Plan

- 1.15 The Runnymede 2030 Local Plan sets out the vision, objectives and planning policies for the Borough over the Local Plan period as well as the level of housing, employment and retail development to be delivered.
- 1.16 The 2030 Local Plan contains a number of objectives and policies which are relevant to the delivery of infrastructure whether in general or site specific and which set the framework for the delivery of infrastructure and means for funding.
- 1.17 The Local Plan also sets out the spatial strategy for the Borough to 2030. The strategy in Policy SD1 distributes development to the most sustainable locations in the Borough including the strategic allocation of Longcross Garden Village. The distribution of development is set out in Table 1-1 and ultimately drives the requirement and location for infrastructure.

Table 1-1: Runnymede Local Plan 2015-2030 Spatial Distribution of Development

Location	Development Type (Net)			
	Residential ¹	Employment	Retail	Student
Addlestone (including Rowtown)	1,267 units	11,700sqm	4,400sqm	0 beds
Chertsey (including Chertsey South)	2,236 units	0sqm	910sqm	0 beds
Egham	956 units	41,580sqm	630sqm	198 beds
Longcross	1,789 units	42,350sqm ²	TBD	0 beds
Virginia Water	426 units	0sqm	0sqm	0 beds
Woodham & New Haw	123 units	20,000sqm	0sqm	0 beds
Englefield Green	611 units	0sqm	0sqm	3,315 beds
Ottershaw	300 units	0sqm	0sqm	0 beds
Thorpe	89 units	0sqm	0sqm	0 beds

¹ Includes Traveller Pitches & C2 Units

² Includes 35,000sqm for a data centre.

2. Infrastructure Hierarchy & Prioritisation

Infrastructure Requirements of the Spatial Strategy

- 2.1 Delivery of the 2030 Local Plan spatial strategy will add to pressure on existing infrastructure capacity within the Borough and needs to be mitigated or improved so that infrastructure can cope with the additional demands upon it. Infrastructure demands will be greatest in those areas where more significant scale development, especially residential development, is being focussed, such as Addlestone, Chertsey, Egham and the strategic allocation of Longcross Garden Village.
- 2.2 Improvements to local infrastructure will focus on these localities as well as the key infrastructure projects which are critical to delivering the Local Plan spatial strategy, such as the A320 and M25 Junction 11 mitigation works.
- 2.3 The Council's Infrastructure Delivery Plan (IDP) and its accompanying schedules set out the projects required to deliver the spatial strategy. The projects listed are a product of discussions with infrastructure partners taking account of the evidence supporting the Runnymede 2030 Local Plan. The IDP schedules cover the period of the Runnymede 2030 Local Plan but are also 'living' documents that can be updated on a regular basis, ensuring that project information remains up to date and can be monitored effectively. The IDP also ranks infrastructure projects and types into those which are critical, essential, a policy high priority or desirable. A description of each of these categories is set out in Table 2-1 based on the descriptions in the IDP.

Table 2-1: Infrastructure Priority Categories

Prioritisation Level	Description
Critical	Infrastructure which must happen to enable growth. Without critical infrastructure development cannot proceed and the Plan cannot be delivered.
Essential	Infrastructure required to mitigate impacts arising from the operation of development. Lack of delivery is unlikely to prevent development in the short-term but failure to invest could result in delays to development in medium-long term as infrastructure capacity becomes constrained.
Policy high priority	Infrastructure supporting wider strategic or site-specific objectives as set out in Plan Policies but lack of delivery would not prevent development.
Desirable	Infrastructure required for sustainable growth but unlikely to prevent development in short to medium term.

- 2.4 The Borough Council will coordinate and prioritise contributions or physical delivery of infrastructure secured from development through Section 106/**Section 278** and/or CIL in accordance with the hierarchy of prioritisation set out in Table 2-2. This includes Local Plan allocation sites unless the allocation Policy specifically indicates otherwise. **In respect of the A320 road improvement scheme, it should be noted that the A320 corridor and M25 Junction 11 improvements are listed as 'critical' infrastructure in Table 2-2. The improvement scheme is required to enable a**

number of development sites allocated in the Local Plan which are dependent upon the improvements proposed, to come forward. To enable early delivery of the scheme, forward funding has been secured through a Housing Infrastructure Fund (HIF) grant from Government. In accordance with the conditions attached to the grant, all development contingent on A320 improvements included in the HIF bid award will be expected to make a contribution towards repayment of the grant. Such contributions will take account of the need to ensure a fully policy compliant development, including any CIL charge, affordable housing, sustainable design and any other infrastructure required by 2030 Local Plan policies. Further detail on the approach to securing contributions to repay the HIF grant can be found in Section 3 of this SPD.

- 2.5 The **other** exception to the hierarchy is Longcross Garden Village, where the mix of infrastructure types and timing will be agreed as part of a bespoke Section 106 agreement. Given the strategic nature of the site and its delivery in phases, not having a separate approach could prejudice the early and comprehensive delivery of infrastructure which will be fundamental to delivering a new settlement to garden village principles, **although the approach to HIF grant repayment for the garden village will be negotiated as set out in Section 3 of this SPD.**

Table 2-2: Infrastructure Hierarchy: Types of Infrastructure within each Priority Category

Prioritisation Level	Infrastructure Project/Type
1) Critical	Suitable Accessible Natural Greenspace (SANG); Improvements to junctions and links on the A320 Corridor and M25 Junction 11 as identified in the A320 North of Woking bid as awarded and at the St Peter's Hospital Roundabout (junction 8).
2) Essential	Improvements to the Local or Strategic Road Network not identified as A320 Corridor improvements as specified above; Active and sustainable transport improvements and facilities; Early years, primary and secondary education facilities including SEN; Primary, secondary and mental healthcare facilities; Flood defence and drainage projects.
3) Policy High Priority	Green and Blue Infrastructure (GI & BI) including outdoor sports, playspace for children & teenagers, parks & gardens, amenity greenspace, main rivers, water courses, floodplains, river corridors and wetlands; Built community space and facilities;
4) Desirable	Allotments;

	<p>Natural and semi-natural greenspace not designated as SANG;</p> <p>Biodiversity Opportunity Area (BOA) projects and Priority Habitat restoration/enhancement projects;</p> <p>Emergency service infrastructure.</p>
--	--

Justification

- 2.6 A hierarchy is therefore used to ensure the Council determines which infrastructure projects or types should be prioritised for funding. The hierarchy is broadly established by the IDP but also reflects the infrastructure priorities of the Local Plan. As such, there are some infrastructure projects/types which the Borough Council give a higher priority than the IDP, specifically on highway impacts and need for additional built community space. This is set out in Table 2-2.

Neighbourhood Funding ‘Top Slice’ from CIL Receipts

- 2.7 Whilst not relevant to Section 106 contributions, the CIL Regulations 2010 (as amended) require an element of CIL funds to be top sliced for local neighbourhood projects before any funds can be spent on critical infrastructure. In areas without ‘made’ neighbourhood plans the amount top-sliced is 15% of the CIL funds raised through development in that area capped to a maximum of £100 per dwelling. For areas with ‘Made’ neighbourhood plans this ‘top slice’ rises to 25% and is uncapped.
- 2.8 There are no Parish or Town Councils in Runnymede Borough, however the neighbourhood funding element must still be ‘top-sliced’ from CIL receipts. In areas without Town or Parish Councils the neighbourhood funding element is retained by the Borough Council and the Council will engage with communities where development has taken place to agree how best to spend the neighbourhood funding element collected.
- 2.9 For areas with neighbourhood forums the Borough Council will engage with the forum to determine infrastructure priorities if these are not set out within a ‘made’ neighbourhood plan. For areas without neighbourhood forums the Borough Council will determine the size and boundaries of areas that constitute a ‘neighbourhood’ and engage with the communities in those areas.
- 2.10 The Council’s Statement of Community Involvement (SCI) does not set out procedures for engaging with neighbourhoods on the neighbourhood funding element of CIL. In this respect the Council will take account of advice in the Planning Practice Guidance Note on CIL¹ on how to engage with its neighbourhoods.

Infrastructure Delivery Mechanisms

- 2.11 Whether Section 106, Section 278 or CIL, infrastructure can be secured either as the physical provision of infrastructure delivered by the developer or as a financial contribution towards infrastructure delivered by the Council or other infrastructure and service providers.

¹ Planning Practice Guidance: CIL (2019) MHCLG. Available at: <https://www.gov.uk/guidance/community-infrastructure-levy>

- 2.12 Where physical provision of infrastructure is agreed, it will usually be a requirement of a Section 106 planning obligation that developers provide the infrastructure and make a contribution towards its management and/or maintenance. There will also be some physical infrastructure that is not secured through Section 106. This can include physical improvements to the public highway which are secured through Section 278 agreements with the Highways Authority with delivery either by the developer directly or the Highways Authority.
- 2.13 A financial contribution taken in lieu of physical infrastructure provision is normally the cost equivalent to physical provision of infrastructure. The contribution collected is either spent by the Borough Council in the case of infrastructure provided by the Borough or transferred/**payed directly** to the relevant service provider who delivers the infrastructure (e.g. Surrey County Council for local highways infrastructure).
- 2.14 CIL receipts can be spent on any infrastructure project defined under Section 216 of the Planning Act 2008 (as amended)². For contributions collected through Section 106 there are restrictions on when a planning obligation can be agreed which restricts the type of infrastructure on which funds can be spent. The restrictions set out in CIL Regulation 122 and NPPF paragraph 56 are that a planning obligation in a Section 106 agreement must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 2.15 Once CIL is implemented, the Borough Council will use CIL as the key vehicle to deliver infrastructure improvements in the Borough except for 'critical' infrastructure **(including repayment of the HIF grant for A320 & M25 J11 improvements)** and/or physical provision which will continue to be secured through Section 106 and/or Section 278 agreements in order to ensure that development is acceptable in planning terms. **This approach includes the 2030 allocation sites, with the exception of Longcross Garden Village where delivery will solely be through S106/S278.**
- 2.16 In terms of Suitable Alternative Natural Greenspace (SANG), which is critical infrastructure required to avoid impact to the Thames Basin Heaths Special Protection Area (SPA) both bespoke SANG solutions provided by a developer and financial contributions toward SANG which the Borough Council delivers will be secured through S106 obligations. To ensure that sites of less than 10 units can continue to avoid impact to the SPA, contributions toward SANG from small sites will be made through Unilateral Undertakings.
- 2.17 The A320 and M25 Junction 11 mitigation works ~~will be delivered with the help of~~ **as identified in the A320 North of Woking HIF award have been forward funded by a HIF grant from Homes England which requires recovery. The conditions of HIF require the Council to target recovery of 100% of the monies from developments dependent upon the improvement scheme going ahead, through** financial contributions ~~from developers~~ and/or physical provision, secured through Section 106 and Section 278 agreements. Contributions will be required from those sites identified in the Runnymede 2030 Local Plan as contingent on the A320 and M25 Junction 11 improvements **and further detail is set out in Section 3 of this SPD.** ~~The Borough~~

² Roads and other transport facilities, flood defences, schools and other educational facilities' medical facilities, sporting & recreational facilities and open spaces

~~Council will also apply CIL receipts to the A320 project from sites not contingent on A320 improvements, if required.~~

- 2.18 From December 2020 the Borough Council has to prepare annual Infrastructure Funding Statements. These monitor the infrastructure contributions Runnymede has collected and spent. The statements must also set out the types of infrastructure to which Section 106 and CIL apply.
- 2.19 The Borough Council can choose to use funding from different routes to fund the same infrastructure provided this is indicated in the Infrastructure Funding Statement. This SPD guides the content of the Infrastructure Funding Statement and the Council's approach to this is set out in Table 2-3.

Table 2-3: Section 106 & Application of CIL

<p>Prior to the implementation of a CIL Charge</p> <p>The Borough Council will secure physical infrastructure mitigation or improvements through Section 106 agreements from major development sites³. The Borough Council will also secure financial contributions in lieu of physical infrastructure mitigation or improvements through Section 106 agreements from major development sites.</p> <p>As the Highways Authority, Surrey County Council may also secure improvements to the public highway from development either as a financial contribution or through physical delivery by developers secured by Section 106 or Section 278 Highway Agreements as appropriate.</p>	
<p>On implementation of a CIL Charge</p> <p>The Borough Council will secure the physical provision of infrastructure from development through Section 106 or Section 278 agreements as appropriate, where this is indicated in specific policies of the Runnymede 2030 Local Plan and/or where this is preferable to financial contributions in lieu of physical provision.</p> <p>For 'critical' infrastructure which is not physically provided by a developer, the Borough Council will seek contributions in lieu of provision through Section 106 or Section 278 agreements as appropriate.</p> <p>For other infrastructure priorities or where Runnymede 2030 Local Plan policies indicate a financial contribution in lieu of physical provision, the Borough Council will secure these contributions through the application of the CIL charge.</p> <p>The Council may apply CIL receipts to infrastructure projects or types which have already been part funded by Section 106 obligations, Section 278 agreements or other funding sources.</p> <p>The approach to funding different infrastructure types will be further detailed in Infrastructure Funding Statements guided as below.</p>	
Infrastructure	Infrastructure Delivery Mechanism

³ Sites of 10 or more dwelling units or residential sites 0.5ha or more in area or non-residential development of 1,000sqm or more or 1ha in area or more.

<p>A320 & M25 Junction 11</p>	<p>Physical provision of required improvements to the A320 & M25 Junction 11 improvements by a developer secured through Section 106 & Section 278 agreement from sites contingent on A320 and M25 Junction 11 improvement works as identified in Local Plan Policy SD2 where this is preferable and equivalent to a financial contribution; or</p> <p>Financial contributions in lieu of A320 and M25 Junction 11 improvement works secured through Section 106 & Section 278 agreements from sites contingent on A320 and M25 Junction 11 improvement works as identified in Local Plan Policy SD2; and</p> <p>Financial contributions from CIL for A320 & M25 J11 improvements.</p>
<p>Thames Basin Heaths SPA avoidance measures</p>	<p>Provision of SANG as avoidance for the Thames Basin Heaths SPA and its management & maintenance in perpetuity secured physically or through financial contributions in lieu of provision through Section 106 agreements¹; and</p> <p>Financial contributions towards Strategic Access Management & Monitoring (SAMM) secured through Section 106 agreements¹.</p>
<p>Other Highway Mitigation and/or Improvements (beyond A320 and Junction 11 M25 improvements)</p>	<p>Physical provision or financial contributions in lieu of site-specific mitigation or improvements to the local road network as identified through individual Travel Plans/ Transport Assessments secured through Section 106 and Section 278 agreements (non A320 & M25 J11); and/or</p> <p>Financial contributions from CIL to the local or strategic road network as identified in the IDP Schedules or Runnymede Local Transport Strategy.</p>
<p>Active & Sustainable Travel</p>	<p>Physical provision or financial contributions in lieu of site-specific mitigation or improvements for active & sustainable travel projects as identified through Travel Plans/Transport Assessments secured through Section 106 & Section 278; and/or</p> <p>Financial contributions from CIL for active & sustainable travel projects as identified in the IDP Schedules or Runnymede Local Transport Strategy.</p>
<p>Education</p>	<p>Physical provision of on-site early years and primary education facilities at Longcross Garden Village secured through Section 106. Financial contributions in lieu of secondary education facilities secured through Section 106 from Longcross Garden Village; or</p> <p>From sites other than Longcross Garden Village, financial contributions from CIL in lieu of early years, primary and secondary education facilities.</p>

Health	<p>Physical provision of on-site land and/or facilities for health-related infrastructure required by Local Plan Policies SL12 & IE8 and physical provision of on-site land for health related infrastructure required by Local Plan Policy SL12 secured through Section 106; and or</p> <p>From sites other than Local Plan allocations SL12 & IE8, financial contributions from CIL in lieu of health related infrastructure facilities;</p>
Flood Defence & Drainage	<p>Physical provision of flood defence/mitigation and/or drainage infrastructure and their management & maintenance secured through Section 106; and/or</p> <p>Financial contributions from CIL in lieu of flood defence/mitigation and drainage infrastructure and their management & maintenance;</p>
Green Infrastructure (Children & Teenager Playspace)	<p>Physical provision of on-site equipped and unequipped playing space for children and teenagers and its management & maintenance as required by Local Plan Policies SD10, SL3, SL5 to SL18 and SL26 secured through Section 106; or</p> <p>From sites other than Local Plan allocations SD10, SL3, SL5 to SL18 and SL26 financial contributions from CIL in lieu of equipped and unequipped playing space for children & teenagers and their management & maintenance.</p>
Green Infrastructure (Outdoor Sports)	<p>Physical provision of outdoor sports facilities and/or playing pitches and their management & maintenance as required by Local Plan Policies SD10, SL6, SL11, SL12 & SL26 secured through Section 106; or</p> <p>From sites other than SD10, SL6, SL11, SL12 & SL26, financial contributions from CIL toward outdoor sports/ playing pitches and their management and maintenance.</p>
Green Infrastructure (Parks & Gardens)	<p>Physical provision of a Park & Garden and its management & maintenance as required by Local Plan Policy SL9 secured through Section 106; or</p> <p>For sites other than Local Plan allocation SL9 financial contributions from CIL toward parks & gardens and their management & maintenance.</p>
Green Infrastructure (Allotments)	<p>Physical provision of allotment plots and their management & maintenance as required by Local Plan Policies SD10, SL6, SL11, SL12 & SL26 secured through Section 106; or</p> <p>For sites other than SD10, SL6, SL11, SL12 & SL26 a financial contribution from CIL toward allotment plots and their management & maintenance.</p>

Blue Infrastructure	<p>Physical provision of blue infrastructure projects and their management & maintenance secured through Section 106; or</p> <p>A financial contribution from CIL toward blue infrastructure projects and their management & maintenance.</p>
Built Community Facilities	<p>Physical provision of land for a Community Hub Building required by Local Plan Policy SL14 secured through Section 106; or</p> <p>For sites other than SL14 a financial contribution from CIL toward provision or enhancement of built community facilities.</p>
Biodiversity	<p>Physical provision of biodiversity improvements and priority habitat restoration and their management & Maintenance secured through Section 106 (not SANG); or</p> <p>Financial contributions from CIL toward Green and Blue Infrastructure projects not already set out in this table including biodiversity improvements and priority habitat restoration (not SANG);</p>
Emergency Services	Financial contributions from CIL toward emergency services facilities.

¹Includes Unilateral Undertakings for sites less than 10 units and/or less than 0.5ha in area.

Justification

2.20 The SPD also sets out the Council's approach to Section 106 obligations before and after a CIL Charging Schedule has been implemented **and** adopted. The SPD therefore includes guidance to ensure that it is clear what the basis is for requiring Section 106 contributions after CIL is adopted and implemented and how it intends to fund infrastructure projects or types. This helps to ensure that developers have certainty on the financial contributions they will be expected to make and through which funding mechanism.

3. Approach to Section 106 Financial Contributions

- 3.1 The power of a local planning authority to enter into a planning obligation with anyone having an interest in the land to which a development relates is contained within Section 106 of the Town & Country Planning Act 1990 (as amended). Obligations made under Section 106 (S106) can be in the form of a planning obligation or unilateral undertaking (where the Borough Council is not a party to the agreement).
- 3.2 An obligation can only be created by a person with an interest in the land to which a planning application relates. The main features of a planning obligation are set out in the National Planning Practice Guidance Note (PPG) on Planning Obligations⁴
- 3.3 The costs of expected impacts from development are derived on a per person, per dwelling or per sqm basis depending on the infrastructure type. The cost impact from development on infrastructure is evidenced from the Runnymede Infrastructure Needs Assessment (INA)⁵ and Infrastructure Delivery Plan (IDP)⁶ which underpinned the 2030 Local Plan. To enable growth the IDP sets out the future infrastructure needs for the Borough. The projects in the IDP Schedules form the basis for requesting developer contributions as they are evidence of future infrastructure needs required to support Local Plan growth and are necessary to make development acceptable in planning terms.
- 3.4 When seeking Section 106 contributions the Borough Council will use the calculations of cost impact set out later in this SPD as the basis for negotiation. The cost impact calculations are not tariffs to be applied rigidly but are an aid to the Council as a starting point for negotiation. The exception to this is 'critical' infrastructure **for SANG** where the costs are required to guarantee avoidance/mitigation to a standard necessary for development to proceed **without significant effect on protected sites of nature conservation importance**. Contributions will be negotiated on a site by site basis and this will be the approach taken to all residential development (excluding use Class C1) including Local Plan allocations and student accommodation.
- 3.5 **Where physical delivery (either in whole or proportionally) of an infrastructure project has been secured through S106/S278 the Council will not require a financial contribution through S106 for that infrastructure project from the same planning permission, other than for management and/or maintenance over a specified period or for A320 contingent sites where a financial contribution is required on top of physical provision to ensure a proportionate contribution is secured. The Council may however still request a financial contribution through S106 toward an infrastructure type physically delivered through S106/S278 where individual site assessments indicate this is necessary to make a development acceptable in planning terms. An example may be where site access or a localised improvement to a road junction is physically delivered but contributions towards wider highway improvements are required to mitigate development as evidenced in Transport Assessments/Travel Plans.**
- 3.6 The cost impact calculations do not apply to non-residential floorspace. For these types of development, the Borough Council will negotiate contributions on a case by case

⁴ Planning Practice Guidance Note: Planning Obligations (2019) MHCLG. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance>

⁵ Runnymede Infrastructure Needs Assessment (2017) Aecom. Available at: <https://www.runnymede.gov.uk/article/15570/Infrastructure>

⁶ Runnymede Infrastructure Delivery Plan (2017) Aecom. Available at: <https://www.runnymede.gov.uk/article/15570/Infrastructure>

basis. This will also apply to mixed use development although for any element of residential development the starting point for contributions will be the cost impact calculations set out in this SPD.

- 3.7 The Borough Council considers its cost calculations to be viable given the evidence of viability for the Local Plan and CIL. If developers consider that the application of Section 106 financial contributions would render their development unviable, appropriate evidence must be submitted to demonstrate this with an indication of the level of contributions which would be achievable. The cost to the Council of engaging independent viability advice to review viability evidence will be at the expense of the applicant.
- 3.8 In negotiating Section 106 contributions the Council will have regard to the requirements of CIL Regulation 122 and paragraph 56 of the NPPF (2019).
- 3.9 The Borough Council may from time to time require developments to deliver infrastructure via planning conditions rather than planning obligations. This could be for infrastructure such as sustainable drainage systems (SuDS), flood mitigation measures, other green infrastructure improvements and/or public art. In these instances, the Council will consider the need to secure other infrastructure by condition on a case by case basis having regard to infrastructure prioritisation in Table 2-2 of this SPD.

Implementation

- 3.10 Applicants should engage with the Borough Council in pre-application discussions to obtain the local planning authority's view of proposals and also to clarify the likely content of a Planning Obligation or Heads of Terms at the earliest opportunity.
- 3.11 In cases where this SPD indicates a Section 106 agreement or undertaking or Section 278 agreement is required, applications for planning permission for minor schemes should be accompanied by a draft agreement or unilateral undertaking. In other cases, it will be acceptable to provide detailed draft heads of terms.
- 3.12 The **Borough** Council's full legal fees in drafting, preparing and checking a Section 106 agreement or unilateral undertaking will have to be paid by the developers before the agreement or undertaking is executed. The **Borough** Council's full legal fees will also have to be paid in the event of the agreement/undertaking not being completed for whatever reason, or where planning permission is refused or where the developer does not proceed with the development or proposal. The **Borough** Council's legal fees are charged at an hourly rate based on the actual number of hours required to deal with all the reasonable work incurred. **Surrey County Council also seek legal fees in the preparation of legal agreements where a contribution is for infrastructure or services provided by the County Council. Further guidance on County's legal fees can be found in their developer contribution guide¹¹**
- 3.13 The submission of a completed unilateral undertaking does not mean that an application is necessarily acceptable. Its content will still need to be assessed in relation to all other material planning considerations. If following consideration of a planning application the scheme is refused, any sums paid to the Local Authority, excluding legal fees, will be returned following the expiry of the time limit for lodging an appeal or sooner if requested.
- 3.14 Developers will be expected to inform the Borough Council when any development is about to commence. This will trigger the necessary steps to be undertaken to comply

with the terms of the agreement and will be the reference point for any future milestones in the process.

- 3.15 If specific obligations are time limited and cannot be discharged within the agreed time period, arrangements will be made for any unspent financial contributions to be returned where appropriate. This would not normally apply to unilateral undertakings.
- 3.16 Infrastructure Funding Statements (IFS) will be prepared on an annual basis to highlight the various benefits resulting from contributions collected throughout the year and to show how such improvements have contributed, or are yet to contribute, to the infrastructure and essential public services of the area.
- 3.17 The Planning Practice Guidance Note on Planning Obligations⁷ sets out that local authorities can charge a monitoring fee through Section 106 obligations to cover the cost of monitoring and reporting on delivery of that Section 106 obligation. Fees can either be a fixed percentage or fixed monetary amount but must be proportionate and reasonable to reflect the actual cost of monitoring.
- 3.18 In this respect, a **the Borough Council may request contributions towards monitoring of S106 obligations on a case by case basis and related to the obligation sought. Surrey County Council have set out their own guidance on contributions towards monitoring of planning obligations in their Developer Contributions guide¹¹. charge of 5% of the total value of the Section 106 agreement or undertaking, capped at a maximum of £10,000 will be charged and added to each Section 106 agreement or undertaking with 1% (or £2,000 if capped) of this passed to the County Council to meet their monitoring costs.**
- 3.19 To maintain the value of any contribution sought, a S106 obligation will be subject to indexation during the period when planning permission was granted to when payment of the contribution is made. This will be based on the appropriate method of indexation for each specific obligation.
- 3.20 The Borough Council will also negotiate any increase or decrease in Section 106 contributions through a deed of variation if planning applications seek to vary the original permission.
- 3.21 The following sections set out the Council's infrastructure cost impact calculations for a range of infrastructure types and projects set out in the INA and IDP.
- 3.22 Where a cost impact calculation is based on occupancy, financial contributions will be negotiated on the standard occupancy ratios based on the Thames Basin Heaths SPA Strategic Access Management & Monitoring (SAMM) strategy, shown in Table 3-1, below.

Table 3-1: Standard C3 Residential Occupancy Rates & Size (sqm)

Dwelling Units Size	Occupancy Rate (no of persons)	Size (sqm)
1 bed	1.4	50
2 bed	1.85	70
3 bed	2.5	95
4 bed	2.85	125
5+ bed	3.7	145

⁷ Planning Practice Guidance: Planning Obligations (Sept 2019) MHCLG. Available at: <https://www.gov.uk/guidance/planning-obligations>

- 3.23 When calculating the number of bedrooms for C3 dwellings, 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 bathrooms and the like), with a floor area greater than 7.5 sqm⁸.
- 3.24 For C2, C4 and student accommodation, the cost impacts will be applied based on an occupancy of 1 person per bedspace, except for SANG/SAMM contributions which will be considered on a case by case basis. If a C2 or student accommodation scheme replaces an existing residential use (C2, C3 or student accommodation) a comparison will be made with the lawful occupancy of the existing residential use so that the net impact of additional occupants can be taken into account.
- 3.25 Where cost impacts are based on a sqm basis, the Borough Council will negotiate contributions based on the net sqm of development and where based on number of dwellings, it will be based on the net number of dwellings. Other than for SANG infrastructure, affordable housing units/floorspace and occupants will not be expected to be included in the calculation of financial contributions. SANG is treated differently because all net dwellings have an impact on the SPA which must be avoided to ensure no likely significant effect. **The Council is currently reviewing the way it charges development for SANG and if changes are made these will be set out in a Thames Basin Heaths SPD.**
- 3.26 **The net number of market dwellings/occupancy will be calculated on the gross market dwellings/occupants proposed minus existing occupants/dwellings to be demolished multiplied by the percentage of market housing proposed. For example, a development proposes 100 market dwellings which is 65% of total housing proposed and existing dwellings to be demolished on site is 10. Net market dwellings will be $100 - (10 \times 0.65) = 93.5$. The same formula can be used for occupants which can be calculated from Table 3-1. Net sqm will be calculated using the formulas in CIL Regulations 40, 50 and Schedule 1.**
- 3.27 For outline planning applications where the housing mix and therefore occupancy/floorspace is unknown, the Council will apply **a formula based approach in the S106 secured at outline stage to ensure that the physical delivery or financial contributions secured reflect the development as implemented where it is deemed by officers appropriate to do so.** ~~cost impact calculations based on a mix of dwellings which would be policy compliant with Policy SL19 of the Runnymede 2030 Local Plan. If at Reserved Matters stage, housing mix and therefore occupancy/floorspace, is different to that calculated at outline stage, the Council will negotiate either an increase or decrease in contributions as appropriate via a deed of variation to the original Section 106 or, will require a supplementary unilateral undertaking.~~
- 3.28 **Section 106 financial contributions for infrastructure or services provided by Surrey County Council will need to be paid directly to the County Council along with any payment for their proportion of monitoring fees and legal fees.**

⁸ Minimum floor area for a 1 bedspace bedroom as given by the Technical Housing Standards Nationally Described Space Standard (2015) CLG. Available at: <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Infrastructure Cost Impact Calculations

Critical Infrastructure

A320 Corridor & M25 Junction 11 Improvements

- 3.29 **Forward funding to enable early delivery of the A320 corridor and M25 Junction 11 improvements has been secured through the Housing Infrastructure Fund (HIF). The A320 North of Woking HIF award of £41.8m is slightly lower than the original HIF bid ask, as the improvements required to the St Peter's Hospital roundabout (referred to as Junction 8 in the HIF bid) no longer form part of the successful bid. This junction was removed from the bid as mitigation works (also identified as critical infrastructure) are being funded separately and delivered early.**
- 3.30 **The HIF funding secured from Homes England has conditions attached. One of the conditions is that the Council should target to clawback 100% of the forward fund grant from all new development contingent on the A320 improvements contained in the bid as awarded. The Runnymede 2030 Local Plan identifies the sites that are contingent on improvement works along the A320 corridor, however it is Surrey County Council who is the accountable body for the purposes of HIF recovery and recycling.**
- 3.31 **Whilst the A320 corridor and M25 Junction 11 improvements are As 'critical' infrastructure, the Council must also seek to deliver policy compliant development in accordance with the policies of the 2030 Local Plan, such as affordable housing, sustainable design and infrastructure contributions as well as complying with any Community Infrastructure Levy (CIL) rates once implemented. As such, in targeting 100% clawback of HIF for the junctions and links identified in the award, the Council will expect the allocations contingent on these junction and link improvements to achieve a policy compliant development first, followed by clawback of HIF through S106 and/or S278.**
- 3.32 **The Council is obliged under the terms of HIF to seek to recover 100% clawback toward the junctions and links identified in the award. Where promoted schemes exceed Local Plan policy requirements, the Council will still target 100% clawback in order to achieve sustainable development. In these circumstances, developers will be expected to provide comprehensive evidence to show how they will provide as close to 100% clawback of HIF as is viable.**
- 3.33 **For information, the Council has calculated what it believes to be the level of contributions required on a per sqm basis to achieve 100% clawback based on the cost impact of A320 corridor improvements secured through HIF. will seek to mitigate impacts on the A320 corridor on the basis of the cost impact calculation set out in Table 3-4 below. Contributions through Section 106 (or through physical improvements secured through Section 278) will apply to all Local Plan allocations whose delivery is contingent on A320 and M25 Junction 11 improvements. These allocations are set out in the Local Plan.**
- 3.34 **The A320 cost impact has been calculated on an estimate of net square meterage (sqm) proposed at the allocation sites contingent on A320 improvements specified in the HIF award, with including netting off affordable housing netted off. The estimate of net additional floorspace from the relevant sites is set out in Table 3-4 with the method for calculation set out in Appendix 1 to this SPD. The estimate of proposed floorspace is based on the housing mix set out in the Council's Strategic**

Housing Market Assessment which is required by Policy SL19 of the Local Plan as well as the target for affordable housing set out in Policy SL20. As such, estimates are based on policy compliant development. The estimates of existing floorspace are based on the Council's GIS, aerial photography and planning history. Affordable housing floorspace has been netted off by using the formula in Regulation 50 of the CIL Regulations 2010 (as amended).

Table 3-4: Estimated Net Floorspace from Local Plan Allocations Subject to A320 and M25 Junction 11 mitigation

Site	Estimated Existing Floorspace	Estimated Proposed Floorspace	Net Floorspace (discounted for affordable and non-residential)
SD9 – LGV South	9,980sqm	132,952	86,845
SL3 – Hanworth Lane (2) (158 Units)	0sqm	12,911	9,719
SL3 – Hanworth Lane (3) (52 Units)	0sqm	3,370	2,350
SL6 – Pyrcroft Road	3,470sqm	23,472	14,144
SL11 – Vet Labs	0sqm	12,938	9,654
SL12 – Ottershaw E	1,270sqm	17,111	11,170
SL14 Bittams A	235sqm	14,961	10,387
SL15 Bittams B	800sqm	10,246	6,677
SL16 Bittams C	0sqm	867	867
SL17 Bittams D	0sqm	17,111	12,065
SL18 Bittams E	0sqm	8,991	6,335
Total	15,755sqm	254,930	170,213

3.35 The amount of estimated net floorspace coming forward is **170,213sqm** from those sites contingent on the A320 and specified in the HIF award. In order to mitigate the development sites in the Local Plan dependent on the A320, the Borough Council in partnership with Surrey County Council, made a bid to the Housing Infrastructure Fund (HIF) to secure funds to help deliver the A320 and M25 Junction 11 mitigation works. The **cost of the works** in the HIF award bids for **£41.8m**, of which 25% will be clawed back from developer contributions (£11m). Taking account of contributions already agreed through the Section 106 agreements for the Local Plan allocations at Hanworth Lane (Policy SL3) and St Peter's Hospital (Policy SL13) a residual £9.01m of clawback from developer contributions is required. Taking the residual £9.01m and dividing **this sum** by **170,213sqm** gives the following cost impact per sqm:-

$$\text{£41.8m} / \text{170,213sqm} = \text{£246 per sqm}$$

3.36 **The Council will therefore seek to negotiate contributions toward HIF repayment based on the cost impact set out above. The 2030 Local Plan was supported by viability assessments of its policies and requirements as well as bespoke viability which considered the A320 contingent sites and ability to repay HIF⁹. As such, the Council's starting point for negotiations is that A320 contingent sites can achieve 100% clawback based on the cost impact set out above.**

⁹ **RBCLP_51: A320 Impact & Longcross Viability Update Study (2019) AGA Ltd. Available at: <https://www.runnymede.gov.uk/article/16273/Runnymede-2030-Local-Plan-Examination->**

- 3.37 **However, whilst the target is 100%, the level of clawback will be negotiated on a site by site basis. The Council will aim to maximise the level of contributions that can be raised toward repayment of HIF, based on development viability. Where developers of sites do not consider that 100% clawback is viable having achieved policy compliant development first, planning applications for sites contingent on A320 improvements will be expected to be accompanied by viability assessment(s) of the proposed development. The Borough Council will work with Surrey County Council to actively engage with developers in order to recover HIF funding so that further new development opportunities can be progressed and align with strategic priorities throughout the county.**
- 3.38 **In this respect, the Council will carefully scrutinise site viability assessments and where necessary this will be through the use of specialist viability consultants at cost to the developer. The Council will scrutinise all assumptions used in site viability assessments including the approach to benchmark land value and whether this reflects achieving policy compliant development in line with the Planning Practice Guidance note on Viability¹⁰. This will also be based on developer profit not exceeding 20% on cost (20% blended on market and affordable).**
- 3.39 On occasions developers of A320 contingent sites may wish to bring forward improvements on the A320 corridor including direct physical improvements through Section 106 and Section 278 agreements with Surrey County Council rather than pay a financial contribution **to repay the HIF grant** in lieu of physical provision. Where this is the case, this will need to be negotiated with and to the satisfaction of Surrey County Council as the Highways Authority **and be consistent with the principles of the A320 north of Woking scheme taking account of the cumulative level of development as required by Policy SD5 of the 2030 Local Plan.**
- 3.40 **Paragraph 3.5 of this SPD confirms that where a development proposes physical improvements to the A320, a financial contribution will also be requested where this is to ensure a proportionate contribution is maintained. Where the opposite is true and the cost of physical provision is greater than a financial contribution in lieu of physical provision based on the cost impact set out in paragraph 3.35 of this SPD, the Council will consider whether this warrants an overall reduction in financial contributions to other infrastructure types/projects on a case by case basis to maintain proportionality.**
- 3.41 As set out earlier, on implementation of CIL, the Borough Council will continue to secure physical provision or financial contributions **as repayment of the HIF loan** for A320 mitigation through Section 106 and/or Section 278 agreements. ~~However, the Council may also spend CIL receipts on A320 & M25 Junction 11 improvements as appropriate.~~

Justification

- 3.42 Runnymede Borough Council has prepared evidence specific to the A320 corridor. The Council's evidence shows that without mitigation the A320 will suffer 'severe' impacts as a result of growth set out in the Local Plan.

Thames Basin Heaths Special Protection Area

- 3.43 As 'critical' infrastructure the Council will continue to secure physical provision of or contributions in lieu of physical provision for Suitable Accessible Natural Greenspace

¹⁰ <https://www.gov.uk/guidance/viability>

(SANG) through Section 106 agreements. ~~This will continue~~ **At the current time a contribution of to be £2,000 per dwelling is required (both the amount of money required and the method of calculation is currently being reviewed as part of the preparation of the Thames Basin Heaths Special Protection Area SPD which will be subject to public consultation in due course)** although the Council in negotiation with Natural England may require more bespoke contributions from sites of 50 or more units with in the 5km-7km zone of the Thames Basin Heaths SPA. This will continue following the implementation of CIL.

- 3.44 Strategic Access Management & Monitoring (SAMM) is not infrastructure to which CIL applies, financial contributions towards SAMM will continue to be secured through S106 obligations. This will continue to be £630 per dwelling for all C3 dwellings. The Council in consultation with Natural England may also negotiate SAMM contributions from other types of development and this will be considered on a case by case basis.

Justification

- 3.45 Following implementation of CIL and to ensure that provision of SANG remains directly related to the development proposed, physical provision or financial contributions in lieu of physical provision of SANG will continue to be secured through Section 106 agreements.

Essential Infrastructure

Other Local Highway, Active & Sustainable Travel & Education

- 3.46 The basis for the education cost impact and financial contribution is set out within Surrey County Council's Developer Contribution Guide¹¹. As such, Surrey County Council will lead in the negotiation of education contributions. **It should be noted that developer contributions may be secured retrospectively from a development, where it has been necessary for Surrey County Council to forward fund education infrastructure projects in advance of anticipated housing growth from that development. Such retrospective contributions will not however be used to mitigate existing infrastructure deficits but only the impact from that development.**
- 3.47 The Developer Contribution Guide also sets out the steps Surrey County Council will take to secure improvements to the local highway and to mitigate impact through the use of Transport Assessments and Travel Plans including through active & sustainable travel improvements. There is no cost impact stated and mitigation is considered on a case-by-case basis. As such, Surrey County Council will lead in the negotiation of local highway and active/sustainable transport provision or contributions.
- 3.48 **Surrey County Council working in partnership with Runnymede Borough Council may also introduce Controlled Parking Zones (CPZ) in locations around the Borough. Where this is the case, contributions towards the infrastructure required to set up CPZ's (or where an existing CPZ is to be extended) may be negotiated from developments within the vicinity of a planned or extended CPZ. Further detail will be set out in the Council's emerging Parking Guidance SPD.**

Justification

¹¹ The Surrey County Council Developer Contribution Guide (2018) SCC. Available at: <https://www.surreycc.gov.uk/land-planning-and-development/planning/transport-development/developer-contributions>

- 3.49 The Borough Council's IDP has identified a number of highway and active/sustainable travel projects which are required to mitigate the cumulative level of development set out in the Local Plan. Surrey County Council are also preparing a Local Transport Strategy (LTS) for the Borough which will contain a number of highway, transport and active/sustainable travel projects which will be included in the IDP in due course.
- 3.50 The Borough Council wishes to see as many of these projects delivered as possible but recognises that sources of funding other than developer contributions will be required to deliver them. The Borough Council will continue to work with Surrey County Council and others to ensure that any financial contributions in lieu of physical provision includes projects identified in the IDP/Transport Strategy, especially where other sources of funding have been secured or can be sought.
- 3.51 In terms of education the government has set out guidance¹² on securing developer contributions towards school places. The guidance states that 'DfE expects local authorities to seek developer contributions towards school places that are created to meet the need arising from housing development' and as such contributions for education infrastructure **are** justified. **The PPG note on Planning Obligations at paragraph 008 also sets out that requirements should include all school phases 0-19 and special educational need.**

¹² Securing Education Contributions from Development (Nov 2019) DfE. Available at: <https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>

Primary Healthcare Facilities

- 3.52 The Runnymede Infrastructure Needs Assessment identifies a cost per sqm for additional GP floorspace as £2,500. Adding in compound inflation¹³ since the cost figures were published in 2016 gives a cost of £2,676 per sqm for GP surgery floorspace with the floorspace equivalent per GP at 165sqm.
- 3.53 The cost impact for ~~GP list size and the cost per sqm~~ for new **primary healthcare** floorspace can be converted into a cost per occupant for new residential development. The calculation of the impact is set out in Table 3-5.
- 3.54 The physical provision of Primary Healthcare facilities or land for such facilities **as required by 2030 Local Plan policies SL12 & IE8** will be secured through Section 106 obligations. Prior to the implementation of a CIL charge, the Council will consult with the relevant health provider to determine whether a financial contribution in lieu of physical provision is required and negotiate a contribution on the basis of the cost impact. In this respect, the Council will expect the relevant health provider to provide evidence of the infrastructure to which any financial contribution would be applied to ensure it meets the tests set out in NPPF, paragraph 56 **and CIL Regulation 122**.
- 3.55 Upon implementation of CIL, the physical provision of primary healthcare facilities or land for such facilities will continue to be sought through Section 106 agreements. Financial contributions in lieu of physical provision will be secured through a CIL charge.
- 3.56 The exception to this will be at Longcross Garden Village where any financial contribution in lieu of physical primary healthcare facilities or land will be secured through Section 106.

Table 3-5: Primary Health Calculation

A. GP Standard Patient List Size	1,800
B. GP Surgery Floorspace Requirement per GP	165sqm
C. Cost of GP Surgery Floorspace per sqm	£2,676
D. Total Floorspace Cost per occupant (C x B)/1800	£245

Justification

- 3.56 The Runnymede Infrastructure Needs Assessment (INA) identifies 9 GP surgeries in Runnymede with a total of 37.7 full time equivalent (FTE) GPs. The average patient list size across the Borough is 2,124 which exceeds the GP to patient standard of 1,800 patients per GP. Only 2 of the 9 surgeries located in Runnymede have patient list sizes lower than the 1,800 standard where additional capacity remains, Packers Surgery in Virginia Water and The Bridge Practice in Chertsey. The locations where GP list sizes are exceeded are shown in Table 3-6.

Table 3-6: GP Surgeries in Runnymede List Size

GP Surgery	FTE GPs	Registered Patients	Patients per GP
Ottershaw Surgery	2.5	5,281	2,112

¹³ As calculated using the Bank of England's Compound Inflation Calculator between years 2016 & 2018

Staines & Thameside Medical Centre	1.7	4,200	2,461
The Abbey Practice, Chertsey	5.9	11,340	1,912
The Crouch Oak Family Practice, Addlestone	6.6	16,108	2,444
The Grove Medical Centre, Egham	4.3	13,949	3,221
The Hythe Medical Centre, Egham	2	4,475	2,237
Runnymede Medical Practice, Englefield Green	6.1	12,144	1,980

- 3.57 Since publication of the IDP, The Bridge and Abbey Practices have merged ensuring that patient list sizes in Chertsey are now below the 1,800 patient standard. However, the Staines & Thameside Medical Centre has now closed which is likely to place further pressure on GP facilities in the Borough especially in the Egham area.
- 3.58 The IDP identifies that additional GP facilities will be required to support growth over the Local Plan period. The IDP estimates that an additional 7.7 FTE GPs will be required equivalent to an extra 1,278sqm of GP surgery floorspace.

High Priority Infrastructure

Built Community Facilities

- 3.59 For the purposes of this SPD, built community facilities cover Borough or County facilities such as community, day or youth centres, public halls and museums.
- 3.60 To enable a contribution to be negotiated, Table 3-7 sets out the cost impact from residential development on built community facilities. This is based on a standard of 65sqm per 1,000 population and construction cost including compound inflation of £1,529 per sqm.
- 3.61 Prior to the implementation of a CIL charge, the physical provision of built community facilities or land for such facilities will be secured through Section 106.
- 3.62 Upon implementation of CIL, the physical provision of built community facilities or land for such facilities will continue to be sought through Section 106 agreements. Financial contributions in lieu of physical provision will be secured through a CIL charge.

Table 3-7: Built Community Facilities Calculation

A. Community Facilities Standard per 1,000 population	65sqm
B. Community Facilities Construction Cost per sqm	£1,529
C. Total Cost per occupant (AxB)/1000	£99

Justification

3.63 The Runnymede IDP has identified a deficit of built community space over the lifetime of the Local Plan as a result of need arising from additional population. The IDP concludes there is a need for around 905sqm of additional built community space across the Borough.

Children's Playspace & Outdoor Sports

3.64 The Runnymede Local Plan sets out requirements for children's playspace and outdoor sports from new development. Policy SL26 of the Local Plan requires that residential development of 20 or more net dwellings will be required to provide new or enhanced children's playspace and outdoor sports provision. Policy SL26 sets out the space standards required for each type based on population as set out below:-

- Children and teen facilities – 0.8ha per 1,000 population
- Outdoor sports facilities – 1.6ha per 1,000 population

3.65 Although Policy SL26 does not differentiate between equipped and unequipped playspace provision, the Fields in Trust (FiT) benchmarks break down playspace to 0.25ha for equipped and 0.55ha for unequipped playspace.

3.66 There are three designations of children's playing space, Local Areas of Play (LAP), Local Equipped Areas of Play (LEAP) and Neighbourhood Equipped Areas of Play (NEAP). The Borough Council currently maintains 41 playing spaces across the Borough with a total area of 4.92ha.

3.67 LAPs typically consist of small areas of incidental amenity space which form informal play areas for children of years 4-6 and may or may not be equipped (typically 400sqm). LEAPs are more formal areas for children's play and are aimed at children of minimum age 5 and are equipped with children's play equipment. NEAPs are larger areas of equipped play space which can serve more than just a single development and are aimed at children of minimum age 8.

3.68 In addition to children's playing space, the Borough Council also makes provision for teen facilities such as multi use game areas (MUGAs).

3.69 The Borough Council also maintains a range of outdoor sports facilities and sports pitches at 7 sites across the Borough with 19 publicly accessible outdoor sports facilities. **The Council has published a Playing Pitch Strategy¹⁴ which sets out evidence of quantity, quality, accessibility and availability of the Borough's playing pitches and associated facilities for a number of sports. The Strategy contains a site-specific action plan for each sporting type and for each playing pitch including a number of specific projects.**

3.70 **Therefore, contributions towards outdoor sports facilities may be secured through physical provision or where it is more appropriate/feasible to do so, by financial contributions in lieu of physical provision to enhance existing outdoor sports facilities as identified by the Council's Playing Pitch Strategy and action plans.**

3.71 The INA identifies a cost for equipped playspace at £348 per sqm which when compound inflation is added since 2016 rises to £373 per sqm. Unequipped playspace

¹⁴ **Runnymede Playing Pitch Strategy (2018) Ploszajski Lynch Consulting Ltd. Available at: <https://www.runnymede.gov.uk/article/15803/Playing-Pitch-Strategy>**

has a cost after compound inflation since 2016 of £27 per sqm. The cost impact and basis for contributions for playspace can be found in Table 3-8.

- 3.72 The INA also identifies a cost after compound inflation since 2016 of £372,851 per ha for outdoor sports **and the Playing Pitch Strategy sets out project specific costs in its action plans**. The cost impact and basis for contributions for outdoor sports **based on the INA** can be found in Table 3-9 .
- 3.73 Prior to the implementation of a CIL charge, physical provision **and financial contributions in lieu of physical provision for** playspace and outdoor sports will be secured through S106.

Upon implementation of CIL, physical provision of playspace and outdoor sports will continue to be secured through Section 106. Financial contributions in lieu of physical provision will be secured through a CIL charge save for housing allocation sites where financial contributions in lieu of physical provision of playspace or outdoor sports will continue to be requested through S106 where physical delivery is not feasible.

Table 3-8: Playspace Calculation

A. Equipped Playspace Standard per 1,000 population	2,500sqm
B. Informal Playspace Standard per 1,000 population	5,500sqm
C. Equipped Playspace Cost per sqm	£373 ¹
D. Informal Playspace Cost per sqm	£27 ¹
E. Total Cost of Equipped Playspace per occupant (A x C)/1000	£933
F. Total Cost of Informal Playspace per occupant	£149
G. Total Cost of Playspace per occupant	£1,082

Table 3-9: Outdoor Sports Calculation

A. Outdoor Sports Standard per 1,000 population	1.6ha
B. Outdoor Sports Cost per ha	£372,851
C. Total Cost of Outdoor Sports per occupant (A x B)/1,000	£597

Justification

- 3.74 The Runnymede Open Space Study found a deficit of children’s and teen playing facilities across the Borough with the IDP identifying a need for a further 11ha to support Local Plan growth. The IDP Schedules also identify a number of playspace projects to be delivered across the Borough. The IDP also identified a need for an additional 22.3ha of outdoor sports facilities to meet Local Plan growth **and the Playing Pitch Strategy identifies a series of action plans for each sport and playing pitch**.
- 3.75 **The Council’s CIL Viability Assessment takes account of the costs of the 2030 Local Plan allocation sites physically delivering playspace and/or outdoor sports and this is reflected in the Councils’ CIL rates. As such, where a 2030 Local Plan allocation cannot feasibly deliver playspace and/or outdoor sports physically as required by the allocation Policy or Policy SL26, a financial contribution toward off-site provision through S106 is justified given that the costs of off-site provision is not reflected in CIL rates.**

Desirable Infrastructure

Allotments

- 3.76 The Borough Council also manages and maintains a number of allotment sites across the Borough covering some 36ha.
- 3.77 As for children’s playspace and outdoor sports, Policy SL26 of the 2030 Local Plan requires allotment provision on sites of 20 or more dwellings to the following standard:
- 20 standard allotment plots (250sqm) per 1,000 households.
- 3.78 The INA identifies a cost for allotments with compound inflation £248,567 per ha. The cost impact and basis for calculation for allotments can be found in Table 3-10.
- 3.79 Prior to the implementation of a CIL charge, physical provision of allotments will be secured through S106 obligations **and based on net number of market dwellings proposed.**
- 3.80 Upon implementation of CIL, physical provision of allotments will continue to be secured through Section 106 **based on net number of market dwellings.** Financial contributions in lieu of physical provision will be secured through a CIL charge. **As for playspace and outdoor sports however, where 2030 Local Plan Policy SL26 applies to housing allocation sites, financial contributions in lieu of physical provision of allotments will continue to be requested through S106 where physical delivery is not feasible.**

Table 3-10: Allotments Calculation

A. Allotments Standard per 1,000 dwellings (ha)	0.5ha
B. Allotments Cost per ha	£248,567 ¹
C. Total Cost of Allotments per dwelling (A x B)/1000	£124

Justification

- 3.81 The IDP identifies that there is already a deficit of allotment provision with a further 3.8ha required to meet Local Plan growth. **As for playspace and outdoor sports, the Council’s CIL Viability Assessment takes account of the costs of the 2030 Local Plan allocation sites SL6, SL11 & SL12 physically delivering allotments and this is reflected in the Councils’ CIL rates. As such, where allocations SL6, SL11 & SL12 cannot feasibly deliver allotments physically as required by Policy SL26 a financial contribution toward off-site provision through S106 is justified given that the costs of off-site provision is not reflected in CIL rates.**

Calculation of Net Additional Floorspace for Sites Contingent on the A320

Existing floorspace of sites contingent on A320 improvements north of Woking through the HIF forward fund have been estimated from the site's planning history, Council's GIS and aerial photography. Proposed floorspace is based on a policy compliant mix of housing types including market and affordable and dwelling size in line with space standards as set out in 2030 Local Plan Policy SL19.

Policy SL19 expects development to come forward with a mix which reflects the Strategic Housing Market Assessment (SHMA) as follows:

	1 bed	2 bed	3 bed	4 bed
Market	5%	30%	45%	20%
Affordable	35%	30%	30%	5%

Dwelling size is based on the figures in the table below which are all compliant with the space standards set out in 2030 Local Plan Policy SL19:

	Market	Affordable
1 Bed Flats	50	50
2 Bed Flats	70	65
2 Bed House	79	75
3 Bed House*	95	91
4 Bed House	125	115
5 Bed House	145	N/A

*Average based on standards in Policy SL19

1 bed units are assumed to be flats and 50% of 2 bed units are assumed to be flats and their floorspace already discounts communal areas.

Once gross floorspace has been calculated for market and affordable units, existing floorspace and affordable floorspace is netted using the formulas in CIL Regulations 40 & 50 and Schedule 1.

7. **EXCLUSION OF PRESS AND PUBLIC**

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

OFFICERS' RECOMMENDATION that -

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

(To resolve)

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.

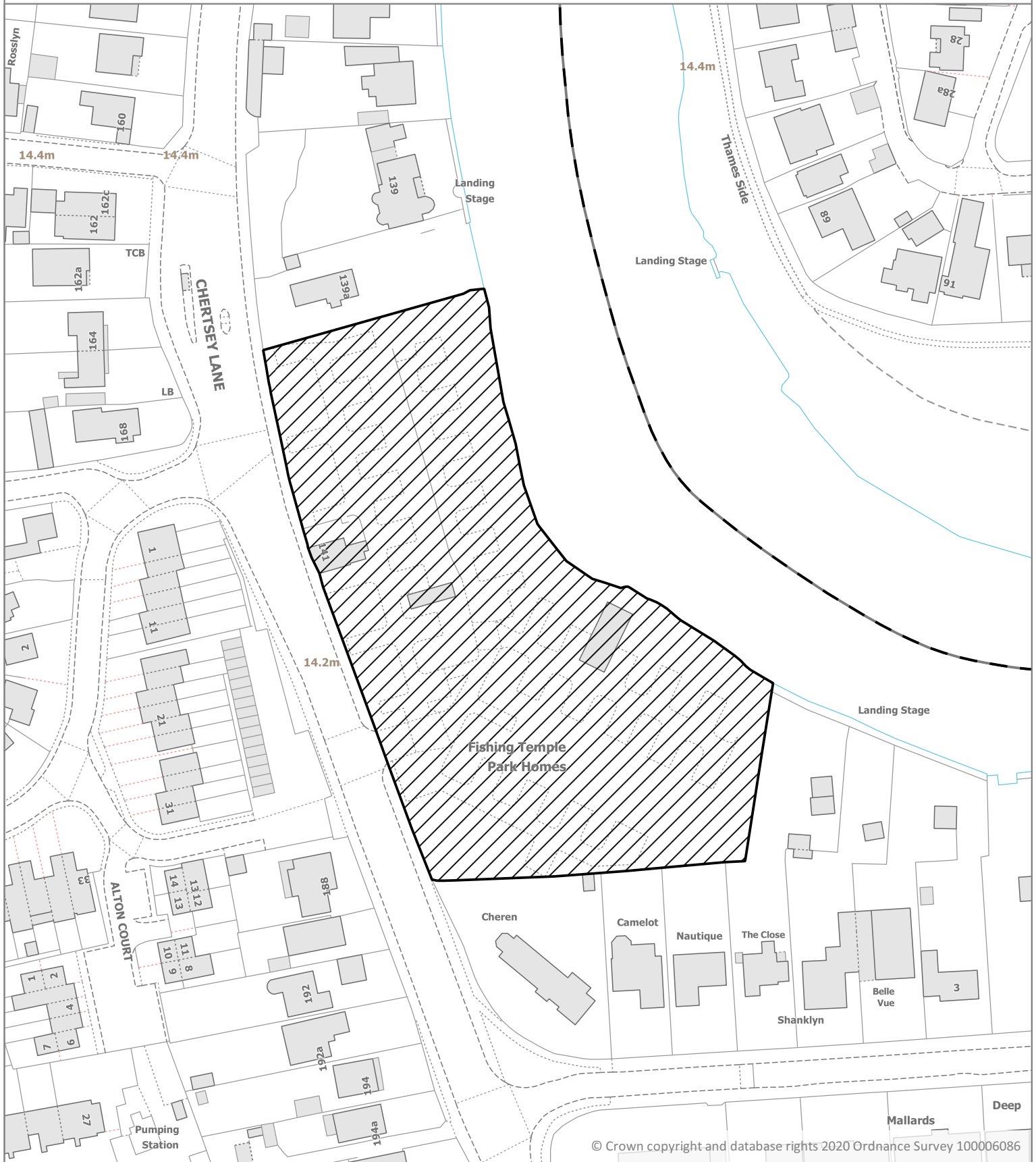


FOR LOCATION PURPOSES ONLY

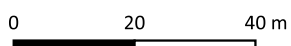
Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 23/09/2020

Thames Retreat, 141 Chertsey Lane, Staines-Upon-Thames, TW18 3ND



Scale: 1:1250



RU.20/0952

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RU.20/0952	Ward:
LOCATION:	Thames Retreat 141 Chertsey Lane Staines-Upon-Thames TW18 3ND
PROPOSAL	Retrospective Planning permission for the retention of external spiral staircases to units 19 & 22 to access the roof terraces
TYPE:	Full Planning Permission
EXP DATE	25 September 2020

SUMMARY OF RECOMMENDATION: Authorise the CHDMBC to grant planning permission subject to conditions

1. Site
 - 1.1 The application site is a lawful residential caravan site which is being refurbished and new mobile homes being purchased, with the current layout approved under RU.17/1752. The site is accessed from Chertsey Lane and abuts residential properties to the north and south which is defined by wooden fences with planting. The side abuts the River Thames on the eastern side. The frontage with Chertsey Lane to the west is screened by a boundary wall. The site lies within the high-risk flood zone and abuts the functional flood plain along the River Thames. The site is located within the Urban Area.
2. Planning history
 - 2.1 RU.20/0797 – Details pursuant for the discharge of condition 4 – Installation of geocellar flood mitigation system of approved development RU.19/0263. Under consideration.
 - 2.2 RU.19/0263 - Retention of electricity substation/security hut and erection of decking to units 1 - 11, 19 and 21 and retention of boundary fencing along the northern boundary. Granted
 - 2.3 RU.19/0259 - Variation of condition 3 of planning permission RU.17/1752 - to amend the height the mobile homes to be raised off the ground from 1 metre to 0.85 metres and infill the surrounding by brick skirting. Granted October 2019
 - 2.4 RU.18/1225 – Details pursuant to conditions 5 and 8 of planning permission RU.17/1752. Approved August 2018
 - 2.5 RU.18/0592 – Details pursuant to conditions 4, 6 and 7 of planning permission RU.17/1752. Approved April 2018
 - 2.6 RU.17/1752 – Engineering operations including changes to land levels across the site. Granted March 2018
3. Application
 - 3.1 The applicant has applied for planning permission (retrospective) for the erection of an external staircase to access roof top terraces on top of two mobile homes in the centre of the caravan park, on plots 19 and 22. The staircases are of metal construction with grey colouring, and in the style of spiral staircases. They are sited on a concrete base and fixed to the ground by bolts. The staircases are open to enable flood water to flow through the staircase. The staircase has a maximum height of 2.8 metres excluding hand rails and a diameter of approximately 3 metres. There is a balcony on both these caravans which has a clear safety balustrade around. The applicant has submitted an updated Flood Risk Assessment in support of the application. The application has been referred to the committee for determination as three letters of objection have been received.
4. Consultations
 - 4.1 37 Neighbouring properties were consulted in addition to being advertised on the Council's website and three letters of objection have been received; two from neighbouring residents and one from the Thorpe Ward Residents Association. A summary of their concerns are detailed below:
 - The spiral staircase leads to an overhead balcony which has a harmful effect on the privacy and amenities of the occupiers of nearby residential properties.
 - The balconies are made of a coated metal which glows with the sun throughout the date.
 - People using the balconies will have 360 views of everything and everybody

- The proposal would overlook bedrooms, lounges, kitchens, and gardens in the adjacent neighbouring properties.

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 the staircases have on the visual amenities of the area, the residential amenities of the occupiers of the adjacent neighbouring properties including occupiers within and outside the site, and impact on flood risk. The site is a lawful caravan site and the rooftop terraces are on one side of the caravan with the staircase being bolted to it. The caravans still comply with the definition of a caravan under the Caravan Sites Act 1968 as amended. There is already permission in place for the caravans, and therefore, it is only the merits of the staircases leading to balconies which are for consideration under this application.

- 6.2 The staircases serve two plots 19 and 22 which are located in the central part of the caravan site, at some distance from all boundaries. The grey coloured staircases which have been installed at caravans 19 and 22, lead to roof top which are enclosed by clear glazed barriers. These plots are set back from Chertsey Lane by approximately 50 metres and the wall along the front boundary with Chertsey Lane screens the view of the mobile home from the road. When the gates to the park are open, there are views toward the staircases. However, given the separation distance to the road and the open nature of the staircases it is considered that they do not materially harm the visual amenities of the street scene of Chertsey Lane. It is also not considered that there is any harm to the visual amenities of the caravan park arising from these two staircases and balconies. The proposal complies with policy EE1 in this respect.

- 6.3 Plots 19 and 22 are located approximately 50 and 30 metres respectively from the boundary with the nearest residential properties in Temple Gardens, to the south of the site. Whilst there may be views of the staircases and balconies from the rear garden areas of the properties in Temple Gardens, it is considered that there would be no harm to the outlook or visual amenities of these neighbours. In addition, due to the separation distances, there would be no harmful impacts on privacy for the neighbouring occupiers. At present there are limited number of mobile homes on the site but officers have considered whether the staircases and balconies would give rise to any impacts on future occupiers as caravans/mobile homes can be sited in relative close proximity and there are clear views of caravans within the park, given there is no screening between caravans. There may be some overlooking to other caravans but it is considered that given the limited nature of the staircases and balconies, and the general nature of caravan sites, that the amenities of existing and future residents of the caravan park would still be of an acceptable standard. The proposal complies with policy EE1 in these respects.

- 6.4 The staircases are of an open design and enables flood water to flow through them unimpeded, with no material disruption to the flow of flood water. As such it is considered that the staircases would not increase the flood risk at the site. The applicant has fully considered flood risk and has submitted a detailed Flood Risk Assessment in the form of a Technical Note which refers to the previously approved flood compensation area within the site, and has provided calculations of the total area required for flood compensation including the stair cases. Officers have considered this and concluded that this follows a previously approved flood compensation regime, and the proposal complies with policy EE13, subject to a condition that requires the flood compensation area to be fully implemented in accordance with the specifications for the Flood Risk Assessment.

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 development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities or the flood plain. The development has been assessed against the following key Development Plan policies –policies EE1 and EE13 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.

SUMMARY OF RECOMMENDATION: Authorise the CHDMBC to grant planning permission 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: TR-A-P2 received 20 July 2020, TR-A-P1 received 13 July 2020, Red line location plan and technical note received 22 June 2020.

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

2 Notwithstanding the information in the technical note received 22 June 2020, within 2 months of the date of this permission, further details of the scheme to provide compensatory flood storage shall be submitted to, and approved in writing by, the local planning authority. The compensatory storage shall be implemented in accordance with the approved details within 6 months of the date of this permission.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to comply with Policy EE13 of the Runnymede 2020 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.

Thames Retreat Chertsey Lane – RU.20/0952

SITE PLAN (Scale 1:500)

