

Planning Committee

Wednesday 14 April 2021 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 12 April

2021. 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.
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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

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PLEASE BE AWARE THAT THE PLANS PROVIDED WITHIN THIS AGENDA ARE FOR LOCATIONAL PURPOSES ONLY AND MAY NOT SHOW RECENT EXTENSIONS AND ALTERATIONS THAT HAVE NOT YET BEEN RECORDED BY THE ORDNANCE SURVEY

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PART II

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

a) **Exempt Information**

No reports to be considered.

b) **Confidential Information**

No reports to be considered.

GLOSSARY OF TERMS AND ABBREVIATIONS

TERM	EXPLANATION
AOD	Above 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 24 March 2021 as a correct record. (Appendix 'A')

(To resolve)

Background Papers

None

Runnymede Borough CouncilPLANNING COMMITTEE24 March 2021 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

Councillor J Olorenshaw also attended for all or part of the meeting via MS Teams as a non-member of the Committee.

MINUTES

The Minutes of the meeting of the Committee held on 3 March 2021 were confirmed and signed as a correct record.

APOLOGIES FOR ABSENCE

None. All members of the Committee present.

DECLARATIONS OF INTEREST

Cllr Nuti declared a non-pecuniary interest in RU 20/1777 as he knew the owner of the site. Councillor Nuti withdrew from the debate on this application and returned to the meeting following this item.

Both Councillors Howorth and Kusneraitis confirmed that they no longer had declarable interests in RU 20/1491 in relation to employment or any other connection with the applicant and made respective statements of clarification of their positions in relation to that planning application. Councillor Howorth remained in the meeting and voted on the application. Notwithstanding the fact that he had no declarable interest now, Cllr Kusneraitis withdrew from the meeting when the application was considered on the basis of employment interests which he had previously declared in relation to the applicant, but which now no longer existed.

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. An objector addressed the Committee on planning application RU 20/1777 as shown below, but the applicant did not wish to exercise their right of reply.

RESOLVED that –

the following applications be determined as indicated: -

APP NO**LOCATION, PROPOSAL AND DECISION****RU 20/0892****6 Holland Gardens, Egham**

Proposed 1 ½ storey rear extension and conversion of existing garage to habitable accommodation. Replacement roof with raised eaves level to provide accommodation at first floor level (amended plans received)

The Committee understood the concerns of residents regarding flooding, and noted the site was located within Flood Zone 3B. However, the Committee also noted the development was classed as minor development under the NPPG and that such developments were unlikely to raise significant flood risk issues. The Committee therefore judged the proposal was unlikely to significantly increase flood risk, and as such refusal could not be justified.

In response to Member questions on the Householder Guidance which is used to assess the impact of development proposals on neighbouring amenity, Officers confirmed that the 60 degree test which was typically used to assess the impact of a single storey extension had comfortably been complied with and whilst there would be a minor breach of the 45 degree test, it was not considered that there would be any material impact on neighbouring amenities.

RESOLVED that-

The CHDMBC be authorised to GRANT permission subject to conditions, reasons and informatives listed on agenda.

RU 20/1491**Belgravia House and Cheval Manor, Bishopsgate Road, Englefield Green**

Replacement dwelling and associated buildings, underground basement car museum, dance studio and storage with access ramp and Pedestrian access stairwell and two underground tunnels connecting Cheval Manor and Belgravia House to the underground basement

Some Members commented on the potential environmental damage which could be caused by the tunnelling operations. Members also commented on the disposal of the resultant soil from the tunnelling operations and sought reassurance that this would not be transported off site.

Officers confirmed that the proposed new tunnels would not have any new impacts on trees compared with the previously approved schemes. With regard to soil removal, the CHDMBC commented that the tunnelling operation would largely be a cut and fill task and that as the site was large any excess excavated soil would likely be redistributed on-site, but to reassure Members a condition could be imposed requiring submission of details for disposal of excavated soil if planning permission was authorised.

The Committee was supportive of the application and the imposition of an additional condition regarding arrangements for disposal of excavated soil.

RESOLVED that:

The CHDMBC be authorised to GRANT permission subject to conditions, reasons and informatives listed on agenda with an additional condition requiring submission of a scheme to the Local Planning Authority detailing use and disposal of excavated soil.

RU 20/1777 18 Ongar Place, Addlestone

Erection of a detached three-bedroom chalet bungalow following the demolition of existing garage. With off-street parking and garden amenity space, and access taken off Coombelands Lane (Proposal to supercede approved application RU 19/0449) .

The main concern expressed by some Members was over highway safety in that vehicles would have to reverse out of the site onto Coombelands Lane rather than in forward gear .The CHDMBC commented that whilst ideally it would be preferable for vehicles to leave the site in forward gear ,reversal out of a site was not uncommon and the County Highway Authority had raised no objection to the application subject to conditions, one of which would require provision of visibility zones onto Coombelands Lane .Refusal of the application on highway safety grounds could not be justified in planning terms, nor would a condition requiring provision of turning space within the site to allow vehicles to leave the site in forward gear be reasonable or enforceable.

The Committee noted the position on CIL liability and the CHDMBC agreed to provide Members with a Briefing Note in relation to Self-Build Exemptions from CIL.

RESOLVED that-

The CHDMBC be authorised to GRANT planning permission subject to conditions, reasons and informatives listed on the agenda.

(Mr Egginton, an objector, addressed the Committee on the above application. The applicant did not wish to exercise their right of reply)

RU 20/1309 302 Woodham Lane, Addlestone

Reserved matters for landscaping for planning application RU17/1120 (Outline application with some matters reserved for the demolition of existing garage and forecourt sales area and erection of two and half storey apartment block consisting of 14 no one and two bedroom apartments and two retail units with associated access and parking).

The Committee was fully supportive of the application for Reserved Matters.

RESOLVED that-

The CHDMBC be authorised to GRANT permission subject to conditions, reasons and informatives listed on agenda

HOUSING DELIVERY TEST REPORT

The Committee was provided with information on the Housing Delivery Test, and how Runnymede had performed to date compared to other local Boroughs and Districts since the test was introduced in 2018.

The Housing Delivery Test (HDT) had been introduced through the revised National Planning Policy Framework (NPPF) in 2018. Its purpose was to calculate the performance of each Borough's housing delivery on an annual basis, and to support the Government's objective of significantly boosting the supply of new homes.

A Government data return had to be completed by all Local Authorities in November each year to inform the HDT. The HDT results were then published the following January/February. The results sought to provide up to date statistics on a Borough's performance and to identify if any actions were necessary to assist housing delivery.

The Housing Delivery Test (HDT) was calculated by looking at how many homes were delivered (with adjustments for net student and net other communal accommodation) in a Local Authority area in the last 3 monitoring years (1st April - 31st March) against the homes required in that same period. The housing requirement figure was determined as the lowest of either: the latest adopted housing requirement figure, or the minimum annual local housing need figure as determined using the standard method for assessing the minimum annual local housing need figure set out in national planning guidance. The formula for calculating a Borough's HDT score and the three potential consequences for a Local authority if their delivery fell below 95% were noted.

The Committee was informed that Runnymede had performed well in its housing delivery since the introduction of the HDT in 2018. The Council had consistently delivered in excess of 100% of its requirement and as such there had been no measures imposed on the Council to date to boost housing delivery. Furthermore, the statistics showed that the Council's performance had improved year on year to date.

There were however indicators that could lessen Runnymede's success from a housing delivery perspective, at least in the short term. For example, any reductions in the HDT result figures in 2021 could potentially be linked to impacts of the Covid-19 pandemic on housebuilding (although the result could be assisted if the Government again made an adjustment to the housing delivery targets of Local Authorities as they did for the 2020 year). There would also be a potential lag between adoption of the Local Plan, granting of planning permission on some of the large allocated sites and the completion of units on the ground. However, beyond the short-term position, the recent adoption of the Runnymede 2030 Local Plan was considered extremely positive in terms of putting Runnymede in the best position to meet its housing delivery targets in future years up to 2030.

Performance in the Housing Delivery Test would continue to be monitored, with Members being updated on the results in future years.

Officers were thanked for their achievement and in response to requests from Members agreed to provide Members with i) further information on the data used for inclusion in the Government Data Return which informed the HDT, and ii) the trajectory for affordable housing.

(The meeting ended at 8.18 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 12 April 2021.

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. **PARKING GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT (SPD) NEXT STEPS (PLANNING POLICY & ECONOMIC DEVELOPMENT-GEORGINA PACEY)**

Synopsis of report:

The report outlines the potential next steps available to the Planning Committee to move forward the Parking Supplementary Planning Document (SPD)

Recommendation(s):

The Planning Committee is asked to consider whether it wishes to RECOMMEND to Corporate Management Committee that an additional £20,000 is provided to the Planning Policy budget for the 2021/22 financial year to allow transport consultancy support to be procured to help underpin a locally derived and robustly evidenced parking standard(s) for:

- a) **Purpose Built Student Accommodation (PBSA): and/or**
- b) **office accommodation**

1. Context of Report

- 1.1 Work on the production of updated parking guidance for the Borough commenced in 2019. The replacement guidance once adopted will replace the Borough Council's extant parking guidance which was adopted in October 2001.
- 1.2 Draft revised proposals for new parking guidance were first considered at the Local Plan Member Working Group in December 2019. At this group meeting members raised particular concerns about student car parking issues associated with Royal Holloway University (RHUL) and the proposed approach in the draft proposals to consider this issue on a 'case-by-case assessment basis'. Members requested that officers look at the approach to student car parking taken by Guildford Borough Council. Following on from the Member Working Group meeting and subsequent correspondence with members, a meeting was held with the Chair of Planning Committee and members from Englefield Green to discuss the issue in further detail, including the approach taken in Guildford. Discussions were also held with RHUL to discuss residents' concerns relating to student housing and the possibility of setting up a controlled parking zone/s in the vicinity of the university.
- 1.3 Following on from the above, some amendments were made to the Parking SPD and the revised document was discussed at the Infrastructure and Economic Development Member Working Party meeting of 5th October 2020, before being reported to the Planning Committee meeting of 4th November 2020.
- 1.4 At the 4th November Planning Committee meeting, the Committee was asked to approve the draft Parking Guidance SPD for public consultation. However, some Members still expressed strong concern over the proposed parking standard for new student accommodation and considered a specific minimum parking standard should be specified instead of the proposed case by case assessment, in order to address concerns of residents in the Englefield Green area and give greater clarity to developers and residents. These Members wished Officers to give further consideration thereon. Officers were also asked to further consider the proposed parking standard on offices to address concerns raised by some Members. An amendment to this effect was moved and seconded.
- 1.5 In view of the level of debate and significance of the concerns expressed by Members, the Chairman, with the consent of his seconder, withdrew his motion to approve the SPD for public consultation and instead moved deferral of consideration of the SPD until a future meeting in order to allow Officers to further review, in conjunction with Members, the proposed parking standards relating to student accommodation and office accommodation. Deferral was supported by the Committee.

2. Report

- 2.1 Following the 4th November Planning Committee meeting, Officers undertook a benchmarking exercise of student and office accommodation in other Local Authority areas. A paper was then prepared which presented the findings of this benchmarking exercise and provided a series of possible options setting out the pros and cons for each. This paper was discussed with members of the Planning Committee at a special working group meeting held in December 2020. The steer given to Officers at this meeting was that they should prepare a specification for tender to secure transport consultancy support to help gather robust evidence on which a parking standard(s) for purpose-built student accommodation might be based. A provisional item was also requested to be inserted to allow the Council to potentially seek transport consultancy advice on office parking standards. It should be noted that the findings of any independent professional transport consultancy

advice sought may not address the concerns raised at the Planning Committee meeting.

- 2.2 As there is no budgetary provision for consultancy support for the Parking SPD, possible funding sources were suggested at this meeting. These have been investigated but are not suitable for use for this purpose. Officers have also reviewed the Planning Policy budget for this financial year and next. However due to budgetary constraints and the need to allow for sufficient budget to progress essential updates to the evidence base to underpin the review of the Runnymede 2030 Local Plan, no unallocated budget is currently available. This situation may change over the next financial year as final costs for the Local Plan review become clearer.
- 2.3 This report therefore requests the Planning Committee to formally decide whether they wish an item to be taken to Corporate Management Committee (CMC) to request that additional budgetary provision is made for the 2021/22 Planning Policy budget to fund transport consultancy work to underpin certain aspects of the Parking SPD as a growth item.
- 2.4 To assist the Planning Committee in deciding whether they wish to seek additional budgetary provision via CMC, the following information is considered relevant. Three transport consultancy firms were approached to provide high level estimates of what the likely cost would be of compiling the necessary evidence base to underpin a parking standard for purpose-built student accommodation, and potentially office accommodation in the Borough, as well as providing the Council with consultancy advice on the options available in these two specific areas. Two of the firms approached provided informal quotes. The information provided by these firms is summarised in confidential appendix A which is circulated separately with this Agenda. In summary, based on the high-level estimates received, it is considered that a budget of £20,000 would need to be secured for the transport consultancy support in this case.
- 2.5 Should Members decide that they wish a report to be taken to CMC to secure the funding for this growth item, and if the funding is secured, the remainder of the Parking SPD project is anticipated to be capable of following the below timetable (although this would be subject to agreement with the appointed consultant):
- 15th April 2021: item considered at Corporate Management Committee
 - 16th April -30th April 2021: production of specification
 - 3rd May-14th June 2021: tender process including advertising tender, receiving and reviewing tenders, potential interview, appointment of consultant and agreeing contract.
 - 15th June-end of October 2021: first range of engagement with Members, evidence gathering (including any parking surveys (within and outside term time for RHUL), and production of draft findings for discussion.
 - November 2021: discussion of draft findings internally, consideration at Member Working Party, issuing of Council comments to consultant and final consultancy advice issued to the Council. SPD redrafted to take into account advice given, and report drafted for Planning Committee approval to allow for public consultation on draft SPD.
 - 15th December 2021: Planning Committee considers draft SPD for public consultation.
 - 16th December 2021-27th January 2022: public consultation on draft SPD (6 weeks allowed as consultation would occur over Christmas holidays).
 - 27th January-2nd March: consideration of representations received on draft SPD, amendments to SPD as necessary, consideration of amended draft report at Member Working Party, drafting of committee report.
 - 23rd March 2022: Planning Committee meeting. Planning Committee asked to adopt SPD

- 2.6 Should the Planning Committee decide that it does not wish to take a report to CMC seeking the additional budget for the transport consultancy support, or should the additional funding not be given by CMC even if it is sought, Officers would recommend that the issue is reconsidered by Members at a future Member Working Party to agree a way forward.

3. Policy framework implications

- 3.1 Supplementary Planning Documents (SPD) do not form part of the Development Plan for Runnymede but are a material consideration in decision taking.
- 3.2 When adopted, this SPD will support the Council's Corporate Business Plan (2016-2020) themes of 'Improving our Economy' and 'Enhancing our Environment' particularly the priorities to review and support delivery of county and regional infrastructure strategies and support projects which improve integration of road and rail to reduce congestion.
- 3.3 Although not part of the Development Plan, the SPD will also support Runnymede 2030 Local Plan objectives and policies in regard to the delivery of high quality, sustainable development.

4. Budget and Resource implications

- 4.1 The budgetary implications associated with this report are discussed in detail at paragraphs 2.1-2.4 above. In brief, there is no budgetary provision available for transport consultancy to support the production of the Parking SPD. The budget for the 2021/22 financial year (including monies which are to be requested to be carried over from the 2020/21 financial year) have been allocated to essential updates to the Local Plan evidence base to underpin the review of the Runnymede 2030 Local Plan and other committed projects (such as the Englefield Green Conservation Area Appraisal and Blue and Green Infrastructure SPD; both of which are already commissioned and the projects underway). A large chunk of the Local Plan evidence base needs to be updated by the end of the 2021/22 financial year in order to enable the review and update of the Local Plan to be completed within the 5-year period required by the NPPF.

5. Legal implications

- 5.1 SPDs are required to provide 'detailed advice or guidance as to policies within the adopted Local Plan'. They should not conflict with the adopted development plan ((Reg 8(3) of the Town and Country Planning (Local Planning) (England) Regulations 2012). Failure to comply with this requirement would risk an SPD being quashed if a Judicial Review challenge was brought.
- 5.2 With this in mind, the Parking SPD will need to comply with the above advice.

6. Equality implications

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

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

6.2 An Equalities Impact Assessment screening was prepared to support the draft Parking SPD taken to Planning Committee in November 2020. This screening will be updated to support any redrafted SPD brought back before the Planning Committee in due course.

7. **Environmental/Sustainability/Biodiversity implications**

7.1 A detailed Sustainability Appraisal (SA) was carried out upon the Runnymede 2030 Local Plan. The draft Parking Guidance SPD is supplementary to the new Local Plan and therefore does not require a separate SA.

7.2 The draft Parking SPD brought before Planning Committee in November 2020 was supported by a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening. This screening will be updated to support any redrafted SPD brought back before the Planning Committee in due course.

8. **Conclusions**

8.1 The Planning Committee is asked to confirm whether they wish Officers to take a report to Corporate Management Committee to seek additional budgetary provision for the 2021/22 financial year to enable the Planning Policy team to secure the services of a Transport Consultancy firm to assist with certain aspects of the Parking SPD.

(To resolve)

Background papers

Appendix A – Confidential appendix containing high level quotations provided by Transport consultancy firms.

7. **THAMES BASIN HEATHS SPECIAL PROTECTION AREA SUPPLEMENTARY PLANNING DOCUMENT (SPD) - ADOPTION (PLANNING POLICY & ECONOMIC DEVELOPMENT-JOHN DEVONSHIRE)**

Synopsis of report:

To ensure that development within Runnymede avoids and mitigates its impact on the Thames Basin Heaths Special Protection Area (SPA), the Council adopted Supplementary Planning Guidance (SPG) in 2009. The 2009 SPG requires updating to ensure a consistent approach with other authority areas affected by the SPA and a draft Supplementary Planning Document (SPD) has been prepared to replace the 2009 guidance. On adoption of the SPD, the 2009 SPG will be superseded and removed from the Council's website.

The main change to the guidance is moving from a dwelling based to an occupancy based financial contribution. The draft SPD was subject to public consultation from 30 November 2020 to 18 January 2021 and a total of 10 representations were received. A copy of the Consultation Statement which summarises these representations and how they have been taken into account is set out on the Council's website with the Committee Agenda. Following consultation and other material considerations a number of modifications are proposed to the SPD for clarification as set out below:

- **Description of protected sites amended to reflect UK exiting the EU;**

- **Occupancy of C2 or C3 care homes and student accommodation to be considered on an individual basis under advice from Natural England;**
- **Clarification that only net additional dwellings in class C3 give rise to effects on the SPA and deletion of reference to replacement dwellings and extensions;**
- **Clarification that prior approvals cannot proceed and will not be assigned SANG until written agreement under the Habitats Regulations is given by the Council;**
- **Occupancy rate for Traveller pitches added to guide SANG/SAMM contributions from Traveller sites;**
- **Confirmation that the SAMM contribution includes the uplift agreed by the TBH Joint Strategic Planning Board on 19 November 2020 to account for inflation since 2010;**
- **Clarification for contributions made by instalments;**
- **Further detail added to confirm that where occupancy is unknown at the time of application the Council may apply a formula based approach similar to the approach in the Infrastructure Delivery & Prioritisation SPD;**
- **Criteria added to SANG design guidance to confirm that it will be expected that access points will be designed to be accessible to those using mobility scooters and that a proportion of SANG parking should be disabled parking bays.**
- **Amending SANG rates in Tables 7 & 9 to 2 decimal places rather than rounding numbers to ensure accuracy.**

The modifications proposed to the draft SPD as set out above are not considered significant in nature and further consultation is not warranted. As such, the SPD as modified is recommended for adoption with an implementation date of 15th April 2021.

A copy of the draft SPD ,as modified, is attached as Appendix B to this report.

Recommendation(s): The Planning Committee is recommended to RESOLVE to APPROVE the draft Thames Basin Heaths Special Protection Area SPD, as modified, and as set out at Appendix B for adoption with an implementation date of 15th April 2021.

1. Context of report

- 1.1 The Thames Basin Heaths Special Protection Area (TBHSPA) comprises over 8,000 hectares of fragmented heathland and woodland within Surrey, Hampshire and Berkshire, affecting 11 local authorities and 2 County Councils. The TBHSPA received designation on 09 March 2005 with protection transposed into UK law in the Conservation of Habitats and Species Regulations (Habitats Regulations). The SPA is home to three bird species which nest on or near the ground and which are susceptible to predation and vulnerable to disturbance from recreational pursuits in addition to pollution and wildfire. Following the UK's exit from the EU protected sites are now known as the National Site Network.
- 1.2 Chobham Common SSSI is part of the TBHSPA and has a significant influence within the Borough of Runnymede. Part of the Borough to the west is located within the 400m exclusion zone of the Special Protection Area (SPA) and all but the northern most parts of the Borough lie within 400m to 7km of the perimeter of the SPA.

- 1.3 As a Competent Authority, the Council has a requirement to provide a strategy to ensure the long-term protection of the SPA, in compliance with the Habitats Regulations, whilst enabling otherwise acceptable development. In 2009, the Thames Basin Heaths Joint Strategic Partnership Board, comprising all affected local authorities adopted guidelines in the form of a Delivery Framework to protect the SPA from new residential development which is likely to have a significant effect on the ecological integrity of the Heaths. Subsequently, the following measures were put in place to provide avoidance and mitigation for impacts on the SPA arising from net new residential development:
- Implementation of a 400m exclusion zone around the SPA where no net additional class C3 residential development can be permitted, as its impact on the SPA cannot be mitigated (some class C2 may be acceptable depending on care needs);
 - Identification of a 5km zone of influence around the SPA where Natural England has advised that measures can be put in place to mitigate the impacts of additional residential development, subject to it being outside the 400m exclusion zone;
 - Provision of Suitable Alternative Natural Greenspaces (SANGs) utilising new or upgraded existing open space to divert recreational activity away from the designated SPA.
- 1.4 The Council formally adopted Supplementary Planning Guidance (SPG) in 2007 (amended in 2009) that set out a policy for residential development proposals within 5km of the TBHSPA. Since 2010, an additional contribution has been required towards Strategic Access, Management and Monitoring (SAMM) of the SPA.
- 1.5 These contributions are currently secured through a Section 106 Agreement and payment of £2,630 per net additional dwelling (equating to £2,000 for SANGs and £630 for SAMM contributions) is secured by the Council. For large-scale residential development, an alternative option is to provide and lay out land for SANG (in accordance with Natural England's guidelines). Funding is required to ensure that management and maintenance is assured in perpetuity.

2. **Report**

- 2.1 The draft SPD updates the existing Thames Basin Heaths SPA Supplementary Planning Guidance (SPG) and takes into account guidance that has been issued since the 2009 SPG was adopted. The SPD sets out the approach the Council will take to mitigating likely significant impacts to the Thames Basin Heaths SPA from new residential development between 400m and 7km of the SPA boundary. On adoption of the SPD, the SPG will be superseded and removed from the Council's website.
- 2.2 Aspects of the existing SPG are now out of date, most significantly, the current approach to calculating and collecting SANG and SAMM payments on a per unit basis and the draft SPD proposes the change from a dwelling to an occupancy-based tariff. This will align the Council's strategy with that of the other local authorities affected by the Thames Basin Heaths. The strategy set out in the SPD will also help to ensure that SANGs are delivered appropriately within the Borough and are managed and maintained in perpetuity, in accordance with Natural England's guidance.
- 2.3 The proposed reforms set out in the Planning White Paper (August 2020) includes reforms to planning obligations under Section 106 and consolidation as part of an 'Infrastructure Levy' system. If introduced, Officers will provide further advice on the impact on the collection of monies for SANG and SAMM and whether the SPD requires further review.

- 2.4 The draft SPD underwent public consultation from 30 November 2020 to 18 January 2021 and a total of 10 representations were received. A copy of the Consultation Statement which summarises these representations and how they have been taken into account is set out on the Council's website with the Committee Agenda.
- 2.5 Following consultation and other material considerations a number of minor modifications are proposed to the SPD for clarification as set out below:
- Description of protected sites amended to reflect UK exiting the EU;
 - Occupancy of C2 or C3 care homes and student accommodation to be considered on an individual basis under advice from Natural England;
 - Clarification that only net additional dwellings in class C3 give rise to effects on the SPA and deletion of reference to replacement dwellings and extensions;
 - Clarification that prior approvals cannot proceed and will not be assigned SANG until written agreement under the Habitats Regulations is given by the Council;
 - Occupancy rate for Traveller pitches added to guide SANG/SAMM contributions from Traveller sites;
 - The SAMM contribution includes the uplift agreed by the TBH Joint Strategic Planning Board on 19 November 2020 to account for inflation since 2010;
 - Clarification for contributions made by instalments;
 - Where occupancy is unknown at the time of application the Council may apply a formula based approach similar to the approach in the Infrastructure Delivery & Prioritisation SPD;
 - Criteria added to SANG design guidance that access points will be designed to be accessible to those using mobility scooters and that a proportion of SANG parking should be disabled parking bays.
 - Amending SANG rates in Tables 7 & 9 to 2 decimal places rather than rounding numbers to ensure accuracy.
- 2.6 The modifications proposed to the draft SPD as set out above are not considered significant in nature and further consultation is not warranted. As such, the SPD as modified is recommended for adoption. A copy of the draft SPD ,as modified, is attached as Appendix B to this report.

3. Policy framework implications

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

4. Financial and resource implications

- 4.1 Preparation of the SPD has been undertaken in-house and as such there are no additional resource implications beyond that provided for within the agreed Planning Policy budget.
- 4.2 The Council monitors the collection of SAMM funds and sends any monies collected to the TBHSPA Joint Strategic Partnership's financial administrator, Hampshire County Council, on a quarterly basis. This money is divided between a long-term

investment fund and annual expenditure on a range of services including ecological surveys, wardening and monitoring visitor usage of SANGs and the SPA.

- 4.3 The contributions allocated to SANGs are recorded and monitored by the Planning teams in order to ensure that sufficient funds are available for all strategic SANGs sites within the Borough. Contributions are managed by the Planning teams via Section 106 Agreements, with 50% of the SANG contribution assigned towards current works and 50% allocated to the long term, in perpetuity fund.
- 4.4 The national Planning Policy Guidance on Planning Obligations sets out that local authorities can charge a monitoring fee through s106 obligations to cover the cost of monitoring and reporting. This can be a fixed percentage or fixed monetary amount. As such, under the current system a fee may be charged for monitoring the capacity of any or all SANGs owned by parties other than the Council.

5. **Legal implications**

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

6. **Equality implications**

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

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

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

- 6.2 The draft Thames Basin Heaths Special Protection Area SPD has been screened to establish whether there may be an impact whether positive or negative on any of the nine protected characteristics (namely, age, disability, race/ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage/civil partnership). The conclusion of the screening assessment was that a full Equalities Impact Assessment was not required.

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

- 7.1 The Thames Basins Heath Special Protection Area SPD is not part of the Development Plan for Runnymede and as such is not subject to Sustainability Appraisal.
- 7.2 The SPD has however undergone Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening with the conclusion that there will be no likely significant effects on designated habitats or any other significant environmental effects. This conclusion has been confirmed by the three statutory bodies (Environment Agency, Historic England and Natural England).
- 7.3 The SPD offers a strategy to mitigate the effects of net new residential development within the majority of the Borough on the SPA. This is likely to benefit biodiversity, the environment and sustainability in general.

8. **Other Implications**

8.1 None.

9. **Conclusion**

9.1 Planning Committee is asked to **APPROVE** the draft Thames Basin Heaths Special Protection Area SPD, as modified, and as set out at Appendix B for adoption with an implementation date of 15th April 2021.

(To resolve)

Background papers

Appendix 'B': Draft Thames Basin Heaths Special Protection Area SPD with modifications following public consultation.



Thames Basin Heaths
Special Protection Area
Supplementary Planning Document

April 2021

Temporary cover

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Foreword

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

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

~~Once adopted, t~~This SPD was adopted on the 14th April 2021 with implementation on the 15th April 2021 and will replace the existing Thames Basin Heaths SPA Supplementary Planning Guidance dated February 2009.

~~It is proposed that this draft SPD is open to public consultation for a period of 7 weeks from Monday 30 November 2020 to 5pm Monday 18 January 2021.~~

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

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

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

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

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

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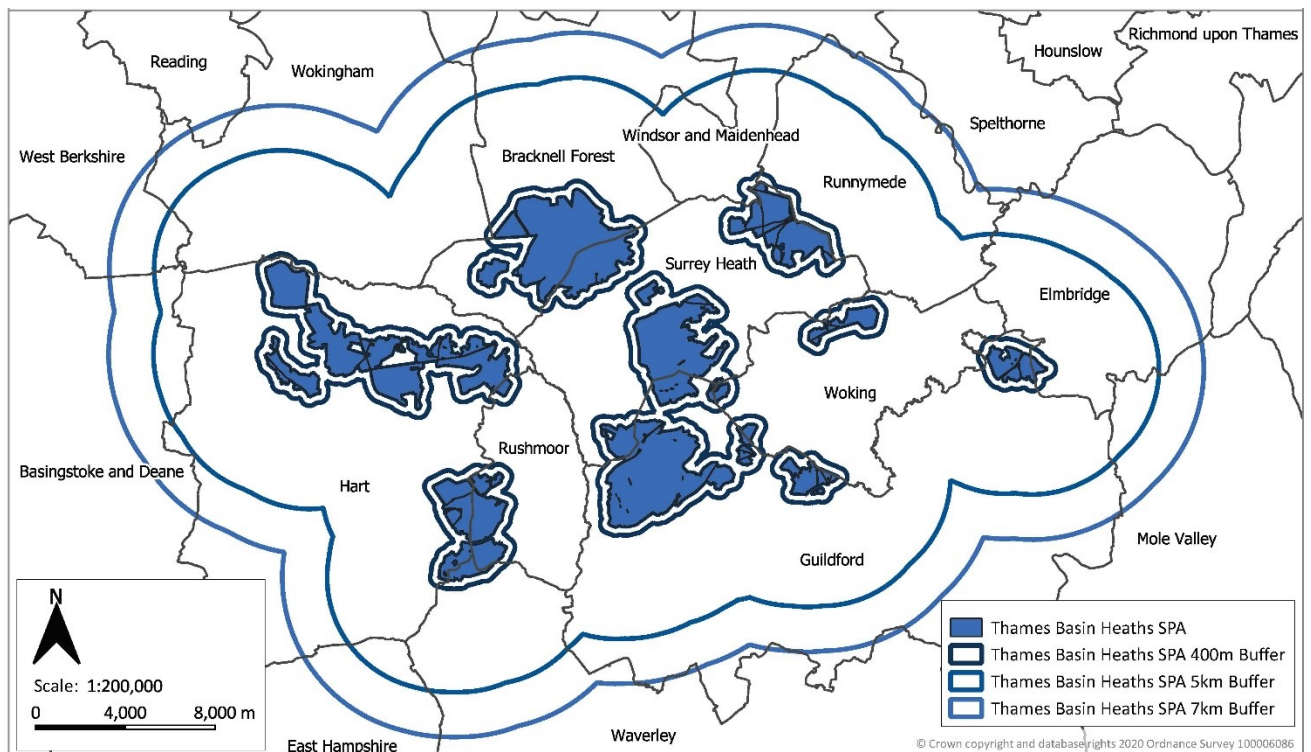
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1. Introduction and Background

1.1 Thames Basin Heaths Special Protection Area

1.1.1 The Thames Basin Heaths (TBH) comprise over 8,000 hectares (ha) of heathland sites located across Surrey, Hampshire and Berkshire (Figure 1) and forms part of ~~the national site network a Natura 2000 network~~ of sites of international importance to nature conservation ~~(formerly known as the Natura 2000 network prior to the UK exiting the European Union), established under the Habitats directives.~~

Figure 1. Thames Basin Heaths Special Protection Area



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

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

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

1.1.5 Approximately two-thirds of the Borough of Runnymede lies within the SPA's 5km buffer zone, requiring avoidance and mitigation strategies to be considered for new residential development within this area.

1.2 Purpose and Scope of the SPD

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

1.2.2 A review of this SPD shall be undertaken within 5 years or earlier, if deemed necessary.

1.3 Policy Framework

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

National Planning Policy Framework (NPPF) (2019)

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

South East Plan (2009)

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

Runnymede 2030 Local Plan (2020)

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

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

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

Thames Basin Heaths SPA Interim Supplementary Planning Guidance (2009)

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

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

Thames Basin Heaths SPA Delivery Framework (2009)

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

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

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

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

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

2. Principles for the Avoidance of Harm to the SPA

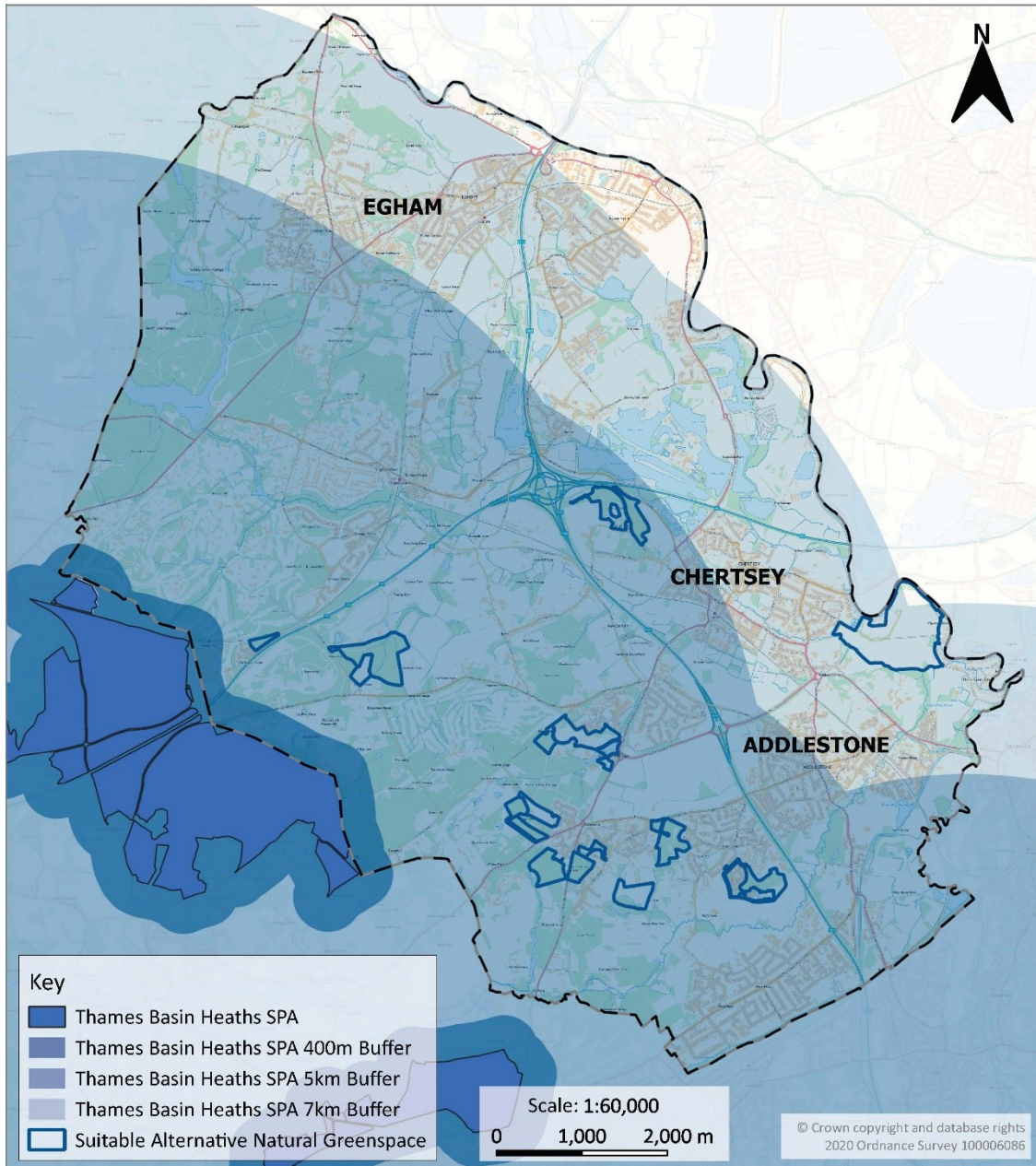
2.1 Introduction

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

2.2 Buffer Zones

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

Figure 2. SPA Zones within Runnymede



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

Table 1. SPA Buffer Zones

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

Zero to 400m Exclusion Zone

2.2.3 There is a presumption against residential development that results in a net increase in residential units within this zone as the impact of net new residential development so close to the SPA is likely to be such that it is not possible to conclude no likely significant effect. This is due primarily to:

- the potential for pet cats to reach the SPA - the use of conditions prohibiting the keeping of pets would be unreasonable, unenforceable and is therefore inappropriate, and
- the inability to prevent increased recreational pressure - 400 metres is the optimum walking distance for people to visit the SPA.

2.2.4 As a result, it is extremely unlikely that any net new residential development within the exclusion zone would be acceptable. All proposals for net new residential development within the zero to 400m zone will be required to undertake a Habitats Regulations Assessment to demonstrate:

- a. That they will not have an adverse effect on the SPA; and/or
- b. The acceptability of any avoidance and mitigation measures provided.

2.2.5 The Council and Natural England will need to be satisfied that any such development will not lead to further recreational use of the SPA or have any other significant effect on its integrity.

2.2.6 Applications for non-residential development within 400m of the SPA will be assessed on a case by case basis, in agreement with Natural England.

400m to 5km Zone of Influence

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

2.2.8 A large proportion of new housing development within Runnymede up to 2030 will be located within this zone.

5km to 7km Zone

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

2.3 Suitable Alternative Natural Greenspace (SANG)

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

2.4 Strategic Access Management and Monitoring (SAMM)

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

- Demonstrate best practice for strategic access management of visitors and visitor infrastructure where the supply of greenspace is heavily dependent on protected areas;
- Monitor visitor usage of SANGs and SPA; and
- Monitor populations of the bird species protected under Annex 1 of the Birds Directive 2009/147/EC³.

2.5 Habitats Regulations Assessment for Planning Applications

- 2.5.1 The Conservation of Habitats and Species Regulations 2017 (as amended) ~~implement in Great Britain the requirements of the EU Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive) (Council Directive 92/43/EEC). They also protect areas classified under Directive 2009/147/EC of the European Parliament and of the Council of 30th November 2009 on the conservation of wild birds (codified version) (the Birds Directive). The Regulations~~ aim to protect a network of sites that have rare or important habitats and species in order to safeguard biodiversity.
- 2.5.2 Under ~~Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) Article 6(3) of the Habitats Directive~~, Competent Authorities have a duty to ensure that all the activities they regulate have no adverse effect on the integrity of any of the ~~National Site Network Natura 2000 sites~~. The Competent Authority (in this case Runnymede Borough Council) must assess the possible effects of a plan or project on any ~~National Site Network site Natura 2000 sites~~ through a Habitats Regulations Assessment (HRA). The European Court of Justice judgement in *'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17'* established the legal principle that a full Appropriate Assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that a Habitats Regulations Screening Assessment cannot take into account any proposed measures to mitigate any likely impact at the screening stage. The council is therefore now required to carry out a full Appropriate Assessment of relevant plans and planning applications.
- 2.5.3 New residential and employment development within Runnymede has the potential to increase air pollution. Ongoing studies have highlighted a link between nitrogen deposition from air pollution to adverse impacts on the Heaths' ecology. In time this could result in further review of the SPA avoidance and mitigation strategy. The majority of significant developments have been identified through the Local Plan process, in accordance with the 2017 *'Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority EWHC 351'* judgement. Any measures proposed to avoid or mitigate the effects of air pollution on the SPA must be agreed with the Council and Natural England and satisfy the Habitats Regulations.
- 2.5.4 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD elaborates on Policy EE10 of the Runnymede 2030 Local Plan and South East Plan Policy NRM6, which have already undergone HRA. Further, this SPD only sets out guidance on the approach to avoiding impacts on the SPA and does not set out proposals for individual SANGs.

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

3. Types of Development Affected

- 3.1.1 This guidance applies to applications for full or outline planning permission, including temporary permission for developments within the vicinity of the SPA. Applicants are advised to seek advice before submitting a planning application or carrying out conversions under Permitted Development Rights and should consider how any impacts of their development on the SPA can be avoided. Reserved matters, discharge of conditions, amendments to existing planning consents and non-residential development will be considered on an individual basis by the Council and will be screened to assess whether they will have a likely significant effect on the integrity of the SPA (individually or in combination with other plans or projects) and where necessary a Habitats Regulations Assessment will be undertaken.
- 3.1.2 Future changes to the General Permitted Development Order (GPDO), to other legal/regulatory frameworks or to Government policy may mean that certain types of development which currently require planning permission may not do so in future. However, if there is a net gain in the types of residential units referred to within this section, the development will be considered to have a likely significant effect and will therefore be required to contribute towards or provide avoidance measures. This strategy largely concerns itself with the effects arising from the developments listed below:

Care homes

- 3.1.3 In assessing any planning application for a C2 or C3 care or extra care facility the Council will take account of whether there is any risk of the residents of the facility causing a likely significant effect upon the integrity of the SPA. The occupancy of C2 or C3 care or extra care facilities will be considered on an individual basis under advice from Natural England.
- 3.1.4 If the development is located within 400m of the SPA and the patrons of the facility are truly immobile or unlikely to ever visit the SPA then the only mitigation which may be required are measures to ensure that the car park cannot be made available to the general public wishing to access the SPA and that residents are prohibited from owning pets, such as cats or dogs, which may access the SPA. For such developments within 400m-5km of the SPA, any facilities that house residents that will never or are very unlikely to visit the SPA would not require any mitigation.
- 3.1.5 Where residents within this SPA buffer zone are in self-contained accommodation and can therefore live reasonably independently, even if there is a level of care required, then it is assumed that the residents are of a mobility level that would not preclude them from visiting the SPA. In these cases, avoidance and mitigation measures will be required.

Dwellings

- 3.1.6 For developments within Use Class C3 (dwellinghouses) including conversions, where there is a ~~net~~ increase in dwelling units, occupants these are considered to give rise to likely significant effect to the SPA and will be required to contribute towards avoidance measures. This includes dwellings falling within use Classes C3a, C3b and C3c. Replacement dwellings are not subject to the strategy set out within this SPD. Residential annexes will be considered on an individual basis.

Houses of Multiple Occupation (HMOs)

- 3.1.7 For planning applications to convert or increase a property to an HMO each room

meeting the criteria listed in paragraphs 4.3.2 and 4.3.3 will be treated as a separate one-bedroom dwelling for the purposes of calculating net occupancy and avoidance and mitigation measures will be required. This includes HMO's provided as student accommodation. The approach to purpose-built student accommodation such as cluster or studio apartments is set out below.

Student accommodation (Not including HMO's)

- 3.1.8 Applications for new student accommodation will be assessed on a range of criteria and as such, it is strongly advised that applicants engage with the Council at the pre application stage. ~~For the purposes of calculating occupancy~~ The occupancy of student accommodation will therefore be assessed on an individual basis under advice from Natural England. ~~each room meeting the criteria listed in paragraph 4.3.2 and 4.3.3 will be treated as a separate one bedroom dwelling but where a~~ Areas of shared living space ~~are supplied, and which~~ are considered to be proportionate to the number of students they are anticipated to serve, ~~these areas~~ will not be subject to the strategy set out in this document.

Replacement dwellings ~~and, Annexes, extensions and loft conversions~~

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

Hotels

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

Campsites and caravans

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

Major residential development schemes

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

- 3.1.14 The definition of “significantly large residential development proposals” and their ability to provide their own avoidance measures may vary depending on their type, character and specific location.

Non-residential development

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

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

- 3.1.16 Some types of development do not require planning permission from the Council. These include developments covered by technical consents, prior approval, permission in principle and permitted development (such as the conversion of non-residential space to residential units). It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon the National Site Network cannot proceed unless the Council has given written approval under the Habitats Regulations 2017. A Prior Approval Notice does NOT constitute approval under the Habitats Regulations. Therefore, before a development can proceed the owners of the land may need to enter into Section 106 planning obligations in a form approved by the Council. The Council may place an informative on any grant of prior approval, technical consent or permission in principle reminding applicants that written approval under the Habitats Regulations is required before development can proceed. As a matter of law, these developments must be compliant with the Habitats Regulations, and it is expected that these developments adhere to the principles set out in this strategy.
- 3.1.17 Where avoidance and/or mitigation measures are required, these should be provided in line with the approach set out in this document. In the absence of an appropriate assessment for net new residential development within the 400m-5km zone of influence and for residential schemes of 50 or more dwellings within the 5-7km zone, the provisions of Article 3 of the General Permitted Development Order (GPDO), would require a full planning application to be submitted and the permitted development listed within Schedule 2 could not be lawfully implemented. Where appropriate, the Council will enter into an agreement with anyone undertaking such developments to provide avoidance and mitigation measures in line with this strategy.

4. SANGs within Runnymede

4.1 Introduction

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

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

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

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

Table 2. SANG Standards for Net Increase in Dwellings

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

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

4.2 SANG Catchments

- 4.2.1 Where a SANG does not include a car park, then the catchment area is considered to be 400m. For all other SANGs, catchment areas are based on the overall size of the SANG. Residential developments with a net increase of 10 or more units that are allocated to a SANG should be located within the specific SANG's catchment area. SANG catchment areas are as follows:

Table 3. SANG Catchment Areas

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

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

4.3 SANG Capacity

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

Table 4. SANGs Occupancy Rates

Dwelling Size	Occupancy ⁴
1 bedroom/studio	1.40
2 bedrooms	1.85
3 bedrooms	2.50
4 bedrooms	2.85
5+ bedrooms	3.70
<u>Traveller Pitch</u>	<u>3.60* unless evidence demonstrates otherwise on a case by case basis</u>

* Occupancy of 3.6 taken from the North Surrey GTAA (2007)

- 4.3.2 Where calculating the number of bedrooms for the purposes of determining the amount of SANG capacity a development requires, additional habitable rooms capable of realistic conversion to bedrooms will be included. Habitable rooms capable of future conversion into a bedroom will include, for a dwelling house with more than one storey, any room at first floor level and above with an external window (excluding kitchens, bathrooms and other sanitation areas), with a floor area greater than 7.5 sqm⁵.
- 4.3.3 Where it is reasonable to assume that topography or the nature of the development, such as split level dwellings or houses of multiple occupation, will provide bedrooms on the ground floor, this area will be assessed in accordance with the guidance in paragraph 4.3.2. ~~Applications for roof extensions and enlargements will be assessed in terms of habitable space and the potential for future conversion into bedrooms.~~

4.4 Delivery of SANG

- 4.4.1 The following guidance is based upon the Delivery Framework and Natural England's guidance on the creation of SANG⁶.

SANGs may be created from:

- Existing open space of SANG quality with limited or no existing public access, which

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

⁵ Minimum size to provide 1 bed space in a single bedroom as defined in the Technical housing standards – nationally described space standard (2015) DCLG. Available at: <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

⁶ Natural England. (May 2006) Thames Basin Heaths Special Protection Area: Mitigation Standards for Residential Development.

for the purposes of mitigation could be made fully accessible to the public;

- Existing open space which is already accessible to the public but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the SPA;
- Land in other uses which could be converted into SANG.

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

it will be difficult to identify a definitive capacity. For this reason, it may be necessary to identify SANG capacity at a rate that is above the 8ha per 1,000 population standard.

- 4.4.9 As set out earlier in this document, SANGs are expected to be provided and funded in order that they can function in perpetuity which is considered to be at least 125 years, in accordance with legislation which defines ‘in perpetuity’ period (Perpetuities and Accumulations Act 2009).
- 4.4.10 The provision of SANG means that increased local pressure on the Thames Basin Heaths SPA will be offset in perpetuity. In considering what represents an “in perpetuity” solution for the purposes of funding, the Council will have regard to the following matters as appropriate:
- The funding must be sufficient for the indefinite future;
 - Where appropriate, as the basis for calculations, regard will be given to the statutory definitions of in perpetuity in force at the time; and
 - Funding mechanisms must be reliable, workable and enforceable, providing sufficient funding for the long-term management of the SANG over an indefinite period to the satisfaction of the Council as the competent authority.
- 4.4.11 Natural England’s preference is for SANGs to be handed over to local authorities or similar bodies. This is to ensure that in perpetuity management can be securely provided by a body that is unlikely to become insolvent or dissolve. Where SANG land is not owned by the Council, Natural England may require the Council to agree ‘step-in rights’ either for itself or an approved and named organisation to ensure that mitigation is secure. Step-in rights will always be required where a third-party management company is proposed to own and/or manage a SANG.
- 4.4.12 The use of step-in rights will be triggered where a SANG’s Management Plan is not being fulfilled, or in instances where it is necessary to ensure a SANG remains funded and maintained in perpetuity. In all cases where SANG land is not owned by the Council, the Council will seek an interest in the land to ensure that the SANG endures and the funding is used as set out in the SANG agreements. In every situation where step-in rights are required, they will be secured through a Section 106 or similar legal agreement and must be agreed with Natural England.
- 4.4.13 For large-scale developments, bespoke or third party private SANG proposals, Runnymede Borough Council encourage developers to engage with both Natural England and the Council at an early stage.
- 4.4.14 The Council will continue to work with other Councils, organisations and separate parties to deliver new SANGs. Joint working between the Council and other parties may be appropriate where the Council alone cannot provide sufficient SANG or there is the opportunity to add value and/or capacity to individual SANG by developing a network of SANG across local authority boundaries.

4.5 Strategic SANGs

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

undertaking made pursuant to Section 106 of the Town and Country Planning Act 1990. The level of the financial contribution depends upon anticipated net occupancy levels and their distance from the SPA as set out in Table 2.

- 4.5.2 Appendix 3 contains maps showing the location and catchment areas of Runnymede’s strategic SANGs. Table 5 below lists the spaces in the borough which have been designated as suitable strategic SANGs and their catchment areas.

Table 5. Existing Strategic SANGs within Runnymede

Site	Date Designated ⁷	Original Capacity (units)		Discounted SANG (ha)	Catchment (km)
		Phased	Total		
Chertsey Meads	June 2020	1,822	1,822	35	5
Hare Hill	April 2007 December 2012	83 82	165	3.38	4
Homewood Park	August 2008	300	300	5.85	5
Queenswood / Ether Hill	April 2007 December 2012	151 150	301	2.3	4
St Anns Hill	August 2008 December 2012	100 174	274	5.38	5
Timber Hill / Chaworth Copse / Ottershaw Chase	April 2007 December 2012	266 267	533	8.95	5
		Totals	3,395	60.86	

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

4.6 Bespoke SANGs

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

⁷ Two dates indicate that a second phase of SANG came forward following the original designation.

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

Table 6. Existing Bespoke SANGs within Runnymede

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

4.7 Third Party Private SANGs

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

5. Strategic SANG Contributions

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

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

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

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

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

5.1.11 The level of SANG contributions for a net increase in anticipated occupancy rate and within the 400m to 5km zone of influence are summarised as follows and equate to £903.50 per occupant. The occupancy contribution is based on and will replace the £2,000 per dwelling contribution the Council currently charges for its strategic SANG, the basis for which can be found in the 2009 Runnymede Thames Basin Heaths Supplementary Planning Guidance.:

Table 7. SANG Tariff

Dwelling Size	Expected Occupancy	SANG Tariff
1 bedroom/studio	1.40	£1,264.90 5
2 bedrooms	1.85	£1,671.48
3 bedrooms	2.50	£2,258.75 9
4 bedrooms	2.85	£2,574.98 5
5+ bedrooms	3.70	£3,342.95 3

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

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

Example: Conversion of a 4-bedroom house to two 2-bedroom houses	
Existing Occupancy:	1 x 2.85 (1 x 4-bed) = 2.85
Proposed Occupancy:	2 x 1.85 (2 x 2-bed) = 3.70
Net Occupancy:	3.70 - 2.85 = 0.85 additional people

Therefore, mitigation would be required for 0.85 additional people which at £903.50 per person equates to £768.

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

5.1.15 Where development involves the creation and/or loss of non-C3 developments as defined in Section 3 of this strategy, net occupancy will be considered on an individual basis under advice from Natural England.

6. SAMM Contributions

- 6.1.1 Strategic Access Management and Monitoring (SAMM) is a further avoidance measure, which is separate from SANGs. A contribution towards the SAMM project is required for all net new residential development, regardless of whether the SANGs provision is strategic, bespoke or via a third party private SANG. SAMM funds are not used for the delivery, maintenance or management of SANGs. Contributions are divided between annual expenditure (30%) and a long-term investment fund (70%). Whereas SANG contributions are collected individually by each local authority, the Board of the Joint Strategic Partnership Board (JSP) endorsed the principle of a separate single tariff to fund SAMM measures, to be collected centrally and used strategically across the SPA.
- 6.1.2 The SAMM Project is funded by s106 contributions. The tariff is collected from the relevant local authorities by an administrative body (Hampshire County Council) and the delivery managed by Natural England. The JSP has agreed that the SAMM contribution should be applied on the basis of expected occupancy. Local occupancy rates based on evidence underpinning the adopted Local Plan have been used to calculate SAMM contributions. This is based on a programme of access management and monitoring measures set out in the Thames Basin Heaths SAMM Project Tariff Guidance document, produced by Natural England in March 2011⁸.
- 6.1.3 SAMM contribution rates for a net increase in residential dwellings within the 400m to 5km zone of influence, and prior to any level of discounting permitted by Natural England, are set out within Table 8. These equate to £360 per occupant and include an uplift agreed by the JSP on 19 November 2020⁹.

Table 8. SAMM Tariff

Dwelling Size	Expected Occupancy	SAMM Tariff
1 bedroom/studio	1.40	£504
2 bedrooms	1.85	£666
3 bedrooms	2.50	£900
4 bedrooms	2.85	£1,026
5+ bedrooms	3.70	£1,332

- 6.1.4 Schemes incurring a net increase of 50 or more residential dwellings within the 5-7km zone are likely to be subject to discounting, subject to agreement by Natural England and evaluated on a case by case basis.
- 6.1.5 The level of contributions set out above are base figures. SAMM contributions will be updated annually to take account of inflation and will be published on the Council's website. Contributions may also be updated to reflect increased costs or works, in accordance with guidance from the JSP. This will not affect contributions already paid or committed. Where a development site is providing mitigation through a bespoke onsite SANG, there will still be a requirement to provide SAMM contributions.

⁸ Natural England (2011) Thames Basin Heaths Strategic Access Management and Monitoring Project Tariff Guidance

⁹ <https://surreyheath.moderngov.co.uk/ieListDocuments.aspx?CId=316&MId=3398&Ver=4>

- 6.1.6 Where developments are seeking to contribute to a SANG controlled by a third party, all contributions for SANGMM must be paid to the Council who will release funds to the third party in accordance with the arrangements in place to deliver and maintain the SANG. In addition to the tariff quoted below, an administration cost would also be applied in such instances to account for officer hours. This will ensure that the Council fulfils its duty as competent authority to ensure that avoidance measures are provided to the required standard and that monies are available for access management and monitoring.
- 6.1.7 Based on the information contained within chapters 5 and 6, Table 9 provides a summary of cumulative SANG and SANG contributions within the 400m to 5km Zone of Influence which equate to £1,263.5 per occupant:

Table 9. Summary of Tariffs

Dwelling Size	SANG Tariff	SANG Tariff	Tariffs Total
1 bedroom/studio	£1,264.905	£504	£1,768.909
2 bedrooms	£1,671.48	£666	£2,337.48
3 bedrooms	£2,258.759	£900	£3,158.759
4 bedrooms	£2,574.985	£1,026	£3,600.981
5+ bedrooms	£3,342.953	£1,332	£4,674.955

- 6.1.8 Any s106 contribution payments to be made to the Council are to be secured by planning obligations and paid no later than prior to occupation of the first dwelling. If a large development is likely to be built in phases, payment by instalment may be considered. If paying in instalments, each instalment should be paid no later than prior to occupation of the first dwelling for each phase of the development.
- 6.1.9 For applications where occupancy is unknown such as outline or prior approval the Council will, where it is deemed by officers appropriate to do so, apply a formula based approach in any S106 or undertaking to ensure that SANG & SANG contributions are secured which reflect the development as implemented.

Glossary and Abbreviations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thames Basin Heaths Special Protection Area

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

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

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

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

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

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

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

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

Appendix 2: Runnymede 2030 Local Plan Policy EE10

Policy EE10: Thames Basin Heaths Special Protection Area

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

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

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

or

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

or

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

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

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

Appendix 3: Strategic SANG and Catchment Area Maps

Figure 3. Chertsey Meads SANG Catchment Area

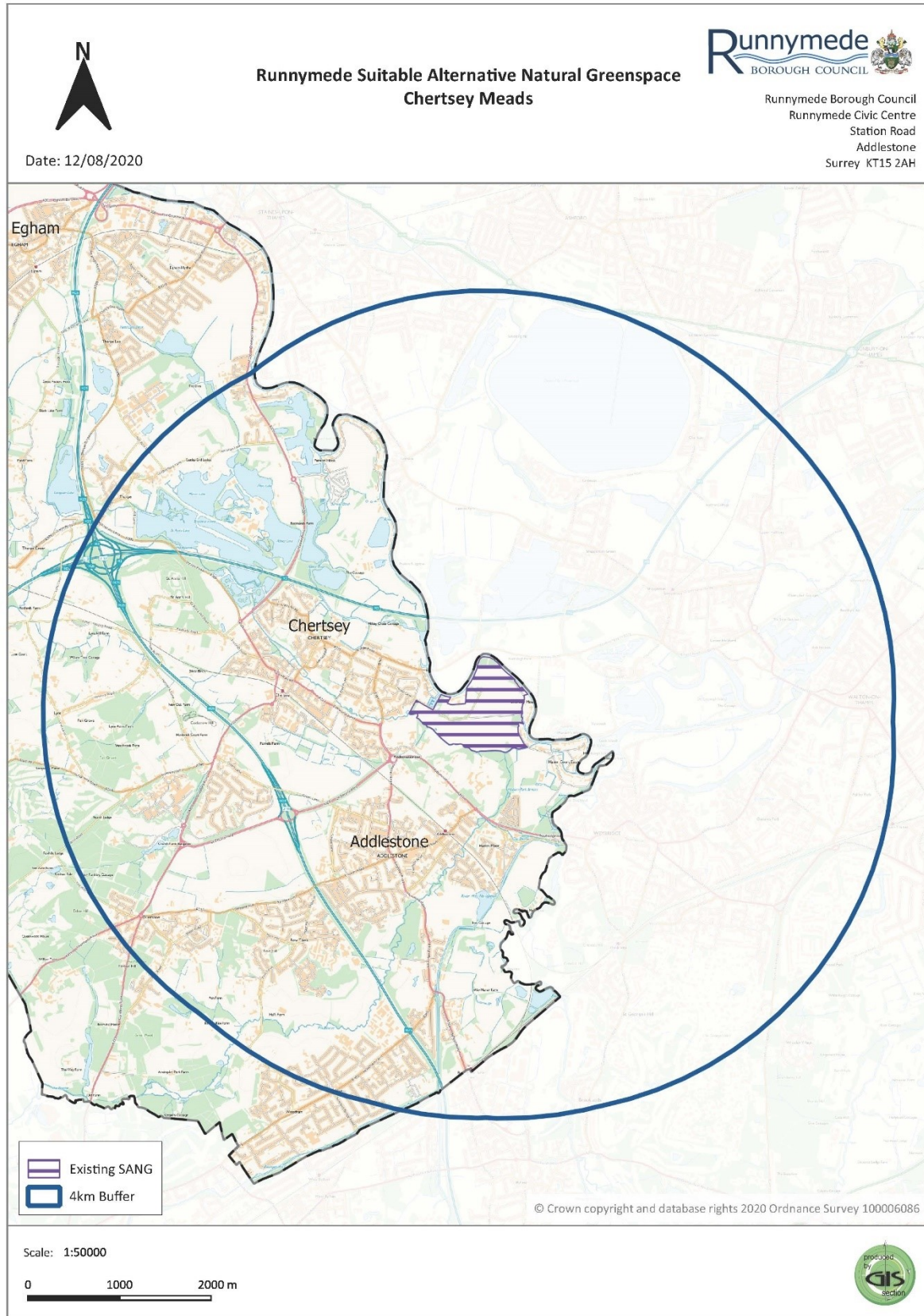


Figure 4. Hare Hill SANG Catchment Area



Figure 5. Homewood Park SANG Catchment Area



Figure 6. Queenswood and Ether Hill SANGs Catchment Area



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

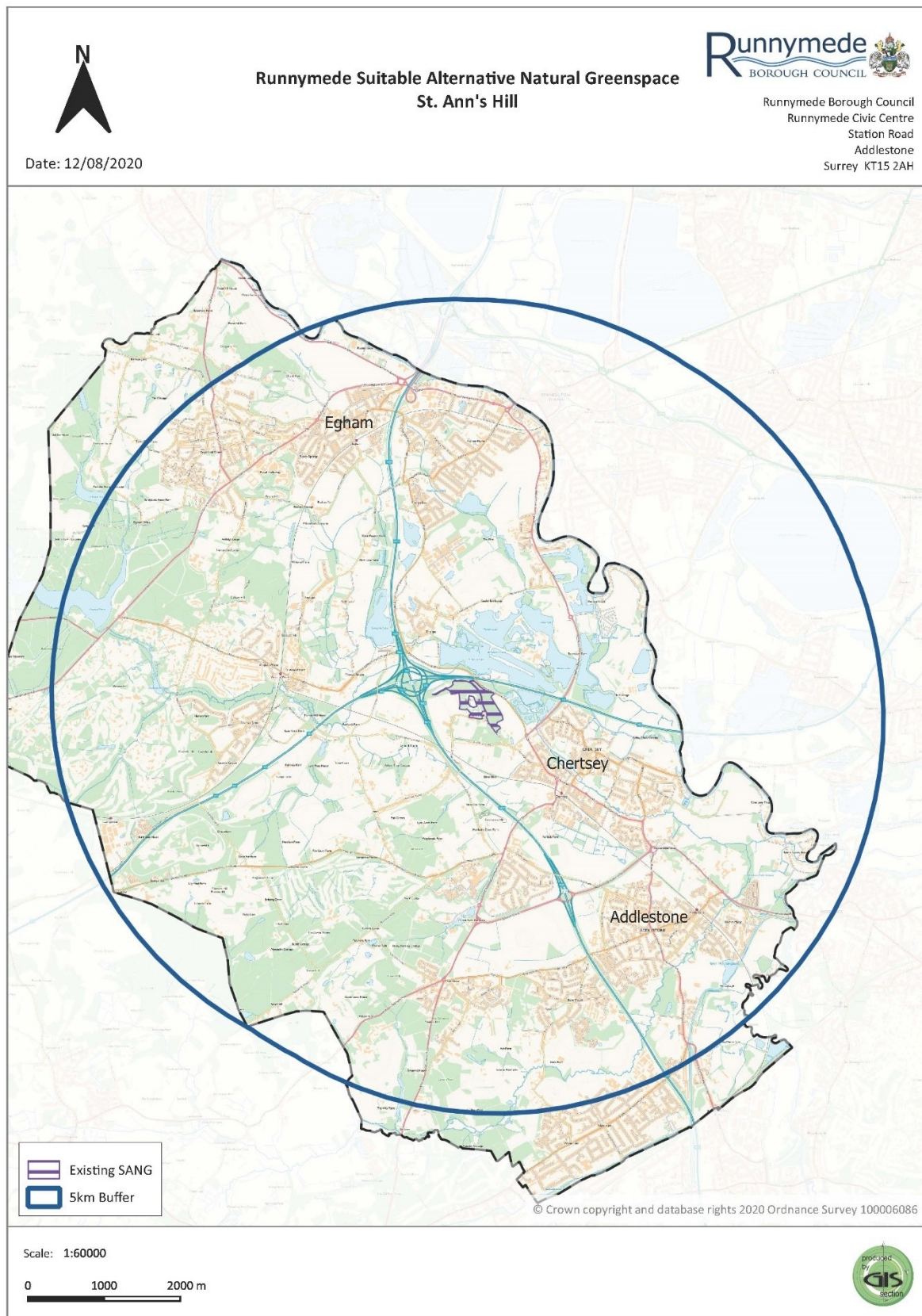
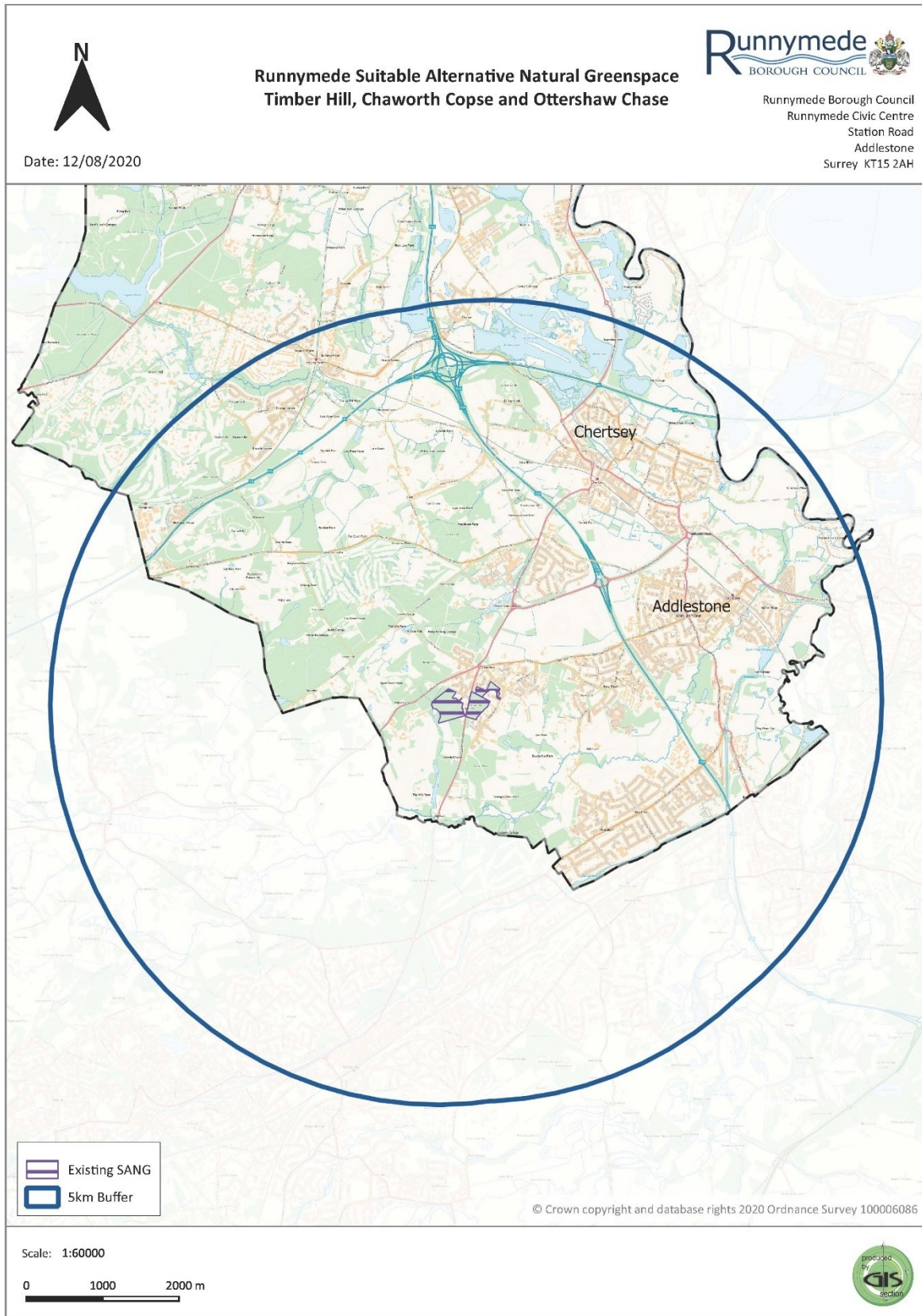


Figure 8. Timber Hill, Chaworth Copse and Ottershaw Chase SANGs Catchment Area



Appendix 4: Bespoke SANGs Maps

Figure 9. Chertsey Common SANG

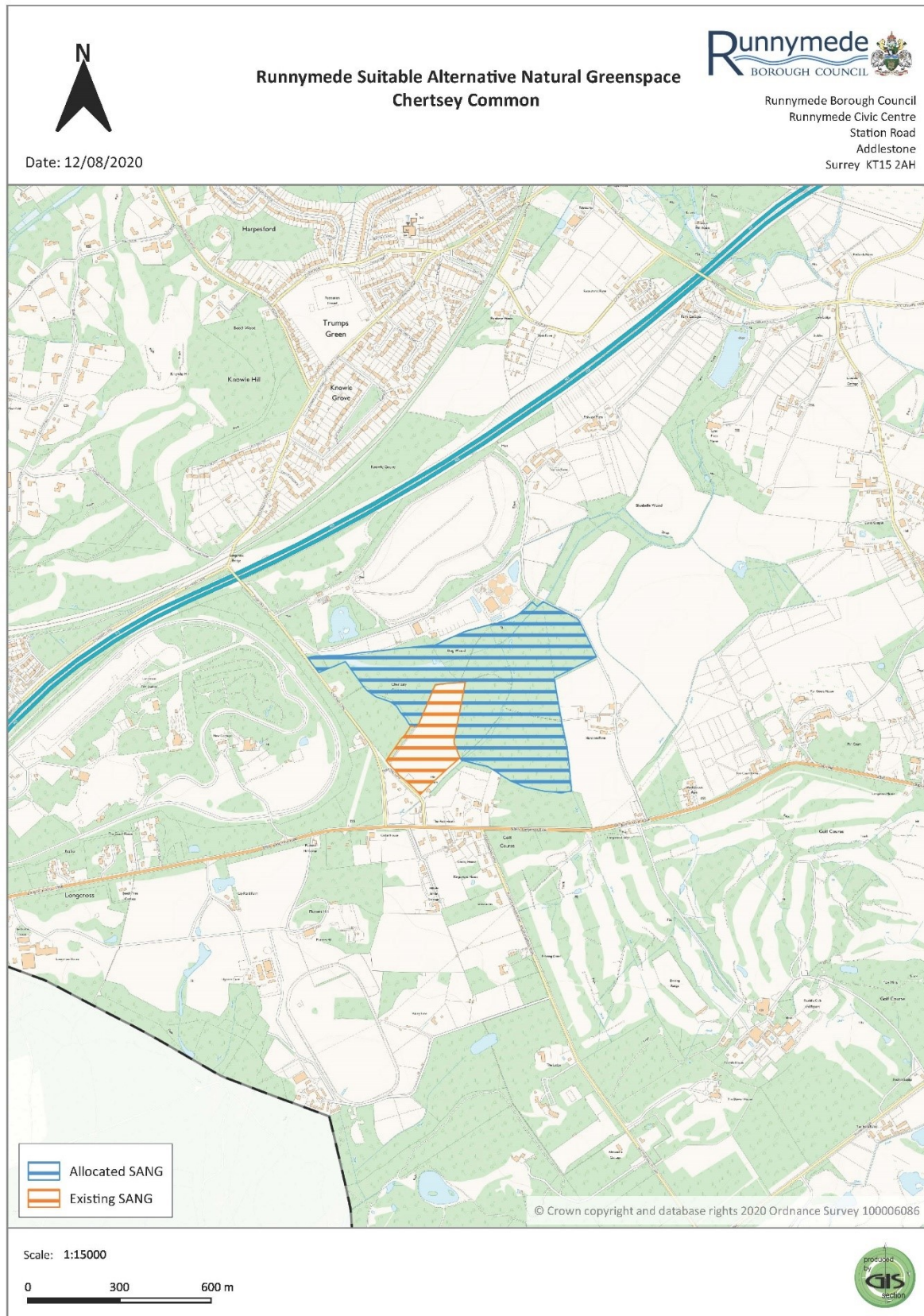
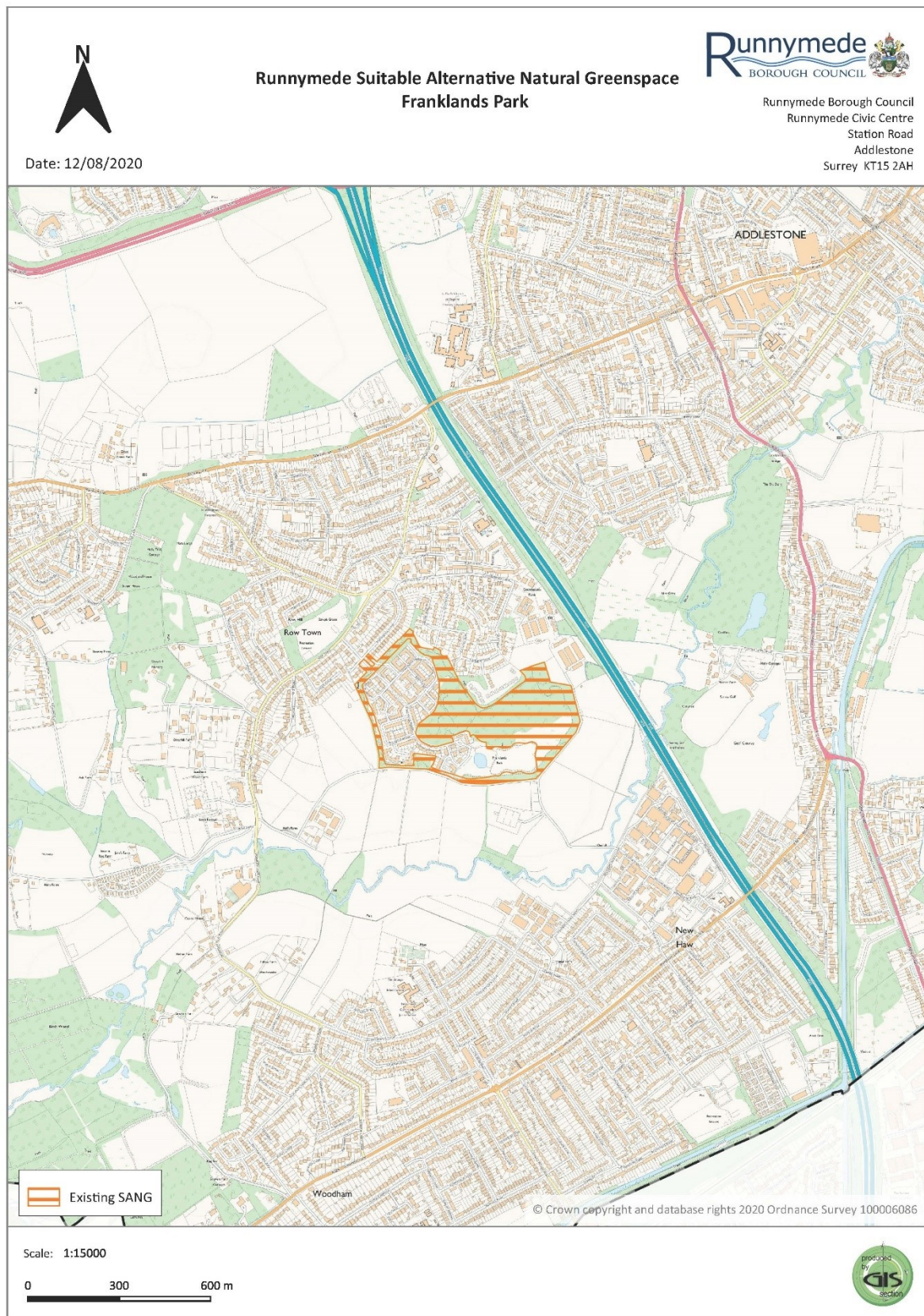


Figure 10. Franklands Park SANG



Appendix 5: Guidelines for the Creation of SANGs

Natural England (2008)

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

The Natural England guidelines also state that:

‘These guidelines relate specifically to the means to provide mitigation for housing within the Thames Basin Heaths Planning Zone. They do not address nor preclude the other functions of green space (e.g. provision of disabled access).’

As the guidelines do not preclude other functions of green space, the Council has added a further ‘must have’ criteria regarding accessibility by those using a mobility scooter or similar and provision of disabled parking bays.

Must haves

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

Should haves

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

Desirables

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

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

Natural England (2008)

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

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

Must have

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

Should have

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

Desirable

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

Appendix 7: SANGs Information Form

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

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

Background information

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

Current visitor arrangements

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

8. **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.

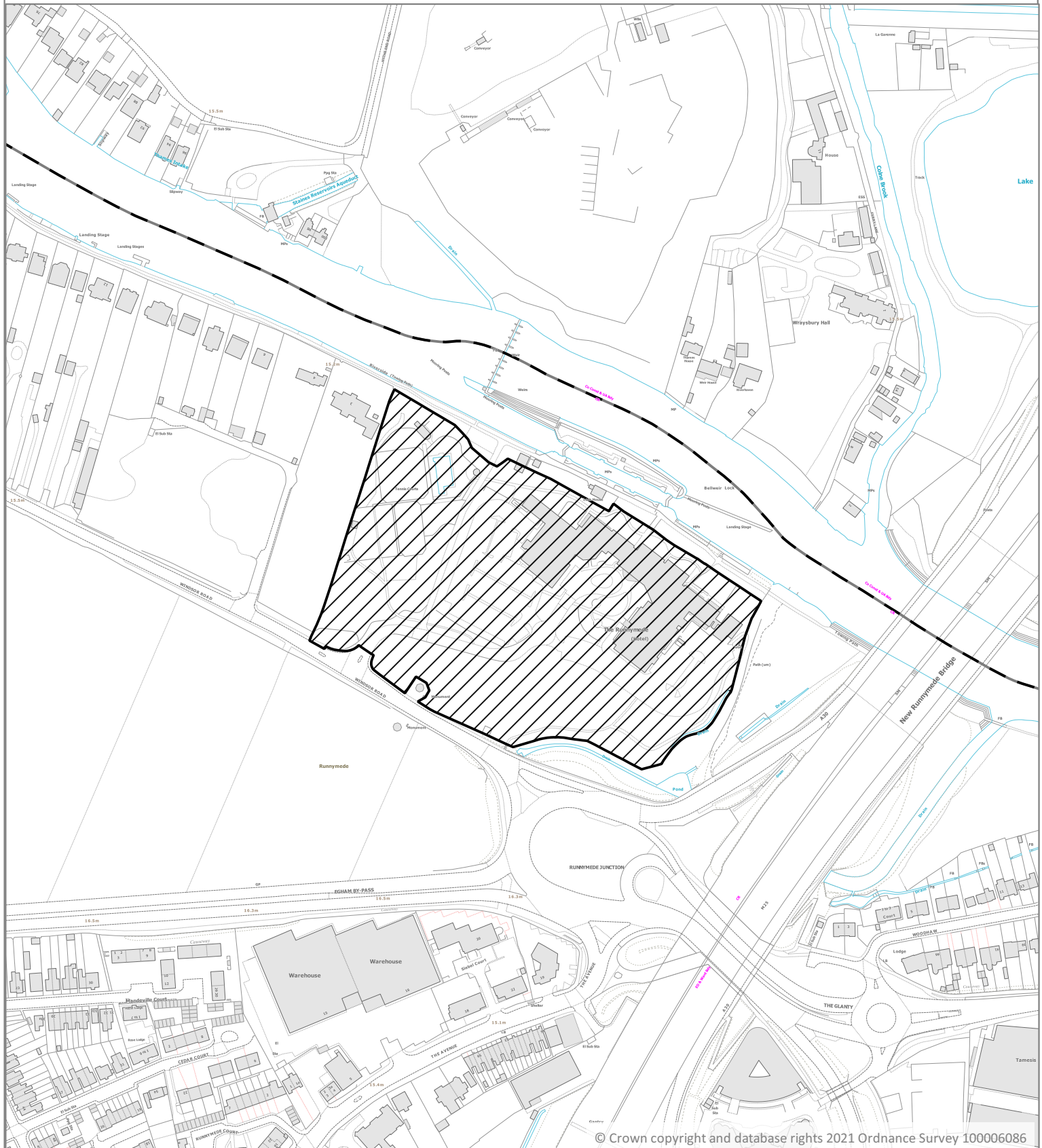
b) **Confidential Information**

No reports to be considered.



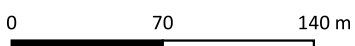
Date: 14/04/2021

Runnymede Hotel, Windsor Road, Egham



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Scale: 1:3,500



RU.19/1659



COMMITTEE AGENDA REFERENCE: 5A

APPLICATION REF:	RU.19/1659
LOCATION	Runnymede Hotel and Spa Windsor Road Old Windsor Egham TW20 0AG
PROPOSAL	Extension to West Wing of hotel to create additional Bedrooms (use Class C1) and associated parking.
TYPE	Full Planning Permission
EXPIRY DATE	07 January 2020 Extension of time 16 April 2021
WARD	Egham Town
CASE OFFICER	Justin Williams
REASON FOR COMMITTEE DETERMINATION	The application has been reported to Planning Committee because it is a major application.
<i>If you have questions about this report please contact Ashley Smith, Christine Kelso or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	To Grant planning permission subject to conditions

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 Runnymede Hotel is a 4-star hotel with 180 bedrooms located adjacent to the River Thames, the Thames National Trail and within the Green Belt and adjacent to Bell Weir Lock and a Lock Keepers Cottage. To the South East of the site is the M25 and A30 which cross over the Thames and opposite the site are residential properties within the Royal Borough of Windsor and Maidenhead.
- 2.2 The site covers an area of approximately 0.3 Hectares and includes landscaped gardens, tennis courts, play areas and an external swimming pool with surface parking. The site lies within the Green Belt and partially in the functional flood zone 3b and wholly within the High-risk flood zone 3a.

3. APPLICATION DETAILS

- 3.1 The applicant has applied for Full Planning Permission for the erection of a 3-storey extension with accommodation in the roof area. The proposed extension would be approximately 28 metres wide, 20 metres deep and have a maximum height to match the height of the existing building at 14 metres. The additional floorspace would be 3460 sq metres. The proposal would be raised above ground and extend over part of the existing surface car park. The proposed extension would provide an additional 84 bedrooms and an additional 30 car parking spaces with one of the hard-surfaced tennis court being converted to car parking.
- 3.2 The applicant has submitted a Planning Statement, Design and Access Statement, Sunlight and Overshadowing Report, landscape and visual appraisal, Economic Footprint Report, Transport Statement, Ecological Appraisal and a Flood Risk Assessment in support of their application.
- 3.3 The Planning Statement identifies that the proposed extension would be an appropriate form of development within the green Belt as the applicant considers that the extension would constitute limited infilling with the Green Belt and does not have a greater impact on the openness of the Green Belt than the existing development. The statement also considers that there are very special circumstances to justify if it is considered that the proposal would be inappropriate form of development, that is would have a significant contribution to the economy of the area, employing people at the site and in the supply chain and to the visitor economy of the area.
- 3.4 The report also refers to Biodiversity and notes that there are no notable species on the site, but the trees and hedging had the opportunity to provide nesting areas for birds on the site. There are no protected trees on the site, but the proposal would result in the removal of several small saplings and five other trees to be removed.

- 3.5 The statement refers to the impact on the adjacent Lock Keepers Cottage which is sited to the north west of the proposed extension and considered that the proposed extension would not materially result in overshadowing or loss of privacy. The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment, which includes a Transient Overshadowing Assessment. This details the movement of the sun in relation to the extension and its effects.
- 3.6 The applicant has been in negotiations with the Environment Agency during the application and has submitted an updated Flood Risk Assessment. The Assessment refers to the extension being built using a column and beam system to minimise any loss of flood plain storage and there would be voids to enable the flow of flood water. The FRA refers to a flood compensatory storage area and a flood risk management plan, which would follow the same measures as the existing plan
- 3.7 The submitted Transport Statement details that the car parking at the site will increase by 30 spaces, the site is accessible by sustainable transport and public transport and will not impact on highway safety of the adjoining highway network. The statement identifies that the site currently attracts about 130 – 150 traffic movements during peak hours 08:00 – 09:00 and 17:00 - 18:00. The extension would add to an additional 30 trips during peak travel periods

4. RELEVANT PLANNING HISTORY

- 4.1 The following history is considered relevant to this application:

Reference	Details
RU.08/0364	Proposed enhancements to Runnymede Hotel and Spa to include revised car park layout, goldpla parking area, creation of main outdoor swimming pool and children's pool, revised rear terrace, redesigned courtyard and replacement water feature, replacement glass conservatory to the rear, solar panels to the hotel roof, re-siting of children's play area, partial cladding to front and rear elevations and rear balcony areas, screening of solar panels, balconies serving conference suite, landscaping proposal and revised footpath/cycle route connecting the Thames Path to Runnymede Meadows. Granted May 2008
RU.08/0742	Revisions to permission RU.08/0364 for proposed hotel and spa enhancements to include revised children's swimming pool with swimming pool plant and toilet facilities; gazebo relocation; redesigned central courtyard and water feature; creation and revisions to balconies; revised left bank restaurant and entrances; revisions to spa entrance; amendment to entrance canopy; and alteration to hardstanding and landscaping enhancements. Granted September 2008.
RU.07/0660	Single storey extensions to ground floor comprising reception area, office area, kitchen support, leisure area and private events area. First and second floor extension to west wing of hotel comprising 9 additional bedrooms. Elevation and landscaping enhancements and creation of new cycle and footpath route linking the Thames Path to Runnymede Meadows. Refused August 2007
RU.98/0332	Creation of additional car parking spaces by enlarging car park to west of hotel and providing spaces adjacent to entrance and provision of turning facilities within service area. Granted June 1998
RU.96/0022	Extensions for form staff room, entrance, function suite dining room, leisure clb/aerobics studio, 7 additional bedrooms, and 3 self-contained suites, demolition of May meadow annexe and provision of tennis courts with associated extension works and erection of fence and landscaping. Granted July 1997
RU.90/0878	Extension to hotel to provide leisure facilities including swimming pool and additional bedrooms following demolition of squash club and restoration of site to Green Belt and use of open-air tennis court, swimming pool and small pavilion. Granted July 1991
RU.86/0199	Single storey extension to provide ancillary office accommodation. Granted April 1986

5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.

5.2 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. CONSULTATIONS CARRIED OUT

6.1 Consultees responses

Consultee	Comments
Royal Borough of Windsor and Maidenhead	No objection
Surrey County Highways	No objection subject to conditions
Highways England	No objection
Environment Agency Estates	The access track to the lock should be maintained at all times
RBC Tree Officer	No objection subject to conditions regarding replacement trees and an Arboricultural Method statement to ensure existing trees are protected during construction.
Environment Agency	No objection subject to condition regarding construction in accordance with mitigation measures identified in Flood Risk Assessment.

Representations and comments from interested parties

6.2 8 Neighbouring properties were consulted in addition to being advertised on the Council's website and two letters of representation have been received which can be summarised as follows:

- The building would have an adverse impact on the Flood Plain
- The proposal would erode the Green Belt
- The proposal must not impede the flow of flood water, cause new or exacerbate flooding problems on the site or elsewhere.

7. PLANNING CONSIDERATIONS

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where there is a presumption against inappropriate development. The key planning matters are whether the proposal would constitute inappropriate development, the impact on the openness of the Green Belt, impact on the amenities of the area, flood plain, highway safety, biodiversity and the impact on the residential amenities of adjacent neighbouring properties.

7.2 The proposed extension would extend partly over an existing surface car park and continue an existing single storey extension, increasing the width of the building by an additional 28 metres. To the north west of the location of the proposed extension, there is an open swimming pool, children's play area and hard surface tennis courts. The extension would be no higher than the existing building and not extend the building any closer to the northern boundary of the site. The proposal would result in an extension to the building and Policy EE14 states that the extension of a building is not inappropriate development providing that it does not result in disproportionate additions over and above the size of the original building. The hotel has been extended in the past and it is considered that the proposed extension coupled with the previous extensions would result in the proposal being a disproportionate addition to the original building. Therefore, the proposal would constitute inappropriate development and there is conflict with Policy EE14.

7.3 Paragraph 143 of the NPPF states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 further states that Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.

7.4 As detailed above the proposed extension would continue an existing extension close to the boundary with the River Thames and partly extend over an existing car park between the tennis courts and the existing hotel building. The extension would not be any higher or extend any closer to the boundaries than the existing built form at the site. Given the scale and siting of the proposed extension, it is

considered the proposed extension would be more prominent than the existing surface car park, and therefore there would be impact on the openness of the Green Belt.

- 7.5 In terms of impact on neighbouring residential amenities, there is an existing detached Lock Keepers Cottage to the north of the hotel next to the River Thames. This is the closest neighbouring property to the application site. This has tall mature evergreen planting on its southern boundary adjacent to the Hotel with the closest windows in the south western elevation facing the evergreen screening. There is one first floor window in the north western elevation facing the garden area of the property. The proposal would be visible from this property but would not be extending any closer than the existing hotel, retaining a separation distance of approximately 15 metres. In addition, the occupancy of the rooms would be transient and as such it is considered that the proposed extension would not materially result in permanent overlooking and loss of privacy to the occupiers of the Lock Keepers Cottage. The position of the extension, its height and juxtaposition with the Lock Keepers Cottage may result in overshadowing, however, because of the separation distance and orientation, it is not considered that this would result in a significant impact on the occupiers of the adjacent neighbouring property. The proposal would therefore comply with Policy EE1 in this respect.
- 7.6 The site is mostly within the functional flood plain (FZ 3b) and wholly within the High-Risk Flood zone (FZ 3a). The applicant has submitted a Flood Risk Assessment in support of the application, and this notes that the proposed extension would be built on columns, with parts of the structure having car parking underneath and with voids to enable the free flow of water. The extension of the car parking area to the north west of the site would be on a former surfaced tennis court. However, this would be replaced with permeable surface to allow filtration. The applicant also proposes to provide a compensation area closer to the road boundary of the site to provide additional water storage to off set the area lost from the columns for the extension. The hotel has an existing Flood Risk Management Plan, and this would be enhanced with the occupiers of the extension. The applicant refers to the location of the extension being chosen to enable integration with the existing hotel. The applicant states that other areas outside of flood zone 3b were identified, but these were ruled out because it would affect the layout and operation of the hotel and would not be viable. The Environment Agency raise no objection to the application subject to condition regarding the development being carried out in accordance with the mitigation measures identified in the Flood Risk Report. Furthermore, the Environment Agency note that new development in Flood zone 3b would not normally be acceptable, however, the application for an extension to an existing hotel and the submitted information demonstrates that the proposal would be safe from flooding and there would be no increase in flood risk to the surrounding area. It is considered that, as the hotel has an existing and well tested emergency and flood management plan, coupled with the design of the extension and its location the proposal would ensure that flood risks are fully considered. The applicant has submitted some information about surface water drainage but further details are required and a condition is recommended to secure this. The proposal would therefore comply with Policy EE13. Water efficiency measures can also be secured by condition to comply with Policy SD7.
- 7.7 It is considered the design and appearance of the development would be consistent with the existing hotel, and with landscaping, it is considered that the proposal would not materially affect the visual amenities of the area in accordance with Policy EE1. The hotel site is significantly landscaped with a variety of planting. The supporting statement details that a limited number of trees and planting would be removed. Details of landscaping have not been submitted, therefore a condition requiring details of landscaping to be submitted is recommended. This will also assist with biodiversity enhancements as well as enhancing the appearance of the hotel site with the extension.
- 7.8 The site would not include any changes to the access from Windsor Road to the site and would result in the creation of approximately 30 car parking spaces. The submitted Transport Statement details that the proposed extension would not have a material impact on traffic to and from the site. The applicant has submitted a Travel Plan with the application, This states that there would be a travel plan co-ordinator at the hotel to take responsibility for the day to day operation of the travel plan and this will be promoted to encourage other sustainable methods of transport to access the site. The County Highway Authority have reviewed the proposals and acknowledges that the site is not easily accessible by means other than private vehicles. It is considered the additional trips would not have a severe impact on the capacity or safety of the highway network, and subject to normal standard conditions including electric vehicle charging points, the application complies with Policy SD4.
- 7.9 The proposal would include additional ventilation and cooling systems for the additional bedrooms. These would be located on the roof of the extension and would not be clearly visible from ground level. However, the units would generate noise and the applicant has submitted a noise report as part of the application. Policy EE2 of the Runnymede Local Plan refers to environmental protection including noise levels and lighting levels. In respect of noise, this requires that proposals will need to consider the effects of external noise on outside amenity and incorporate measures to avoid mitigate and reduce noise impacts. The submitted noise report considers the existing background noise levels during the

day and evening and explains that measures for plant and equipment to achieve noise levels below existing background levels would be achievable. However exact details of these have not been submitted. Therefore, a condition requiring further details of acoustic measures is recommended. The submitted application may require lighting around the site for the building and car parking area. Policy EE2 requires lighting schemes to be well designed and avoid impact on local amenity, wildlife and not exceed the minimum levels necessary and not spill beyond the area intended for illumination. Again, a condition requiring further details to be submitted is necessary. Subject to these conditions, it is considered the proposal would comply with Policy EE2.

- 7.10 The applicant has submitted an ecological appraisal in support of the application. There is limited biodiversity quality at the present time on the site and the applicant considers it is unlikely that the proposal would therefore have an adverse impact on biodiversity at the site. Policy SD7 of the Runnymede 2030 Local Plan refers to achieving biodiversity net gain on developments and there is scope for achieving biodiversity enhancements within such a large site and therefore a condition requiring additional information is recommended. The proposal satisfies Policy EE9.
- 7.11 The application therefore results in inappropriate development in the green belt which is harmful by definition. In addition, there is harm to the openness of the Green Belt. Substantial weight has to be given to any harm to the Green Belt. No other harms have been identified that cannot be addressed by condition. It is therefore necessary to consider whether any very special circumstances exist which clearly outweigh the harms to the Green Belt.
- 7.12 The applicant has provided a supporting planning statement which explains the reasons for the proposed extension being the changing guest expectations for larger rooms, noise and disturbance to some existing rooms from function rooms, and corporate and midweek business market growing with the hotel having to turn customers away. The applicant considers that the economic benefits of the hotel are very special circumstances to support their application. The planning statement details that the hotel employs over 180 permanent members of staff and this increases with weddings and conferences by a further 40. The proposed extension would result in the hotel employing 220 people directly and a further 105 – 110 FTE in the supply chain with 35 businesses in Runnymede in the supply chain within Runnymede Borough. The Economic footprint report refers to the Surrey Hotel Futures report 2015 and Windsor Tourism Action Plan 2017 – 2020. The Surrey report states that there is an opportunity and requirement for further 4-star hotel development and additional leisure, or spa facilities may be required to bring weekend occupancy rates in line with mid-week levels. The Windsor Tourism Action Plan refers to increasing overseas and domestic holiday makers to stay in the area. The planning statement notes that some of the current rooms are too small being below general market size. In addition, the popularity of the hotel and its facilities has led to the hotel having to decline bookings because of lack of bedroom capacity. Policy IE4 of the Runnymede 2030 Local Plan refers to the Visitor Economy. This states that the visitor economy provides an essential part of Runnymede's economy, and the promotion and enhancement of tourist and leisure attractions that are sustainable is important to the future prosperity of the Borough. The hotel is sited in close proximity to the River Thames, which the Local Plan notes provides a valuable asset and serves a wide range of functions encompassing recreational, leisure and sport opportunities. The site is also in close proximity to some of the borough's richest historic assets such as Runnymede Meadows, the John F Kennedy and Air Forces Memorials and all the more recent installations. The Local Plan also notes that hotels can support the business community and the quality of accommodation can make a significant difference to the number of tourists that visit and stay in a place. The Policy IE4 states that planning applications which deliver a high-quality visitor experience that increases the contribution that tourism makes will be supported subject to preserving the Boroughs heritage, natural environment, and do not harm local biodiversity or water quality where close to the River Thames. The justification for the policy also includes that the Council will seek to protect existing hotel accommodation. The site also provides easy access for business purposes. The proposal therefore complies with Policy IE4.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposal is for hotel use and is therefore not CIL liable

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 When balancing the material considerations, it is considered that the proposed extension would be a disproportionate addition to the original building, and there would be harm to the openness of the Green Belt. However, the design and appearance of the extension would harmonise with that of the main hotel building and not materially harm the visual amenities of the area. The applicant has fully considered flood risk, the site being located immediately adjacent to the River Thames, and the proposal would not impede the flow of flood water, would not reduce the capacity of the flood plain to store water or exacerbate existing flood problems. In addition there would be no material harms to the amenities of the occupiers of the adjacent neighbouring property and there would be no severe impacts on the safety or capacity of the highway network. Details of biodiversity improvements and landscaping can be achieved through condition. The extension would enable the hotel to refresh the provision of bedrooms at the site and enable the growth of the hotel and enable its continued contribution to the local economy of the Borough and surrounding area. The NPPF states that significant weight should be placed on the need to support economic growth and productivity. It is considered that the economic benefits to improving the supply and range of bedroom accommodation, and the support additional hotel accommodation at this existing high quality hotel will give to local leisure and tourist attractions, which are of national and international significance, weighs significantly in favour of the application and clearly outweighs the harms to the Green Belt.
- 10.2 The development has been assessed against the following Development Plan policies - EE1, EE13, IE4 and SD4 and SD7, EE9 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.

11. FORMAL OFFICER RECOMMENDATION

The CHDMBC be authorised to grant planning permission subject to the following conditions

- 1 Full application (standard time limit)

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

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

- 2 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans Flood Risk Assessment and Surface Water Drainage Strategy November 2019, Ecological Appraisal October 2019, Economic Footprint report May 2018, Daylight, Sunlight and overshadowing assessment November 2018, Planning Statement, Tree Survey Impact Assessment January 2019, Landscape and Visual Appraisal July 2019, Covering letter November 2019, Environmental Noise Report, SK001 Rev A, SK010, SK011 Rev E, SK012 Rev C, SK013 Rev B, SK014 Rev B, SK015, SK016, SK017 Rev C, SK018 Rev A, SK020 Rev A, SK021 Rev A all received 12 November 2019, Travel Plan Statement June 2020, NT14198 002 and SK019 Rev A received 12 June 2020 and Flood Risk Assessment received 25 January 2021.

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 material (materials to match)

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

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

4 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 the amenities of occupiers of nearby properties and to protect wildlife and to comply with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 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 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.

6 Biodiversity

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

Reason: To enhance 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.

7 SuDS (scheme for approval - pre-construction)

Prior to the commencement of construction of the development 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.

8 Soundproofing (noise spillage prevention)

Prior to the first use of the development hereby approved, a scheme specifying the provisions to be made for the control of noise emanating from site shall be submitted to and approved in writing by the Local Planning Authority. Such measures as may be agreed in writing shall be fully implemented prior to the occupation of the premises and shall be retained thereafter.

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

9 Sound (externally audible)

No sound reproduction equipment which conveys messages, music or other sound by voice or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.

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

10 The development shall be carried out in accordance with the submitted flood risk assessment (ref November 2019/NT14198 002 Issue 6/Wardell Armstrong) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 17.505 metres above Ordnance Datum (AOD).
Compensatory flood plain storage as shown in drawing SK-002 1385 revision 3 Flood Zone 3b Ground Remodelling & Remapping of Flood Zone 3b.

A floodable void as outlined in section of 6.7 of FRA.

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

Reason: To reduce the risk of flooding to the proposed development and future occupants, to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage in compliance with Policy EE13 of the Runnymede 2030 Local Plan and policies within the NPPF.

11 Tree Protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval and then subsequently approved tree protection measures shall be installed in accordance with the approved Tree Protection Plan 1140-KC-XX-YTREE-TPP01Rev0

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 of the Runnymede 2030 Local Plan and guidance within the NPPF.

12 Tree planting

Details and plans of 7 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 of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to comply with and Policy EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

13 Water efficiency

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 SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF.

14 The development hereby approved shall not be occupied unless and until at least six of the proposed parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply. 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.

15 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) measures to prevent the deposit of materials on the highway
- (e) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (f) 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 SD7 of the Runnymede 2030 Local and the objectives of 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 It is advised that prior to development, including groundworks, demolition, storage of equipment, machinery or materials brought on site for the purposes of the development, that a pre-commencement meeting is held on site and attended by a suitably qualified arboriculturalist and the site manager/foreman. The LPA tree officer may also attend the meeting if necessary and can be arranged by emailing planning@runnymede.gov.uk

The purpose of the pre-commencement meeting is to agree working procedures including no-dig construction if any and, the precise position of the approved tree protection measures or/and that all tree protection measures have been installed in accordance with the approved tree protection plan(s). The tree protection measures shall be maintained for the course of the development works.

- 3 The applicant is advised that vehicular and pedestrian access to Bell Weir Lock and Weir shall be maintained at all times for environment Agency Staff and Emergency Services.

4 Land Ownership

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

5 Environment Agency Informative (Consent of the EA for riverside works)

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over, or within 8 metres of the bank of the River Thames. Contact Environment Agency Development Control Engineer on 01276 454330 for further details.

6 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.

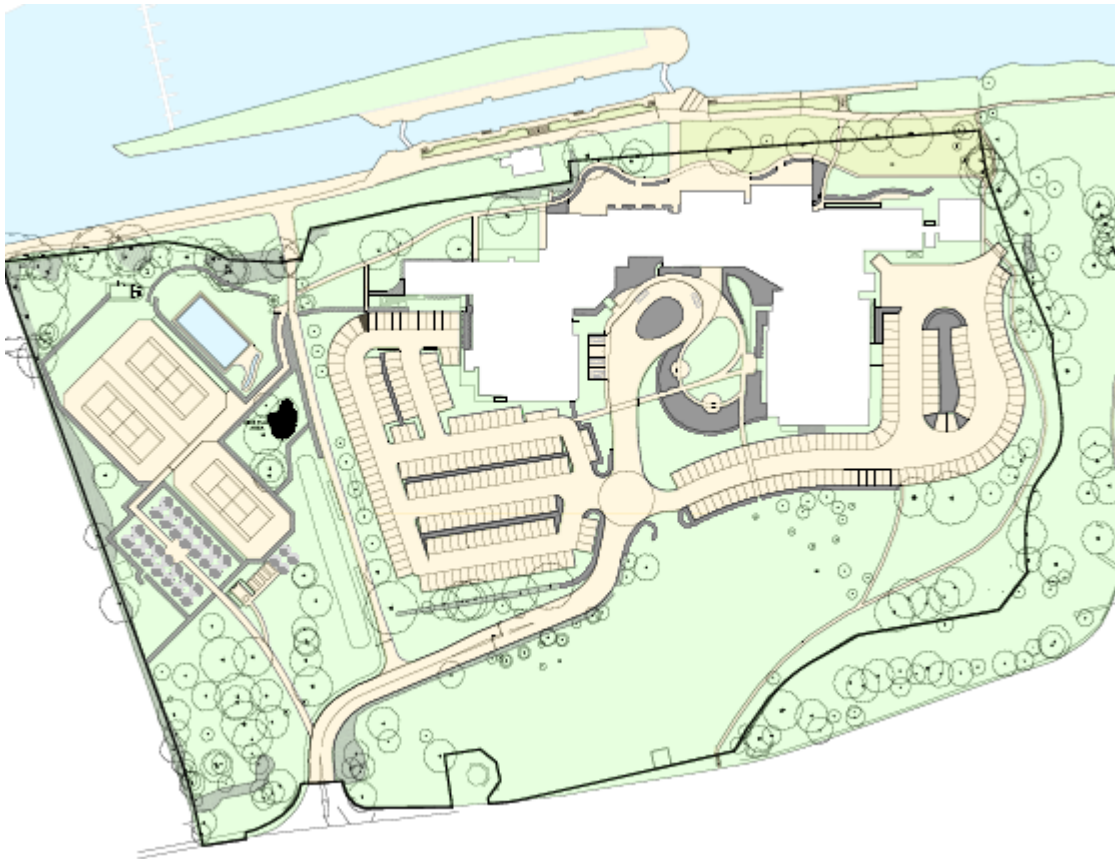
7 Mud/debris on the Highway

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).

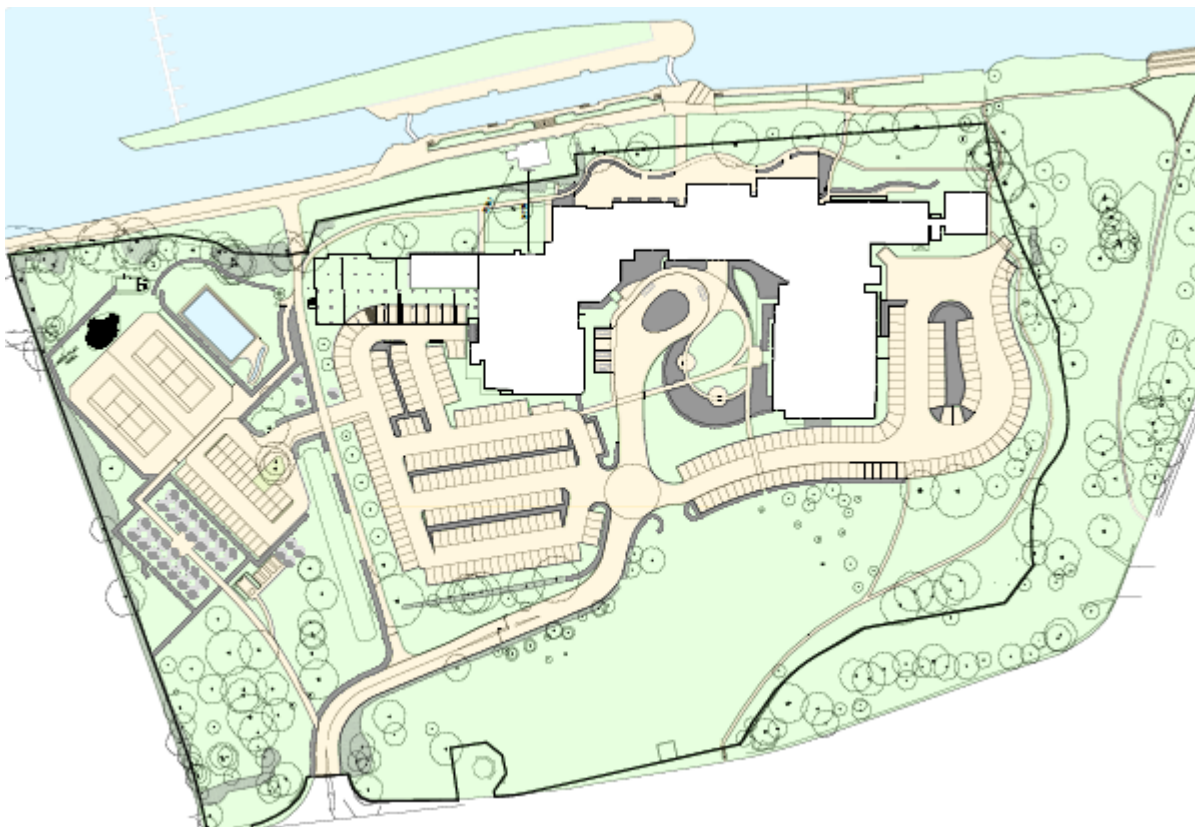
8 Electric vehicle charging

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.

Existing site plan



Proposed site plan

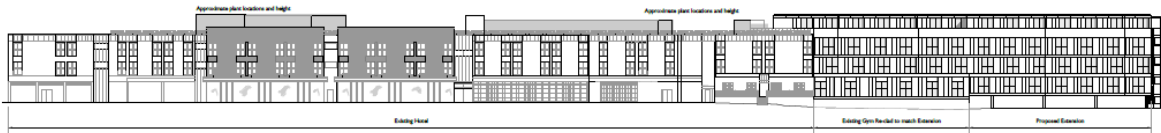


RU.19/1659 Runnymede Hotel and Spa

Proposed car park elevation



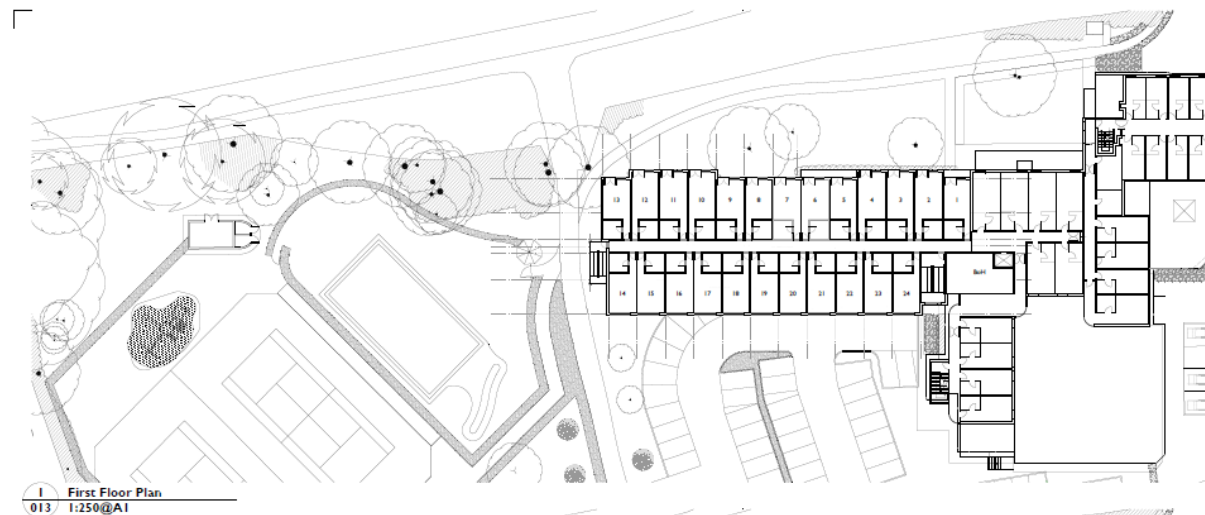
Proposed riverside elevation



Proposed ground floor plan

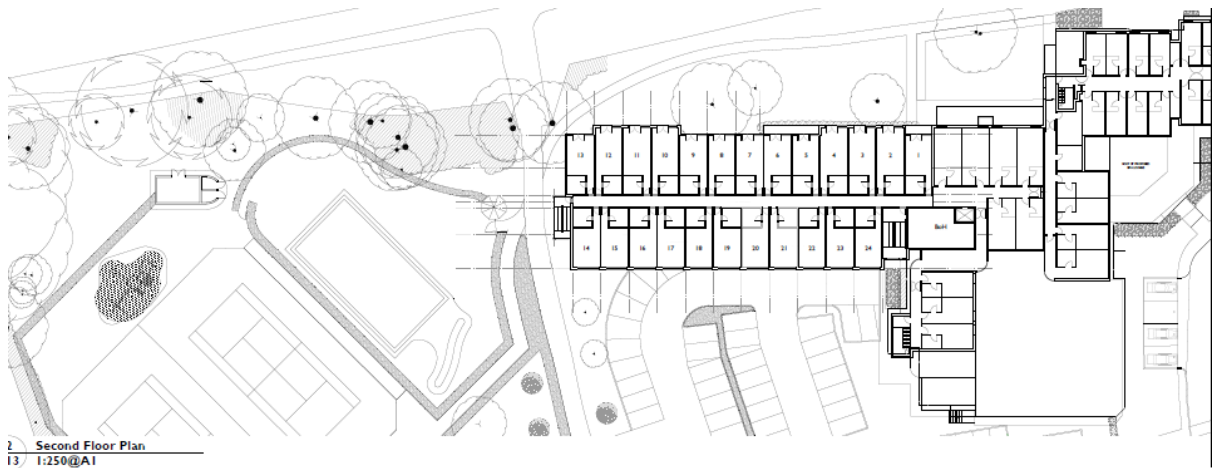


Proposed first floor plan

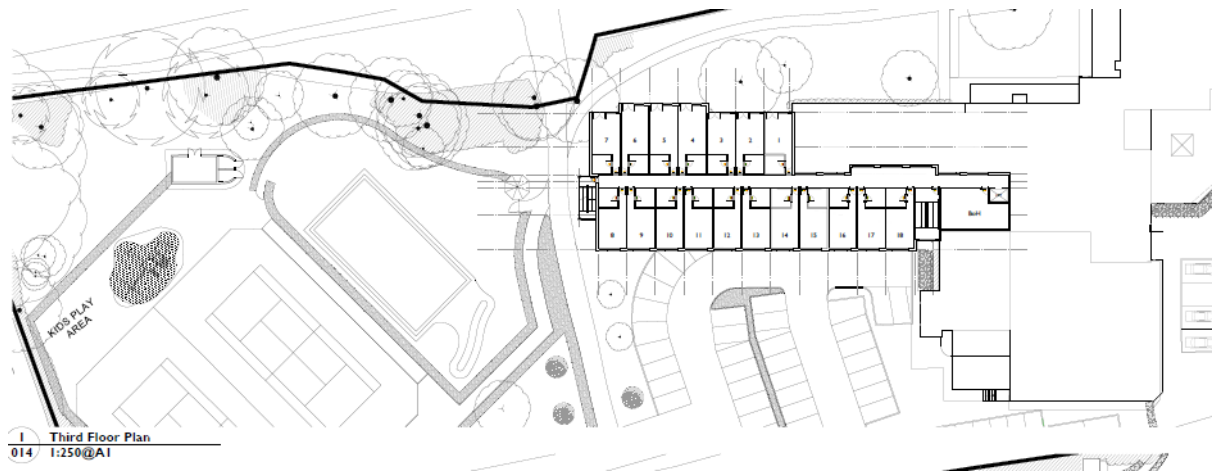


1 First Floor Plan
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Proposed second floor plan



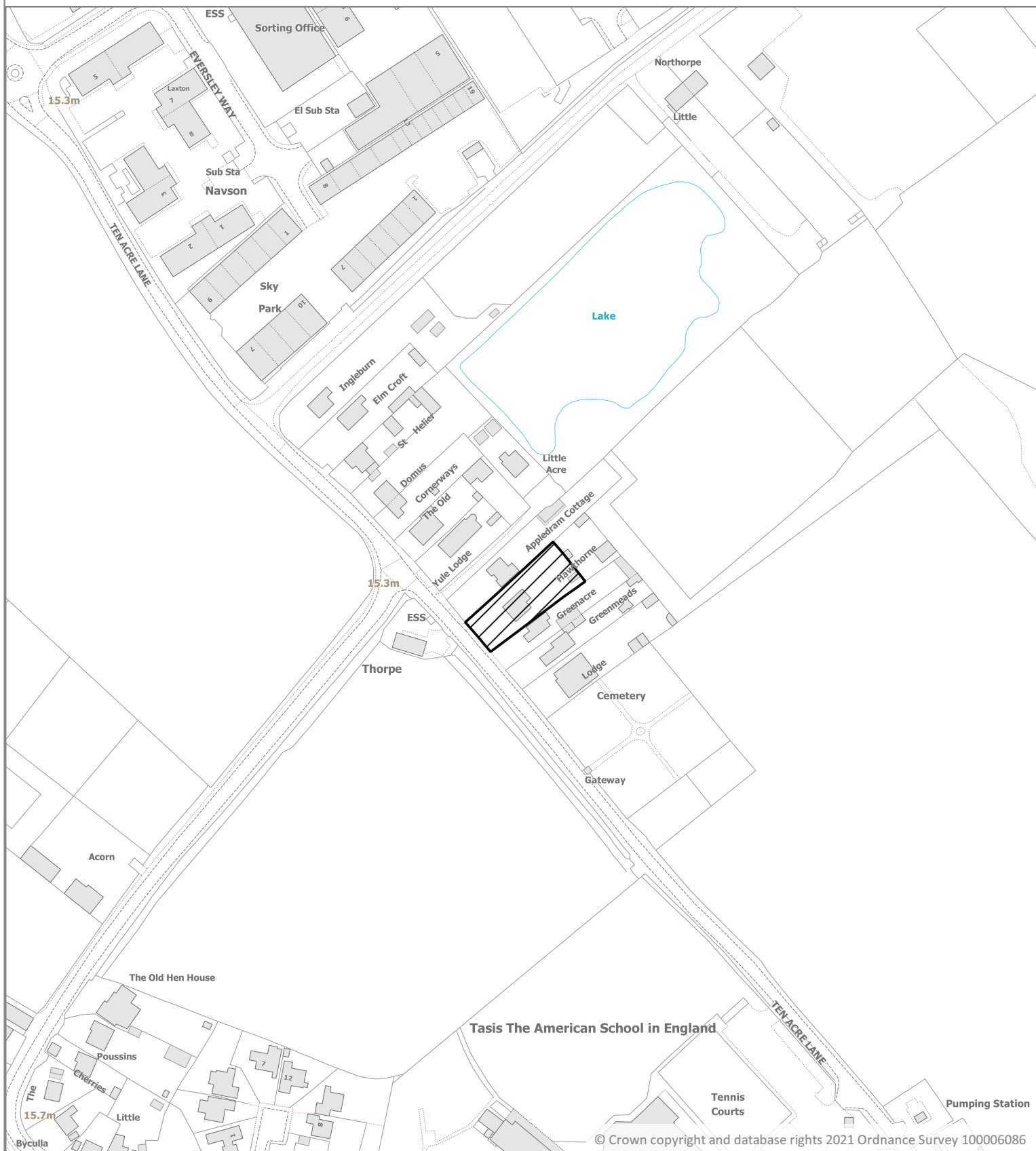
Proposed third floor plan





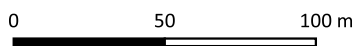
Date: 14/04/2021

Hawthorne, Ten Acre Lane, Egham



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Scale: 1:2,500



RU.21/0243



COMMITTEE AGENDA REFERENCE: 5B

APPLICATION REF:	RU.21/0243
LOCATION	Hawthorne Ten Acre Lane Egham Surrey TW20 8SJ
PROPOSAL	Retrospective application for a replacement garage (partially complete). Demolition of existing modular garage.
TYPE	Full Planning Permission
EXPIRY DATE	13 April 2021
WARD	Thorpe
CASE OFFICER	Ruth Menezes
REASON FOR COMMITTEE DETERMINATION	Number of letters of representation
<i>If you have questions about this report please contact Ashley Smith, Christine Kelso or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	<i>To grant planning permission subject to conditions.</i>

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises a detached dwelling and rear garden situated on the east side of Ten Acre Lane. The red line plan submitted with the application excludes an area to the rear of the residential curtilage within which there are a number of outbuildings which appear to be in commercial use. There are two, gated vehicle access points serving the site, one to the front of the dwelling and one along the north side boundary, leading to the commercial outbuildings and hardstanding at the rear. The application refers to the replacement (retrospective) of a garage. The red line plan includes the new garage within the red line area of the residential curtilage, but it is accessed from the area where the commercial buildings are, and along the northern boundary access. The existing garage is still present on the land and the applicant has commenced construction of the new building 'over the top of' the existing building. The site lies within the Green Belt and the Thorpe Neighbourhood Forum Area

3. APPLICATION DETAILS

- 3.1 The applicant seeks permission for a replacement garage and demolition of the existing, with soft landscaping. The new building is partially already built. According to the submitted plans the dimensions would be as follows: 6.3m in length with a width of 4.3m, the roof height has been amended (reduced) by further plans submitted during the course of this application and is proposed as 3.0m in height and the eaves 2.2m. Within the north west elevation is a window and a door. The main door to access the interior of the building is on the north east elevation facing into the commercial yard area.

4. RELEVANT PLANNING HISTORY

- 4.1 The following history is considered relevant to this application:

Reference	Details
RU.20/0739	Retrospective planning application for a replacement garage and soft landscaping. Refused
RU.19/1620	Retrospective planning application for a replacement garage and soft landscaping (amended form 27/11/19). - Withdrawn
RU.15/1634	Proposed single storey side extension. Withdrawn

RU.13/0120	Discharge of condition 2 (materials), 8 (boundary details), 9 (renewable energy), 10 (contamination) and 11 (surface water drainage) of RU.11/0773. Conditions discharged
RU.13/0072	Variation to condition 7 of RU.11/0773 to allow the retention of the existing dwelling house during the construction, the dwelling house to be removed one month after occupation. Grant
RU.11/0773	Proposed erection of a new dwelling house following demolition of existing house. Grant <ul style="list-style-type: none"> Condition 5 of this permission restricts Class E permitted development rights. ie permission is required for additional outbuildings within the residential curtilage.
RU.11/0343	Proposed erection of a new dwelling house, garages and associated hardstanding following demolition of house. Refuse
RU.90/1201	Pre-fabricated concrete garage for garaging cars. Grant

5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 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.
- 5.3 SPGs which might be a material consideration in determination: Householder (2003)
- 5.4 This site falls within the designated Thorpe Neighbourhood Area. Following independent examination in August 2020, the Thorpe Neighbourhood Development Plan 2015- 2030 Referendum Version has been recommended for referendum however this process has not been finalised yet as the referendum will take place on 6 May 2021.

6. CONSULTATIONS CARRIED OUT

6.1 Consultees responses

Consultee	Comments
Affinity Water	No comments received.
RBC Contaminated Land	RBC Contaminated land officer recommends the installation of a gas proof membrane due to existing contaminated land, this can be dealt with by condition.
Thorpe Neighbourhood Forum	No comments received.

Representations and comments from interested parties

- 6.2 Four Neighbouring properties were consulted in addition to being advertised on the Council's website and 3 letters (and 1 duplicate letter) of representation have been received in regard to the original scheme. The main comments within the letters of representation are summarised below:
- Object to another outbuilding, there are already large outbuildings to the rear of the site that could be used.
 - Concern over possible commercial activity to the rear of the site.
 - Concern over lorry activity to the rear of the site.
 - Concern that the rear garden will be used for commercial purposes.
 - Concern that garage will not be used for residential purposes.

Officer's comment: it is noted that neighbours are concerned about activities to the rear of the site, and these are the subject of separate consideration and are outside the remit of this application.

7. PLANNING CONSIDERATIONS

- 7.1 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 of the proposal on the Green Belt and the residential amenities of neighbouring properties. The site lies outside any of the character areas and allocated sites within the Thorpe Neighbourhood Plan.
- 7.2 The NPPF advises that the extension of buildings and construction of new buildings within the Green Belt should be considered inappropriate development which, by definition, is harmful to the Green Belt. The NPPF further advises that such development should not be approved except in very special circumstances. The NPPF goes on to detail exceptions to this, one such exception being the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. EE14 reiterates the presumption against development in the Green Belt outlined in the NPPF and follows the guidance that some development may be permitted in certain circumstances, namely, where the building is in the same use, is not materially larger and maintains the openness of the Green Belt. Any uncertainty over the use of the proposed garage would have a bearing on the principle of the development as unless the use is the same as the original (domestic) use, then the proposed works would not benefit from being one of the exceptions to the presumption against new buildings in the Green Belt.
- 7.3 The proposal is for a replacement garage. With regards to the use of the original garage it is clear from planning history that this was used as a domestic garage in connection with the main house. Under section 3 of the submitted Design and Access Statement the applicant states that 'this retrospective planning application relates to the replacement of an existing garage which is for the garaging of the family vehicle, it is located within the residential curtilage and is for residential purposes'. It is also, noted that the floor plan shows a dotted line for a car which could be accessed via a door from the residential garden. The access to the garage has altered from the original and is now gained from the secondary access to the side and rear of the site through what appears to be a more commercial area behind the residential property. However, from the submitted material it is clear that the intended use is for domestic purposes, it is also noted that this could be the subject of a condition if all other aspects of the application were acceptable.
- 7.4 Given the planning history, this is a table of comparison of the schemes:

	Existing garage*	RU.20/0739* (Refused)	Proposed Garage*
Height	2.5m	3.5m	3.0m
Eaves	2.0m	2.2m	2.2m
Width	3.3m	4.3m	4.3m
Depth	6.3m	7.0m	6.3m
Floor Area	20.8sqm	30.1sqm	27.0sqm
Floor Area increase %		50%	31%

*approx. figures taken from applicants drawings

- 7.5 In terms of whether the proposed building is considered to be materially larger than the existing building it replaces, there is no definition of 'materially larger' in the NPPF. However, the footprint (GEA), height, mass, volume, may all be considered to be relevant considerations in the assessment as set out in Policy EE14. In this case the building would remain single storey, albeit larger in scale (as the table shows above). It is noted that application RU.20/0739 was refused on the grounds of increased floor area and height the amount of which was considered harmful. The footprint of the garage proposed under this application has been increased by 31% which is acceptable and would not significantly spread development within the site. The height increase is 0.5m which is also considered acceptable with no greater harm to the Green Belt compared with the existing. As can be seen by the table, the floor area and height of the proposed garage have been reduced from what was previously proposed under RU.20/0739. The proposal is not considered materially larger than the building it replaces and would therefore fall within the exceptions within the NPPF and would not harm the openness of the Green Belt. The proposal complies with Policy EE14 and the NPPF.
- 7.6 The building is situated at some distance from Appledram Cottage to the north west and would not be obtrusive or overbearing to this neighbour. Although the access to the building would be along the common side boundary, it is considered that the use of the garage for domestic purposes would not be harmful to the amenities of this neighbour and as there is an existing garage, would be very similar to the current situation. Similarly, the garage would be close to the south eastern side boundary with Greenacre, and a domestic garage would not normally cause harmful impacts either visually or by use to such a neighbour. No other residential properties would be affected. A condition is considered

necessary to ensure the garage is used for domestic, residential purposes in order to protect the amenities of these neighbours. In these circumstances with the inclusion of the condition, it is considered acceptable and that the amenities of the neighbouring residential occupiers would be maintained. The proposal complies with policy EE1 in this respect.

- 7.7 The Councils Contaminated Land Officer notes the close proximity of a former landfill site and recommends the installation of a gas proof membrane. This could be technically difficult due to the choices made by the applicant in respect of retaining the existing garage whilst constructing a new building around it but it would be the responsibility of the applicant to find a solution. This matter will be dealt with by condition to ensure compliance with policy EE2.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The application proposes new residential development. The applicant has confirmed the works result in less than 100 sqm of new gross internal area and therefore would not be liable for a Community Infrastructure Levy contribution.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The development has been assessed against the following Development Plan policies EE1, EE2 and EE14 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.

11. FORMAL OFFICER RECOMMENDATION

The CHDMBC 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:

Outline of the existing and proposed garage 2509/8 received 16th Feb 21
Location Plan 2509/2A received 16th Feb 21
Site Layout 2509/10 received 16th Feb 21

Existing Garage 2509/12 16th Feb 21
Plans and elevations of proposed replacement garage amended 24.Mar.21
Design and Access Statement received 16th Feb 21

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 (approved as stated on form)

The development hereby permitted shall be constructed entirely of the materials stated in Part 10 of the submitted valid planning application form.

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

4. Height of development

The highest part of the development hereby permitted shall not exceed 3.0m metres in height measured from the immediate adjoining finished ground level.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the openness of the Green Belt and to comply with Policy EE14 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5. Within 6 months of the date of this decision notice the height of the retrospectively built garage must be reduced to no more than 3.0m in height measured from the immediate adjoining finished ground level.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the openness of the Green Belt and to comply with Policy EE14 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6. The garage hereby approved shall only be used for purposes ancillary and incidental to the residential use of the dwelling house and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for these purposes unless the Local Planning Authority otherwise first agrees in writing.

Reason: To preserve the residential amenities of neighbouring properties and to comply with policy EE1 of the Runnymede 2030 Local Plan and guidance in the National Planning Policy Framework.

7. No further development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the ground gas or vapour protective membrane (regarding ground gas migration pathways) which shall be laid under the floor of the development hereby approved. Details should include a detailed plan of where the membrane is to be installed, the name and model number of the membrane to be deployed and details as to how the membrane is to be installed and who by. Following approval of the plan, the membrane shall be laid in accordance with the approved plan. The membrane is to be retained for the life of the development.

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 offsite receptors and to comply with the NPPF.

8. Within two weeks of installation of the approved ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways), details of how the approved membrane was installed including proof of purchase and photographic evidence of installation shall be submitted to and approved by the Local Planning Authority.

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 offsite receptors and to comply with 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.

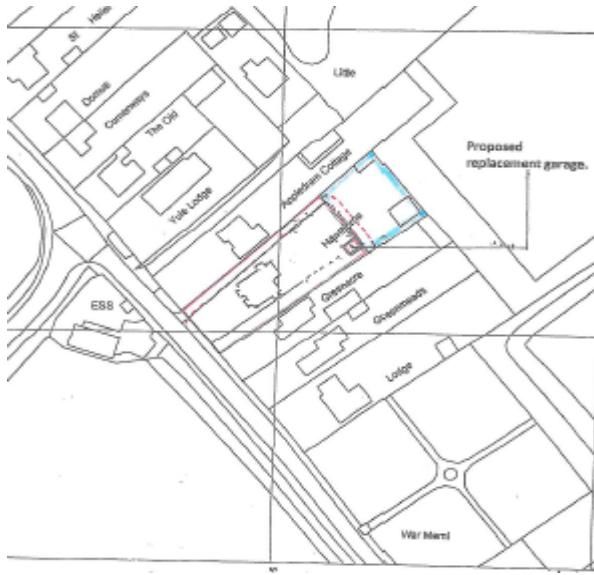
2. The applicant is advised that this permission has been amended since the proposal was originally submitted to the Local Planning Authority. The approved drawing numbers are set out on this decision notice.
3. The applicant is advised that the council has established the following guideline hours for noisy works:
8am to 6pm Monday to Friday; and
8am to 1pm on Saturday.

There should be no noisy work on Sundays or Public Holidays.

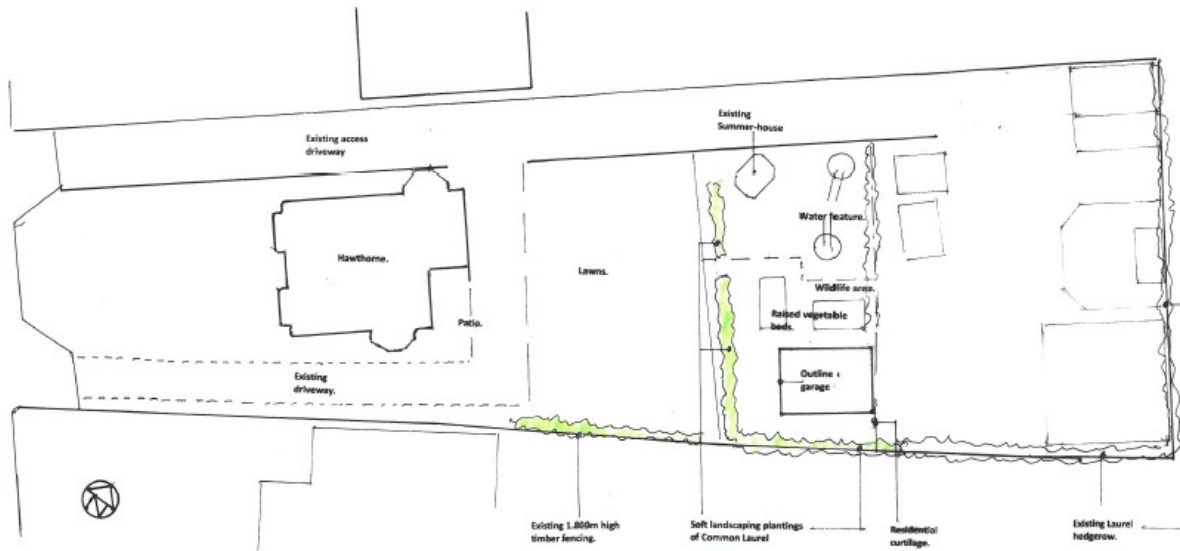
Further information is available from the Council's Environmental Health Department.

Hawthorne: (RU.21/0243)

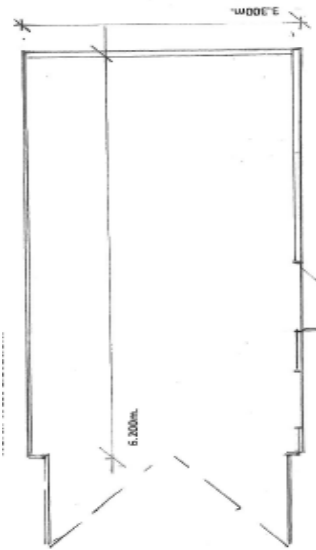
Location Plan: Ten Acre Lane, Thorpe.



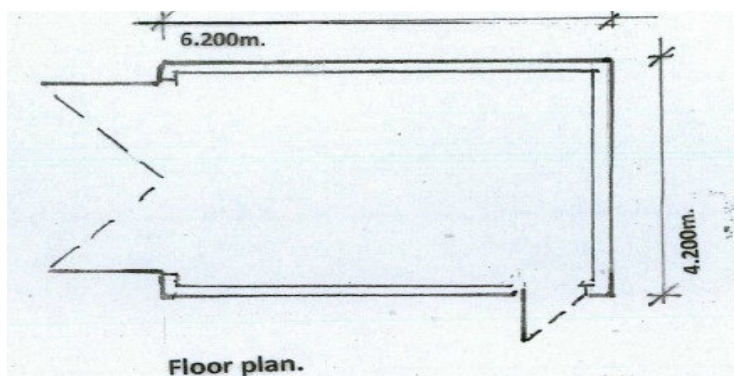
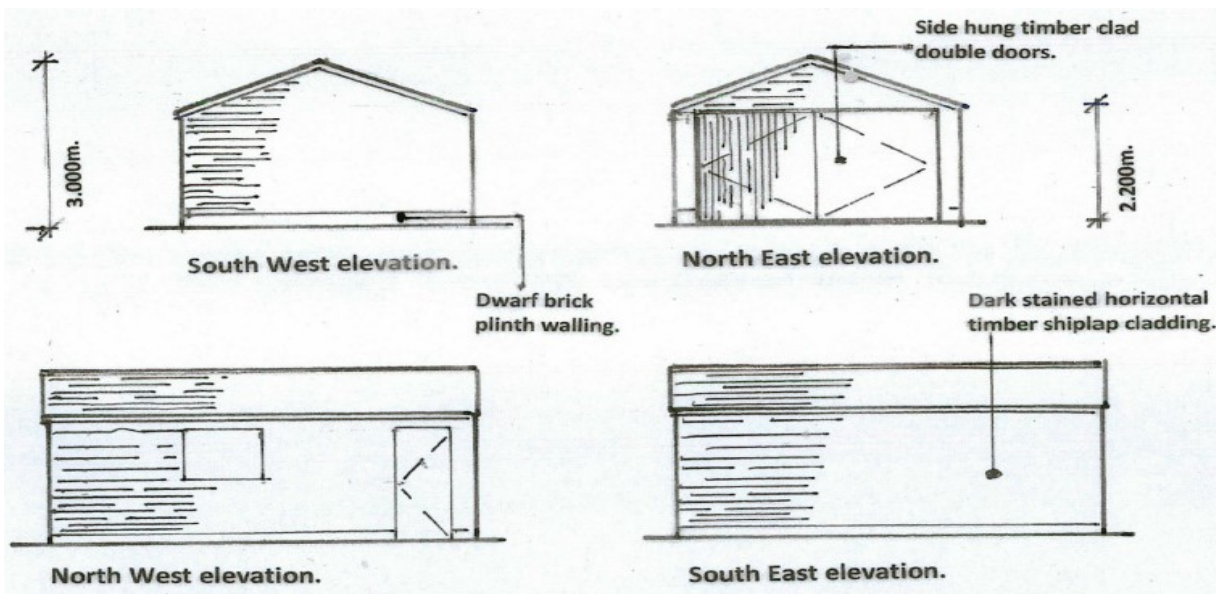
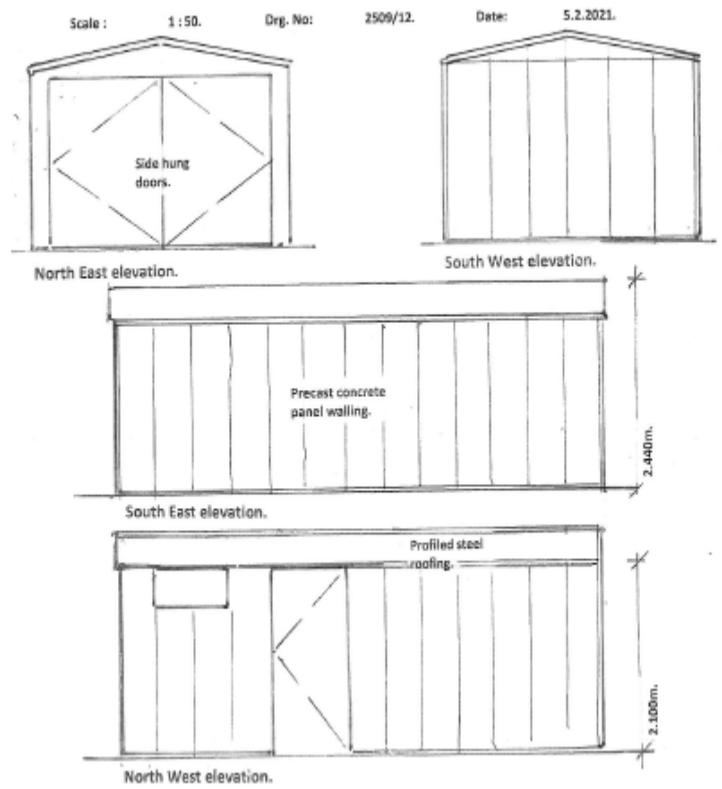
Site Plan: Proposed



Plans: Existing elevations & floor plans



Proposed: Proposed elevations & floor plans





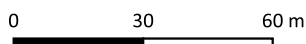
Date: 14/04/2021

61 Farleigh Road, New Haw, Addlestone



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Scale: 1:1,750



RU.21/0137



COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.21/0137
LOCATION	61 Farleigh Road New Haw Addlestone Surrey KT15 3HR
PROPOSAL	Proposed single storey front, side and rear extension following removal of existing rear extension. New roof containing habitable accommodation with side box dormer and roof lights.
TYPE	Full Planning Permission
EXPIRY DATE	22 March 2021
WARD	Woodham & Row Town
CASE OFFICER	Ailsa Pack
REASON FOR COMMITTEE DETERMINATION	NUMBER OF LETTERS OF REPRESENTATION
<i>If you have questions about this report please contact Ashley Smith, Christine Kelso or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	Grant subject to planning conditions

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 61 Farleigh Road is a detached bungalow finished in white render and red brickwork. The site is set back with a front driveway and a passageway on the south west facing boundary which leads to the rear garden. The road is characterised by detached bungalows with front and rear gardens and space for off street parking for vehicles to the frontage. The application dwelling and neighbouring properties have side windows which all form part of the original bungalows. The neighbour dwelling to the west, No.59 Farleigh Road is currently under construction.
- 2.2 The rear of site is bound by standard timber height wooden fencing. Additionally, to the rear of the site there is a garden shed and an outbuilding under construction. The dwelling has previously been extended rearwards at single story level. The site falls within the Thames Basin Heaths SPA 5km Buffer Zone. The site lies in the Urban Area.

3. APPLICATION DETAILS

- 3.1 This application seeks permission for a single storey extension around the front, side and rear of the existing dwelling. The development also includes a roof enlargement with a loft conversion within the existing and enlarged roof space. This will include both front and rear gable ends with a Juliet balcony at the rear and a window in the front. Rooflights and a side dormer are also proposed. An existing rear shed will be removed. The external materials would be tile, render, timber to match the existing. This application has been amended since its original submission for the proposed rooflights to be fixed shut and external cill set 1.8m above finished floor level and the rooflights that serve the bathrooms to be obscure glazed.
- 3.2 The proposed single storey front extension with bay window will serve as a living room. The proposed front extension will project 2.29 metres from the front elevation, width of 4.1 metres and height 2.4 metres. It will then wrap around the flank elevation to form a side extension which will serve as bathroom and utility rooms, and would have a width of 1.16 metres, depth of 10.9 metres (to the existing rear wall) .The side extension will have two windows and a door on the side flank elevation at ground level. The single storey rear extension would extend a maximum of 3.7 metres beyond the existing rear elevation and has a width of 8.05 metres. Bi-fold doors and a window will be inserted in the rear elevation. The roof enlargement would be pitched with a gable front with window and a rear gable with Juliet balcony. The roof would have a ridge height of 6.5 metres at most and eaves height of 2.6 at most. Also proposed as part of the loft conversion is a flat roof side dormer in the centre of the extended roof, with two rooflights on the flat roof, which would project 2.7 metres, width of 2.2 metres and have a height of 2.1 metres. There would be 6 rooflights in the south facing slope.

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.02/0354	A single storey rear extension Certificate of Proposed Lawfulness Permitted development - pp not required 25/04/2002
RU.80/0933	Erection of a single storey rear extension Full Planning Permission Grant Consent - subject to conditions 03/11/1980
CHE.6117	Erection of garage Full Planning Permission Grant Consent - subject to conditions 02/05/1949
RU.21/0009	Certificate of Proposed Lawful Development for the construction of a single storey detached timber clad garden cabin. Certificate of Proposed Lawfulness Grant Certificate Proposed lawful development certificate 15/02/2021

Planning history for No.59 Farleigh Road

RU.20/0645	Single storey side extension and part rear infill extension. Front Bay window and alterations and extension to existing roof to provide first floor accommodation including rooflights, plus extended front drive .Full Planning Permission Grant Consent - subject to conditions 10/07/2020
RU.20/1229	Single storey side extension and part rear infill extension. front bay window and alterations to existing roof to provide first floor accommodation including rooflights, plus extended front drive Removal / Vary Condition(s) from Planning Permission Grant Consent - subject to conditions 03/11/2020

5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 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.
- 5.3 SPGs which might be a material consideration in determination -Householder Guide (July 2003)

6. CONSULTATIONS CARRIED OUT

6.1 Representations and comments from interested parties

- 6.2 8 Neighbouring properties were consulted in addition to being advertised on the Council's website and 5 letters of representation have been received in regard to the original scheme, 2 of which from the same householder and no letters following the receipt of amended plans; the comments are summarised as follows:

- Shadowing
- External design will not be in keeping with the street scene and visually harm the local area
- Increasing the height of the bungalow will not be in keeping with all those around it making it look out of place.
- The roof lights and doors at the back of the property will overlook
- The window that has been proposed at the front of the property is out of character

7. PLANNING CONSIDERATIONS

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact of the proposal on the character of the area and existing property and any impacts on to the amenity of neighbouring dwellings.
- 7.2 The proposed front extension would infill the front corner but with the bay window would complement the appearance of the bungalow. The extension would also incorporate a hip to gable roof extension

which would incorporate both front and rear gable ends as such these changes would be visible within the scene. Concerns have been raised in letters representation about the design of the proposal and the effect on street scene. The front extension is small in scale with a modest projection (2.29 metres) which would not project beyond the existing front elevation. It would be set off 0.9 metres from the shared boundary of no.63 Farleigh Road. The roof height would be higher in ridge height than the existing, but the eaves height would remain the same, and the roof would have a modest slope and bulk. A new first floor window is proposed in the front gable end which would be visible from the street however, the proposed design and positioning fits into the overall design of the dwelling. The proposed side dormer on the northern facing side of the roof slope would be visible from the street scene. The dormer has been positioned with good separation distances to the front and rear slope with a modest width, projection and would not extend higher than the ridge height of the main roof. As such would not be unduly prominent. The character of the property would be maintained through the design of the proposed front extension, with a symmetrical appearance resulting from the addition of the bay window and there are similar developments for other properties in the area. Neighbouring property No.59 Farleigh Road has a similar front extension arrangement and thus the proposed roof enlargement is not considered to be a prominent addition to the dwelling. There would be some loss of space within the frontage from the front extension but there would still be space for parking. The dwelling is set back from the road and it is therefore considered that the proposed roof enlargement would not harmfully impact on the appearance of the dwelling or impact on the street scene and complies with Policy EE1 in this respect.

- 7.3 The Householder Guide states that extensions should not unacceptably affect privacy nor cause overlooking or overbearing. Letters of representation have been received about impacts on privacy, outlook and overshadowing. The officer raised this with the applicant and the applicant submitted plans to address them. The proposed bay window and gable front with window would overlook the front forecourt area of the application site, and there would be no loss of privacy to adjacent dwellings nor dwellings opposite given the boundary screening and separation distance. The roof enlargement over the rear extension and the dormer window would increase the bulk and mass of the dwelling from view from No. 59 Farleigh Road, to the north of the application site. This neighbour currently has extensions under construction similar to those proposed at the application site. The proposed small dormer would be sited centrally in the roof and would not overbearing or overshadowing to this neighbour. The only windows are two rooflights on the flat roof of the dormer, which would not cause any overlooking or loss of privacy. The rear part of the extension would only increase very marginally and would not harmfully project beyond the rear elevation of the neighbour, therefore not being obtrusive nor cause harmful increase in overshadowing. There would be a full height door on the first floor rear elevation with Juliette balcony, with views across the rear garden of No. 59 Farleigh Road, but this would provide normally acceptable views. It is therefore considered that there would be no harms to the amenities of this neighbour.
- 7.4 With regard to No. 63 Farleigh Road, south of the application site, the majority of the proposed extensions will be visible from this neighbour, as effectively, the proposed extensions will infill the existing bungalow on the side nearest this neighbour. However, although the enlargement of the footprint of the bungalow would reduce the separation between the dwellings, the neighbour is set off the common boundary, and there would still be a reasonable separation to avoid an overbearing impact. There would be two windows and a door on the side flank elevation at ground level but given the boundary treatment and separation distance (0.9 metres) there would be no window to window overlooking. At the rear, the extension would increase the depth nearest this neighbour by 3.7 metres. However, given the separation distance, the proposed extension would not breach the 60-degree splayline from the nearest rear window of the neighbour. Although the mass and bulk of the bungalow would increase, it is considered that it would not be overbearing to the neighbour at the rear. As the extension is sited to the north west of the neighbour, there would be no harmful overshadowing. There would be doors on the rear elevation, but these would not cause any harmful overlooking or loss of privacy. The first floor doors and Juliette balcony would provide views over the garden of No. 63 Farleigh Road, but it is considered that these would not be harmful. There would be 6 roof lights on the southern side roof slope facing this neighbour. Although the roof lights are small, there could be some overlooking to the side windows of No. 63 Farleigh Road. The officer raised this with the applicant and the applicant submitted amended plans with the cill height of 1.8m above finished floor level, and the windows which serve bathrooms are obscurely glazed, combining to limit overlooking and maintain privacy for the neighbour.
- 7.5 For the reasons discussed above, it is considered that the proposed development would maintain the amenities of the neighbouring occupiers, and therefore complies with the Council's Householder SPG and Policy EE1.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The application proposes new residential development. Based on the submitted information, the internal floorspace would be approx. 96 sqm and therefore would not be liable for a Community Infrastructure Levy contribution.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The development has been assessed against the following Development Plan policies EE1 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

11. FORMAL OFFICER RECOMMENDATION

The CHDMBC 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 ADS/276/PL/01, 2, 03, 04 (Revision A), 05 (Revision A) 06, 08.

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 (approved as stated on form)

The development hereby permitted shall be constructed entirely of the materials stated in Part 10 of the submitted valid planning application form.

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

- 4 Obscure glazing

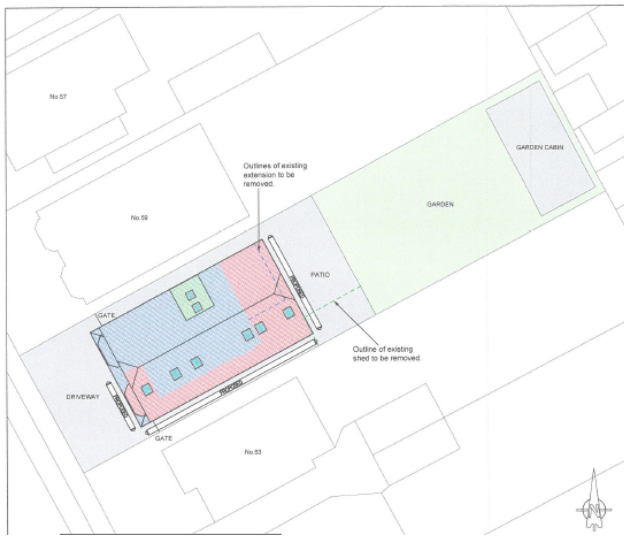
Before the first occupation of the extension hereby permitted, the bathroom window(s) in the southern side roof elevation shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the window(s) that are less than 1.7 metres above the floor of the room in which they are

installed shall be non-opening and fixed shut. The window(s) shall be permanently retained in that condition thereafter.

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

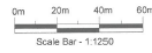
Informatives:

- 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.



LOCATION PLAN SCALE 1:1250

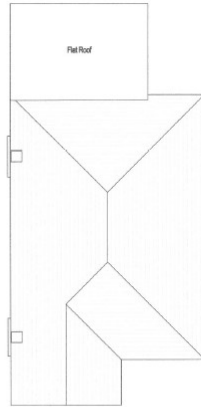
KEY: — = Site Boundary



Plans for 61 Farleigh Road
Site and Location plan



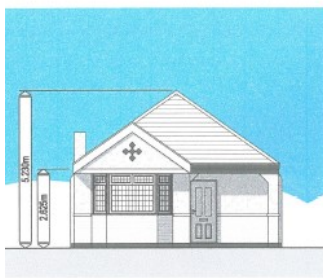
EXISTING FLOOR PLAN



EXISTING ROOF PLAN

Proposed Floor and Roof Plan

Existing Elevations



EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION

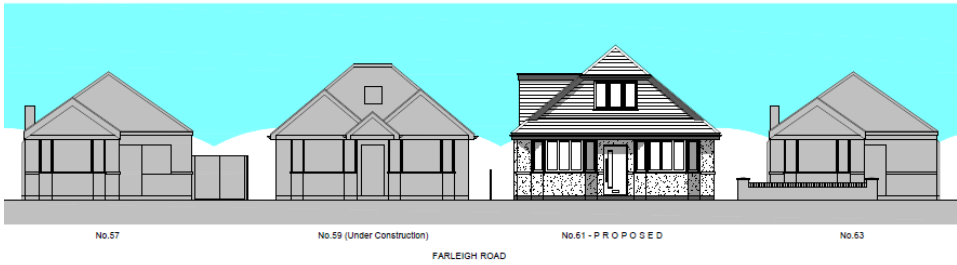


EXISTING SIDE ELEVATION

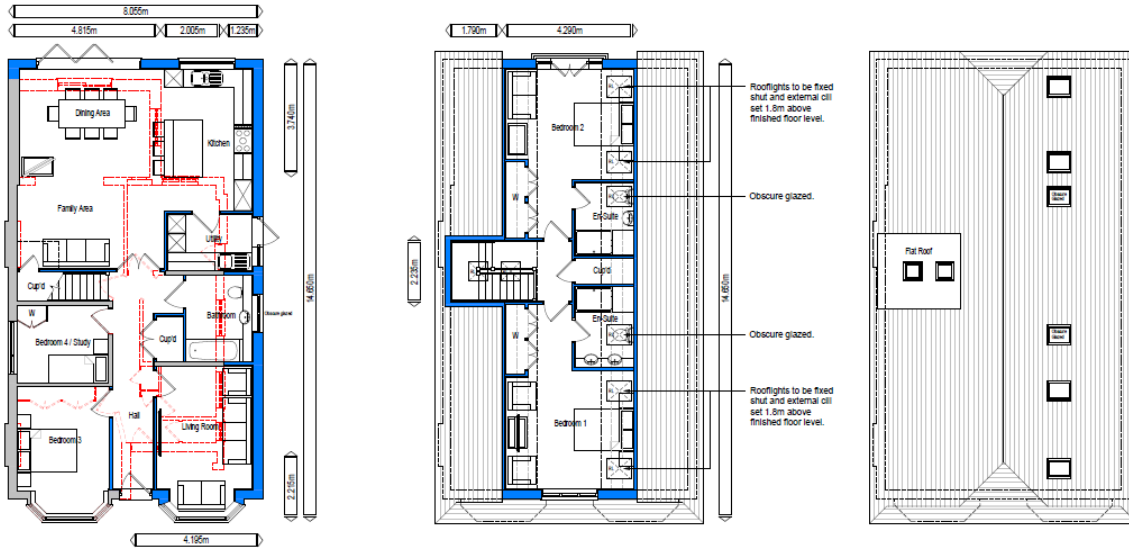


Client: Mr R Butler
Project: No 61 Farleigh Road, New Haw, Addlestone, Surrey, KT15 9NR. Scale: 1:100 @ A3. Checked: ADS. Date: Jan 2021. File: ADS.276.01

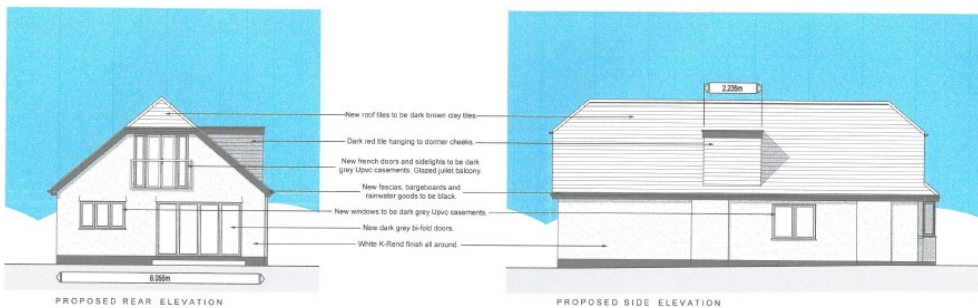




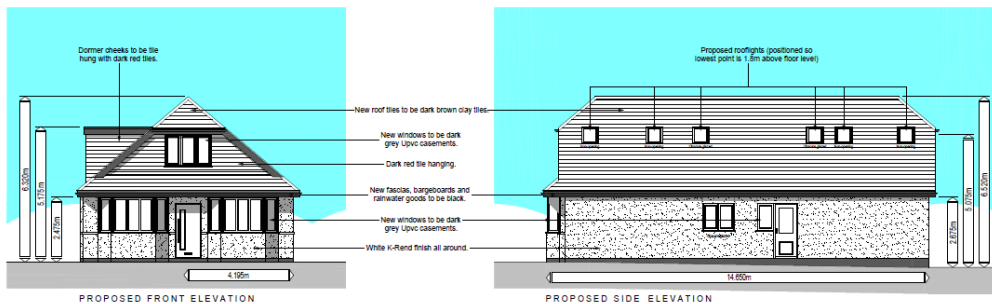
Proposed Street scene



Proposed floor and roof plan



Proposed side and rear elevations

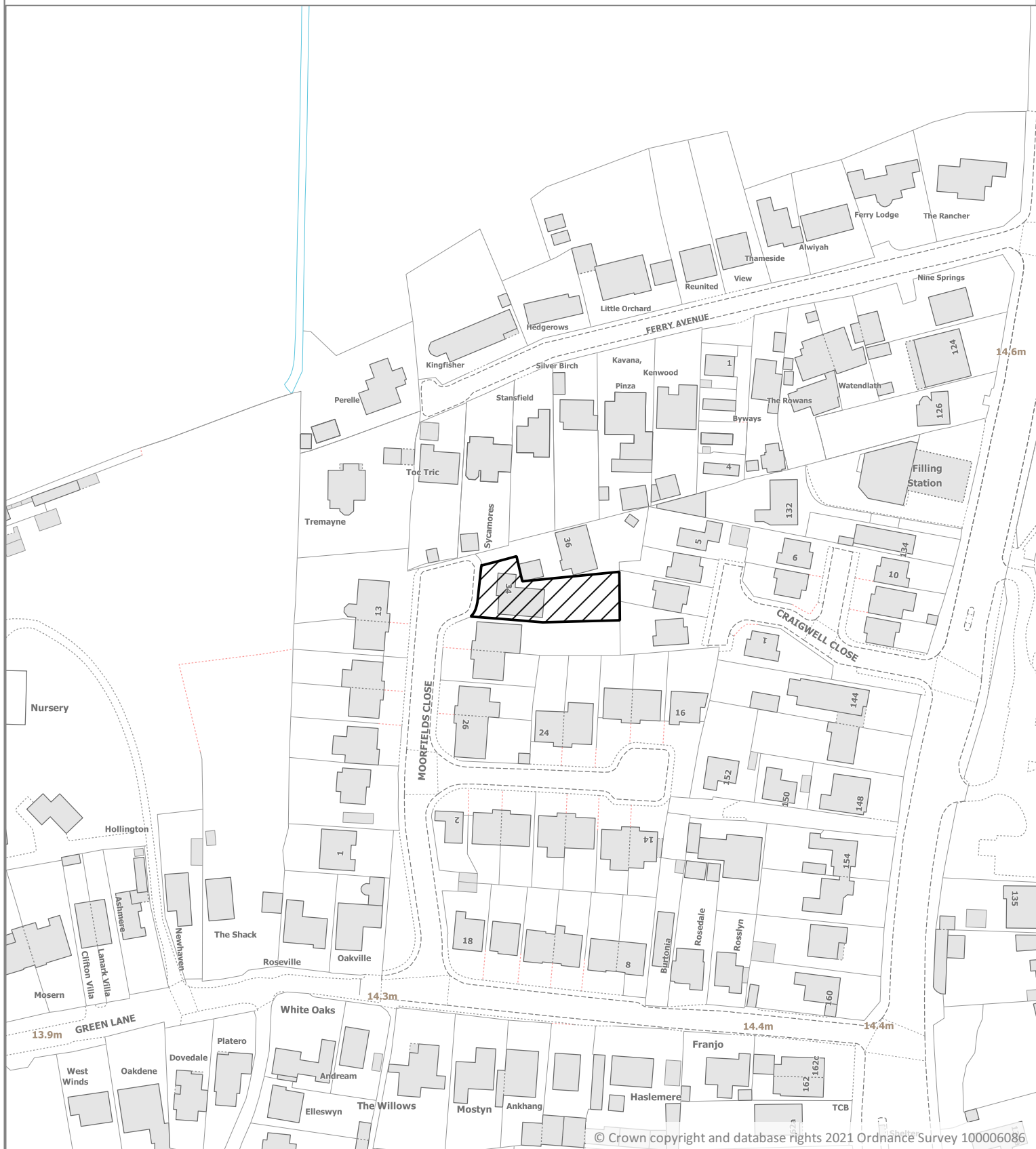


Proposed side and front elevations



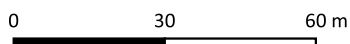
Date: 14/04/2021

34 Moorefields Close, Staines-Upon-Thames



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Scale: 1:1,500



RU.20/1256



COMMITTEE AGENDA REFERENCE: 5D

APPLICATION REF:	RU.20/1256
LOCATION	34 Moorfields Close Staines-Upon-Thames TW18 3LU
PROPOSAL	Garden outbuilding to provide ancillary accommodation (BBQ area)
TYPE	Full Planning Permission
EXPIRY DATE	16 November 2020
WARD	Thorpe
CASE OFFICER	Ailsa Pack
REASON FOR COMMITTEE DETERMINATION	NUMBER OF LETTERS OF REPRESENTATION
<i>If you have questions about this report please contact Ashley Smith, Christine Kelso or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	Grant subject to conditions

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 34 Moorfields Close is a two-storey detached house with an integral garage sited at the end of the cul de sac. The area is characterised by similar dwellings, but the neighbour to the north is a smaller dwelling set further back in its plot, No. 36 Moorfields Close. The rear of the site is bounded by a combination of close boarded fencing and mature vegetation and trees, none of which are TPO protected. The rear garden has a depth of 21 metres contiguous with the majority of the plot of No. 36 Moorfields Close. The site is located in the urban area, and falls within Flood Zones 2, 3a and 3b.

3. APPLICATION DETAILS

- 3.1 This application seeks permission for the erection of a outbuilding with BBQ area within the rear garden, close to the northern side boundary with No. 36 Moorfields Close. Amended plans were submitted during the course of the application to address concerns about impacts on the neighbour. The amended plans have moved the building further back in the garden, level with the neighbouring dwelling, set away from the boundary and reduced the height. The proposed single storey outbuilding would have an approximate depth of 8.5 metres, width of 3 metres, and a pitched roof with a ridge height of approximately 3.5 metres, eaves height of 2.3 metres. The shorter front and rear elevations would each have a large opening, and the roof will continue to form an overhang area on the front elevation. The longer southern side elevation would be fully open. The plans show a seating and bbq area within the building. 2 rooflights are proposed in the main roof slope elevation and 1 in the roof overhang. The external materials are tiles and brickwork to match existing dwelling. The applicant has submitted a Flood Risk Assessment to support the application.

4. RELEVANT PLANNING HISTORY

- 4.1 The following history is considered relevant to this application:

Reference	Details
EGH.70/14012	Extension to form a second garage. T.P.3 no. 10976 Full Planning Permission Grant Consent - subject to conditions 06/08/1970
EGH.72/15351	Extension over garage to form additional bedroom. T.P.3 no. 11914 Full Planning Permission Grant Consent - subject to conditions 07/07/1972
EGH.72/15798	Erection of two storey extension at side to provide lobby on ground floor with bathroom over. T.P.3 no. 12343 Full Planning Permission Grant Consent - subject to conditions 01/02/1973
RU.12/0291	Certificate of proposed lawfulness to establish whether planning permission is required for a single storey rear extension with two raised rooflights, additional ground floor window in north flank wall, replacement of an existing door with a window in south flank wall, and a

	loft conversion with rear dormer extension Grant Certificate Proposed lawful development certificate 14/05/2012
RU.20/1680	Certificate of Proposed Lawful Development for the erection of a detached outbuilding Grant certificate of proposed lawful development certificate 16/03/21

5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 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.
- 5.3 SPGs which might be a material consideration in determination -Householder Guide (July 2003)
- 5.4 This site falls within the designated Thorpe Neighbourhood Area.

6. CONSULTATIONS CARRIED OUT

6.1 Consultees responses

Consultee	Comments
Contaminated Land Officer	No objection subject to conditions
Thorpe Neighbourhood Forum	No comment received

Representations and comments from interested parties

- 6.2 7 Neighbouring properties were consulted in addition to being advertised on the Council's website and 4 letters of representation have been received in regard to the original scheme and no further letters received following the receipt of amended plans, which can be summarised as follows:
- The property No. 34, has already been the subject of a major extension
 - proposal will entail additional concrete foundations on the flood plain, which is most unwelcome given the dramatic flooding issues of recent years
 - The proposed building is disproportionate in size with only 4 people living in the property and would set an unwelcome precedent for other properties in Moorfields
 - The proposed cavity wall method construction is generally not a requirement for a garden outbuilding. This, in addition to the proposed pitch roof and windows, could with the simple addition of, for example the addition of sliding double glazed doors, very easily transform the building into habitable accommodation
 - The proposed building would significantly alter the outlook when enjoying my own garden
 - The proposed building could be visible from the highway disrupting the existing street scene
 - Proposal will compromise light and preclude ventilation to our home
 - Impair access for the maintenance of our property/make ladder access, and probably scaffolded access, unsafe for workmen.
 - The proposed usages of the building will, by virtue of burning fossil fuel, produce smoke, fumes (including noxious gases) and pollution and discharge these to the air directly within a couple of metres of our lounge windows
 - The proposed height and proximity of the building this will cause overshadowing
 - The intended use of the building will mean people will congregate within and around causing high levels of unpleasant noise
 - The trees are very well established, to erect such a large building as applied for, could have an impact on the trees

7. PLANNING CONSIDERATIONS

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is 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 proposed extension on the visual amenities of the street scene and the residential amenities of the occupiers of the adjacent neighbouring properties. Consideration is also given to trees and flooding.

- 7.2 The Council's SPG advises that as a guide outbuilding should be designed in such a way that the character and appearance of the area is not harmed. The outbuilding would be located at the rear of the property, approx. 9 metres from the rear elevation of dwelling house, parallel to the north facing side boundary. As such would not be visible from Moorfields Close as it would be screened by the existing dwelling and the garage of No.36 Moorfields Close. The building would be single storey in height and would therefore not be obtrusive. The proposal is considered not to harm the character of area or street scene in accordance with Policy EE1.
- 7.3 Outbuildings should not unacceptably affect privacy and not be overlooking or overbearing. Letters of representation have been expressed about impacts on privacy, outlook and overshadowing. The officer raised this with the applicant and the applicant submitted plans to address them. Regarding No.36 Moorfields Close, the outbuilding would be set off from the shared boundary by 0.4 metres and it is in line with the front and rear elevation of this neighbour. The applicant has reduced the height of the building, and due to the amended siting, it is considered there would be no overbearing impact or overshadowing. No windows are proposed in the flank elevation facing No.36 and although there would be openings in the front and rear elevations, the boundary screening would maintain privacy. The rooflights are of a modest size and height therefore would not overlook No.36. Concerns have been raised in letters representation about noise, disturbance and fumes but as there is an existing patio/bbq area in this part of the garden, it is considered that there would be no material change to the existing situation. It is also a material consideration that a certificate of proposed lawful development has been granted for a very similar outbuilding further forward and more visible from the front of No. 36. Officers consider the building proposed in the current planning application provides a better relationship with the neighbour.
- 7.4 With regard to No.32 Moorfields Close, the main elevation would be open and face the side boundary with this neighbour. However, given the separation distance (11 metres), boundary screening and single storey nature of proposal there would be no harm to outlook or privacy. It is also considered that there would not be any harmful noise and disturbance arising from the outbuilding. Regarding the dwellings to the east, Nos. 2, 3, and 4 Craigwell Close, they abut the rear of the site and have their rear elevation facing the application site. The rear elevation would be open and glimpsed views of the outbuilding may be visible from their rear windows. Due to the separation distance from rear boundary of 5 metres, boundary treatment and single storey nature there would be no harm to outlook or privacy of these neighbours. There are large mature trees which are located along the east facing rear boundary with Nos 2,3 and 4 Craigwell Close. Letters of objection raised concerns about the impact on the trees from the proposal due to its size. The trees are not TPO protected and there is sufficient distance between the trees and the proposal such that they will not be impacted by the proposed works. Concerns were also raised in the letters of representation over the possibility of the proposal being subject to upgrading to convert it into habitable accommodation. There is no evidence that this would occur. The letters of objection received also made reference to issues that are not subject to planning controls.
- 7.5 For the reasons discussed above, it is considered that the proposal does not result in adverse harm to the amenities of the neighbouring properties and therefore complies with the Council's Householder SPG and Policy EE1.
- 7.6 The application site is located within Flood Zone 2 3b and 3a. Letters of representation have raised concerns about flood risks. The Environment Agency states that householder developments are considered minor development, which is acceptable, subject to compliance with standing advice. The proposal has an external area of 25.5 sqm which is substantially below the threshold of 250sqm in the EA standing advice. The applicant has submitted a Flood Risk Assessment which complies with this advice including appropriate flood proofing measures. In addition, the building has a long flank wall that is open to allow flood water to pass in. It is also a material consideration that a certificate of proposed lawful development has been granted for a very similar outbuilding within the application site, this type of development would have a similar impact on the capacity of the flood zone. This is therefore a realistic fall back position and is an alternative to the current planning application. They have overlapping footprints and therefore only one option could be implemented. Taking all these matters into account, it is considered that the proposal complies with Policy EE13. The Council's Land Contamination Officer has recommended a condition be placed on the decision notice to ensure a watching brief shall be maintained at the site for visual or olfactory signs of migrated contamination. The proposal complies with Policy EE2.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The application proposes new residential development. Based on the submitted information, the internal floorspace would be 23 sqm and therefore would not be liable for a Community Infrastructure Levy contribution.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The development has been assessed against the following Development Plan policies EE1, EE2, EE13 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

11. FORMAL OFFICER RECOMMENDATION

The CHDMBC 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 L132/L/00 L132-L-03B\$ and Flood Risk Statement

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 (approved as stated on form)

The development hereby permitted shall be constructed entirely of the materials stated in Part 5 of the submitted valid planning application form.

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

- 4 Before the commencement of the above ground construction of the development hereby permitted, details of the ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways) which is to be laid under the floor of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Details should include a detailed plan of

where the membrane is to be installed, the name and model number of the membrane to be deployed and details as to how the membrane is to be installed and who by. Following approval of the plan, the membrane shall be laid in accordance with the approved plan. The membrane is to be retained for the life of the development.

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 offsite receptors and to comply with the NPPF.

- 5 Within two weeks of installation of the approved ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways), details of how the approved membrane was installed including proof of purchase and photographic evidence of installation shall be submitted to and approved by the Local Planning Authority.

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 offsite receptors and to comply with the NPPF.

- 6 Storage of spoil during construction (sites partially within floodplain)

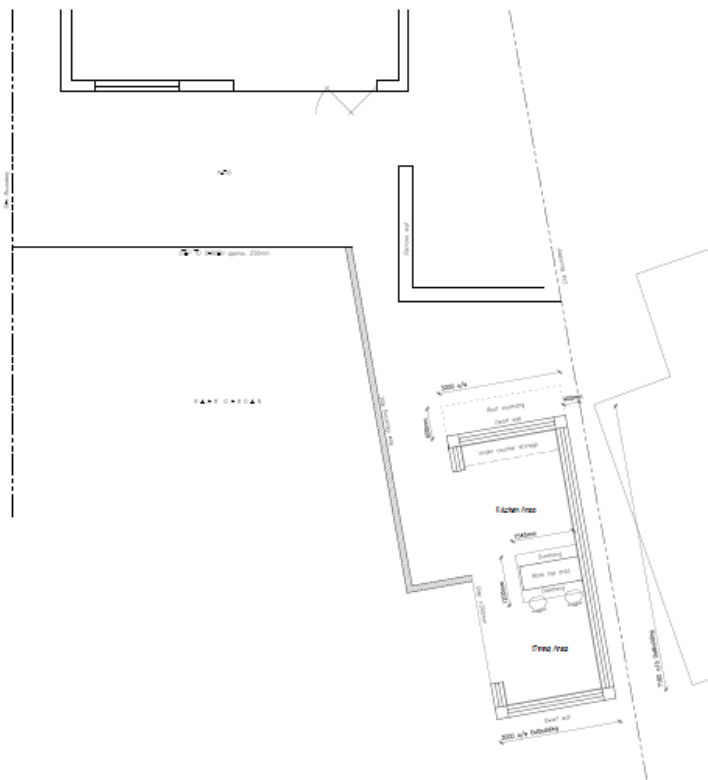
There shall be no spoil or building materials deposited or stored within the area of the site liable to flood, before or during the construction of the development hereby permitted.

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

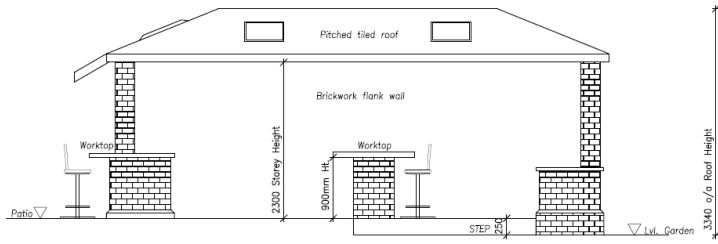
Informatives:

- 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

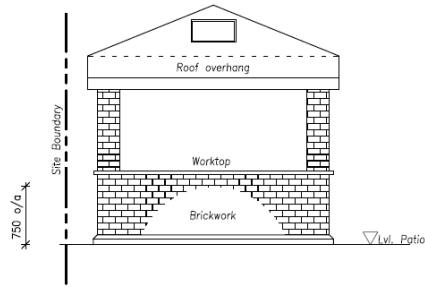
34 Moorfields Close



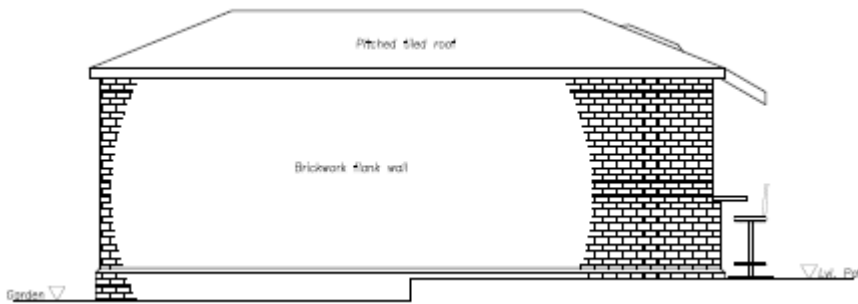
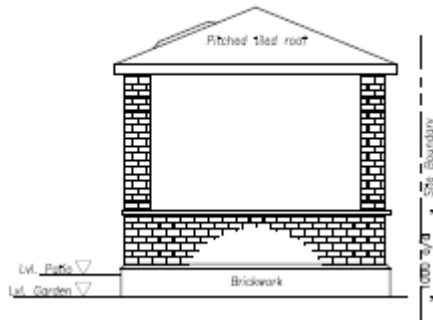
PROPOSED LAYOUT PLAN



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



Elevation nearest No. 36 Moorfields Close