

Planning Committee

Wednesday 16 December 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, L Gillham, 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 14

December 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.20/0098	Rusham Park (redevelopment), Whitehall Lane, Egham	17
RU.20/0675	Land at Brox End Nursery and 183 Brox Road, Ottershaw	52
RU.20/1259	Land North of Littlecroft Road, Egham	75
RU.20/0601	Glasshouse 1, Bellbourne Nursery, Hurst Lane, Egham (5 units)	83
RU.20/0600	Glasshouse 1, Bellbourne Nursery, Hurst Lane, Egham (7 units)	100
RU.19/1146	214 Wendover Road, Staines Upon Thames	117

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

6. EXCLUSION OF PRESS AND PUBLIC	16
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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.
CLEUD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CLOPUD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development requires planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
Design and Access Statement	A Design and Access statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Local Plan, Minerals and Waste Plans
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
ES	Environmental Assessment under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD')
LBC	Listed Building Consent
LDS	Local Development Scheme - sets out the programme and timetable for preparing the new Local Plan
Listed building	An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
LNR	Local Nature Reserve
Local Plan	The current planning policy document
LPA	Local Planning Authority
LSP	Local Strategic Partnership – Leads on the Community Strategy
Material Considerations	Matters which are relevant in determining planning applications
Net Density	The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
NPPF	National Planning Policy Framework. This is Policy, hosted on a dedicated website, issued by the Secretary of State detailing national planning policy within existing legislation

TERM	EXPLANATION
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
TPO	Tree Preservation Order – where a tree or trees are formally protected, and prior consent is needed for pruning or felling

TERM	EXPLANATION
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 25 November 2020 as a correct record. (Appendix 'A')

(To resolve)

Background Papers

None

Runnymede Borough CouncilPLANNING COMMITTEE25 November 2020 at 6.30pm via MS Teams

Members of Committee present Councillors M Willingale (Chairman), D Anderson-Bassey (Vice-Chairman) J Broadhead, I Chaudhri, M Cressey, L Gillham, C Howorth, R King, M Kusneraitis, I Mullens, M Nuti, P Snow, J Sohi, S Whyte, and J Wilson

Members of the Committee absent: None

Councillors T Burton, J Hulley, J Olorenshaw, P Sohi, and D Whyte also attended the meeting via MS Teams as non-members of the Committee.

MINUTES

The Minutes of the meeting of the Committee held on 4 November 2020 were confirmed and signed as a correct record.

APOLOGIES FOR ABSENCE

No apologies for absence. All present.

DECLARATIONS OF INTEREST

Councillors Howorth and R King declared a disclosable pecuniary interest in application RU 20/0590 as they were employees of the applicant. Both Councillors withdrew from the debate on this application and returned to the meeting following this item.

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. Public speakers addressed the Committee as specified below.

RESOLVED that –

the following applications be determined as indicated: -

<u>APP NO</u>	<u>LOCATION, PROPOSAL AND DECISION</u>
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RU 20/1206	<u>Longcross North, Chobham Lane, Chertsey, Longcross</u>
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Hybrid planning application: full planning application for a re-configured discovery building car park(to that approved under RU 17/1191);retention of the stage 2 building and associated hardstanding ;Outline planning

permission sought for proposed sports provision, public open space and associated landscaping; vehicular access, drop-off and car parking to the railway station ;and associated engineering works(all matters reserved) and proposed security fence(all matters reserved except layout)(Amended Plans 2.11.2020)

Members welcomed the retention of the studios which would generate employment benefits in the local area. While this did not align directly with the original vision for the site, Members recognised that the market had changed and welcomed the potential for future redevelopment of the proposed studio land as an alternate employment generating use.

Members noted that 2 floors of the Discovery Building would no longer be used for public facing uses. While this was regrettable, it was noted that that the ground floor of the Discovery building was being proposed for community facing use potentially retail or food and drink to help meet the objectives of SD9(d) in the Local Plan.

However, significant concern was expressed by some Members over the size and location of the proposed station car park in terms of its future viability and ability to meet potential future demand. Some Members enquired over the possibility of decked provision to increase parking provision.

The CHDMBC confirmed that with regards to car parking this element of the scheme was in outline, therefore a reserved matters application would be required which would include the details of car parking (Location/Quantum).

Members were informed that the number of car parking spaces was not fixed in this application and evidence would need to be put forward to justify a larger decked car park as this could affect viability of the overall scheme and jeopardise the delivery of the studio development. There were also limited options about where a car park could be located. Members asked that when the car park was brought back to the Council as a reserved matters application, full justification for the chosen size of the car park is provided including information on predicted travel patterns especially in the light of changed working patterns arising from Covid.

A Member questioned the reasoning for placing a TPO on trees near the station. The CHDMBC confirmed that this is a separate process from this planning application. The TPO did not only cover trees at the station.

Officers indicated that the TPO had been put in place as the trees had significant collective amenity, character and screening value and contributed to the characteristically wooded Surrey setting of Longcross. They also helped to screen the dilapidated buildings on the former DERA site for which there was not a detailed planning permission for the redevelopment of. The trees also had ecological value for bat commuting.

The CHDMBC confirmed that the placement of a TPO did not prohibit future development on the site as this can be overruled by a detailed planning permission. Even without a TPO in place the Committee would have to consider the same issues with regards the contribution of the trees.

In response to Member questions, the CHDMBC explained the reasoning, which had also been given to residents, as to why Burma Road was inappropriate as the primary access to the railway station and car park, the primary reason being the need to protect the integrity of the Thames Basin Heaths Special Protection Area with studio security a secondary reason.

Members asked for the applicant to undertake greater engagement with local residents and suggested the inclusion of a residents representative on the local steering group.

Subject to future consideration of the details of the station car parking at reserved matters, the Committee was supportive of the development. Given the complexity of some of the conditions and for the avoidance of doubt, the Committee was also agreeable to the CHDMBC being given delegated authority to make minor changes to planning conditions in consultation with the Chairman of the Committee.

RESOLVED that:

the CHDMBC be authorised to GRANT planning permission subject to the completion of a suitable Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:

- a) **The ground floor of the Discovery Building to remain publicly accessible in perpetuity, as indicated on the drawing attached at Appendix A to the application report;**
- b) **Notwithstanding the provisions of the Town and Country Planning (Use Classes Order 1987 (as amended)), the ground floor of the discovery building shall only be used as either a retail store (with primary convenience food/drink sales) or as a food and drinks venue, or other alternative community use;**
- c) **A marketing strategy in respect of the ground floor of the Discovery Building shall be submitted for the written approval of the local planning authority within three months of the grant of planning permission (details and mechanisms to be established by CHDMBC).**
- d) **The public open space shall be set out and maintained as per the approved plans. All areas of open space or sports provision to remain publicly accessible in perpetuity and devoid of any fences, gates or other means of enclosure (with the exception of those that form part of the approved plans or otherwise approved pursuant to reserved matters or conditions) that prevent the public uncontrolled public access.**
- e) **A Community Use Agreement for the Sports Pitches and areas of Public Open Space, having regard to Sports England guidance.**
- f) **Travel Plan to include measures for car club provision from the station car park and station drop-off, bus stop/mobility hub (or other location to be agreed), car sharing schemes and parking bay(s), real-time transport information, e-scooter and cycle hire, together with measures to encourage sustainable transport choices;**
- g) **A scheme for improving the appearances of Stage 2 and the associated office buildings by cladding or other suitable method.**

- h) **Non-implementation agreements for extant permission(s) on the site.**
- i) **Any other measures or amendments reasonably required by the CHDMBC that are considered reasonable and necessary for the award of planning permission.**

And conditions (amended conditions 5,8,9,11,13,14,18,19,20 and additional condition re car parking spaces for studios as per Addendum), reasons and informatives listed on the agenda, and the CHDMBC also be authorised to make minor changes to planning conditions in consultation with the Chairman of the Committee.

(Mr Lawler, an objector, and Mr Greenfield, for the applicant, addressed the Committee on the above application).

(Councillor Kusneraitis requested that his abstention from the vote be recorded as he had experienced internet connection difficulties and had not been present for the entire Officer presentation and debate)

RU 20/0590

Land adjacent to Sutherland House Lodge, Royal Holloway University of London, Egham Hill, Egham

Erection of academic building including extension to internal access road, external plant, retaining walls and associated hard and soft landscaping.

A few Members commented on loss of trees which were protected by a TPO, biodiversity, potential harm to badger habitats and ecology of the area, design of building not being in character with the area, and lack of ECV points in the disabled persons parking spaces.

The CHDMBC commented that the Tree Officer had no objection to the removal of the trees, subject to conditions to protect those trees to be retained and to secure appropriate replacement trees.

Again, the CHDMBC commented that a TPO did not preserve trees in perpetuity, but afforded control and the ability to consider any works to protected trees. During the planning application process their value and contribution to amenity should be considered. The Conservation Officer had commented that the design of the building was acceptable given its location and screening and choice of materials. Disabled persons spaces were not excluded from the provision of ECV points. However, they would not be provided as part of this application but would be delivered in more appropriate locations across the University campus as part of the approved Masterplan and the University's wider access and movement strategy. Similarly whilst biodiversity gains would be difficult to achieve on site, any shortfall would be secured elsewhere within the campus through additional appropriate measures. With regard to badgers and other protected species, Officers were satisfied that the requirements of policies EE9 and the NPPF could be met with further surveys and mitigation measures, and the Committee authorised the CHDMBC to grant permission provided he was satisfied that the measures to ensure the protection of protected species had been carried out and subject to suitable mitigation measures being agreed and put in place.

RESOLVED that:

The Corporate Head of Development Management and Building Control be authorised to GRANT 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 conditions reasons and informatives listed on the agenda.

(Mr Kelly, an objector, and Mr Flood, agent for the applicant, addressed the Committee on the above application).

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

The Committee received a new draft Supplementary Planning Document (SPD) setting out the avoidance and mitigation measures required to prevent development causing significant adverse impact on the Thames Basin Heaths Special Protection Area (SPA).

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

The draft SPD:

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

The change of most significance related to the current approach to SANG and SAMM (on a per unit basis) which did not adequately address the potential increase in residents within the vicinity of the SPA. To ensure that the strategy was more equitable in better reflecting the impacts from larger homes on the SPA, it was proposed to alter the approach to calculating developer contributions from a dwelling to an occupancy based tariff. This would align the Council's strategy with that of the other local authorities affected by the Thames Basin Heaths. The strategy set out in the SPD would also help to ensure that SANGs were delivered appropriately within the Borough and were managed and maintained in perpetuity, in accordance with Natural England's guidance.

The draft SPD proposed the following new SANG and SAMM tariffs, as amended on the addendum, which would benefit smaller homes and calculated to £1,263 per occupant for SANG & SAMM:

Dwelling Size	SANG Tariff	SAMM Tariff	Tariffs Total
1 bedroom/studio	£1,265	£504	£1,769
2 bedrooms	£1,671	£666	£2,337
3 bedrooms	£2,259	£900	£3,159
4 bedrooms	£2,575	£1,026	£3,601
5+ bedrooms	£3,343	£1,332	£4,675

The draft SPD would undergo a period of public consultation following which any representations received would be considered by the Council prior to adoption. The period for consultation would be 7 weeks. This was beyond the statutory minimum requirement set

out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However due to the current Covid-19 restrictions, a 7-week consultation was recommended to give interested parties additional time to access and review the consultation material and make their comments and to take account of the Christmas and New Year break which fell within the consultation period. Officers would utilise the consultation methods in the Council's amended May 2020 Statement of Community Involvement to ensure that it publicised the consultation as widely as possible during the current restrictions.

RESOLVED that

the draft Thames Basin Heaths Special Protection Area SPD, as amended on the addendum, be approved for public consultation for a period of seven weeks.

DEVELOPMENT MANAGEMENT AND BUILDING CONTROL BUSINESS PLAN 2021/22

The Committee received the Development Management and Building Control Business Plan for 2021/22.

The key achievements in 2020/21 to date, key areas of change in 2021/22 and key drivers and influences which would impact on the Business Centre in 2021/22 were noted.

In light of the wider and local economic climate, and due to IT investment in the previous year the service was not requesting funds for growth.

The Committee expressed its thanks to the team and supported the Plan.

RESOLVED that

the 2021/22 Development Management and Building Control Business Plan be approved.

PLANNING POLICY AND ECONOMIC DEVELOPMENT BUSINESS PLAN 2021/22

The Committee received the Planning Policy and Economic Development Business Plan for 2021/22.

The key achievements in 2020/21 to date, key areas of change in 2021/22 and key drivers and influences which would impact on the Business Centre in 2021/22 were noted. No growth requests were being made for 2021/22. However, to complete work required, especially for the review of the Local Plan, some specialist consultancy support would be required in 2021/22. As the base budget for the business unit did not allow for this work, the 2020/21 budget had been re-prioritised and a request would be made to carry forward budget at the end of the year to cover the costs of this support and enable delivery of high priority work in 2021/22.

The Committee expressed its thanks to the team and supported the Plan.

RESOLVED that

the Planning Policy and Economic Development Business Plan 2021/22 be approved, subject to amendment of risk rating colour from green to amber where appropriate for some entries.

FEES AND CHARGES 2021/22

The Committee received and considered the proposed fees and charges in respect of services under its remit for the next financial year 2021/22.

Planning fees were currently set by statute and were last increased in January 2018 and there was no proposal by the Government to increase these fees from 1 April 2021.

The pre-application planning advice service fees had last been reviewed by the Committee in January 2020 and no increase was proposed for 2021/22.

It was proposed to increase Building Control charges by 5% from 1 April 2021.

All other discretionary fees and charges would be increased by approximately 2% and the Committee agreed these increases.

RESOLVED that

the proposed fees and charges be approved to be effective from the dates reported or as soon as practical thereafter.

(The meeting ended at 10.00 pm)

Chairman

3. **APOLOGIES FOR ABSENCE**

4. **DECLARATIONS OF INTEREST**

If Members have an interest in an agenda item, please record the interest on the form circulated with this Agenda and email it to the Legal Representative or Democratic Services Officer by 5pm on the day of the meeting. **Members are advised to contact the Council's Legal Section prior to the meeting if they wish to seek advice on a potential interest.**

Members are reminded that a non-pecuniary interest includes their appointment by the Council as the Council's representative to an outside body and that this should be declared. Membership of an outside body in their private capacity as a director, trustee, committee member or in another position of influence thereon **should be regarded as a disclosable pecuniary interest, as should an appointment to an outside body by the Council as a trustee.**

Members who have previously declared interests, which are recorded in the Minutes to be considered at this meeting, need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must withdraw from the meeting if the interest is a disclosable pecuniary interest or if the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

5. **PLANNING APPLICATIONS**

The planning applications to be determined by the Committee are attached. Officers' recommendations are included in the application reports. Please be aware that the plans provided within this agenda are for locational purposes only and may not show recent extensions and alterations that have not yet been recorded by the Ordnance Survey.

If Members have particular queries on the applications, please contact Ashley Smith, Corporate Head of Development Management and Building Control by 14 December 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.

6. **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.

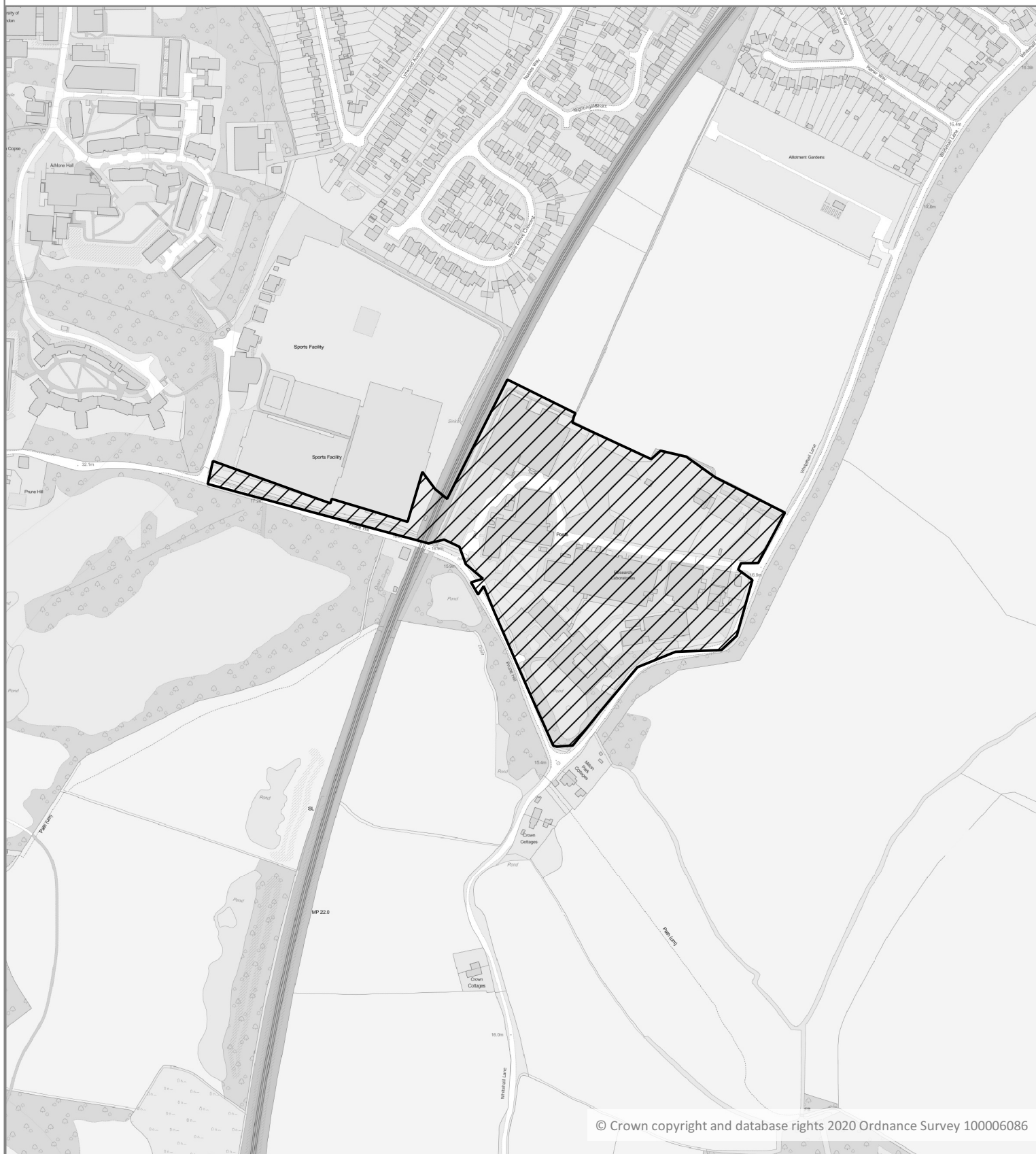
b) **Confidential Information**

No reports to be considered.

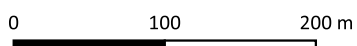


Date: 16/12/2020

Rusham Park, Whitehall Lane, Egham



Scale: 1:5,000



RU.20/0098



RU.20/0098	Ward: Egham Town, Englefield Green East and Virginia Water
LOCATION:	Rusham Park Whitehall Lane Egham TW20 9NW
PROPOSAL	Outline planning application (amended proposal) for the demolition of existing buildings and erection of purpose built student accommodation up to 1,400 study bedrooms, energy centre and ancillary uses, including a pedestrian footbridge over the railway, and associated landscaping - ("a student village") on land at Rusham Park, Whitehall Lane, Egham, Surrey (amended scheme reducing site area and reducing number of study bedrooms from up to 2000 to up to 1400 with amended plans and supporting technical documentation received 11 and 16 September and 30 October 2020).
TYPE:	Outline Application
EXP DATE	18 December 2020

SUMMARY OF RECOMMENDATION: Authorise the CHDMBC to grant planning permission subject to the approval of a suitable strategy with Natural England to mitigate impacts on the Thames Basin Heaths SPA, subject to the referral to the Secretary of State, and subject to the completion of a s106 legal agreement and the recommended planning conditions

1. Site

- 1.1 Rusham Park is located within Egham accessed from Prune Hill and Whitehall Lane. The site was originally owned and occupied by Procter and Gamble (P&G) and utilised as offices and a research and development facility known as the Greater London Innovation Centre. P&G have sold the site and moved the majority of their workforce to their new headquarters in Reading. The site has been purchased by Royal Holloway University of London (RHUL). A small number of the P&G workforce still remain within the site and will vacate next year.
- 1.2 The railway is positioned immediately to the west of the application site and an existing public footpath surrounds the site. The existing RHUL campus is located to the west which includes the existing sports facilities for the university. Existing allotments are located to the north east of the site. The nearest residential properties to the site include dwellings along Moore Grove Crescent to the north west and Milton Park Cottages and Rusham Cottage accessed off Prune Hill. Open fields are located to the east and south of the application site. This open land includes Milton Park Farm and Whitehall Farm which are both identified in the Surrey Minerals Plan. The site contains a variety of commercial buildings ranging in height from single storey to three storey buildings. These buildings are designed with a large footprint and comprise flat roof designs. There are a number of older style properties within Rusham Park known as 'Greenfield' and 'Nightingale'.
- 1.3 The site is located within the Green Belt with the urban area of Egham positioned towards the north. An 'Area of High Archaeological Potential' is located to the south east of the site. The Founders Building (Grade I) and the swimming pool (Grade II) are both statutory Listed Buildings located within the Royal Holloway University Campus (RHUL) positioned some 600 metres from the application site to the north west. Land to the south and east falls within a 'Safeguarded Mineral Site' and a 'Mineral Safeguarding Area'. The site falls within flood zones 1 and 2 and land to the south falls within a 'Priority Habitat Inventory'. Rusham Park is also located within 5km and 5-7km of the Thames Basin Heaths SPA. The site does not fall in an 'Air Quality Management Area'. There are a number of existing mature trees within the site, none of which are subject to Tree Preservation Orders. Special Protection Areas comprising the South West London Waterbodies are located to the north of the River Thames near Staines, and to the south east near Thorpe. There are also a number of sites of Nature Conservation Importance within the borough which includes Windsor Great Park to the west, Coopers Hill and Coopers Hill Slope to the north and Abbey Lake and The Dell to the south. Special Areas of Conservation are also located to the west and south including Windsor Forest and Great Park and Thursley, Ash, Pirbright & Chobham to the south.

2. Planning history

Rusham Park

- 2.1 There is an extensive planning history on the site ranging from temporary planning permission for small buildings to larger scale developments for the partial redevelopment of the site, the most relevant includes the following;
- 2.2 RU.92/0977: Demolition of an existing building and replacement by a two storey research and development building consisting of laboratories and ancillary offices. Granted.
- 2.3 RU.93/0539: Change of use of dwelling to multiple occupancy use to provide 12 no. study bedrooms plus shared facilities for a maximum of 12 students to occupy (Greenacres)
- 2.4 RU.95/0489: Outline planning permission for the redevelopment of site incorporating the replacement of some outworn, mostly single storey buildings & the refurbishment of the remaining buildings along with car park facilities & landscaping areas. Granted.
- 2.5 RU.96/0327: Change of use from student accommodation to meeting facilities and residential purposes ancillary to the site (Greenacres) Granted.
- 2.6 RU.96/1048: Erection of temporary two storey office accommodation. Granted.
- 2.7 RU.96/1049: Construction of new multi deck car park with associated landscaping works and provision of temporary surface car park for use during construction. Granted.
- 2.8 RU.98/0498: Construction of two-storey design and development centre, R & D laboratory, support functions and offices with associated roof plant. Granted.
- 2.9 RU.99/0184: Temporary retention of existing 2-storey office accommodation, provision of enlarged two-storey temporary office accommodation for a two year period following removal of existing, provision of landscaping to site frontages. Granted.
- 2.10 RU.99/0777: Construction of surface car park adjacent to decked car park. Granted.
- 2.11 RU.03/0139: Erection of single storey & three storey buildings with single storey link, alterations to existing building, formation of internal access road & service area off Whitehall Lane, following demolition of 3497sqm. Granted.
- 2.12 RU.03/0140: Outline application for the erection of single storey & three storey buildings with single storey link, alterations to existing building, formation of internal access road & service area off Whitehall Lane, following demolition of 3497sqm. Granted.
- 2.13 RU.06/0593: Erection of a 150 sq m single storey storage building for a temporary period of 5 years. Granted.
- 2.14 RU.11/0797: Renewal of RU.06/0593 for the temporary retention of a 150 sqm single storey storage building for a further two years. Granted.
- 2.15 RU.14/1362: Refurbishment of Block 8 Berners Lee, including the demolition of part of the existing building and construction of single storey office and storage space, replacement of all windows and provision of an entrance door with glazed canopy over. Granted.
- 2.16 RU.19/1379: EIA Screening Opinion in respect of the proposed development of the site for a student accommodation village. Not EIA development.
- 2.17 RU.20/0092: Variation of Condition 3 of planning approval RU.96/1049 (construction of multi deck car park) to enable use by Royal Holloway University of London as part of a Campus Wide Car Parking Management Strategy and the addition of a condition to ensure internal link road and shuttle bus provision is provided in conjunction with the variation to Condition 3. No decision to date.
- 2.18 Royal Holloway University of London (most relevant to application)
- RU.14/0099: Outline planning application for the university's masterplan for development up to 2031. Demolition of selected existing buildings and construction of an additional 55,000sqm (net) academic and operational buildings, an additional 71,128sqm (net) student accommodation (c.2,650 bedspaces), alterations to Egham Hill to provide a new vehicular access, alterations to

Highfield Road/Harvest Road/Egham Hill junctions to provide amended vehicular access, new car parks, sports facilities and associated hard and soft landscaping. (Revision to Masterplan illustrative layout plan) (amended proposal increasing car parking provision). Granted.

2.19 RU.20/0260: Construction of new internal link road between existing halls of residence and sports pitches to south of campus (including revisions to existing land levels, removal of existing trees and proposed new mitigation tree planting) and proposed alterations along existing internal university road network to allow access for the shuttle bus. No decision to date.

3. Application

3.1 The application seeks Outline Planning Permission for the demolition of the existing buildings within Rusham Park (excluding the multi storey car park (MSCP) Greenfield and Nightingale) and the erection of purpose built student accommodation comprising up to 1,400 study bedrooms, an energy centre and ancillary uses. This represents an amended scheme following discussions with Officers resulting in a reduction in the number of study bedrooms from up to 2000 to up to 1400 (a reduction of some 600 bedrooms). The red line of the application site has been amended and a 'Student Village New Build Development Zone' has been included which provides a smaller area of development restricting the spread of new buildings and associated development within the Rusham Park site.

3.2 RHUL are seeking consent for the 'principle' of the quantum of development with all matters reserved for future consideration. Reserved matters would include details of access, appearance, landscaping, layout and scale. These would need to be considered under a separate 'reserved matters' application.

3.3 The application is supported by a series of 'illustrative' plans and documents to demonstrate how the quantum of development could be accommodated on the site. This includes details indicating the potential height, floor area and layout of buildings. The application is supported by a detailed Planning, Design & Access Statement which explains the evolution of the design process and how the university has sought to balance the need for student accommodation whilst considering the characteristics of the site and the surrounding area.

3.4 The existing MSCP will be retained and managed for use by RHUL for use by both staff and students. The MSCP provides for a total of 408 car parking spaces. RHUL main objective is to increase the total number of available car parking spaces for RHUL as a whole to reduce pressure for student parking in the surrounding area, particularly Englefield Green. RHUL will restrict parking within the MSCP to those students who currently live more than 1.5 miles from the campus and focus primarily upon students whom would otherwise be likely to travel through and park in Englefield Green. There would be no allocated parking for the new students within Rusham Park (with the exception of disabled parking and spaces to allow for students to be dropped off and picked up at the beginning and end of each term)

3.5 The illustrative plans and statements provide for on-site cycle parking and focus upon pedestrian movement across the site. The development would also include the construction of a new pedestrian footbridge over the railway for student use and for use by the general public. RHUL consider this to be a fundamental part of the scheme to allow for a safe and direct access from the proposed new student village into the main RHUL campus.

3.6 RHUL confirm that for the reasons outlined below, they can no longer progress a number of the 'illustrative' student residential projects which formed part of the 2,650 bedspaces approved within the 2015 Outline Masterplan resulting in the loss of 1067 bed spaces.

- The illustrative plans provided for some 348 bedspaces at the Library Depository site which is leased by RHUL. This site is no longer available to RHUL for redevelopment.
- The development recently constructed along Harvest Road (George Elliott Halls) provided 621 bedspaces, which was 83 bedspaces fewer than originally illustrated by the master plan.
- The illustrative plans provided for the provision of 70 additional student bedspaces within the Founder Building. This will no longer be pursued due to the pressure of the need to retain and enhance teaching facilities within the building,

- Given the strength of local controversy and concerns from local residents in Englefield Green, RHUL no longer wish to pursue the illustrative plans for 566 student bedspaces to the north of the A30 in the urban area.

3.7 In the absence of these projects, RHUL confirm they can no longer provide the planned number of student bed spaces identified to meet the demand in 2015, now and into the future. RHUL confirm they are also acutely aware through its own development at George Eliot Halls of the strength of local feeling to purpose built student accommodation in Englefield Green and the effects of increasing student take up of houses in multiple occupation within established residential areas. RHUL advise the redevelopment of Rusham Park will relieve these pressures by reducing new student housing in established residential areas and enable houses in HMO's to be returned to private residential use

3.8 In addition RHUL confirm the expectations and demand for quality accommodation from new students has changed. The availability of good quality and good value accommodation is a key factor in students decision making when selecting university. RHUL critically needs to keep pace with this expectation and its competitors. RHUL advise that Rusham Park will provide a viable alternative to those students currently located in poor quality or peripherally located student accommodation providing them with an enhanced pastoral care and student experience from a single purpose built campus.

3.9 The applicant acknowledges that the development will represent an inappropriate and harmful development within the Green Belt and has put forward a package of material considerations which they believe represent the 'very special circumstances' to support the proposals. These can be summarised as:

- The proposed development will meet unmet demand for student bed spaces and will free up existing residential housing stock in the surrounding area which will bring environmental, social and political benefits to the local population.
- An application for a Southern Link road (RU.20/0260) will provide a new vehicular connection between Runnymede Halls Car Park and the Sports Complex. The road will avoid the need for service, maintenance and delivery vehicles associated with RHUL to use the local highway network. The Link Road will also enable the RHUL shuttle bus to access the sports centre and Rusham Park reducing total distance travelled, overall emissions and vehicles from the surrounding highway.
- The use of the MSCP will bring wider community benefits by reducing pressure for student car parking along residential streets within Englefield Green & Egham. The issue of parking has been a long term source of anger and frustration for local residents.
- Housing need. The applicant considered at the time of submission that this would contribute to RBC's 5 year supply.
- The proposals provide for a footbridge over the railway line. This will provide safe passage for both students and the general public. Network Rail have also stated a commitment to enhance the current level crossing arrangements to a full barrier by 2024. These improvements will bring wider benefits to local road users and pedestrians making the local highway and railway line crossings safer.
- Visual and biodiversity improvements.
- Creation of new areas of open space and maintenance of existing areas of open space including additional planting to site boundaries.
- RHUL is an important strategic employer within the borough. The proposal will ensure the retention of the university which will provide economic benefits to the borough including the retention and creation of new jobs.
- RHUL is a world class education facility. The development will ensure the long term retention and prosperity of the university within the borough with increased opportunities for education. The proceeds from the development would be reinvested into an established local education provider.
- Sustainability benefits as a result of reduced car movements and associated reductions in noise and pollution when compared to the potential use of the site independently by P&G or a similar company.
- The future of Rusham Park as an independent 'employment site' is not guaranteed given its unsustainable location. The buildings are also outdated . Rusham Park is not allocated as a 'strategic employment area' within the Local Plan 2030.

- The consolidation of student accommodation at Rusham Park will bring social and safeguarding benefits to students and the local community. Student accommodation will be directed away from local residential areas where existing tensions between students and local residents exist.
- The concentration of student accommodation in one location in close proximity to the existing RHUL campus will provide the necessary supporting infrastructure to serve students' needs and wellbeing.

4. Consultations

4.1 Site notices were placed on and surrounding the application site and 35 letters were sent to individual neighbouring properties. In addition the application has been advertised in the local paper. In response to the above consultations 12 letters of representation have been received outlining the following comments and concerns:

- Objections raised to the high number of students being housed on this isolated site. RHUL now dominates Egham & Englefield Green and the local village/town feeling and purpose is being lost. The local area is overwhelmed.
- Detrimental impacts upon the Green Belt and the erosion of rural visual amenity. This development will result in the beautiful surrounding area in Whitehall Lane being spoilt.
- No benefits to the local community.
- Detrimental impacts upon the existing Boshier allotments. Many people take on an allotment as an escape and treasure the peace the site offers with surrounding fields. Noise and light pollution will also have detrimental impacts upon the quality of produce grown.
- No objections to the proposal and wish RHUL (which is an internationally renowned college) every success for the future.
- The reduction in student numbers from 2000 to 1400 is welcomed. Although it is understood that it will be a 2 stage phased process.
- Access issues and increased traffic along local roads.
- Parking problems in local area given lack of on- site parking for the new students and harmful impacts on road safety.
- Where will the new students be expected to park. Whitehall Lane and Prune Hill will become 'rat runs' for students with increased parking in surrounding roads.
- RHUL is totally ineffectual in their approach to complaints by residents with regard to the problems of student parking.
- Fear of pressure for redevelopment on the neighbouring allotment site and Mrs Caddy's field.
- Detrimental impacts of light pollution upon surrounding properties.
- Many students do their shopping on line, use taxi's and have visitors, . How will this be managed on site.
- Fear of increased crime in the local area.
- Noise pollution and disturbance to neighbouring residents.
- Flooding and drainage issues on the site and on surrounding land.
- Flood risk will only worsen when neighbouring land is used for extracting gravel and landfill.
- Flood water along Prune Hill is significant despite attempts to install drainage.
- RHUL advises that it is acutely aware of the strength of local feeling in Englefield Green regarding student accommodation. The university should be similarly responsive to the feelings of local residents in Egham.
- The proposal will place a significant impact on infrastructure.
- Detrimental impacts on highway safety and concerns over access.
- Danger to students. How can 2000 students safely navigate this site given the narrow winding lanes with bends and a railway crossing.
- Concerns are raised given the predicted number of vehicles predicted to enter and leave the site.
- There should be a shuttle bus to serve the site, RHUL and the local train station.
- What provisions would be made for cycle storage.
- The 'student village' should be self-contained for the well -being of its students to prevent them having to cross the railway into the main campus.
- Whitehall Lane and Prune Hill are narrow roads which already have a significant volume of rush hour traffic and are not suitable for large volumes of traffic.
- Danger to the highway during construction works and impact on local school children.

- The proposal to restructure the railway crossing would increase time waiting for barriers and create more traffic pressure on the road, especially at peak times. Two narrow bends in Whitehall Lane will only worsen this situation.
- The construction of a new footbridge will be intrusive, impractical and unsightly.
- Health & safety concerns should the gravel extraction go ahead resulting in significant traffic movements and pollution for local residents.
- Major concerns that the development will result in an overspill of parking on surrounding roads which is already a massive problem for both Egham and Englefield Green.
- Potential for noise from the development including the energy centre and other facilities.
- The supporting information advises that RHUL seek to dispose of the Kingswood Halls. Have these future plans been made available to the public as these plans could detrimentally impact upon the residents of Englefield Green.
- RHUL argue that they wish to relocate the students from Kingswood Hall to Rusham Park so as to be less isolated. The Rusham Park site is arguably more isolated.
- A preferred option would be to utilise the existing playing field adjacent to the railway within the main RHUL campus.
- The noise assessment has not recognised the potential for noise from the level crossing when the barriers are in operation. Students are very sensitive to noise particularly during exam times which can result in mental health issues.
- Impacts on the Heathrow Southern railway proposals and neighbouring protected mineral sites.
- It would be better for RHUL to utilise the existing buildings and laboratories at Rusham Park for the university and build new student living accommodation on the main RHUL campus.
- Additional students will bring a great deal of upset, distress and disturbance to local residents.
- Potential for land contamination.

4.2 2 letters have been received from the Egham Residents Association (ERA) raising the following comments and concerns:

- Notwithstanding the Green Belt status of the land, it is recognised that the application site became developed many decades ago.
- As much as the ERA would like to see the land reverted to a green open space, it is accepted that this realistically is not going to happen.
- The ERA have serious concerns regarding the form and scale of development – it would be good to have a clear understanding of how the overall footprint and mass would compare to P&G.
- The development only offers a vague prospect of relief from the spread of student HMO's (House in Multiple Occupation) in Egham. HMO's have caused great distress for some families in Egham and a great character change to the area.
- RHUL advised at a public presentation that they were hoping to increase student numbers by 800. However this figure has not been confirmed at a recent meeting and no alternative figure was given.
- There is no recognition within the supporting documentation that the student HMO's have created much controversy and anger amongst residents in Egham.
- The impact of student HMO's in Egham over the past decade has been very deleterious and self-reinforcing. The more they spread, the more families feel under siege and leave Egham resulting in more opportunities for HMO's. It should shame Runnymede Council that it has no strategy to tackle this.
- A particular cause for concern is the lack of on-site parking for the new students. This will result in students seeking to park their cars in the local area including along Whitehall Lane up to Manor Way.
- Concerns relating to the flooding impacts of the development and the impact upon surrounding land and properties. The neighbouring potential for gravel extraction will only worsen this situation.
- Fear of precedent for Mrs Caddy's Field next to the site for new residential development.
- If everything in the offing for Whitehall lane comes to pass, the character of this part of Egham will be changed greatly and irrevocably.
- RHUL have made it clear that they are still looking at a two stage development. Whilst the amended plans look for a reduced scheme (up to 1400 study bedrooms), the other 600 bedrooms will be built later when the full consequences of the Covid crisis becomes clear.

- 4.3 A letter has also been received from the Englefield Green Village Residents Association (EGVRA) raising the following comments and concerns:
- EGVRA generally welcome the development in principle as it should lead to a reduction in the huge numbers of HMO's in the area around the university.
 - The number of HMO's in Englefield Green has long been very controversial and has had a negative effect upon the demography of those who reside in the village. There is insufficient affordable housing and school intake is falling. Egham suffers in the same way.
 - The development will have huge implications for student parking in Englefield Green given that none of the occupants of the new student village will be allowed to park within the existing MSCP within Rusham Park. The total number of existing parking spaces within Rusham Park will also be reduced by 155 spaces.
 - It is clearly known that many students still bring their car to university and park in the surrounding roads. This creates a highway safety and blocks emergency vehicles.
 - RHUL should give greater thought to parking provision and managing their students with cars.
- 4.4 Boshers Allotments and Gardeners Association (BAGA) have written in to comment raising the following concerns:
- Detrimental change to the character of the locality. Students now dominate Egham and the introduction of substantial numbers of additional students will overload the area.
 - Further erosion of the Green Belt. The development will result in an increased size in terms of height or footprint.
 - Fear that this could result in pressure for the redevelopment of Mrs Caddy's field and the Boshers Allotments. The BAGA have already been evicted for the redevelopment of their former site.
 - Light pollution and impact upon surrounding sites.
 - Noise pollution.
 - Parking and road safety issues.
 - Impact of neighbouring mineral extraction uses and the Heathrow Southern Railway.
 - Flooding impacts.
- 4.5 A letter of representation has also been received from Cemex whom raise the following comments:
- The Council should not permit any residential student accommodation which would result in the future sterilisation of the neighbouring safeguarded mineral resource.
 - Should planning permission be granted, the positioning of the residential accommodation should not be too close to ensure that future extraction can take place without significant impacts on the new residents.
 - Mitigation measures should also be incorporated into the design and layout.
- 4.6 Affinity Water raise no concerns as the site falls outside of the groundwater protection zone 2 but advise that further consideration is required to consider the impact and feasibility of the development and its impact on water supply.
- 4.7 Airside Operations Manager – Heathrow raises no objection subject to conditions.
- 4.8 No comments have been received from BAA Aerodrome Safeguarding.
- 4.9 No comments have been received from the Civil Aviation Authority.
- 4.10 No comments have been received from the Englefield Green Village Neighbourhood Forum
- 4.11 Historic England raises no objection.
- 4.12 The Councils Head of Community Development raises no objections.
- 4.13 Environment Agency raises no objections subject to conditions.
- 4.14 Natural England raises objection as further information is required to determine the impacts upon the Thames Basin Heaths SPA and the scope for suitable mitigation. The applicant is currently in

discussions with NE through their discretionary planning advice service to discuss an agreement on proposed mitigation measures.

- 4.15 Network Rail raises no objection subject to conditions.
- 4.16 The Councils Arboricultural Officer provides comments regarding tree retention and recommends that further supporting information is submitted in respect of new tree planting and planting methodology.
- 4.17 The Councils Listed Building & Conservation Officer raises no objections.
- 4.18 The Councils Contaminated Land Officer raises no objections subject to conditions.
- 4.19 The Councils Drainage Engineer raises no objection.
- 4.20 The Councils Environmental Health Manager has provided comments.
- 4.21 No comments have been received from Safer Runnymede
- 4.22 Surrey County Archaeology raises no objections subject to conditions.
- 4.23 The County Highway Authority raises no objections subject to conditions.
- 4.24 The Lead Flood Authority raise no objections subject to conditions
- 4.25 Surrey County Minerals and Waste raise no objections subject to suitable mitigation to safeguard the future operation of Milton Park Farm & Whitehall Farm (safeguarded mineral sites)
- 4.26 No comments have been received from the Surrey County Rights of Way Officer.
- 4.27 Sport England raise no specific comments but provides some advice to aid the assessment of the application.
- 4.28 Surrey Crime Prevention Design recommends that the detailed design of the development should secure a 'Secured by Design' award.
- 4.29 Surrey Wildlife Trust raise no objections subject to conditions.
- 4.30 Thames Water Utilities raise no objections subject to conditions.
- 4.31 No comments have been received from the Victorian Society
- 4.32 No comments have been received from the Virginia Water Neighbourhood Forum
- 4.33 Highways England raise no objection subject to conditions.
- 4.34 No comments have been received from the National Health Service (NHS)
- 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. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are considered to be the principle of the development within the Green Belt and associated Green Belt impacts, the impact upon the character of the area and heritage assets (including archaeology), the impact upon residential amenities, highway safety and parking, environmental protection (noise, air quality and land contamination impacts), flooding and sustainable drainage, green and blue infrastructure (including the impacts of tree removal), the impact upon protected species and biodiversity enhancements (including the impact of the development upon the Thames Basin Heaths SPA),

impacts upon the 'Mineral Safeguarding Area', the principle of the loss of the existing office/research and development use by P&G, health and wellbeing, sustainable design, renewable and low carbon energy and the impact on local infrastructure.

- 6.2 The 2030 Local Plan seeks to maintain the very high level of employment and enterprise within the borough and support proposals for specialist student accommodation. The Leader of the Council within the foreword of the 2030 Local Plan highlights the following:

'The core effect of the local plan is to maintain the very high level of employment and enterprise in the borough. This remains as perhaps the most important in the delivery of the local plan. Meeting our housing need is extremely challenging but no stone was left unturned in the discovery phase of this plan to ensure that the council did its utmost in finding ways to provide for all types of housing we need including affordable and self-build housing and new homes for specialist needs including older people, gypsies and travellers and students'

The 2030 Local Plan identifies RHUL as a strength within the borough on the basis that it represents one of the best educational establishments within the country. Policy SL23 of the 2030 Local Plan (Accommodating Older Persons and Students) confirms that planning permission will be granted for purpose built student housing provided there is evidence of a linkage with an educational establishment within the borough; the proposal is located in an area with easy access to facilities and sustainable and active modes of travel and the proposal has provided for the specific needs of student housing, including refuse storage, cycle parking and adequate space. This proposal is considered to comply with Policy SL23 of the 2030 Local Plan.

- 6.3 The application site falls within the Green Belt. The National Planning Policy Framework 2019 (NPPF) confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate development within the Green Belt unless the development falls within the exceptions outlined within Paragraph 145 of the guidance. This includes paragraph 145 section (g) which confirms that the

Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)' which would not have a greater impact on the openness of the Green Belt than the existing development.

- 6.4 Rusham Park is considered to fall within the definition of previously developed land. Careful consideration therefore needs to be given to the proposed quantum of development and its impact upon the openness of the Green Belt as outlined within paragraph 145 section (g) of the NPPF and whether the development would have a greater impact on the openness of the Green Belt than the existing development.

- 6.5 Policy EE17 of the 2030 Local Plan replicates Green Belt policy within the NPPF expanding on what factors will be taken into account when assessing applications including the lawful status of existing buildings and hardstanding, general height and storeys of existing and proposed buildings and their disposition around & within the site, existing and proposed development envelope, floorspace, footprint and hardstanding and the relationship with existing landscape features and integration with surroundings including space within and around the development and views from within and outside.

- 6.6 The applicant has provided information regarding the existing massing and floor area of development on the site and an illustrative massing and floor area plan to demonstrate how a development for up to 1400 students could be accommodated on the site. Please see tables below:

Existing Building	Existing Gross External Floor Area	Existing maximum height (m)	Existing volume (m3)
Dyson	4,730	11.07 (2 storeys)	26,180
Branson	6,977	16.5 (3 storeys)	37,126
Brunel & Darwin	4,688	9.9 (2 storeys)	23,196
Rhodes & Redgrave	1,474	3.9 (1.5 storeys)	5,749
Burners -Lee	1,220	3.9 (1.5 storeys)	4,758
Spirit Stores & Nightingale	518	3.2 (1 storey)	1,658

Shop & Others	112	3.2 (1.5 storeys)	358
Total	19,775		99,299

Proposed 'illustrative' Building Block	Proposed 'illustrative' Gross External Floor Area	Proposed 'illustrative' Height (m)	Proposed 'illustrative' Volume (m3)
A	10,395	16.8 (5 storeys)	34,927
B	4,390	16.8 (5 storeys)	14,750
C	10,540	16.8 (5 storeys)	35,414
D	3,025	16.8 (5 storeys)	10,164
E	7,154	17.1 (5 storeys)	24,460
F	9,857	17.1 (5 storeys)	34,285
Energy Centre	1,000	4.5 (1.5 storeys)	4,500
Total	46,361		158,500

- 6.7 In assessing the principle of the proposed quantum of development (up to 1400 student bedspaces) including the illustrative plans and documents it is considered that the proposed development will result in a significant increase in both floor area and height of buildings when compared to the existing buildings within the application site. There will also be a spread of built development towards the northern section of the application site adjacent to the existing multi-storey car park. On the basis of this assessment, the proposed quantum of development is considered to have a greater impact on the openness of the Green Belt than the existing development. This impact is considered to be substantial.
- 6.8 The development is therefore considered to represent an inappropriate and harmful development within the Green Belt (by definition) which would also have substantial detrimental impacts upon the openness of the Green Belt when compared to the existing development. The development would also conflict with the purposes of the Green Belt. This would be contrary to paragraph 145 section (g) of the NPPF and policy EE17 of the Runnymede 2030 Local Plan. In conclusion there is clearly harm in these respects which substantially weights against the proposal and which will need to be taken into account when considering whether any 'very special circumstances' exist which would clearly outweigh the substantial harm to the Green Belt. It is therefore necessary to consider whether any other harm would arise from the proposed development.
- 6.9 In relation to design, paragraph 127 of the NPPF advises that developments should function well and add to the overall character of the area, be sympathetic to the surrounding built environment (local character and history) and should be visually attractive as a result of good architecture, layout and landscaping. The new National Design Guide illustrates how well designed places that are beautiful, enduring and successful can be achieved in practice. This is an outline application with all matters reserved. Details of the appearance, landscaping, layout and scale will be reserved for future approval. The applicant has provided supporting 'illustrative' information within the Planning, Design and Access Statement' to demonstrate RHUL's high quality design approach and how the design principles of the development will comply with the NPPF, the National Design Guide and Local Plan policy. Rusham Park is a previously developed site characterised by a variety of large commercial buildings. Many of the existing buildings within Rusham Park are flat roof in design with large building footprints. Large areas of the site are also covered in hardsurfacing. The Planning, Design and Access Statement' illustrates that the heights and massing of buildings will be 5 storeys to reflect the height and massing of existing student buildings on the main RHUL campus and will be similar in height to the highest building on the application site 'Branson' which extends to a maximum height of some 16.5 metres (including plant).

- 6.10 The supporting information focuses upon the importance of a landscape strategy for the site and the importance of views within and surrounding the site to ensure that the development successfully integrates with its local context. The area for new development within the new student village has been restricted to ensure that sufficient space and planting will be provided around the application site and to site boundaries. The existing areas of the site which are currently developed towards the east (including the Berners-Lee, Spirit Stores and Rhodes and Redgrave buildings) will be returned to grassland and planted open space. The illustrative plans provide for open parkland to the northern and eastern sections of Rusham Park and provide for enhancement works to the existing lake to the south. RHUL seek to improve the relationship of the application site with the main RHUL campus by creating a central 'pedestrian spine' which connects each new building with a series of interconnected open spaces and a direct pedestrian link across the railway to the main RHUL campus. On this basis this outline application is considered to comply with design policy within the NPPF, the National Design Guide and policy EE1 of the 2030 Local Plan. However it is noted that further details of the appearance, landscaping, layout and scale would need to be fully considered under a future 'reserved matters' application.
- 6.11 The applicant has submitted a 'Landscape and Visual Impact Assessment' (LVIA) in support of their proposals which concludes that any adverse visual effects after 15 years of completion of the development will be of 'minor significance' given the new areas of planting and the strengthening of green infrastructure within and around the boundaries of the site. The assessment recommends that this will balance the adverse effects of the increased size of buildings. The LVIA does highlight that there will be short term adverse impacts during construction given the short term loss of some of the existing planting within the site which will need to be removed to accommodate the development. This adverse impact would weigh against the proposals. On this basis, the temporary adverse impact on landscape character identified by the LVIA is considered to be of moderate harm.
- 6.12 The NPPF requires new development to both conserve and enhance existing heritage assets. This requirement is replicated within policies EE3 and EE4 of the Runnymede 2030 Local Plan. A Heritage Desk -Based Assessment (HDBA) has been submitted which provides details of the historical development of the site and an assessment of the impact of the proposal upon heritage assets. The assessment concludes that the development proposals would not affect the setting or significance of any designated heritage assets, including The Founders Building (Grade I Listed) and the swimming pool (Grade II Listed) both located within the neighbouring RHUL Campus. Two older buildings exist within Rusham Park known as Greenfield and Nightingale, which are considered to have some history and architectural merit. These existing buildings will be retained as part of the proposals. Historic England and the Councils Listed Building & Conservation Adviser raise no objections. With respect to archaeology, the HDBA identifies the likelihood for the presence of archaeology and recommends that further investigations be undertaken. Surrey County Archaeology raises no objections to the proposal subject to a condition requiring the applicant to secure the implementation of a programme of archaeological work. This condition would be imposed on any outline permission granted. On this basis the development is considered to comply with heritage policies within the NPPF and policies EE3 and EE4 of the Runnymede 2030 Local Plan.
- 6.13 Policy EE1 of the 2030 Local Plan confirms that new development should ensure no adverse impacts on existing and proposed occupiers either within or surrounding the application site. The nearest residential dwellings surrounding the application site comprise Rusham Cottage to the west along Prune Hill (adjacent to the railway), residential development along Moore Grove Crescent to the north and Milton Park Cottages/Crown Cottages along Whitehall Lane to the south. It is considered that the positioning of these existing neighbouring properties coupled with the area proposed for the 'Student village New Build Development Zone' will ensure that the amenities of these existing dwellings will not be detrimentally affected by the development in terms of overlooking, loss of privacy, loss of light or overbearing impact. The 'Student village New Build Development Zone' would retain some 140 metres to existing dwellings along Moore Grove Crescent. Rusham Cottage and Milton Park Cottages/Crown Cottages would be positioned some 50 metres at the closest point. It is noted that historically 'Greenfield' (within Rusham Park) has provided ancillary residential accommodation at first floor. Greenfield is positioned outside of the application site and there are not considered to be any detrimental impacts on this first floor residential use given distances retained. On this basis the development is considered to comply with policy EE1 of the 2030 Local Plan.
- 6.14 Local Plan Policies SD3 and SD4 of the 2030 Local Plan relate to highway design, parking and active and sustainable travel. It is noted that this application is in outline with all matters reserved. Further details of the design of the 'access' of the development would be considered under a future

- 'reserved matters application'. The applicant has submitted a detailed Transport Statement (TS) in support of their application which considers the principle of the development and its impact upon highway safety. The TS concludes that the development proposals will have no significant impacts upon the local highway network. The proposals are supported by accessible and sustainable travel modes focussing upon pedestrian/cycle movements (and links to the main RHUL campus), on site cycling facilities and the provision of a dedicated shuttle bus for students.
- 6.15 A priority and focus for RHUL is to relieve the pressure of student parking around existing residential roads within the local area, particularly Englefield Green. In order to achieve this, it is RHUL's intention that the MSCP within the application site be utilised for staff and RHUL students living more than 1.5 miles from the RHUL campus. This parking approach will provide an additional 408 MSCP spaces for wider use by RHUL. The use of the MSCP will be controlled through the use of parking permits, ANPR and enforced by RHUL. RHUL also intend to install 'variable message signs' surrounding RHUL to help direct permit holders to less used parking supplied by RHUL. Parking within the application site will also be controlled through a Car Parking Management Plan.
- 6.16 There are currently 575 parking spaces on Rusham Park and the TS confirms that P&G employed around 600-800 staff. The TS advises that around 82% of P&G staff commuted to work by car. This outline application includes the retention of the existing 408 space MSCP for university use as outlined above. A smaller amount of surface parking (around 20 spaces) will also be provided on site to allow for disabled parking and the 'drop off' and 'pick up' of students at the beginning and end of term. This 'drop off' and 'pick up' of students will be carefully managed by RHUL to ensure that these times are staggered and managed to reduce any impacts upon the surrounding highway network.
- 6.17 Students occupying the new student village will not be allowed to bring a car onto site. A comparison of traffic movements between the existing use of the site by P&G and the proposed student village indicates that the new use of the site by RHUL would result in a significant reduction in traffic movements during peak hours on the local highway network and a reduction in traffic over the wider weekday peak period of 0700-1000 (a reduction of 26 trips) and 1600-1800 (a reduction of 27 trips). Vehicular trips will be more spread out across the day and not concentrated at peak times. The student village will result in an increase of 192 daily movements when compared to the use of the site by P&G. This equates to 16 additional traffic movements across a 12 hour period.
- 6.18 The County Highway Authority (CHA) raises no objections to the proposals subject to conditions. The CHA confirm that the development will result in a reduction in traffic movements during peak hours (am and pm) when compared to the use of the site by P&G. The development will also reduce parking pressures and associated traffic movements within the residential streets of Englefield Green and along the A30 by allocating permit parking for staff and students in the MSCP within the application site. The CHA acknowledge that the provision of direct pedestrian and cycle links from Rusham Park (across the railway) onto the main RHUL campus will result in a significant reduction in trips on the adjacent public highway which will further improve highway safety. The CHA highlights that there will be a high level of vehicular movements at the beginning and end of each term but acknowledge RHUL's measures to control this. The CHA confirm that this can be effectively managed through the use of a 'Car Park Management Plan'.
- 6.19 The CHA confirm that the development should not be occupied until a number of highway improvements have been undertaken by the applicant, which includes the proposed new footbridge across the railway, pedestrian and cycle improvements and the provision of the shuttle bus service. It is considered that these requirements can be imposed through the use of planning conditions on any outline permission granted. The CHA also recommend conditions relating to the submission of a Travel Plan, Construction Transport Management Plan and a proposed parking plan for the development.
- 6.20 Local residents concerns regarding additional traffic movements and highway safety concerns along Prune Hill and Whitehall Lane have been carefully considered by the CHA. Local residents have highlighted these roads as relatively rural routes that routinely experience road traffic incidents (RTI) and which are subject to excessive speed. The CHA confirm that there does not appear to be an excessive number of RTIs that would indicate a RTI blackspot within the vicinity of the application site which would be unduly exacerbated by the proposal. The applicant has provided information demonstrating that the trip rates associated with the proposal are unlikely to represent a significant increase in traffic associated with these roads. The County Highway Authority advise that Prune Hill is likely to see a reduction in traffic due to future users of the MSCP being located to the east and south of the main university campus and primarily utilising the Whitehall Lane access point. In

addition the am and pm peak hours will see a reduction in traffic when comparing the site use by P&G.

- 6.21 The concerns raised by local residents regarding the potential for overspill parking in surrounding roads have also been carefully considered by the County Highway Authority. The County Highway Authority confirm that Whitehall Lane, close to the junction with Stroude Road, is currently protected from antisocial/dangerous parking by double yellow lines. This would prevent parking at these locations. Farther down Whitehall Lane it is noted that there is on street parking in evidence where no road markings are evident. Currently this is not considered a highway safety or capacity issue, and given the distance to Rusham Park, it is not considered likely that future occupiers would park here. In addition remaining sections of Prune Hill and Whitehall Lane have single white lines. This would not prevent on-street parking. The County Highway Authority confirm that the Runnymede Parking Review allows local residents to request parking restrictions should local circumstances change in the future to require this on highway safety grounds.
- 6.22 In light of the above considerations, it is considered that subject to the submission of further details of the 'access' under a reserved matters application and subject to the conditions requested by the CHA, the proposal would comply with policies SD3 and SD4 of the 2030 Local Plan and policy within the NPPF.
- 6.23 Policy EE2 of the 2030 Local Plan considers noise and whether a proposal is likely to have an adverse impact to or from external ambient noise levels. The site lies adjacent to the railway and is subject to aircraft noise. This application is in outline so the design and layout of the development will be considered later under a 'reserved matters' application should outline planning permission be granted. A Noise Impact Assessment (NIA) has been submitted in support of the application. A baseline noise survey has been undertaken and the results used to inform an assessment of the suitability of the site for proposed student accommodation uses. The noise survey results were also used to determine noise limits for new fixed plant associated with the Energy Centre. The NIA confirms that the site will be suitable for student accommodation subject to good acoustic design which includes appropriate sound insulation measures, consideration of orientation of habitable rooms, specifications for glazing, attenuated trickle ventilators and mechanical ventilation systems. The Council's Principal Environmental Health Officer has provided some advice to officers noting that the further consideration of internal noise levels and specific glazing and ventilation will be required as part of any reserved matters application. It is also considered necessary to impose a condition regarding noise from the proposed energy centre and acoustic insulation to ensure that there are no detrimental noise impacts upon existing and proposed residents within and surrounding the application site. A planning condition regarding hours of use of ancillary uses including any proposed bars or takeaways within the site is also recommended.
- 6.24 Policy EE2 also considers Air Quality and development proposals. The application site does not fall within an Air Quality Management Area (AQMA). The Council's Principal Environmental Health Officer has raised no comments regarding air quality. The application provides a development which seeks to reduce reliance on the car and the new student village will be linked to the existing RHUL campus by a new pedestrian bridge over the railway and a new shuttle bus. On this basis it is not considered that the proposals would be likely to give rise to any adverse impacts on air quality. It is however considered necessary to impose planning conditions requiring the submission of a 'Demolition Environment Management Plan' and a 'Construction Environment Management Plan' to ensure that there are no detrimental impacts on air quality during the demolition and construction phases with respect to dust, fumes, noise, construction traffic and hazardous materials. The energy centre has the potential to produce emissions and affect air quality in the vicinity of the site and a condition is also recommended to ensure that further details are submitted and measures incorporated to ensure no adverse impacts.
- 6.25 The Council's Land Contamination Officer raises no objection subject to the imposition of a condition which requires the applicant to undertake an assessment of the nature and extent of contamination on the site prior to development. This would be required as part of the 'reserved matters' application should outline permission be granted for the application. This condition would also require the submission of any proposed remediation scheme should contamination be identified.
- 6.26 In respect of policy EE2, it is considered necessary to impose a planning condition to require the submission of further details of an external lighting scheme. This will ensure that any proposed lighting scheme is appropriate and would not result in high lighting levels and light spillage which would be detrimental to this Green Belt location, ecology and neighbouring residential amenities. On the basis of the above considerations, it is therefore considered that this outline planning application

(subject to conditions) will comply with policy EE2 (environmental protection) of the 2030 Local Plan.

- 6.27 The Environment Agency, Lead Flood Authority and Councils Drainage Section raise no objections to the proposals subject to planning conditions. A Flood Risk Assessment (FRA) and Outline Surface and Foul Water Drainage Strategy has been submitted in support of the application. The areas allocated for development fall within Flood Zone 1 and a safe and dry access and egress for the occupants of the site will be provided via the existing access on Whitehall Lane to the east of the application site. The FRA confirms that flood risk within the site will be sufficiently managed and the development will not lead to any increase in flood risk to surrounding land or properties. The Environment Agency confirm that areas of the development near the floodplain will need to be protected from internal flooding by ensuring the finished floor levels will be set 300mm above the 1 in 100 plus 70% climate change flood level. These requirements for flooding have been included within the 'illustrative plans' with respect to the finished heights of the buildings as outlined within the table contained within paragraph 6.7 above. An outline surface water drainage strategy has been developed which seeks to restrict surface water runoff from the site utilising attenuating SuDS features. The applicant has been in discussions with both Thames Water and Affinity Water and planning conditions will be imposed on any outline permission to ensure that sufficient infrastructure would be in place for the development. On this basis the development is considered to comply with policies EE13 and SD5 of the 2030 Local Plan.
- 6.28 RHUL have provided 'illustrative' details of the landscaping strategy for the site which focuses upon maintaining and enhancing the existing landscape features. This includes the retention of the existing landscape setting to 'Greenfield', the retention and enhancement of planting to the boundaries of the site and enhancement works to the existing lake. New and existing landscaping features will also form part of an integrated sustainable drainage strategy for the site. Rusham Park is characterised by existing boundary trees and hedgerows which are largely to be retained and protected as part of the proposals. The retention of existing planting will provide a landscape setting for the new development and help the development to integrate better into the existing landscape. An illustrative 'Arboricultural Impact Assessment' has been submitted which concludes that of the trees surveyed 65 individual trees and 12 tree groups will be retained and protected. The development will be likely to result in the removal of 41 trees and 8 tree groups. The majority of the trees to be removed will be predominantly Category C trees. The illustrative proposals seek to retain all Category A trees within the site. Any tree losses will be offset by new increased tree planting across the site which will form part of a detailed landscaping strategy submitted at the 'reserved matters' stage. Trees to be retained will be sufficiently protected through the use of protective tree fencing, no dig construction measures and the creation of 'construction exclusion zones'.
- 6.29 The Councils Arboricultural Officer provides comments regarding tree retention and recommends that further supporting information is submitted at this stage in respect of new tree planting and the planting methodology across the site. This application is seeking 'outline' permission with all matters reserved. On this basis the layout and scale of the buildings and landscaping will be fully considered at the future 'reserved matters' stage. It is considered that the applicant has provided sufficient 'illustrative' information to support their proposal in terms of the impacts upon blue and green infrastructure and the potential for enhancements. The proposal is therefore considered to comply with policies EE11 and EE12 of the 2030 Local Plan and policy within the NPPF.
- 6.30 A preliminary ecological appraisal and phase 1 habitat survey has been submitted in support of the application which includes opportunities for biodiversity net gain within the site. This includes an assessment of the impacts of the development, including associated impacts on internationally designated sites both within the borough and in surrounding boroughs. The appraisal recommends an updated Badger survey (including any necessary mitigation measures) is undertaken prior to the commencement of any development. The appraisal confirms that any impacts will be mitigated through biodiversity protection and enhancements which will be closely aligned with blue and green infrastructure within the site, sensitive landscaping and full details of a Landscape and Ecological Management Plan will be submitted as part of the 'reserved matters' application. The applicant has provided some illustrative details of the potential for biodiversity enhancements within the site which includes bird and bat boxes, log and rubble piles, additional native planting, green or sedum roofs, living walls, wildflower meadow mixes for open spaces and the creation of attenuation ponds/swales across the site. The Surrey Wildlife Trust raises no objections to the proposals subject to the imposition of conditions, including the requirement for an additional badger survey and the submission of a Landscape and Ecological Management Plan and Construction Environmental Management Plan.

- 6.31 The application site lies within both 5km and 5-7km of the Thames Basin Heaths Special Protection Area. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.
- 6.32 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since. It falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has any residual adverse effects that lead to a likely significant effect on habitats at the TBHSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential student accommodation within 5km and 5-7km of the TBHSPA. However the applicant is currently in discussions with Natural England to secure appropriate mitigation measures which would comply with guidance from Natural England. A section 106 will secure any mitigation when approved by Natural England. On this basis it is considered that any recommendation for approval will require that the committee delegate authority to the Corporate Head of Development Management & Building Control to approve the development once a suitable strategy is agreed with Natural England. In the event that a suitable strategy is not agreed with Natural England, the Corporate Head of Development Management & Building Control would need to exercise their authority to refuse the application. It is also considered necessary to impose a condition restricting the occupation of the development to students. It is therefore concluded through this appropriate assessment that with the avoidance measures in place, the proposal will not have an adverse effect on the integrity of the TBHSPA. It is therefore considered that subject to conditions, the development is considered to comply with policies EE9 and EE10 of the 2030 Local Plan and policy within the NPPF.
- 6.33 Open fields to the east and south of the application site are safeguarded mineral sites within the Surrey Mineral Plan which includes Milton Park Farm and Whitehall Farm. Surrounding land also falls within a Mineral Safeguarding Area. The Mineral Planning Authority (MPA) seeks to safeguard 'safeguarded mineral sites' from development that would sterilise the underlying mineral resource. A letter of representation has also been received from Cemex, who have an option to extract the aggregate (sand and gravel) at Whitehall Farm. The MPA raises no objection to the development subject to suitable mitigation to safeguard the future operation of the Milton Park Farm and Whitehall Farm sites in conjunction with any development at Rusham Park. The MPA supports proposals to incorporate sustainable construction and demolition techniques which seek to provide for the efficient use of minerals including a proportion of recycled or secondary aggregates and encourage the re-use of construction and demolition waste at source or it's separation and collection for recycling. This would be compliant with policy SD7 (sustainable design) of the 2030 Local Plan and would be imposed as a planning condition. The MPA recommend that a detailed noise assessment be submitted at the 'reserved matters' stage which takes into account future mineral working and further considers suitable mitigation such as sound insulation and acoustic glazing. In addition the MPA recommend that any detailed landscaping scheme should also take into account the neighbouring mineral sites and provide additional planting and screening along the site boundaries. Amended plans have restricted development within the site to a smaller area defined within the 'Student Village New Build Development Zone'. This has removed development from the eastern boundaries of the site returning them to open space. On the basis of the above considerations, it is considered that subject to conditions, the proposals will not have any detrimental impacts upon the neighbouring safeguarded mineral sites.
- 6.34 Consideration also needs to be given to the principle of the loss of Rusham Park for office, research and development purposes. The 2030 Local Plan seeks to ensure that there is a range and choice of employment floorspace within the borough. Policy IE1 allocates new employment within the borough focusing upon 51 Byfleet Road, New Haw. Policy IE2 also designates five strategic employment areas within the Borough which will be protected for employment use. Rusham Park is not allocated as a 'strategic employment area' within the Local Plan 2030. The future of Rusham

Park as an independent 'employment site' is not considered to be guaranteed given its unsustainable location and reliance on the private car. The buildings are also considered outdated. On this basis it is considered that there would be no objection to the loss of this land for independent office, research and development use and its use by the adjoining land owner RHUL.

- 6.35 The supporting information provides further details of how RHUL have considered 'health & wellbeing for their future students focusing upon the importance of providing opportunities for walking, cycling and outdoor recreation. The illustrative plans provide opportunities for recreation and social interaction including facilities such as a 'trim-trail running route' and other associated outdoor equipment as part of the wider landscape proposals. Further details of which would be required to be submitted through a planning condition. The proposal is therefore considered to comply with policy SL1 of the 2030 Local Plan.
- 6.36 The application is supported by an energy statement to address policies SD7 (sustainable design) and SD8 (renewable and low carbon energy) of the 2030 Local Plan. The applicant has considered sustainable design and a range of renewable and low carbon technologies in line with these policies which will be progressed at the 'reserved matters' stage. The development is therefore considered to comply with policies SD7 and SD8 of the 2030 Local Plan.
- 6.37 The Councils 'Infrastructure Delivery and Prioritisation Supplementary Planning Document' was approved by the Planning Committee on the 4th of November. This SPD confirms that contributions will be negotiated on a site by site basis. Following discussions with RHUL, they have confirmed that the Rusham Park development will be fully supported by the facilities and infrastructure within the wider RHUL campus. This includes ancillary built facilities, sports facilities, parks and open space and medical facilities. RHUL have confirmed that the existing sports and medical facilities on the main RHUL campus has sufficient capacity to support the additional students proposed. Given the nature of the development, it is not considered that contributions towards education, allotments, playspace or emergency services can be justified. This document also considers Controlled Parking Zones, advising that contributions towards the infrastructure required to set up CPZ's may be negotiated from developments within the vicinity. Following discussions with Surrey County Council, they have confirmed that there is an Englefield Green/ RHUL Parking Task Group that have been progressing a Controlled Parking Zone proposal for Englefield Green. The University accept the principle of contributions towards the CPZ, having been involved in the Parking Task group in excess of 7 years. Contributions towards setting up the CPZ will therefore be secured through the S106 agreement.
- 6.38 It is therefore necessary to consider whether any very special circumstances exist which outweigh the harm to the Green Belt and any other identified harm. As outlined earlier in the report, the development will result in a significant increase in floor area and height of buildings when compared to the existing buildings within the application site. There will also be a spread of built development towards the northern section of the application site adjacent to the existing multi-storey car park. The development will result in harm to the openness of the Green Belt and would conflict with the purposes of the Green Belt. On the basis of this assessment, the proposed quantum of development is considered to have a greater impact on the openness of the Green Belt than the existing development. This impact is considered to be substantial (paragraph 6.8). In addition to this 'substantial harm' there is also the 'moderate harm' which has been identified in the LVIA in respect of the temporary adverse impact on landscape character (paragraph 6.12).
- 6.39 As contained within Paragraph 143 of the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The relevant material considerations put forward by RHUL (within paragraph 3.9) have been carefully assessed by Officers to consider whether very special circumstances exist in this particular case.
- 6.40 In relation to housing need, following the adoption of the 2030 Local Plan, the Council is able to demonstrate a five year housing land supply. The 2015 Master Plan represented an 'appropriate development' within the Green Belt and these illustrative plans provided for new student residential accommodation within existing urban areas. It is not considered that housing need and the supporting information provides any weight to justify an inappropriate development within Rusham Park. On this basis it is considered that housing need should be given 'very little weight'.
- 6.41 The proposed southern link road (RU.20/0260) is located within the main RHUL campus and was outlined within the 'illustrative' plans of the 2015 Master Plan. It is acknowledged that the link road will avoid the need for service, maintenance and delivery vehicles associated with RHUL to use the

- local highway network and enable the RHUL shuttle bus to access the sports centre and Rusham Park. The link road however falls outside of the application site of Rusham Park and would provide benefits to the wider RHUL campus. RHUL have confirmed that this project would be progressed independently from the Rusham Park development should outline permission for the development not be granted. On this basis, it is considered that this consideration should be given 'very little' weight.
- 6.42 The use of the MSCP (408 car parking spaces) for student and staff parking will bring wider community benefits by reducing pressure for student car parking along residential streets within the local area particularly within Englefield Green. RHUL acknowledge that the issue of parking has been a long term source of anger and frustration for local residents. There is an Englefield Green/ RHUL Parking Task Group that have been progressing a Controlled Parking Zone proposal for Englefield Green. The University accept the principle of contributions towards the CPZ, having been involved in the Parking Task group in excess of 7 years. Contributions towards setting up the CPZ will therefore be secured through the S106 agreement. It is considered that the use of the MSCP to relieve local parking pressures in the surrounding area can be given 'considerable' weight.
- 6.43 The proposals provide for a footbridge over the railway line which will be funded and built by RHUL. The railway line currently has single barriers and pedestrians have to cross the level crossing directly on foot at road level. There is an existing public footpath which wraps around the application site and extends to the south across open fields. Users of this public footpath currently have to utilise the roadway and level crossing to cross the railway line as part of this dedicated public footway. The provision of a dedicated pedestrian bridge which links directly with the public footpath will provide safe passage for both students and the general public across the railway. Network Rail support the principle of this development. These improvements will bring substantial benefits to local road users, students and pedestrians making the local highway and railway line crossing safer. It is considered that this can be given 'substantial' weight.
- 6.44 The proposed 'Student Village New Build Development Zone' restricts the areas for new built development in the site. This will result in the removal of existing buildings to the east of the site (excluding Nightingale) adjacent to Whitehall Lane and their replacement with open space and additional planting. The illustrative plans also provide for the maintenance of existing areas of open space including additional planting to site boundaries. Furthermore the existing buildings on the site are industrial of appearance, dated and not particularly attractive, the replacement of these with modern well designed buildings will offer visual benefits. In combination with the reduced spread of development across the full site, it is considered that this will result in significant visual benefits to the Green Belt in this location and the undeveloped land will create a new green 'buffer zone' adjacent to Whitehall Lane as well as the potential for biodiversity improvements. It is considered that this can be given 'significant' weight.
- 6.45 RHUL is an important strategic employer within the borough. RHUL confirm that the Rusham Park proposal will ensure the retention and longevity of the university within the borough for the future. RHUL confirm the expectations and demand for quality accommodation from new students has changed over recent times. The availability of good quality and good value accommodation is a key factor in students decision making when selecting university. RHUL confirm that they critically need to keep pace with this expectation and its competitors. It is considered that the development will provide economic benefits to the borough including the retention and creation of new jobs. It is considered that this can be given 'significant' weight.
- 6.46 RHUL is a world class education facility. The 2030 Local Plan recognises RHUL as a strength within the borough. The development will ensure the long term retention and prosperity of the university within the borough with increased opportunities for education. The proceeds from the development would also be reinvested into an established local education provider. It is considered that this can be given 'significant' weight.
- 6.47 The 2030 Local Plan recognises the importance of reducing the boroughs ecological footprint through a modal shift to walking, cycling and other forms of sustainable transport. The 2030 Local Plan (Issues & Challenges) recognises that there are currently high levels of dependence on the private car within the borough which is a weakness. The Rusham Park development focuses upon sustainable travel modes actively encouraging pedestrian/cycle movements and considering direct links to the main RHUL campus, on site cycling facilities and the provision of a dedicated shuttle bus for students. It is also considered that the provision of the bridge over the railway for public use will also seek to encourage greater use of the existing public footpath surrounding the application site. It is considered that the development proposals will result in sustainability benefits as a result of

reduced car movements and associated reductions in noise and pollution when compared to the potential use of the site utilised independently by P&G or a similar commercial company. There are currently 575 parking spaces on Rusham Park and the TS confirms that P&G employed around 600-800 staff. The TS advises that around 82% of P&G staff commuted to work by car. There is also a potential that should RHUL not occupy the application site, the site could potentially be utilised for alternative employment uses or residential purposes (C3) which would have significantly greater potential for private car movements to and from the site. It is considered that this can be given 'significant' weight.

- 6.48 The future of Rusham Park as an independent 'employment site' is not guaranteed given its unsustainable location and the condition of the existing buildings. Rusham Park was not highlighted by the Council as an important employment site within the borough and on this basis has not been allocated as a 'strategic employment area' within the Local Plan 2030. It is acknowledged that the site has not been vacant for long periods and no evidence has been supplied to confirm that P&G have experienced problems marketing the site for employment uses. It is considered that this can be given 'little weight'.
- 6.49 Any very special circumstances are required to be assessed against the specific circumstances of the application site in question and the specific development proposals under consideration. These must be fully balanced against any harm identified. It is concluded that 'on balance' these material considerations in combination would amount to 'very special circumstances which would justify the development and clearly outweigh the 'substantial harm' which has been identified to the Green Belt and the temporary adverse impact on landscape character identified by the LVIA considered to be of 'moderate harm'.

7. Conclusion

- 7.1 It is considered that by reason of the proposed quantum of development (up to 1,400 study bedrooms) and the proposed increase in floor area, height and spread of built development when compared to the existing development, this outline proposal will have a greater impact on the openness of the Green Belt than the existing development. This impact is considered to be substantial. On this basis the proposal would fail to comply with paragraph 145 of the NPPF and the proposed development would be an inappropriate and harmful development within the Green Belt by definition, would have a detrimental impact upon the openness of the Green Belt and would conflict with the purposes of the Green Belt. It is considered however that material considerations exist in this particular case which would cumulatively amount to 'very special circumstances' which would justify the development proposals and which would clearly outweigh the 'substantial harm' which has been identified to the Green Belt and the temporary adverse impact on landscape character identified by the LVIA considered to be of 'moderate harm'.
- 7.2 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.
- 7.3 Consideration has been given to s149 of the Equality Act 2010 (as amended), which imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:
- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

- 7.4 The development is considered to protect and enhance the character and appearance of the surrounding area and residential amenities will be protected. Existing heritage assets will be retained and enhanced, There will be no harmful effects upon archaeology and the proposal is not considered to detrimentally impact upon highway safety. There are not considered to be any environmental protection, flooding or drainage issues. The development will seek to protect and enhance biodiversity and green and blue infrastructure within the site and will provide suitable mitigation towards the Thames Basin Heaths SPA. No objections are raised from the

Minerals Planning Authority and considerations have been given to health and wellbeing and sustainable design and renewable and low carbon energy at this outline stage. No objections have been raised to the loss of the existing employment use. Infrastructure contributions towards setting up the Englefield Green CPZ can be secured by a S106. It is also considered necessary to secure the use of the new railway bridge by the general public through the S106. The development has been assessed against the following Development Plan policies – policies SD3, SD4, SD5, SD7, SD8, SL1, SL23, EE1, EE2, EE3, EE4, EE9, EE10, EE11, EE12, EE13, EE17 & EE19 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.

- 7.5 Under 'The Town and Country Planning (Consultation) (England) Direction 2009 the local planning authority is required to consult the Secretary of State in respect of developments comprising new floor areas of 1,000 square metres or more of building within the Green Belt or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. Therefore, subject to a resolution by the Committee to grant planning permission, the application will need to be referred to the Secretary of State to determine whether he wishes to call-in the application and make the decision himself. If he decides not to call in the application, the permission can be issued by the Council.

SUMMARY OF RECOMMENDATION: Subject to the referral to the Secretary of State, the Corporate Head of Development Management & Building Control be authorised to Grant subject to the approval of a suitable strategy with Natural England to mitigate impacts on the Thames Basin Heaths SPA and the completion of a S106 legal agreement to secure

- The agreed SAMM payments and a suitable SANG avoidance strategy in accordance with the requirements of Natural England
- Proportionate contributions towards setting up of a Controlled Parking Zone.
- The public use of the new railway bridge which will be funded and built by RHUL.

And subject to the following conditions:

- 1 Outline application (standard time limit)

Approval of the details of the appearance, layout and scale of the buildings, the access and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved.

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

- 2 Outline application (reserved matters standard time limit)

a. Application for approval of the reserved matters referred to in Condition 1 shall be made to the Local Planning Authority for the whole development, or if the development is to be phased for the first phase of the development, before the expiration of three years from the date of this permission.

b. Reserved matters for subsequent phases of the development shall be made to the Local Planning Authority no later than three years from the date of approval of the previous reserved matter application or the last of the reserved matters to be approved, whichever is the later.

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

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

- 3 Programme of Archaeological Work

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

Reason: To allow archaeological information to be recorded and to comply with Policy EE3 and EE7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

4 External Lighting

Prior to installation, details of any external lighting (including their design, positioning within the application site and a proposed lux levels plan) shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and be retained as such thereafter.

Reason: In order to protect the character of the area, neighbouring residential amenities and biodiversity in accordance with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

5 External Materials

Prior to the above ground construction of the development hereby permitted is commenced (or if the development is to be phased, prior to the above ground construction of each individual phase) further details and samples of the external materials to be used in the external elevations shall be submitted to and approved by the Planning Authority. No variations in such materials when approved shall be made without the prior approval, in writing, of the Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with policy EE1 of the Runnymede 2030 Local Plan and guidance within the National Planning Policy Framework.

6 Flood Risk

The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment unless a variation is agreed in writing by the Local Planning Authority. Applications for the approval of reserved matters shall be accompanied by details of the proposed finished floor levels of the development. When approved the development shall be undertaken in complete accordance with the approved details (unless a variation is agreed in writing by the Local Planning Authority) and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In order to reduce the risk of flooding to the proposed development and future occupants and to ensure an acceptable design to comply with policies EE1 and EE13 of the Runnymede 2030 Local Plan and policy within the NPPF.

7 Highway improvements

No part of the development shall be first occupied until the following have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority:

i) Facilities to allow pedestrians and cyclists (both students and the public) to cross the railway line from the site to the main Royal Holloway Campus and from adjoining public footpaths and pavements. This shall include details of the proposed design and positioning of the bridge, external lighting and associated footpaths to link the bridge with the main RHUL campus and existing neighbouring public footpaths and pavements.

ii) An assessment and identification of pedestrian and cycle improvements from the site along Whitehall Lane leading to Egham railway Station and Egham town centre.

iii) Provision of a university shuttle bus service linking the site to key local destinations including, but not limited to Egham Railway Station, Egham Town Centre and RHUL main campus. This shall include details of bus stopping points within the site and bus shelters.

iv) Improvements to footpaths 27 and 89 to improve facilities for pedestrians and cyclists.

When approved, the development shall be undertaken in complete accordance with the approved details (unless a variation is agreed in writing by the Local Planning Authority) and shall thereafter be retained.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, to promote sustainable transport measures and to ensure an acceptable design in the interests of the visual amenities of the area and to comply with policies EE1, SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

8 Car Park Management Plan

Prior to the first occupation of the development hereby permitted, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. When approved the development shall be undertaken in complete accordance with the approved details and the approved Car Park Management Plan shall be implemented for each and every subsequent occupation of the development.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport measures to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

9 Restriction to Use Class C2

Notwithstanding any other provision or subsequent statutory instrument revoking and re-enacting the Order, the student accommodation hereby approved shall be retained as student accommodation only falling within Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall not be used for any other purpose including Use Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any statutory instrument revoking and re-enacting that Order.

Reason: To accord with the terms of the application and particular very special circumstances case, and to avoid impact on the Thames Basin Heaths Special Protection Area and to comply with Policy EE10 of the Runnymede 2030 Local Plan, the guidance in the NPPF and the Habitats Regulations.

10 Travel Plan

Prior to the occupation of the development (or if the development is phased, prior to the occupation of each individual phase of the development) a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. When approved the development shall be undertaken in complete accordance with the approved details (unless a variation is approved in writing by the Local Planning Authority) and the approved Travel Plan shall be implemented for each and every subsequent occupation of the development.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport measures to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

11 Parking and turning

Applications for the approval of reserved matters shall include details for vehicles and cycles to be parked, details for the loading and unloading of vehicles and details for vehicles to turn so that they may enter and leave the site in forward gear. All cycle parking shall be secure, covered and lit. When approved the parking, turning, loading and unloading areas shall be undertaken in complete accordance with the approved plans prior to the occupation of the development (or if the

development is phased, prior to the occupation of each individual phase of the development) and thereafter retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport measures to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

12 Construction Transport Management Plan

No development shall commence (including demolition works) until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles
- k) measures to reduce construction vehicle trips on the highway network during the weekday peak hours.

When approved the development shall be undertaken in complete accordance with the approved details during both demolition and construction works unless a variation is agreed in writing by the local planning authority.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

13 Electric vehicle charging

The development hereby approved shall not be first occupied (or if the development is phased, before the first occupation of each individual phase of the development) until all new car parking spaces and 20% of existing car parking spaces are provided with a fast charge socket (minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. When approved the development shall be undertaken in complete accordance with the approved plans (unless a variation is approved in writing by the Local Planning Authority) and shall thereafter be retained and maintained.

Reason: In order to promote sustainable transport measures to comply with policy SD3 of the Runnymede 2030 Local Plan and policy within the NPPF.

14 Submission of Drainage Scheme

No development above ground shall commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 25.3l/s for the 1 in 2 year rainfall event, 57.7/s for the 1 in 30 year rainfall event and 74.9l/s for the 1 in 100 (+CC allowance) rainfall event.

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

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

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

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to comply with policy EE13 of the Runnymede 2030 Local Plan and policy within the NPPF.

15 Drainage Verification Report

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and to comply with policy EE13 of the Runnymede 2030 Local Plan and policy within the NPPF.

16 Land Affected by Potential Contamination

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

(i) Site Characterisation

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

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

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- ground waters and surface waters
- ecological systems
- archaeological sites and ancient monuments

(ii) Submission of Remediation Scheme

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

(iii) Implementation of Approved Remediation Scheme

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

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

(iv) Reporting of Unexpected Contamination

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

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

17 Existing and proposed finished levels

Applications for the approval of reserved matters shall include details of the existing and proposed levels of the application site. When approved the development shall be carried out in complete accordance with the approved details unless a variation is agreed in writing by the Local Planning Authority.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual and residential amenities of the locality and to comply with policies EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

18 Landscape Management Plan

Prior to the first occupation of the development hereby approved (or if the development is phased, prior to the first occupation of each individual phase of the development) a landscape management plan, (including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan unless a variation is approved in writing by the Local Planning Authority.

Reason: To ensure a high quality landscaping scheme across the site in order to protect and enhance the appearance of the surrounding area to comply with Policies EE1, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance in the NPPF.

19 Details of mechanical ventilation and filtration equipment.

Prior to installation, details of all mechanical and ventilation plant that is intended to be used on the student accommodation buildings, ancillary commercial operations and Energy Centre must be submitted to and approved in writing by the Local Planning Authority. Any fixed plant or ventilation equipment must be installed and operated in accordance with manufacturer's instructions at all times.

Reason: In order to protect the amenities of existing and proposed residential properties from nuisance arising from noise and smell to comply with policy EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

20 Additional surveys and mitigation measures

An application for the approval of reserved matters shall include the following additional information to be submitted to and approved in writing by the Local Planning Authority:

i) An additional noise survey and associated mitigation measures which demonstrates that the proposed development (including the new energy centre) will protect the occupants of the proposed student village development from noise. The scheme shall include details of each of the highest maximum Lamax levels to inform calculations for noise insulation (including acoustic glazing with ventilation) and any other means proposed to protect the development from noise.

ii) Details of the proposed management of the student accommodation to minimise noise and disturbance to surrounding residential properties.

iii) An additional noise survey and associated mitigation measures (including measures to reduce the effects of any associated noise and dust impacts) which demonstrates the development would safeguard the neighbouring 'safeguarded mineral sites' and would not sterilise this important underlying mineral resource or prevent the future operation of the Milton Park Farm and Whitehall Farm sites.

iv) An additional noise survey and associated mitigation measures which demonstrates that the proposed new energy centre and any ancillary commercial uses will protect the amenities of existing residential properties surrounding the application site from noise.

When approved, the proposed development shall be carried out in full accordance with the approved details before the development is first occupied (or if the development is phased, prior to the first occupation of each individual phase of the development) and shall thereafter be retained unless a variation is approved in writing by the local planning authority.

Reason: In order to protect the occupants of the new development and existing surrounding residential properties from noise disturbance and to protect the important neighbouring mineral resource to comply with policy EE2 of the Runnymede 2030 Local Plan and noise policy within the NPPF and NPPG.

21 Infrastructure provision requirements from Thames Water

Prior to the occupation of the 550th study bedroom further details shall be submitted to and approved in writing by the local planning authority to provide the following:

i) Evidence that all foul water network upgrades required to accommodate the additional flows from the development have been completed; or

ii) The submission of a Development and Infrastructure Phasing Plan to be submitted to and approved in writing by the Local Planning Authority.

Where a Development and Infrastructure Phasing Plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed Development and Infrastructure Phasing Plan.

Reason - To ensure that the necessary network infrastructure works are undertaken to accommodate the proposed development to avoid sewage flooding and potential pollution incidents to comply with policies SD5 and EE2 of the Runnymede 2030 Local Plan and policy within the NPPF.

22 Infrastructure provision requirements from Affinity Water

Prior to the commencement of above ground development further details shall be submitted to and approved in writing by the local planning authority to provide the following:

i) Evidence that all water network upgrades required to accommodate the development have been completed; or

ii) The submission of a Development and Infrastructure Phasing Plan to be submitted to and approved in writing by the Local Planning Authority.

Where a Development and Infrastructure Phasing Plan is agreed, no occupation of the development shall take place other than in accordance with the agreed Development and Infrastructure Phasing Plan.

Reason - To ensure that the necessary water network infrastructure works are undertaken to accommodate the proposed development to comply with policy SD5 of the Runnymede 2030 Local Plan and policy within the NPPF.

23 Demolition Construction Environmental Management Plan.

Prior to commencement of demolition, a Demolition Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The demolition shall take place fully in accordance with the approved details.

Reason: To protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

24 Construction Environmental Management Plan.

Prior to commencement of development, save for demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place fully in accordance with the approved details.

Reason: To protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

25 Air Quality Assessment

Prior to the construction of the above ground development of the Energy Centre, an Air Quality Assessment (including details of any mitigation measures proposed to protect against any adverse impacts) shall be submitted to and approved in writing by the Local Planning Authority. When approved the Energy Centre shall be undertaken in complete accordance with the approved details unless a variation is approved in writing by the Local Planning Authority.

Reason: To protect air quality and the environment to comply with policy EE2 in the 2030 Local Plan and policy within the NPPF and NPPG.

26 Badger survey

No development shall take place (including any demolition and site clearance) until a badger survey has been conducted on the whole site and the findings of the survey, and any recommended mitigation, submitted to and agreed in writing by the Local Planning Authority. The development shall not commence until all the measures approved in accordance with this condition have been implemented.

Reason: To protect badgers and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

27 Vegetation and bird survey

Any scrub, hedgerow and tree clearance must be undertaken outside the breeding season (March to July inclusive) . If this is not possible the site should be inspected for active nests by an ecologist immediately prior to clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use. Bird nest boxes shall be incorporated into the new development in accordance with details to be submitted to and approved by the Local Planning Authority prior to the first occupation of the development (or if the development is to be phased, before the first occupation of each individual phase of the development)

Reason: To protect birds during site clearance works and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

28 Tree protection

Application for the approval of reserved matters shall include details of a Tree and Hedgerow Retention and Protection Plan and an Arboricultural Method Statement. When approved the development shall be undertaken in complete accordance with the approved details.

The development shall be carried out in accordance with the approved Tree and Hedgerow Retention and Protection Plan and Method Statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the Local Planning Authority.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees and hedgerows to be retained, enhance the appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

29 Landscaping

Application for the approval of reserved matters shall include the submission of the following:

i) Full details of hard and soft landscaping works including hard surfacing and means of enclosure within and surrounding the application site and proposed times of planting.

ii) Full details of proposals to protect and enhance blue infrastructure assets within the site.

ii) Soft landscape details shall include planting plans with specification, schedules of plants noting species, plant sizes at time of planting and proposed numbers/ densities, and a schedule of tree planting.

iii) Hard landscaping shall include vehicle and pedestrian access and circulation areas.

iv) All Landscaping details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at www.aoa.org.uk/policy-campaigns/operations-safety).

iii) All hard and soft landscaping works shall be carried out in accordance with the approved details unless a variation is agreed in writing by the Local Planning Authority. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as

practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area, to avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the application site and to comply with Policies EE1, EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

30 Renewable energy (details required)

Applications for the approval of reserved matters shall include details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies.

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

In the event of air or ground source heat pumps being the chosen renewable energy measure, details shall include acoustic data to demonstrate that there will be no increase in the background noise level and that there will be no tonal noise emitted from the unit, as well as details of the location of the unit(s) and the distance to the closest residential property (including student residential accommodation).

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology, to ensure the development does not endanger the safe movement of aircraft and the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment and to protect the amenities of occupiers of existing and proposed residential properties and to comply with Policies SD8 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

31 Sustainable construction

Prior to the construction of the development (including demolition) details of sustainable construction and demolition techniques to provide for the efficient use of minerals and encourage the re-use of construction and demolition waste at source or its separation and collection for recycling, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details.

Reason: In order to achieve sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

32 Water efficiency

Prior to the first use/occupation of the development hereby permitted (or if the development is to be phased, prior to the first use/occupation of each individual phase of the development) details of the water efficiency measures and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented and retained for the lifetime of the development

Reason: In order to achieve water efficiency and sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

33 Bin store provision

Prior to the commencement of the above ground construction of the development hereby permitted (or if the development is phased, prior to the commencement of the above ground construction of each individual phase of the development) details of the siting, size and design of the refuse and recycling bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling bin stores and facilities shall then be provided in accordance with the approved details prior to the first occupation of the development or each phase of the development and retained thereafter.

Reason: In the interests of amenity, to provide adequate refuse and recycling facilities and provide satisfactory form of development and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

34 Submission of a Bird Hazard Management Plan

Application for the approval of reserved matters shall include the submission of a Bird Hazard Management Plan. The submitted plan shall include details of:

i) The management of any flat/shallow pitched roof on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' .

ii) When approved the Bird Hazard Management Plan shall be implemented in accordance with the approved details on completion of the development (unless a variation is agreed in writing by the Local Planning Authority) and shall thereafter be retained and maintained.

Reason: In order to manage the development to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

35 Landscape and Ecological Management Plan (LEMP)

Applications for the approval of reserved matters shall include the submission of a Landscape and Ecological Management Plan (LEMP) linked to the submitted Ecological Impact Assessment. The LEMP should include details of the following;

i) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal.

ii) Identification of biodiversity protection zones.

iii) Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings.

iv) Aims and objectives of management.

v) Appropriate management options to achieve aims and objectives.

vi) Prescriptions for management actions

vii) A scheme for biodiversity enhancements within the site including preparation of a work schedule for securing biodiversity enhancements in perpetuity

viii) Details of the body or organisation responsible for implementation of the LEMP

ix) Ongoing monitoring and remedial measures.

x) Details of legal / funding mechanisms.

xi) Proposals for net gain should be clearly recorded and reported through use of an appropriate metric such as the DEFRA Biodiversity Metric 2.0. Any net gain should be fully secured and funded for the lifetime of the development.

Reason: In order to secure the protection and enhancement of biodiversity and nature conservation within the site to comply with policy EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and policy within the NPPF.

36 Biodiversity Construction Environmental Management Plan.

Applications for the approval of reserved matters shall include details of a Biodiversity Construction and Environment Management Plan (BCEMP) to provide further details of how the proposed demolition and construction works will protect protected habitats and species, including wetland features, from any adverse impacts. The BCEMP shall include the following details:

- Risk assessment of potentially damaging demolition and construction activities.
- Practical measures to avoid and reduce impacts during demolition and construction.
- Location and timing of works to avoid harm to biodiversity features
- Responsible persons and line of communication
- Use of protected fences, exclusion barriers and warning signs.

When approved the development will be undertaken in complete accordance with the approved details unless a variation is approved in writing by the Local Planning Authority.

Reason: To protect and enhance the biodiversity of the site during demolition and construction works and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

37 Flood risk management and evacuation plan

Prior to the commencement of the above ground construction of the development hereby permitted (or if the development is to be phased, prior to the above ground development of each individual phase of the development), Flood Risk Management Plan (FRMP) shall be submitted to and approved in writing by the Local Planning Authority. The FRMP shall provide a student pack which shall include details of how this pack will be made available to the first and subsequent occupiers, and include details of a safe escape route and the place that people can be evacuated to.

Reason: In the interests of the safety of future occupiers and to comply with Policy EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

38 Hours of opening of ancillary services

Ancillary retail, commercial, service or support uses permitted under any subsequent reserved matters submission will be restricted to the following hours of operation:

08:00hrs to 22:00hrs Monday to Sunday

Prior to occupation details of the proposed opening hours of any takeaway or drinking establishment shall be submitted to and approved in writing by the Local Planning Authority. When approved the development shall be undertaken in accordance with the approved details unless a variation is approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future resident students and the local amenity of existing residents surrounding the application site in accordance with Policy EE2 of the Adopted Runnymede 2030 Local Plan.

39 List of approved plans

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

Parameter Plan received 30.10.2020.

The applicant is advised that the following illustrative and supporting documents have also be considered by the Local Planning Authority.

Rusham Park & Southern Link Road Footpath Landscape Strategy received 30.10.2020.

Planning Design and Access Statement, Transport Assessment, Flood Risk Assessment, Surface Water Drainage and Potable Water Strategy Report received 16.09.2020

Biodiversity Impact Assessment, Arboricultural Impact Assessment and Arboricultural Survey, , Energy Strategy, Landscape and Visual Impact Assessment, Noise Assessment, Massing Comparisons x 2, illustrative Estate Plan, Site Location Plan received on the 11.09.2020

Archaeology and Heritage Statement, Ecological Impact Assessment and Badger Survey and Statement of Community Involvement received 14.01.2020

Technical Note – Drainage received 10.04.2020.

MBSK200106-11 P1 received 24.01.2020

Reason: To ensure an acceptable scheme and to comply with Policies EE1, EE2, EE3, EE4, EE9, EE10, EE11, EE12, EE13, EE17, EE19, SL23, SD3, SD4,SD5, SD7 and SD8 of the Adopted Runnymede 2030 Local Plan and guidance in the NPPF.

40 Application for the approval of reserved matters shall include the following as contained within the Parameter Plan received on the 30.10.2020

- i) No new buildings to be constructed outside of the 'student village new built development zone' as detailed on the parameter plan.
- ii) Retention of the existing pond area and the provision of a buffer zone around the southern boundary watercourse and around the pond as detailed on the parameter plan.
- iii) The provision of biodiversity protection zones as detailed on the parameter plan.

Reason: In order to accord with the terms of the application and to protect the Green Belt, the character of the area and to protect and enhance biodiversity in accordance with policies EE1, EE9, and EE17 of the Runnymede 2030 Local Plan and policy within the NPPF.

Informatives:

1 Works to the highway

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

2 Mud/debris on the highway

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

3 Damage to the highway

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

4 Travel plan TRICS survey

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

5 Utility works

The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

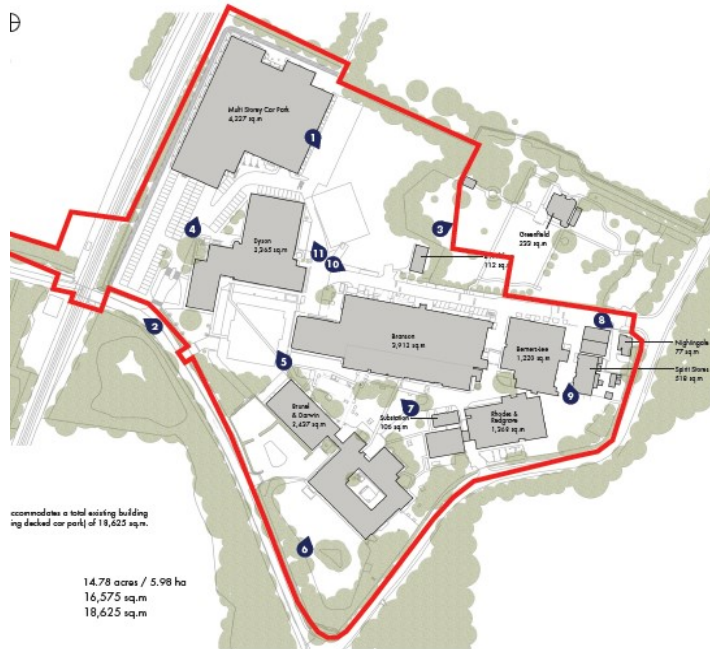
6 Electric vehicle charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

- 7 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk.
- 8 The applicant is advised of the comments received from The Highways Agency dated 07.09.2020 which requires the Construction Transport Management Plan to provide measures to reduce construction vehicle trips on the highway network during the weekday peak hours.
- 9 Network Asset Protection and Optimisation - The applicant is advised of the comments received from Network Rail dated 01.06.2020 which advises that due to the proximity of the proposed development to Network Rail land and the developments interaction with the operational railway, Wessex Asset Protection and Optimisation (ASPRO) requires that the applicant continues to engage with Network Rail regarding the detailed 'reserved matters' application submission for the development of the site and any proposed works adjacent to the railway. Further details are contained within their letter dated 01.06.2020.
- 10 The applicant must contact Network Rails Asset Protection and Optimisation (ASPRO) team via AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site, with a view to enter into an Asset Protection Agreement to enable approval of detailed works. The Asset Protection Team will also assist with the technical clearance process. More information can also be obtained from the ASPRO website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.
- 11 The applicant is advised of the comments received from Network Rail in their letter dated 01.06.2020 regarding the Feltham Re-signalling Project which will have some interaction with the railway neighbouring this site. Network Rail advise that it is crucial that the details of the bridge are agreed with Network Rail to ensure it does not interfere with the existing or the new signalling systems to be put into place.
- 12 The applicant is advised of the comments received from Heathrow dated 13.03.20 and the requirements for a Bird Hazard Management Plan.
- 13 The applicant is advised of the letter from the North Division Crime Prevention Design Advisor dated 27.02.2020 and their recommendation to ensure that the development achieves a Secured by Design (SbD) Gold award. The North Division Crime Prevention Design Advisor recommends that an early meeting is arranged to discuss all matters.
- 14 The applicant is advised of the comments received from Sport England dated 29.01.20
- 15 The applicant is advised of the e-mail received from the Minerals Planning Authority dated 20.10.20 advising of the public consultation being run by Cemex on the Whitehall Farm proposal in advance of an application being submitted. More information can be found here <https://www.whitehallfarmsurrey.co.uk/>
- 16 The applicant is advised that consideration should be given to the appearance, landscaping, layout and scale of the development adjacent to the application site boundaries in order to protect the Green Belt and to protect and enhance the character of the surrounding area.

RU.20/0098 – Rusham Park – Outline application for student village

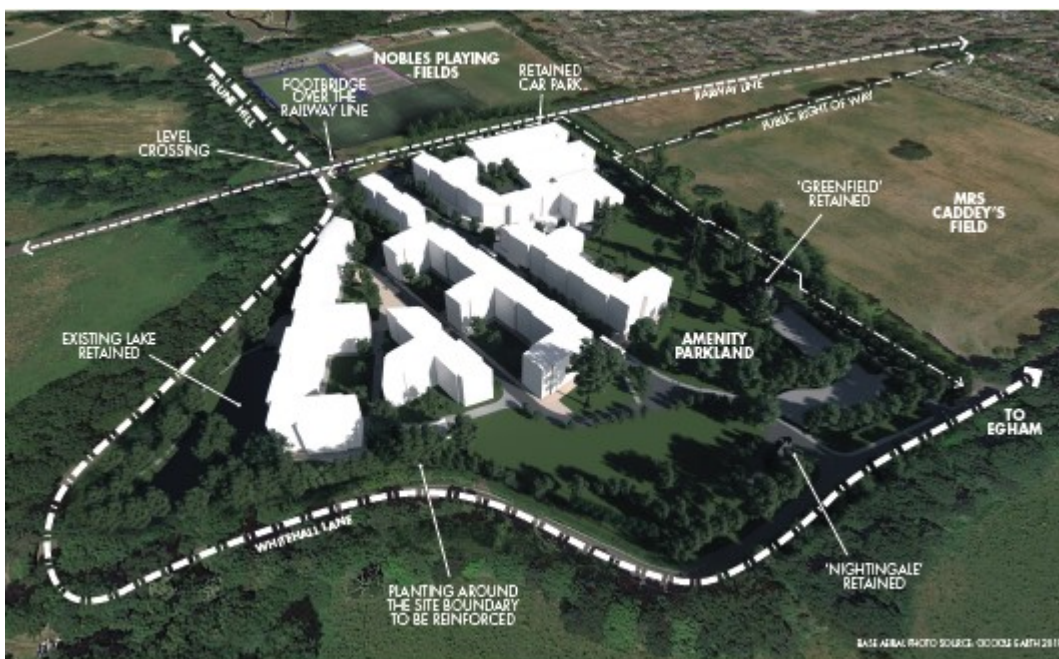
Existing site area



Proposed parameter plan



Illustrative site layouts

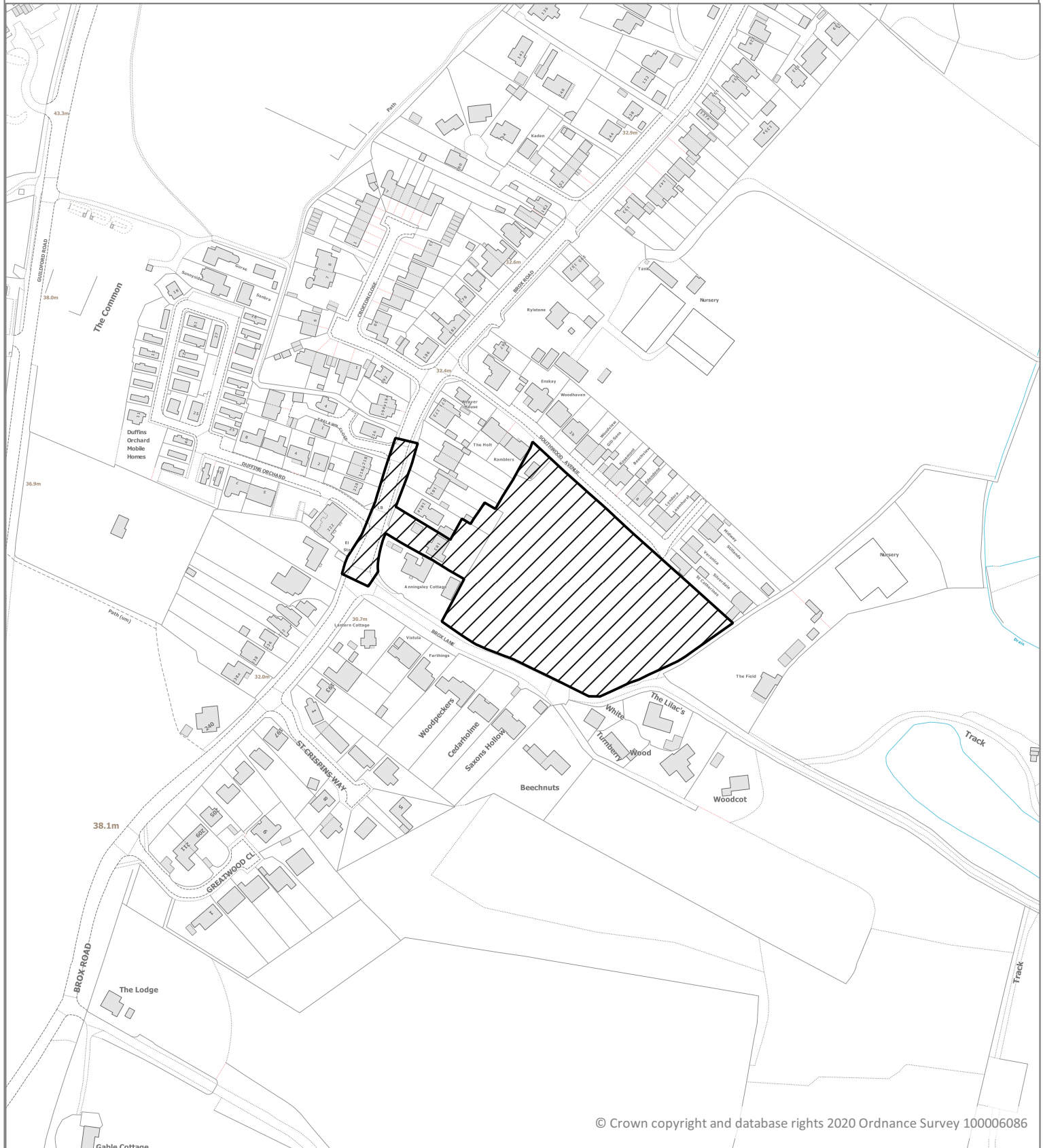




FOR LOCATION PURPOSES ONLY
Land at Brox End Nursery and 183 Brox Road,
Ottershaw

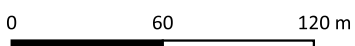
Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 16/12/2020



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Scale: 1:3,000



RU.20/0675



RU.20/0675	Ward:
LOCATION:	Land at Brox End Nursery and 183 Brox Road Ottershaw KT16 0LJ
PROPOSAL	Demolition of 183 Brox Road and the development of land for the development of 46 residential dwellings with associated vehicular access, drainage works and landscaping, including provision of open space. (amended plans received 23/10/20)
TYPE:	Full Planning Permission
EXP DATE	21 August 2020 (Extended to 31 December 2020)

SUMMARY OF RECOMMENDATION: The CHDMBC be authorised to Grant subject to the completion of s106 agreement and planning conditions

1. Site

- 1.1 The site comprises approximately 1.54 hectares of land. It is located to the east of Brox Road between Brox Lane to the south west and Southwood Avenue to the north east. It is bounded on three sides by residential development and abuts the Green Belt on its south-eastern boundary and is located in the urban area. The land originally formed part of a horticultural nursery which is now vacant, and the site now comprises a single grass field with a few mature trees in the centre and western part of the site. The site is accessed through a gate onto Brox Lane, a private road. Brox Lane does not contain a footpath for the majority of its length operating as a shared surface. Brox Lane forms part of two Surrey Footpath routes, FP21 which leads to FP30 along the south eastern boundary. Apart from two small structures in the north-western corner of the site, associated with the former horticultural nursery, the site is open. The site is covered by a Tree Preservation Order, TPO No. 384. The boundaries of the site are screened by existing hedgerows and trees. The rest of the site comprises number 183 Brox Road, an existing detached dwelling and associated garden which sits within the western part of the main site. There is a locally listed dwelling, Anningsley Cottage, located adjacent to number 183 to the south west. The Castle Public House, located opposite Anningsley Cottage on Brox Road is also locally listed.
- 1.2 The application site (not including no.183 Brox Road) is a site allocated for development by the Runnymede 2030 Local Plan, Adopted 16th July 2020 (by Policy SL2). The site also falls within 5km of the Thames Basin Heaths Special Protection Area (TBHSPA) and is within Flood Zone 1.

2. Planning history

- 2.1 CHE.5615: Brick store to house agricultural tools and seeds etc. Refused 1948
- 2.2 CHE.5648: Brick store to house agricultural tools. Granted 1948
- 2.3 CHE.5701: Re-siting of greenhouses. Granted 1948
- 2.4 CHE.5778: Proposed asbestos shed. Granted 1948
- 2.5 CHE.12070: Future erection of dwellings. Refused 1958
- 2.6 CHE.20329 (outline) Future erection of dwellings at 7 units/acre. Refused June 1967. Appeal dismissed June 1967.
- 2.7 CHE.23671 (outline) Twenty-five houses and garages. Refused August 1971.
- 2.8 CHE.24452: (outline) Twenty-five detached houses. Refused June 1972.
- 2.9 RU.74/0598: House and office. Refused January 1975.
- 2.10 RU.78/0321: Chalet bungalow and garage. Refused August 1978.
- 2.11 RU.07/0895: Outline application for residential development (maximum 50 dwellings) and new access to Brox Lane with all matters except access reserved. Refused November 2007. Appeal dismissed November 2008.
- 2.12 RU.15/1159: Screening request for proposed development of 40 residential dwellings with access from Brox Lane – Not EIA development July 2015.

- 2.13 RU.15/1285: Outline application for the erection of up to 40 residential dwellings and associated vehicular and pedestrian access, drainage works and landscaping, including provision of public open space (all matters reserved for future consideration except access)- Withdrawn by applicant July 2017
- 2.14 RU.16/0652: Erection of 12 dwellings and associated vehicular and pedestrian access, resurfacing of Brox Lane, car parking, drainage works and landscaping, including the provision of public open space (Amended site plan indicating informal pedestrian footway to be demarcated as part of resurfacing of Brox Lane and roof plans of the proposed dwellings) – Refused July 2017.
- 2.15 RU.17/1940 - Outline application for the erection of up to 40 residential dwellings and associated vehicular and pedestrian access, drainage works and landscaping, including provision of public open space (all matters reserved for future consideration except access)-Granted 21/12/18
3. Application
- 3.1 Full planning permission is sought for the demolition of 183 Brox Road and the development of land for the development of 46 residential dwellings with associated vehicular access, drainage works and landscaping, including provision of open space.
- 3.2 The scheme proposed comprises of 11 flats in a mix of 3 no. x 1 bed flats and 8 no. x 2 bed flats in two blocks, 35 houses in a mix of 7 no. x 2 bed houses, 22 no. x 3 bed houses and 6 no. x 4 bed dwellings comprising of a mix of 6 terraced houses, 18 semi-detached houses and 11 detached houses. 16 dwellings (35%) within the development will be affordable. The affordable dwellings will include the provision of 11 affordable rent (flats) and 5 shared ownership (2 no.x 2 bed houses -plots 8 and 9 and 3 no. x 3 bed houses -plots 23, 24 and 25). 183 Brox Road is proposed to be demolished in order to provide the new vehicular access into the wider site from Brox Road.
- 3.3 Following the demolition of No. 183 Brox Road, an access road would be formed from Brox Road through to the open land at the rear. The road would have short spur to the right, and a longer spur to the left which will then lead through the side to the south east corner, with residential buildings on both sides. There will be two storey detached and semi-detached dwellings primarily around the perimeter of the site, and 2-2.5 storey buildings with flats and a terrace of dwellings in the central part of the site. There will be an area of open space close to the entrance of the site to the rear of Nos 181 and 181a Brox Road, where protected trees are located including category A T36 and T38 Oaks. The design of the buildings would vary but includes common traditional features such as pitched roofs, chimneys, and bay window. The flats would have balconies. All the individual dwellinghouses would have private rear gardens with a minimum depth/width of 10 metres, and many have single or double attached or detached garages within their curtilages, others have parking spaces to the front. The heights of the proposed dwellings would range between approximately 8.3 metres- 9.7 metres, and the heights of the two blocks of flats which would be staggered would range between approximately 9.35 metres -10.35 metres. Materials to be used would include brick, tile hanging and render with feature brick and tile detailing. There would be planting throughout the site including retaining protected trees and planting new trees. The entrance road into the proposed development would be provided with landscaped buffers at least 2.5m wide on either side and also include new trees and soft landscaping. To the rear of the two blocks of flats would also be a communal garden area which would be centred around category A T39 Oak tree and also include some raised flower beds and grassed areas.
- 3.4 The development proposes a total of 95 car parking spaces which includes 73 allocated resident spaces, 15 unallocated resident spaces and 7 visitor spaces. This parking will be provided through a mix of driveways, garages and parking areas. Covered cycle storage would be provided for both houses and flats. Electric vehicle charging points are also proposed. As well as the access road from Brox Road extending through the site, there is a pedestrian link with the existing public footpath 30/31. However, there is no vehicle access from Brox Lane, unlike previous schemes. A Transport Statement has been submitted which concludes the impact of the proposed development would be similar to the approved 40 dwelling scheme (RU.17/1940) and would not result in a severe impact on the existing network. A Travel Plan Statement has also been prepared which aims to encourage sustainable development by promoting more sustainable travel practices and decreasing the number of single occupancy vehicle trips.
- 3.5 An Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted which concludes that in order to implement the proposal it will be necessary to remove one cherry tree, one group of holly trees and part of one hedge. Broken sections of the crown and upper stem of another tree (T27) have fallen into the site which would be cleared. All the vegetation to be removed is of low quality and its loss to public amenity is negligible due to its overall condition, lack of visual presence of poor historical pruning. All vegetation of high and moderate quality and most growing around the boundaries of the site will be retained and can be adequately protected throughout the development

process. Landscaping is proposed throughout the site to ensure that the new development sits within the existing landscape structure.

- 3.6 Space for storage of separate waste and recycling containers has been proposed with a covered bin storage area provided for the apartment blocks. The refuse collection for Plots 3 - 10 and 39 - 41 will be from a bin collection point as identified on the site layout with the remaining bin storage being on-curtilage.
- 3.7 The applicant has submitted several other documents and plans including a Design and Access Statement, Flood Risk Assessment, Surface Water Drainage Strategy, Energy and Sustainability Statement, Statement of Community Involvement, Planning Statement, Archaeological and Heritage Assessment, Landscape and Ecological Management and Maintenance Plan, , Ecological Appraisal, Updated Desk Study & Phase II Site Investigation Report, Landscape Design Strategy,
- 3.8 The applicant has submitted a unilateral undertaking with respect to SANG and SAMM payment in relation to the location of the site within 5km of the Thames Basin Heaths SPA, in accordance with the current guidance.
- 3.9 According to the applicant The Design and Access Statement sets out the general principles of the development:
 - to retain the natural features of the site including existing quality trees and planting,
 - to create an attractive enclave that has its own character and identity,
 - to encourage movements by non-car modes of transport,
 - to provide a clearly legible, safe and secure environment,
 - the ridge heights of the proposed buildings are intended to vary to match the gradient towards the south east of the site, following the contour, keeping in balance the overall massing.
 - The appearance of the dwellings reflects the residential vernacular and characteristics of Ottershaw. The proposed development will be of an extremely high quality and will make a positive contribution to the character of the settlement.
- 3.10 Following discussions with Officers regarding the proposed scheme originally submitted, the scheme has been amended to include the following:
 - Rescaling central flats to resolve issues concerning massing/bulking
 - Enhancements to landscaping at rear of central flats by revising layout
 - Repositioning and redesign of balconies to enhance privacy
 - Access to plot 2 via side entrance for ease of bin storage
 - Provision of EV charging points for each unit
 - Provision of vistas and enhanced landscaping to improve internal street scene views
 - Enhanced/retained boundary treatments to increase enclosure and privacy
 - Reconsidered garage positions and parking spaces
 - Retention of trees T8 and T27 and provision of a tree removal/retention plan

4. Consultations

- 4.1 171 Neighbouring properties were consulted in addition to being advertised on the Council's website and 161 letters of representation have been received in regard to the original scheme and a further 123 letters following the receipt of amended plans, which can be summarised as follows:

- Out of character, especially 2.5 storey
- Overdevelopment, above 40 proposed by Council
- Garages will be used for storage
- On street parking will cause highway danger
- Site access opposite Duffins Orchard will cause confusion and danger
- Not heard further from the applicants prior to submission
- Increased traffic
- Congestion through village
- Gridlock from A320 works
- Conflict with Duffins Orchard junction
- Excess density out of character, 3 x existing density
- Dangerous junction on Brox Rd
- Harm to locally listed cottage
- Too high
- Not enough visitor parking

- Locally listed Anningsley Cottage will be turned into a traffic island (roads on 3 sides) and could be affected by HGV's during construction and estate traffic
- Not enough public transport so car ownership high
- Effect on 'Arden' in Brox Lane
- Not enough parking and inadequate amenity spaces
- Flats and houses is overdevelopment and out of character
- Too many shared surfaces, not enough footpaths
- Closer to 20-25 dwellings better and should be for affordable rental market
- Loss of privacy
- Social rented units would harm property value
- Local schools at capacity
- Small village cannot support this development as it doesn't have the infrastructure
- Roads are not family friendly
- Extra car pollution
- Noise pollution from construction
- Harm to wildlife
- No lifts are proposed in the flats
- Loss of ecological habitat
- Submission during pandemic is unacceptable
- Increased waste
- CO2, noise and light pollution
- Loss of trees and hedges
- Extra parking pressure on Brox Road
- Excess traffic already on Brox Road and danger to children
- Fall in property value
- Houses to rear would have visual impact, cause noise and disturbance, overlooking, loss of light, intrusion.
- split the flats into 3 buildings that look like pairs of 2 storey semi-detached properties comprising 4 flats each.
- Poor design and appearance
- Overlooking, overshadowing and loss of privacy
- Adverse impact on greenbelt
- Proposals will result in the ruthless destruction of a beautiful, in-character detached house built barely 15 years ago at 183 Brox Road
- Loss of private view
- Existing flooding & drainage issues
- Existing sewage system issues
- Further reduction of air quality
- The Red Lines shown on various documents submitted as part of RU.20/0675 are inconsistent, misleading, incorrect and show trees being removed in Southwood Avenue which are not in A2D ownership.
- Loss of open space
- Area subject to existing noise pollution from Fair Oaks Airport flight path
- Introduction of light pollution
- Flats out of character
- The garage of plot 42 is so close to an existing hedge it will be affected and this would be avoided if the density was reduced
- Harm to character of the area and loss of village character

4.2 Letters and emails have also been received from Brox Lane Residents Association (BLARA) and Brox End Nursery Residents Association (BENRA) which can be summarised as follows:

- Access was specifically NOT to be where this present application is trying to place it (by demolishing 183 Brox Road and so discharging directly on to Brox Road, opposite a residential road and an old, listed and popular local public house).
- The higher the build density the greater risk at the proposed entrance to the development
- Locally listed Anningsley Cottage and The Castle Public House will be severely affected
- the green field of Brox End Nursery will be covered in high density housing – a density 2.3 times greater than surrounding properties, and with a 3-Storey block of flats in full view from FP21 and FP30.
- The development is too close to retained trees and a lower build density without the need for 'No Dig' areas will encourage lasting respect for the trees and ancient hedgerows.
- We ask that ownership of all the hedges is with an estate management company with a covenant upon their deed to stipulate the hedge and internal grass verge must be maintained

in perpetuity. Further, the hedges should never be breached into the private roads of Brox Lane or Southwood Avenue.

- This application appears to completely ignore the new estate's relationship with the sacred Green Belt.
- The proposed development is out of keeping with the Ottershaw scene, the Council's policies and the NPPF. The design of the proposed buildings is bland and out of character with existing street scenes on all sides. It will damage the character and the amenity of established housing areas.

4.3 The Ottershaw Society has also raised the following concerns:

- Inappropriate development, the density of the proposed development is not in keeping with the local area
- The development raises issues of privacy for existing residents
- Serious concerns over the protection of wildlife.
- Highway issues such as traffic generation, vehicular access, and highway safety are also of serious concern.
- Car parking facilities for residents and visitors in particular are inadequate which could lead to overspill parking into local roads
- Proposed demolition of 183 Brox Road, a pleasant, detached family home

4.4 Natural England offer no objection, subject to financial contribution to mitigate against the potential adverse effects of the development on the SPA .

4.5 Following the receipt of an updated Arboricultural Impact Assessment and Arboricultural Method Statement RBC's Arboricultural Officer considers that the information submitted is sufficient and raises no objection.

4.6 The Contaminated Land Officer raises no objections to the proposals subject to conditions.

4.7 No response was received from The Deputy Direct Services Manager.

4.8 RBC's Drainage Engineer raises no objections subject to the conditions recommended by the LLFA.

4.9 The RBC Housing Manager offers no objection on the assumption that as the scheme is policy compliant in providing 35% Affordable Housing - split 70% rented and 30% shared ownership.

4.10 The SCC Archaeological Advisor considers that the desk based archaeological assessment satisfies the requirement of Policy BE17 and that it would not be reasonable to require any further archaeological investigations.

4.11 The SCC Education North West School Commissioning Officer requests financial contributions for early years education (£30,287), primary education (£142,359) and secondary education (£149,759), totalling £322,405. The early years contribution would be to increase the number of pre-school places available in the local area to meet the anticipated demand from new housing; the location of which will be determined prior to commencement of the development. The primary contribution would be applied to a project at Meadowcroft Community Infant school. The secondary contribution would be applied to a project at Jubilee High School. Both schools are within 2 miles of the development site and are anticipated to be in demand by future residential occupiers.

4.12 The SCC County Highway Authority offers no objection, subject to conditions to ensure that a Construction Transport Management Plan is approved prior to commencement of the development, that the development shall not be occupied until a proposed vehicular /pedestrian / cycle access to Brox Road has been constructed and provided with visibility zones in accordance with the approved plans and the provision of Electric vehicle charging points.

4.13 SCC Lead Local Flood Authority raise no objection, subject to inclusion of conditions specifying the approval of a surface water drainage scheme prior to commencement of development.

4.14 No response was received from SCC's Rights of Way Officer.

4.15 No response was received from Surrey Wildlife Trust.

4.16 Fair Oaks Airport offers no objection.

4.17 Environment Agency- No response was received

- 4.18 North West Surrey Clinical Commissioning Group (CCG) - No response was received
- 4.19 RBC Energy Officer – No objections raised.
- 4.20 RBC Green Spaces Team - No response was received.
- 4.21 RBC Planning Policy - No response was received
- 4.22 Surrey Bat Group – Following the receipt of a further technical briefing note prepared by Aspect Ecology the submitted information is considered acceptable
- 4.23 Surrey Crime Prevention Design – No response was received.
- 4.24 Thames Water Utilities – No objections raised subject to informatives.
- 4.25 SCC Minerals and Waste offers no objection.
- 4.26 RBC Conservation Officer- No response received
5. Relevant Local Planning Policies
- 5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.2 The application site (not including no.183 Brox Road) is a site allocated for development by the Runnymede 2030 Local Plan, Adopted 16th July 2020 (by Policy SL2).
- 5.3 Any previous SPG which might be a material consideration:
Householder Guide (July 2003)
Thames Basin Heaths Special Protection Area 2008
Affordable Housing
S106 Contributions
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, and it must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the acceptability of development in this location, the appearance of the development, the impact of the development upon the established street scene and character of the area, on the residential amenities of the occupiers of the neighbouring properties, affordable housing, highway safety, trees, ecology, sustainable drainage, crime prevention, impact on local infrastructure and other third party concerns raised. It is a material consideration that the outline application submitted by the applicant in 2017 (RU.17/1940) for up to 40 dwellings was granted and is extant. Another material consideration is whether there has been any change in circumstances of the site or the national and local policy context since the previous decision.
- 6.2 The application site was a reserve housing site which has been allocated for development since 1993. In making the allocation, the Council intended that it come forward for development in the longer term, when required to meet its housing need. As such, it was identified as a category 3 housing site under saved policy H06 of the 2001 Local Plan. The application site is also included in the SHLAA (2018) which identified that this reserve housing site could accommodate 40 units. The Runnymede 2030 Local Plan was adopted on 16th July 2020 and within this Policy SD1 of the Local Plan advises that Ottershaw will require 298 net additional dwellings during the period of the Local Plan (2015-2013) and Policy SD2 states that sites listed within this policy are expected to deliver the level of development subject to complying with specific requirements set out in the individual site allocation policy which in this case is Policy SL2 which has allocated the site for development for a minimum of 40 net additional dwellings. The site is located some 1.1km, a reasonable walking distance, to the south of existing local shopping facilities on Brox Road. Bus stops are sited on Brox Road close to the junction of Brox Lane. As such the site is an accessible and sustainable location. The site was identified as an inaccessible open space in the Council's 2010 Open Space Survey. The Council's Green Belt review published in December 2014 confirmed that the site was not classified as open space for planning purposes even though it is a piece of green space without development on it, because the site is cordoned off and there is no access or substantive views on to it. It is therefore considered that the proposed residential development of the site is acceptable in principle.
- 6.3 The previous application and appeal decision for up to 50 dwellings is also a material consideration in the determination of this current application. This previous application for residential development at the site (RU.07/0895) was refused on seven separate grounds relating to prematurity, access, density,

affordable housing, surface water drainage, infrastructure provision and 5-year housing supply. A subsequent appeal was dismissed purely in respect of the timing of the release of the site. In relation to density the Inspector concluded in that the density suggested on the illustrative plan showing 48 units would amount to *“an efficient and acceptable use of land”* (paragraph 32). Whilst the Inspector had concerns with the illustrative layout especially with regard to the likely impact on the living conditions of St Catherine’s in Southwood Avenue he concluded that: *“with careful design and full regard to the living conditions of the occupiers of existing dwellings I see no reason why an acceptable detailed layout for up to 48 dwellings could not be achieved”* The Inspector considered that all other matters of flood risk, affordable housing and infrastructure provision could be dealt with by condition and a S106 Agreement.

- 6.4 Officers can therefore advise that the previous Inspectors decision is a material consideration that should be given considerable weight and, as it supported the grant of planning permission except for the position at that time of the five year housing supply, as that position has fundamentally altered this consideration strongly weighs in favour of granting planning permission now as the benefits of the proposal outweigh any of the adverse implications, which have not changed since that date, that were considered in the appeal.
- 6.5 Another key issue is whether the quantum of development proposed can be accommodated within the site (taking account the character of the area, potential separation distances to provide amenity within the site and maintain existing amenities, space requirements for drainage, parking, amenity and other open space and the TPO trees which were protected in 2012, after the appeal decision) and whether it would maximise the use of this accessible site, in accordance with guidance in the NPPF and saved Local Plan policy H01. A maximum number of 46 dwellings are proposed on this site, representing a reduction in the number of units previously proposed, and found, in principle to be acceptable, on the site under RU.07/0895. This level of development on a site of approximately 1.5 ha would have a gross density of 30 dwellings per hectare (dph). The existing residential dwellings in the area in the vicinity of the site have a varying character and vary in density from less than 10 dph in Brox Lane, 22 dph in Southwood Avenue, to over 30 dph on the western side of Brox Road. While such numerical comparators are crude assessments of the visual and character impacts of development they provide an indicator that the proposed quantum of development can be accommodated. It is therefore considered the quantum of the proposed development would be consistent with the varied densities in the surrounding areas. In addition, the proposed development would provide a mix of units in accordance with policy SL19. Local Planning Authorities are directed to take positive steps to meet the needs of their local area and boost significantly the supply of housing. This requires that effective use is made of land suitable for housing, and while the scale and quantum of housing remains relatively low on this site, compared to recent approved urban developments, it is considered that the proposal correctly balances the opportunities this significant site provides to meet much needed housing with the prevailing character of family housing.
- 6.6 A core principle of the NPPF is the provision of high quality design and furthermore that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions. Local Plan Policy EE1 provides a range of requirements for new residential development and the supporting text also makes reference to the careful planning required for such development in order to meet the objectives of the policy. The proposal would provide a net addition of 45 dwellings which will contribute to housing supply particularly for affordable family homes in the borough. This has to be given significant weight in favour of the application. It is acknowledged that the NPPF require the maximisation of urban land, particularly to encourage additional residential units. The application site is in the urban area, so the presumption is in favour of development. Within Ottershaw, a variety of buildings can be found constructed in different styles and with varying materials and finishes. The majority of these buildings consist of 1.5 and 2-storey residential dwellings and are of a simple form and scale. Some houses have rooms in the roof, extending to either 1.5 or 2.5 storeys. Most residences within the immediate vicinity of the site are set back from the road, behind modest gardens. However, the vernacular is varied throughout Ottershaw and there are terraced houses with little defensible space closer to the village centre. The proposed layout reflects and responds to the surrounding area, for example, the proposed detached properties on site reflect the detached properties along Brox Lane. The development has been redesigned to reflect an outward facing scheme to address Brox Lane including the retention of the existing landscape features and large detached, set back units which reflects the character of the lane.
- 6.7 The development which backs onto Southwood Avenue consists of semi-detached units, which again respond to the character of this area. The heart of the site which is centred around the retention of T39 an Oak tree, has created the opportunity for the higher density units of flats and terraced housing. This also allows for the terminating view into the site from Brox Road of the flatted development and retains the 2.5 storey element of the development well within the boundary of the site, thereby reducing the impact on the surrounding existing dwellings. As the flats are relatively central within the site without fronting the established building line of Brox Road, it is considered that this block (which has been

reduced in height and effectively broken up into two buildings of staggered heights) can be accommodated without undermining established character.

- 6.8 The majority of buildings in the surrounding area are constructed of various materials and the current scheme reflects these characteristics in terms of scale and materials and therefore sits well within the surrounding vernacular. The proposed scheme will retain all protected trees as well as the hedgerows around the perimeter of the site and all other mature trees. It is also proposed to strengthen and improve existing hedgerows where small gaps are currently present. New tree planting is proposed across the site within front gardens, parking areas and public open space to provide landscape structure and amenity value. Ornamental hedges and shrubs are proposed in the areas around houses to contribute to the setting of the dwellings. The layout of the development would be primarily frontage development along the principal vehicle routes around and within the development. The individual dwellings would predominantly be provided in a mix of detached and semi-detached buildings which reflects the character of the residential areas around the site. Individual dwellings would have private rear gardens achieving minimum standards of amenity, with some exceeding the minimum standard. In addition to spaces between buildings to provide private and semi-private amenity space, the layout also includes an area of public open space as well as a communal space serving the flatted development which would add interest to the development and create opportunities for communal activities. Crime and disorder is a material consideration and the Design and Access Statement sets out the principles to be adopted in the detailed design of the development to achieve a secure and safe layout. These include arrangements of buildings to overlook any communal areas or public realm. It is therefore considered that the layout of the residential buildings would provide a high quality of design and would provide sufficient spacing within and between plots to provide acceptable levels of amenity for the future occupiers. There are a few plots however that due to their configuration and siting are closer together and would afford views over neighbouring plots resulting in harm to privacy if there were extensions or roof enlargements, and it is considered that permitted development rights for roof enlargements for plots 20 and 21 should be removed, and for plot 23 removal of rights for extensions and outbuildings as well as roof enlargements.
- 6.9 The development would have no frontage in any of the existing residential streets around the site. The entrance to the site is provided from Brox Road, comprising a hedge lined road, retained trees and proposed native character trees, which would provide a landscaped approach to the development. It is therefore considered that the development would not adversely affect the appearance of any of the surrounding residential streets. The relatively low scale of the buildings combined with the retention of trees and enhancement of the planting around the site would ensure that the development would not be highly visible from sensitive areas outside the site, particularly from the open countryside within the green belt to the south and east.
- 6.10 The new Runnymede 2030 Local Plan promotes creating attractive places which make a positive contribution to the Borough's townscape, paying particular regard to layout and landscape character. It is considered that the appearance does show evidence of exploring place and context and has some relation to the local character. In the light of the above, it is considered that the proposed development would make a positive contribution and the layout and design would respect and enhance the townscape and the established character and appearance of the surrounding area in compliance with Policies EE1, EE9, and EE11 and the NPPF.
- 6.11 The development would be close to existing residential dwellings fronting Brox Road (Nos. 175-181a), Brox Lane including Anninglsey Cottage and Arden at the corner of Brox Road and Brox Lane, and Southwood Avenue. The nearest residential properties that would be most affected by the new dwellings would include St. Catherines, a detached property at the end of Southwood Avenue. The proposed layout of the new development would result in the rear of plot 19 facing towards the rear of this property, and the rear of plots 16 and 17 facing the side, however separation distances of at least 21 metres to plot 19 and 11.5 metres to plots 16 and 17 would be maintained. However, it is considered that permitted development rights for roof enlargements should be removed from plot 19 in order to safeguard the privacy of St Catherines. Arden is an existing single-storey residential property located in close proximity to the western boundary with the application site. Plot 46 would be closest to this, however it is located so the corner of the property sits adjacent to Arden, this will limit any overlooking or sense of overlooking for the residents of Arden. Further soft landscaping could also be provided to the rear of Plot 46 along the boundary with Arden. It should be noted that Arden sits close to the site boundary on the two sides adjacent to the proposed development which therefore limits any impact on that property as the access and garden/amenity space would not sit adjacent to any proposed built development. Generally, the proposed houses are set back from the boundaries of the site to minimise impact. The two proposed flatted blocks would have an overall height of between 9.3metres - 10.3metres, however the blocks would be staggered in height and not uniform in their layout and would effectively be no more than 0.75metre higher than some of the proposed dwellings. Separation distances from the flats to boundaries of at least 30-55 metres would also be maintained. It is considered

that these separation distances, coupled with the retention of key trees and landscape enhancement which will also act as a landscape screen would maintain privacy and avoid overlooking and would provide an acceptable relationship between the existing and proposed dwellings and would maintain the residential amenities of all these properties and the proposal therefore complies with Policy EE1.

- 6.12 In regard to the impact of the development on the two closest locally listed buildings, Anningsley Cottage and The Castle PH, a Heritage Assessment has been submitted with the application. Anningsley Cottage is positioned within its own private gardens on the junction of Brox Lane and Brox Road and The Castle Inn is positioned next to Brox Road. These aspects of their settings are considered to positively contribute to their character, due to their historic and functional links with these roads. However, the modern settlement of Brox Road does not contribute to their character and appearance as it comprises modern houses and the majority of the site is entirely hidden from The Castle PH by intervening modern housing. The site also has no known historic or functional links with The Castle PH. The proposals would be in keeping with the wider residential character of the street, which forms the wider setting of this locally listed building and would not harm its significance. Only the uppermost parts of Anningsley Cottage are visible from the site, due to dense boundary planting and single storey detached dwelling (formerly a garage) known as Arden to the east of the cottage, which serves to obscure the majority of the structure and detracts from its character and appearance. The property no.183 which is adjacent to Anningsley Cottage is proposed to be demolished to facilitate the access road into the site and which is a relatively modern house with a grass field with modern light industrial buildings and some unmanaged trees/scrub. It is not considered to contribute to the character and appearance of Anningsley Cottage and has no heritage value itself. Although, no.183 and gardens to the north-east of the Cottage may be located on land formerly associated with this locally listed building there is nothing in the form or layout of this part of the site today that would substantiate any such former link and is not considered to contribute to the character and appearance of Anningsley Cottage. The proposed development would not erode those aspects of the locally listed buildings setting that contributes to their significance. Therefore, the proposed development would comply with Policies EE3 and EE8.
- 6.13 Parking would be provided throughout the site. There would be a total of 95 car parking spaces which includes 7 visitor spaces which complies with the current maximum adopted parking standards and would achieve a ratio of 2 spaces per unit across the development. Individual dwellings would primarily have in-curtilage parking or parking immediately to the side of the property, and there would be a parking court providing parking to serve the flats as well as some of the individual dwellings. Adequate covered cycle storage would be provided for both houses and flats in line with SCC recommended cycle parking standards with 2 bedroom homes having a minimum of 1 space and all other homes having 2 spaces. Electric vehicle charging points are also proposed. The internal highway layout of the development has been designed by the applicant to meet highway requirements for highway safety. The roads would be sufficiently wide to allow refuse and emergency vehicles to access all parts of the site, but not excessively wide so that the scheme also satisfies urban design objectives. The hard surfacing for roads and parking would have a mix of surfaces so that their function would be clear. There is an existing public right of way along the western boundary of the site, and the layout proposes a new link from the southern boundary of the development onto this footpath in compliance with Policy SL2. A Travel Plan has been submitted with the application which identifies a number of measures to encourage sustainable travel, with a view to reducing car dependency and lessening any impact on the road network. These measures include: promoting national and local cycling routes and walking campaigns and events e.g. Cycle to Work day, seeking discounts at local stores, promoting the National Cycle Network Route, raise awareness of the local bus and rail services by providing information on bus times and services, seeking to secure discounts and promotions on local transport where available and promoting benefits of car sharing. The Transport Statement, submitted in support of the application, sets out the anticipated impact on the road network with a TRICS assessment indicating that there would be 23 trips in the AM peak period and 22 trips in the PM peak period. As the site is a greenfield site, currently generating no trips, the proposed development trips will be additional trips on the local road network. However, the County Highway Authority considers that the local highway network has not changed significantly in the intervening time period since the 2017 submission and despite the additional six homes the impact of the dwellings on the local highway network is unlikely to represent a significant impact compared to the traffic already utilising Brox Road and the various land uses served by this link. However, it is noted that the access arrangements have changed and that this has raised concerns regarding the proposed location of the new access. It is the case that crossroads style junctions are considered one of the more dangerous junction arrangements, however this is typically for high traffic, higher speed roads normally involving through routes. The proposal in this case is by its nature relatively low speed and will be utilised by residents primarily who are more likely to be aware of the various hazards present in most residential environs. It is also the case that the trip rates associated with the two junctions (onto Brox Road itself) are not likely to generate significant quantities of traffic at approximately one vehicle movement every 2-3 minutes.

- 6.14 The CHA considers that there was sufficient visibility at the existing access to Duffins Orchard, and the proposed access to the site is designed to accord with current standards allowing road users on both Brox Road, Duffins Orchard and the various other accesses (including the Public House) nearby sufficient visibility to avoid conflict. In this respect the CHA is satisfied that highway safety can be secured. Following further comments concerning how busy Brox Road is, the CHA considers that the fact that it does carry a significant quantity of traffic means additional, relatively small amounts of traffic, are unlikely to generate such a significant impact. In regard to drivers breaking the speed limit along Brox Road, while it is a concern it cannot be used to justify recommending a refusal unless this is also provided alongside other evidence to demonstrate a road safety concern that would be further exacerbated by the development to an unacceptable level (as per NPPF guidance) and such evidence does not exist in this case. As such the County Highway Authority has raised no objections to the proposals on highway safety or highway generation grounds subject to conditions to ensure adequate visibility splays are provided to ensure safe access from the site to Brox Road.
- 6.15 In regard to concerns from residents about heavy vehicles, a Construction Transport Management Plan is required to be submitted in order to ensure the construction process is undertaken in accordance with highway standards and requiring the site to be provided with Electric vehicle charging. An informative is included advising the applicant about the restrictions on hours of construction. The impact on the strategic road network is not considered severe as confirmed in the associated Transport Statement and therefore no mitigation measures are required for the Strategic Road Network. Given the impact and scale of the development, it is not considered necessary for the development to contribute towards wider off-site highway improvements such as the A320 off-road cycle route when the development is considered to be well located to support sustainable development and as such, these improvements are not considered necessary to make the development acceptable in planning terms. It is therefore considered that no additional traffic or highway issues have arisen from this current proposal and the scheme satisfies Policies SD3 and SD4.
- 6.16 The proposed 35% affordable housing provision (16 units) is acceptable as it is in accordance with the new Local Plan Policy SL20 and the Council's SHMA in terms of unit types. The Council's Head of Housing agrees with the proposed mix of 70% rented and 30% shared ownership units which will be secured through a s106. In regard to the suitability of the living accommodation being provided for future occupants, the dwellings in the proposed development would meet the minimum floor space requirements set out in Policy SL19, and there is acceptable external amenity space, in compliance with Policy EE1.
- 6.17 In terms of recreation, Local Plan Policy SL26 requires the provision of play spaces in new housing developments of 20 dwellings (net) or more. The proposed development includes an area of 900sqm area as public open space to be created in-between plots 2 and 3 which would comprise various trees including category A T36 and T38 Oaks, a wildflower meadow and small children's play area. The retained trees along the boundaries of the site will also act as a landscape screen protecting both existing and future residents from overlooking and aiding their privacy. On this basis it is considered that the proposal would comply with Policy SL26 and that the quantum of development could be achieved whilst providing space for recreation.
- 6.18 The site was made subject to a Tree Preservation Order No. 384 in 2012. An Arboricultural Impact Assessment and Method statement has been submitted which identifies the removal of one cherry tree, one group of holly trees and part of one hedge to facilitate the proposed new roads, footways and services. On the northern boundary of the site broken sections of the crown and upper stem of another tree (T27) have fallen into the site which would be cleared but this tree would be retained. The proposed scheme will retain all TPO trees as well as the hedgerows around the perimeter of the site and all other mature trees, in line with the Surrey Landscape Character Assessment. Precautions to ensure that the trees to the north and the south of the site are protected and preserved for the future are proposed which includes tree protection measures implemented in conjunction with the proposals. Consequently there will be a neutral impact from the project upon the local trees, subject to adhering to normal tree protection and construction techniques. The Design and Access Statement confirms that any potential impact from their removal would be mitigated through replacement planting as part of a detailed landscaping scheme. This can be secured by condition. The proposal has been designed so as to protect existing mature landscaping within the site and the proposed landscaping works are considered to be acceptable. The Councils Tree Officer does not object to the works but recommends conditions for tree protection during the works. No other trees are affected by the proposal and the layout demonstrates how development can take place to provide space between buildings and the protected trees and other existing landscape features to ensure adequate amenity for the buildings occupiers and to prevent future pressure for the trees' removal which form part of the character of the area. The proposal therefore complies with policies EE1,EE9 and EE11.

- 6.19 The site is currently providing habitats for protected species and therefore there is a need to protect these wildlife habitats. An Ecological Appraisal (dated April 2020) and a Landscape and Ecological Management and Maintenance Plan (dated May 2020) has been submitted with the application which considers the ecology of the site. The applicant has submitted reports in respect of surveys undertaken for protected species. A previous reptile survey (2015) found a small area where slow worms are present, the surveys indicated no other protected species are present at the site. However, the Ecological Appraisal recommends further reptile surveys are undertaken to confirm whether any changes to the reptile species are present, to assess the presence or likely absence of these species, this will enable suitable mitigation to be agreed if applicable such as the protection of the slow worm population during construction and this can be secured through condition. The landscape and amenity areas within the development have been considered to provide suitable habitat for the slow worms, and therefore there is no impediment to development taking place in this respect. The Ecological Appraisal makes other recommendations in respect of checking trees and hedgerows which might be affected by the development for the presence of bats, and precautionary measures for birds detailed in the report are recommended. Local wildlife could be enhanced post development with a sensitive landscape scheme and the inclusion of a number of recommendations including the retention of trees and hedgerows on the boundaries of the site, the inclusion of bat boxes, bird boxes, hedgehog nest domes, habitat piles and bee bricks and 'hedgehog links' which can be secured by condition. Surrey Bat Group has raised no objections to the proposal. Surrey Wildlife Trust, whilst it has not commented on the current application it made further comments in relation to the previous application (RU.17/1940), recommending conditions be attached requiring the submission of further information on reptiles, landscaping, biodiversity enhancement and lighting. Subject to the development following the recommendations in the Ecological Appraisal and subject to safeguarding conditions, it is considered that the proposed development can be carried out without any harmful impacts on protected species or habitats and the scheme complies with Policy EE9 and the NPPF.
- 6.20 The applicant had previously investigated the site in respect of contamination in 2012 and has submitted an updated report as part of this application (19 March 2020). The Council's Contaminated Land Officer advises that Geo-environmental Report submitted is sufficient in addressing the Condition requirements. Asbestos within soils will need to be removed as part of the remediation works. This will need to be validated. Asbestos surveys should be carried out as mentioned. Other than these matters, there are no outstanding matters in relation to contamination.
- 6.21 A Flood Risk Assessment was submitted in accordance with the requirements of the NPPF as the site is over 1 ha, including details of Sustainable Urban Drainage. Following the submission of additional information, Surrey County Council as Lead Local Flood Authority (LLFA) is satisfied this meets the requirements set out in the technical Standard and Planning Policy Guidance. It is therefore considered that the site is capable of dealing with surface water drainage for the development in a sustainable manner which complies with the NPPF and therefore there are no issues of flooding arising from the proposal. The details of the drainage scheme can be secured by conditions as recommended by the LLFA. The Council's Drainage Officer also raises no objections and subject to these conditions, it is considered that the proposal is acceptable in flooding and drainage terms and complies with Policy EE13 and the NPPF.
- 6.22 As the site is over 0.4ha, Policy EE7 of the Local Plan requires the applicant to carry out an archaeological review of the site. A desk study has been carried out which concludes that the site and the surrounding area exhibit a generally low archaeological potential. The County Archaeologist has reviewed the study and largely agrees with the conclusions but advises that they may be potential for remains, but these would certainly have been destroyed due to the site's former uses. He therefore advises that the assessment satisfies the requirements of Policy EE7 and no further archaeological investigations are required.
- 6.23 The proposed development will have impacts on local infrastructure of SANGS, education and affordable housing. The Surrey Education Authority have requested contributions towards primary, secondary and early year's education. The SCC Education North West School Commissioning Officer requests financial contributions for early years education (£30,287), primary education (£142,359) and secondary education (£149,759), totalling £322,405. The early years contribution would be to increase the number of pre-school places available in the local area to meet the anticipated demand from new housing; the location of which will be determined prior to commencement of the development. The primary contribution would be applied to a project at Meadowcroft Community Infant school. The secondary contribution would be applied to a project at Jubilee High School. The contributions have been justified and the developer has agreed contributions with a total sum of £322,405 based on the originally suggested housing mix. A contribution of £28,350 is also required towards the provision of SAMM in accordance with the Council's Adopted SPG and appropriate contribution towards the provision of SANGS or other suitable mitigation. Subject to securing these contributions to infrastructure improvements and affordable housing by way of a s106 agreement and conditions as

appropriate, it is considered that the proposal would address the impacts of the development on local infrastructure, mitigate the impact arising from the development on the Thames Basin Heath Special Protection Area, and ensure that the proposal would have a mixed community in accordance with the Council's policies and the NPPF in compliance with Policy EE10.

- 6.24 The applicant has submitted an Energy and Sustainability Statement which indicates that solar pv panels could be installed in the development to provide renewable energy. New Policy SD8 promotes renewable energy and requires a minimum of 10% of the development's energy needs to be supplied by renewable and/or low carbon sources and new policy SD7 promotes sustainable design. However, although the buildings would be constructed in an environmentally friendly way no further details of measures have been provided and conditions are recommended to secure this and in respect of water efficiency, and the proposal complies with the policies SD7 and SD8 and the NPPF.
- 6.25 The application has been the subject of a substantial number of objections and the planning issues raising concerns have been discussed above. Many letters of objection have raised concerns about boundary issues and density which are responded to as follows; The red line shown on the architects plans follow the Title Plan drawings. The applicant has confirmed that the red line shown in the plans is correct. The hedge has been discussed with the BLaRA and A2Dominion have agreed with the Residents Association that they will not cut / trim the hedge below 2.5m along Brox Lane and Southwood Avenue where it is in A2's ownership. A2 have committed to advising the Management and Maintenance Company of this. The Residents also asked A2 to relocate the PRoW entrance from the eastern edge of the bellmouth. The proposed location takes advantage of an existing gap in the hedgerow but residents are concerned that people will park on Brox Lane and cut through the PRoW to access the proposed properties. A2 have advised BLaRA and BENRA that Brox Lane and Southwood Avenue are private roads and therefore future residents will have no jurisdiction to park along them. With regards to concerns over parking on Brox Lane and Southwood Avenue, the quantum of parking proposed within the development provides a balance between RBC and SCC parking requirements. Therefore there should be no demand for parking on the surrounding roads. In regard to splitting the flats into 3 buildings that look like pairs of 2 storey semi-detached properties comprising 4 flats each, this has been looked at by the applicant, however due to the internal configuration and in order to provide affordable homes in a mix which follows that set out by the housing officer, and in a mix which is suitable for future management, it is not possible. The majority of the application site now benefits from a site allocation in the adopted Local Plan for a minimum of 40 units. Additional land has been purchased, and one house is being demolished to facilitate access, therefore 45 net additional dwellings are proposed. Any application for less than 40 homes would be contrary to policy and be contrary to the NPPF's stipulation that development makes 'efficient use of land'. Within the same red line area, there are only 4 additional homes in this application when compared to the extant RU.17/1940. The red line area for this application is larger as it includes 183 Brox Road and two new dwellings are proposed on that parcel of land. In total this provides the 46 homes (45 net homes), which is only marginally higher than the 'minimum' 40 homes as required through Policy. It must be noted that the grant of planning permission provides permission under the Town and Country Planning Act only, having the assessed the acceptability of a proposal against the Development Plan and any other relevant material considerations. Other consents, such as any consent needed from the owner of any part of the land assessed may often also be needed, but this lies outside the scope of planning consideration. Therefore, the issue of access and ownership remains a private matter, not a matter for the local planning authority to consider in the determination of this application, and is not an impediment to the grant of planning permission on the basis of the terms of the application as submitted.

7. Conclusion

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

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

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

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

- 7.2 This is a site allocated for development by the Runnymede 2030 Local Plan (by Policy SL2). The quantum of development proposed makes an efficient use of an appropriate site and is not considered to be harmful to the character of the area. The site is in an accessible location. The traffic and highway safety aspects of the application have been reviewed by the County Highway Authority who raises no objections and conclude that the proposed access is safe and no harmful impacts would arise in respect of the highway network in the area. No other technical planning issues have been identified that would prevent planning permission being granted in accordance with the development plan and the NPPF.
- 7.3 The development has been assessed against the following Development Plan policies – SD1, SD2, SD4, SD5, SD7, SD8, SL2, SL19, SL20, SL26, EE1, EE2, EE3, EE7, EE8, EE9, EE10, and EE13 of the Runnymede 2030 Local Plan of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation:

The CHDMBC be authorised to grant planning permission Subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:

1. Financial contributions of:

- (i) £322,405 towards early years, primary and secondary school infrastructure (subject to final mix);
- (ii) £28,350.00 towards the provision of SAMM;

2. The provision of 16 affordable housing units (11 affordable rent and 5 shared ownership);

And the following conditions

- 1 The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

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

- 2 List of approved plans

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

Location Plan LP.01 rev B
 Site Layout SL01 rev G
 2BH1 Floor Plans HT.2BH1.p rev A
 2BH1 Option 1 Elevations HT.2BH1-1.e rev A
 2BH1 Option 2 Elevations HT.2BH1-2.e rev A
 2BH1-A Elevations HT.2BH1-A.e rev A
 2BH1- A Shared Ownership Floor Plans HT.2BH1-A.p rev A
 3BH5 Floor Plans HT.3BH5.p rev B
 3BH5 Option 1 Elevations HT/3BH5-1.e rev B
 3BH5 Option 3 Elevations HT.3BH5-3.e rev C
 3BH5 Option 4 Elevations HT.3BH5-4.e rev B
 3BH5-A Elevations HT.3BH5-A.e rev A
 3BH5-A Shared Ownership Floor Plans HT.3BH5-A.p rev A
 3BH12 Option 1 Elevations HT.3BH12-1.e rev C
 3BH12 Option 2 Elevations HT.3BH12-2.e rev A
 3BH12 Variation C Floor Plans HT.3BH12-C.p rev C
 3BSP2 Elevations HT.3BSP2-2.e rev A
 3BSP2 Floor Plans HT.3BSP2.p rev B
 4BH4 Elevations HT.4BH4-2.e rev A
 4BH1 Floor Plans HT.4BH1.p rev A
 4BH4 Floor Plans HT.4BH4.p rev A
 4BH4 Elevations Option 1 HT.4BH4-1.e rev A
 4BH4 Elevations Option 2 HT.4BH4-2.e rev A
 Flat Block A Elevations (Sheet 1 of 2) FB-A.e1 rev C
 Flat Block A Elevations (Sheet 2 of 2) FB-A.e2 rev C
 Flat Block A Floor Plans (Sheet 1 of 2) FB-A.p1 rev B

Flat Block A Floor Plans (Sheet 2 of 2) FB-A.p2 rev C

Street Elevations SE.01 rev E & SE.02 rev F
Affordable Housing Layout AHL.01 rev E
Boundary Dwelling Material Layout DBML.01 rev E
Parking Plan PP.01 rev E
Refuse Layout RL.01 rev E
Single Garage – Option 1 Plans and Elevations GAR.01.pe rev A
Single Garage – Option 2 Plans and Elevations GAR.02.pe rev A

Double Garage Plans and Elevations GAR.03.pe rev A
Detailed soft landscape proposals for plots and hard and soft for POS JBA11/399-01 rev F
Detailed soft landscape proposals for plots and hard and soft for POS JBA11/399-02 rev F
Affordable Housing Layout AHL.01 rev E
Boundary Dwelling Material Layout DBML.01 rev E
Parking Plan PP.01 rev E
Refuse Layout RL.01 rev E

Single Garage – Option 1 Plans and Elevations GAR.01.pe rev A
Single Garage – Option 2 Plans and Elevations GAR.02.pe rev A
Double Garage Plans and Elevations GAR.03.pe rev A
Detailed soft landscape proposals for plots and hard and soft for POS JBA11/399-01 rev F
Detailed soft landscape proposals for plots and hard and soft for POS JBA11/399-02 rev F
Cycle Store Plans and Elevations CS.01 rev A
Bin Store BS.01 rev A

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

- 3 Before the construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

- 4 a) Full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with details of the natural play area which shall include a trim trail, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development.

(b) All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the Local Planning Authority. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

- 5 Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site tree protective measures shall be

installed in accordance with the approved Arboricultural Impact Assessment JBA 11/399 AR01 Rev I and Arboricultural Method Statement JBA 11/399 AR02 Rev E.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

- 6 An Arboricultural Maintenance Plan and Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

- 7 The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Confirmation of the suitability of shallow small scale permeable paving systems.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2 l/s.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (h) on-site turning for construction vehicles

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

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

10 No part of the development shall be first occupied unless and until the proposed vehicular / pedestrian / cycle access to Brox Road has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: To improve and maintain visibility between the highway and the proposed access for the safety and convenience of pedestrians and vehicular traffic and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11 The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes. All cycle parking shall be secure, covered and lit.

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.

12 The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

13 No site clearance shall take place until a scheme to protect reptiles (notably slow worms) and any other relevant protected species within the site has been submitted to and agreed in writing by the Local Planning Authority. The protection measures shall be installed prior to the commencement of any clearance or other site works and shall remain in place for the duration of the construction of the development.

Reason: To safeguard any significant existing ecological interest within the site and to accord with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

14 The construction of the development shall take place fully in compliance with the measures set out in the Ecological Appraisal (April 2020), and the final development shall include the mitigation and enhancement measures as recommended in the Ecological Appraisal (April 2020) which should incorporate bat roosting opportunities. Such measures and enhancements as provided shall be retained and maintained thereafter.

Reason: To protect the habitat of bats, any invertebrates, badgers, the flora, fauna and ecological value on the site and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 15 The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 16 Details of any external lighting including floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the buildings hereby approved are occupied. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: In the interests of protected species and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 17 The remediation of the site shall be carried out in accordance with the approved Geo-Environmental Assessment including an asbestos investigation.

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

- 18 No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

- 19 Prior to the first occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority (LPA). Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the LPA.

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

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policy SD8 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 20 Prior to the first use/occupation of the development hereby permitted, details of the water efficiency measures and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented and retained for the lifetime of the development

Reason: In order to achieve water efficiency and sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF

- 21 Prior to the commencement of the development hereby approved, with the exception of demolition and site clearance, details of the existing and proposed levels of the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual amenities of the area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 22 Before the development hereby permitted is occupied, details of the proposed 1.8 metre high screen along the western edge of the balcony/terrace at ground, first and second floor levels shall be submitted to and approved in writing by the Local Planning Authority (LPA). Development shall be carried out in accordance with the approved details prior to the first use of the balcony/terrace area and the screening shall be retained in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To prevent overlooking and loss of privacy to the occupiers of the neighbouring property and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 23 Before the development hereby permitted is occupied, details of the proposed soft landscaping to be provided to the rear of Plot 46 along the boundary with Arden shall be submitted to and approved in writing by the Local Planning Authority (LPA). Development shall be carried out in accordance with the approved details and the soft landscaping measures shall be retained in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To prevent overlooking and loss of privacy to the occupiers of the neighbouring property and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 24 The building(s) shall not be occupied until the open space area shown has been laid out in accordance with plan JBA11/399-01 Rev F and that area shall not thereafter be used for any purpose other than as a play area.

Reason: To ensure the provision and proper maintenance of such areas within the development, in the interests of amenity of the area and for future occupiers and to comply with Policies SL25, SL26 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

- 25 Restricted Permitted Development Rights

For plots 19, 20 and 21, notwithstanding the provisions of Class B of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Class B shall be constructed or carried out, without the prior written permission of the Local Planning Authority.

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

- 26 Restricted Permitted Development Rights

For plot 23, notwithstanding the provisions of Classes A, B, and E of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Classes A, B and E shall be constructed or carried out, without the prior written permission of the Local Planning Authority.

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

Informatives

- 1 The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.
- 2 The applicant/developer is advised that there is a standard national form to be submitted to the Local Planning Authority when discharging the conditions specified in this decision notice.
- 3 Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or

disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to www.naturalengland.gov.uk

- 4 The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.

- 5 The applicant is advised that to satisfy the above condition in respect of SANG there are likely to be two options.

The first is to provide, lay out and ensure the maintenance of, in perpetuity, of a Suitable Alternative Natural Greenspace (SANG). The physical provision of SANG is likely only to be suitable for schemes of in excess of 60 dwellings due to the need to meet Natural England's guidelines for SANGs. The achievement of this is likely to be through the mechanism of a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 (as amended).

The second is to enter into a land transaction, for an appropriate financial sum, with the Council to obtain a licence to utilise part of one of the Council's SANGs in mitigation. If the applicant wishes to pursue this option they should contact the planning case officer for further advice.

The applicant is further advised that the above arrangements will be in addition to the payment of any applicable Strategic Access Management and Monitoring (SAMM) payment through the Planning Obligation process

- 6 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

- 7 Other Works to the Highway
The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

- 8 Mud and debris on the highway
The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

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

- 10 Damage to the highway
Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority

will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

- 11 Statutory utility works
The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 12 Electric vehicle charging
It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 13 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
- 14 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- 15 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 16 With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
- 17 Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Brox End Nurseries



Extant Approved Plan for RU.17/1940

RU.20/0675 Proposed Site Plan



Street scene elevation to the south of Southwood Avenue



Street scene elevations to the north of Brox Lane



Front Elevations of flats



Front Elevation 1



Front Elevation 2

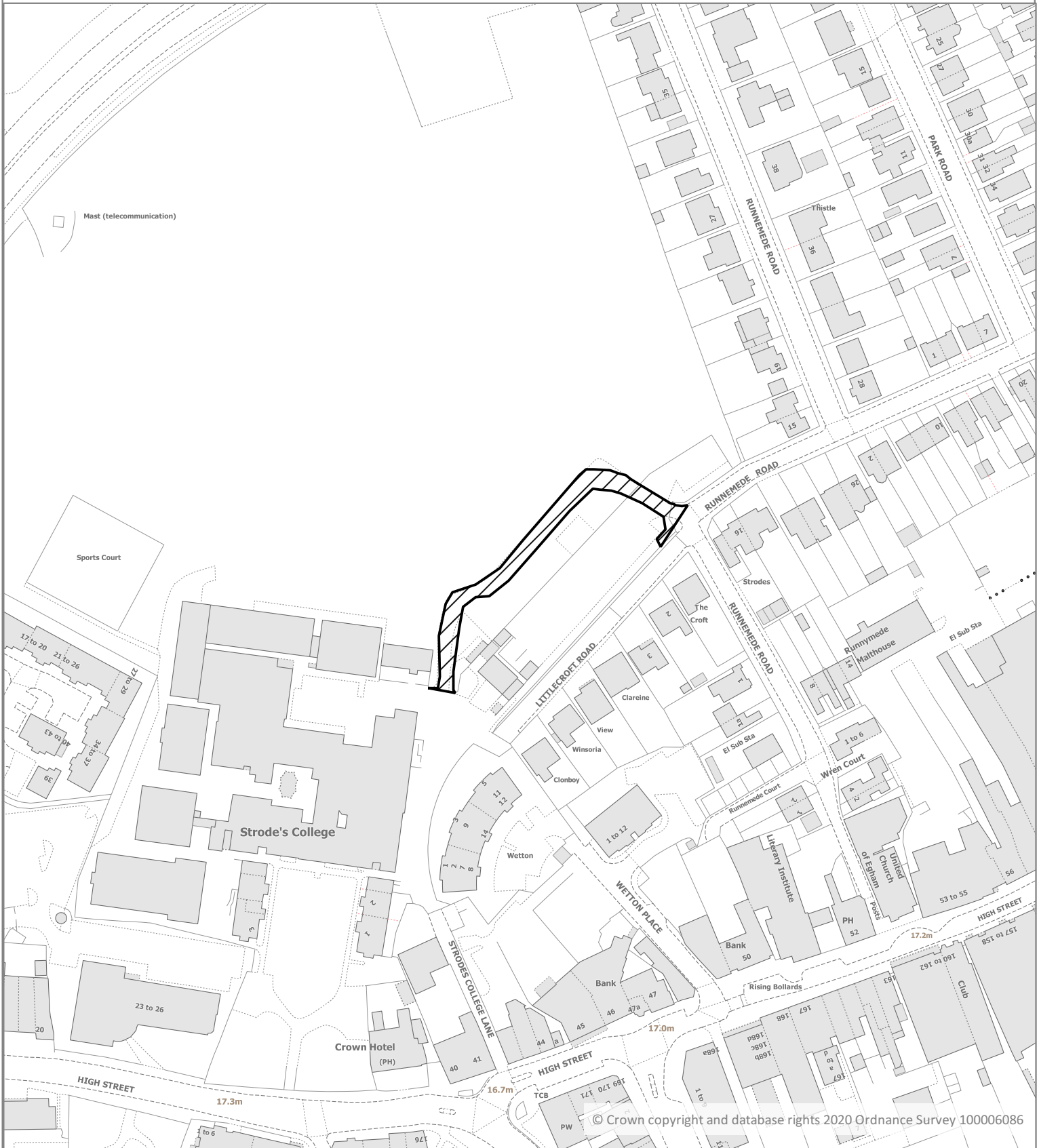
Illustrative view of entrance from Brox Road



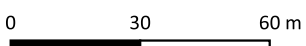


Date: 16/12/2020

Land North of Littlecroft Road, Egham



Scale: 1:1,750



RU.20/1259



RU.20/1259	Ward:
LOCATION:	Land North of Littlecroft Road Egham TW209BG
PROPOSAL TYPE:	Creation of a Temporary Vehicular Access Road. Full Planning Permission
EXP DATE	06 November 2020

SUMMARY OF RECOMMENDATION: Grant with conditions

1. Site

- 1.1 The application site relates to a small length of land (600 sqm in area) within the campus of Strodes College, in Egham town centre. The application land is located north of Littlecroft Road, Egham approximately 200 metres north of the construction site for planning permission RU.18/1660. The application land commences at the junction of Runnemedede Road with Littlecroft Road, extending through the existing car park to the north west of Littlecroft Road, and then turning south west through the outer edge of the open space area within the college campus to join with the main building complex in the heart of the southern part of the campus. Runnemedede Road and Littlecroft Road are residential roads adjacent and to the east of Strodes College. The application land is related to the redevelopment site at 40-44 High Street, further to the south, which is currently commercial. This land has been allocated in the Runnymede 2030 Local Plan as Policy IE11 for redevelopment. This development site is divided by Strodes College Lane which is used by students of the college to access the campus. This is to be retained and enhanced by the redevelopment proposals but is required for construction vehicles during the redevelopment. Runnemedede Road is within Egham Town Centre Conservation Area, as is the built complex of Strodes College, and the open land within the campus is within the Green Belt. The main building of Strodes College is a locally listed building and two almshouses are Grade II listed buildings.

2. Planning history

- 2.1 The most relevant application relates to Land at 40-44 High Street: RU.18/1660 -Demolition of the existing buildings and erection of 107 student units, (sui generis), along with ancillary student facilities and circa 239 sqm retail use at the ground floor – Granted 14 February 2019

3. Application

- 3.1 This application seeks full planning permission for the creation of a temporary vehicular access road. This is associated with the implementation of the mixed use student accommodation / retail development adjacent to Strode's College granted on 14th February 2019 under Planning Permission Ref: RU.18/1660 on land at 40-44a High Street, Egham. The applicant has submitted a supporting statement which sets out the purpose of the temporary road.

The proposal will support the operations of the College during construction of the scheme and ensure clear and safe access for College users comprising staff, student and visitor vehicles including servicing.

This will allow vehicles to access and egress the site via Runnemedede Road/Littlecroft Road, which is currently used for access and egress (in conjunction with the Strode's College Lane access) This will enable the closure of Strode's College Lane to College users. The Lane will then be used as the dedicated construction access. There are no other alternative arrangements available to support the construction of the scheme. The roadway will utilise existing hardstanding in the site but is outside the red line area of the Planning Permission.

The road will be in place during the entire period of construction works, expected to commence on 14th December 2020 and be completed by Summer 2022. Once construction is complete and prior to the scheme being first occupied, the College access will revert to the current arrangement.

- 3.2 The applicant states a number of factors have influenced the location of the proposed temporary alternative vehicle access. In finding an appropriate temporary access point, the main objective has been to secure a

temporary vehicle access that meets the requirements of the College, whilst minimising impacts on residential amenity and the wider local environment and highway.

A series of minor and temporary alterations to the Site will take place to accommodate the

vehicles. These include:

- A new gate and barrier at the entrance to Littlecroft Road;
- Increased road entrance width;
- Use of existing on-site hardstanding as an access road; and
- A new pavement.

This will lead to the removal of two trees on-site. Once construction work is complete, two new replacement trees will be provided.

The applicant also comments on the following:

- Ensuring the building work can be implemented safely on a residential / town centre site which forms part of a wider College site is critical and therefore a safe alternative access point and route for non- construction vehicles associated with the College needs to be established. The proposed temporary road will provide a safe access point for vehicles allowing users of the College and its visitors to freely manoeuvre outside of construction activities. The works to the highway will also ensure it is a safe and convenient access in accordance with Local Plan Policy SD4.
- The proposed temporary access location is off Littlecroft Road via Runnemedede Road which is recognised as being in a wider residential area. The proposed site's access utilises and widens an existing access point to ensure it can be used by vehicles safely and without impacting on the use of the highway by residents.
- The trees lost on the site as a consequence of the works will be replaced as part of the reinstatement of the site in accordance with Local Plan Policy EE11.
- It is acknowledged that part of the site is in the Green Belt. The works to the site are however temporary and focused on a previously-developed part of the site. Accordingly, the scheme is compliant with Local Plan Policies EE17 and EE19.

3.3 The applicant has submitted a number of plans and supporting information including tree schedule and detailed highway plans.

4. Consultations

4.1 13 Neighbouring properties were consulted in addition to being advertised on the Council's website, a notice published in the local newspaper and a sit notice displayed. 4 letters of representation have been received, and the main points summarised as follows:

- Proposed entrance is dangerously sited; existing poor accessibility, refers to damage to wall; not just staff cars but college delivery lorries; small local roads not fit for vehicular traffic
- Object to felling of mature trees which were planted to screen the car park
- Creep into green belt land by car parking by people using playing fields; how will their be faith that the developer will restore this
- No strong need for the temporary access as works appear to be carrying on at the High Street
- Drivers paying no attention when exiting the college - near misses with residents
- Many students use this exit and walk on the roads – more danger to them from increased traffic
- Traffic congestion in Runnemedede Road along to Crown Street – students parking in side roads and at junctions
- Local roads will be affected for 18 months
- Temptation to make the road permanent
- Widening of gates and removal of trees unnecessary – an alternative layout proposed would not require these
- Road affected with be Runnemedede Road, Hummer Road and Crown Street; increase in traffic times and noise,

4.2 Surrey County Highway Authority raises no objection

4.3 The Council's Conservation Advisor raises no objection and recommends replanting of trees

5. Relevant Local Planning Policies

- 5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
6. Planning Considerations
- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where only limited development is acceptable. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact on the Green Belt, impact on residential amenities and highway safety, impact on the Conservation Area and other heritage assets, and relevance for the redevelopment of 40-44 High Street Egham allocation site. Special regard has to be given to the protection of heritage assets.
- 6.2 Policy EE18 is consistent with the NPPF which states that engineering operations, such as the laying out of this proposed road, are considered inappropriate development in the Green Belt unless the operations preserve the openness of the Green Belt and do not conflict with the purposes of the Green Belt. The policy refers to the visual impacts being taken into account and the future use of the hardstanding. The proposed road will pass through an existing area of hardsurfacing used as a car park for the college, and will extend for a short section along the eastern boundary of the open fields of the campus. Letters of representation refer to this area already being used for parking. It is considered the configuration of the new short section of road connecting Runnymede Road to the college campus would not harm the visual amenities and openness of the Green Belt, and would not affect the purposes of the Green Belt. In addition, the road is only required for a temporary period during construction of the redevelopment at 40-44 High Street when Strodes College Lane would not be available for students to pass through. The applicant has confirmed that the road would be removed and the land restored after the temporary period. There would be a loss of two trees but this would not affect the Green Belt per se. It is therefore considered that subject to suitable conditions to require restoration of the land after the temporary period, that the proposed road would comply with policy EE18 and the NPPF.
- 6.3 The road would be extending from Littlewick Road and Runnymede Road which are both residential in character. However, there is an existing car park serving the Strodes College campus already accessed from the same point as is proposed under this application. There is also student traffic using this car park and traffic associated with visitors to the campus especially the playing fields. The nearest residential properties are The Croft, Strodes Corner, and No. 16 Runnymede Road. It is considered that for the limited period of 18 months up to summer 2022, any additional traffic movements are unlikely to result in such noise and disturbance over and above current traffic movements as to cause material harm to the amenities of these neighbours and others to justify the withholding of permission.
- 6.4 There would be a need to widen the existing access and replace the existing gates with new gates. The County Highway Authority has reviewed all the documentation and plans for the development. Having assessed the application on safety, capacity and policy grounds, the CHA initially requested further information regarding the existing access arrangements associated with the site, anticipated trip rates likely to be relocated from Strodes College Lane to Littlecroft Road and potential mitigation required should this be considered significant. The Applicant has provided the CHA with additional detail on the proposed access arrangements on Littlecroft Road, as well as trip rate data for the relocated trips. The CHA do not consider these will result in a significant enough impact in order to warrant engineered mitigation, and given the trips impacted are predominantly employees at the site, the provision of additional signage is not considered necessary. Therefore, the CHA raises no objection on highway safety or capacity grounds subject to the condition that no part of the development shall be first occupied unless and until the proposed vehicular and pedestrian modified access to Littlecroft Road has been constructed and provided with visibility zones in accordance with the approved plans. The proposal therefore complies with Policy SD4.
- 6.5 The road will extend from the corner of the Egham Town centre Conservation Area on one side and passing through open land, will join with the conservation area at the Strodes College campus. There would be no alterations to any of the heritage buildings within the campus or their immediate settings. The minor widening of the existing access at Littlecroft Road is not considered to have any harmful impacts on the Conservation Area. The Council's Conservation Officer has raised no objection and has recommended that the two trees to be removed (both Silver Maples) should be replaced in order to maintain the appearance of the Conservation area. This is also in good practice in any case to ensure the overall appearance of the area is maintained and for biodiversity purposes. The applicant has confirmed that the trees will be replaced, and this can be secured by

condition. It is therefore considered the proposal complies with policies EE4 and EE5, and EE9 and EE11.

6.6 The road is required for a temporary period to maintain safe access to Strodes College whilst Strodes College Lane is temporarily closed to student movements whilst construction of the redevelopment site is taking place. There will be no construction vehicles using the proposed new road, all the construction vehicles will access the development site from the High Street. It is considered that any minor temporary harms are outweighed and justified by the need to close Strodes College Lane to facilitate the development. Once the development is complete, including the new access lane, students will once again be able to resume their safe access along this lane. It is considered the proposal complies with IE11.

7. Conclusion

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

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

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

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

7.2 The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities or highway safety and minor impact on the Green Belt will be mitigated by the temporary nature of the development. The development has been assessed against the following key Development Plan policies –policies EE1, EE4, EE5, EE8, EE9, EE11, SD4, IE11 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation:

The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to the following planning conditions:

1 Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

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

2 List of approved plans

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

01220 P1, Tree Schedule August 2020, 10731 TCP 01, Location Plan, TR002, TR003, Existing site plan, proposed site plan
Email from agent 23.10.2020
Covering letter from agent

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

3 Temporary permission - reinstatement (land use)

The use of the road hereby permitted shall be discontinued and the hardsurfacing material removed and the land restored to its former condition on or before 31 August 2022.

Reason: To ensure protection of the amenities of the area and the Green Belt and to comply with Policies EE1 and EE18 of the Runnymede 2030 Local Plan and guidance within the NPPF.

4 Tree planting

Details and plans of new trees to be planted shall be submitted to and approved in writing by the Local Planning Authority (LPA) within two months of this decision and the trees shall be planted within the first planting season thereafter. Once planted, photographic evidence of the new trees shall be submitted to the local planning authority.

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

Reason: To mitigate the loss of tree cover, to protect and enhance the appearance and biodiversity of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 No part of the development shall be first occupied unless and until the proposed vehicular and pedestrian modified access to Littlecroft Road has been constructed and provided with visibility zones in accordance with the approved plans.

Reason: In the interests of highway safety and to avoid inconvenience to other road users and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

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

2 New/Modified Vehicle Crossovers and Dropped Kerbs

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

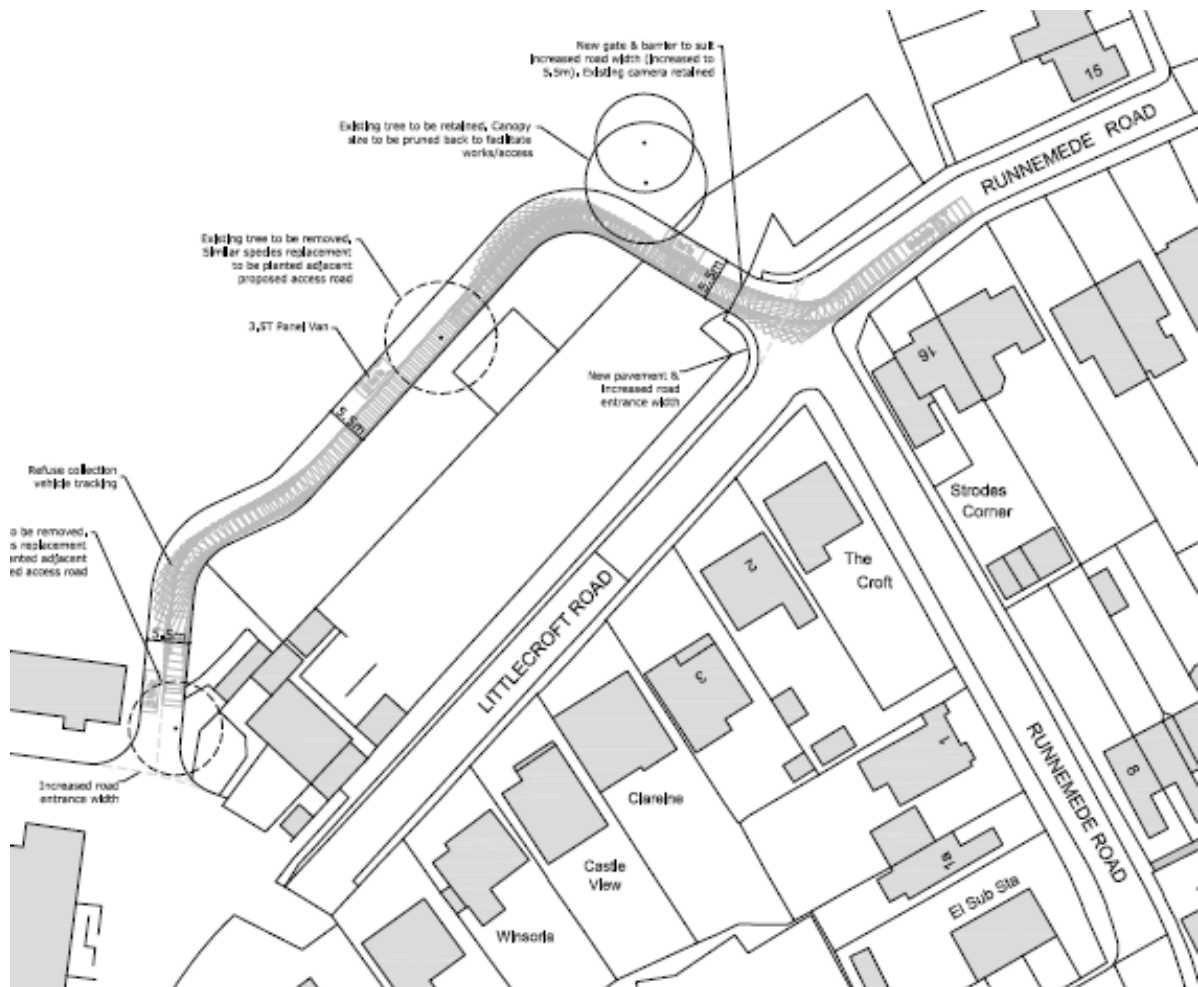
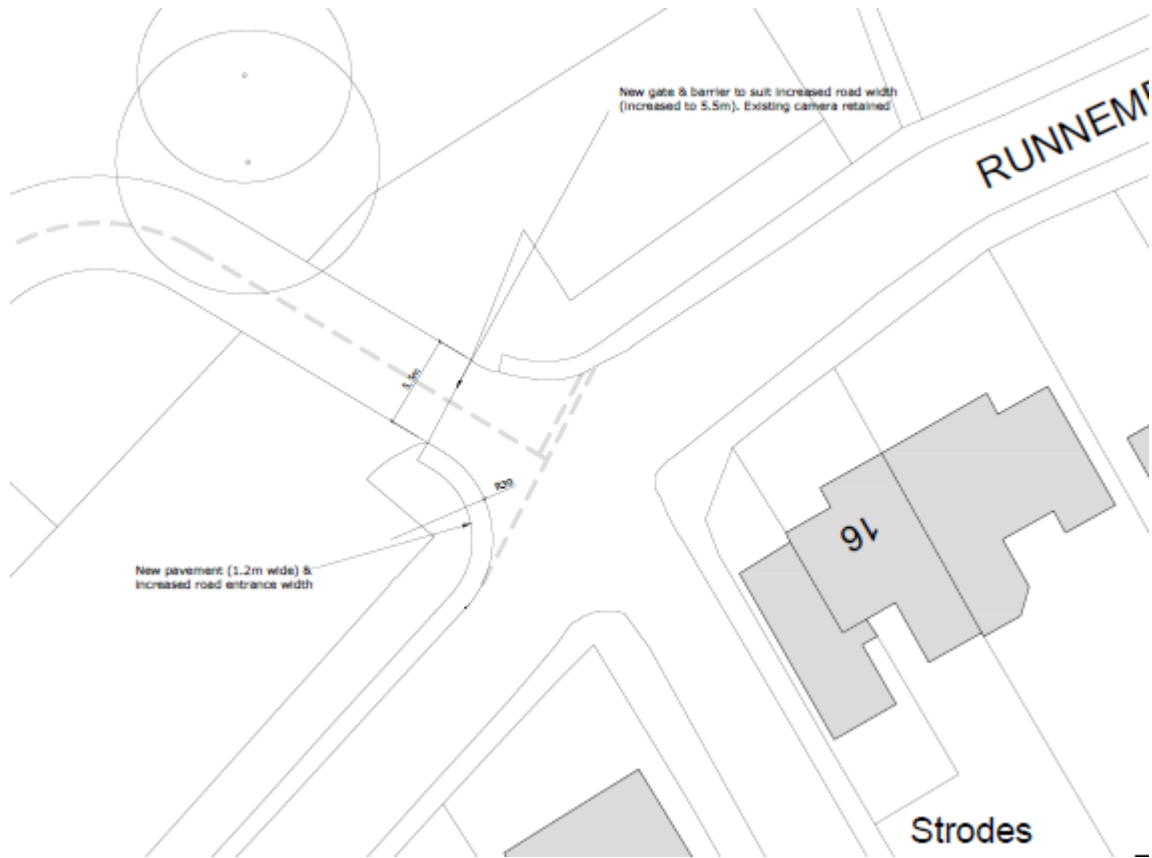
3 Other Works to the Highway

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management>

-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding- advice.

4 Mud/debris on the highway

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).



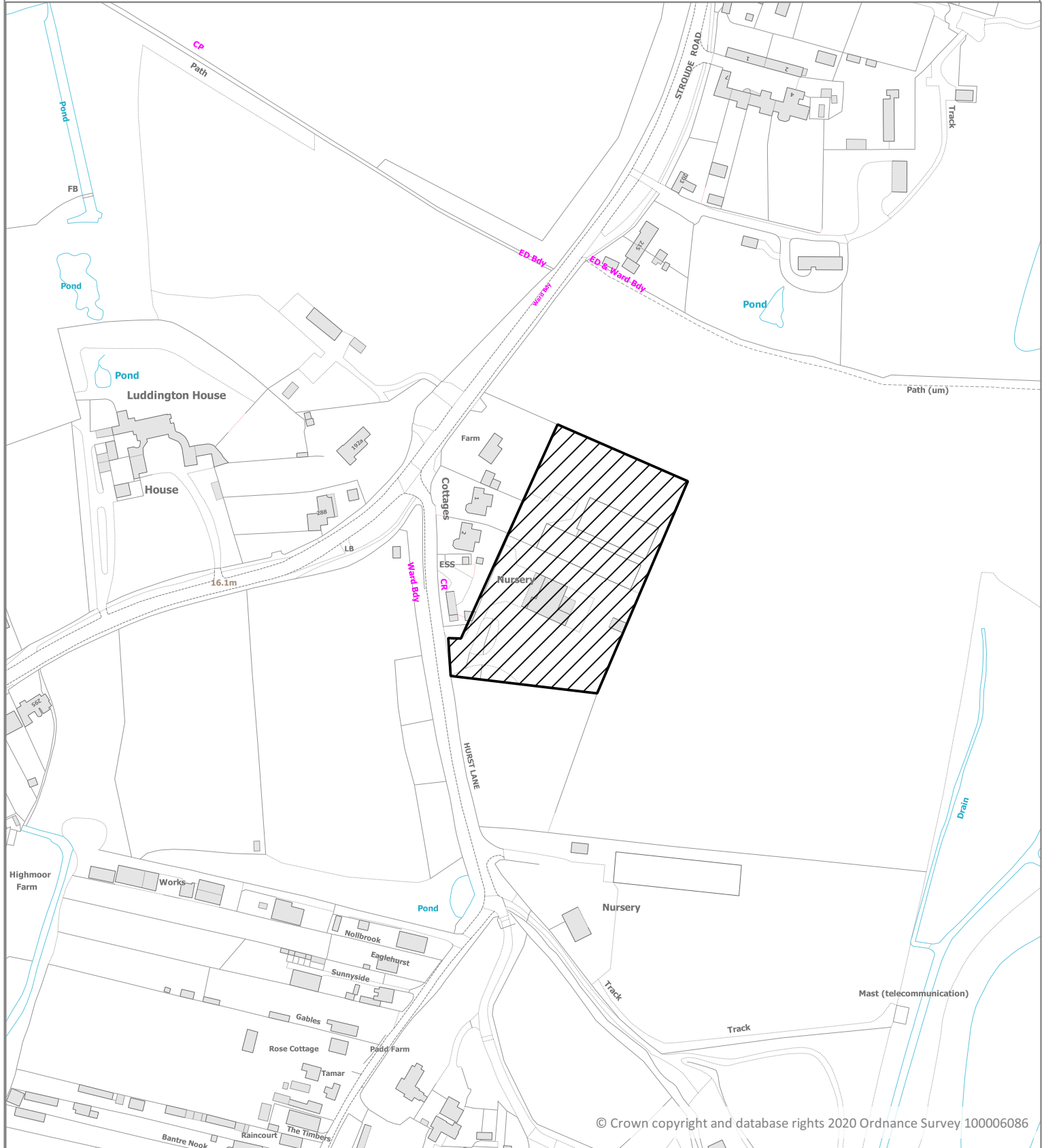


FOR LOCATION PURPOSES ONLY

**Glasshouse 1, Bellbourne Nursery,
Hurst Lane, Egham**

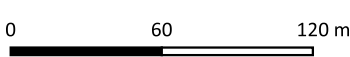
Date: 16/12/2020

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



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Scale: 1:3,000



RU.20/0601



RU.20/0601	Ward:
LOCATION:	Bellbourne Nursery Hurst Lane Egham TW20 8QJ
PROPOSAL	Application seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 5 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane (amended description and additional information received 02.07.20 and 08.07.20)
TYPE:	Full Planning Permission
EXP DATE	30 June 2020

SUMMARY OF RECOMMENDATION: The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to planning obligations and planning conditions

1. Site
 - 1.1 The application site relates to one whole glasshouse building 1 and part of glasshouse 2 on Bellbourne Nursery, which is part of a larger landholding off Hurst Lane. The glasshouses are on land with a lawful use for horticulture. The parcel to the south of the site has a lawful use for B8 storage and distribution.. The site is within the Green Belt.
2. Planning history
 - 2.1 There have been multiple applications relating to the two glasshouses and also the land to the south, all within the applicant's ownership. For the glasshouses the most recent relevant applications are
RU.20/0237 – Glass House 1 – prior approval for conversion (and part demolition) to form a terrace of 4 dwellings and 1 detached dwelling granted 7.4.2020 – not implemented (this followed previous prior approval under RU.19/-575 for a flexible use approved on 29.5.2019 (not implemented) and RU.19/1198 for prior approval for conversion and part demolition for 4 terraced dwellings and one detached dwelling which was refused prior approval on 8.10.2019 due to impacts on residential occupiers from the noise from the land to the south in B8 use.
Glass house 2 has prior approval granted under RU.19/1197 for partial demolition 16.9.19 and prior approval for RU.19/1822 for flexible uses. Neither have been implemented but the applicant has submitted and received approval for various details pursuant to conditions of the prior approvals.
 - 2.2 Land to the south of the application site has also been the subject of numerous applications. The most recent are RU.20/0169 outline application for the demolition of the warehouse and removal of all structures etc and the erection of five detached dwellings with attached single garages and reconfiguration of access to Hurst Lane (outline) approved 24.6.2020. This was followed by a non material amendment under RU.20/0976 to allow habitable accommodation in the roofs which was approved 11.8.2020. No reserved matters have been submitted, nor details pursuant to conditions.
 - 2.3 The applicant has submitted a similar application RU.20/0600 seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 7 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane (amended description and additional information received 02.07.20 and 08.07.20). This application is also on this agenda.
3. Application
 - 3.1 This current application is not a prior approval application but is a full planning application for the partial demolition of the central part of glass house 1 and part demolition of glasshouse 2, followed by the conversion and alterations to the two remaining parts of glass house 1 to form one building with two dwellings and another building with three dwellings separated by a small gap in the centre of the site. Unlike the prior approval RU.20/0237 which retained the angled roof and front and rear glazing, it appears from the plans that all the roof and existing glazing would be removed, and new timber cladding installed. The rear part of each of the buildings would be reduced to a single storey level such that the dwellings would have a two storey and single storey element. The angled roofs of the glasshouses would be replaced by round roofs (standing seam curved roof). Each would have a rear garden on the southern side of the dwellings compared

with the northern side of the dwellings. Instead, there is an access road proposed on the northern side of the dwellings across the full width of the site providing space for a road and space in front of all the dwellings for bins and two parking spaces and footway. There would be covered cycle stores within the rear garden of each dwelling but there is no rear access provided apart from the two dwellings adjacent to the central gap. There is no information about the rear boundary treatment (side boundaries would have fencing) nor the treatment of the remaining part of glasshouse 2. A greater amount of glasshouse 2 would be demolished and a greater amount of land within the southern part of the applicant's ownership currently in B8 use would be required to facilitate and accommodate all the development currently proposed such that it amounts to a completely different scheme to that subject to the prior approval application RU.20/0237. There would be approximately a 3 metre gap between the rear gardens of the dwellings and the rear elevation of the existing warehouse building in the southern half of the applicant's ownership.

3.2 The applicant has submitted a range of plans and documents with the application: Energy statement, Arboricultural Implications Assessment, Structural report document, Updated Ecological report, Land contamination reports including Phase 1 Desk Study, Transportation Statement. The applicant has submitted additional supporting information commenting on recent case law regarding prior approvals comprising 'fall back' position. The applicant has submitted a draft unilateral undertaking in respect of the TBHSPA. The applicant has also submitted a draft unilateral undertaking proposing that the development would not be commenced until such time that the lawful B8 use on the southern parcel at Bellbourne Nursery also in the ownership of the applicant, has ceased and that the prior approval for glasshouse 2 RU.19/1822 or any subsequent approvals/permissions would not be commenced.

3.3 Measurements taken from the submitted plans

	Prior approval RU.20/0237	Current planning application
Depth of application red line area	29.9m	38.2m
Rear elevation to back of glasshouse 2 distance	33.8m	40.8m
Depth remaining for Glasshouse 2	10m	9.4m
Min Distance remaining to southern boundary of land ownership	57.4m	52.2m
Height of buildings	6.15 – 5.1m	6.5m and 3.7m
Building LHS	4 dwellings with parallel parking to rear and side of building	2 dwellings each with two parking spaces in front
	2 bedrooms each	4 bedrooms each
Floor area	97 sqm metres floor area each	313sqm metres floor area each
Footprint	420 sqm	420 sqm
Total floor area	420 sqm	679sqm
No. of storeys	1	2
Garden depth	9.8m on northern side	10m on the southern side
Building RHS		
	1 dwelling	3 dwellings
	4 bedrooms plus integral garage	4 bedrooms each with two parking spaces in front
Floor area of each	465	235 sqm
Footprint	456 sqm	473 sqm
Total floor area	456 sqm	768 sqm
Garden depth	9.8m on northern side	10m on the southern side

4. Consultations

- 4.1 109 Neighbouring properties were consulted in addition to being advertised on the Council's website and three letters of objection have been received summarised as follows:
- Object – hard to tell what the application is for – urge the Council to return Hurst Lane to the country lane its was or develop the whole area
 - Total joke and waste of time – they cannot make up their mind; applications should be turned down; site has been used illegally as a transport hub, site should be returned to a nursery
 - A 58 page representation has been received and fully published on the Council's website

RBC Drainage Engineer – No objections – SUDs is required

Natural England – no objection providing the applicant complies with the requirements of the council's avoidance and mitigation strategy for the TBHSPA

SCC Minerals and Waste – duty to the planning history, no further comments

SCC LLFA – no comments

RBC Contaminated Land Officer – 2nd phase investigation required and agreed– Recommendations made within the report should be adhered to with regards to future use of landscaped areas.

RBC Tree Officer – report has conflicting information

SCC Highways – previously considered 14 dwellings require provision of footway (note – the red line for this current application includes part of the highway for footway improvements) therefore previous conditions required under this application

Virginia Water Neighbourhood Forum – no response received

5. Relevant Local Planning Policies

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

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

6. Planning Considerations

- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where only limited development is acceptable. The application buildings are horticultural buildings which have a lawful horticultural use, which falls within the definition of agriculture. This means that the buildings do not fall within the definition of previously developed land, and therefore there is no presumption in favour of development. In addition, the application site extends into the area subject to the current lawful B8 use which does form previously developed land, and therefore this application is highly complex. It is considered that due to the extent of the works required, this is considered to be partial redevelopment across primarily land that is not within the definition of previously developed land with only the gardens within the area of the 'previously developed land'. This does not fall within the exemptions in para 145 of the NPPF and conflicts with policy EE17 and therefore constitutes inappropriate development in the Green Belt which by definition is harmful and should not be granted unless very special circumstances exist which clearly outweigh the harm to the Green Belt and any other harm. It is considered policy EE15 (re-use of buildings in the Green belt) is not relevant. It is considered that the range of operational works required combined with the necessity to demolish part of glasshouse 2 takes the proposal beyond the remit of Policy EE15. The main issues are therefore whether there is any other harm to the Green Belt, whether there are any other harms, and whether there are any very special circumstances which clearly outweigh the harms. The Committee is advised that the recent caselaw *Mansell v Tonbridge & Malling BC* is a material consideration in the determination of this application.
- 6.2 This planning application would result in the overall height of the buildings being increased but the single storey element would be lower so that overall it is considered that there would be no worse impacts on the Green Belt arising from the increase in height of the buildings. Of course there would be a gap between the buildings which would increase openness, and the reduction in depth of glasshouse 2 would also increase openness, when viewed primarily from outside the site There would be a change in appearance from fully glazed buildings to solid elevations which would have a degree of making the buildings appear more prominent but overall the appearance would be akin to buildings commonly found in rural areas and therefore it is considered that there would be no material harm to the openness of the Green Belt arising from this aspect of the scheme. Although there are no details of how glasshouse 2 would be finished, this could be dealt with by condition, and the same for the rear boundary screening. There would be an access road and parking between the proposed dwellings and the rear of the remaining part of glasshouse 2 but there is

existing hardsurfacing with parking such that there would be no harm to the visual amenities arising from this aspect. There could be some visual benefits to the part of the site comprising the residential gardens but future owners could pave over the gardens and there would be domestic paraphernalia even with the withdrawal of Class E pd rights which would be necessary as well as Class A pd rights, there would still be likely to be clutter but would be small scale and therefore not materially harmful. Therefore, it is considered that overall, there would be no material harms to the openness of the Green Belt. This does not outweigh the harm in principle.

- 6.3 One of the previous prior approval applications RU.19/1198 was refused due to the impacts on future occupiers from the current B8 use to the south. The layout of this current planning application scheme proposes bedrooms facing this land and also the rear gardens. In the prior approval scheme RU.20/0237, the gardens were to the north. It is considered that there would be harmful impacts to residents arising from the increased proximity of the gardens to the B8 use. Officers consider this is a negative of the scheme, and occupiers of the proposed homes would experience significant noise and disturbance from the users of the adjoining land. The applicant considers this can be addressed and overcome by a legal obligation proposing that the development would not be commenced until such time that the lawful B8 use has ceased and replaced with a use acceptable to the Council. This approach was previously considered by the Council's legal section and found lawful given that the land within B8 use is in the control of the applicant. Since RU.20/0237 was granted prior approval, an acceptable scheme has been granted planning permission for 5 dwellings under RU.20/0169 as amended by RU.20/0976. There has been no evidence from the applicant that any of the occupiers have been given notice and no conditions, or reserved matters details have been submitted by the applicant to demonstrate an intention to progress this scheme. However, any prior approval or planning permission has three years for commencement and therefore the absence of any progress on the southern land is not necessarily a matter that weighs against the current application. Officers therefore advise that the application can be made acceptable in this respect by the securing of the ceasing of the commercial B8 uses on the land adjoining to the south by legal agreement. This would also have a wider benefit to existing neighbouring residential occupiers and it is considered significant weight can be given to this.
- 6.4 In addition, there would be noise and disturbance to the occupiers from the use of the remaining part of Glasshouse 2 which would be just 13.3m from the front elevations of the dwellings with no space for screening. Due to the glazing (although this has not been confirmed by the applicant), there would also be nuisance from lights within the building. The unilateral undertaking has also offered an obligation that the development proposed under this current application would not commence unless the mixed use prior approval under RU.19/1822 has been commenced or some other scheme granted planning permission by the Council. RU.19/0015 was in itself an alternative scheme to that granted prior approval for a mixed use under RU.19/0015. Neither scheme has been subject to any planning application to seek permission for the relevant operational development but the applicant has submitted some details pursuant to conditions. In considering this fall back position officers advise that RU.19/1822 relates to 495 sqm of area of glasshouse 2 with a depth of 9.8m . It has not been demonstrated by the applicant that the area of glasshouse 2 subject to the flexible use prior approval is exactly the same as that which would remain under this current planning application. However, the concept is similar, and for the same reasons that officers consider the legal agreement to prevent development under this application until the B8 use is ceased, officers consider that the legal agreement to prevent the implementation of the prior approval for the flexible use of Glasshouse 2 can also be given significant weight. However, there would still be some potential impacts on the occupiers of the proposed dwellings from the operation and use of Glasshouse 2 as a horticultural use which weighs against the scheme.
- 6.5 In respect of the merits of the dwellings themselves and the layout, there would be space for gardens, and space for parking for two cars for each dwelling, which would be an appropriate level of parking given the location of the site at some distance from local services and facilities. There would also be space for refuse bin storage and cycle storage. The internal space would comply with policy SL19 and there would be normal standards of privacy between the dwellings, assuming boundary screening along the internal boundaries. There would be no space within the site for landscaping in front of or to the side of the dwellings or to screen the rear elevation of glasshouse 2. Due to the choice made by the applicant regarding the configuration of the red line, there is no space around the dwellings on either side of the site or to the rear of the gardens, to provide planting. This has a negative impact on the quality of the scheme and would not reflect the character of residential areas in the immediate vicinity of the site. However, as the applicant has control over adjoining land and has agreed to cease the commercial B8 use on a substantial part of his ownership, it is considered it is in the interests of the applicant to ensure that the landscape

setting of the dwellings is of good quality and a condition is recommended. No reference has been made to biodiversity enhancements or contributions to the green infrastructure of the area but again due to the larger landholding by the applicant, there is ample opportunity for him to achieve this, and a condition can secure this. All but two of the dwellings have no rear access which is also a negative of the scheme, and therefore a condition is required to secure this. The dwellings would be at some distance from the nearest dwellings at Nos. 1 and 2 Hogsters Cottages (some 37m) such that there would be no loss of privacy or overlooking, and no harmful increase in noise/disturbance.

- 6.6 From the commentary above, officers consider that the quality of the scheme and the amenities of the future occupiers, as presented in the application, do not meet the high standards as required by policy EE1 and the NPPF. It is considered the proposed scheme fails to respond to the local context of residential development, rather it is a sequence of residential buildings within a commercial complex with no visual enhancements that would provide a landscape setting, and the amenities of the occupiers would be poor. However, officers consider that with the imposition of suitable planning conditions, and the planning obligations proposed by the applicant to prevent the development until the adjoining B8 use is ceased and to not implement the prior approvals for Glasshouse 2, the development would meet the requirements of Policy EE1 and the NPPF.
- 6.7 In other aspects, the application proposal will need to meet technical standards for highways, drainage and contamination but these can be addressed by condition. The CHA have not raised an objection on highway safety grounds for the access nor for the scheme to improve the footway along Hurst Lane subject to suitable conditions. The CHA do not consider Hurst lane to be a heavily used road given that it is effectively a cul-de-sac providing access to businesses and residential properties alike. It is not a through road and therefore experiences no through traffic. The CHA also notes the comments from local residents regarding this proposal. The CHA has been in discussions with local residents for some time regarding various issues associated with Hurst Lane, and does not consider that this proposal will represent a significant or severe impact in terms of highway safety or capacity issues. It is likely that it will result in a reduction in HGV movements. Given the proposal involves five new houses, it is considered likely that future occupiers would include vulnerable road users. The existing provision is not sufficient to secure road safety and therefore the CHA requires appropriate provision to be provided as per the above condition. Therefore, considering the above, the CHA raises no objections to the proposal on highway safety or capacity grounds subject to the inclusion of the above conditions within any permission granted. The proposal therefore complies with policy SD4 No details have been provided for electric vehicle charging, renewable energy, and water efficiency but these can be dealt with by condition.
- 6.8 The proposal provides new dwellings and in such circumstances, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) require that an Appropriate Assessment is carried out. The Habitats Regulations also indicate that permission may only be granted after having ascertained that a scheme will not affect the integrity of the European site. The Council as a competent authority has undertaken an Appropriate Assessment with regards the potential impact of the development upon the habitats site. NE agrees with the position that the Council has taken in relation to the provision of strategic SANGS and securing SAMM payments.

In addition, the TBH Delivery Framework states:

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

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

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

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

Following assessment by the Council as a competent authority and confirmation from NE who are the statutory body, the Council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided. It is therefore concluded that the Unliteral Undertaking submitted with the application, which provides for a financial contribution for SANGS and SAMM, is acceptable mitigation of the impact of the proposed development on the TBHSPA, and complies with Policy EE10.

- 6.9 It is therefore considered that there is harm to the Green belt by reason of redevelopment on non-previously developed land which is inappropriate development, contrary to the NPPF and policy EE17, but other harms can be overcome by conditions and obligations. Following this assessment, it is now necessary to consider whether any very special circumstances exist which clearly outweigh the harm to the Green Belt. The NPPF advises that substantial weight has to be given to any harm to the Green Belt. Therefore, if the development is to be considered acceptable, there have to be material considerations to which can be attributed very substantial weight in order to clearly outweigh the substantial harm to the Green Belt.
- 6.10 The applicant has submitted a document 'Addendum to supporting information' for both this application and the other application on the agenda RU.20/0600 for 7 dwellings, which considers there is a fallback position. The applicant considers the fall back position for RU.20/0237 results in the same residential use but would have a significantly greater impact on the Green Belt. The applicant provides the following commentary in his statement:

Unusually the Fallback Case Law (Mansell v Tonbridge & Malling BC) relates specifically to a remarkably similar situation. A barn with a Class Q residential approval was to be demolished in favour of a new build residential development. The Court of Appeal in this case judged that the approved conversion of the barn, under Class Q of the GPDO was a realistic fallback position, and therefore a material consideration that must be considered.

The fallback position under RU.20/0237 compared to these new proposals, result in the same residential use but with a significantly greater impact on the openness of the Green Belt.

Furthermore, if RU.20/0237 was implemented it would seem that there would be an option for future occupiers to install a first floor. Given an internal ceiling height in excess of 6m this would be a likely outcome. Internal works are not classed as development. No external works would be required as there is already glazing to the potential first floor area. Class A permitted development is removed when a dwelling is created under Class Q approval. However, internal works are by definition not considered to be development, permitted or otherwise.

There is also an expedient Class R approval for a flexible business use, including B1 & B8 which would involve no partial demolition of the building or reduction in volume.

The applicant goes on to say:

RU.20/0237 dated 7th April 2020 approves conversion of the building to 5 dwellings, and demolition of approximately 10% of the building. With a corresponding reduction in footprint and volume.

These new applications seek permission to convert the building to 5 or 7 dwellings respectively and include demolition of 10% of the building. However, these new applications also significantly reduce the bulk and average height of the building. 40% of the building

height is reduced by approximately 2m. This height reduction also reduces the volume of the building by a further 20% approx. when considered against the fallback approval under RU.20/0237. See attached roof comparison drawing A301 H.

*The volume of the building as it stands is
5420m³. Demolition 10% -542m³ =
4878m³
20% reduction by lowering roof -975.6m³ = 3902.4m³*

These proposals will reduce the volume from 5420m³ to approximately 3902m³.

The applicant also comments on residential amenity comparisons:

Given that residential development is a possibility under RU.20/0169 for the adjoining site, currently in B8 use, residential amenity needs to be considered. The existing fallback permitted development approval RU.20/0237 allows for conversion to residential use at ground floor level. These new applications include the creation of a first floor.

The rear garden sizes approved under RU.20/0237 are a little under 10m deep and are north facing. There is no amenity space provided at the front of the dwellings. See plan reference A101 E attached.

The gardens proposed under the new applications RU.20/0600 & 0601 are south facing, a little over 10m deep and include an amenity space at the front of the dwellings. See plan reference A101 H attached.

The draft Runnymede Design guide May 2020 calls for gardens to normally have a minimum depth of 11m. These proposals under RU.20/0600 & 0601 fall slightly short of the draft guidelines in this regard. However, they are an improvement on the already approved fallback development under RU.20/0237.

The draft Design Guide also suggests that a distance of approximately 22m between the rear of buildings is generally accepted for there to be no overlooking between properties.

The distance from the rear of the closest dwelling proposed under RU.20/0169 to the rear of the dwellings under these proposals is approximated 23m. However, the rear section of the dwellings under these proposals (RU.20/0600 & 0601) is single story. The first floor elevation is a further 6m. This provides a distance of 29m from the first floor elevation of the dwellings under these proposals to the rear of the closest proposed dwelling under RU.20/0169.

The front elevation of the proposals under RU.20/0600 & 0601 is some 12m from the rear elevation of the Apart hotel approved under RU.20/0331. The Draft Design Guide states that a 10m gap would provide sufficient privacy.

- 6.11 The applicant's proposition is that all these previous prior approvals can be considered reasonable and likely fall back positions. The issue for members to consider is whether these are realistic and if so, do they form the very special circumstances which would outweigh the harm to the Green Belt. Also in favour of the application is the provision of 5 new homes which would be available and which would contribute to meeting local housing needs. Officers have carefully considered all the points the applicant has submitted, and carefully reviewed the details of the application against the policies in the Runnymede 2030 Local Plan and the NPPF, and the planning history of the land within the applicant's ownership.

The developer has also submitted a document entitled "Overview of Conversion Works" this details that the conversion will be carried out in a manner very similar to what is required by class Q

permitted development. That the development will have the same basic structure as the proposed permitted development scheme, makes the fallback position appear more realistic. This is not a scheme which proposes a radically different form of development with a very different form, appearance, character or siting from what is likely to be built as an alternative, and as such significant new harms are not considered to arise.

Given that the proposal is to be developed/converted in a similar manner to the class Q scheme on the same footprint in a relatively similar form, it is considered that that there is a realistic proposition that the conversion/part demolition of Glasshouse 1 for 5 dwellings could take place under the implementation of the prior approval. Officers also consider that subject to the conditions and obligations discussed above, the current planning application the subject of this report would provide a better quality development, which weighs in favour of the development considering it is to be converted in a similar way on the same footprint. Taking all these factors into account, it is considered that very special circumstances do exist which clearly outweigh the harm in principle to the Green Belt, and justify the granting of planning permission.

7. Conclusion

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

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

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

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

7.2 The proposal, by reason of the nature and extent of the works proposed would comprise partial redevelopment of land that does not fall within the definition of previously developed land within the NPPF. Therefore, the proposal comprises inappropriate development in the Green Belt which is harmful by definition. It is also considered the layout, juxtaposition of dwellings and surrounding buildings and land uses, and the lack of opportunities for landscaping, would be harmful to the visual amenities of the site and the character of the area, and the amenities of the occupiers of the development, and would not achieve a high quality design failing to respond to local context. However, these can be addressed by conditions and planning obligations. The TBHSPA has also been addressed. It is considered there is a realistic fall back position to provide 5 homes under a prior approval permission which would have poorer quality development than what is proposed in this application. Given the scheme is proposed to be converted/developed within the framework and characteristics of the class Q development and has a similar form it is considered that the proposal is not materially harmful in planning terms.

The development has been assessed against the following key Development Plan policies –policies EE17, SD4, SD7, EE1, EE9, EE10, EE11, 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 harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation:

The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to the completion of planning obligations and the following planning conditions

1 Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

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

2 List of approved plans

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

Proposed section A.301 H received 21.4.2020

Details of the prior approval RU.20/0237 A.101 E received 22.6.2020

Proposed plans A.101 H received 22.6.2020

Proposed elevations and comparison existing A.201 H received 24.7.2020

Proposed elevations A.201 H received 21.4.2020

Proposed site plan A.003L received 21.4.2020

Proposed site and location plan A.001 L received 8.7.2020

Topography site plan drawing no. 01 received 21.4.2020

Proposed plans A101 H and A.102 H received 21.4.2020

Information received 22.6.2020

Overview of Conversion Works received 1 July 2020

Letter from Pro Vision dated 10 March 2020 referring to ecological survey on 9 March 2020 received 1 July 2020

Lemsec/1075 report on commercial glasshouse received 1 July 2020

Arboricultural Implications Assessment and Method statement received 1 July 2020

Consideration and adherence to Policy SD7 dated July 2020 received 7 July 2020

Additional land contamination report Phase 2 Intrusive site investigation received 2.6..2020

Phase 1 Desk Study Parts 1,2,3,4,6 received 21.4.2020

Images of example buildings received 21.4.2020

Supporting statement for conversion of glasshouse dated 21.4.2020 received 21.4.2020

Transport Statement dated April 2020 received 21.4.2020

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

3 External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved. Development shall be carried out in accordance with the approved details.

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

4 Demolition

With the exception of demolition, there shall be no works to Glasshouse 1 until and unless the demolition of the relevant parts of Glasshouse 2 have taken place, and all resultant debris removed from the site.

Reason: To protect the openness of the Green Belt and to protect the amenities of the future occupiers of the dwellings in Glasshouse 1 and to comply with Policies EE1 and EE15 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 Glasshouse 2

Prior to the commencement of the partial demolition of Glasshouse 2 hereby approved, details of the external finish to the remaining parts of the glasshouse shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall be agreed shall be implemented in full prior to the first occupation of the new dwellings hereby approved.

Reason: In the interests of the visual amenities of the area and the amenities of the future occupiers of the dwellings and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

6 Landscaping

a. No development, excluding demolition, shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences and any other boundary screening including hedging, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out and details of the measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

7 Access to rear of dwellings

No dwelling hereby approved shall be occupied until full details of the means by which rear access to each of the gardens of the dwellings is to be provided have been submitted to and approved in writing by the local planning authority. The rear accesses shall be provided prior to occupation and shall be retained for the lifetime of the development.

Reason: In the interests of the amenities and convenience of the future occupiers of the development and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

8 Restricted Permitted Development Rights

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

Reason: To ensure the openness of the Green Belt is protected and to comply with Policies EE14 and EE15 of the Runnymede 2030 Local Plan and guidance within the NPPF

9 SuDS (scheme for approval - pre-construction)

Prior to the commencement of works to convert Glasshouse 1 (excluding demolition and alterations to the roof) hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:

a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

b. include a timetable for its implementation; and

c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To provide a sustainable development and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10 Ecological survey (for approval)

Notwithstanding any surveys previously undertaken, no development shall take place (including any demolition and site clearance) until an ecological survey of the whole site has been conducted and the findings of the survey, and any recommended mitigation, submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out full in accordance with the agreed measures which shall be retained for the lifetime of the development.

Reason: To protect and enhance the biodiversity and ecological value of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11 Tree planting

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

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

Reason: To mitigate the loss of tree cover, to protect and enhance the appearance and biodiversity of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

12 Biodiversity

Prior to the commencement of conversion works to Glasshouse 1 with the exception of demolition, hereby approved, shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

13 Renewable energy (details required)

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

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

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

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policies SD8 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

14 External lighting and floodlighting

Before any external lighting, including floodlighting, is installed at the site, details shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include proposed hours of use and measures to ensure that no direct light is projected into the atmosphere above the lighting installation. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: To protect wildlife and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

15 Water efficiency

Prior to the first occupation of the development hereby permitted, details of the water efficiency measures and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented and retained for the lifetime of the development

Reason: In order to achieve water efficiency and sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

16 Electric vehicle charging points (per dwelling)

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The charging points shall be retained for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

17 Remediation scheme (implementation)

The development shall be carried out fully in accordance with the findings and recommendations of the Phase 1 Desk Study dated October 2017 and the Phase 2 Intrusive Site Investigation report dated 19 June 2020, with particular regards to future use of landscaped areas. Any subsequent asbestos survey recommendations should be adhered to.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

18 Encountered contamination

In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority (LPA), and development must stop on that part of the site. An assessment must be undertaken in accordance with the requirements to be agreed in writing by the Local Planning Authority, and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the LPA in the

form of a Remediation Strategy which follows DEFRA guidance. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of the measures identified in the approved remediation scheme, a validation (or verification) plan and report must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

19 Parking and turning/retention of parking and turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

20 Cycle storage

Prior to first occupation of the development, details of cycle storage and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided prior to first occupation of the dwellings and shall be retained for the lifetime of the development. The cycle storage shall be safe, secure and lit.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

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

- (a) Provision of a footway link from the site access along Hurst Lane to Stroude Road.
- (b) Provision of an informal pedestrian crossing point to allow for continuous footway access between Stroude Road and the site access.

and thereafter the said approved facilities shall be provided and retained.

Reason: To ensure that the development does not cause inconvenience to other road users and in the interests of highway safety and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF.

22 Construction transport management plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

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

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

Informatives:

- 1 Summary of Reasons to Grant Consent
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

- 2 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:
<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:
www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

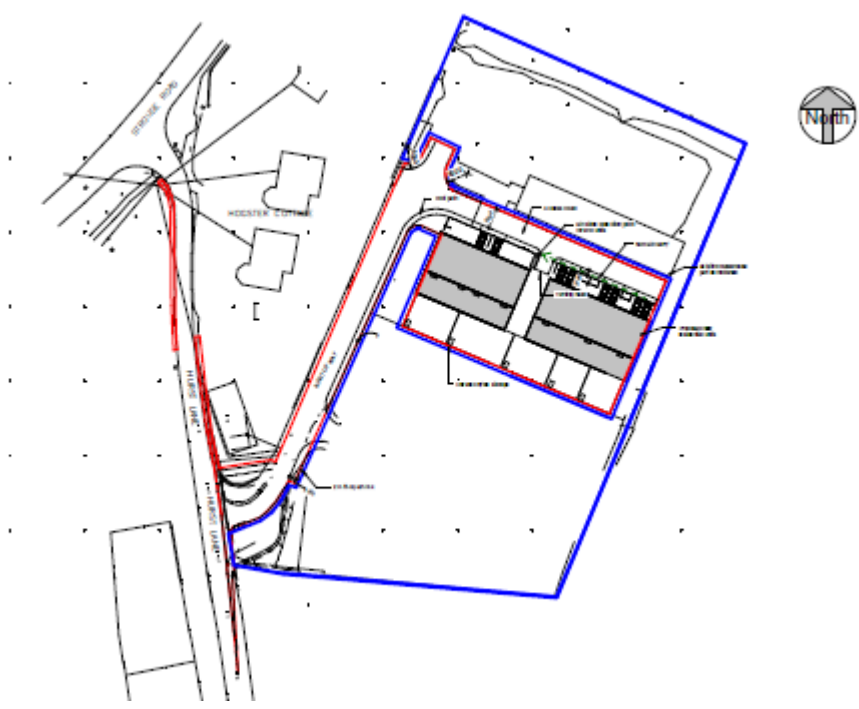
- 3 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from un-cleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).

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

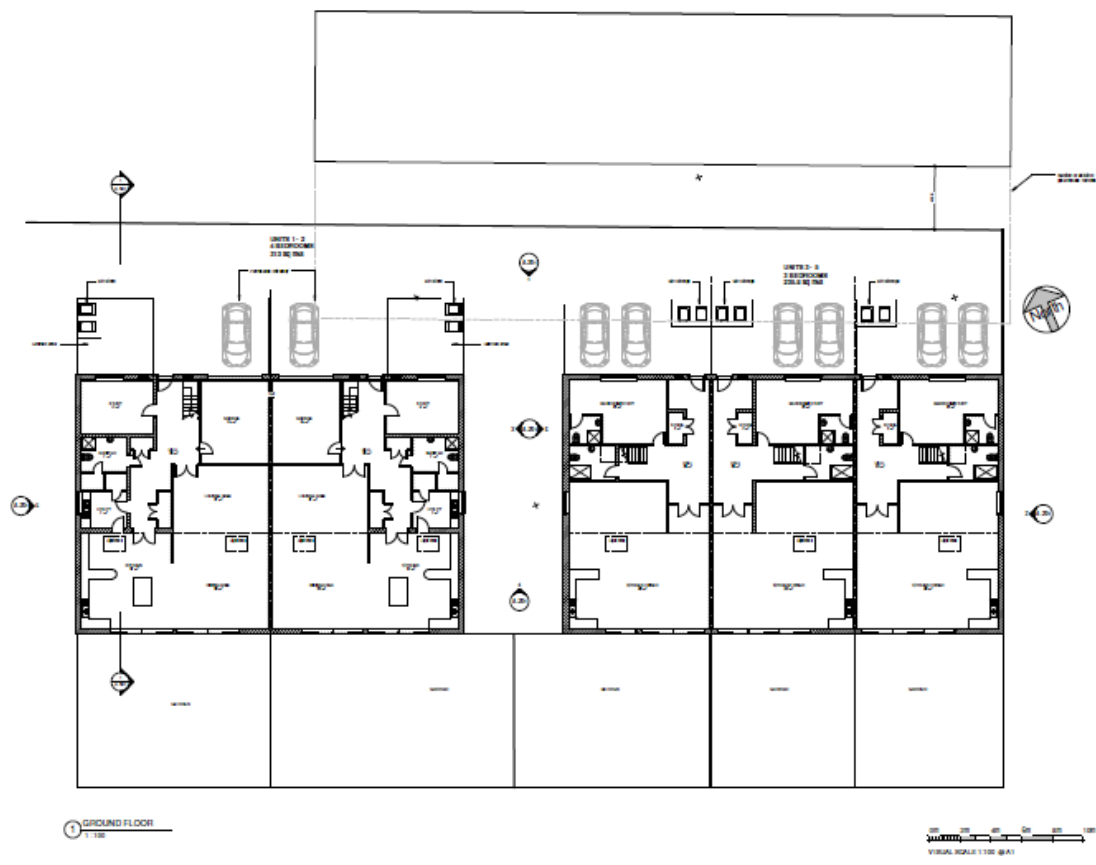
- 5 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

RU,20/0601 Glasshouse 1 Bellbourn Nurseries – 5 dwellings

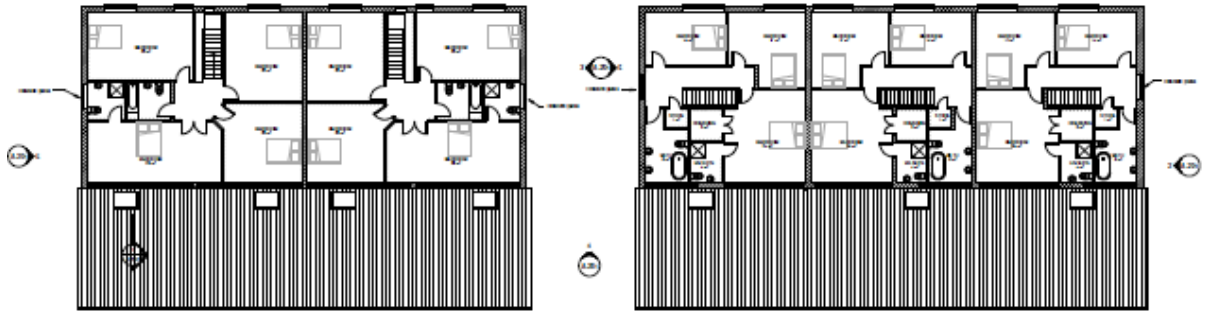
Proposed site plan



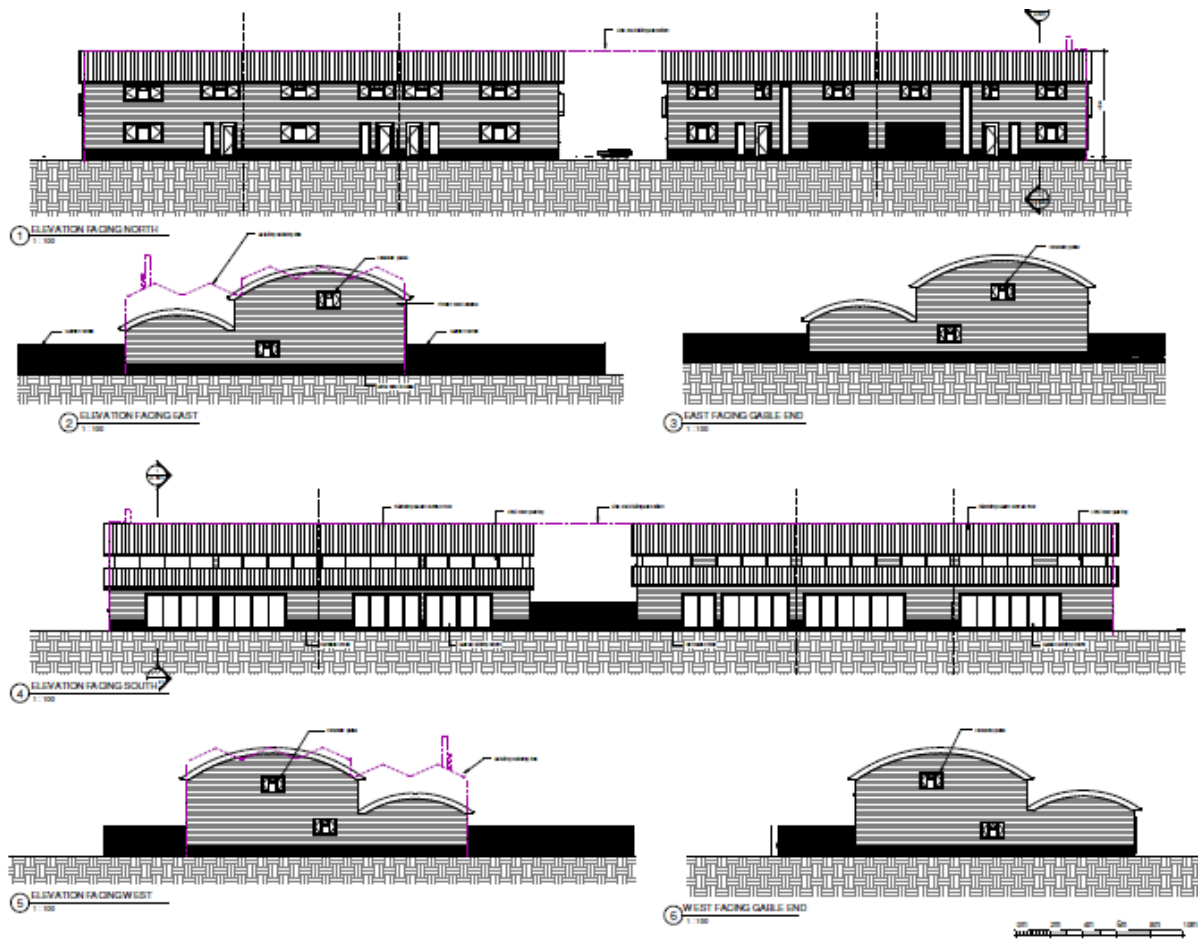
Ground floor plan



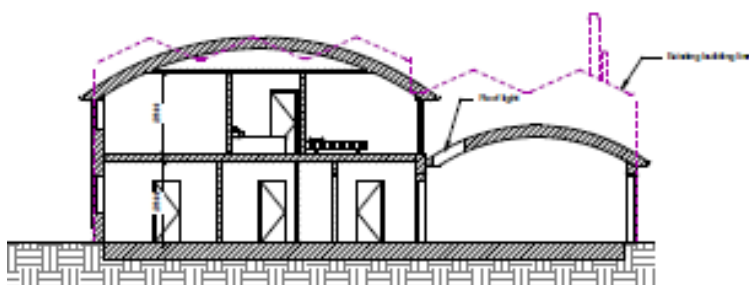
Proposed first floor plan



Proposed elevations



Example section showing comparison with existing (dashed line)



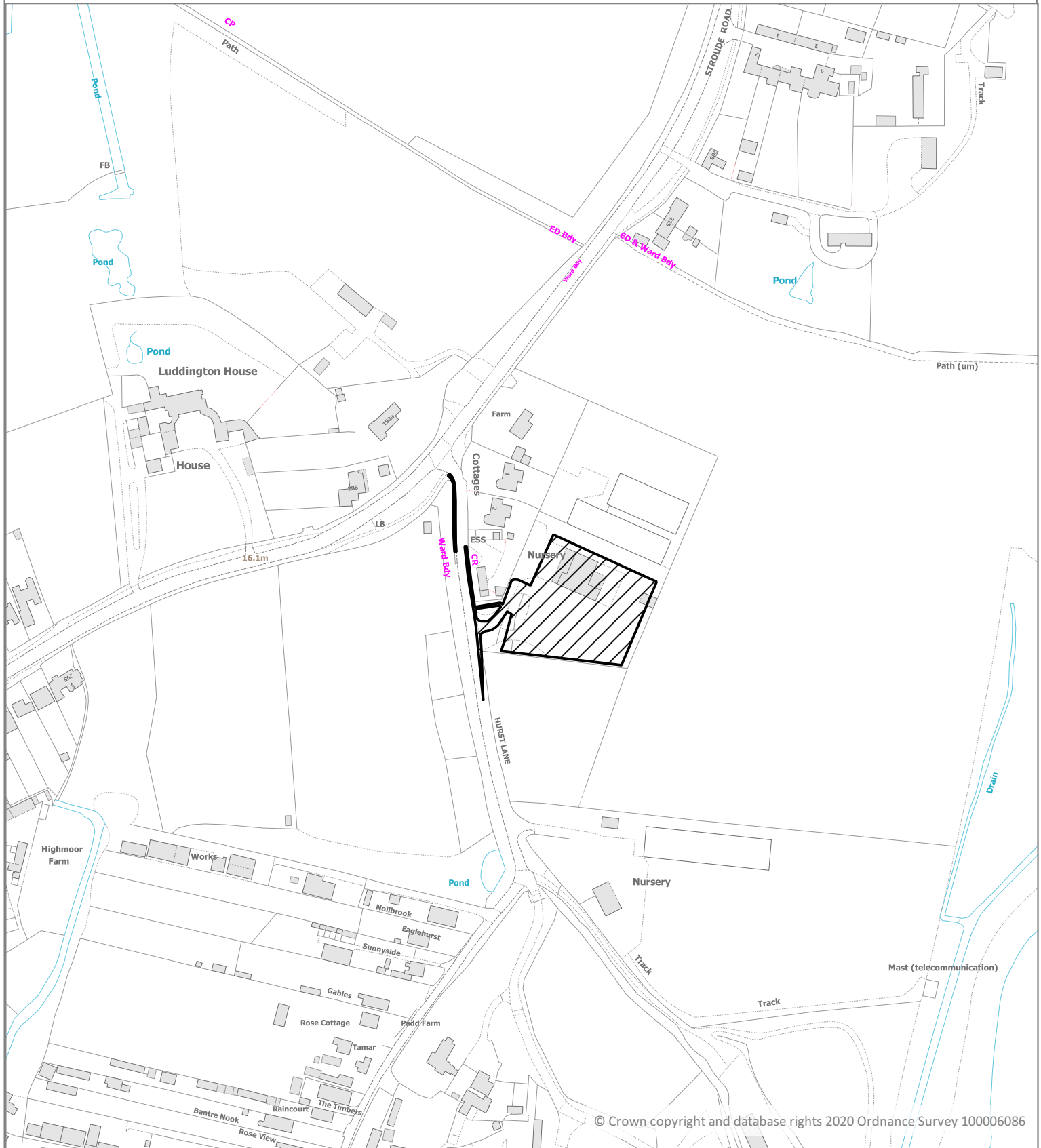


FOR LOCATION PURPOSES ONLY

**Glasshouse 1, Bellbourne Nursery,
Hurst Lane, Egham**

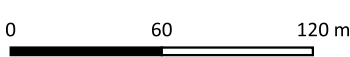
Date: 16/12/2020

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



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Scale: 1:3,000



RU.20/0600



RU.20/0600	Ward:
LOCATION:	Glasshouse 1 Bellbourne Nursery Hurst Lane Egham TW20 8QJ
PROPOSAL	Application seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 7 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane (amended description and additional information received 02.07.20 and 08.07.20)
TYPE:	Full Planning Permission
EXP DATE	30 June 2020

SUMMARY OF RECOMMENDATION: The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to planning obligations and planning conditions

1. Site
 - 1.1 The application site relates to one whole glasshouse building 1 and part of glasshouse 2 on Bellbourne Nursery, which is part of a larger landholding off Hurst Lane. The glasshouses are on land with a lawful use for horticulture. The parcel to the south of the site has a lawful use for B8 storage and distribution.. The site is within the Green Belt.
2. Planning history
 - 2.1 There have been multiple applications relating to the two glasshouses and also the land to the south, all within the applicant's ownership. For the glasshouses the most recent relevant applications are
RU.20/0237 – Glass House 1 – prior approval for conversion (and part demolition) to form a terrace of 4 dwellings and 1 detached dwelling granted 7.4.2020 – not implemented (this followed previous prior approval under RU.19/-575 for a flexible use approved on 29.5.2019 (not implemented) and RU.19/1198 for prior approval for conversion and part demolition for 4 terraced dwellings and one detached dwelling which was refused prior approval on 8.10.2019 due to impacts on residential occupiers from the noise from the land to the south in B8 use.
Glass house 2 has prior approval granted under RU.19/1197 for partial demolition 16.9.19 and prior approval for RU.19/1822 for flexible uses. Neither implemented.
 - 2.2 Land to the south of the application site has also been the subject of numerous applications. The most recent are RU.20/0169 outline application for the demolition of the warehouse and removal of all structures etc and the erection of five detached dwellings with attached single garages and reconfiguration of access to Hurst Lane (outline) approved 24.6.2020. This was followed by a non material amendment under RU.20/0976 to allow habitable accommodation in the roofs which was approved 11.8.2020. No reserved matters have been submitted.
 - 2.3 The applicant has submitted a similar application RU.20/0601 seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 5 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane (amended description and additional information received 02.07.20 and 08.07.20) and this is reported elsewhere on the agenda.
3. Application
 - 3.1 This current application is not a prior approval application but is a full planning application for the partial demolition of the central part of glass house 1 and conversion and alterations to the two remaining parts of glass house 1 to form one building with four dwellings and another building with three dwellings separated by a small gap in the centre of the site. Unlike the prior approval RU.20/0237 which retained the angled roof and front and rear glazing, it appears from the plans that all the roof and existing glazing would be removed, and new timber cladding installed. The rear part of each of the buildings would be reduced to a single storey level such that the dwellings would have a two storey and single storey element. The angled roofs of the glasshouses would be replaced by round roofs (standing seam curved roof). Each would have a rear garden on the southern side of the dwellings compared with the northern side of the dwellings. Instead, there is an access road proposed on the northern side of the dwellings across the full width of the site providing space for a road and space in front of all the dwellings for bins and two parking spaces

and footway. There would be covered cycle stores within the rear garden of each dwelling but there is no rear access provided apart from the two dwellings adjacent to the central gap. There is no information about the rear boundary treatment (side boundaries would have fencing) nor the treatment of the remaining part of glasshouse 2. A greater amount of glasshouse 2 would be demolished and a greater amount of land within the southern part of the applicant's ownership currently in B8 use would be required to facilitate and accommodate all the development currently proposed such that it amounts to a completely different scheme to that subject to the prior approval application RU.20/0237. There would be approximately a 3 metre gap between the rear gardens of the dwellings and the rear elevation of the existing warehouse building in the southern half of the applicant's ownership.

3.2 The applicant has submitted a range of plans and documents with the application: Energy statement, Arboricultural Implications Assessment, Structural report document, Updated Ecological report, Land contamination reports including Phase 1 Desk Study, Transportation Statement. The applicant has submitted a draft unilateral undertaking in respect of the TBHSPA. The applicant has also submitted a draft unilateral undertaking proposing that the development would not be commenced until such time that the lawful B8 use has ceased and the prior approval for glasshouse 2 RU.19/1822 or any subsequent approvals/permissions has been commenced.

3.3 Measurements taken from the submitted plans

	Prior approval RU.20/0237	Current planning application
Depth of application red line area	29.9m	38.2m
Rear elevation to back of glasshouse 2 distance	33.8m	40.8m
Depth remaining for Glasshouse 2	10m	9.4m
Min Distance remaining to southern boundary of land ownership	57.4m	52.2m
Height of buildings	6.15 – 5.1m	6.5m and 3.7m
Building LHS	4 dwellings with parallel parking to rear and side of building	4 dwellings each with two parking spaces in front
	2 bedrooms each	3 bedrooms each
Floor area	97 sqm metres floor area each	153 sqm metres floor area each
Footprint	420 sqm	420 sqm
Total floor area	420 sqm	679sqm
No. of storeys	1	2
Garden depth	9.8m on northern side	10m on the southern side
Building RHS		
	1 dwelling	3 dwellings
	4 bedrooms plus integral garage	4 bedrooms each with two parking spaces in front
Floor area of each	465	235 sqm
Footprint	456 sqm	473 sqm
Total floor area	456 sqm	768 sqm
Garden depth	9.8m on northern side	10m on the southern side

4. Consultations

4.1 109 Neighbouring properties were consulted in addition to being advertised on the Council's website and three letters of objection have been received summarised as follows:

- Object – hard to tell what the application is for – urge the Council to return Hurst Lane to the country lane its was or develop the whole area

- Total joke and waste of time – they cannot make up their mind; applications should be turned down; site has been used illegally as a transport hub, site should be returned to a nursery
 - A 58 page representation has been received and fully published on the Council’s website
- 4.2 RBC Drainage Engineer – No objections – SUDs is required
- 4.3 Natural England – no objection providing the applicant complies with the requirements of the council’s avoidance and mitigation strategy for the TBHSPA
- 4.4 SCC Minerals and Waste – duty to the planning history, no further comments
- 4.5 SCC LLFA – no comments
- 4.6 RBC Contaminated Land Officer – 2nd phase investigation required; submitted – recommends condition
- 4.7 RBC Tree Officer – report has conflicting information
- 4.8 SCC Highways – previously considered 14 dwellings require provision of footway (note – the red line for this current application includes part of the highway for footway improvements) therefore previous conditions required under this application
- 4.9 Virginia Water Neighbourhood Forum – no response received
5. Relevant Local Planning Policies
- 5.1 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.2 Any previous SPG which might be a material consideration – Householder Guide (July 2003)
6. Planning Considerations
- 6.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where only limited development is acceptable. The application buildings are horticultural buildings which have a lawful horticultural use, which falls within the definition of agriculture. This means that the buildings do not fall within the definition of previously developed land, and therefore there is no presumption in favour of development. In addition, the application site extends into the area subject to the current lawful B8 use which does form previously developed land, and therefore this application is highly complex. It is considered that due to the extent of the works required, this is considered to be partial redevelopment across primarily land that is not within the definition of previously developed land with only the gardens within the area of the ‘previously developed land’. This does not fall within the exemptions in para 145 of the NPPF and conflicts with policy EE17 and therefore constitutes inappropriate development in the Green Belt which by definition is harmful and should not be granted unless very special circumstances exist which clearly outweigh the harm to the Green Belt and any other harm. It is considered policy EE15 (re-use of buildings in the Green belt) is not relevant. It is considered that the range of operational works required combined with the necessity to demolish part of glasshouse 2 takes the proposal beyond the remit of Policy EE15. The main issues are therefore whether there is any other harm to the Green Belt, whether there are any other harms, and whether there are any very special circumstances which clearly outweigh the harms. The Committee is advised that the recent caselaw *Mansell v Tonbridge & Malling BC* is a material consideration in the determination of this application.
- 6.2 This planning application would result in the overall height of the buildings being increased but the single storey element would be lower so that overall it is considered that there would be no worse impacts on the Green Belt arising from the increase in height of the buildings. Of course there would be a gap between the buildings which would increase openness, and the reduction in depth of glasshouse 2 would also increase openness, when viewed primarily from outside the site. There would be a change in appearance from fully glazed buildings to solid elevations which would have a degree of making the buildings appear more prominent but overall the appearance would be akin to buildings commonly found in rural areas and therefore it is considered that there would be no material harm to the openness of the Green Belt arising from this aspect of the scheme. Although there are no details of how glasshouse 2 would be finished, this could be dealt with by condition, and the same for the rear boundary screening. There would be an access road and parking between the proposed dwellings and the rear of the remaining part of glasshouse 2 but there is existing hardsurfacing with parking which has some impact on the visual amenities of the site and the surrounding area. There would be more parking associated with 7 dwellings than 5 as proposed under both the prior approval scheme and the alternative planning application RU.20/0601 and this would have some negative impacts on visual amenities, but compared with the potential full existing use, it is not considered to be harmful to the Green Belt. There could be some visual

benefits to the part of the site comprising the residential gardens but future owners could pave over the gardens and there would be domestic paraphernalia even with the withdrawal of Class E pd rights which would be necessary as well as Class A pd rights, there would still be likely to be clutter but would be small scale and therefore not materially harmful. Again, there would be more instances of this with 7 dwellings compared with the 5 dwelling schemes but officers consider that there would be no quantifiable difference in impacts on the openness or visual amenities between the 5 or the 7 dwelling schemes. Therefore, it is considered that overall, there would be no material harms to the openness of the Green Belt. This does not outweigh the harm in principle.

- 6.3 One of the previous prior approval applications RU.19/1198 was refused due to the impacts on future occupiers from the current B8 use to the south. The layout of this current planning application scheme proposes bedrooms facing this land and also the rear gardens. In the prior approval scheme RU.20/0237, the gardens were to the north. It is considered that there would be harmful impacts to residents arising from the increased proximity of the gardens to the B8 use. Officers consider this is a negative of the scheme, and occupiers of the proposed homes would experience significant noise and disturbance from the users of the adjoining land, and there would be more occupiers affected than the 5 unit schemes. The applicant considers this can be addressed and overcome by a legal obligation proposing that the development would not be commenced until such time that the lawful B8 use has ceased and replaced with a use acceptable to the Council. This approach was previously considered by the Council's legal section and found lawful given that the land within B8 use is in the control of the applicant. Since RU.20/0237 was granted prior approval, an acceptable scheme has been granted planning permission for 5 dwellings under RU.20/0169 as amended by RU.20/0976. There has been no evidence from the applicant that any of the occupiers have been given notice and no conditions, or reserved matters details have been submitted by the applicant to demonstrate an intention to progress this scheme. However, any prior approval or planning permission has three years for commencement and therefore the absence of any progress on the southern land is not necessarily a matter that weighs against the current application. Officers therefore advise that the application can be made acceptable in this respect by the securing of the ceasing of the commercial B8 uses on the land adjoining to the south by legal agreement. This would also have a wider benefit to existing neighbouring residential occupiers and it is considered significant weight can be given to this.
- 6.4 In addition, there would be noise and disturbance to the occupiers from the use of the remaining part of Glasshouse 2 which would be just 13.3m from the front elevations of the dwellings with no space for screening. Due to the glazing (although this has not been confirmed by the applicant), there would also be nuisance from lights within the building. There would be more occupiers affected by this aspect than the 5 dwelling scheme. The unilateral undertaking has also offered an obligation that the development proposed under this current application would not commence unless the mixed use prior approval under RU.19/1822 has been commenced or some other scheme granted planning permission by the Council. RU.19/0015 was in itself an alternative scheme to that granted prior approval for a mixed use under RU.19/0015. Neither scheme has been subject to any planning application to seek permission for the relevant operational development but the applicant has submitted some details pursuant to conditions. In considering this fall back position officers advise that RU.19/1822 relates to 495 sqm of area of glasshouse 2 with a depth of 9.8m. It has not been demonstrated by the applicant that the area of glasshouse 2 subject to the flexible use prior approval is exactly the same as that which would remain under this current planning application. However, the concept is similar, and for the same reasons that officers consider the legal agreement to prevent development under this application until the B8 use is ceased, officers consider that the legal agreement to prevent the implementation of the prior approval for the flexible use of Glasshouse 2 can also be given significant weight. However, there would still be some potential impacts on the occupiers of the proposed dwellings from the operation and use of Glasshouse 2 as a horticultural use which weighs against the scheme.
- 6.5 In respect of the merits of the dwellings themselves and the layout, there would be space for gardens, and space for parking for two cars for each dwelling, which would be an appropriate level of parking given the location of the site at some distance from local services and facilities. There would also be space for refuse bin storage and cycle storage. The internal space would comply with policy SL19 and there would be normal standards of privacy between the dwellings, assuming boundary screening along the internal boundaries. The rear gardens would be smaller than the scheme for 5 dwellings but it is considered that there is still an acceptable amount of private amenity space. There would be no space within the site for landscaping in front of or to the side of the dwellings or to screen the rear elevation of glasshouse 2. Due to the choice made by the applicant regarding the configuration of the red line, there is no space around the dwellings on either side of the site or to the rear of the gardens, to provide planting. This has a negative impact

on the quality of the scheme and would not reflect the character of residential areas in the immediate vicinity of the site. However, as the applicant has control over adjoining land and has agreed to cease the commercial B8 use on a substantial part of his ownership, it is considered it is in the interests of the applicant to ensure that the landscape setting of the dwellings is of good quality and a condition is recommended. No reference has been made to biodiversity enhancements or contributions to the green infrastructure of the area but again due to the larger landholding by the applicant, there is ample opportunity for him to achieve this, and a condition can secure this. Some of the dwellings have no rear access which is also a negative of the scheme, and therefore a condition is required to secure this. The dwellings would be at some distance from the nearest dwellings at Nos. 1 and 2 Hogsters Cottages (some 37m) such that there would be no loss of privacy or overlooking, and no harmful increase in noise/disturbance.

6.6 From the commentary above, officers consider that the quality of the scheme and the amenities of the future occupiers, as presented in the application, do not meet the high standards as required by policy EE1 and the NPPF. It is considered the proposed scheme fails to respond to the local context of residential development, rather it is a sequence of residential buildings within a commercial complex with no visual enhancements that would provide a landscape setting, and the amenities of the occupiers would be poor. However, officers consider that with the imposition of suitable planning conditions, and the planning obligations proposed by the applicant to prevent the development until the adjoining B8 use is ceased and to not implement the prior approvals for Glasshouse 2, the development would meet the requirements of Policy EE1 and the NPPF.

6.7 In other aspects, the application proposal will need to meet technical standards for highways, drainage and contamination but these can be addressed by condition. The CHA have not raised an objection on highway safety grounds for the access nor for the scheme to improve the footway along Hurst Lane subject to suitable conditions. The CHA do not consider Hurst lane to be a heavily used road given that it is effectively a cul-de-sac providing access to businesses and residential properties alike. It is not a through road and therefore experiences no through traffic. The CHA also notes the comments from local residents regarding this proposal. The CHA has been in discussions with local residents for some time regarding various issues associated with Hurst Lane, and does not consider that this proposal will represent a significant or severe impact in terms of highway safety or capacity issues. It is likely that it will result in a reduction in HGV movements. Given the proposal involves five new houses, it is considered likely that future occupiers would include vulnerable road users. The existing provision is not sufficient to secure road safety and therefore the CHA requires appropriate provision to be provided as per the above condition. Therefore, considering the above, the CHA raises no objections to the proposal on highway safety or capacity grounds subject to the inclusion of the above conditions within any permission granted. The proposal therefore complies with policy SD4. No details have been provided for electric vehicle charging, renewable energy, and water efficiency but these can be dealt with by condition.

6.8 The proposal provides new dwellings and in such circumstances, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) require that an Appropriate Assessment is carried out. The Habitats Regulations also indicate that permission may only be granted after having ascertained that a scheme will not affect the integrity of the European site. The Council as a competent authority has undertaken an Appropriate Assessment with regards the potential impact of the development upon the habitats site. NE agrees with the position that the Council has taken in relation to the provision of strategic SANGS and securing SAMM payments.

In addition, the TBH Delivery Framework states:

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

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

“The Assessor [South East Plan Technical Assessor] recommended that only new residential development of 10 dwellings or more would have an impact on the SPA. The Board considers that this approach fails to recognise the longer term cumulative effect of small-scale developments, however accepts his conclusion that individually developments of less than 10 dwellings will not

have a significant impact on the SPA. Thus this Delivery Framework recommends a more flexible approach to the provision of SANG in relation to smaller developments. The threshold of 10 is identified on the basis of the definition of major development in the GDPO 1995.

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

Following assessment by the Council as a competent authority and confirmation from NE who are the statutory body, the Council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided. It is therefore concluded that the Unliteral Undertaking submitted with the application, which provides for a financial contribution for SANGS and SAMM, is acceptable mitigation of the impact of the proposed development on the TBHSPA, and complies with Policy EE10.

6.9 It is therefore considered that there is harm to the Green belt by reason of redevelopment on non-previously developed land which is inappropriate development, contrary to the NPPF and policy EE17, but other harms can be overcome by conditions and obligations. Following this assessment, it is now necessary to consider whether any very special circumstances exist which clearly outweigh the harm to the Green Belt. The NPPF advises that substantial weight has to be given to any harm to the Green Belt. Therefore, if the development is to be considered acceptable, there have to be material considerations to which can be attributed very substantial weight in order to clearly outweigh the substantial harm to the Green Belt.

6.10 The applicant has submitted a document 'Addendum to supporting information' for both this application and the other application on the agenda RU.20/0600 for 7 dwellings, which considers there is a fallback position.

The applicant considers the fall back position for RU.20/0237 results in the same residential use but would have a significantly greater impact on the Green Belt. The applicant provides the following commentary in his statement:

Unusually the Fallback Case Law (Mansell v Tonbridge & Malling BC) relates specifically to a remarkably similar situation. A barn with a Class Q residential approval was to be demolished in favour of a new build residential development. The Court of Appeal in this case judged that the approved conversion of the barn, under Class Q of the GPDO was a realistic fallback position, and therefore a material consideration that must be considered.

The fallback position under RU.20/0237 compared to these new proposals, result in the same residential use but with a significantly greater impact on the openness of the Green Belt.

Furthermore, if RU.20/0237 was implemented it would seem that there would be an option for future occupiers to install a first floor. Given an internal ceiling height in excess of 6m this would be a likely outcome. Internal works are not classed as development. No external works would be required as there is already glazing to the potential first floor area. Class A permitted development is removed when a dwelling is created under Class Q approval. However, internal works are by definition not considered to be development, permitted or otherwise.

There is also an expedient Class R approval for a flexible business use, including B1 & B8 which would involve no partial demolition of the building or reduction in volume.

The applicant goes on to say:

RU.20/0237 dated 7th April 2020 approves conversion of the building to 5 dwellings, and demolition of approximately 10% of the building. With a corresponding reduction in footprint and volume.

These new applications seek permission to convert the building to 5 or 7 dwellings respectively and include demolition of 10% of the building. However, these new applications also significantly reduce the bulk and average height of the building. 40% of the building height is reduced by approximately 2m. This height reduction also reduces the volume of the building by a further 20% approx. when considered against the fallback approval under RU.20/0237. See attached roof comparison drawing A301 H.

*The volume of the building as it stands is
5420m³. Demolition 10% -542m³ =
4878m³
20% reduction by lowering roof -975.6m³ = 3902.4m³*

These proposals will reduce the volume from 5420m³ to approximately 3902m³.

The applicant also comments on residential amenity comparisons:

Given that residential development is a possibility under RU.20/0169 for the adjoining site, currently in B8 use, residential amenity needs to be considered. The existing fallback permitted development approval RU.20/0237 allows for conversion to residential use at ground floor level. These new applications include the creation of a first floor.

The rear garden sizes approved under RU.20/0237 are a little under 10m deep and are north facing. There is no amenity space provided at the front of the dwellings. See plan reference A101 E attached.

The gardens proposed under the new applications RU.20/0600 & 0601 are south facing, a little over 10m deep and include an amenity space at the front of the dwellings. See plan reference A101 H attached.

The draft Runnymede Design guide May 2020 calls for gardens to normally have a minimum depth of 11m. These proposals under RU.20/0600 & 0601 fall slightly short of the draft guidelines in this regard. However, they are an improvement on the already approved fallback development under RU.20/0237.

The draft Design Guide also suggests that a distance of approximately 22m between the rear of buildings is generally accepted for there to be no overlooking between properties.

The distance from the rear of the closest dwelling proposed under RU.20/0169 to the rear of the dwellings under these proposals is approximated 23m. However, the rear section of the dwellings under these proposals (RU.20/0600 & 0601) is single story. The first floor elevation is a further 6m. This provides a distance of 29m from the first floor elevation of the dwellings under these proposals to the rear of the closest proposed dwelling under RU.20/0169.

The front elevation of the proposals under RU.20/0600 & 0601 is some 12m from the rear elevation of the Apart hotel approved under RU.20/0331. The Draft Design Guide states that a 10m gap would provide sufficient privacy.

- 6.11 The applicant's proposition is that all these previous prior approvals can be considered reasonable and likely fall back positions. The issue for members to consider is whether these are realistic and if so, do they form the very special circumstances which would outweigh the harm to the Green Belt. Also in favour of the application is the provision of 7 new homes which would be available and which would contribute to meeting local housing needs. Officers have carefully considered all the points the applicant has submitted, and carefully reviewed the details of the application against

the policies in the Runnymede 2030 Local Plan and the NPPF, and the planning history of the land within the applicant's ownership.

The developer has also submitted a document entitled "Overview of Conversion Works" this details that the conversion will be carried out in a manner very similar to what is required by class Q permitted development. That the development will have the same basic structure as the proposed permitted development scheme, makes the fallback position appear more realistic.

This is not a scheme which proposes a radically different form of development in terms of its visual characteristics (i.e form, appearance, character or siting) from what is likely to be built as an alternative, and as such significant new visual harms are not considered to arise.

Given that the proposal is to be developed/converted in a similar manner to the class Q scheme on the same footprint in a relatively similar form, it is considered that there is a realistic proposition that the conversion/part demolition of Glasshouse 1 for 5 dwellings could take place under the implementation of the prior approval. This particular planning application however is for 7 dwellings, which therefore is materially different in description to the 5 dwelling prior approval fallback position. However, from the analysis above, it is considered that the impacts and negative aspects of this 7 dwelling scheme are very similar in fact and degree to the planning application scheme RU.20/0601 and to the harm caused by the Prior approval scheme. Officers also consider that subject to the conditions and obligations discussed above, the current planning application the subject of this report would provide a better quality development than the prior approval 5 unit scheme. Taking all these factors into account, officers consider this application is very finely balanced, but have concluded that on the basis of the obligations promised by the applicant and the conversion method proposed, it is considered that very special circumstances do exist which clearly outweigh the harm in principle to the Green Belt, and justify the granting of planning permission for 7 dwellings.

7. Conclusion

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

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

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

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

- 7.2 The proposal, by reason of the nature and extent of the works proposed would comprise partial redevelopment of land that does not fall within the definition of previously developed land within the NPPF. Therefore, the proposal comprises inappropriate development in the Green Belt which is harmful by definition. It is also considered the layout, juxtaposition of dwellings and surrounding buildings and land uses, and the lack of opportunities for landscaping, would be harmful to the visual amenities of the site and the character of the area, and the amenities of the occupiers of the development, and would not achieve a high quality design failing to respond to local context. However, these can be addressed by conditions and planning obligations. The TBHSPA has also been addressed.

Due to the matters discussed above, it is considered there is a realistic fallback position to provide 5 homes under a prior approval permission which would have poorer quality development than this application, albeit this application relates to 7 dwellings. The development has been assessed against the following key Development Plan policies –policies EE17, SD4, SD7, EE1, EE9, EE10, EE11, 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 harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Officer's Recommendation:

The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to the completion of planning obligations and the following planning conditions

1 Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

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

2 List of approved plans

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

Proposed section A.301 H received 22.6.2020
Details of the prior approval RU.20/0237 A.101 E received 22.6.2020
Proposed plans A.101 H received 22.6.2020
Proposed elevations and comparison existing A.201 H received 24.7.2020
Proposed elevations A.201 G
Proposed site plan A.003L received 8.7.2020
Proposed site and location plan A.001 L received 8.7.2020
Topography site plan drawing no. 01 received 21.4.2020
Proposed plans A102 and A101 received 21 April 2020
Addendum to Supporting Information received 22.6.2020
Overview of Conversion Works received 1 July 2020
Letter from Pro Vision dated 10 March 2020 referring to ecological survey on 9 March 2020 received 1 July 2020
Lemsec/1075 report on commercial glasshouse received 1 July 2020
Arboricultural Implications Assessment and Method statement received 1 July 2020
Consideration and adherence to Policy SD7 dated July 2020 received 7 July 2020
Additional land contamination report Phase 2 Intrusive site investigation received 2.6..2020
Phase 1 Desk Study Parts 1,2,3,4,6 received 21.4.2020
Images of example buildings received 21.4.2020
Supporting statement for conversion of glasshouse dated 21.4.2020 received 21.4.2020
Transport Statement dated April 2020 received 21.4.2020

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

3 External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved. Development shall be carried out in accordance with the approved details.

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

4 Demolition

With the exception of demolition, there shall be no works to Glasshouse 1 until and unless the demolition of the relevant parts of Glasshouse 2 have taken place, and all resultant debris removed from the site.

Reason: To protect the openness of the Green Belt and to protect the amenities of the future occupiers of the dwellings in Glasshouse 1 and to comply with Policies EE1 and EE15 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 Glasshouse 2

Prior to the commencement of the partial demolition of Glasshouse 2 hereby approved, details of the external finish to the remaining parts of the glasshouse shall be submitted to and approved in

writing by the Local Planning Authority. Such measures as shall be agreed shall be implemented in full prior to the first occupation of the new dwellings hereby approved.

Reason: In the interests of the visual amenities of the area and the amenities of the future occupiers of the dwellings and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

6 Landscaping

a. No development, excluding demolition, shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences and any other boundary screening including hedging, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out and details of the measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

7 Access to rear of dwellings

No dwelling hereby approved shall be occupied until full details of the means by which rear access to each of the gardens of the dwellings is to be provided have been submitted to and approved in writing by the local planning authority. The rear accesses shall be provided prior to occupation and shall be retained for the lifetime of the development.

Reason: In the interests of the amenities and convenience of the future occupiers of the development and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

8 Restricted Permitted Development Rights

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

Reason: To ensure the openness of the Green Belt is protected and to comply with Policies EE14 and EE15 of the Runnymede 2030 Local Plan and guidance within the NPPF

9 SuDS (scheme for approval - pre-construction)

Prior to the commencement of works to convert Glasshouse 1 (excluding demolition and alterations to the roof) hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b. include a timetable for its implementation; and
- c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To provide a sustainable development and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10 Ecological survey (for approval)

Notwithstanding any surveys previously undertaken, no development shall take place (including any demolition and site clearance) until an ecological survey of the whole site has been conducted and the findings of the survey, and any recommended mitigation, submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out full in accordance with the agreed measures which shall be retained for the lifetime of the development.

Reason: To protect and enhance the biodiversity and ecological value of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11 Tree planting

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

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

Reason: To mitigate the loss of tree cover, to protect and enhance the appearance and biodiversity of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

12 Biodiversity

Prior to the commencement of conversion works to Glasshouse 1 with the exception of demolition, hereby approved, shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

13 Renewable energy (details required)

Prior to the first occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that

10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority (LPA).

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

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

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policies SD8 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

14 External lighting and floodlighting

Before any external lighting, including floodlighting, is installed at the site, details shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include proposed hours of use and measures to ensure that no direct light is projected into the atmosphere above the lighting installation. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: To protect wildlife and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

15 Water efficiency

Prior to the first occupation of the development hereby permitted, details of the water efficiency measures and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented and retained for the lifetime of the development

Reason: In order to achieve water efficiency and sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

16 Electric vehicle charging points (per dwelling)

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The charging points shall be retained for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

17 Remediation scheme (implementation)

The development shall be carried out fully in accordance with the findings and recommendations of the Phase 1 Desk Study dated October 2017 and the Phase 2 Intrusive Site Investigation report dated 19 June 2020, with particular regards to future use of landscaped areas. Any subsequent asbestos survey recommendations should be adhered to.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

18 Encountered contamination

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

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

19 Parking and turning/retention of parking and turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

20 Cycle storage

Prior to first occupation of the development, details of cycle storage and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided prior to first occupation of the dwellings and shall be retained for the lifetime of the development. The cycle storage shall be safe, secure and lit.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

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

- (a) Provision of a footway link from the site access along Hurst Lane to Stroude Road.
- (b) Provision of an informal pedestrian crossing point to allow for continuous footway access between Stroude Road and the site access.

and thereafter the said approved facilities shall be provided and retained.

Reason: To ensure that the development does not cause inconvenience to other road users and in the interests of highway safety and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF.

22 Construction transport management plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway

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

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

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

Informatives:

1 Summary of Reasons to Grant Consent

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

- 2 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:
<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:
www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

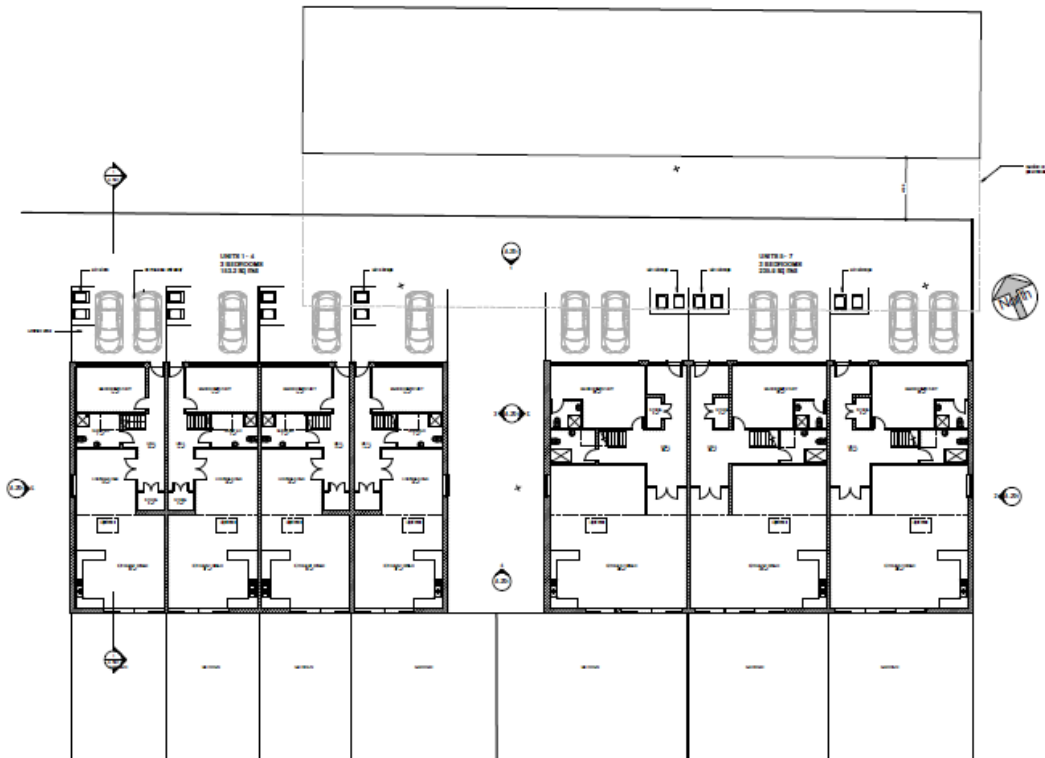
- 3 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from un-cleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).
- 4 The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 5 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

RU.20/0600 Bellbourn Nursery 7 dwellings

Proposed site plan



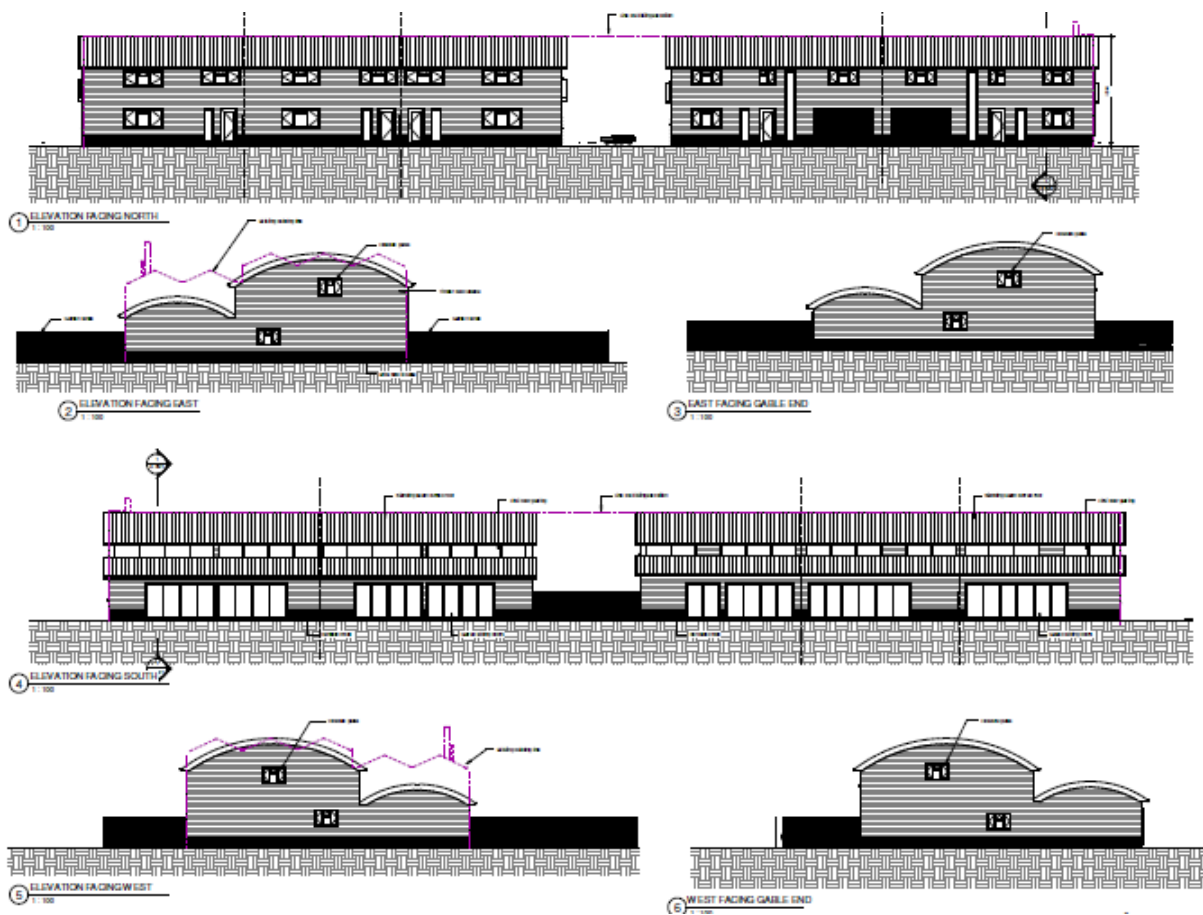
Proposed ground floor plan



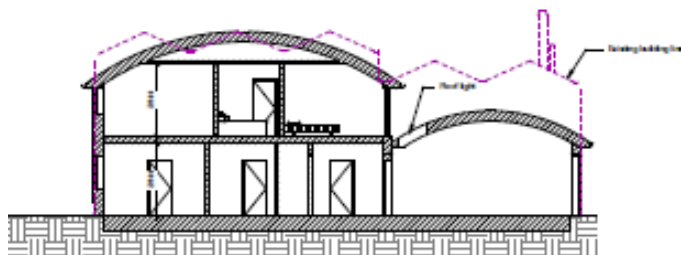
Proposed first floor plan



Proposed elevations



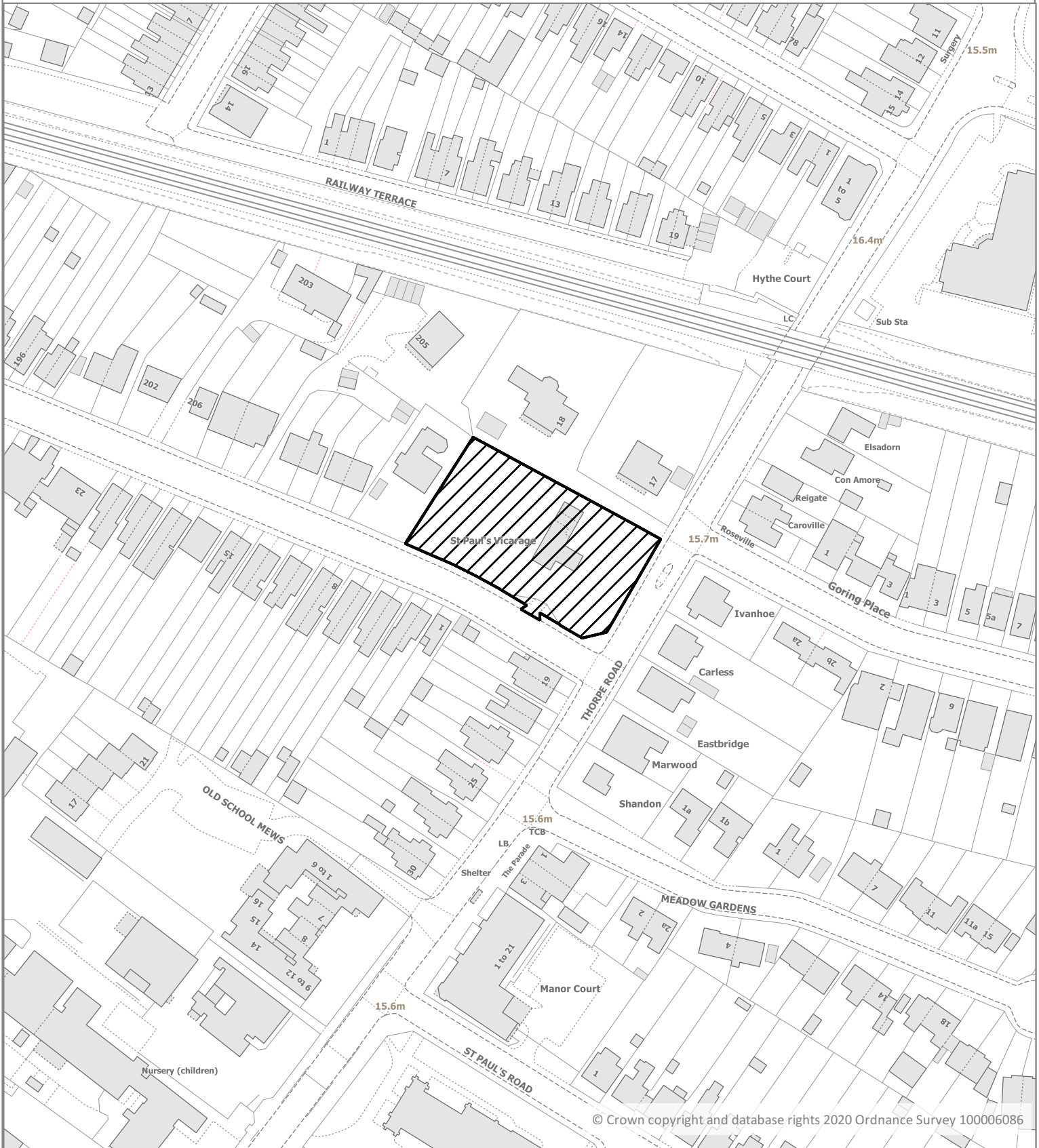
Example section – existing dashed line



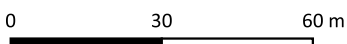


Date: 16/12/2020

214 Wendover Road, Staines Upon Thames



Scale: 1:1,500



RU.19/1146



RU.19/1146	Ward: Egham Hythe
LOCATION:	214 Wendover Road Staines-Upon-Thames TW18 3DF
PROPOSAL	For the demolition of the former Vicarage and the erecting of 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)
TYPE:	Full Planning Permission
EXP DATE	08 November 2019 (agreed extension to 30 September 2020)

SUMMARY OF RECOMMENDATION: The Corporate Head of Development Management and Building Control be authorised to GRANT planning permission subject to the completion of a s106 legal agreement and planning conditions

A Introduction

A.1 The Planning Committee last considered this application at the meeting of 2 September 2020. The application had originally proposed the demolition of the original vicarage and the erection of a terrace of 4 houses and a building of 8 flats. Following discussions and negotiations with officers, the applicant amended the scheme, deleting the four dwellings and proposing a slightly larger single building to provide 8 flats, with 16 parking spaces, 1 each per flat and 4 visitor spaces). The developer had originally agreed to provide 2 parking spaces with electric vehicle charging points with two spaces with a power supply for future charging points, and this was expressed in condition 12. The addendum to the officer's report included a recommendation to amend condition 12 to require all the parking spaces for the development to have electric vehicle charging points in response to further representations. The debate on the application by the Committee included extensive discussion about electric charging points. The Committee agreed with the amended recommendation, and authorised the Corporate Head of Development Management and Building Control to GRANT planning permission subject to the completion of a s106 legal agreement and planning conditions including the amended condition 12. Following the committee authorisation, officers instructed the Council's legal section to prepare the s106 legal agreement, and this is till ongoing. Therefore, the planning permission has not yet been issued.

A.2 Since the 2 September 2020 committee meeting, the Committee has considered several applications also with parking, and electric charging points have been discussed on each occasion. However, none of the more recent decisions have required 100% of parking spaces for flats to be provided with electric charging points. Therefore, there has been an inconsistency in approach and decision making. Runnymede has not yet adopted new parking standards which will include standards for electric charging points among other aspects of parking. In coming to agreed resolutions, members have given weight to the current parking guidance of Surrey County Council Highway Authority, which recommends 20% of parking spaces be provided with electric charging points.

A.3 In view of these circumstances, officers have brought back this application, with the same report, for the Committee to reconsider the development with particular reference to condition 12. Officers are recommending that planning permission be granted with the condition 12 as originally proposed prior to the addendum amendment. That is, 2 parking spaces for the occupiers be provided with electric charging points, and two further spaces provided with a passive electricity supply so that future charging points can be installed. Officers consider this would ensure that the development complies with the SCC parking guidance, and is consistent with other planning applications which have been considered by the Committee. No other changes to the report or conditions are considered necessary as there have been no other material changes to the circumstances of the site or planning policies since 2 September 2020.

1. Site

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

- 1.2 The surrounding area is very mixed in character with no particular dominant style. The adjoining site to the north, Nos. 17 & 18 Thorpe Road is currently being redeveloped to erect a detached two storey building with accommodation in the roof, to provide 29 one and two bedroom retirement apartments with associated communal facilities and car parking. This building is being constructed approx. 1m above ground level to provide underfloor voids in the event of flooding. To the west of the application site, No 213 Wendover Road is a detached bungalow with accommodation in the roof and a rear conservatory. To the south are Victorian semi-detached houses. Opposite the site, on Thorpe Road are detached dwellings, primarily bungalows, some with roof accommodation. A railway level crossing lies about 65m to the north east, crossing Thorpe Road, with the River Thames beyond and Staines town centre within 500m.
2. Planning history
- 2.1 EGH.70/14364 – Erection of new vicarage and garage – Approved with conditions - 1971
TPO 405 – 10 March 2017 – Two group orders along the Wendover Road frontage, a further group order along the boundary with 17 Thorpe Road and two individual orders, one a Robinia, near the existing access and a Cedar on the Thorpe Road frontage. and at the corner with Thorpe Road .
3. Application
- 3.1 The application as amended proposes a block of twelve flats with frontage onto Thorpe Road (5 x 1-bed and 7 x 2-bed flats), in a detached 2.5-storey block. Sixteen parking spaces are proposed, 3 to the front (including 1 disabled bay) and the remainder in a parking court on the west side of the building. The ground and first floors of the block of flats would each provide 2No. 1 bedroom flats and 3No. 2 bedroom flats, a further 1 bedroom and 2 bedroom flat on the 2nd floor within the roof-space. In addition, a 'Co-Working' room is provided at ground level, accessed off the central hallway and leading to the rear exit to the garden. This 32 sqm space is intended to be utilised for communal recreational purposes, such as an informal work-space, gym, party room or other use to be determined and managed by the residents.
- 3.2 The building would have a traditional design and appearance, being described as a 'Georgian' style, utilising London stock brick under a pitched slate roof. Windows would be white painted timber sash style with deep, white painted window reveals. Each flat would have a private balcony, with the exception of one of the roof-level flats due to the need to prevent overlooking due west (although a balconette is provided). Access would be from Wendover Road, and trees along the Wendover Road and Thorpe Road boundaries would be retained and enhanced. There would be a detached bins and cycle store to the west of the site entrance, close to the main parking area. A lift for disabled access to the raised ground floor level is provided within an open, but covered integral entrance lobby. Each flat would have an allocated parking space and there would be 4 visitor parking bays (total 16 spaces), including 3 disabled bays. There would be a secure entrance gate, recessed to allow visiting cars to wait clear of the public footway.
- 3.2 The application is supported by a Design & Access Statement, Arboricultural Impact Assessment, Ecological appraisal, Bat Activity Survey, Flood Risk Assessment and Financial Viability Appraisal. These have been updated where necessary to reflect the amended scheme.
- 3.4 The application has been amended on several occasions during the course of consideration, focusing principally upon the originally proposed terrace of houses and the relationship to No.213 Wendover Road. The first set of amendments turned the proposed terrace of houses by 90° and reduced the height of the end terraced unit closest to the boundary with No 213 Wendover Road. Having regard to further neighbour representations and further officer negotiation with the applicant, the orientation of the terraced houses was amended again to the original proposed siting perpendicular to Wendover Road, but with further design measures to mitigate neighbour overlooking concerns. However, updated EA flood modelling required a further review of the development scheme and ultimately, the applicant has decided to remove the houses from the western part of the site in favour of a single block of 12 flats, enabling necessary flood mitigation measures whilst addressing privacy concerns raised by the occupants of the closest neighbouring property, No.213 Wendover Road.
4. Consultations
- 4.1 22 Neighbouring properties were consulted in addition to being advertised on the Council's website and the applicants carried out their own notification of twenty neighbouring properties. Four letters of representation have been received to the initial notification relating to the original mixed flats and houses scheme, making the following representations:

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

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

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

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

- The occupiers of 213 Wendover Road, whilst pleased that the terrace of houses have reverted to original siting and taking a flank wall away from the boundary, previously expressed concerns remain valid (see above) and recommend removal of houses altogether in favour of a single block of flats on the site;

- Concerns about overlooking across Thorpe Road have not been addressed and the applicants are ignoring neighbour concerns.

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

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

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

RBC Affordable Housing Officer – no response received.

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

RBC Contaminated Land Officer – no objection.

RBC Deputy Direct Services Manager – no response received

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

RBC Environmental Health Manager – no response received

SCC County Highway Authority – no objection, subject to conditions

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

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

Surrey Bat Group - No objection

Surrey Wildlife Trust - No response received

Thames Water Utilities - No objection

5. Relevant Local Planning Policies

5.1 The Runnymede Local Plan 2030 was adopted by the Council for development management purposes on 16th July 2020 and the saved policies of the 2001 Local Plan, and the previously saved policy NRM6 of the revoked South East Plan, no longer apply. The following Local Plan policies apply to this application: SD3 (Active and Sustainable Travel); SD4 (Highway Design Considerations); SD5 (Infrastructure Provision and Timing); SD7 (Sustainable Design); SD8 (Renewable and Low Carbon Energy); SL1 (Health and Wellbeing); SL19 (Housing Mix and Size

Requirements); SL20 (Affordable Housing); EE1 (Townscape and Landscape Quality); EE2 (Environmental Protection); EE9 (Biodiversity, Geodiversity and Nature Conservation); EE10 (Thames Basin Heaths Special Protection Area); EE11 (Green Infrastructure); EE12 (Blue Infrastructure); EE13 (Managing Flood Risk).

6. Planning Considerations

- 6.1 In the determination of this application regard must be had in the first instance to the policies of the adopted Local Plan 2030, with reference also to the NPPF 2019. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact of the proposals on the character of the area; design, scale and layout and dwelling mix; residential amenities of adjoining and future occupiers; impact upon protected trees; biodiversity; affordable housing; highway safety and parking; drainage and flood risk and infrastructure contributions.
- 6.2 Policy EE1 states that developments will be supported where they respect and enhance the local, natural and historic character of the environment. The locality of the site is primarily residential in character, comprising a mix of suburban semi-detached and detached dwellings of single or 2- or 2.5-storey scale, but close to Staines town centre where the scale and character of development becomes increasingly commercial. The site is a corner plot with frontage to a busy classified road. The sheltered housing development under construction to the immediate north of the site (Langton Lodge) is of greater scale and massing, having regard to the depth of development and raised ground floor to secure necessary flood protection. The introduction of flatted development on this corner plot is therefore considered to be acceptable in this location and the scale and appearance in the street scene would be comparable to that existing.
- 6.3 Policy EE1 also sets out criteria for site layout, scale and design of development. The scheme has had regard to the siting of the existing vacant vicarage (shown in dotted yellow outline on the site layout plan) and to the scale and building lines of surrounding development, including the newly constructed sheltered housing scheme north of the site. In addition, the proposed enlarged block of flats has extended footprint principally westwards, across the former proposed parking area. New-building footprint now ends at this point, leaving only the car parking area and boundary landscaping and fencing between the flats and the closest neighbour at No.213, a distance of just over 24m between existing and proposed buildings. There is also scope for further buffer planting between the edge of the parking area and the boundary with No.213 and these details would be captured by way of recommended condition xx. Obscure glazing is clearly marked on the only west-facing second floor window, acting as a secondary lounge window and this is considered to protect the privacy of No.213 whilst also recognising the 24m distance from the shared boundary. The scheme as amended has further reduced the potential for loss of light or depreciation of outlook from No.213, due to the increased separation between existing and proposed development and a BRE daylight unobstructed skyline is marked on cross section drawing 19-003-143F.
- 6.4 Whilst concern has been raised in representations of a loss of privacy to occupiers of dwellings on the opposite side of Thorpe Road, in particular from the proposed 2nd floor balcony of the block of flats, in view of the distance of approximately 26m between the front elevation of the proposed block to the closest facing property opposite and the busy public street between the two, such concerns are not considered to be sustainable. Properties on the south side of Wendover Road are well screened by the protected belt of trees along the site boundary and greater separation distance exist across a public street.
- 6.5 The layout has also sought to minimise impact upon the protected trees on site, discussed later in this report. A detached and secure bin and cycle store is provided (15 sqm footprint) which would be well located close to the main entrance and parking area. This would contain separate areas for communal recycling and landfill bins plus lockable racks for 12 cycles.
- 6.6 In terms of design, there has been little of merit in the design of the existing building to inform the new development. Nonetheless, the design approach is considered to be well considered and sensitive to the site's context and pattern of development. There would be a strong symmetry and consistency to the use of windows, dormers, gables and bay windows and in particular a consistency with the scale and appearance of the new sheltered housing development to the north. Balconies would now be incorporated into the fabric of the main building, providing privacy screening to and from adjacent flats and valuable private amenity space, such space being of heightened importance in recent Covid-19 times. The flats would also benefit from communal

amenity space of approximately 539 sqm (roughly 45sq m per flat) which is considered acceptable. The proposed external materials are indicated as being London stock bricks under slate tiled roof and the precise specification can be secured by way of planning condition. The development is therefore considered to comply with policy EE1.

- 6.7 Policy SL19 stipulates a requirement for schemes of 10 or more (net) residential dwellings to contribute to meeting the housing mix as set out in the Strategic Housing Market Assessment (SHMA) as updated in 2018. The development as proposed would provide a mix of 1- and 2-bedroomed flats, with a greater proportion of 2-bed, family-sized units which reflects the priority focus of the SHMA. Having regard to the numerous amendments that have proved necessary to deliver acceptable development for this site, it is considered that the scheme as currently proposed would provide the optimal, achievable dwelling mix and that 3-bedroomed or larger homes could not be viably delivered on this relatively small site. The scheme as amended also provides units which meet the required minimum internal space standards set out in the policy. The 1-bed flats range from 51sqm to 73 sq m and 2-bed flats from 70sqm to 102 sqm. Overall therefore, the development is considered compliant with policy SL19.
- 6.8 Policies EE1 and EE11 require developments to protect existing trees that are worthy of retention (including TPO trees) and deliver high quality landscaping schemes. The application is supported by an Arboricultural Impact Assessment and Method Statement together with a tree protection plan and tree planting plan, which has been updated to reflect the amended scheme. Whilst some existing trees would be removed, the Council's Tree Officer previously confirmed his satisfaction with the tree removal and landscaping proposals based upon the information provided and raised no objection to the preceding iteration of the development scheme. With the removal of the houses in the current scheme and westward extension of the flatted block, no new material tree implications are considered to arise in the latest amendments. The built footprint of the block of flats is largely unchanged in relation to the protected trees on site and Officers remain satisfied that these impacts would be acceptable subject to the previously recommended conditions, in particular in relation to protection during construction. A condition is added to secure further details on tree planting proposals, notably in respect of the boundary with No.213. It is considered that the green infrastructure assets of this site, notably the protected trees, would be successfully incorporated into the proposed development for the benefit of the proposed occupiers and the established street scene. The development is therefore considered to comply with policies EE1 and EE11.
- 6.9 Policy NE20 and draft policy EE9 requires developments to avoid harm to protected species. In addition, the draft policy EE9 seeks net gains for biodiversity in line with the NPPF. The submitted ecological survey, including bat activity survey, advises that the only protected species surveyed were pipistrelle bats. However, there was no evidence of roosting bats present on site. However, there is evidence of bat foraging and commuting in the existing garden areas. The Bat Activity Survey makes several recommendations including bat sensitive lighting, provision of bat boxes and precautions during demolition. Surrey Bat Group raise no objection to the development. With regard to other protected species, the Ecological Appraisal document indicates potential for nesting birds and recommends caution during nesting months. As such a specific condition is recommended in this regard to ensure that the measures outlined in these two reports are implemented. Overall, with the maintenance of the vast majority of tree cover on site and proposed bat mitigation measures, including bat boxes. Landscaping and other measures can enhance biodiversity and conditions are recommended accordingly. Overall, the development is considered to comply with policy EE9 and the NPPF in this respect.
- 6.10 In terms of affordable housing, the applicant originally did not propose any affordable housing as the relevant policy in the 2001 local plan (HO4) did not require affordable housing for schemes until they reached the threshold of 15 net additional dwellings. However, the newly adopted policy SL20 has reduced the threshold for affordable housing to apply to all major residential schemes (ie. of 10 (net) dwellings and above) and the proportion of affordable housing required is 35% of net dwellings. Policy SL20 states that, in seeking affordable housing provision, the Council will have regard to scheme viability.
- 6.11 Notwithstanding this however, it is first necessary to have regard to the Vacant Building Credit (VBC), which is a Government policy to support the delivery of brownfield sites. This applies to the redevelopment of residential and commercial sites and allows developers to off-set existing vacant gross floorspace against new floorspace, providing a 'credit' to be set against the expected affordable housing contribution. In this instance, the existing vacant vicarage has a GFA of 305.2 sqm. National planning practice guidance on application of the VBC indicates that the floorspace

- 'credit' can be equated to an equivalent number of dwelling units in determining the required on-site provision. As such, the existing floorspace represents 35% of the proposed floorspace (864 sqm); therefore this is the 'credit' that has to be applied to the affordable homes required by the policy, which will reduce the amount of affordable housing. 35% of the full affordable policy requirement of 4.2 homes, would be 1.47 dwellings. As it is not technically possible to construct half a home, this is rounded up to 2 homes to be the policy compliant requirement for this development.
- 6.12 The applicants have submitted an updated Financial Viability Appraisal to reflect the change of the scheme to 100% flats. The appraisal concludes that the development would not prove viable if affordable housing were to be included in the proposals, whether on-site or by way of off-site contribution. Indeed, the viability position appears to have worsened, with a return of only 5.8% compared to 13% previously. This is caused by a reduction in residual site value associated with increased construction costs for the enlarged block of flats and more robust flood risk mitigation measures to reflect the current EA flood modelling.
- 6.13 As is standard practice, the Council obtained an independent review of the applicant's initial viability appraisal of the mixed flats and houses scheme, at the applicant's expense. This review concluded that the applicants' appraisal methodology was generally sound, but that whilst the viability was considered to be marginal, there may be scope for some affordable housing provision based upon challenge to the applicant's input assumptions. However, having regard to the VBC and the updated viability assessment figures Officers now accept that the development as amended cannot viably deliver any affordable housing, whether on-site or by way of financial contribution. Overall, it is recognised that the purpose of the VBC is to stimulate and support the delivery of brownfield sites. At the time the application was submitted, the site would not have been liable for any affordable housing and the applicants had initially sought planning permission under the previous policy framework. The site has been vacant for in excess of 5 years and the scheme is otherwise considered to be policy compliant, subject to s106 planning obligations and conditions recommended below. In this particular instance therefore, no affordable housing is to be secured in line with the viability exception set out in policy SL20.
- 6.14 Policy EE13 sets out relevant criteria in respect of the development of sites within areas prone to flooding risk and the requirement for developments not to impede the flow of flood water, to reduce the capacity of the flood plain or to increase the number of properties put at risk from flooding. With regard to flooding the site is located in Flood Zone 2. Residential dwellings are in the category "more vulnerable" and are considered by the NPPF to be acceptable within Flood Zone 2 subject to the Sequential Test which aims to steer development to areas with the lowest probability of flooding. The applicant has submitted a Flood Risk Assessment, (version 2.0, updated July 2020) which concludes that the development would be safe subject to the proposed FFL being 300mm above the 1:100 year (plus climate change) flood level (at 15.85m AOD). This requires ground floor slab levels to be 300mm above existing ground level. This has been achieved with the proposed voids below the building. The driveways and parking bays would fully comprise porous brick pavements with a central perforated drain and deep granular trenching. The LLFA raise no objection to the development based upon surface water calculations provided and amended site drainage plan, which is specifically listed in the schedule of proposed approved drawings (recommended condition 2). Conditions 6 and 7 recommended below would secure full details and verification of the sustainable drainage scheme needed to accommodate a 1 in 30 and 1 in :100 year storm event (+40% climate change allowance). The FRA also notes that the site is likely to benefit from planned flood risk alleviation via the EA River Thames Scheme, anticipated for completion in 2029. However, no weight can be attributed to this at this current time. Nonetheless, an escape route for residents to reach Thorpe Road from the rear exit of the building is indicated on the site layout plan and a condition added requiring details of the construction of this raised pathway as part of a Flood Risk Management and Evacuation Plan for the development. This has been agreed with the Borough Drainage Officer having regard to the latest EA hazard mapping data. For the above reasons, the development is considered to comply with policy SV2 and draft policy EE13.
- 6.15 Policy SD5 expects new development to mitigate infrastructure impacts where needed. The development would give rise to additional pressure on school place capacity and the County Education Authority have requested financial contributions to support potential additional school place demand arising from the proposed development. Whilst there is stated to be sufficient school place capacity at Secondary level, it is requested that the applicants provide contributions towards Early Years and Primary schooling. Based upon the amended dwelling mix (and deducting the existing dwelling from calculations) these sums amount to £7,404 and £6,178 respectively, totalling £13,582. The request is considered to meet the relevant tests for planning obligations as set out

in the CIL Regulations 2010 as amended in 2015 and 2019, and for the reasons set out in the SCC Education consultation response. The request for contributions has been informally agreed with the applicants and it is therefore recommended that any permission granted is subject to completion of a s106 Legal Agreement to secure these obligations, in accordance with policy SD5. In respect of the Thames Basin Heaths SPA, the site lies beyond the 5-7km buffer zone and given the small scale nature of the scheme, there would be no impact on the SPA in accordance with Natural England guidance.

- 6.16 Policy EE2 addresses necessary environmental protection measures. In respect of noise from the railway, the development would be between 50m – 60m (west to east) from the railway line due north. However having regard to the presence of extensive retained and protected tree cover on site, the presence of the recently completed care home development to the north of the site (and its built form filling the width of the northern site boundary) and only secondary habitable room windows facing due north, it is not considered that concerns in respect of noise to the proposed occupiers are sustainable. The application also stipulates that flats would be fully double glazed, providing further protection. The Borough Contaminated Land Officer has raised no concerns in respect of this residential site. A Construction and Environment Management Plan is to be sought by way of condition. As such, the development is considered to comply with policy EE2.
- 6.17 The applicant has submitted an Energy and Sustainability Statement pursuant to requirements of policies SD7 and SD8. This report has reviewed the potential of the development to incorporate a range of renewable energy technologies, including Combined Heat and Power community heating, wind turbines, photovoltaic panels, ground source heat pumps, solar water heating and air source heat pumps. In addition, passive measures by way of a fabric first approach for the development will be adopted, utilising timber frame construction and multifoil insulation, double glazing and appropriate building orientation (as amended) to optimise daylight and sunlight to the new dwellings. The report concludes that air source heat pumps are the most viable renewable technology for a development of this scale and having regard to the scheme design and layout and the supply of hot water, bearing in mind that mains gas will not be permitted to be installed in new properties from 2025. Heating will be provided electrically. This is considered to represent a robust level of performance for a scheme that falls below the thresholds set in policy SD8 (1,000 sqm), with only 864 sqm total floorspace proposed. Water efficiency would also remain below 110 litres per person in line with policy SD7. Overall, the measures outlined, including the sustainable drainage measures agreed with the LLFA (subject to further details to be secured by condition) are considered to fully comply with policies SD7 and SD8 and the NPPF.
- 6.18 With regard to issues raised in representations, the majority of the points raised in responses are considered to have been addressed in this report. However, some additional comments warrant discussion. Previous concerns raised in respect of the terraced houses are no longer applicable as these do not now form part of the proposals. There are not considered to be sunlight implications for the occupier of No.213 having regard to the amended building siting and boundary treatment. Security risks are not considered to be heightened for No.213 as boundaries would be fully enclosed and the use of frontage metal railings would facilitate surveillance of the street. In terms of the Human Rights Act this is addressed below, but individual rights to privacy must be balanced against the community's need for new housing. Whilst it is acknowledged that some of the originally submitted supporting technical reports alluded to 10 dwellings, rather than 12, this has since been corrected and this has not materially altered the overall validity of the conclusions therein and statutory consultees are satisfied with the scheme. Concerns raised about precedents being set for high level balconies are not considered sustainable in this instance, having regard to the location of the site within the urban area and the satisfactory distances between existing and proposed dwellings as discussed above. Each application is to be considered on its own merits in this regard. The use of gravel driveway surfacing is not considered grounds for objection to the scheme and facilitates surface water drainage where utilised. The designation of the site as a green park is not a proposal in the new Local Plan. The delay of commencement of construction until completion of the sheltered housing development to the north would not be reasonable or indeed possible in planning terms and is to be a commercial decision subject to such commencement being in compliance with planning conditions as recommended below.

7. Conclusion

Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights It is not considered that the decision would result in a violation of any person's rights under the Convention. Consideration has also been given to s149 of the

Equality Act 2010 (as amended), which 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.

7.1 The development is considered to be acceptable and will provide new housing in compliance with the relevant policies of the Local Plan 2030 and the NPPF as outlined above. The report discusses the planning issues arising from the development, and considers that subject to planning conditions and planning obligations in respect of education, the proposed development complies with the Local Plan. The development has been assessed against the Development Plan policies outlined in this report, and weighed against the NPPF and guidance in the NPPG, and other material considerations including third party representations. The development would make full and effective use of a vacant brownfield site in accordance with the NPPF. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

7.2 Officer's Recommendation:

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

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

And the following planning conditions:

- 1 Full application (standard time limit)
The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

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

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

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

- 3 Before the above ground construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with Policy EE1 of the Runnymede Local Plan 2030 and guidance within the NPPF.

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

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

- 5 The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.6 l/s.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

- 7 No tree to be retained in accordance with the approved plans (hereafter known as retained trees and including offsite trees) shall be cut down, uprooted or destroyed and no works to the above or below ground parts of the trees in excess of that which is hereby approved shall be carried out without the written approval of the Local Planning Authority until the expiration of five years from the date of completion of the development. If, within this time, a retained tree is pruned not in accordance with BS3998, removed, uprooted, damaged in any way, destroyed or dies, replacement trees shall be planted at the same place, sufficient to replace the lost value of the tree as calculated using an amenity tree valuation system, unless otherwise agreed in writing by the Local Planning Authority. The number, size, species, location and timing of the replacement planting shall be as specified by the Local Planning Authority.

Reason: To protect the trees to be retained, ensure that the value of the trees is replaced and preserve and enhance the appearance of the surrounding area and to comply with Policy EE11 of the Local Plan and guidance within the NPPF.

- 8 Details and plans of new trees to be planted shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to the commencement of the above ground construction of the development hereby permitted and these works shall be carried out as approved prior to the first occupation of the development. Any new trees, or any replacement trees planted as a requirement of the conditions herein, which before the expiration of five years from the date of completion of the development, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of suitable size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To mitigate the loss of tree cover, to protect and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with Policy EE11 and guidance within the NPPF.

- 9 Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protective measures shall be installed in accordance with the Tree Protection Plan Rev E. as contained with the approved Arboricultural Impact Assessment and Method Statement. The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees to be retained, enhance the appearance of the surrounding area and to comply with Policy EE11 and guidance within the NPPF.

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

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

- 11 Construction transport management plan

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

- a. parking for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials;
- d. programme of works (including measures for traffic management);
- e. provision of boundary hoarding behind any visibility zones;
- f. HGV deliveries and hours of operation;
- g. vehicle routing;
- h. measures to prevent the deposit of materials on the highway;
- i. before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- j. on-site turning for construction vehicles;

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

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

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

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

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

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

- 14 Landscaping

a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out and details of the measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance of the surrounding area and to comply with Policy EE1 and guidance within the NPPF.

- 15 Renewable energy (as approved)

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

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

- 16 Biodiversity

The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site in accordance with the recommendations of the Preliminary Ecological Appraisal by The Ecology Partnership August 2019, have been submitted to and approved in writing by the Local Planning Authority. Such

details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance biodiversity and to comply with policy EE9 of the Local Plan and guidance within the NPPF.

17 Bat boxes and bricks

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

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

19 Bat survey

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

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

19 Flood Risk Management and Evacuation Plan

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

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

Informatives

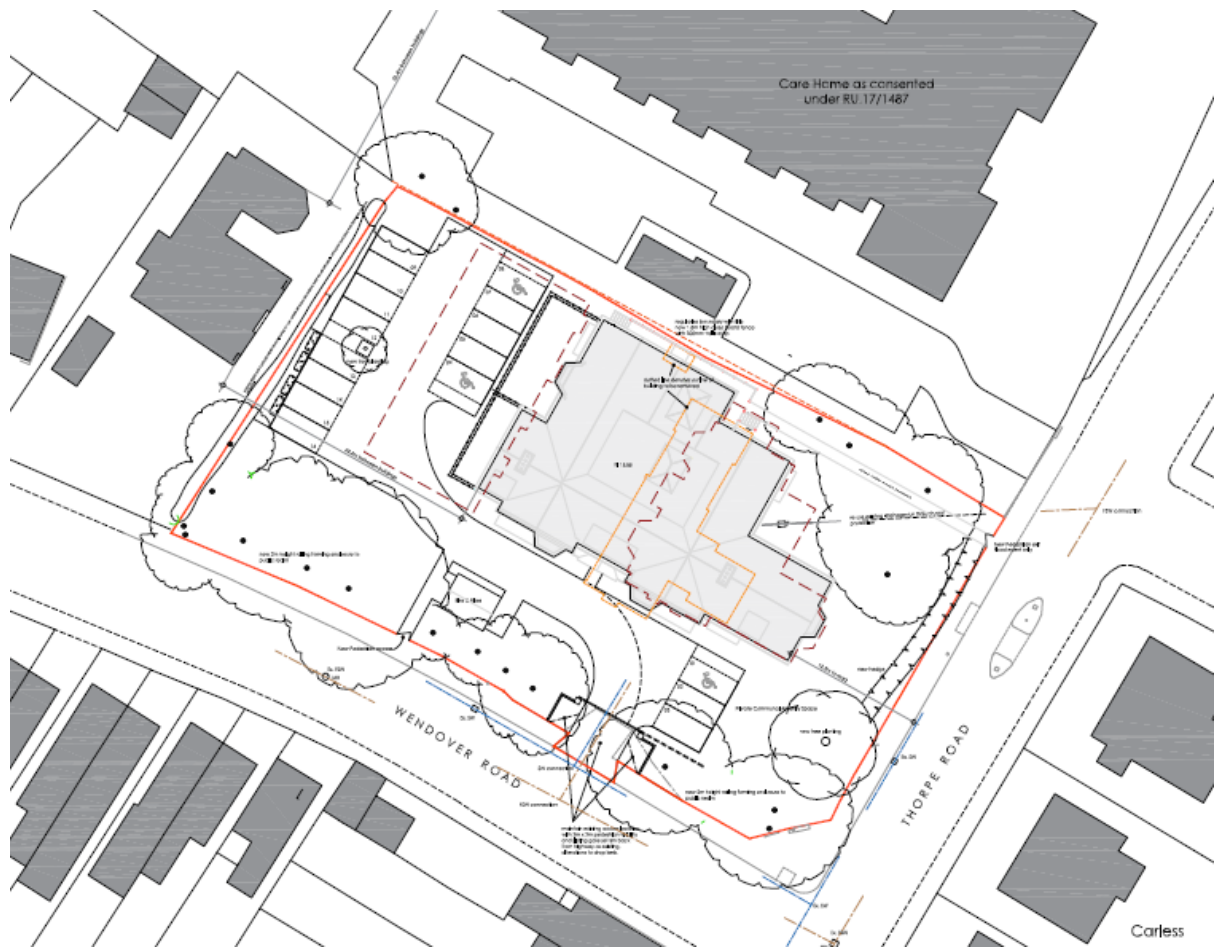
- 1 Summary of Reasons to Grant Consent
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner
- 2 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- 3 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
- 4 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in

advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

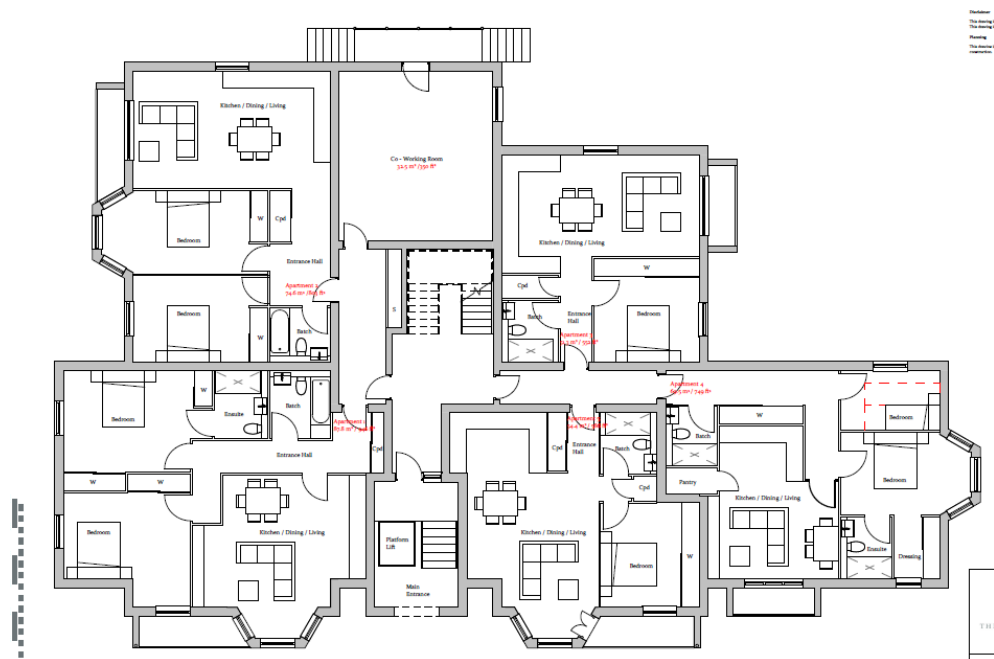
- 5 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 6 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 7 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

RU.19/1146 214 Wendover Road

Proposed site layout



Ground floor plan



Front elevation



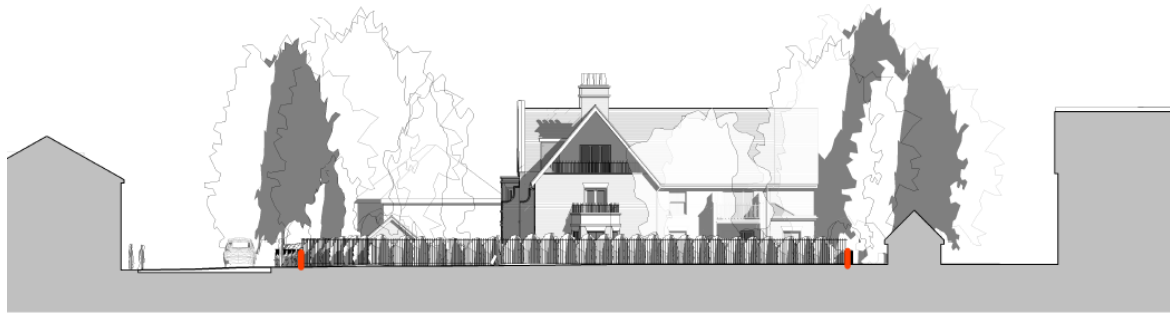
Front Elevation

Left flank elevation



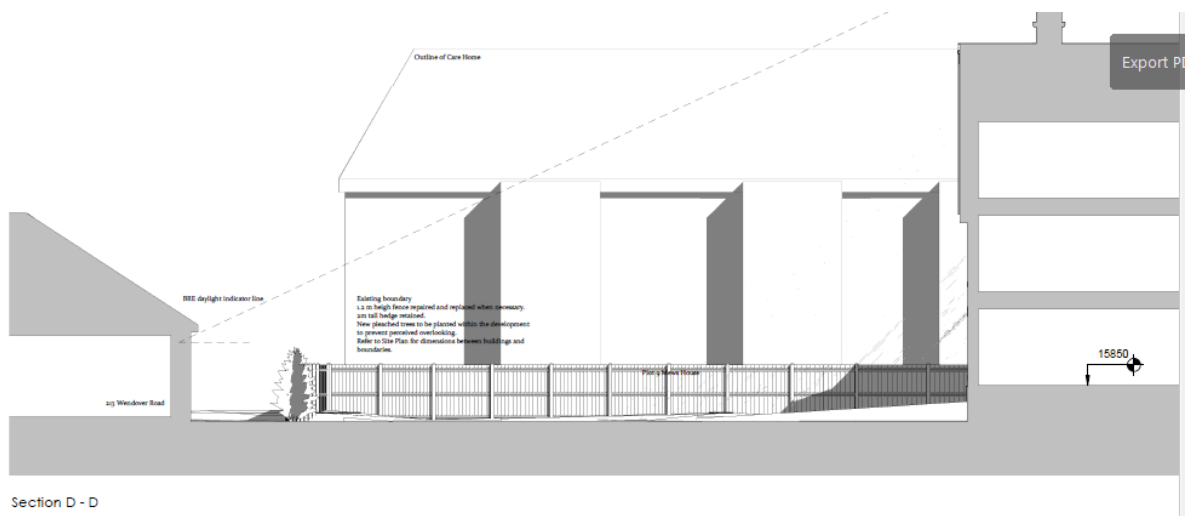
Left Flank Elevation

Section fronting Thorpe Road



Section B - B

Section through car park to left flank elevation

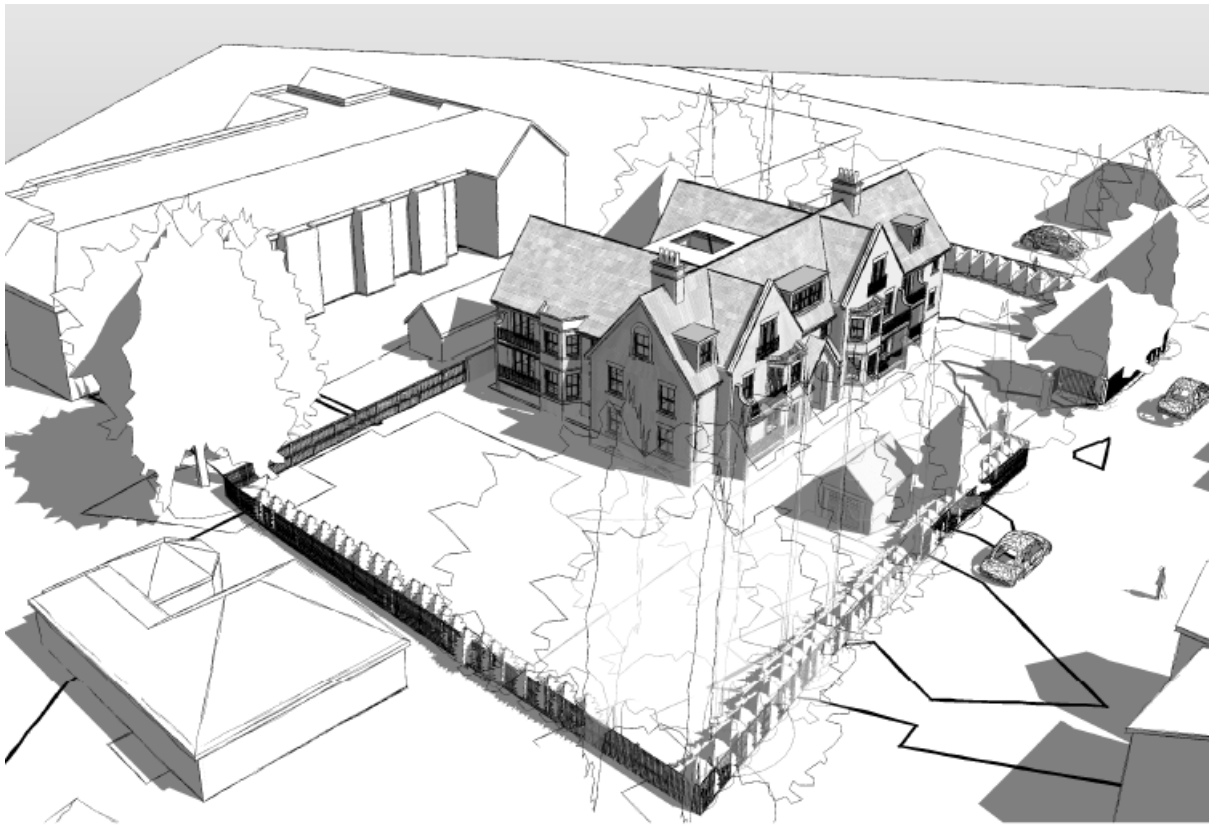


Section D - D

Front view image



Overhead view image



Overhead view image

