

Runnymede Borough CouncilPlanning CommitteeWednesday, 18 December 2024 at 7.00 pm

Members of the Committee present: Councillors S Whyte (Chair), T Gates (Vice-Chair), MK Cressey (In place of C Mann), V Cunningham, J Furey (In place of P Snow), L Gillham, C Howorth, A King, S Lewis, P Mehta, I Mullens, M Nuti, C Parry, K Rowsell and D Whyte (In place of M Williams).

Members of the Committee absent: None.

In attendance: Councillors R Day and J Hulley.

50 **Notification of Changes to Committee Membership**

Councillor D. Whyte substituted for councillor Williams, Councillor Furey substituted for Councillor Snow, and Councillor Cressey substituted for Councillor Mann.

51 **Minutes**

The minutes of the meeting held on 27 November 2024 were confirmed and signed as a correct record.

52 **Apologies for Absence**

There were no apologies for absence.

53 **Declarations of Interest**

There were no declarations of interest.

54 **RU.23/1342 - Bellbourne Nursery, Hurst Lane, Egham, Surrey, TW20 8QJ**

Proposal: Demolition of existing buildings and construction of a two storey building comprising of 3 warehouses for storage & distribution (B8) with ancillary first floor offices and associated parking and ancillary service yard (amended plans received 18.11.24 amending the red line of the application to include the wider site of Bellbourne Nursery and the creation of an Ecological Enhancement Area and area for Sustainable Urban Drainage (SuDs) to the north)

Officers drew the Committee's attention to the addendum that advised that following the publication of the 2024 NPPF on 12 December 2024 the application would need to accord with the advice contained within the framework.

The updated version of the NPPF Chapter 13 Green Belt, which needed to be given significant weight in the decision-making process, did not alter officers' planning balance or materially change the recommendation.

The Committee referenced the type of use of the proposed scheme, and officers acknowledged that residential use on the site would have less impact than the proposed existing B8 use, however there was nothing within the Council's policies or in legislation that would enable the Council to compel the applicant to submit a residential use application. Furthermore, the government had extended the amount of floorspace that could be converted under the prior approval process since the last applications were

determined which needed to be taken account of when assessing the position around the fallback situation of a site.

Whilst Committee noted that there was limited height difference between the proposed warehouse and Hobbs's Farm, which was further offset by landscaping and proposed new ecological open area, there was still concern around the mass and bulk of the building, and by its very nature it was felt that it was more prominent than existing buildings on the site.

A Committee member asked that an additional condition was imposed to ensure that no windows were introduced into the side wall on the western end of the building at any time in future. The condition was agreed by the Committee.

A Committee member asked for clarification on how substantial harm could be outweighed by significant benefits. Officers advised that the decision-making process had to give substantial weight to any level of harm in the Green Belt but that does not mean that there is substantial harm. Substantial harm and substantial weight are different concepts. As set out in the officer's report there was harm by definition and a moderate harm to openness and this was attributed substantial weight, however it was considered that the significant benefits as stated in the officer report clearly outweighed this harm. The committee were also advised that the balancing of benefits to harms did not have to be a mathematical exercise but was a case of planning judgement.

Officers confirmed that HGV movements would be limited to operating hours of the site and also ancillary to the warehouses, and this would be woven into the legal agreement and included as an additional planning obligation, whilst planting along the acoustic fence would be secured by condition prior to occupation of the building.

A Committee Member was keen to see the ecological area maintained in perpetuity, which officers agreed to insert into clause two of Recommendation A to ensure it would be provided *and maintained* in perpetuity.

Confirmation was provided that the site was within flood zone one, and therefore fluvial flood risk was not an issue on the site, however a sustainable drainage system was a requirement and would be controlled by a condition that any development must have no greater impact than the lawful use on the site, whilst officers strongly recommended that refusal could not be given on noise grounds given the acoustic fencing and extremely negligible increase in noise as evidenced in the acoustic report.

It was further clarified that the highways authority had not objected to the scheme on the basis that the recognised standard in highways monitoring suggested that the proposed trips were not materially different to the existing lawful use on the site and therefore the cumulative impact did not need to be assessed. Officers advised that an objection on highways grounds would carry minimal weight without the backing of the highways authority.

The reliability of the TRICS data that the highways authority had based its evidence on was queried given it was taken from around 2010. Whilst officer advice was noted that it would be considered reasonable to continue to use this data on the basis that B8 usage remained the same, a Committee member felt that multiple applications on the site since then had resulted in extensions to use and therefore questioned the accuracy of the data.

During a debate around the updated NPPF, officers confirmed that previously developed land could now be redeveloped provided that there was not a substantial impact on the openness of the green belt, and this would allow more development on a previously developed site. Officers had concluded the level of harm to the green belt was moderate, but advised that the committee was entitled to come up with its own conclusion on level of harm.

The travel plan would promote sustainable forms of development and assist with the Council's climate change strategy. Because of other benefits of the scheme, officers considered that sustainability could not be a reason for refusal, whilst the existing use of the site was commercial use with no travel plan and therefore the introduction of a travel plan was considered a positive addition. It was later confirmed that the travel plan would be in place for five years.

A Committee member sought clarification on the applicant applying to modify the hours of operation in the event that the scheme was approved, and it was advised that national planning policy allowed any applicant to apply to vary hours of operation via a section 73 application, but that process would need to contain demonstrable evidence of why any change would not result in harm should it be approved. Any such application did not have to be considered by Planning Committee unless called in by a ward member or if ten or more objections were received when neighbours were consulted.

Committee members noted the proposed 68 HGV movements per day into and out of the site, and following concerns of multiple vehicles causing a bottleneck, officers highlighted the lorry parking spaces, whilst the frequency of visits would not be particularly intensive given the relative modesty of the proposed size of the unit.

Responding to observations that renovation of the site would have a lesser environmental impact than demolition, officers advised that this was something that would have to be significantly more embedded into planning policies before grounds for refusal could be considered.

It was resolved that –

The Head of Planning was authorised to grant planning permission subject to:

- **His approval that the development did not fall under paragraph 155 of the NPPF (2024).**
- **The referral to the Secretary of State.**
- **The completion of a Section 106 legal agreement to secure planning obligations 1-4, including amended obligation number 2 to secure a new Ecological Area to the north of the wider Bellbourne Nursery site in perpetuity.**
- **Additional planning obligation (5) to ensure that the lorry park use was ancillary to warehouse operations with the same operating hours.**
- **Planning conditions 1-23, including amended condition 3.**
- **Additional condition that would ensure that no windows would be placed on the western wall of building.**
- **Additional condition that would ensure that planting was in place prior to occupation.**
- **Informatives 1-7.**

The Head of Planning was authorised to refuse planning permission should the s106 Agreement not progress to their satisfaction.

[Liz Simpkin, an objector, and Andrew Black, agent for the applicant, addressed the committee on this application]

55 Runnymede Pitch and Plot Allocation Scheme for Gypsies, Travellers and Travelling Showpeople Supplementary Planning Document. For adoption

This item was withdrawn from the agenda prior to the meeting.

(The meeting ended at 8.43 pm.)

Chair