

# Planning Committee

**Wednesday 19 January 2022 at 6.30pm**

**Council Chamber  
Runnymede Civic Centre, Addlestone**

## Members of the Committee

Councillors: M Willingale (Chairman), P. Snow (Vice-Chairman), D Anderson-Bassey, J Broadhead, D A Cotty, R Edis, L. Gillham, M Kusneraitis, M Maddox, C Mann, I Mullens, M Nuti, 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) **The following Measures to comply with current Covid guidelines are in place:**
  - **restricting the number of people that can be in the Council Chamber .Space for the public will be limited and allocated on a first come first served basis.**
  - **temperature check via the undercroft for Members/Officers and Main Reception for the public**
  - **NHS track and trace register, app scan is next to the temperature check**
  - **masks to be worn when moving around the offices**
  - **masks can be kept on whilst sitting in the Council Chamber if individuals wish**
  - **use of hand sanitisers positioned outside and inside the Council Chamber**
  - **increased ventilation inside the Council Chamber**
  
- 2) 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.

- 3) 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](mailto:bernard.fleckney@runnymede.gov.uk)).**
- 4) 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 [Committee Meetings – Runnymede Borough Council](#)
- 5) 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 the Monday of the week of the Planning Committee meeting. Any persons wishing to speak should email [publicspeaking@runnymede.gov.uk](mailto:publicspeaking@runnymede.gov.uk)
- 6) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.
- 7) **Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings**

Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If you wish to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

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

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2. Minutes	4-8
3. Apologies for Absence	
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<b>Item No.</b>	<b>APPLICATION NUMBER</b>	<b>LOCATION</b>	<b>Page</b>
5a	RU.21/0265	Land to West of Hardwick Lane, Lyne, Chertsey, Surrey	11-28
5b	RU.21/0695	Padd Farm, Hurst Lane, Egham	29-74

6. Runnymede Interim Policy Statement on First Homes	75 -88
7. Revisions to Pre-Application Advice Service and Charging Schedule	89-95
8. Exclusion of Press and Public	96

### **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.

1. **Notification of changes to Committee Membership**

2. **Minutes**

To confirm and sign the Minutes of the meeting of the Committee held on 24<sup>th</sup> November 2021 as a correct record (Appendix 'A')

**(To resolve)**

**Background Papers**

None

Runnymede Borough Council

PLANNING COMMITTEE

24 November 2021 at 6.30 pm

Members of Committee present: Councillors M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, J Broadhead, D Cotty, R Edis, L Gillham, C Howorth, M Kusneraitis, M Maddox, C Mann, I Mullens, J Sohi and S Whyte

Members of the Committee absent: Councillor M Nuti

FIRE PRECAUTIONS

The Fire Precautions were read out.

NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

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

<u>Group</u>	<u>Remove</u>	<u>Appoint instead</u>
Conservative	Cllr Wilson	Cllr Balkan
Conservative	Cllr Anderson-Bassey	Cllr Howorth

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

MINUTES

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

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Nuti

DECLARATIONS OF INTEREST

No declarations of interest were made.

PLANNING APPLICATION

The planning application listed below was considered by the Committee. All representations received on the application 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. No objector or applicant had registered to speak.

**RESOLVED that –**

**the following application be determined as indicated: -**

**APP NO**

**LOCATION, PROPOSAL AND DECISION**

**RU 21/1016**

**Unit A, Gogmore Lane, Chertsey**

Outline Planning application for the demolition of the existing building and the erection of 2 no 2 storey buildings (including accommodation in the roof) containing 11 no flats with associated parking and cycle stores

*Members were pleased that all units would be for affordable housing and that provision had been made for electric vehicle charging. In response to comment on parking and drainage, Officers confirmed that the site was in a sustainable location with access to public transport and local shops and that the principle of development had been accepted under RU 20/0250 and that this application was only for an additional two units. Drainage across the site would be controlled and a condition to secure suitable drainage systems would be imposed if approved.*

**RESOLVED that-**

**The CHDMBC be authorised to grant permission subject to the completion of the Section 106 legal agreement to secure affordable housing in line with Policy SL20 of the Runnymede 2030 Local Plan, and subject to conditions (updated conditions 7,10,11,13 and 16 as per Addendum), reasons and informatives listed on agenda**

**7. Affordable Housing Supplementary Planning Document (SPD) Initial Consultation**

The Committee received a new draft Supplementary Planning Document (draft SPD) which sets out guidance for applicants for securing planning obligations in respect of affordable housing from new development across the Borough. It also provided clarity and guidance on the implementation of the affordable housing (AH) policy (Policy SL20) of the adopted Runnymede 2030 Local Plan by setting out when, how and what affordable housing the Council expected in new developments.

The Council had given a presentation to the Runnymede Housing Development Partnership; a group of Registered Providers, on the proposed contents of the SPD. In addition, 102 emails were sent out to developers, landowners and agents setting out the proposed contents of the SPD to try and gain an understanding of whether they considered that further advice was required to be included in the AH SPD. The issues/points raised in response to both the emails and the presentation had been taken into account as appropriate when drafting the SPD as set out in the Regulation 12 Statement of Consultation which was reported to Committee.

The draft SPD:

- Provided context and background for AH at both a national and local level. This section also included information about First Homes; a new low-cost affordable home ownership tenure, which would allow first time buyers to get onto the housing ladder at a reduced price;
- Included details on the information required to be provided on AH at the pre-application and application stages;
- Sets out a list of the Council's preferred affordable housing providers. These were providers who the Council encouraged developers to work in partnership with in the Borough;

- Provided details on how the sub-division of plots requirement of Policy SL20 and the mix, size and tenure requirements of Policy SL19 and SL20 would be interpreted by the Council. It provided examples setting out how this would work in practice;
- Sets out the design requirements expected for AH schemes in accordance with the Runnymede 2030 Local Plan policies SD4, SD7, SD9 and SL2 to SL18 and IE7-IE11 and the Thorpe Neighbourhood Plan;
- Included information about when the Council might, in exceptional circumstances, allow a commuted sum to be made in lieu of on-site AH provision. It cross referred to a proposed AH calculator which would be used by applicants to calculate the amount for these commuted sum payments.
- Provided advice on the Vacant Building Credit and what the Council expected to see in terms of supporting evidence for this credit to apply in the Borough;
- Sets out a separate section on Development Viability. This provided details on the Council's approach to assessing Financial Viability Assessments (FVA) in the Borough;

The final section provided information about planning obligations for AH schemes in the Borough and what they should include. This included setting out a template Section 106 agreement for use in negotiations with applicants on AH schemes.

Officers recommended that public consultation be undertaken on the draft SPD for a period of 8 weeks from 1 December 2021 to 25 January 2022.

The Committee was supportive of the SPD. The following points were raised by Members which Officers would action or would be addressed by Officers during the consultation period and reported back at end of that period.:

- Other key Plans/projects of the SEA/HRA Screening Statement - Thorpe Neighbourhood Plan would be referenced In Table 1.1;
- Table 1.10 in SEA -characteristics of the effects and of the area likely to be affected- (f) AQMAs-add 'additional' in last sentence of response ii;
- Officers would consider Local Market Value in more detail with the Council's Housing Team and report back thereon; and
- Clarification was sought on starter homes. The Planning Policy Team would produce an interim policy statement on first homes and report back in January 2022 following discussion with Legal colleagues. This statement would set out the Council's approach on first homes

**RESOLVED that:**

**the draft Affordable Housing SPD be approved for public consultation for a period of eight weeks.**

**Adoption Of Green & Blue Infrastructure Supplementary Planning Document (SPD)**

The Committee considered approval of the Green and Blue Infrastructure SPD.

The 2030 Local Plan contained a number of policies which sought to restore, maintain and enhance green and blue infrastructure within Runnymede. To support delivery of these policies a Green & Blue Infrastructure Supplementary Planning Document (GBI SPD) had been prepared. The SPD sets out guidance for applicants of all scales of development in terms of how they could deliver enhanced or new green & blue infrastructure (GBI) features within their developments and achieve biodiversity net gain.

The Council had held a Stakeholder Workshop in March 2020 with interested parties to gain an understanding of what a GBI SPD should include and a draft version of the SPD was approved for consultation by the Planning Committee on 28 July 2021. Public consultation was undertaken for a period of 7 weeks from 9 August 2021 to 27 September 2021 and a total of 13 representations were received. A copy of the Consultation Statement which summarises the issues raised at the Workshop and the representations received during consultation and how they had been addressed in the SPD were set out on the Council's website with the Committee Agenda.

In light of the representations received a number of minor modifications were proposed to the SPD upon its adoption. The modifications had been included within the SPD and its Annexes as reported.

As the modifications proposed were considered minor in nature and did not change the general thrust or substance of the SPD, the Committee concurred with officer views that no material changes to the draft SPD requiring further consultation had been made. As such, the Planning Committee agreed to adopt the GBI SPD with the modifications reported with an implementation date of 1 December 2021.

The following points were raised by Members which Officers would action or address and report thereon in due course:

- Confirm inclusion of reference in SPD to maintenance of existing footpaths /cycleways.
- Para 4.3.5-include reference to Neighbourhood Plan design statements.
- Map A.2-Biodiversity Sites-check inclusion of RAMSAR site.
- Annex C- Green spaces-Check inclusion of any private allotments and gardens and include statement that information was correct at time of publication of SPD, but that applicants be advised to refer to the Council's latest studies/information

**RESOLVED that**

**the Green & Blue Infrastructure SPD and Annexes with the modifications set out in Appendices A & B be approved for adoption with an implementation date of 1 December 2021.**

**Fees and Charges 2022/23**

The Committee received and considered the proposed fees and charges in respect of services under its remit for the next financial year 2022/23.

Planning fees were currently set by statute and were last increased in January 2018 and there was no proposal by the Government to increase these fees from 1 April 2022.

The pre-application planning advice service fees had last been reviewed by the Committee in October 2019 and the CHDMBC indicated that he would bring a report thereon to a future meeting.

No increase was proposed for Building Control fees.

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

**RESOLVED that**



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

(The meeting ended at 7.28 pm)

Chairman

3. **Apologies for Absence**

4. **Declarations of Interest**

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Democratic Services Officer at the start of the meeting. A supply of the form will also be available from the Democratic Services Officer at meetings.

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 registrable interest includes their appointment by the Council as the Council's representative to an outside body. Membership of an outside body in their private capacity as a trustee, committee member or in another position of influence thereon should also be declared. Any directorship whether paid or unpaid should be regarded as a disclosable pecuniary interest, and declared.

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 leave the room if the interest is a disclosable pecuniary interest or other registrable interest and/or 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 17 January 2022.**

Copies of all letters of representation are available for Members and the public to view on the Planning pages of the Council website  
<http://planning.runnymede.gov.uk/Northgate/PlanningExplorer/GeneralSearch.aspx>.

Enter the planning application number you are interested in, and click on documents, and you will see all the representations received as well as the application documents.

**(To resolve)**

**Background Papers**

A list of background papers is available from the Planning Business Centre.

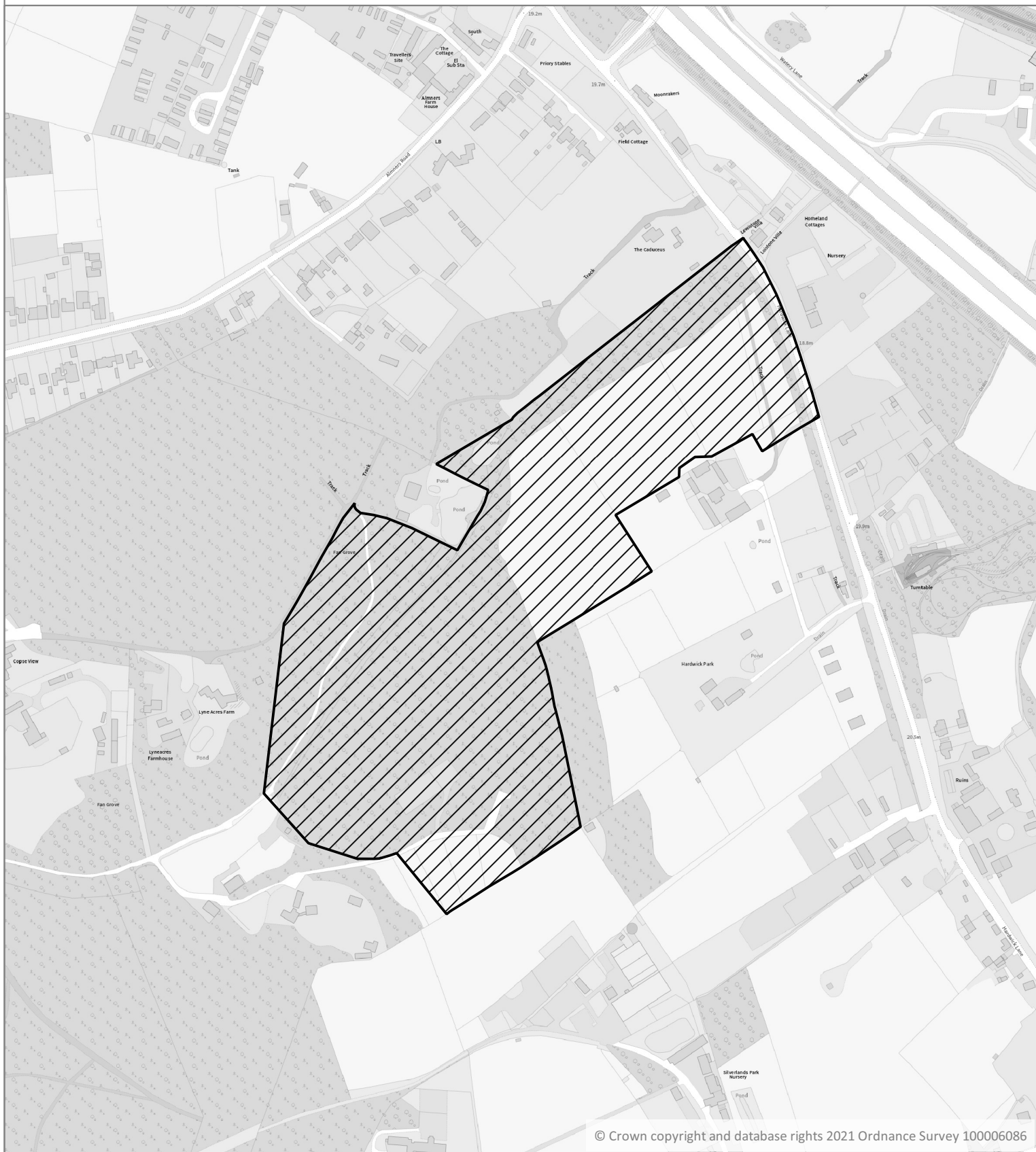


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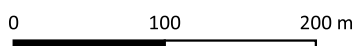
Date: 15/12/2021

Land to west of Hardwick Lane, Lyne, Chertsey, Surrey



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Scale: 1:5,000



**RU.21/0265**



<b>APPLICATION REF:</b>	<b>RU.21/0265</b>
<b>LOCATION</b>	Land to west of Hardwick Lane Lyne Chertsey Surrey
<b>PROPOSAL</b>	The change of use from agricultural land to public open space (POS) for use as a Suitable Alternative Natural Greenspace (SANG), together with associated development to include vehicular access from Hardwick Lane, car parking, footpaths, landscaping and all other associated works.
<b>TYPE</b>	FULL
<b>EXPIRY DATE</b>	<b>01 October 2021</b>
<b>WARD</b>	Longcross, Lyne & Chertsey South
<b>CASE OFFICER</b>	Katherine Appleby
<b>REASON FOR COMMITTEE DETERMINATION</b>	Delegated authority not available under the constitution as this is a Major Planning Application recommended for approval.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### **Background**

This item was due to come before the Planning Committee on 15<sup>th</sup> December 2021, however in light of increased Covid cases it was decided as a public health precaution to cancel this meeting with business carried forward to the next available meeting in January.

The report, as set out below, has been updated since it was published in December 2021, primarily to update the position with the regard to ecology.

## **1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>1.</b>	<b>To approve the full application subject to the completion of a S106 agreement and planning conditions</b>
<b>2.</b>	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 not progress to his satisfaction.</b>

## **2. DETAILS OF THE SITE AND ITS SURROUNDINGS**

- 2.1 This application site relates to approximately 14.39 hectares of land, however the application site itself comprises land within the adopted highway and the actual proposed SANG itself measures approximately 14.2 hectares. The land is located to the south-west of Hardwick Lane. The site is irregular in shape and comprises 3 pastoral fields, dissected by field hedgerows running north-south across the site and an extensive area of mature woodland to the north and west. The north-east of the site is dominated by the grazed pasture, intersected by field boundary hedgerows, with a mature woodland belt along the northern boundary. The south-west of the site is dominated by mature woodland, with significant invasive rhododendron. The fields at the eastern end of the site are generally flat adjoining Hardwick Lane, however the site rises gently to the west toward the edge of the woodland, before rising sharply within the woodland itself. The belt of mature trees alongside Hardwick Lane (the eastern boundary of the site) is covered by a Tree Preservation Order 410 (12<sup>th</sup> May 2017).
- 2.2 Several residential properties surround the site as well as some agricultural holdings, Traveller and Show people sites to the north and south and small commercial units in a rural

setting which includes The Farm Shop immediately to the east of the site. A few Listed buildings surround the site; however, these are located a substantial distance away.

- 2.3 The site is located within the Green Belt and Flood Zone 1 (low risk). An area of the western part of the site comprises Ancient Woodland is designated a site of conservation importance under Local Plan Policy EE9. The site is located within 5km of the TBHSPA. The southern and northern parts of the site are also identified in Natural England's Priority Habitat Inventory for Deciduous woodland. The site is also a SCC Mineral Safeguarding Area.

### **3. APPLICATION DETAILS**

- 3.1 This application is a full application which seeks change of use from agricultural land to public open space (POS) for use as a Suitable Alternative Natural Greenspace (SANG), together with associated development to include vehicular access from Hardwick Lane, car parking, footpaths, landscaping and all other associated works in order to mitigate potential impacts which could arise from new residential development generating additional use of the SPA. The SPA is located approximately 3km to the southwest of the site boundary at its closest point.
- 3.2 Vehicular access is proposed off Hardwick Lane, utilising an existing access which would be gated (to include height restriction barriers) and secured with a post and rail fence and would provide access to a new hard surfaced car park with 16 car parking spaces to be provided which includes 2 spaces to be marked as disabled parking spaces. Bins and a SANG information/signage board would be located within the carpark.
- 3.3 The main circular walking route would be approx. 2.4km long (partially surfaced in hoggin) by 2 metres wide. However, this would tie into other existing tracks and footpaths which would be upgraded and managed, including a secondary mown footpath route and to provide a much larger network of potential walkable routes. Other elements to be included would be dog proof post and rail fencing, a new accessible timber boardwalk to replace an existing 'tree-stump' walkway, new timber footbridge connections across the existing stream/ditch and at key junctions along the main route wayfaring markers/finger posts would be installed. An accessible timber kissing gate proposed from the car park into the site to enable access to the wider site area.
- 3.4 Timber benches are proposed close to an existing pond which would be cleared and maintained to allow new habitats to form and to provide ecological enhancements and one close to a vista from a locally higher point to experience views of the SANG and the wider landscape beyond. Large, open areas of long grassland and wildflower meadow are also proposed in the north-eastern part of the site. Non-native invasive species and existing structures within the site would be removed and 'made good' with further native woodland and hedgerow planting to strengthen boundaries and woodland infill planting in these areas being proposed. No works are proposed within 25 metres of an existing badger sett in the western part of the site. New structural woodland and hedge planting would provide a buffer between the SANG and the existing barns/properties to the immediate southeast of the site.
- 3.5 This application is a freestanding application it's own rights and can only be assessed on its own planning merits. There is some degree of connection to another (RU.21/0272) for the residential development of 149 dwellings on land at Green Lane which has been submitted by the same applicant but has yet to be determined and concerns an allocated site under Policy SL14 (known as Bittams A) and which lies around 1km to the east. The policy sets out a number of requirements including (inter alia) that the scheme should avoid an impact to the Thames Basin Heaths SPA through an approved scheme of mitigation which makes provision for the delivery of SANG and a financial contribution(s) towards SAMM. At a size of c. 14.2ha, the proposed SANG would have a linear catchment radius of 4km. The capacity of a SANG is calculated on the basis of 8ha/1000 population. A 14.2ha SANG would therefore cater for 1775 users, equivalent to approximately 739 dwellings at an assumed average occupancy of 2.4/dwelling.
- 3.6 The applicant wishes to ensure that there is sufficient SANG capacity available in the Borough to ensure there is no delay in delivery of Local Plan sites including their own scheme

at Green Lane. That is however a separate planning application and that would need to be judged on its own particular merits.

- 3.7 The applicant has submitted several other documents and plans including a Planning Statement, SANG Delivery and Management Plan, Transport Statement, Flood Risk Assessment, Statement of Community Involvement, Ecological Impact Assessment, and Tree Survey.

#### 4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.20/1718	EIA Screening Opinion as to whether up 15ha bespoke SANG, would constitute EIA development. Not EIA Development 11 <sup>th</sup> January 2021

- 4.2 The following application is also considered relevant.

Reference	Details
RU.21/0272	Hybrid planning application for the land north of Green Lane, Chertsey Bittams: Full planning application for residential development (Use Class C3) comprising 149 dwellings; 5 gypsy and traveller pitches and associated works; informal and formal open space, footpaths, cycleways and internal roads; associated parking, landscaping, planting, utilities and drainage infrastructure including connection to the strategic foul network; and associated infrastructure and groundworks. Outline planning application for: the development of approximately 11 dwellings and associated works; and the use of 0.1 hectares of land for the provision of a community hub (Revised description & amended plans received 16/09/21) – yet to be determined

#### 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 Runnymede Design SPD 2021
- 5.4 SPGs including but not limited to Thames Basin Heaths Special Protection Area SPD April 2021, S106 Contributions.

#### 6. CONSULTATIONS CARRIED OUT

Consultee	Comments
RBC Arboricultural Officer	No objection and comments the proposed change of use is an ideal opportunity to improve the tree and landscape or the area. Recommends that a site specific arboricultural method statement is required to ensure that the paths and hard surfacing is tree friendly where it is within the RPA of existing trees.

Natural England	No objection to SANG application alone provided confirmation of agreement with the Land Trust to take ownership of the site
RBC Contaminated Land Officer	No comments received.
Environment Agency	No objections received.
SCC County Highway Authority	No objections subject to conditions.
SCC Lead Local Flood Authority	No objections subject to an informative.
SCC Archaeology	No objections as although the application site is over the 0.4 hectares threshold which is recommended for archaeological assessment, the proposals do not involve extensive ground disturbance and so any archaeological remains that may be present will be preserved within the site.
RBC Drainage Engineer	Concur with the comments made by LLFA
Surrey Wildlife Trust	No objections subject to the recommendations in the submitted Ecology report and conditions including the submission of a CEMP which should be submitted to and approved in writing by the Council prior to commencement of development.
RBC Green Spaces Team	No objections but queries if enough car parking spaces are being provided
RBC Planning Policy	No objections subject to compliance with adopted Local Plan Policies.
SCC Mineral and Waste	No comments received.
Surrey Bat Group	No objections to the proposals.

### 6.1 Representations and comments from interested parties

6.2 16 Neighbouring properties were consulted in addition to being advertised on the Council's website, in the local press, and by notices displayed at the site.

6.3 In total 8 letters have been received in response to this application. A summary of the comments contained in the letters is given below.

- The proposed SANG is a result of the Green Lane application (RU.21/0272) which itself is a green space for the community and will be lost
- The proposals appear to take no account of pedestrian, cyclist or any non-motorised users. The land which it is intended to replace can be accessed easily on foot.
- Driving to the proposed SANG will lead to more congestion, noise and pollution
- This proposed SANG is supposed to serve the needs of the Green Lane local community and it does not fulfil the needs of the community residing in the Chertsey South area.
- Not enough car parking which could result in parking on Hardwick Lane causing obstructions and danger to vehicles using Hardwick Lane
- Need to ensure that the method of enclosing the site is secure to make sure that dogs belonging to the public cannot get onto neighbouring land
- Need to ensure that members of the public are unable to access neighbouring property & land from this site and manage any antisocial behaviours
- The western boundary would appear to be close to residential properties which might cause loss of privacy
- What measures will be included in the plan to include access for equestrians
- the need for this space could be unnecessary as there are a number of public open spaces in the immediate vicinity
- Will the car park be secured at night?
- Will vehicle height restrictors be installed?

- 6.4 The Chertsey Society – Recognises that the provision of a SANG is in association with the Taylor Wimpey development application for 149 dwellings in Green Lane, Chertsey (RU.21/0272), nevertheless note that it is not safely accessible by pedestrians from the Green Lane site unless pavements are provided in Hardwick Lane and a footbridge across the A320 near the Salesian School is built and wonder whether consideration had been given to using Barsbrook Farm, on Guildford Road.

## **7. PLANNING CONSIDERATIONS**

### **7.1 Background**

- 7.2 This application proposes the change of use of this agricultural land to publicly accessible open space. Suitable Alternative Natural Greenspace (SANG) is a function that public open space can serve to avoid and mitigate the effects of residential development within the zone of influence (400m-5km) of the Thames Basin Heaths Special Protection Area. The use of any land as SANG is only possible if the authorised land use of any proposed SANG is as publicly accessible open space and the SANG criteria for the land are met.
- 7.3 This application has a degree of association to another (RU.21/0272) for the residential development of 149 dwellings on land at Green Lane, though the applications are not directly linked. This application has yet to be determined and has received a significant amount of objection. This is a separate planning application and must be determined on its own merits.
- 7.4 The consideration and favourable determination of this application would not prejudice the consideration of any other proposed function of this publicly accessible open space as SANG land. The consideration of the appropriateness of this land to function as SANG land as an avoidance and mitigation measure for impacts on the TBHSPA will be assessed as part of any application which proposes such a function. In this particular case, this is the Green Lane hybrid planning application reference RU.21/0272. If under application RU.21/0272 the proposed function of this land as SANG land is considered acceptable then it will need to be secured in perpetuity as part of that application and in accordance with 2030 Local Plan policies SD5 and EE10 the proposed SANG (or a phase of the SANG if appropriate) must be delivered prior to occupation of any development at the Bittams A site or any other site which may be assigned to the proposed SANG. This will need to be secured by S106 planning obligation.
- 7.5 Natural England have raised no objection to this application when considered on its own merit. They originally placed a holding objection on separate application RU.21/0272 because there was insufficient information to enable certainty that the use of this SANG to provide mitigation would be effective in ensuring no likely significant effect arising from recreational impacts to Thames Basin Heaths SPA. Further information has been submitted by the applicant including an updated SANG Management Plan containing information on the proposed long-term management, costs and funding of the SANGs for in perpetuity and letter of intent from the Land Trust that they intend to manage the SANG in perpetuity. This has been received and Natural England has removed its objection to RU.21/0272.

### **Policy Framework**

- 7.6 The NPPF states that the purpose of the planning system is to contribute to sustainable development, of which there are three dimensions: economic, social and environmental. The social aspect is to support strong, vibrant and healthy communities and the environmental aspect is to contribute to the protection and enhancement of inter alia the natural environment, by helping to improve biodiversity. Two of the core planning principles require the protection of Green Belts and also finding ways to enhance and improve the places in which people live their lives. Other core principles relate to securing a good standard of amenity for existing occupiers and conserving and enhancing the natural environment.

### **Key planning issues**

- 7.7 The key planning matters for consideration in this case are the provision of public open space, whether the proposed development comprises appropriate development in the Green Belt



including impact on visual amenities/landscape character, impact on neighbouring amenities, impact on trees and ecology and whether any highway matters would result.

#### Provision of public open space

- 7.8 The site is currently agricultural land, although only part of the site is used as pastoral fields, with the remaining part of the site being woodland. Paragraph 98 of the NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The proposed provision of public open space would therefore comply with this aspect of the NPPF and Local Plan Policy SL25.

#### Green Belt considerations

- 7.9 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open. Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. One of the forms of development not considered to be inappropriate is set out in para 150(e), material changes in the use of land such as for outdoor sport, recreation etc.
- 7.10 Paragraph 145 of the NPPF further advises that local planning authorities should plan positively to enhance the beneficial use of the Green Belt and the examples given are “to provide access; to provide opportunities for outdoor sport and recreation; [and] to retain and enhance landscapes, visual amenity and biodiversity”. Policy EE16 of the 2030 Local Plan states that provision of facilities for outdoor sport, outdoor recreation...may not be inappropriate in the Green Belt provided such provision preserves openness and does not conflict with its purposes. Policy EE19 states that changes of use of land may not be inappropriate but should have no greater impact on the openness of the Green Belt and the purposes of including land within it than the existing use.
- 7.11 The proposal is for the change of use of the land to a Suitable Accessible Natural Greenspace (SANG) with associated works to bring the site up to SANG standard. SANGs are areas of open space provided for general recreation by the public and the primary purpose of a SANG is to provide an alternative to the sites for informal recreation within the Special Protection Area and thus it would contribute towards conserving sites of international nature conservation importance (European Sites), as required by saved Southeast Plan Policy NRM6. As part of this application no new buildings are proposed on the site, thus maintaining the openness of the site. The proposed development would also specifically provide public access to the site, provide opportunity for outdoor recreation and is also proposed to retain and enhance the landscape, visual amenity and biodiversity of the site.
- 7.12 The site currently has no existing public right of access, although parts of the site currently support private uses such as a bush camp/forest school, an archery club and equestrian use. This proposal seeks to provide a much larger area of land for open space use by the public. The existing cross-field hedgerows, woodland and trees would be retained except where tree removal or work is required to existing trees (including those covered by the TPO) for good arboricultural management. Non-native invasive species will be cleared to allow the promotion of native species. The belt of mature trees alongside Hardwick Lane (the eastern boundary of the site) currently protected by Tree Preservation Order 410 will continue to be protected. Substantial new planting would also be provided to enhance the existing landscape character and to improve the attractiveness of the site as public open space.
- 7.13 An existing access into the site would be improved and used to access a small car park. The proposed car park would have 16 spaces which includes two disabled spaces, consistent with SANG design requirements. The car park would be well located behind the existing boundary hedge which will be reinforced with additional planting where necessary. An all abilities hoggan path and boardwalk will be provided within the open space, enabling access for all and the area will also be fenced to allow dogs to run freely. While ensuring that opportunities to appreciate the site are maximised for all users, by minimising artificial infrastructure to

maintain a naturalistic setting, the proposals are considered to be appropriate to this rural location such that the visual amenities of the site would not be adversely affected.

- 7.14 All existing boundary and cross-field hedgerows would be retained and strengthened by new native tree and thicket planting to provide robust and reinforced boundaries. New fencing would be installed to enclose the SANG where existing fencing does not already exist, namely to the east along Hardwick Lane set behind the line of mature trees and to the west alongside the woodland track in the core of the woodland. Fencing would be timber post and rail, with a galvanised mesh to prevent dogs from passing through. An information panel will be provided with additional furniture of bins, benches and way-markers all of which would be timber structures appropriate to the rural character of the site and the locality.
- 7.15 The proposed use of the land as public open space and the provision of an ancillary small car park are considered to be appropriate development within the Green Belt, specifically meeting the requirements of national policy in enhancing the beneficial leisure use of Green Belts. The proposed development would maintain openness and would also be beneficial to the visual amenities of the land and would not conflict with the purposes of including land in the Green Belt. It is considered that the proposed development does not conflict with any of the purposes of including land within the Green Belt and as such complies with paragraph 146 of the NPPF and Policies EE16 and EE19 of the Local Plan in that regard.

#### Impact on residential amenities of neighbouring occupiers

- 7.16 Built development would be limited to the construction of the car park and footpath network, so the main impact of the proposal on occupants of nearby dwellings would be from increased activity at the site. Several residential properties surround the site, however the closest property which is single storey, although it would be approx. 17 metres away from the western boundary of the application site, this consists of and would remain as woodland with the proposed walking route a further 35 metres set in from the boundary and the overall outlook for this dwelling will not alter. The occupiers of this dwelling may also be aware that the public open space is being used by walkers but a recreation area of the type proposed is considered to be a generally quiet use and it is not considered that the proposed development would be detrimental to the amenities of this neighbouring property.
- 7.17 There are also a few other dwellings which surround the site and whilst it will be inevitable that the occupiers of these dwellings, when accessing their own properties, will be aware of any comings and goings associated with the open space, the size of the proposed car park will restrict the number of people accessing the site by vehicles such that it is not considered that the level of activity generated by the proposed development would not be detrimental to the amenities of these nearby occupiers.
- 7.18 The site entrance will be gated and a height restriction barrier to prevent larger vehicles accessing the site is proposed, which is a common feature of parking areas for open space in the locality. No lighting has been proposed as part of the proposals. Given the separation distances involved and the nature of the use at the site it is considered that the proposal would not adversely affect the amenities of any neighbouring or nearby occupiers. The proposal therefore complies with the guidance in the NPPF which seeks to ensure a good standard of amenity for existing occupiers and Policy EE1 of the Local Plan.

#### Ecology Considerations

- 7.19 The intention is that the proposed public open space would be used as a SANG. As such the proposal would assist in mitigating the impact on the Special Protection Area as required by the Saved Southeast Plan Policy NRM6 together with Local Plan Policies EE9 and EE10. This in itself is a significant ecological benefit.
- 7.20 A Phase I Habitat survey has been undertaken by the applicants, the results of which are included in the submitted Ecological Impact Assessment. All the habitats and species on the site will be retained and many enhanced. Due to the low risk of undiscovered badger setts being present within densely vegetated parts of the site it is considered prudent that a further badger survey is undertaken to determine whether minor changes to the footpath route are

necessary to avoid direct impacts or damaging levels of disturbance to any sett identified as well as the phased removal of invasive rhododendron, will be sensitively timed to avoid the nesting bird season thereby avoiding direct impacts to active nests and these measures can be secured through condition.

- 7.21 Furthermore, the proposed enhancement of the land through the implementation of the proposed management plan, including measures to control invasive non-native species, a significant positive effect is anticipated on the Fan Grove SNCI/ancient woodland, as well as the wider broadleaved woodland resource at the site and is overall considered to result in an enhancement of the biodiversity on the site and provide conditions for improvements to ecology. The development would increase footfall to the site; however, this is mitigated by increased mitigation measures and improvements to the quality of habitats. Surrey Bat Group has raised no objections to the proposal. Surrey Wildlife Trust recommends a CEMP condition. Natural England has raised no objection to the proposal as a standalone SANG. Subject to the development following the recommendations in the Ecological Assessment and subject to safeguarding conditions, it is considered that the proposed development can be carried out without any harmful impacts on protected species or habitats and the scheme complies with Policy EE9 and the NPPF.

#### Highway Considerations

- 7.22 The change of use of the land has been supported by the submission of a Transport Statement. The proposed open space would provide residents in the area with additional amenity space by improving access to the countryside. It is further suggested that this would reflect sustainable development principles in terms of enhancing quality of life, reducing the overall vehicle distances to open space associated with movements originating from the east of the site, and minimising the impact of traffic at other open spaces in the locality and the consequent pressure on parking. The amount of car parking space has been determined by the anticipated use of the site and reflects the visitor catchment of both the SANGS and the SPA. The access will be improved, visibility provided in line with observed speeds, and the access proposals have been subject to an Independent Road Safety Audit. The expected trip rates include a peak period on Sunday pm with 26 two-way vehicle movements (made up of only 10 arrivals in the busiest hour) but given the vehicular traffic currently on Hardwick Lane, this peak is unlikely to represent a significant impact, as per NPPF guidelines. The County Highway Authority has raised no objection to the proposed development on highway grounds subject to conditions. The proposed development therefore complies with the guidance in the NPPF and Local Plan Policies SD4 and SD5.

#### Trees and Landscape

- 7.23 The development utilises the existing access to the site and as such does not lead to the loss of trees at the entrance to the site. Within the SANG the proposal will lead to maintenance of vegetation as well as additional planting to create habitats and enhancements. The Council's Tree Officer has reviewed the scheme and comments that the proposed change of use is an ideal opportunity to improve the tree and landscape of the area but recommends that a site specific arboricultural method statement is required to ensure that the paths and hard surfacing is tree friendly where it is within the RPA of existing trees. The proposal therefore complies with policies EE1, EE9 and EE11.

#### Flood Risk

- 7.24 The applicant has submitted a Flood Risk Assessment (FRA) due to the size of the site, although the site is located within Flood Zone 1 (low risk). The surface water drainage strategy for the site advises that the proposed car park would have a non-paved porous surface which will infiltrate naturally and will not result in any significant change to the site's existing hydrology thereby ensuring that run off rates are no greater than those before the development. It is noted that there will be no built development within the SANG area except for a car parking area and walkway routes through the site. No objections have been received from the Environment Agency and the Drainage Officer has raised no objections as there would be no change to the impermeable area or surface water drainage regime. The proposed development therefore complies with guidance in the NPPF and Local Plan Policy EE13.

## Other matters

- 7.25 Regarding some of the comments made by third parties, the ability of this site to function as SANG land in connection with the avoidance and mitigation of effects from the proposals on the Bittams A site will be considered in the future report for application RU.21/0272. Many existing areas of public open space are located within the wider countryside and only have small car park areas and the lack of a footway adjacent to the carriageway is not dissimilar to many other areas of public open space in the wider local area. There is no requirement in policy or guidance to accommodate equestrian use, which does not typically feature in SANGs. The underlying science indicates that it is dog walking which is the primary driver of disturbance to the bird species for which the SPA is designated, therefore this is the target user group for SANGs.

## **8.0 PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)**

In line with the Council's Charging Schedule the proposed development would not be CIL liable.

## **9.0 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.
- 9.2 Consideration has been given to s149 of the Equality Act 2010 (as amended), which imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:
- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

## **10. CONCLUSIONS**

- 10.1 The application proposes the change of use of 14.2 hectares of undeveloped land on the western side of Hardwick Lane to public open space (POS) for use as a Suitable Alternative Natural Greenspace (SANG). The use of this land as public open space for informal recreation is considered to be appropriate development in the Green Belt which would provide a beneficial use of this Green Belt land, maintaining openness and enhancing the visual amenities and the proposals will provide significant biodiversity enhancements compared to the existing status of the site, both in terms of the habitats present and the opportunities that the proposal presents for species such as nesting and foraging birds, foraging bats, reptiles and mammals. The proposal will also facilitate biodiversity benefits associated with the Thames Basin Heaths SPA given that it will not only divert potential future use associated with proposed housing but it will also divert existing use of the SPA by existing residents close to the SANG site. The proposal is considered acceptable in Green Belt, highway, character, drainage and amenity terms and is considered capable as acting as a suitable SANG. Consequently, the proposal is considered to comply with the relevant saved Local Plan policies and the guidance in the NPPF.
- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD2, SD4, SD5, EE1, EE9, EE10, EE11, EE13, EE16 and EE19 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

### Recommendation Part A:

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

1. **Costs of initial set up works**
2. **Costs of maintenance and replacements in perpetuity**
3. **Secure management arrangements for the maintenance of the SANG in perpetuity**

The final s106 planning obligation will also need to describe the split of payments in order that the issues to be resolved by the relevant obligations can be properly assigned to the elements of the development giving rise to them. All figures and contributions will also need to be finalised in negotiation with the applicant and relevant consultees and final authority in these negotiations is given to the CHDMBC.

And the following conditions:

#### 1 Time

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 Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

#### 2 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans - CSA/3687/103 Rev A Location Plan, ITB14446-GA-012 Rev B Proposed SANG Access Junction and Parking Arrangement, CSA/3687/02 Rev A Ecological Impact Assessment dated 28/01/21, Transport Statement i-Transport Ref: AI/TW/ITB12183-011d, FRA Ref. 180501-07, BHA\_1036\_01 Tree Survey & Constraints Plan, Planning Statement, received 09/02/21, CSA/3322/06 Rev D Habitats Regulations Assessment dated 13/09/21 received 20/09/21, CSA/3687/102 Rev F SANG Landscape Proposals Plan and CSA/3687/03 SANG Delivery and Management Plan dated 10/09/21 received 16/09/21.

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

#### 3 Landscaping and SANG Details:

Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include:

- Means of enclosure/boundary treatments
- Details of vehicle and pedestrian access, lockable height barrier, circulation areas & hard surfacing Materials
- minor artefacts and structure (e.g., furniture, dog waste bins, refuse or other storage units, signs, lighting, external services, etc).
- Details of path surfacing materials
- Maintenance access points and routes
- Details of benches/seating
- Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed

- numbers/densities where appropriate, and implementation timetable.
- Details of biodiversity enhancement areas

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of amenity and to ensure the SANG is of sufficient quality to mitigate any future local development in compliance with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan.

#### 4 Arboricultural Method Statement and Tree Protection Plan

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site a concise and site specific Arboricultural Method Statement and Tree Protection Plan shall be submitted to the Local Planning Authority for approval and the subsequently approved tree protective measures shall be installed in accordance with the approved Tree Protection Plan. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

The works shall be carried out in accordance with the approved method statement and protection plan. 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 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.

#### 5. Tree planting

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

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

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

6. Tree replacement

If within a period of five years from the date of the planting of any tree, shrub or plant, that tree, shrub or plant or any tree, shrub or plant planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted, shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

7. Landscape management

Following the capital works to install access, infrastructure and landscaping, the SANG will not be made available to the public until the Local Planning Authority have confirmed in writing that the site has been enhanced to the agreed SANG standard, in accordance with the SANG Delivery and Management Plan (CSA/3687/03) hereby approved. Thereafter, the SANG will be made publicly available and managed in perpetuity, in full accordance with the landscape maintenance schedule set out within the approved Plan.

Reason: To ensure the SANG functions correctly as per its purpose in respect of Policy EE10 of the Runnymede 2030 Local Plan and guidance within the NPPF.

8. Tree Protection Works

No operations shall commence on site in connection with the development until the tree protection works approved under Condition 4 above are in place on site. Such protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the 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 be made, without the written consent of the Local Planning Authority.

Reason: To protect the trees to be retained and to enhance the appearance of the surrounding area, and to comply with and saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

9. Car Park Construction

The car parking area as well as the route through the SANG should be of permeable construction and development should not begin until details of both constructions have been submitted to and approved in writing by the LPA.

Reason: To prevent increased flood risk from surface water run-off and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10. Modified access

No part of the development shall be brought into use unless and until the proposed modified vehicular access to Hardwick Lane has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1000mm high.

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

11. Parking and turning

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

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

12. Badger Survey

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

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

13. Nesting Birds

Any scrub, hedgerow, tree clearance and the phased removal of invasive non-native species, must be undertaken outside the breeding season (March to July inclusive) unless the applicant has first carried out a survey of such vegetation which shows that there are no nesting species within the application site and any such survey results have been submitted to and approved by the Local Planning Authority (LPA). Bird nest boxes shall be incorporated into the new development in accordance with details to be submitted to and approved by the LPA prior to the first occupation of any part of the development.

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

14. Ecological Enhancements

The ecological enhancements as detailed in paragraph 5.30 of the CSA/3687/02 Rev A Ecological Impact Assessment dated 28/01/21 and Appendix F of the SANG Delivery and Management Plan dated 10th September 2021 shall be implemented prior to the first use of the development hereby permitted and shall be retained thereafter.

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

15. Construction and Environmental Management Plan

Prior to the commencement (including demolition) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan must detail how the protected habitats including Ancient Woodland and SNCI and species including Badgers will be protected from any adverse impacts as a result of construction. This document should be submitted to and approved in writing by the Council prior to commencement of development.

The CEMP should include adequate details including:

- Risk assessment of potentially damaging construction activities
- Practical measures to avoid and reduce impacts during construction
- Location and timing of works to avoid harm to biodiversity features
- Responsible persons and line of communication



- Use of protected fences, exclusion barriers and warning signs

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

16. External lighting and floodlighting

No external lighting shall be installed except in accordance with details that have first been 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.

17. Drainage

Prior to their construction on site, details of pedestrian bridges or boardwalks to any path crossing surface water flows shall be submitted to and approved in writing by the LPA. The approved details shall be implemented before the first use of the development hereby permitted and shall be retained thereafter.

Reason: To prevent obstruction to the flow and storage of flood water with a consequent increased risk of flooding and to comply with Policy EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Informatives:

- 1 Summary of Reasons to Grant Consent  
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.
- 2 The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council
- 3 Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway
- 4 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> . The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)

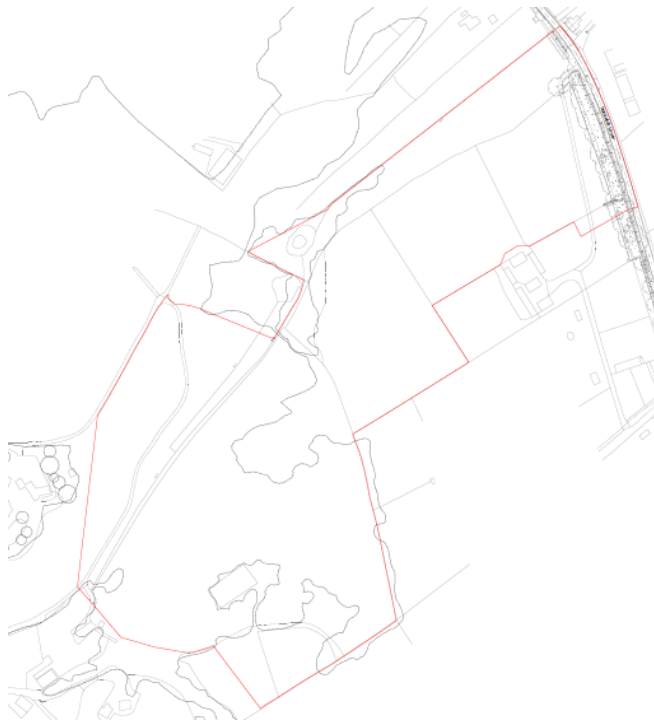
- 5 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149)
- 6 The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to streetlights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 7 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.
- 8 Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to [www.naturalengland.gov.uk](http://www.naturalengland.gov.uk)
- 9 The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours: -  

8.00am - 6.00pm	Monday to Friday
8.00am - 1.00pm	Saturday
and not at all on Sundays and Bank Holidays.	
- 10 If the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on our website.
- 11 If the proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

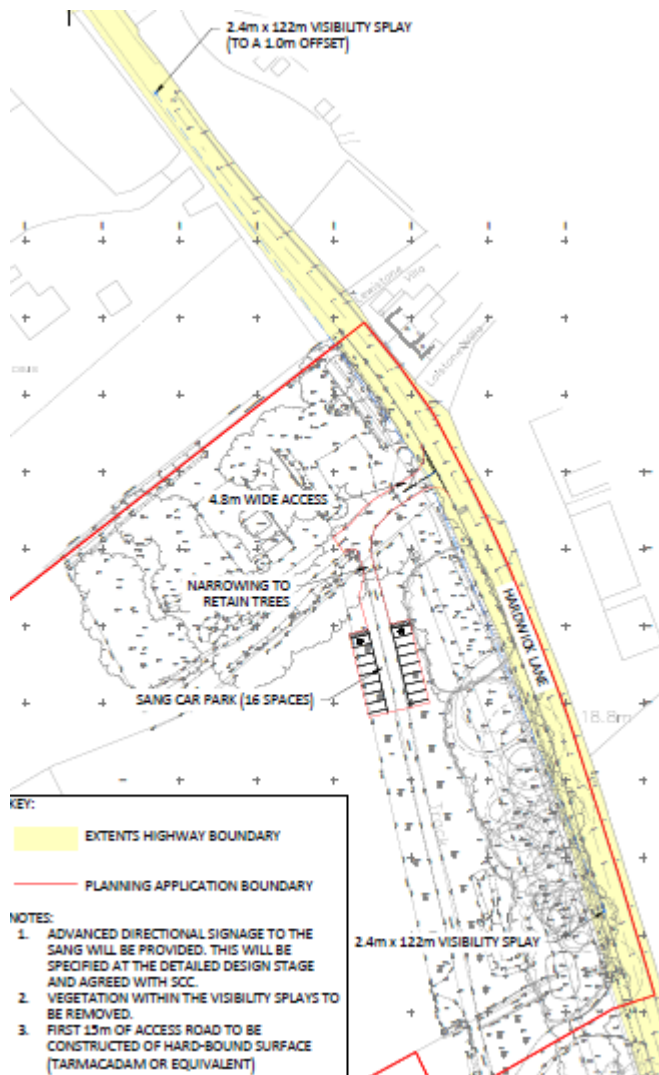
**Recommendation Part B:**

**The CHDMBC be authorised to refuse planning permission should the S106 not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the CHDMBC.**

Site Location Plan



Proposed Access



# Proposed SANG Landscape Proposals

**Primary and Secondary Roads**

A primary road network is shown in red, and secondary roads are shown in purple. The plan includes numerous callouts for specific features like 'Primary Road', 'Secondary Road', 'Path', 'Planting', and 'View Point'.

**Existing Pond**

Existing Pond  
This pond is a natural feature of the site and should be preserved. It provides a habitat for various species of birds and insects. The surrounding area should be managed to maintain the water quality and prevent erosion.

**Existing Structures to be Cleared**

Existing Structures to be Cleared  
The existing structures shown in the plan are to be removed. The site should be prepared for new construction or landscaping.

**Planted Woodland**

Planted Woodland  
This area is designated for the planting of trees and shrubs to create a woodland habitat. The plan shows the layout of the woodland and the types of plants to be used.

**Proposed Planting**

Proposed Planting  
This area is designated for the planting of trees and shrubs. The plan shows the layout of the planting and the types of plants to be used.

**Key View Points / Interpretive Boards / Sign Function**

Key View Points / Interpretive Boards / Sign Function  
This area is designated for the placement of interpretive boards and signs. The plan shows the layout of the boards and signs and the types of information to be provided.

**Wildflower / Long Grassland Meadow Generation**

Wildflower / Long Grassland Meadow Generation  
This area is designated for the creation of a wildflower meadow. The plan shows the layout of the meadow and the types of plants to be used.

**Existing Trees and Vegetation**

Existing Trees and Vegetation  
This area is designated for the preservation of existing trees and vegetation. The plan shows the layout of the trees and vegetation and the types of management to be used.

**Prohibition Feeding Corridors**

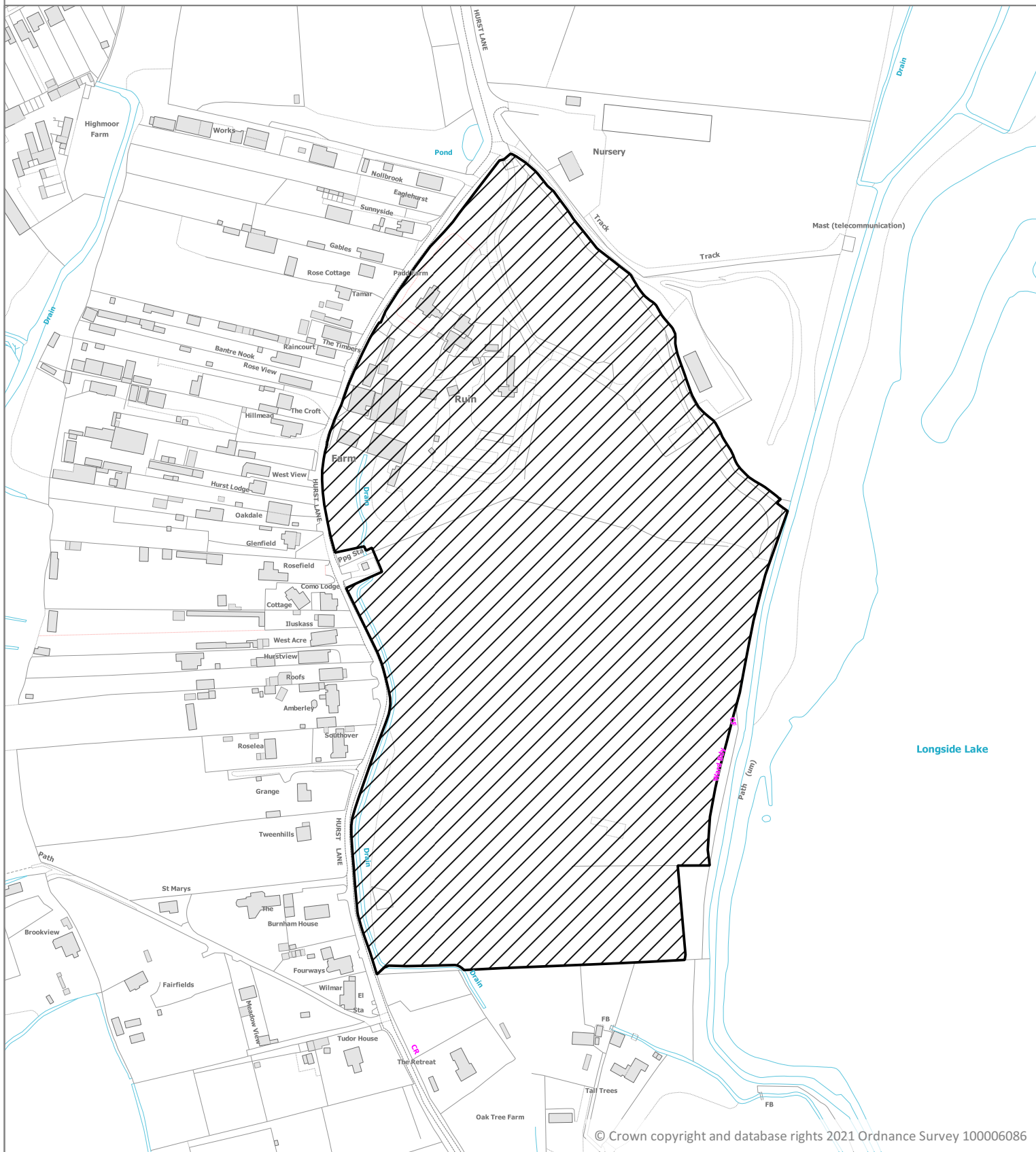
Prohibition Feeding Corridors  
This area is designated for the prohibition of feeding corridors. The plan shows the layout of the corridors and the types of management to be used.



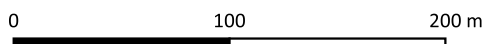


Date: 15/12/2021

**Padd Farm, Hurst Lane, Egham, TW20 8QJ**



Scale: 1:3,500



**RU.21/0695**



**COMMITTEE AGENDA REFERENCE: 5B**

<b>APPLICATION REF:</b>	<b>RU.21/0695</b>
<b>LOCATION</b>	Padd Farm, Hurst Lane, Egham, TW20 8QJ
<b>PROPOSAL</b>	The demolition of existing buildings and structures, and removal of hardstanding; the decontamination of land; the erection of 38 affordable dwellings with associated access, parking, landscaping, and infrastructure works; and the change of use of land to paddocks.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	03/01/2021
<b>WARD</b>	Thorpe Virginia Water
<b>CASE OFFICER</b>	Adam Jackson
<b>REASON FOR COMMITTEE DETERMINATION</b>	<ul style="list-style-type: none"> <li>• The application is required to be referred to the Secretary of State under the Town and Country Planning (consultation) (England) Direction 2021.</li> <li>• The application is recommended for approval and falls into the definition of a major development.</li> </ul>
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

**Background**

This item was due to come before the Planning Committee on 15<sup>th</sup> December 2021, however in light of increased Covid cases it was decided as a public health precaution to cancel this meeting with business carried forward to the next available meeting in January.

The report, as set out below, has been updated since it was published in December 2021, primarily to update the position with the regard to the Environment Agency.

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>1.</b>	<b>To grant planning permission subject to:</b>
	<b>i) bat issues being resolved to the satisfaction of the CHDMBC and the securing of any necessary mitigation (if any is considered required),</b>
	<b>ii) the completion of a Section 106 agreement which secures the provision of 100%</b>

	<p><b>affordable housing and mitigation against the impacts on the Thames Basin Heaths Special Protection Area and maintenance of Public Open Space and landscaping, and</b></p> <p><b>iii) no call in being received from the Secretary of State to whom the application needs to be referred under the Town and Country Planning (Consultation)(England) Direction 2021 and subject to the conditions in section 11 and any additional conditions suggested the Surrey Wildlife Trust.</b></p>
2.	<p><b>To refuse planning permission at the discretion of the CHDMBC should the s106 or ecological matters not progress to his satisfaction or if any other material planning matters arise prior to the issuing of the decision that in the opinion of the CHDMBC would warrant the refusal of planning permission.</b></p>

## **2. DETAILS OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The application site is 12.15ha. The applicant describes the site as having three main parcels, which are labelled areas A, B and C in Appendix A of the Planning Statement. Area A in the northwest corner of the site contains a cluster of buildings including a residential bungalow and a group of buildings in agricultural and industrial use. This part of the site also contains the main access which leads from the north corner of the site down to this cluster of buildings. There is a second access within this area off Hurst Lane which is positioned opposite the residential bungalow. A manmade earth bund up to approximately 3m in height is located along the southern end of area A. Area B is the northeast corner of the site and includes large areas of hardstanding and grassland. The bund to the south of Area A continues along the southern side of Area B. Area C covers approximately the southern two thirds of the site and comprises of open agricultural grass land. The triangular shape of the northern part of the site means it does not have a distinct north boundary, rather the eastern and western boundaries converge at an apex where the main access is positioned. The western boundary of the site runs parallel with Hurst Lane and is enclosed by trees and shrubs. The eastern boundary is bound by an area of woodland which separates the site from Longside Lake. Apart from the raised bund described above, the topography of the site is generally flat.
- 2.2 The application site lies within the Green Belt. Part of the site is within flood zone 2 (between a 1 in 100 and 1 in 1000 annual probability of fluvial flooding), although most of the site is in flood zone 1, including the area for the proposed new dwellings. The site is within the 5km buffer of the Thames Basin Heaths SPA and within a SSSI Impact Risk Zone. The site is within a Mineral Safeguarding Area and The Phase 1 Geo Environmental Desk Study submitted with the application identifies that the site was formerly part of a gravel extraction site.
- 2.3 The surrounding area comprises of a mix of residential properties along the western side of Hurst Lane. To the north is Green Landscape Nursery which has agricultural/horticulture use and Bellbourne Nursery, which is used for storage and distribution, although also has permission for residential use as well. Further afield, the site is located between Virginia Water to the southwest, Egham to the north and Thorpe to the east. The site is also within proximity of the M25 which runs parallel to the site to the east to the other side of Longside Lake. Virginia Water railway station is 2.3km away and there are two bus stops on Stroude Road approximately 350m from the site. Local services and amenities are available at Virginia Water.

### 3. APPLICATION DETAILS

- 3.1 The application proposes to demolish all existing buildings on site and remove all existing hardstanding to provide 38 new dwellings within the northwest corner of the site, positioned around a central green. The green will include areas of both equipped and unequipped play space. The existing access along the western side of the site will be utilised, with necessary improvements made. Two points of pedestrian access are proposed, one to the south of the vehicle access and the other in the northern corner of the site, which will connect to the new footway proposed along Hurst Lane. The mix of dwellings proposed is 18 x 2-bedroom houses and 20 x 3-bed houses. The majority of the dwellings are semi-detached with some terraced units proposed as well. All properties are two storeys with hipped roofs and mostly finished in red brick with grey roof tiles, however some render and timber boarding is proposed as well to provide variety. Each property will be provided with a good-sized rear garden and new planting and landscaping is proposed across the site. The applicant has proposed to provide all 38 units as affordable, split 50/50 between affordable rent and shared ownership. A Section 106 Agreement is currently being prepared to secure this. The application also proposes the decontamination of the entire site and the provision of the rest of the site as a public open space and paddocks. 68 Car parking spaces are provided across the site.

### 4. RELEVANT PLANNING HISTORY

- 4.1 The application site has a complex planning history, which is summarised below:

Reference	Details	Decision and date
EGH.55/3495	Use of land for pig and chicken raising	Granted – 24/11/1955
EGH.60/6405	Erection of deep litter house and rearing house	Granted – 19/07/1960
EGH.63/8664	Poultry house	Granted – 04/10/1963
EGH.65/10608	Development of land as site for agricultural dwelling	Refused – 24/03/1966
EGH.65/10324	Erection of bulk food bin and replacement of poultry house store	Granted – 22/09/1965
RU.73/16289	Use of land for the parking and storage of touring caravans and boats on trailers (maximum 60) for a temporary period of 5 years	Refused – 02/11/1973
RU.75/0075	The extraction of bulk filling materials for use in connection with the construction of the Thorpe-Egham section of the M25 and restoration of agriculture	Granted – 11/08/1975
RU.79/0916	Erection of a bungalow for occupation in connection with management of poultry farm	Refused – 30/11/1979
RU.81/0863	Stationing of a mobile home and siting of a box trailer for storing applicants' furniture (retrospective) for a temporary period of one year	Granted - 08/11/1982



RU.82/0540	Use of part of land and buildings for storage of applicant's personal property and vehicles and re-positioning of garage	Refused – 05/11/1982
RU.82/0705	Change of use of agricultural buildings to private stabling with ancillary storage facilities	Granted – 26/01/1983
RU.83/0467	Renewal of RU.81/0863 for stationing of mobile home and siting of a box trailer to store applicant's furniture for a temporary period of six months	Granted – 15/08/1983
RU.84/0828	Erection of a cattle shed of some 1,350sq.ft. (125.4 sq.m)	Granted – 01/02/1985
RU.84/0846	Improvement of land for agricultural purposes by the tipping of imported overburden and topsoil	Granted 30/01/1987
RU.84/0906	Siting of mobile home for use in connection with agricultural holding	Refused – 09/04/1985
RU.86/0535	Stationing of mobile home for a temporary period of 3 years (revised plans indicating a revised siting) (amended by letter dated 7.7.86 and plan received 8.7.86)	Refused – 04/08/1986
RU.87/0983	Improvement of land for agricultural purposes by the tipping of imported over burden and topsoil (amended by letter dated 5.10.87 received 12.10.87 and revised plan received 12.10.87).	No objection – 24/12/1987
RU.89/0099	Mobile home for agricultural worker	Granted – 09/03/1990
RU.90/0012	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/03/1990
RU.91/0106	Change of use of Building B from agricultural barn to use in connection with the storage, distribution and sale of animal feed (as amplified by letter dated 20.3.91)	Refused – 09/05/1991
RU.91/0107	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/05/1991
RU.91/0108	Change of use of Building 'A' from agricultural storage for retail sales of craft goods (as amended by Plan No. RBC/91/66/1 received 2.9.91)	Granted – 18/09/1991
RU.91/0109	Renewal of planning permission for mobile home for agricultural worker	Granted – 09/05/1991
RU.91/1028	Retention of land for grading and mixing of top soil and sand, the retention of a storage	Granted – 22/04/1992

	compound and use of mobile screening plant 2 year period	
RU.92/1006	Resting of portacabin for office use of land for planting of trees and shrubs, use of barn for storage of vehicles and equipment, provision of operational land, parking and access	Refused – 11/01/1993
RU.92/0553	Renewal of temporary permission for a mobile home for an agricultural worker and for a further period of 1 year.	Granted – 07/10/1992
RU.92/0554	Construction of detached three bedroom bungalow for agricultural occupation, with double garage to replace the currently used mobile home.	Granted – 28/07/1993
RU.93/0509	Continued use of land for the grading & mixing of soil, retention of storage compound and operation of mobile screening plant. Consultation from Surrey County Council.	Object – 16/08/1993
RU.93/0406	Change of use of farm building for use as retail shop for sale of pet animals and ancillary goods (amplified by letter and plan received 20.7.93, 29.7.93 and 3.8.93).	Refused – 03/09/1993
RU.94/0257	Change of use of redundant farm building to part B1 use (Saddlers workshop & Farriers workshop) with ancillary A1 use	Refused -03/06/1994
RU.94/0428	The erection of an enclosure for swimming pool incorporating approved double garage	Refused – 13/07/1994
RU.94/0805	Single storey extension to house boiler and oil tank.	Granted – 24/11/1994
RU.95/0269	Parking for 5 goods vehicles; storage of hardcore, topsoil and demolition materials; and retention of two portacabin offices, ancillary store and w.c. amounting to 225 sq m all on a site of about 0.8 ha.	Object – 24/05/1995
RU.95/0447	Retention of concrete hardstanding	Refused – 04/09/1995
RU.95/1065	Erection of free-standing poultry house	Refused – 30/04/1997
RU.96/0024	Use of site as a civil engineering contractor's yard for the storage of plant equipment, portacabins and materials for a 12-month period plus retention of security fencing and lighting (retrospective)	Refused – 28/02/1996
RU.97/0222	Continued use of two agricultural buildings for commercial storage of film and stone for a temporary period plus demolition of other	Granted – 30/04/1997

	buildings.	
RU.98/0284	Reuse of building A for storage and light industrial purposes for a temporary 12-month period	Refused – 07/04/1999
RU.98/0285	Continued use of building B for the commercial storage of film	Granted – 07/04/1999
RU.98/0286	Use of building G for storage and light industrial purposes and conversion of lean-to to ancillary office, plus rebuilding of sewage pump housing	Refused – 07/04/1999
RU.98/1232	Temporary use of land for the storage of landscaping materials and stationing of portacabin with B & P landscape contractors operations (2 years)	Refused - 07/04/1999
RU.99/0174	Use of agricultural building for storage of building materials and plant	Refused – 14/09/1999
RU.99/0797	Use of building G for storage with minor fabrication ancillary to the storage use	Granted – 14/09/1999
RU.04/0954	Variation of clause 3 of the legal agreement under RU.92/0554 for the southern part of the site to be sold off as a separate unit	Refused – 13/12/2004
RU.08/1087	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 25/06/2009
RU.09/0194	Lawful use certificate for existing hardstanding and service roads	Granted – 16/10/2009
RU.09/0936	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 23/06/2011
RU.09/0547	Application for discharge of obligations contained in S106 legal agreement. dated 28th July 1993 relating to all the land and premises at Padd Farm	Refused – 14/07/2011
RU.10/0016	Certificate of existing lawful use for stationing of caravans in residential use	Refused – 23/06/2011
RU.17/0412	Application to dispose of part of the site with reference to a s106 obligation (planning)	Refused – 08/03/2017
RU.18/1552	EIA SCREENING OPINION RELATING TO THE PROPOSED DEVELOPMENT ON LAND AT PADD FARM, HURST LANE, EGHAM FOR THE BELOW SCHEME: Demolition of existing buildings and site decontamination, the erection of up to 130 new residential dwellings (areas A	Environmental statement required – 16/11/2018

	& B) and provision of public open space on the southern part (area C) of the site under PART 2 (6) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017	
RU.19/0066	EIA Scoping Opinion for proposed development at Padd Farm	Scoping Agreed – 22/02/2019

### Enforcement History

- 4.2 It should be noted that there is a separation of control between the ‘use’ of a building and its physical presence/fabric, and a lawful building can be by a use that is unlawful. The majority of the existing buildings on site are lawful, however have been subject to one of more unlawful uses. All buildings with the exception of building 16 are lawful and all other unlawful buildings have been removed from the site. The lawful use of most of the site is agricultural with commercial uses permitted within buildings 8 and 9 and buildings 17, 18, 19, 30 and 32 being within residential use, although this is subject to a legal agreement which requires the buildings to be tied to an agricultural use of the land. As of 15/06/2018 all businesses trading from the site have left as confirmed by The Enforcement Receiver. The site is also now currently vacant, and all buildings are unoccupied.

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

### 5.1 National Planning Policy Framework and Guidance:

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting health and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

- 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 Supplementary Planning Documents and Guidance:

- Runnymede Design Supplementary Planning Document
- Thames Basin Heaths Supplementary Planning Document

- Affordable Housing Supplementary Planning Guidance
- Car Parking Supplementary Planning Guidance
- Trees, Woodland and Hedgerows Supplementary Planning Guidance

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Surrey Wildlife Trust	<p><u>Badgers</u></p> <p>Advises that immediately prior to development a survey of the site be carried out to search for any new badger setts due to the suitability of habitat on the site for foraging badgers. It is also advised that construction activities on site have regard to the potential presence of terrestrial mammals and that the above measures are secured within a Construction Environmental Management Plan (CEMP).</p> <p><u>Bats</u></p> <p>Raises an objection as the updated surveys are not sufficient to ascertain an acceptable impact on bats. Further survey work is required.</p> <p><u>Lighting</u></p> <p>Advises that a sensitive lighting management plan is submitted to the LPA prior to commencement of development to be secured by condition.</p> <p><u>Birds</u></p> <p>Advises that activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive unless it can be demonstrated that the works can be carried out without disturbing bird nests within a CEMP.</p> <p><u>Reptiles</u></p> <p>Recommends that development is carried out in strict accordance with the impact avoidance, mitigation and compensatory measures specified in Section 5.44 of the Ecological Impact Assessment due to the presence of breeding populations of grass snakes on site.</p> <p><u>Great Crested Newt</u></p> <p>Advises that the Ecological Impact Assessment is appropriate in scope and methodology to determine the likely absence of Great Crested Newts at the site. However, the site does support suitable habitat for amphibians and should Great Crested Newts be identified during works, all work should immediately cease. This approach should be secured within a CEMP.</p>

	<p><u>Thames Basin Heaths SPA</u></p> <p>Advises that the Shadow Habitat Regulations Assessment submitted will need to reflect that the SANG is no longer being proposed and that financial contributions to offsite SANG and SAMM are secured through a Section 106 agreement with advice taken from Natural England.</p> <p><u>Protected Sites – Sites of Special Scientific Interest (SSSIs)</u></p> <p>Are satisfied with the assessment presented within the Ecological Impact Assessment that through appropriate mitigation the impact of the development on the SSIs would not be significant, however recommends that advice is sought from Natural England on this matter, and that all mitigation be secured within a CEMP and Landscape Environmental Management Plan (LEMP).</p> <p><u>Protection of watercourse</u></p> <p>Advises that a minimum 8m buffer should be retained between all built development and the top of the bank of the watercourse, and that the Environment Agency should be consulted on this matter.</p> <p><u>Biodiversity net gain</u></p> <p>Have confirmed that the assessment within the updated biodiversity net gain calculator is appropriate, reasonable and achievable. Suggest measures to secure the biodiversity net gain within the LEMP.</p> <p><u>Biodiversity Enhancements</u></p> <p>Advises that the development should only proceed in strict accordance with all the ecological measures specified in section 5.53 of the Ecological Impact Assessment.</p>
Natural England	Confirms they have no objection provided the applicant complies with the requirements of Runnymede Borough Council's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA.
Lead Local Flood Authority	Advises that they are not satisfied that the proposed drainage scheme meets the requirements of the National Planning Policy Framework, Planning Practice Guidance, or the Non-Statutory Technical Standards for sustainable drainage systems. Considers there is potential for more SuDS features to be incorporated into the design and on the site. Notes that the proposed drainage plan incorrectly annotates the discharge rate to be 3.1l/s rather than the 2.2l/s indicated in the report and calculations. Should planning permission be granted a suitably worded condition should be applied requiring an updated drainage strategy to be submitted prior to the commencement of development and to ensure that the SuDS scheme is properly implemented and maintained throughout the lifetime of the development.
RBC Drainage	Recommends conditions are imposed relating to the internal floor levels of the buildings and proposed flood compensation measures,

	subject to the LLFA removing their objection.
RBC Housing	Are pleased to note that the revised application is for houses and that the applicant's delivery partner remains Metropolitan Thames Valley Housing who are one of the Council's preferred Registered Providers. Are pleased to support the application for much needed Affordable Housing.
SCC Minerals and Waste	Have no objections to the proposed development but wish to highlight the important mineral designations in the surrounding area and suggest the applicant undertakes a mineral resource assessment to assess the viability for prior extraction.
RBC Tree Officer	Has concerns with the loss of many of the best trees on site, including Lombardy Poplars and considers it is possible to retain more of them within the site layout, however suggests that the loss of trees could be mitigated through a suitable landscape proposal.
Surrey Bat Group	Considers that the updated Ecological Impact Assessment, including transect surveys carried out in 2021 conform broadly with best practise requirements and as such there is sufficient information to enable the application to be determined. Advises that the Surrey Wildlife Trust are consulted on matters of bio-diversity net gain.
Thames Water	Advises that some capacity exists within the foul water network to serve 6 dwellings but beyond that, upgrades to the wastewater network will be required. Therefore, recommends a condition be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure. Suggests an informative making the applicant aware of the need for a Groundwater Risk Management Permit to discharge groundwater into a public sewer.
Surrey Police	Suggests a condition requiring the applicant to demonstrate through accreditation that the development achieves or can achieve 'Secure by Design'.
RBC Environmental Health	Raises concerns about noise on future occupiers from the commercial activities at Bellbourne Nursery.
Environment Agency	Following the submission of Revision C of the Ecological Impact Assessment, remove their objection subject to the ditches being included in planning conditions for a construction environmental management plan.
SCC Archaeology	Concludes that any archaeological remains that may have been present on the site will have been destroyed by previous quarrying and as such there is no requirement for any further archaeological work.
RBC Contaminated Land	Advises that further consultation is carried out with the Environment Agency and that further intrusive site investigations will be required when layouts have been confirmed. Suggests a condition which requires the applicant to carry out an assessment of the nature and extent of contamination on site and provide and implement a

	remediation scheme if necessary. The condition also sets out what to do if unexpected contamination is found after the development has been commenced.
SCC Highways	Believes that the reduction from 54 to 38 units and the repositioning of the main vehicular access from the north to the west of the site would result in a lessened impact in terms of trip generation and are satisfied that the new access can achieve suitable visibility sightlines along Hurst Lane. Recommends conditions relating to: Access, Parking and turning, construction management, electric vehicle charging, kerb/verge reinstatement, and the new footway.
RBC Planning Policy	Advises that an assessment needs to be made of the harm caused by this inappropriate development in the Green Belt, and that this harm, together with any other harm should be weighed in the planning balance. Considers in this instance that the balance could possibly be tipped in favour of the application as the application will remove existing buildings which, subject to checking by the case officer, appear to result in a similar amount or reduction in buildings and hardstanding on the site. Considers the proposal also provides benefits in terms of landscape amenity and planting, and the provision of public open space. Have confirmed that there is sufficient capacity at the Homewood Park SANG for the development.

### **Representations and comments from interested parties**

6.2 81 Neighbouring properties were consulted in addition to being advertised on the Council's website and 17 letters of representation have been received in regard to the original scheme (16 objections and 1 support) and a further 7 (As of 23/11) letters following the receipt of amended plans, which can be summarised as follows:

#### Original

- Concerns with the contamination on site and the effects on human health
- Considers that the owner of the site should be required to decontaminate the site regardless of whether the site is developed
- Concerns over the impact on wildlife and biodiversity
- Notes that the highway improvement works will encroach onto private land
- Concerns that Hurst Lane won't be able to cope with the extra vehicle movements
- Concerns over the positioning of the proposed access and the impact on highway safety
- Concerns over the impact on the Green Belt
- Does not consider very special circumstances exist to justify development in the Green Belt
- Concerns over the legality of the existing buildings and use of the land
- Does not consider enough thought has been given to generating renewable energy
- Concerns over the impact of the development on the character and appearance of the area
- Considers that the addition of pavements will change the character of the lane
- Concerns over the ability of existing infrastructure and local services to cope with additional residents



- Concerns over the long-term viability of the SANG
- Concerns that this is not the right location for affordable housing
- Concerns over the piecemeal approach to development within Hurst Lane
- Concerns over the impact of the development on flooding

#### Amended scheme

- Concerns with the contamination on site and the effects on human health
- Does not consider it will be possible to develop the land as a SANG given contamination on site
- Concerns that Hurst Lane won't be able to cope with the extra vehicle movements
- Notes that the highway improvement works will encroach onto private land
- Concerns over the positioning of the proposed access and the impact on highway safety
- Concerns over the impact on the Green Belt
- Does not consider very special circumstances exist to justify development in the Green Belt
- Concerns over the legality of the existing buildings and use of the land
- Concerns over the location of the site in relation to local facilities
- Concerns over the ability of existing infrastructure and local services to cope with additional residents.
- Concerns over the impact of the development on flooding
- Concerns over the impact of the development on the Hurst Ditch
- Does not consider sufficient information has been provided in relation to the paddocks.
- Does not consider the proposal to be financially viable

## **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:

- Whether the development constitutes appropriate development in the Green Belt
- The impact on the character and appearance of the area
- Traffic implications and the impact on highway safety
- The impact on contaminated land
- The impact on biodiversity
- The impact of the development on flood risk and the risk to future occupiers
- Whether the future occupiers will be provided with a high level of amenity
- Affordable housing provision
- The impact on archaeology

- The impact on minerals
- Energy and sustainability
- The impact on the Thames Basin Heaths Special Protection Area

***Whether the development constitutes appropriate development in the Green Belt***

- 7.2 The application site is in the Green Belt where the National Planning Policy Framework (NPPF) sets out that the construction of new buildings should be considered as inappropriate unless it falls within one of the exceptions listed in paragraphs 149 and 150. Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 sets out that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.3 One such exception to the construction of new buildings being considered inappropriate development is the partial or complete redevelopment of previously developed land, which is on the provision that the new buildings would not have a greater impact on the openness of the Green Belt or, in the case where the development contributes to meeting an identified affordable housing need, would not cause substantial harm to the openness of the Green Belt. Policy EE17 of the Runnymede 2030 Local Plan (The Local Plan) also sets out that the partial or complete redevelopment of previously developed land is not inappropriate in the Green Belt providing there would be no greater impact on the openness of the Green Belt. Whilst parts of the site are clearly developed, the definition of previously developed land within the NPPF specifically excludes land that is or was last occupied by agricultural or forestry buildings. The definition also excludes residential gardens. As discussed in paragraph 4.2 above the lawful use for most of the site and buildings is agricultural. Whilst there are some buildings within commercial use, these make up a small percentage of the built development on site and clearly the proposed development would cause substantial harm to the openness of the Green Belt when compared to these existing buildings. Taking this into account and considering most of the site is within agricultural use, the site cannot constitute previously development land for the purposes of assessing the impacts upon the Green Belt.
- 7.4 As the site does not fall within the definition of previously developed land and given that the development does not fall within any other of the exceptions listed in paragraphs 149 and 150 of the NPPF, the development must be considered inappropriate and is therefore, by definition, harmful to the Green Belt.
- 7.5 The application proposes the demolition of all existing buildings on site and proposes 38 x new dwellings, this would also increase the number of buildings on site and the overall footprint and volume of development, thereby having a clear spatial impact on the openness of the Green Belt with the proposed buildings resulting in an uplift in volume across the site of 42%. However, this figure includes building 16 and building 20 which are subject to an enforcement notice. Adjusting for the removal of these two buildings from the calculations results in an uplift of 52%. This increase in built form is significant in terms of its spatial impact on the Green Belt. In terms of the visual impact on openness, this would be reduced by the vegetation on the site borders which limits views of the development from Hurst Lane and the surrounding area. Overall, however, the impact on the openness of the Green Belt is significant. There would also be harm to the purposes of the Green Belt namely to assist in safeguarding the countryside from encroachment. Whether this harm, which substantial

weight is afforded, can be considered acceptable will depend on whether the benefits of the scheme constitute very special circumstances which would clearly outweigh the harm. This is addressed at the end of section 7.

***The impact on the character and appearance of the area***

- 7.6 Policy EE1 The Local Plan sets out that all development proposals, whether within the Green Belt or within the urban area, will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area. Paragraph 126 of the NPPF also places importance on the creation of high quality, beautiful and sustainable places, and paragraph 134 sets out that development that is not well designed should be refused. Paragraph 130 sets out a number of considerations which decision makers should take account of when determining planning applications.
- 7.7 The proposal consists of 38 dwellings set in a crescent around a central green in the northwest corner of the site. This Green includes an area for play (LAP) and an equipped area of play (LEAP), details of which will be secured by condition. Most of the properties are semi-detached, however there are some terraced properties also proposed. All of the dwellings are between a height of 8 and 8.5m and are of a scale and design which is considered to compliment the character of the existing residential properties in the area which comprise mostly of bungalows and chalet style bungalows of varying styles and sizes at a low density. Amended plans have been received during the course of the application which reduced the number of dwellings from 54 to 38. This has reduced the built envelope and amended the road layout to help the scheme fit more comfortably within the rural character of the area and to better respect the pattern of development. The previous design appeared more urban and akin to a housing estate which was not considered appropriate for the area. The appearance and detailing of the houses have been redesigned to better reflect the local vernacular, and the apartment buildings have been removed as they were considered to be of a scale and design which was incompatible with the character of residential development in the area. The SANG (Suitable Alternative Natural Greenspace) has now been removed from the scheme, with the rest of the site shown to be kept open for use as paddocks. Full details of this area will need to be provided as part of a hard and soft landscaping scheme.
- 7.8 Paragraph 131 of the National Planning Policy Framework sets out the importance of trees in contributing to the character and appearance of an area. The application has been supported by an arboricultural report and a tree protection plan which sets out that 46 trees will need to be removed from the site, however, importantly it shows the retention and protection of all boundary trees other than T65, which is a U category tree. It is the retained trees which make the most significant contribution to the rural character of the site and the surrounding area. The Council's Arboricultural Officer has raised concerns with the loss of many of the better specimens from within the site, however has acknowledged that the loss of these trees can be compensated for through the provision of replacement planting, which can be secured by condition.
- 7.9 The Designing out Crime Officer at Surrey Police has commented on the application and advise that most of the crime in the area is low-level acquisitive crime and anti-social behaviour. They have raised some concerns with the layout of the proposed development and the amount of natural surveillance within certain areas, however this must be weighed up against the overall quality of the design and the aims of policy EE1 and paragraph 130 of the NPPF. The proposed layout has several properties facing onto the green/open space at the front of the site, providing good surveillance over this area and the main road through the development. The green also helps to establish a strong sense of place and the layout of the

roads creates an area which is easy to understand and provides opportunities for pedestrians and cyclists to move through the development and into the wider area via the proposed new footpath along Hurst Lane. Properties behind those facing onto the green are laid out within small cul-de-sacs with most of the properties facing onto each other to provide natural surveillance. In addition, most of the parking spaces are located either to the front or side of properties where they are overlooked. Overall, it is considered that the development succeeds in creating a high-quality place which is safe and where crime and the fear of crime would not undermine the quality of life of future residents.

### ***Traffic implications and the impact on highway safety***

- 7.10 The application is supported by a transport assessment and a transport assessment addendum submitted with the revised 38 dwelling scheme. The number of vehicle movements that would be generated by the development has been calculated using TRICS data and the 2011 Census Journey to Work data. Using these data sets it has been predicted that the total two-way car/van journeys generated by the development would be 27 and 24 in the AM and PM peaks respectively. This would not materially impact upon the Stroude Road/Hurst Lane Junction which would continue to operate within capacity. The County Highway Authority (CHA) have reviewed the submitted assessments and have assessed the application on safety, capacity and policy grounds. The CHA raises no objections to the way in which trip generation has been calculated or the impact of the development on Hurst Lane and the surrounding area. It is noted that neighbours have raised concerns with traffic from Bellbourne Nursery and other commercial uses along Hurst Lane, however the CHA have not raised any concerns over the cumulative impact of development on traffic and the number of trips generated by this development are considered to be negligible. Paragraph 111 of the National Planning Policy Framework sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Swept path analysis drawings have been provided which demonstrate that refuse and delivery vehicles can access and manoeuvre around the site.
- 7.11 The road between the site and the Stroude Road and Hurst Lane junction is also proposed to be widened to provide a pedestrian footpath which will improve road safety for vulnerable users. The footpath, which has a maximum width of 1.5m, will run along the eastern side of Hurst Lane from the northern corner of the site, where there is a pedestrian access and pedestrian crossing, to Stroude Road. Whilst the site is not in the most accessible location this footpath will help improve pedestrian and cycle links/connectivity to Stroude Road, where there are bus services providing links to the surrounding area, in line with the objectives of paragraphs 92 and 112 of the NPPF. The carriageway will remain a minimum width of 4.8m which is sufficient to allow for two-way traffic. Details of these works are set out in appendix B of the transport assessment addendum and a condition is proposed to secure the implementation of these works. It is noted that neighbours have stated the footpath is shown to be on private land, however discussions with the CHA have confirmed this to be highway land and therefore the responsibility of the CHA to maintain; land can be both private and highway land. The revised scheme also moves the access to the west of the site and the CHA are satisfied that the relocated access can be provided with sufficient visibility splays. Sufficient parking (68 spaces) will also be provided for the development. No objections are therefore raised on highway grounds subject to conditions.

### ***The impact on contaminated land***

- 7.12 A phase 1 desk study and preliminary geo-environmental site investigation has been carried out, which has helped to identify the baseline conditions of the site. This investigation

confirms that the site was formerly a gravel pit and then used for landfill. Other potential sources of contamination on the site are from former vehicle servicing garages, an above ground fuel tank, scrapyards and a variety of past industrial uses over the last 20 years. The site investigation has found the presence of asbestos fibres in the soil, fuel contamination in the soil and ground waters, and elevated concentrations of carbon dioxide and methane at levels that will require landfill gas protection measures to be installed. Without decontamination the site poses a risk to existing local residents, those living or working on the site and to the ground water and surface water environment. The report goes on to set out proposed mitigation for this, which has been reviewed by the Council's Contaminated Land Officer. The Contaminated Land Officer has recommended a condition be imposed on any consent which requires a further intrusive site investigation to be carried out and a remediation scheme to be subsequently submitted and implemented. The condition also sets out steps on what to do should unexpected contamination be found during construction. This condition will ensure that the application site is appropriately remediated and there will be no risk to human health as a result of the development. Discussions have been held with the Environment Agency as to whether the site could be remediated outside of planning. They advise that should contamination reach the main river they could use the Water Resources Act to require the site owner to decontaminate the site, however they are not aware of any impacts on nearby water courses. The other way in which the site could be remediated is via Part IIA of the Environment Protection Act, however the site would need to be determined as contaminated land first before the Environment Agency could get involved. The Environment Agency have advised that as the contamination is likely to be just in the gravel aquifer, the site could not be designated as a special site and passed to Environment Agency control. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.

### ***The impact on biodiversity***

- 7.13 Policy EE9 of the Local Plan sets out that developments on sites including or adjacent to priority habitats and species will not be permitted unless it can be demonstrated that the impact of the proposals will not result in significant adverse effects. This is in line with the hierarchy set out in paragraph 180 of the NPPF which sets out that if significant harm to biodiversity cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused. Policy EE9 of the Local Plan also sets out that the Council will seek net gains in biodiversity, through the creation/expansion, restoration and enhancement of habitats and features to improve the status of priority habitats and species. The application is supported by an ecological impact assessment and accompanying surveys for bats and reptiles. The Surrey Wildlife Trust have reviewed the ecological impact assessment and have suggested a number of conditions which would secure the biodiversity mitigation and enhancement measures via the submission of a construction environmental management plan and a landscape environmental management plan. Concerns have been raised with regard to the impact on bats. Whilst updated survey results from September 2021 have been submitted and the Surrey Bat Group have confirmed the results of these surveys are acceptable, the Surrey Wildlife Trust are still raising an objection on the basis that the updated surveys may not be sufficient to ascertain the development would have an acceptable impact on this protected species. The recommendation has therefore been drafted to allow suitable resolution of this matter to the satisfaction of the CHDMBC. An updated biodiversity net gain calculator has been submitted and has been reviewed by the Surrey Wildlife Trust. The Surrey Wildlife Trust have confirmed the calculator is appropriate and have suggested some extra measures to be secured within the Landscape Environmental Management Plan.

### ***The impact of the development on flood risk and the risk to future occupiers***

- 7.14 The application site is partly within flood zone 2, however the housing development sits outside of the flood zone entirely within flood zone 1. The Lead Local Flood Authority as well as the Council's own drainage team have been consulted on the application. The Lead Local Flood Authority have raised some concerns with the drainage strategy and consider more SuDS features should be incorporated into the design, however, they have suggested that an updated drainage strategy can be secured by condition. The condition will also secure details of how the drainage scheme will be maintained throughout the lifetime of the development. The Council's drainage team have suggested a condition which will ensure the finished floor levels of the development will be suitably raised above the predicted flood levels plus climate change. Part of the new road network within the site is within flood zone 2 and it is therefore proposed to raise ground levels to bring this out of the flood zone. Details of how flood compensation will be provided (lowering of levels elsewhere) have been requested by condition. It has also been conditioned for details of existing and proposed levels to be submitted prior to the commencement of development.

### ***Whether the future occupiers will be provided with a high level of amenity***

- 7.15 Paragraph 130 of the NPPF sets out that development should create places with a high standard of amenity for all existing and future occupiers. In terms of the existing residents, the proposed development would not harm their existing amenities in terms of light or privacy and the development would not generate a significant level of noise during the operational phase. In terms of the future occupiers, each house is of a good standard and meets the minimum space standards set out in policy SL19 of the Local Plan. Not all the gardens meet the minimum depth of 11m set out in the Council's Design SPD, however all are of a good size, and in combination with the proposed green on site, would provide the future occupiers with a high standard of amenity and usable space.
- 7.16 The application is supported by a noise impact assessment and an air quality impact assessment. The noise impact assessment takes account of noise from the M25, Bellbourne Nursery and other noise generating premises near the site. Subject to the mitigation measures set out in this report, it is not considered that the future occupiers would experience any adverse effects from noise. In terms of air quality, the development is not within an air quality management area and as such future occupiers would not experience unacceptable levels of pollution. Impacts on existing residents from the development during the operation phase are considered to be low and impacts during construction (dust etc.) can be managed through the submission of a construction management plan.

### ***Affordable Housing Provision***

- 7.17 Policy SL20 of the Local Plan sets out that development proposals of 10 or more (net) additional dwellings will be expected to provide 35% of dwellings as affordable units with 70% of this to be provided as affordable/social rent. In this case the applicant is proposing to provide 100% of the houses as affordable and as such the proposal complies with policy SL20. The applicant has also confirmed that the affordable housing will be delivered and managed by Metropolitan Thames Valley Housing, who is one of the Council's preferred partners. The applicant has proposed to provide a split of 50% affordable rented and 50% shared ownership. Whilst this is below the 70% affordable rented sought by policy SL20, given the applicant is substantially overproviding on affordable housing, the split is considered acceptable. A Section 106 Legal Agreement is currently being drafted which will secure the affordable housing and set out how the housing shall be managed. The substantial provision of affordable housing in excess of Borough Standards is a factor that

provides substantial weight in the planning balance in favour of the proposal.

***The impact on archaeology***

- 7.18 The application is supported by a desk based archaeological assessment. This assessment suggests that the site has a high potential for archaeological remains and recommends further work is carried out to clarify the archaeological potential of the site, however this has been reviewed by the Archaeological Officer at Surrey County Council who have advised that any potential archaeological potential the site may have had will have been lost when the site was previously quarried and used for landfill. As such there is no requirement for any further archaeological work to be carried out.

***The impact on minerals***

- 7.19 The application site forms a small part of a minerals and safeguarding area, however the Minerals and Waste Planning Policy Team have advised that the site is unlikely to form part of any future scheme to work minerals within the wider area due to the sites location, proximity to residential dwellings and the proposed redevelopment of the site. No objections are therefore raised to the development although it is recommended that the applicant undertakes a mineral resource assessment to assess the viability of minerals being extracted prior to development. This has been included as an informative.

***Energy and sustainability***

- 7.20 Policy SD8 of the Local Plan sets out that development proposals of 1,000sqm or more of net additional floorspace will be expected to incorporate measures to supply a minimum of 10% of the development's energy needs from renewable and/or low carbon technologies. The application is supported by a sustainability and energy statement which sets out that the dwellings will be constructed to reduce energy demand by at least 10% through the incorporation of low-carbon and/or renewable energy technologies. This document also sets out how the development can achieve water efficiency of less than 110 litres per person per day, in compliance with part e) of policy SD7 of the Local Plan. Details of how the targets for energy consumption and water efficiency will be achieved will need to be submitted and a condition is included to secure these details.

***The impact on the Thames Basin Heaths Special Protection Area***

- 7.21 The application site is within 5km of the Thames Basin Heaths Special Protection Area which is designated as part of the Europe-wide Natura 2000 network as required under Directive 2009/147/EC on the conservation of wild birds. The SPA is also protected under UK law in the Conservation of Habitats and Species Regulations 2010. The SPA is designated because of the presence of breeding populations of three bird species: Dartford Warbler, Woodlark and Nightjar. These birds' nest on or near the ground and as a result are vulnerable to predators as well as from informal recreational use, such as walking and dog walking.
- 7.22 As competent authority the Council's appropriate assessment is that the contributions in line with the agreed strategy with Natural England, means harm to protected species can be avoided and mitigated by the provision of SANGs. The Council has available capacity to accommodate this development subject to appropriate payments for delivery and maintenance. Subject to securing these contributions by way of a s106 agreement it is considered that the proposal would address the impacts arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF.

7.23 The Surrey Wildlife Trust also advise that the development could have an impact on the SSSIs (Site of Special Scientific Interest) at Thorpe Park No.1 Gravel Pit, Thorpe Hay Meadow and Langham Pond, however the Ecological Impact Assessment concludes that, due to the distance between the SSSIs and the application site, a material increase in recreational visitors is unlikely. Natural England have been consulted on the application and have raised no objections in terms of the impact on SSSIs, and therefore it is considered that the proposal would not have a significant adverse effect on the integrity of the SSSIs in compliance with policy EE9 of the Local Plan.

**Planning Balance and Conclusions**

7.24 It has been demonstrated that in accordance with national policies this form of development in the Green Belt is inappropriate development which would cause significant harm to the openness of the Green Belt. This harm needs to be afforded substantial weight in accordance with the NPPF. This development can therefore only be approved if there is a clear case of very special circumstances which would clearly overcome this identified harm.

7.25 The NPPF advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations; No harm other than to the Green Belt has been identified in this instance.

7.26 Officers have reviewed the case of very special circumstances put forward by the applicant and considers that the following weight can be attributed to the relevant material considerations.

<b>Benefits</b>	<b>Weight afforded</b>
<p>The delivery of 38 units of affordable housing against continuing need for such homes that cannot be addressed through current levels of planned growth</p>	<p>Substantial weight – The proposal offers 100% affordable housing, significantly in excess of the 35% required by policy. Appendix E within the Local Plan sets out a shortfall of 81 affordable units across the local plan period when comparing supply to requirement which this scheme would help to address. Had only 35% affordable housing been provided this would have amounted to 13 units, meaning an additional 25 are being offered. Notwithstanding the targets set out in the Local Plan, this is a significant over provision which will provide benefits to local residents.</p> <p>A lesser quantum of AH may not have achieved substantial levels of benefit. However this scheme proposes 100%.</p>
<p>The decontamination of land through appropriate remediation, where there is no means to secure other than through the development, that will protect the water environment and existing residents from the</p>	<p>Substantial weight – The phase 1 desk study and preliminary geo-environmental site investigation reports submitted with the application identify contamination on site, which poses a risk to existing and future</p>



effects of contamination.	residents as well as ground water and surface water environment. The Environment Agency have also confirmed that it would be difficult to enforce the decontamination of the site outside of the planning process. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.
A flood water storage betterment to the surrounding area of 140m <sup>3</sup> – a 32% increase over the existing situation on site.	Significant weight – Several of the existing buildings are within flood zone 2, the removal of which will provide a betterment in flood plain storage and reduce the risk of flooding to existing residents. The proposed buildings are located within flood zone 1.
A large area of public open space for the benefit of existing and proposed residents	No weight – Public open space is a requirement of policy SL26 of the Local Plan
Enhancement to the surrounding landscape character, benefits to specific viewpoints/appearance of the site, and improvements to the character and amenities of the area	Fairly limited weight – Whilst the existing site is in a poor state and negatively impact on the character and appearance of the area, high quality design and a positive impact on the character and appearance of the area is expected of all development.  It is however considered that the scheme would improve the wider appearance of Hurst Lane.
Local economic benefits	Limited weight – Economic benefits would be true of any residential development, and the benefits would be limited.
An overall net gain in biodiversity	No additional weight – A net gain in biodiversity is a requirement of policies SD7 and EE9 of the Local Plan

7.27 There is harm to the Green Belt by definition and a significant physical reduction in openness across the site to which substantial weight against the proposal must be afforded. This is a relatively finely balanced recommendation, however there are benefits as detailed above which are considered to cumulatively clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and the physical reduction in openness across the site.

## 8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

8.1 The proposal is CIL liable, however the applicant has applied for relief under section 5 (b) of Form 1: CIL Additional Information. To be eligible for this relief the applicant must complete Form 10: Charitable and/or Social Housing Relief Claim and this form must be submitted to the collecting authority, and any relief granted, prior to any commencement of the

development. Otherwise, the full CIL charge will be payable.

## **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 proposed development is for 38 new dwellings following the demolition of all existing buildings on site. The development represents inappropriate development within the Green Belt and would also cause significant harm to the openness of the Green Belt, however very special circumstances are considered to exist which clearly outweigh the harm caused by reason of the development's inappropriateness and to the physical harm to the openness of the Green Belt. These include the 100% provision of affordable housing, decontamination of the site and a number of other benefits set out in the planning balance section of this report. No other harm has been identified in this case. The development is considered to be of a high-quality design which meets the aims of the Runnymede 2030 Local Plan and the National Planning Policy Framework and would provide both existing and future occupiers with a high standard of amenity. The County Highway Authority have raised no objections to the increase in traffic and have confirmed the proposal would have an acceptable impact on highway safety and the existing road network subject to conditions. Issues with contamination on site and impacts on biodiversity, drainage and flooding can also be appropriately managed via conditions. The applicant has agreed to provide all of the proposed units as affordable housing and will make financial contributions towards SAMM and SANG to offset the impact on the Thames Basin Heaths SPA. The SPA mitigation and affordable housing will be secured via a Section 106 agreement.
- 10.2 The development has been assessed against the following Development Plan policies – SD3, SD4, SD7, SD8, SL1, SL19, SL20, SL26, EE1, EE2, EE9, EE10, EE11, EE12, EE13 and EE19 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the

NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

To authorise the CHDMBC to grant planning permission subject to, resolution to the satisfaction of the CHDMBC with regards bat matters and the securing of any necessary mitigation to the satisfaction of the CHDMBC, the completion of a Section 106 agreement which secures the provision of 100% affordable housing and mitigation against the impacts on the Thames Basin Heaths Special Protection Area, and no call in being received from the Secretary of State to whom the application needs to be referred under the Town and Country Planning (Consultation)(England) Direction 2021 and subject to *the following planning conditions* and any additional conditions suggested the Surrey Wildlife Trust:

### 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 and documents:

- Location Plan, LP01, April 2021
- Site Plan, 400, October 2021
- Plots 13-14-15, Plans and Elevations, 401, October 2021  
Plots 9-10; 11-12; 18-19; 20-21; 35-36; 37-38, Plans and Elevations, 402, October 2021
- Plots 3-4; 22-23; 26-27; 33-34, Plans and Elevations, 403, October 2021
- Plots 30-31-32, Plans and Elevations, 404, October 2021
- Plots 7-8, Plans and Elevations, 405, October 2021
- Plots 5-6, Plans and Elevations, 406, October 2021
- Plots 1-2; 16-17; 24-25; 28-29, Plans and Elevations, 407, October 2021
- Landscape Strategy Plan, ASP4, Revision C, 25.10.21
- Context Masterplan, ASP:5, Revision N, 25.10.21
- Tree Protection Plan, Revision E, November 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. Material Samples

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

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

#### **4. Levels**

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

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual amenities of the area and to comply with Policy EE1 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### **5. Flood Compensation**

Prior to the commencement of above ground works, flood compensation measures for the loss of flood plain storage shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and maintained throughout the lifetime of the development.

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

#### **6. Surface Water Drainage Strategy**

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

- a) The results of infiltration testing completed in accordance with the BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2.2 l/s.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of the drainage management responsibilities and maintenance regimes for the drainage system

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

Reason: To ensure the design meets the national Non-Technical Standards for SuDS and ensure the final drainage design does not increase flood risk on or off site in order to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

## **7. Verification Report Drainage**

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

Reason: To ensure the Drainage System is designed to the Non-Statutory Technical Standards for SuDS and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

## **8. Tree Retention**

No tree to be retained in accordance with the approved plans and the Arboricultural Report, Implications and Method Statement, Revision A, 15/11/2021 (hereafter known as retained trees and including offsite trees) shall be cut down, uprooted or destroyed and no works to the above or below ground parts of the trees in excess of that which is hereby approved shall be carried out without the written approval of the Local Planning Authority until the expiration of five years from the date of completion of the development. If, within this time, a retained tree is pruned not in accordance with BS3998, removed, uprooted, damaged in any way, destroyed or dies, replacement trees shall be planted at the same place, sufficient to replace the lost value of the tree as calculated using an amenity tree valuation system, unless otherwise agreed in writing by the Local Planning Authority. The number, size, species, location and timing of the replacement planting shall be as specified by the Local Planning Authority.

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

## **9. Tree Protection**

Tree protection measures, as set out on the Tree Protection Plan, Revision E, November 2021 and in the Arboricultural Report, Implications and Method Statement, Revision A, 15/11/2021, shall be installed prior to the commencement of development. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

The works shall be carried out in accordance with the approved tree protection measures. 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 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.

## **10. Landscaping**

a. No above ground construction works 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.

## **11. Boundary Treatment**

No above ground development shall take place until details of all screen and boundary walls, fences, hedges and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority (LPA); such approved means of enclosure shall be erected/planted in accordance with the approved details before the building(s) hereby approved are occupied, unless the LPA otherwise first agrees in writing. Any hedges and/or enclosure and boundary planting included in the scheme shall be maintained for a period of 5 years, from the time of planting, including the replacement of any plant which may die.

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

## **12. Open Space**

Before the first occupation of any of the dwellings hereby permitted, arrangements for the provision and maintenance of the open space and amenity areas within the site, including the LEAP and LAP, and as indicated on the approved plans, shall be submitted to and approved by the Local Planning Authority (LPA), and shall thereafter be implemented and maintained for a period of not less than 10 years unless agreed otherwise in writing with the LPA.

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

## **13. Modified Access**

No part of the development shall be first occupied unless and until the proposed vehicular access to Hurst Lane has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1000mm high.

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

## **14. Parking and Turning**

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

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

## **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) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) measures to prevent the deposit of materials on the highway

- g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused, and
- h) on-site turning for construction vehicles

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

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

#### **16. Electric Vehicle Charging**

An electric vehicle charging point shall be provided for each dwelling. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The charging points shall be retained for the lifetime of the development.

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

#### **17. Kerb/Verge Reinstatement**

The development hereby approved shall not be first occupied unless and until the existing accesses from the site to Hurst Lane ( that are not incorporated as part of the new access) have been permanently closed and any kerbs, verge, footway, fully reinstated

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

#### **18. New footway link to Stroude Road**

The development hereby approved shall not be first occupied unless and until the proposed footway and informal pedestrian crossing points have been provided in accordance with the approved plans and details set out in Appendix B of the Transport Assessment Addendum, Revision V1, October 2021, unless otherwise subsequently approved in writing by the Local Planning Authority. The footway and informal pedestrian crossing shall thereafter be retained and maintained to the satisfaction of the Local Planning Authority.

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

#### **19. Cycle Storage**

Prior to first occupation of the development, cycle storage shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such storage should be safe, secure and lit.

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



## **20. Bin Storage**

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

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

## **21. Badger Survey**

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

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

## **22. Construction Environmental Management Plan**

Prior to commencement of development, including demolition, a Construction Environmental Management Plan (CEMP), which is in accordance with the approach outlined in Revision C of the Ecological Impact Assessment, shall be submitted to and approved in writing by the Local Planning Authority.

The construction Environmental Management Plan shall include but not be limited to:

- a) A map showing the location of all ecological features
- b) A risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Details of the use of protected fences, exclusion barriers and warning signs

The CEMP should incorporate measures detailed in Section 5.0 of the Ecological Impact Assessment, including general and site habitat and species-specific measures. The development shall take place fully in accordance with the approved details.

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

## **23. Landscape Environmental Management Plan**

Prior to commencement of development, including demolition, a Landscape Environmental Management Plan (LEMP) shall be submitted to and approved in

writing by the Local Planning Authority. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in Section 5.0 of the Ecological Impact Assessment, including the enhancement measures set out in section 5.53 and should include, but not be limited to:

- a) A description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for the implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery
- j) A monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
- k) A summary of baseline conditions prior to development, including full condition assessments using the Biodiversity Net Gain 3.0 condition assessment pro-forma
- i) A summary of proposed created, retained and enhanced habitats detailing how the proposed conditions are feasible and will be achieved, and
- m) Assurances that the proposals within the development site would be secured for a minimum of 30 years.

The development shall take place and thereafter be maintained fully in accordance with the approved details.

Reason: To achieve sustainable development, protect the environment in the vicinity of the site and to provide biodiversity enhancements in accordance with Policies SD7, EE2 and EE9 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

#### **24. Sensitive Lighting Management Plan**

Prior to commencement of development a sensitive lighting management plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall set out how the development will limit the impact of light pollution from artificial light on dark landscapes and on primary bat foraging and commuting routes across the development site.

Reason: To protect wildlife and to comply with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

## **25. Reptiles**

The development shall be carried out in accordance with the mitigation measures in relation to reptiles set out in paragraph 5.44 of the Ecological Impact Assessment, reference CSA/3877/02c, April 2021.

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

## **26. Contaminated Land**

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

### **(i) Site Characterisation**

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

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to:
  - Human health
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - Adjoining land
  - Ground waters and surface waters
  - Ecological systems, and
  - Archaeological sites and ancient monuments

### **(ii) Submission of Remediation Scheme**

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

### (iii) Implementation of Approved Remediation Scheme

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works. Upon completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority.

### (iv) Reporting of Unexpected Contamination

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

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

## **27. Noise Mitigation**

Prior to the first use/occupation of the development hereby approved, mitigation measures against road traffic noise (M25) shall be implemented in accordance with the details set out in paragraph 5.1 of the Noise Impact Assessment, AC102302-1R4, October 2021, or otherwise submitted to and approved in writing by the Local Planning Authority. These measures shall thereafter be retained.

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.

## **28. 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 SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

## **29. Renewable Energy**

Prior to the first occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority (LPA). ); or (ii) fabric first efficiency measures shall be used to reduce the amount of carbon dioxide emissions to at least that which would be achieved through the use of on-site renewable energy production; or (iii) any combination of (i) or (ii) above. Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the LPA.

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

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

## **30. Removal of PD rights**

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

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

## **31. Infiltration of Surface Water**

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. To ensure the development complies with paragraph 174 of the National Planning Policy Framework.

### Informatives

#### **1. Works to the Highway**

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or

water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <https://www.surreycc.gov.uk/roads-and-transport>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see <https://www.surreycc.gov.uk/people-and-community>

## **2. Mud/Debris on the Highway**

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

## **3. Accommodation Works**

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

## **4. 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.

## **5. Statutory utility works**

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

## **6. Electric vehicle charging**

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <https://www.beama.org.uk/portfolios/electric-vehicle-infrastructure1.html>

## **7. Mineral Safeguarding Area**

The application site forms part of a wider Minerals Safeguarding Area (MSA) for concreting aggregates. The Minerals and Waste Planning Authority (MWPA) seek to safeguard MSAs from the development that would sterilise the underlying mineral resource and it is important, where feasible, that minerals are worked before development takes place where sites are within, or partly within a MSA. This is

because non-mineral development has the potential to sterilise any underlying minerals. It is suggested the applicant undertakes a mineral resource assessment prior to development to establish whether prior working of any underlying mineral resource would be viable for export or in use as part of any future non-mineral development undertaken on the land.

## **8. Groundwater Risk**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

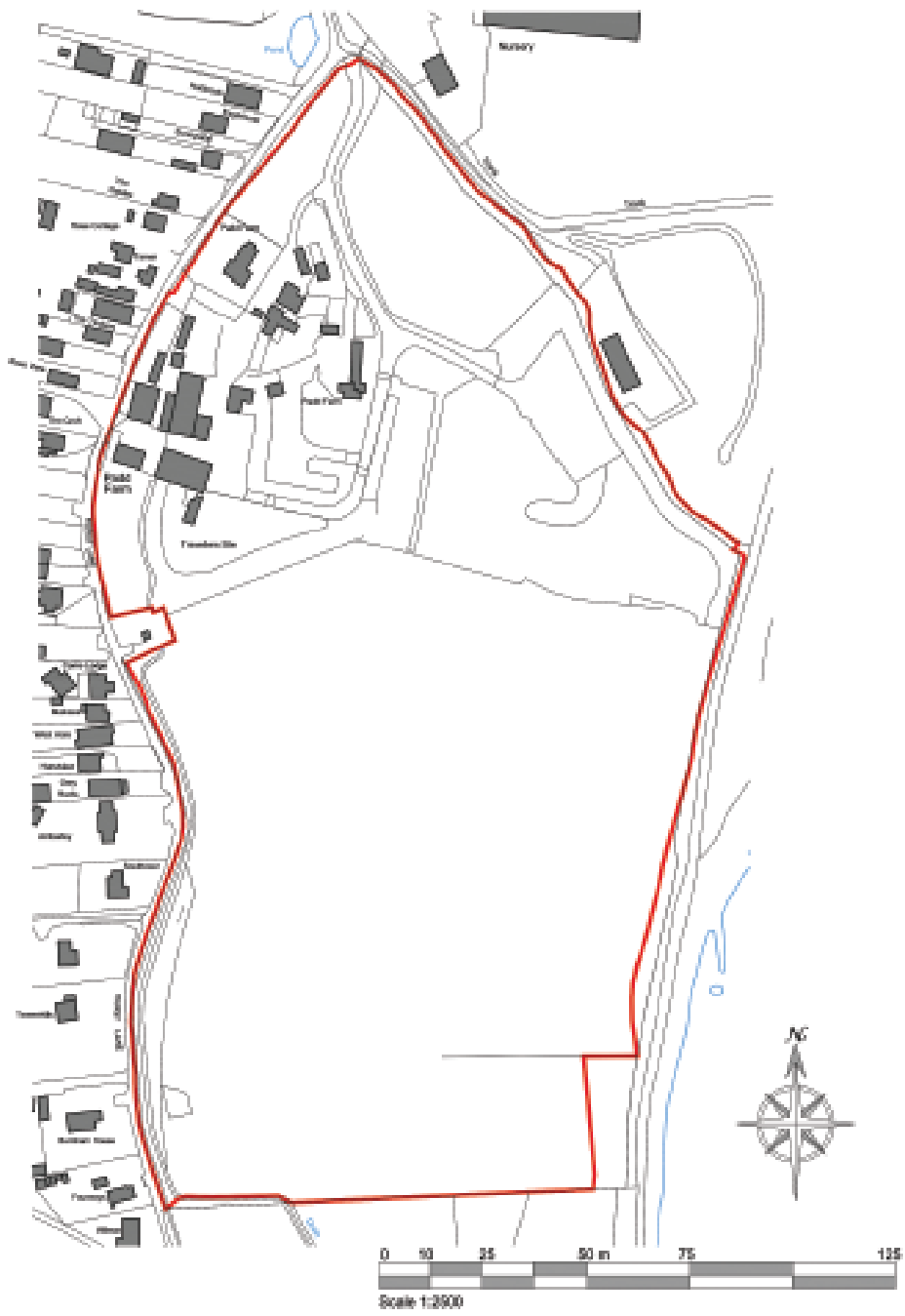
## **9. Underground Assets**

The proposed development is located within 15 metres of the Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide "Working Near our Assets" to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB.

## **Recommendation Part B:**

**To refuse planning permission at the discretion of the CHDMBC should the s106 not progress to his satisfaction or matters arise with regards the outstanding matters or any other material considerations that he considers warrant refusal of planning permission ahead of the issuing of a formal decision.**

Location Plan





Proposed Site Plan





FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



PLAN ELEVATION



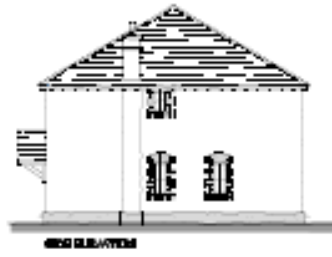
GROUND FLOOR  
 (64.75-0.0000) (64.75-0.0000) (64.75-0.0000)

TYPE 4-4-4  
 PLOTS 101-103



FIRST FLOOR

Plots 9-10, 11-12, 18-19, 20-21, 35-36, 37-38



GROUND FLOOR  
(SEE TO-2/3/4/5) (SEE TO-2/3/4/5)

TYPE A/A4  
PLOTS 9-10, 11-12, 18-19, 20-21,  
35-36, 37-38



FIRST FLOOR

Plots 3-4, 22-23, 26-27, 33-34



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



GROUND FLOOR  
(GAL 100+07.00M<sup>2</sup>) (GAL 100+07.00M<sup>2</sup>)

TYPE B+B  
PLOTS 3+4, 22+23, 26+27, 33+34



FIRST FLOOR

Plots 30-31-32



FRONT ELEVATION



REAR ELEVATION



FRONT ELEVATION



FLANK ELEVATION



GROUND FLOOR  
(G/L 100-A-01, 100-B)  
(G/L 100-B-02, 100-C)  
(G/L 100-A-01, 100-D)

TYPE B+L+D



FIRST FLOOR

Plots 7-8



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION



GROUND FLOOR  
(SEE 750-01000)

(SEE 750-01000)

TYPE & NO  
PLOTS 7-8



FIRST FLOOR

Plots 5-6



001 ELEVATION



001 ELEVATION



001 ELEVATION



001 ELEVATION



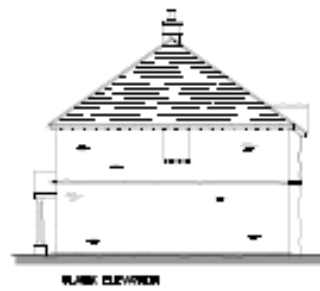
GROUND FLOOR  
001 120'-0" (36.58M)  
001 75'-0" (22.86M)

TYPE C - 4A  
PLOT 5-6



FIRST FLOOR

Plots 1-2, 16-17, 24-25, 28-29





# Landscape Strategy Plan



Context Masterplan



6. **Runnymede Interim Policy Statement on First Homes (Planning, Policy and Economic Development) – Judith Orr**

**Synopsis of report:**

**First Homes is a new tenure of low-cost home ownership affordable housing which allows first time buyers to get onto the housing ladder at a reduced price.**

**From the end of December 2021, it became mandatory for First Homes to be provided as a proportion of the affordable housing on market-led sites.**

**There are a number of ways in which the Council can shape and influence how First Homes are implemented in the Borough, including giving priority to people based upon local connection or their employment status.**

**Planning policy guidance on First Homes recommends that Councils should publish an Interim Policy Statement (IPS) to explain how First Homes will be implemented in their area. This will set out the Council's requirements for First Homes. The next iteration of the Local Plan will take account of this affordable housing tenure in its evidence base and integrate First Homes into the new policies of the Plan.**

**This report summarises the details surrounding the introduction of First Homes as a mandatory new affordable housing tenure by the Government. The report also sets out Runnymede Borough Council's proposed interim planning policy position around the various aspects of First Homes.**

**This report seeks approval from the Planning Committee to publish the First Homes Interim Policy Statement, attached as Appendix A to this report, which will expand upon these proposals.**

**Recommendation(s): The Planning Committee is recommended to APPROVE the Interim Policy Statement for publication on the website with an implementation date of Wednesday 26<sup>th</sup> January 2022.**

**1. Context of report**

- 1.1 In August 2020 local authorities were consulted on the Government's proposals to introduce First Homes as part of the affordable housing tenure on all new housing developments.
- 1.2 On 1<sup>st</sup> April 2021 the Government released its response to the consultation setting out the key details for delivery of First Homes. On 24 May 2021 a Written Ministerial Statement (WMS) and Planning Practice Guidance on First Homes were published, setting out further details on the First Homes policy and procedures, and confirmed an implementation date of 28 June 2021. However, First Homes are not required to be provided with planning applications on market-led sites determined before 28<sup>th</sup> December 2021 (or 28<sup>th</sup> March 2022 where there has been significant pre-application engagement). These documents advise that, local planning authorities should be flexible in allowing developers to introduce First Homes into the tenure mix prior to these dates, should they request to do so.
- 1.3 Planning practice guidance states that local planning authorities are encouraged to make the development requirements for First Homes clear for their area. One means of doing this, suggested in the guidance, is through the publication of an interim policy statement.

## 2. Report

2.1 The purpose of this report is to inform Members of the details of First Homes, a new affordable housing product and set out a suggested approach to be applied in Runnymede Borough, through the introduction of an Interim Planning Policy Statement (IPS). The IPS can be updated as and when needed, and it is for this reason that this statement has been produced as a separate document and not incorporated into the Affordable Housing Supplementary Planning Document.

2.2 The next iteration of the Local Plan will include a policy relating to First Homes, but this document will not be adopted for some years and so guidance is needed on First Homes in the intervening period.

### *What are First Homes?*

2.3 First Homes are the Government's preferred discounted market tenure, and are homes sold to first time buyers (as defined by the Finance Act). They are sold at a discount of at least 30% below open market value (with the discount maintained for future resales) and at a price no higher than £250,000 (outside London) after the discount has been applied (first sale only). Government guidance recommends that First Homes should comprise at least 25% of the affordable housing on market-led sites and this will therefore result in a reduction in the delivery of other forms of affordable housing. First Homes fall under the 'affordable housing' definition for planning purposes. The requirement for First Homes is therefore a significant material consideration in the planning application process.

2.4 Other key requirements for the First Homes delivery are:

- A First Home must be a purchasers only home.
- At least 50% of the discounted value of the property must be financed via a mortgage or other similar form of finance.
- Purchasers are eligible to purchase a First Home if they have household income of less than £80,000 (this is the same as the qualifying income threshold for shared ownership housing).
- The discount and eligibility requirement will be held in perpetuity and secured through legal mechanisms i.e., when any First Homes are sold to subsequent purchasers the same level of discount and first-time eligibility criteria will apply.
- Local authorities can seek discounts of 40% or 50% if they can evidence the need and viability.
- Local authorities can apply their own eligibility criteria for the first 3 months of advertising a First Home property, subject to providing evidence of the need to include such restrictions. After 3 months of marketing in line with any local eligibility criteria introduced, a property can be sold to any purchaser from anywhere in England, subject to meeting the national criteria around household income, first time buyer eligibility, and with the discount being held in perpetuity.
- Some exemptions apply, including developments that provide solely for Build to Rent homes, 100% affordable housing schemes, developments that provide specialist accommodation for a group with specific needs such as the elderly, and self-build developments.

### *First Homes Exception Sites*

- 2.5 As part of the overarching First Homes policy, the Government has introduced First Homes Exception Sites which are intended to replace existing entry-level Exception Sites (although no mention is made of this in the latest version (July 2021) of the National Planning Policy Framework). Exception sites are small sites, outside of settlement boundaries, used to deliver affordable housing.
- 2.6 The First Homes exception sites policy requires homes on qualifying sites to be delivered predominantly as First Homes but with some flexibility to allow for a small proportion of market homes where they would be necessary to ensure the viability of the development.
- 2.7 It is clear, from the WMS and Planning Policy Guidance, that First Homes Exception Sites should not be permitted in certain areas including on land designated as Green Belt. Since land outside existing settlements in Runnymede is designated as Green Belt, it is not considered that First Homes exception sites are applicable in the Borough.

### ***Discounts to be applied to First Homes***

- 2.8 Government guidance allows local authorities to impose higher discounts of either 40% or 50%, compared to the minimum 30% discount from open market value, provided that there is sufficient evidence to support it.
- 2.9 It is considered that evidence would be needed on house price sales and incomes locally in the Borough in order for a comparison to be made to justify imposing a higher discount locally. In addition, viability evidence would also be required to ensure that allowing a higher level of discount doesn't create viability issues for developers due to lower sales income.
- 2.10 It is therefore considered that in Runnymede the minimum discount of 30% should be applied at this stage, as there is no firm evidence available to support higher levels of discount. However, further evidence on the need for First Homes will be included as part of the findings in the recently commissioned Housing and Economic Development Needs Assessment (HEDNA). These findings are unlikely to be available until March/ April 2022. If the HEDNA findings show that there is a need for a higher discount to be applied to First Homes in Runnymede, this issue could be addressed as part of an updated IPS.

### ***Local eligibility criteria***

- 2.11 As set out in para. 2.4 above, local authorities can set their own local eligibility criteria in addition to the national criteria. This may involve **lower income caps** (if this can be justified with reference to local average first-time buyer incomes), a **local connection test**, or **criteria based on employment status**. First Homes are designed to allow people to get on the housing ladder in their local area, and in particular to ensure that key workers providing essential services are able to buy homes in the areas where they work. Authorities can prioritise key workers for First Homes and are encouraged to do so. The definition of a key worker should be determined locally and could be any person who works in any profession that is considered essential for the functioning of a local area.
- 2.12 In terms of **lower income caps**, it is noted that the household income limit of £80,000, proposed by the Government is in line with the existing criteria for all other low-cost home ownership products. It is considered that given the high open market house values in Runnymede that it is likely to be counterproductive to apply lower household income caps as that is likely to reduce the number of purchasers who can afford to buy a First Home and increase the risk that they are sold to applicants with no local connection to Runnymede.

- 2.13 The application of **local connection criteria** for the first 3 months of marketing a First Home property would ensure that local people have priority over others for any First Homes delivered in the Borough. It is therefore considered that local connection criteria should be applied in Runnymede. It is suggested that the Council apply the same criteria as are currently included in the adopted [Housing Allocation Scheme](#) for the first 3 months of marketing these properties, in order to give priority to those who can demonstrate a local connection to the Borough.
- 2.14 In terms of criteria based on **employment status and in particular, prioritising key workers**, this ceased to be an aspect of national policy some years ago and it is not standard practice in Runnymede in relation to allocating homes for social/affordable rent, or for prioritising applicants for shared ownership housing. Members may wish to consider whether First Homes should be prioritised for key workers in Runnymede.
- 2.15 The needs of key workers for housing will be looked at as part of the work on the HEDNA and this evidence could be used as the basis for this prioritisation if required. Further detail could be included in an updated IPS at a later date if Members wish to prioritise key workers for First Homes in the Borough.

### 3. **Policy framework implications**

- 3.1 The Interim Policy Statement on First Homes does not form part of the Development Plan for Runnymede nor does it have the status of a Supplementary Planning Document. It will however be taken into account in decision making and have some weight.

### 4. **Financial and resource implications**

- 4.1 The implementation of the interim policy statement will have resource implications for the Council, this is likely to particularly impact on the Housing and Planning teams. Resources will be needed on a variety of tasks including checking whether applicants meet the eligibility criteria for those with a local connection to Runnymede, enforcing the s106s and to monitoring the resales of First Homes to ensure that the discount is passed on in perpetuity.
- 4.2 The Government recognises that the mandatory provision and administration of First Homes may have resource implications for local authorities. A separate Government First Homes project is currently underway, with Government providing grant funding to developers to convert new open market homes to First Homes, and they will be monitoring the impact of the administration of that scheme on local authority resources. Subject to the outcome, local authorities may be able to make a charge for the administration work associated with this new tenure.

### 5. **Legal implications**

- 5.1 The publication of the First Homes Interim Policy Statement will allow the Council to meet its statutory obligations with regards to the delivery of this new affordable housing tenure in the Borough.
- 5.2 It is considered that as the First Homes tenure is being introduced very quickly and the evidence to support the local eligibility criteria is not yet available, issues may yet emerge that we are not currently aware of. It is for this reason that it is considered best not to include First Homes within the draft Affordable Housing Supplementary Development Document but to keep it separate within the interim policy statement. This will enable the Council to update the IPS easily as new issues emerge.

### 6. **Equality implications**

- 6.1 The Council has a Public Sector Duty under the Equalities Act 2010 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 An EqIA screening report (see Appendix B) has been completed alongside the production of the First Homes Interim Policy Statement. This screening report considers 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). Officers consider that the main beneficiaries of the First Homes policy will be the buyers of First Homes themselves, who will benefit from access to discounted home ownership. Those negatively affected will be households who would otherwise have access to other affordable housing tenures, whether rented or owned (such as social and affordable rent, or home ownership), which are displaced by First Homes.
- 6.3 In terms of the nine protected characteristics covered by the Equalities Act 2010, officers were concerned that more younger households will benefit from First Homes, as they are likely to make up the first time buyer market whereas, older households (non first-time buyer households), are likely to be affected by the reduction in delivery of other tenures than are positively affected by accessing First Homes.
- 6.4 Whilst these concerns have been identified, ultimately First Homes is a national policy which the Council is required to introduce. The Government has carried out a full equalities assessment of this national policy and as such it is considered that a full Equalities Impact Assessment at the local level is not required.

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

- 7.1 The draft Affordable Housing SPD sets out guidance to secure sustainable developments across the Borough. That same guidance will still be applicable to First Homes delivered in the Borough.

## 8. **Other Implications**

- 8.1 None.

## 9. **Conclusion**

- 9.1 Planning Committee is asked to **APPROVE** the Interim Policy Statement on First Homes.

**(To resolve)**

### **Background papers**

Appendix A: Interim Policy Statement (IPS) on First Homes  
Appendix B: EqIA Screening Assessment

### First Homes – Interim Policy Statement (November 2021)

#### Introduction

1. This interim statement sets out the key information relating to First Homes and how it will relate to the implementation of the Runnymede 2030 Local Plan adopted July 2020, and particularly Policy SL20: Affordable Housing (see Appendix A).

#### Background

2. On 24th May 2021, the Government published a [Written Ministerial Statement](#) to set out the Government's plans for the delivery of First Homes; defining the product and changes to planning policy. To support the future development of First Homes, the Government also set out changes to planning policy<sup>1</sup>. These changes came into effect on the 28 June 2021. For further details, please refer to the Written Ministerial Statement and [Planning Practice Guidance](#).
3. First Homes are a new form of low-cost affordable home ownership product. They are included within the definition of 'affordable housing' for planning purposes. They are:
  - Discounted by a minimum of 30% against the market value; and
  - After the discount has been applied, the first sale of the home must be at a price no higher than £250,000 (outside London). Local authorities and neighbourhood planning groups can set a larger discount of either 40% or 50% to ensure the homes are affordable to local people if they can demonstrate evidence of a need for this.

#### Who is eligible for a First Home?

4. The Government has set national criteria for eligibility to First Homes. These are that they must be:
  - For applicants who are first time buyers (as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief)
  - For households with a combined gross annual income of up to £80,000 (outside London)
  - All purchasers must use a mortgage or home purchase scheme for at least 50% of the discounted purchase value.
5. Local authorities can set their own eligibility criteria in addition to the national criteria such as, for example, prioritising key workers and / or specifying a particular local connection requirement(s) based on work or current residency. However, any local eligibility criteria set will be time-limited to the first three months from the start date of marketing the property after which the eligibility criteria will revert to the national criteria (see para. 4 above).

<sup>1</sup> <http://www.gov.uk/guidance/first-homes>



6. In recognition of the unique circumstances of the Armed Forces, local connection criteria will not apply to active members of the Armed Forces, divorced/separated spouses or civil partners of current members of the Armed Forces, spouses or civil partners of a deceased member of the armed forces (if their death was wholly or partly caused by their service) and veterans within 5 years of leaving the armed forces.

### **What sites are required to provide First Homes?**

7. First Homes are expected to be delivered on all sites of 10 or more (net) additional dwellings with the following exemptions:
  - Build to rent developments;
  - Specialist accommodation such as purpose-built accommodation for the elderly or students;
  - Custom or self-build homes;
  - Developments exclusively for affordable housing, or entry-level exception sites (which will become First Homes Exception Sites);
  - Sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021;
  - Applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022.

### **First Homes Exception Sites**

8. As part of the overarching First Homes policy, the Government is introducing First Homes Exception Sites, which are intended to replace existing entry-level Exception Sites (although no mention is made of this in the latest version (July 2021) of the National Planning Policy Framework). Exception sites are small sites, outside of settlement boundaries, used to deliver affordable housing.
9. The First Homes exception sites policy, as outlined in the WMS and Planning Practice Guidance, requires homes on qualifying sites to be delivered predominantly as First Homes but with some flexibility to allow for a small proportion of market homes where they would be necessary to ensure the viability of the development.

### **How are First Homes delivered?**

10. When a First Home is first sold and then later resold, it will be independently valued (the status of a property will be noted on the title at Land Registry). The market value of the house will be discounted (by at least 30%) and this reduction will be passed onto the new owner, although the £250,000 cap does not apply on resales.
11. First Homes will be delivered (and the mechanism securing the discount in perpetuity) through planning obligations (i.e., s106 agreements)<sup>2</sup> in the same way as other forms of affordable housing.

<sup>2</sup> Planning Practice Guidance Paragraph: 001 Reference ID: 70-001-20210524

12. Mortgage lenders enforcing security over First Homes should be able to realise the full market value of the property, returning any surplus up to the value of First Homes discount to the local authority. A Mortgagee Exclusion Clause is required to be included in the s106 agreement.

## Runnymede’s approach to First Homes

### *Impact of the delivery of First Homes on other affordable housing tenures*

13. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The Written Ministerial Statement is a material consideration and weight will be applied to it accordingly.
14. The WMS states that “A minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. This is a national threshold which should be applied for England.”
15. It then states that “Where other affordable housing units can be secured, these tenure-types should be secured in the relative proportions set out in the development plan.” The only exception to this approach is where there is a policy requirement for social rented housing, which should be prioritised, once they have secured the 25% First Homes requirement.
16. The Runnymede 2030 Local Plan was adopted in July 2020, so is up to date. Policy SL20: Affordable Housing of the Plan requires that development proposals of 10 or more (net) additional dwellings provide 35% of dwellings as affordable units. The tenure split set out in Policy SL20: Affordable Housing is for 70% Affordable/ Social Rent (no distinction is made between these two forms of rent) and 30% as other forms of affordable housing.
17. The introduction of First Homes therefore results in the tenure mix in Runnymede changing from 70% social/affordable rented and 30% other forms of affordable housing to:

25% First Homes, 53% social/ affordable rent and 22% other forms of affordable housing such as shared ownership.

18. Worked examples of what this approach will mean in practice is set out below.

Example 1: A scheme for 15 dwellings

Method	Result
35% <b>affordable housing</b> requirement from Policy SL20 – 15 x 35%	5.25 (rounded down to <b>5 dwellings</b> )

25% x 5= First Homes requirement	1.25 (rounded down to <b>1 dwelling</b> )
<b>Social/ affordable rented</b> = 53% of 5 affordable units	2.65 dwellings (rounded up to <b>3 dwellings</b> )
<b>'Other forms of affordable housing'</b> = 22% of 5 units	1.1 (rounded down to <b>1 dwelling</b> ) Discussions needed with Housing/ Registered Providers to decide the form of this affordable unit.

Example 2: A scheme for 100 dwellings

Method	Result
35% <b>affordable housing</b> requirement from Policy SL20 – 100 x 35%	<b>35 dwellings</b>
<b>First Homes</b> = 25% of the 35 dwellings	8.75 (rounded up to <b>9 dwellings</b> )
<b>Social/ affordable rented</b> = 53% of the 35 affordable housing requirement	18.55 (rounded up to <b>19 dwellings</b> )
<b>'Other forms of affordable housing'</b> 22% of the 35 affordable dwellings	7.7 (rounded down to <b>7 dwellings</b> )*

\*As set out in the Affordable Housing Supplementary Planning Document para. 2.3.11, the need for rented units should result in this tenure being rounded up in preference to providing other forms of affordable housing units in the Borough.

19. The Council intends that parts of a dwelling may be either rounded up or down, as illustrated in the examples above. Applicants are encouraged to discuss schemes at the early stages of preparation with the Council to enable a workable outcome.

***What discount to First Homes will be applied in Runnymede?***

20. As set out above in para. 3, Government guidance allows local authorities to impose higher discounts than the minimum 30% discount from open market value of either 40% or 50%.
21. In Runnymede it is intended that the minimum discount of 30% should be applied at this stage, as there is currently no firm evidence available to support higher levels of discount. The Council may reconsider its position in due course,

if evidence gathered supports a higher level of discount in Runnymede. In such a scenario, the Council will update the Interim Policy Statement.

***Should lower income caps apply in Runnymede?***

22. In terms of lower income caps, it is noted that the household income limit of £80,000, proposed by the Government, is in line with the existing criteria for all other low-cost home ownership products. It is considered that given the high open market house values in Runnymede that it is likely to be counterproductive to apply lower household income caps as that is likely to reduce the number of purchasers who can afford to buy a First Home and increase the risk that they are sold to applicants with no local connection to Runnymede.

***Will local connection criteria apply in Runnymede?***

23. As set out in para. 5 above, local authorities can set their own local connection criteria for the sale of First Homes. Local connection criteria will however only apply for the first three months of advertising a First Home. After 3 months the seller can sell the property to someone with no local connection provided that they still qualify as a first time buyer and are within the household income limit.
24. The same local connection criteria will be applied in Runnymede as are used in the Council's published [Housing Allocation Scheme](#).
25. The prioritisation of key workers ceased to be an aspect of national policy some years ago and it is not standard practice in Runnymede in relation to allocating homes for affordable/ social rent, or for prioritising applicants for shared ownership housing. The Council's priority is to assist those who are most in need of subsidised housing, regardless of the nature of their employment, and it is therefore not considered appropriate to prioritise key workers for the purchase of a First Home at this time, but this situation will be kept under review as part of the evidence gathering for the new Local Plan and, if necessary, an updated IPS will be produced.

***Do First Homes Exception Sites apply in Runnymede?***

26. As set out above in para. 8, the Government is also intending to introduce First Homes exception sites, to replace existing entry-level Exception Sites. It is clear, from para. 72 of the National Planning Policy Framework, that entry-level Exception Sites are sites located outside of, but “adjacent to existing settlements”. National planning guidance advises that these sites, “cannot come forward in areas designated as Green Belt”. Since land outside existing settlements in Runnymede is designated as Green Belt, it is not considered that First Homes exception sites are applicable in the Borough.

## Appendix A

### Policy SL20: Affordable Housing of the Runnymede 2030 Local Plan

Policy SL20: Affordable Housing Over the period of the Local Plan the Council will seek to deliver 30% of all net additional dwellings as affordable units of which about 70% will be provided as Affordable/Social Rent and 30% provided as other forms of affordable housing.

Development proposals of 10 or more (net) additional dwellings will be expected to provide 35% of dwellings as affordable units with a tenure split as above which includes 10% of homes for affordable home ownership (starter homes, discounted market sales housing and/or other products which provide affordable routes to home ownership in line with the definition contained in the 2019 NPPF)17.

In seeking affordable housing provision, the Council will have regard to scheme viability and take a negotiated approach to the final percentage of affordable housing delivered and the type and tenure split of affordable units. Where viability evidence demonstrates that the full amount of affordable housing cannot be delivered the Council will negotiate a level of on-site affordable housing that can be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received.

The Council will only accept a financial contribution in lieu of on-site provision where it can be satisfactorily demonstrated that on-site provision is neither feasible nor viable.

Where a site has been sub-divided or is not being developed to its full potential so as to fall under the affordable housing threshold the Council will seek a level of affordable housing to reflect the provision that would have been achieved on the site as a whole had it come forward as a single scheme for the allocated or identified site.

Planning obligations will be used to ensure that the affordable housing will remain at an affordable price for future eligible households, or for the subsidy to be recycled to alternative affordable housing provision.

The requirement to provide affordable housing will apply to all residential development falling under Use Class C3 with the exception of Gypsy & Traveller Pitches or Travelling Showpeople Plots.

## EQUALITY SCREENING

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

POLICY/FUNCTION/ACTIVITY	LEAD OFFICER
First Homes Interim Policy Statement	Judith Orr

<p><b>A. What is the aim of this policy, function or activity?</b> Why is it needed? What is it hoped to achieve and how will it be ensured it works as intended? Does it affect service users, employees or the wider community?</p>
<p>The aim of the First Homes Interim Policy Statement is to summarise the details surrounding the introduction of First Homes as a mandatory new affordable housing tenure. It also considers the implications that the inclusion of First Homes will have on Policy SL20: Affordable Housing of the adopted Runnymede 2030 Local Plan and, in particular, how the introduction of First Homes will impact on the delivery of other affordable housing tenures in the borough.</p>

<p><b>B. Is this policy, function or activity relevant to equality?</b> Does the policy, function or activity relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential on the basis of adverse impacts or unlawful discrimination. The Protected Characteristics are: Sex, Age, Disability, Race, Religion and Beliefs, Sexual Orientation, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity.</p>
<p>First Homes is a mandatory Government policy that Runnymede Borough Council is required to deliver. It was introduced by the Government by the publication of a Written Ministerial Statement (WMS), together with changes to the national planning practice guidance (PPG).</p> <p>The Government published an Equalities Impact Assessment (EqIA) on First Homes in September 2021 <a href="https://publishing.service.gov.uk">Equality Impact Assessment: First Homes (publishing.service.gov.uk)</a>. This was drafted on the basis of First Homes being delivered at a discount of 30%. This is also the assumed discount that is proposed to be taken in the Runnymede IPS.</p> <p>Officers consider that the main beneficiaries of the First Homes policy will be the buyers of First Homes themselves, who will benefit from access to discounted home ownership. Those negatively affected will be households who would otherwise have access to other affordable housing tenures, whether rented or owned (such as social and affordable rent, or home ownership), which are displaced by First Homes.</p> <p>In terms of the nine protected characteristics covered by the Equalities Act 2010, officers are of the view that more younger households will benefit from First Homes, as they are likely to make up the first time buyer market. This assertion is supported by the Government itself who states, 'First Homes mostly benefits under 54s as they are more likely to be first-time buyers'<sup>3</sup>. Conversely, older households (non first-time buyer households and households with a head aged 55 or over), are likely to be negatively affected by the reduction in delivery of other tenures.</p> <p>The Government's EqIA considered this issue and concluded that "more people over 55 are expected to be negatively affected by this policy change than will gain. However, it is important</p>

<sup>3</sup> [Equality Impact Assessment: First Homes \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

to recognise that over 55s are only a very small proportion of first-time buyers and they make less use of other forms of affordable housing when compared to other age groups.”

If the policy, function or activity is considered to be relevant to equality then a full Equality Impact Assessment may need to be carried out. If the policy function or activity does not engage any protected characteristics then you should complete Part C below. Where Protected Characteristics are engaged, but Full Impact Assessment is not required because measures are in place or are proposed to be implemented that would mitigate the impact on those affected or would provide an opportunity to promote equalities please complete Part C.

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

It is not considered that a full EqIA is required for the following reasons:

- The Government has already undertaken a full EqIA on the introduction of First Homes.
- The Council is required by the Government to introduce First Homes in the Borough.
- It is proposed in the IPS that First Homes in Runnymede be delivered on the basis of a minimum 30% discount. This discount was also used as the basis for the Government’s EqIA.

Date completed: 17/12/2021

Sign-off by senior manager: Georgina Pacey



**Revisions to Pre-Application Advice Service & Charging Schedule –Ashley Smith, CHDMBC**

**Synopsis of report:**

**The report seeks to update the Council’s pre-application charging schedule and services. The Council’s pre-application schedule was last updated in 2017.**

**The proposed schedule simplifies the pre-application process, update fees and charges and reflects better the requirements of different pre-application types and service levels.**

**Recommendation(s):**

**That the pre-application schedule of services and charges attached as Appendix ‘A’, be adopted with effect from 1<sup>st</sup> February 2022**

**1. Context of report**

- 1.1 The Council introduced charges for pre-application in 2011, and was last reviewed in 2017. The current pre-application scheme and charges have been in operation for over 4 years, since September 2017. As such, it is timely for the current fees and service to be reviewed, as demand for this service has changed.
  - 1.2 The pre-application advice service was introduced in accordance with support outlined in the National Planning Policy Framework (NPPF) which encourages pre-application engagement. The NPPF recognises the enhanced quality of development and improved efficiency and effectiveness of the planning application system that can result from pre-application discussions.
  - 1.3 Section 93 of the Local Government Act provides Local Authorities with the ability to charge for such services. Whilst Councils must not recover costs in excess of the costs of providing the service, it is felt the costs of providing the service should be recovered from the users of the service rather than general funds.
  - 1.4 This report and Appendix ‘A’ seeks to better tailor the service to the needs of its users and better reflect the cost of providing the service according to different development types and scales.
  - 1.5 Officers have conducted a review of the current pre-application fees and services offered, as well as the fees and services offered by other Surrey Local Authorities and Authorities in neighbouring counties. Officers have also reviewed the number and type of submissions and considered the work involved in dealing with these requests. It is noted that there has been a significant increase in the number of larger pre application requests.
- 2 Report and, where applicable, options considered** Officers have conducted a review of the current pre-application fees and services offered, as well reviewing the fees and services offered by other Surrey Local Authorities and Authorities in neighbouring counties. A number have significantly higher fees than those charged or proposed to be charged at Runnymede which reflects

the need to meet costs in these Boroughs. It is considered however that fees should not be set at too high a rate so as not to disincentivise use of the service as it brings important benefits to development in the Borough and as such it is not proposed to match some of these higher rates elsewhere.

- 2.2 Officers have also reviewed the number and type of pre-application submissions in the Borough and considered the work and time that has been involved in dealing with these requests.
- 2.3 It is noted that in recent years there has been a significant increase in the number of larger preapplication requests, partly as a result of the local plan. These submissions have been beneficial as they have added quality and value to planning applications, however it is considered that the costs attached to processing these requests are generally not met and that the service provided by officers often went significantly beyond what was included in the schedule.
- 2.4 A recommended updated service and charging schedule is set out at Appendix A. It is considered by providing refined options for applicants and better setting out service levels and choices for customer, the revisions will enhance the service offered, better reflect the Borough's costs and also better meet our customers' needs.
- 2.5 The options available to the Committee are:
  - To not update the pre-application charging schedule. This is not the recommended option as it would not tailor the service appropriately and would leave fees and charges at 2017 levels.
  - To update the pre-application services and charges as per Appendix 'A'. This would provide a better tailored service and update fees to better reflect the costs of providing the service. **This is the recommended option.**
- 3 **Policy framework implications**The Council already offers a pre-application service. This paper simply seeks to update this service and relevant charges. There are no new policy framework implications arising.
- 4 **Resource implications (where applicable)**The fee increases proposed are based on cost recovery estimates by Officers and experience of work involved in pre-applications of different scales to date. Fees have been proposed at what is considered to be fair rates in relation to the market and costs incurred whilst also seeking not to disincentivise use of the service due to cost. The level proposed is considered to strike this balance. As such, no adverse resource implications should arise from the expansion of the service or increase of the fees.
  - 4.2 Customer expectations are increasing and with many development proposals increasing in complexity, officers are finding this is requiring increased officer time to review, which the current charges do not reflect. The revisions to the pre-application charges proposed reflect the associated costs of providing this service including officer time and multiple officer input for more complex and larger scale schemes.
- 5 **Legal implications**The Council has the authority to set its own pre-application charges and service levels. As per the Council's constitution this matter is delegated to the Planning Committee to set.

6 **Equality implications** The Equality Act 2010 identifies 9 'Protected Characteristics' (being age, disability, race / ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage / civil partnership). Section 149 of this Act provides that a public authority must, when exercising a public function, have due regard to the need to:

- a) eliminate unlawful discrimination, harassment or victimisation;
- b) advance equality of opportunity between persons who share a ProtectedCharacteristic and persons who do not share it;
- c) foster good relations between those who share a relevant Protecte Characteristic and persons who do not share it.

6.2 The proposed changes to the pre-application scheme could theoretically deter some applicants from seeking such advice. Whilst the impact of this will need to be monitored on an ongoing basis in order to confirm that the scheme is not prejudicial or discriminatory, it is not anticipated at this stage that the proposed revisions will unfairly disadvantage any individuals or groups who share a particular Protected Characteristic(s), when compared against those who do not share it. In any case the CHDMBC has discretion over charging/fee discount in the unlikely case that significant unfair disadvantage arose to a group with a protected characteristic, and so this could be considered on a case by case basis if it arose.

6.3 Charging for pre-application advice in accordance with the revised scheme will mean that those who use the service contribute towards to the cost of providing this service, rather than the total costs of the service being met from existing Council budgets to which all Council taxpayers contribute.

## 7 **Environmental/Sustainability/Biodiversity implications**

7.1 The pre-application service leads to the enhancing of the quality of schemes. Early engagement with officers ahead of the submission of a planning application is likely to lead to earlier consideration of these issues and better outcomes.

7.2 There are no likely negative implications in these areas. A refined service is however likely to have the ability and capacity to provide better advice in these areas.

## 8. **Conclusions**

8.1 It is recommended that the details set out in Appendix A are adopted as the Council's new pre-application charges and service schedule with effect from 1<sup>st</sup> Feb 2022.

**(To resolve)**

**Background papers**

**Appendix A - 2022 Recommended revisions to pre-app schedule and charges**

### PRE-APPLICATION PLANNING ENQUIRY CHARGING SCHEME FROM 1<sup>st</sup> FEB 2022

On 19<sup>th</sup> January 2022 the Planning Committee agreed revisions to the charging and services for pre-application advice. The new charges commence for all relevant pre-application proposals received on and after 1<sup>st</sup> February 2022.

The charging schedule and accompanying notes are shown below. It should be noted that in respect of residential development, the charges apply to the gross number of dwellings being proposed.

Please be advised if your enquiry is about if you need planning permission, you will need to apply for a Lawful Development Certificate, and no informal advice is now provided. To be able to determine a Lawful Development Certificate, the submitted plans need to be accurate and clear. Further guidance can be found on the [Planning Portal](#).

Where meetings are offered these will be conducted via Microsoft teams or similar digital appropriate platform unless the Corporate Head of Development Management & Building Control considers there is a good reason a particular meeting should be held in person.

Pre application advice can be paid on-line or over the telephone (01932 425131). If you decide to pay by cheque please ensure that you put "PREAPP" and the address of site to which your proposal relates on the back of the cheque. Failure to put a suitable reference on your payment will cause delays in your fee being processed.

	<b>Service</b>	<b>Proposed Fee (incl. VAT)</b>	<b>Notes</b>
<b>A1</b>	<b>Householder and other (e.g. change of use)</b>	£100	<ul style="list-style-type: none"> <li>• Written response within 20 Working days,</li> </ul>
<b>B1</b>	<b>One new or replacement dwelling</b>	£200 (Basic) £350 (Enhanced)	<ul style="list-style-type: none"> <li>• Written response within 20 Working days,</li> <li>• Enhanced option includes site visit by officer and a meeting with case officer.</li> </ul>
<b>C1</b>	<b>2-4 dwellings (including replacement dwellings)</b>	£400 (Basic) £700 (Enhanced)	<ul style="list-style-type: none"> <li>• Written response within 20 Working days (Basic),</li> <li>• Enhanced option includes meeting and site visit. (Written notes within 10 Working days of meeting)</li> </ul>
<b>D1</b>	<b>5-9 dwellings / up to 1000 sqm commercial</b>	£1,000	<ul style="list-style-type: none"> <li>• Includes one meeting</li> <li>• A site visit, if required, at the discretion of the officer,</li> <li>• Written notes/summary response within 10 Working days of meeting.</li> </ul>
<b>E1</b>	<b>10-20 dwellings / up to 2000 sqm commercial</b>	£2,000	<ul style="list-style-type: none"> <li>• Includes one meeting</li> <li>• A site visit, if required, at the discretion of the officer,</li> <li>• Written notes/summary response within 10 Working days of meeting.</li> </ul>

<b>F1</b>	<b>20-49 dwellings / 2000 – 10,000 sqm commercial</b>	£3,000	<ul style="list-style-type: none"> <li>• Includes site visit, initial meeting and follow up meeting if required.</li> <li>• Advice from internal consultees (where appropriate),</li> <li>• Written meeting notes/summary letter following final meeting</li> </ul>
<b>G1</b>	<b>50-200 dwelling / over 2,500-10,000 sqm commercial*</b>	£6,000	<ul style="list-style-type: none"> <li>• Includes site visit, initial meeting and follow up meeting if required.</li> <li>• Input from an appropriate senior planning officer, which will be one of the Corporate Head of Development Management &amp; Building Control, the Development Manager or Assistant Development Manager.</li> <li>• Advice from internal consultees (where appropriate),</li> <li>• Advice on timescales for the application,</li> <li>• Written meeting notes/summary letter following final meeting</li> </ul>
<b>H1</b>	<p><b>More than 200 units.</b></p> <p><b>More than 10,000sqm commercial</b></p> <p><b>Unusual or bespoke large scale development types</b></p>	To be negotiated with Development Manager	<ul style="list-style-type: none"> <li>• Includes site visit, initial meeting and follow up meeting if necessary.</li> <li>• Input from an appropriate senior planning officer, which will be one of the Corporate Head of Development Management &amp; Building Control, the Development Manager or Assistant Development Manager .</li> <li>• Advice from internal consultees (where appropriate),</li> <li>• Pre-validation check,</li> <li>• Advice on timescales for the application,</li> <li>• Written meeting notes/summary letter following final meeting</li> </ul>
<b>I1</b>	<b>Planning Performance Agreements (for major and complex schemes)</b>	To be negotiated with Development Manager	<ul style="list-style-type: none"> <li>• Terms to be agreed between both parties.</li> <li>• Input from an appropriate senior planning officer, which will be one of the Corporate Head of Development Management &amp; Building Control, the Development Manager or Assistant Development Manager .</li> </ul>

<b><u>Other per-application services offered.</u></b>			
<b>J1.</b>	<b>Heritage Advice</b>	£90 per hour (Min charge 1 hour)	<ul style="list-style-type: none"> <li>• Primarily for householder and other equivalent small scale proposals, affecting listed buildings and conservation areas,</li> <li>• Site and meeting at the officer's discretion. Chargeable hourly rate for conservation advisor as below.</li> </ul>

<b>K1.</b>	<b>Tree Advice</b>	£90 per hour (Min charge 1 hour)	<ul style="list-style-type: none"> <li>• Primarily for householder,</li> <li>• For proposed works to a single tree or up to 10 protected trees within a single residential private garden (TPO and conservation area),</li> <li>• Site and meeting at the officer's discretion. Chargeable hourly rate for tree officer as below.</li> </ul>
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**L1. Attendance at requested additional meetings not covered by a Pre-app fee or PPA.**

Whether a meeting request is accepted, what meetings are considered chargeable, or which officers attend is at the absolute discretion of the CHDMBC.

Where the CHDMBC considers a meeting to be chargeable, developers will be notified of this ahead of the meeting and will have the right to withdraw the meeting request if they so choose.

Officer level	Hourly Rate
- <b>Corporate Head of Development Management &amp; Building Control</b>	£200
- <b>Corporate Head of Planning Policy &amp; Economic</b>	
- <b>Development Manager</b>	£150
- <b>Local Plans Manager</b>	
- <b>Assistant Development Manager</b>	£125
- <b>Principal Planning Officer</b>	£110
- <b>Senior Planning Officer</b>	£100
- <b>Planning Officer, Conservation officer, Tree Officer, CIL Officer</b>	£90

Notes:

1. Standard fees and charges apply to queries regarding the planning history of a site. These are agreed annually on a separate basis as part of the budget process.
2. The offering of pre-app services and the acceptance of any particular pre-application submission is at the sole discretion of the Corporate Head of Development Management and Building Control.
3. If a proposal is presented to the Planning Department that is not currently covered by this charging regime, the fee to be levied and any associated arrangements e.g. Member's Forums at the request of applicants, will be subject to negotiation on an individual basis. These fees are likely to be set at a significantly higher scale than detailed above. There should be no assumption that a fee will not be charged.
4. Where indicated advice from internal consultees will be provided where appropriate. You may need to also separately engage with other statutory consultees such as Natural England the Environment Agency or County Council.
5. For the avoidance of doubt sites proposing 100% affordable housing scheme on land not owned by the Council will be subject to the above fee charging regime.
6. The Council will endeavour to meet the timescales specified in this note, but during busy periods this may not be possible. If the timescales are not met the enquiry will still be dealt with and no refunds will be made.
7. Where requests cover more than one option, submitted at the same time, an additional fee may be chargeable. You should contact the Development Manager for a quote.

8. Fee reductions will be considered on a case-by-case basis, but in most cases, will be limited to proposals by state schools and local registered charities where proposals provide benefits to the wider community. Whether or not to offer any form of reduction, or the amount of reduction, will be at the sole discretion of the CHDMBC.
9. Planning Officers can only give a professional opinion on the merits of a pre-application scheme. It should be noted that pre-application negotiations are not a substitute for the formal planning application process and can offer no guarantees. All pre-application advice letters will contain the following caveat:

The advice given represents an Officer's informal opinion based on the information you have supplied and is not intended to bind the Local Planning Authority's decision making powers on any formally submitted application. All submitted applications will be the subject of publicity and consultation in accordance with statutory requirements and the Council's adopted procedures. These, and any other matters which may subsequently come to light, may result in additional issues being raised that are pertinent to the determination of the application. It should also be noted that subsequent alterations to local and national planning policies may affect the advice given.

**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.