

Runnymede Borough Council

PLANNING COMMITTEE

Wednesday 25 November 2020 at 6.30 pm

A D D E N D U M

RU.20/1206 Longcross North, Chobham Lane, Chertsey

The application site location plan has been corrected, replacing the incorrect plan attached with the original report.

Members' attention is specifically drawn to proposed amendments to condition 5 in respect of potential for access-restricting bollards on Chieftain Road – please see below.

It is appreciated that the addendum is long. Where matters relating to the recommendation have changes they are highlighted in red.

Consultations update

Three further local resident letters of objection have been received to the latest set of amendments and pursuant to the 3rd round of neighbour notification. Concerns expressed are about: the removal of trees on the land around the MVEE stream, which previously provided screening between the property (13 Churchill Drive) and the proposed station car park. The station car park would give rise to loss of amenity through disturbance, pollution and loss of privacy. The development does not meet the garden village principles, there is no proposal for community involvement or ownership, all contrary to policy SD9. The vehicle access to the rail station should be via Burma Road as was originally the case and this would protect resident amenities. Car park should be located west of the station. The film studios does not represent part of the garden village plan and would be contrary to the Enterprise Zone designation. There should be robust evergreen planting to screen the car park from our property. Crest are not listening to residents or delivering upon promises previously made in sales particulars; the amendments offer no resolution to the resident concerns, the only change being in respect of the station car park; Firefly and Chieftain Roads will remain rat-runs causing risks to children and disturbance to amenity; the developers consultations are not truly engaging the community; the circulars supplied don't have contact details; suggestions of not being able to control traffic are not true – the developers own the roads; Churchill Drive will be a drop off point unless controls are put in place; road narrowing would simply add to resident disturbance; no need for sports pitches; the provision of fitness trails within the SANG would be contrary to the aims of the SANG and cause unnecessary disturbance to biodiversity;

An objection has also been received from Shrimplin Planning on behalf of the Wentworth Residents Association and Virginia Water Neighbourhood Forum. This objects to the amended location of the station car park on grounds that it would be significantly smaller in capacity compared to previously stated applicant and Council Leader aspirations for a car park ranging from 135 spaces up to 400 spaces, subject to the ability to add upper levels – this will now not be feasible due the amended location and constrained site size. This is considered deficient to meet the needs of the development of the garden village, at over 1700 dwellings, plus the wider community having regard to absent capacity at Virginia Water train station. The current proposal would fail to meet policy SD9 which promotes sustainable modes of travel, but without an adequate rail station car park the increased use of rail will not be realised. There will also be increased fly parking due to the remote car park location. These concerns are echoed by the rail operator which should be taken seriously. No

justification is given for the modest size of the car park. The car park land is essentially what is 'space left over' on the site from other land uses. The film studios land and masterplanning should be part of this application to deliver an integrated process. The application should be refused for further engagement on these issues.

A response has now been received from Surrey Bat Group who advise the submitted ecology report was incorrect in stating no trees would be removed. It was also based upon significantly out-dated survey data, from 2013, with much of the work done in 2012. Bat surveys generally only have a lifespan of a year or two at most. Concerned about the poor state of the pond and if this represents a breach of planning control.

The applicants have made a number of comments and requests in relation to the report and the recommended s.106 planning obligations and conditions. These are dealt with in turn:

It is stated that the report is potentially misleading in its description of the purpose of the Discovery Building (see para 6.16 of the officer's report), in 'interpreting' the extant permission rather than the permission itself. This is not accepted by Officers. The Discovery Building was submitted to fulfil a key 'focal' role, in line with the land use parameter plan of the existing site-wide planning permission. The approved documents and planning conditions reflect its intended community and other mixed use functions across all three floors. Concerns are also expressed by the proposed site purchasers that the proposed planning obligation intended to secure public access in perpetuity is too onerous and would deter any commercial investor/occupier. However, it is considered that this is entirely appropriate having regard to the original intentions for the Discovery Building as a focal part of a 'local centre', defined in the approved parameter plans for the site. Community space was indicated as potentially available on upper floors of the Discovery Building and these will no longer be available as a consequence of this application. Whilst it is accepted that clauses can be added to s106 Heads of Terms to exclude 'back of house' areas from public access on the ground floor, the proposed public access clauses are considered necessary and reasonable in planning terms for the reasons set out in the main report.

Request by applicant with regards further Delegated Authority for amendments to conditions & Heads of Terms

It has been requested by the applicants that the formal officer recommendation allow for details of s106 Heads of Terms and conditions to be left with the CHDMBC and Chair of Planning Committee post-meeting.

It is agreed given complexity of some of the conditions that it is appropriate to request delegated authority to make minor changes to conditions with the agreement of the chairman. (With the exception of anything that would clearly go against the resolutions of the Committee).

This would assist with issues such as phasing or minor amendments. It is recommended that the following is resolved/minuted:

"For the avoidance of doubt delegated authority is provided to the CHDMBC to make minor changes to planning conditions in consultation with the Chairman of the committee."

Officers do not consider that the recommendation wording with regards Heads of Terms should be changed and in particular it is noted that they are broad and give some scope to the CHDMBC to determine and negotiate as appropriate.

Planning conditions:

The applicants have also requested a number of amendments to the recommended conditions, as follows:

Condition 2: The applicants have proposed to identify two phases of development, Phase 1 being the sports pitches and phase 2 being the station drop off/turning facility and station car park and to amend reserved matters condition (2) accordingly, to secure submission of Phase 1 within 6 months and Phase 2 within 12 months. However, it is considered that the scheme requires a bespoke phasing strategy, pursuant to recommended condition 4 and that this requires further consideration. Furthermore, the timings recommended by Officers are considered necessary to maintain momentum in the delivery of the scheme, recognising that much of the infrastructure to be provided as part of this application is already long overdue. Officer recommendation – no change to condition 2 necessary

Condition 3: to replace ‘complete accordancy’ with ‘general accordancy’. However, this wording is ordinarily applied in all decisions and there is not considered to be justification to relax this. The details of each element of the scheme (other than those matters now to be approved in Full) would still need to be separately submitted and approved as reserved matters. Officer recommendation – no change to condition 3 necessary

Condition 5 – the applicants state that they do not wish the referencing to provision of fixed bollards to be the only option under consideration in this condition as these may not be deliverable for legal reasons. The applicants state that they are actively exploring the options to deliver this option having regard to local resident concerns. However, as this remains unresolved at the current time, and as there is therefore a question-mark about the ability of the applicants/owners to deliver this option as things stand currently, it is necessary in planning terms to maintain a degree of flexibility in this condition. In addition, the previous wording would have prevented early use of Fox Road for other access requirements un-related to the station and prior to understanding the likely phasing of development (to be determined under Condition 4). As such, Officers recommend amending Condition 5 to read as follows:

5. The means of vehicular access to the development shall be from the Chobham Lane site access roundabout only, with the exception of existing access as may be permitted along Chieftain Road by Upper Longcross residents only. Details of signage and other measures to this effect (including the potential for emergency-access-only bollard or similar traffic restricting measures) on Chieftain Road, as indicated on approved Access and Movement Plan P20-0943-18G) shall be submitted to the local planning authority for approval and such approved details implemented prior to opening of the Station turning/drop-off facility and station car park to public use. Construction traffic access will be determined by way of CEMP to be submitted pursuant to condition 14.

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

Condition 7: It has also been requested that the Public art strategy be made a s106 planning obligation rather than a condition. Officer recommendation – no change to condition 7 necessary

Condition 8: It is requested that this allows for details of the drainage strategy to be submitted in line with approved phases of the development. This is considered reasonable, so it is recommended that the first part of condition 8 be amended to read as follows:

8. The development of any Phase of the development hereby permitted shall not commence (with the exception of development submitted in Full as part of this application) until details of the design of a surface water drainage scheme for that Phase have been submitted to and approved in writing by the planning authority.....

It has also been requested that sub-parts (a) and (b) be deleted and replaced with wording to secure green field run-off rates of 12.5 litres per second (urban rate) wherever possible and 5.13litres per second (rural

rate) wherever possible. However, the wording of the condition as originally proposed by Officers was at the request of the Lead Local Flood Authority at SCC and it is not considered that there is justification to change the wording as requested. Officer recommendation – no change to remainder of condition 8 necessary

Condition 9: further changes are proposed to this condition, to amend the trigger to align with the proposed phasing change to condition 8 above. This is agreed and Officers recommend amending the first part of condition 9 to read as follows:

9. Prior to the first occupation of each Phase of the development hereby permitted....

Condition 11: It is requested by the applicants that reference to the Sports England guidance note “Natural Turf for Sport (2011)” be omitted as it is not referenced in adopted Local Plan policy. This is agreed and the referencing to this document is now recommended as an additional Informative. Reference in the reasoning to policy SL28 is also queried, but this does reference new pitch provision so is considered by Officers to be relevant. Officers recommend amending Condition 11 to read as follows, to include reference to the Phasing Strategy.

11. The playing fields and pitches shall be constructed and laid out in accordance with details approved pursuant to the reserved matters and in accordance with the most up-to-date approved Phasing Strategy pursuant to condition 4.

Condition 12: Reference to adding tree protection on a phase-by-phase basis is requested by the applicants. However, this is not considered to offer sufficient protection for trees on site, many of which are now protected by TPO. Machinery moving around the site remains a risk to trees on a site where construction activity remains extensive and maximum tree protection is needed. Officer recommendation – no change to condition 12 necessary

Condition 13: It is requested by the applicants that this condition be amended to include specific reference to the turning loop/drop-off facility and station car park separately, as these are now intended to be located in different locations. This is agreed. It is requested that reference to ‘options for community ownership and stewardship’ are removed – this is not agreed, having regard to the expectations under policy SD9 of enhanced community ownership and stewardship opportunities to be explored wherever possible and the site’s garden village designation. It is also requested that reference to Chobham Common SPA (part 13 (c)) are not relevant due to the increased distance of the car park (relative to the original submission. However, given that specific concerns have been raised by Natural England in their consultation response and the Appropriate Assessment undertaken, it is considered necessary to retain this part of the condition to ensure these concerns are addressed and managed. Reference to ‘car park’ charging under (d) is added for the purpose of clarity. Under sub-section (e) it is requested that reference to cycle stores, racks, bus stops and shelter be removed. This is not agreed as it is not known at this stage whether any of these elements would be adopted by the local highway authority. Maintenance measures must therefore be considered and agreed. Officers recommend Condition 13 is amended to read as follows:

13. Prior to first use of the station car parking, drop-off/pick-up facility, bus stop and turning loop, a Station Access and Car Parking Management Strategy shall be submitted for approval by the local planning authority, such strategy to include details of:

- (a) The management body responsible; (including options for community ownership and stewardship);*
- (b) Public security measures, including CCTV;*

(c) *Measures to prevent recreational car parking to protect the Chobham Common SPA;*

(d) *Details of car park charging (if any);*

(e) *Maintenance measures for fixed infrastructure including cycle stores, racks, fast-charge sockets, bus stops, shelter, signs and other sustainable transport fixed infrastructure.*

Reason: To ensure appropriate car parking management in the interests of the garden village community, highway safety, sustainable travel choices and to protect the integrity of the Thames Basin Heaths SPA in compliance with Policies EE10, SD3, SD4 and SD9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Condition 14: Reference under sub-section (v) to ‘boundary hoarding’ has been requested by the applicant to change to ‘appropriate screening’. This is agreed. Officers recommend the amendment to Sub-section (v) of recommended condition 14 to read as follows:

(v) provision of appropriate screening behind any visibility zones;

Condition 15: The applicant seeks changes are sought to this condition, removing reference to ‘..at the applicant’s expense’ and sub-section (b) (clearway bus parking cage) – however this condition has been requested by SCC Highways and there is not considered to be any reasonable planning justification to remove these requirements at this time. Officer recommendation – no change to condition 15 necessary

Condition 16: changes are sought by the applicant to apply passive electric car parking charging infrastructure to only a further 10% of spaces, above the 20% fixed infrastructure, compared to the 80% passive infrastructure ordinarily sought through existing SCC guidance (as referenced in policy SD7) and in emerging RBC Parking Standards. There is not considered to be any justification in planning terms for this relaxation, in particular having regard to the clearly stated aspirations for Longcross garden village as set out under policy SD9. Officer recommendation – no change to condition 16 necessary

Condition 17: reference to ‘bikes’ in sub-section (b) is requested to be removed. However, this is intended to allow for the safeguarding of ‘electric scooters and bikes’ (ie. electric bikes). Officer recommendation – no change to condition 17 necessary

Condition 18: The applicant requests this is to be amended to refer to the drop-off and bus turning facility, rather than the station car park (which has now been re-located through amended plans) as it relates to trees and bat habitat close to the station and locations previously approved for such mitigation measures. Officers recommend the condition to be amended to read as follows:

18. Prior to the first use of the station drop-off and bus turning loop facility car park hereby approved.....

Condition 19: amendments are sought by the applicant to tie delivery of site contamination activity in line with any approved phasing strategy. This is agreed as acceptable and has occurred already in practice with the existing development on site. It has been requested that the words ‘if necessary’ be inserted to sub-clauses (c) and (d). However, this is considered to introduce a degree of vagueness to the condition – as it stands the condition wording sets clear stages in a process of assessment, mitigation and verification and no changes are considered necessary. Officers recommend the condition be amended to read as follows:

19. Prior to the commencement of any phase of the development hereby approved...

Condition 20: the applicant has requested that ecological surveys are not applied to *‘the whole site’* as currently worded. It is recognised that this could be refined to address areas not already undergoing construction, specifically all areas other than development undergoing implementation pursuant to Phase 2 of the existing hybrid permission. Officer’s recommend the condition be amended to read as follows;

20. No development (with the exception of development submitted in Full as part of this application and development already approved and undergoing implementation) shall take place (including any demolition and site clearance) until an ecological survey of the whole site has been conducted....

Finally, a further condition is recommended by Officers in respect of the car parking spaces for the studios, that are submitted as part of the Full application component of this scheme. Details of car parking for all other parts of the development will be considered further at the reserved matters stage.

“21. The proposed 27 parking bays and access driveway as hereby approved in full shall be constructed solely in full accordance with details of surfacing materials which shall firstly be submitted to and approved in writing by the Local Planning Authority. This shall include a scheme for the marking out of disabled parking bays and provision of 10% fixed plus 10% passive electric vehicle charging infrastructure.

Reason: To ensure high quality design, sustainable drainage and sustainable transport choices and to comply with Policies EE1, SD4, SD7 and SD9 of the Runnymede 2030 Local Plan and guidance within the NPPF.”

RU.20/0590 Land adjacent to Sutherland House Lodge, RHUL

Paragraph 6.7 update: the applicant has been carrying out further checks of the site and officers have been in discussion with the Surrey Wildlife Trust regarding protected species at the site. Officers are satisfied that the requirements of policy EE9 and the NPPF are met, with the further surveys which are required by condition 12, but recommend an amendment to the recommendation:

Authorise the CHDMBC to grant planning permission subject to being satisfied that full surveys for protected species have been carried out and suitable mitigation measures being agreed and put in place, and subject to the following conditions

Item 6

Thames Basin Heaths Supplementary Planning Document (SPD) consultation

Amend paragraph 6.1.3 to read:

6.1.3 SMM contribution rates for a net increase in residential dwellings within the 400m to 5km zone of influence, and prior to any level of discounting permitted by Natural England, are set out within Table 8. These equate to **£360** ~~£284.50~~ per occupant.

The Thames Basin Heaths Joint Strategic Planning Board agreed to increase the SMM contribution to £796.95 per dwelling on the 19 November 2020 to take account of inflation since its implementation. This equates to £360 per occupant (rounded from £359.94).

Update Table 8 to reflect increase in SMM contribution per occupant as follows:

Table 1. SMM Tariff

Dwelling Size	Expected Occupancy	SMM Tariff
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1 bedroom/studio	1.40	£504 £398
2 bedrooms	1.85	£666 £526
3 bedrooms	2.50	£900 £711
4 bedrooms	2.85	£1,026 £811
5+ bedrooms	3.70	£1,332 £1,053

Amend paragraph 6.1.5 to read:

6.1.5 **The level of contributions set out above are base figures. SAMM contributions will be updated annually to take account of inflation and will be published on the Council's website.** Contributions **may also** be updated to reflect increased costs or works, in accordance with guidance from the JSP. This will not affect contributions already paid or committed. Where a development site is providing mitigation through a bespoke onsite SANG, there will still be a requirement to provide SAMM contributions.

Amendment required to ensure level of SAMM contributions track inflation annually. Note, this is not required for SANG as cost of inflation is already accounted for in the costs of SANG management and maintenance in perpetuity.

Amend paragraph 6.1.7 to read:

6.1.7 Based on the information contained within chapters 5 and 6, Table 9 provides a summary of cumulative SAMM and SANG contributions within the 400m to 5km Zone of Influence which equate to **£1,263.5**~~£1,188~~ per occupant:

Update Table 9 to reflect increase in SAMM contribution per occupant as follows:

Table 2. Summary of Tariffs

Dwelling Size	SANG Tariff	SAMM Tariff	Tariffs Total
1 bedroom/studio	£1,265	£504 £398	£1,769 £1,663
2 bedrooms	£1,671	£666 £526	£2,337 £2,197
3 bedrooms	£2,259	£900 £711	£3,159 £2,970
4 bedrooms	£2,575	£1,026 £811	£3,601 £3,386
5+ bedrooms	£3,343	£1,332 £1,053	£4,675 £4,396

Item 9

Fees and Charges

The Council's Equalities Officer has reviewed the published report and has advised the following updates to section 4

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

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

(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

(c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

4.2 It is considered that there are no Equalities issues arising from the proposals contained in this report.

Amended location plan for Longcross application RU.20/1206



Date: 25/11/2020

PLANNING COMMITTEE

FOR LOCATION PURPOSES ONLY
Longcross North, Chobham Lane, Longcross,
Chertsey, KT16 0EE



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Scale: 1:3,500

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RU.20/1206

