



# Planning Committee

**Wednesday, 7 September 2022 at 6.30 pm**

**Council Chamber, Runnymede Civic Centre,  
Addlestone**

## Members of the Committee

Councillors: M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, A Berardi, J Broadhead, R Bromley, V Cunningham, R Davies, E Gill, C Howorth, C Mann, I Mullens, M Nuti, 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

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr Andrew Finch, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425623). (Email: [andrew.finch@runnymede.gov.uk](mailto:andrew.finch@runnymede.gov.uk)).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [Committee Meetings – Runnymede Borough Council](#)
- 4) Public speaking on planning applications only is allowed at the Planning Committee. An objector who wishes to speak must make a written request by noon on 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)
- 5) 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.

6) **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

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### Part I

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

1. **Notification of Changes to Committee Membership**
2. **Minutes** 4 - 10

To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 13 July 2022.
3. **Apologies for Absence**
4. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
5. **Planning Applications** 11
  - a) RU.21/1634 2 and 2A Guildford Road, Chertsey, KT16 9BJ 12 - 40
  - b) RU.22/0553 Land at 24 and 36-38 Station Road, Chertsey, KT16 8BE 41 - 64
  - c) RU.22/0992 1 North Street, Egham, TW20 9RP 65 - 82
  - d) RU.21/2098 Angel Farm, Longcross Road, Chertsey, KT16 0DJ 83 - 104
6. **Review of the Runnymede 2030 Local Plan** 105 - 109

### Part II

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

7. **Exclusion of Press and Public**

Runnymede Borough Council

**Planning Committee**

Wednesday 13 July 2022 at 6.30 pm

Members of Committee present: Councillors M Willingale (Chair) P Snow (Vice-Chair) A Balkan, A Berardi, J Broadhead, R Bromley, V Cunningham, E Gill, C Howorth, A King (Substitute, in place of Cllr R Davies), C Mann, I Mullens, M Nuti, S Whyte and J Wilson

Members of the Committee absent: None

**Minutes**

The Minutes of the meeting held on 22 June 2022 were confirmed and signed as a correct record.

**Apologies for Absence**

No apologies received.

**Declarations of interest**

No declarations received.

**Planning Applications**

The planning applications listed below were considered by the Committee. All representations received on the applications were reported and copies had been made available for inspection by Members before the meeting. The Addendum had also been published on the Council’s website on the day of the meeting. An Objector and applicant’s agent addressed the Committee on the application specified.

**RESOLVED that –**

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

**APP      LOCATION, PROPOSAL AND DECISION**  
**NO**

**RU**      **Land North of Trumps Green Road, Virginia Water**  
**22/0278**

Outline Planning Permission for demolition of existing structures and erection of up to 67 new homes (35% affordable), provision of 1 travellers pitch, and new vehicular access via Trumps Green Road together with associated car parking, open space and landscaping with access only to be considered with all other matters reserved.

*Comments were made by Members regarding sustainability of the site and the likely reliance on car for accessing local facilities and services, the need for an additional bus stop within the development to assist accessibility, and safety of access arrangements and use of secondary access.*

*The CHDMBC commented that the site was part of an allocated site within the Local Plan and was now within the urban area. The delivery of development at local plan sites was the Council's strategy for meeting its housing need, as such the principle of development was considered acceptable. The quantum of development proposed aligned with the plan numbers and had been well designed so that it would not preclude development of the remainder of the site allocation.*

*Site sustainability (as well as the likelihood of suitable access being achieved) had been assessed at Local Plan stage and was found preferable to other sites that were not included in the plan. It was not within the applicant's power to alter bus routes or frequency or install bus stops but they would make a contribution to transport improvements and /or an improved bus service which would be utilised by SCC and bus operators. This was covered in the legal agreement. Some options may become possible as part of the Longcross Garden Village scheme which could also assist with serving this development. Longcross may also improve the sustainability of the site when its facilities come on line.*

*Visibility splays and access were considered acceptable by the County Highway Authority and the CHDMBC thought the access point was likely to be the only access due to the curve of the road and would avoid problems associated with multiple access points. However that would be considered fully in any subsequent applications and other solutions could not be ruled out at this time.*

*Provision of visibility splays to the north would not require much if any vegetation removal, but some vegetation to the south would be removed and this was in the control of the applicant.*

*Members wished to see an additional condition imposed restricting use of the secondary access to emergency vehicles only. Low tech bollards would be the preferred option to ensure efficient emergency access.*

**Resolved that**

**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) Contribution to SAMM and SANG and Monitoring fee for TBH SPA (financial contribution – Exact amount to be determined under Reserved matters application)**
- 2) The provision of one gypsy and traveller pitch including a clear phasing for its timely delivery**
- 3) To secure the provision and delivery of offsite biodiversity net gain**
- 4) The provision and deliverability of 35% affordable housing of the following mix 53% affordable rent, 25% first homes and 22% of other affordable housing.**
- 5) Secure Management Arrangements for the maintenance of the open space and equipped play spaces and public access.**
- 6) To secure through a S278 agreement with the Local Highways Authority vehicular access to Trumps Green Road, provision of**

upgraded pedestrian crossing infrastructure over Trumps Green Road, priority junctions with Wellington Avenue, Tithe Meadows and Crown Road and the improvement of the bus stop located at Trumps Green Road, called Oak Tree Close bus stop to include.

- The provision of a raised kerb to a height of 140 mm over 9 metres in length to ensure level access onto/off buses for those with Motability issues
- New Flagpole, sign and timetable case.

7) Transportation improvements and contributions including:

- a) Travel Plan auditing fee of £6150
- b) From the 20<sup>th</sup> Occupation of the dwellings on site a financial contribution to Demand Responsive Transport (DRT) Bus Service for £53,600 for index linked to RPIx from the 20<sup>th</sup> Occupation of the units for a period of 5 years. Should there be no other DRT's operational in the area, a one-off contribution of £268,000 to improve the conventional bus services in the area will be made instead.

And subject to conditions and reasons listed on the agenda, with an additional condition restricting use of secondary access to emergency vehicles only.

The CHDMBC be authorised to refuse planning permission should the s106 not progress to his satisfaction, or if any other significant material planning considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant the refusal of planning permission and the CHDMBC be given delegated authority to specify the reasons for refusal.

(Mr Neary, an objector, and Mr Allin, agent for applicant, addressed the Committee on this application)

**RU 2 and 2a Guildford Road, Chertsey**  
**21/1634**

Outline Application for the erection of a 4 to 5 storey building comprising 54 one and two bed apartments following demolition of existing vacant office building and residential home (Matters reserved: Landscaping)

*Key concerns raised by Members related to bulk, scale and mass of development (in particular the prominence of the top floor within the streetscene), proximity of development including the playground to the station, use of a mansard roof and their preference for a 'green' roof, pressure on local infrastructure and services, scheme being out of character and failure to integrate with surrounding area, impact on residential amenities of adjoining properties, lack of amenity space, use of electrical heaters and insufficient parking.*

*The CHDMBC commented that whilst the site was not allocated for housing in the Local Plan, the site was in an urban area so there was a presumption in favour of development. However, this did not bind Members to approve the application. The proposal would provide a windfall contribution to affordable housing supply particularly for family homes in the borough. Like many Borough's Runnymede*

*was unlikely to be able to ever meet its actual affordable housing needs and so windfall schemes should be viewed positively.*

*The site was in a sustainable location in terms of access to local facilities and services, and the level of parking provision was appropriate. Officers did not consider the scheme caused demonstrable harm. The location of flats near a railway was not unusual and, with mitigation, an acceptable internal noise environment would be met for the occupants of the new properties. The scheme had been designed to minimise impact on surrounding residents and separation distances were considered to be acceptable.*

*The current proposal could meet the Council's requirement for 10% of the energy requirement of the development to be produced from on site renewable energy sources and this would be secured by condition.*

*The discouragement of certain energy technologies such as electrical heaters was a direction Members were keen on exploring in the future. However, this was not relevant to this decision.*

*Some Members were supportive of the application as the application was an improvement on the previously refused application for the site and would provide 100% affordable housing.*

*A Motion to grant permission was moved and seconded, and a recorded vote was taken and the voting was as follows:*

*For: 5 (Councillors Broadhead, Howorth, King, Mullens and Wilson)  
Against: 10 (Councillors Balkan, Berardi, Bromley, Cunningham, Gill, Mann, Nuti, Snow, Whyte and Willingale)*

*The Motion was lost.*

*Debate recommenced on whether to refuse or defer the application, following which the Committee considered that their preferred option was to defer the application to enable the CHDMBC to negotiate with the developer to seek scheme enhancements to address concerns of Members and obtain verified views of the proposal, and to secure a compromise scheme which could be acceptable to Members. Accordingly, the Committee-*

**Resolved that**

**The application be deferred to enable the CHDMBC to negotiate with the developer to seek scheme enhancements to the development to address concerns of Members and to secure a compromise scheme which could be acceptable to Members.**

**In the event that negotiations with the developer are not successful CHDMBC be authorised to refuse planning permission for reasons based on the planning issues raised by Members (relating to scale, mass and design, proximity to the road and limited opportunities for landscaping to the front)**

**RU  
22/0686**

**Longcross North- Data Centre Site, Chobham Lane, Longcross**

Section 73 application for Variation of Condition 10 (approved plans) of planning permission RU.21/0780 [(Phase 3 Reserved Matters application for the development of a data centre campus comprising: a) A building(s) for data storage

and processing, associated cooling infrastructure, ancillary office and technical space and roof mounted PV cells; b) Energy Centre Building; c) Stand-By Generators and fuel storage; d) HV Sub-Station; e) visitor reception centre; 3 f) hard and soft landscaping and g) new roads, paths and yards and the provision of parking for cycles, cars and commercial vehicles, and requiring: h) site preparation and earthworks, i) drainage and associated infrastructure works (including SUDS), j) the erection of walls (including retaining walls) and fences, k) the installation of external lighting and necessary physical security systems, and l) other enabling works required during the construction and operation of the data centre campus The application forms part of phase 3 of planning permission RU.13/0856 (as revised under RU.16/0584) (Hybrid planning permission for the demolition of existing buildings and redevelopment of the Longcross North site)] to seek amendments to the approved plans including relocation of the energy centre, changes to the data centre building, re-positioning of the HV substation and re-siting and redesign of the back up generators.

*The CHDMBC reported that he could have determined this application under his delegated powers, but had chosen to bring it to Committee as it was an example of improvements made to the development as a result of negotiations by Officers and as a good example of a developer who listened to the concerns raised by Members and had worked to improve their scheme even further.*

*The Committee was fully supportive of the variations sought which would rationalise and improve the operational efficiency of the development, the Committee welcomed the work done by the developer.*

**Resolved that**

**The CHDMBC be authorised to grant planning permission subject to the conditions, reasons and Informatives listed on the agenda.**

**RU 22/0250 Chilsey House, Chilsey Green Road, Chertsey**

Roof extension to create a second -floor extension to accommodate 9 no. residential dwellings with associated landscaping and parking.

*The Committee was fully supportive of the application which would secure a reuse of a building which had been vacant for many years and make an effective use of the site for housing purposes.*

**Resolved that**

**The CHDMBC be authorised to grant planning permission subject to the conditions, reasons and Informatives listed on the agenda.**

**Publication of Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Scoping Report for the 2040 Local Plan**

The Committee was informed of the outcome of public consultation on a draft Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) Scoping Report for the Runnymede 2040 Local Plan .The approval of the Committee was sought to publish the final SA Scoping Report, with the amendments as shown tracked in Appendix A and as listed in Appendix B to the agenda, and to approve the Sustainability Framework, as the basis for undertaking the SA/ SEA Appraisal of the various stages of the forthcoming Runnymede 2040 Local Plan.



SA/SEA was now an established mechanism for assessing the sustainability and environmental performance of plans and programmes, such as the Runnymede 2040 Local Plan, and was a legal requirement under the Planning & Compulsory Purchase Act 2004 and Environmental Assessment of Plans & Programmes Regulations 2004 (SEA Regulations).

The first stage of SA/SEA was the scoping stage. This stage sought to understand key messages/objectives from other legislation and guidance, establish the baseline environment and how this might change in the future in the absence of the Runnymede 2040 Local Plan. The SA/SEA Scoping Report should also identify any issues and problems arising from the key messages and baseline information and how these could be addressed in the Runnymede 2040 Local Plan. The Scoping Report included a Sustainability Framework, which would form the basis for the Sustainability Appraisal work on the forthcoming Runnymede 2040 Local Plan.

A draft version of the SA/SEA Scoping Report was open to public consultation for a period of five weeks from 22 April to 28 May 2022, including with the three consultation bodies (Environment Agency, Historic England, Natural England). In total 18 representations were received and a summary of these with officer responses was reported

Given the representations received and a number of other material circumstances since consultation, a number of amendments were proposed by officers to the Scoping Report.. The key amendments were as follows:-

- Additional baseline information on green/blue infrastructure and green corridors in Section 3;
- Update to population data in Section 4 to account for first release of Census 2021 data;
- Addition of information from the Annual Monitoring Report (AMR) on housing mix and identification of housing mix as an issue/problem in Table 4-2;
- Additional information on air quality monitoring station on Byfleet Road;
- Update to CO<sub>2</sub> emissions baseline following government's latest release of data;
- Recognition of A318 as a major local highway in the Borough;
- Addition of information on employment baseline and future baseline;
- Additional decision aiding criteria in SA Framework for SA Objectives 2, 4, 5 and 7 to strengthen consideration of climate change;
- Additional plans, policies, programmes and their key messages/objectives added to Appendix A for Water, Climate and Transport.

The following points raised by Members would be addressed by officers:

- Reinforcement of the point that Virginia Water and Thorpe did not have a good public transport service.
- Langham Pond-amend location to refer to Egham/Englefield Green.
- Amend heading of column 3 in tables to refer to 'Plan'.
- Consider inclusion of separate paragraph regarding the downward trend on 'Under 18 conception rate'

The Committee thanked Officers for their work on the SA/SEA and agreed to the publication of the final SA incorporating SEA scoping report with changes shown tracked in Appendix A and listed in Appendix B of agenda report and on addendum.

The Committee also approved the Sustainability Appraisal framework as set out in scoping report as the basis for the SA/SEA appraisal of the new Runnymede 2040 Local Plan at each stage of plan making.

**Resolved that:**

- i) the final Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) Scoping Report with the changes as shown tracked in Appendix A and listed in Appendix B and on addendum be published; and**
- ii) the Sustainability Appraisal Framework, as set out in the Scoping Report, be approved as the basis for the SA/SEA appraisal of the new Runnymede 2040 Local Plan at each stage of plan making.**

(The meeting ended at 9.32 pm)

Chairman

## **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 two working days before the meeting**

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)**

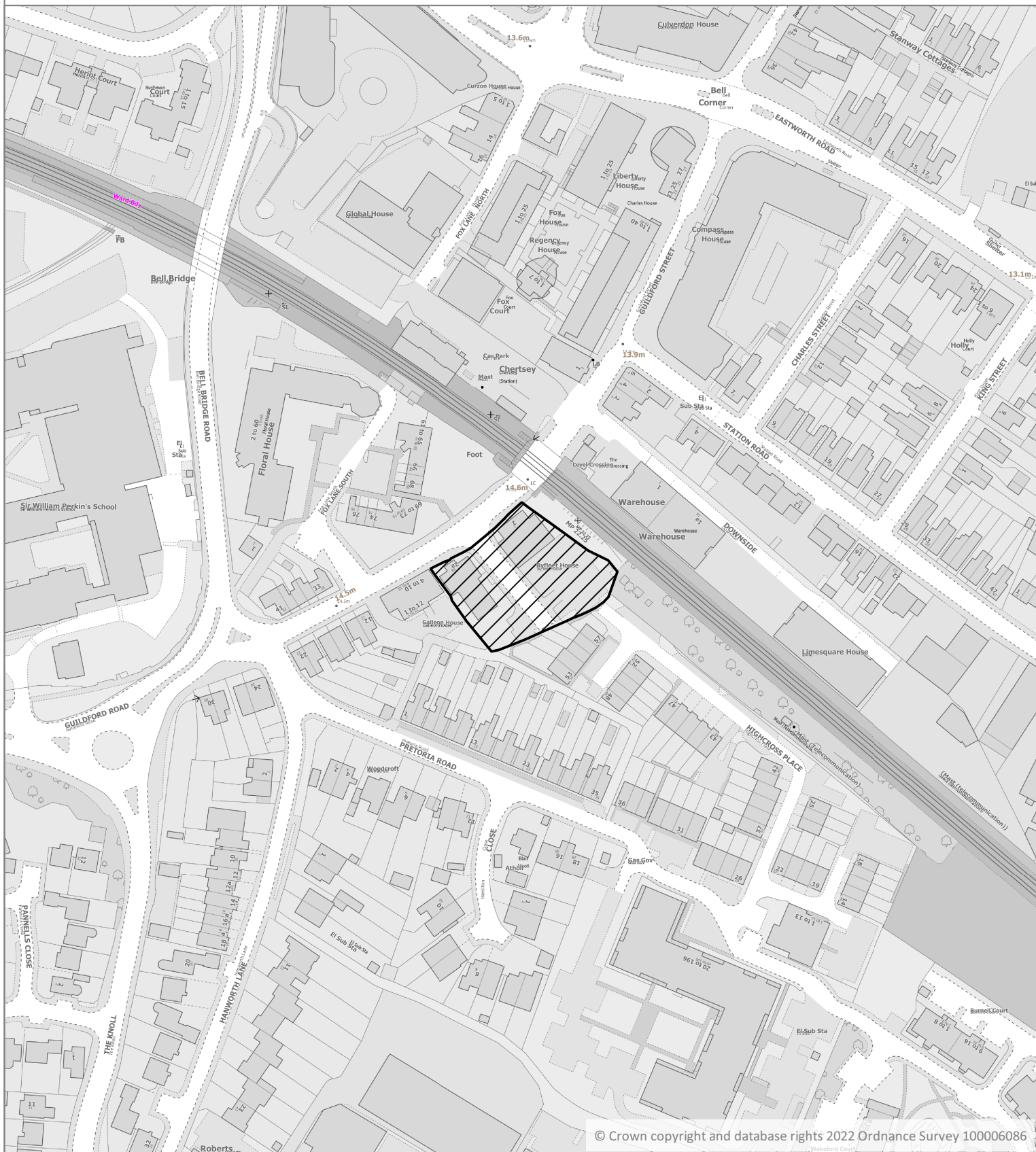
### **Background Papers**

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



Date: 07/09/2022

**Guildford Road, Chertsey**



Scale: 1:2,000

0 50 100 m

**RU.21/1634**



## Committee Agenda Reference 5A

<b>APPLICATION REF:</b>	<b>RU.21/1634</b>
<b>LOCATION</b>	2 & 2a Guildford Road Chertsey KT16 9BJ
<b>PROPOSAL</b>	Outline application for the erection of a 4 to 5 storey building comprising 54 one and 2 bed apartments following demolition of existing vacant office building and residential home (Matters reserved: Landscaping)
<b>TYPE</b>	Outline
<b>EXPIRY DATE</b>	<b>30/09/22</b>
<b>WARD</b>	Chertsey Riverside
<b>CASE OFFICER</b>	Katherine Appleby
<b>REASON FOR COMMITTEE DETERMINATION</b>	Major Development
<b><i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i></b>	

### 1. SUMMARY OF RECOMMENDATION

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
1.	<b>To approve the application subject to the completion of a S106 agreement and planning conditions</b>
2.	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 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>

- 1.1 ***This application was deferred by the Planning Committee on 13<sup>th</sup> July 2022 for one committee cycle to amend the plans in order to reduce the bulk, scale and mass of the proposals, amend the location of the proposed play area and provide verified views of the proposals.***

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

- 2.1 The site is roughly rectangular in shape, measuring 0.23ha and consists of two vacant properties, 2 Guildford Road known as Byfleet House - a self-contained 2-storey office building with a large rear car park and 2a Guildford Road, a 2-storey former 12 bed care home with a deep rearward 2 storey projection and an enclosed rear garden. The site has an irregular shape, with residential properties to the northwest, which include the Cowley's Almshouses (Grade II Listed) as well as the 2-4 storey high sheltered residential scheme known as Floral House and to the south and west the 2-4 storey high residential scheme known as Highcross Place including new terraced houses whose rear elevations and gardens face towards the site. Abutting the site to the south-west is Galleon House at 4-10 Guildford Road which comprises a recent office to residential conversion with extensions to the roof providing a total of 12 flats, the railway line running along the northeast boundary of the site and close to a level crossing and the Grade II Listed Chertsey railway station building further

north. On the opposite side of the railway line immediate development is predominantly commercial units leading towards the town centre. Entrance to the parking for both properties is gained via a small access road between the two buildings off Guildford Road.

- 2.2 The site is relatively flat with some mature trees and greenery along the boundaries and is in the urban area and lies in Flood Zone 1. The site also lies within 5km of the Thames Basin Heaths Special Protection Area (TBHSPA), is within an Area of High Archaeological Potential. It is also a site identified in the Councils Strategic Land Availability Assessment (SLAA-Feb 2022 -ID 417) with a total (net) site capacity of 48.

### 3. APPLICATION DETAILS

- 3.1 The proposed development seeks outline planning permission for the erection of a 4 to 5 storey high building comprising 54 apartments (made up of 27 one bed and 27 bed apartments) following the demolition of the existing vacant office building and residential home. The principle of access to the highway, appearance, layout, and scale are the matters for the determination with landscaping the only matter being reserved for future determination. The application has been amended following comments and feedback received from planning officers to comprise the following changes.

- 27 X 1-bed units (previously 25)
- 27 X 2-bed units (previously 29)
- 900 sqm communal external amenity area (previously 842 sqm)
- 4,013 sqm total floorspace (previously 4,046 sqm)
- 6 parking spaces (previously 4 spaces)

**Since the 13<sup>th</sup> July planning committee the proposals have been amended which comprise the following changes.**

- **Building footprint set back 1m further from Guildford Road frontage allowing more soft landscaping along site perimeter on this side.**
  - **Car parking adjusted**
  - **Play Area relocated to central area on site due to previous position being too close to railway line**
  - **Building 1 mansard set back 2m further on Guildford Road side whilst still accommodating the overall apartment mix.**
  - **Building 2 mansard set back 2.55m further on Guildford Road side with overall apartment mix maintained.**
  - **Design of Fourth Floor Plan amended to improve apartment layouts.**
  - **Section on mansard adjusted whilst still maintaining the same top roof level.**
  - **Individual dormers set back 200mm to reduce their prominence.**
- 3.2 The building would contain a maximum of 5 storeys with the roof level comprising a mansard design set in from the floor below. The building would comprise 2 main parts built either side of the existing reconfigured access road. The 2 parts would be linked by a connecting wing that would bridge over the access road allowing vehicular access to 6 car parking spaces to the rear. That part of the building to the south of the access road (Building 1) would be 4 storeys as would the rear element of the northern building (Building 2). Other details would include full height windows for daylighting and a contemporary feel, inset and projecting

balconies and ground floor private guarded terraces predominantly with glazed balustrades. The heights of the two buildings would range between approximately 8.5 metres - 14.4 metres. The main materials proposed would comprise zinc roofs, bricks, and reconstituted stone with brick predominating (to reflect the main local building material). These materials are proposed with the stone generally on the bulk of ground floor walls, with brick on the 2 levels above and, on building 2, a further level of stone. The recessed link element would be all stone and there would be some zinc vertical cladding between several smaller windows to add additional visual interest.

- 3.3 The existing street access onto the site is to be reconfigured and a new access to be moved further away from the railway to reduce highway implications. The entrance has been located in the middle of the site, allowing for various green borders and vegetation to enhance the current entrance onto the site. A total of 6 car parking spaces are proposed adjacent to the access road to the rear comprising 2 -car club, 2-disabled use and 2 visitors as well as electric vehicle charging points. Enclosed and covered cycle stores on the ground floor which would provide 60 spaces as well as internal bin stores with space for storage of separate waste and recycling containers has been proposed within each building both which would be located adjacent to the main entrance and lobby to the buildings which would be situated either side of the link bridge.
- 3.4 There are only a few significant trees on the site with a number of large trees within the land owned by the railway that will not affect the scheme due to the separation distance. Even though landscaping is reserved for future determination, an Arboricultural Report has been submitted which details the tree protection measures, with the main communal garden areas located close to the rear of the two blocks. More open amenity space and landscaping is proposed than is currently on site and no significant trees require removal.
- 3.5 The applicant has submitted several other documents and plans including a Design and Access Statement, an Environmental Noise Assessment, Archaeological Desk-Based Assessment, Planning Statement, Energy Statement, Affordable Housing Statement, Flood Risk and Drainage Assessment, Transport Assessment, Travel Plan and a Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment.
- 3.6 According to the applicant the development is currently proposed to be an 100% affordable scheme, although this element is still subject to negotiations with a Registered Provider. The intention is to deliver the entire site as affordable housing, specifically at much needed Social Rent levels. The applicant has submitted a draft s106 agreement securing contributions to SAMM/SANG.
- 3.7 According to the applicant the layout was developed directly from the constraints and opportunities the site offers to create an integrated design that sits within the existing context. Due to its town centre location the design compares favourably with the density of many of the developments of a similar scale within the vicinity of the site and in similar locations (e.g., apartments at Victory Park Road and at Addestone One development). The applicant considers that the proposals will upgrade the area immediately facing the railway with a landmark development which is visible upon arrival into Chertsey. This application seeks to provide much needed accommodation in a sustainable location.

#### 4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.20/0046	Erection of a 3 to 6 storey high building comprising 70 apartments in a mixture of studios, 1 and 2 bed apartments following demolition of an existing office building and residential home with associated car parking, refuse, cycle stores and communal amenity area. Refused 14 <sup>th</sup> July 2020
RU.94/0522	Erection of a two storey (12 bed) registered care home and associated two storey office building. Granted 31/01/95
RU.92/0034	Erection of 3 storey building for Business Use (Class B1) with associated parking following demolition of existing public house (revised plans received 14.2.92) refused 07/01/92- appeal dismissed

#### 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 SPDs including but not limited to Thames Basin Heaths Special Protection Area 2008, Affordable Housing, S106 Contributions, Green and Blue Infrastructure (GBI).

#### 6. CONSULTATIONS CARRIED OUT

Consultee	Comments
Environment Agency	No objection
RBC Arboricultural Officer	No objection subject to conditions
Natural England	No objection
RBC Contaminated Land Officer	No objection subject to conditions
SCC County Highway Authority	No objection subject to conditions
SCC Lead Local Flood Authority	No objection subject to conditions
SCC Archaeology	No objection subject to conditions



<b>RBC Drainage Engineer</b>	No objection subject to conditions
<b>RBC Housing Manager</b>	No objection
<b>Surrey Wildlife Trust</b>	No objection subject to conditions
<b>RBC Planning Policy</b>	No objection
<b>Network Rail</b>	No objection
<b>RBC Environment Health Officer</b>	No objection subject to conditions
<b>RBC Conservation Officer</b>	No objection

### 6.1 Representations and comments from interested parties

6.2 148 Neighbouring properties were consulted in addition to being advertised on the Council's website and 11 letters of representation have been received from neighbouring properties expressing the following concerns:

- Not enough parking is proposed -will there be a condition of rent/sale that these people don't have cars?
- Noise nuisance from the additional flats being located so close to other residential properties
- The area will become gridlocked when the barriers are down for the trains.
- Overdevelopment
- Out of character, out of proportion and out of place in the area and will create an eyesore
- Overlooking
- Loss of privacy
- Public transport services in Chertsey (Rail and Bus) are not good enough to eliminate the need for cars
- All local schools are significantly oversubscribed
- Local doctors do not have capacity
- Building of such a height could set a precedent in the area
- The proposal is very close to the railway line and level crossing and would be very noisy for some of the apartments
- The roads are already highly congested and pollution in the area is on the increase
- Devaluation of property
- Overbearing and will cause overshadowing
- The site would be better placed to be developed for a care home
- Employees from surrounding businesses already use the nearby streets to park

## 7. PLANNING CONSIDERATIONS

### Principle and Quantum of Development

- 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 also included in the SLAA (Feb 2022) which identifies that this site could accommodate 54 units (net 48 due to the loss of 12 care home units which would equate to 6 residential units). The application site is located within the urban area where the principle of such development is acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning considerations are the acceptability of development in this location, the acceptability of the access proposed, the impact of the development on the character and visual amenities of the area, including trees, the impact on residential amenity, including noise impacts, affordable housing and infrastructure contributions, issues of traffic, highway safety and parking, contamination, flood risk and drainage, archaeology, and ecology including species protection and biodiversity of the area.
- 7.2 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development which consists of three roles; An economic role, social role and environmental role and confirms that the planning system should do everything it can to support sustainable economic growth and that planning should operate to encourage and not act as a pediment to sustainable growth. The application site (no. 2 only) formed part of a wider ELR site (C7), which covered a number of buildings, however The Runnymede 2030 Local Plan has since been adopted and Policy IE3: Catering for modern business needs is relevant. However, it does not appear that the vacant office falls under any of the categories set out under the bullet points of this policy.
- 7.3 The site is predominantly surrounded by residential uses and is located within a reasonable walking and cycling distance of key facilities in Chertsey Town Centre as well as other leisure, employment and education facilities close to the site. Bus stops providing access to Chertsey Town centre as well as to the nearby larger towns of Staines-upon-Thames and Woking are located just a short distance away, and Chertsey Rail Station provides access to the rail network for longer distance trips with the M25 close by. As such the site is in a settlement location and has reasonable access to local facilities and is in a sustainable location. The site has been vacant and under used for some time and is close to local facilities. Also relevant is to help meet employment needs Policy IE1 of the Runnymede 2030 Local Plan proposes to allocate Byfleet Road for some 20,000 sqm net additional employment floorspace (a planning application for this site has been submitted under RU.21/0207-yet to be determined). In terms of acceptability of a residential use compared with a commercial or mixed use, Policy SD1 of the Local Plan advises that Chertsey including Chertsey South will require 2,212 net additional dwellings during the period of the Local Plan (2015-2030). Therefore, it is considered that the use of the site for residential use would be acceptable in principle.

#### Design, Layout and Impact on Character and Appearance of the Area

- 7.4 A core principle of the NPPF is the provision of high-quality design and that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions. Local Plan Policy EE1 provides a range of requirements for new residential development and the supporting text refers to the careful planning required for such development to meet the objectives of the policy.
- 7.5 The proposed development is on a prominent site, close to the railway crossing and station and it is considered a development in this location could have a positive impact. The predominant character of the immediate area is two storeys, max 2 ½ stories including some Victorian properties, the modern development to the rear is predominantly two storeys with some three storey town houses, (although opposite the site there is some 4-storey set back

from the road frontage) and the adjacent former 2 storey high office building to the west has recently been converted to residential use which included an additional floor and a rear extension. Offices/warehouse are located to the east with the railway line in between and this south side of the railway tracks feels much lower and residential, compared with the opposite side around the station and towards the centre of town.

	<b>Previous RU.20/0046</b>	<b>Current RU.21/1634</b>
<b>Storeys</b>	3-6	3-5
<b>Height</b>	9.5-18.9 metres	8.5 - 14.4 metres
<b>No. of units</b>	70	54
<b>Back to back separation distances</b>	12.3m (at three storeys) to 21.8m (at <b>six</b> storeys)	11.3m (at three storeys) to 20.9m (at <b>five</b> storeys)
<b>Communal amenity Space (approx.)</b>	585sqm	900sqm and play space

The previous application RU.20/0046 was refused on design and amenity grounds and comprised one building up to 6 storeys high. The current proposal, although it would be up to 5 storeys high, it would effectively be two separate buildings with a 5th floor on building 2 only which would be inset. Building 1 would be 3 storeys high with a further inset floor above this. The elevations of both top floors facing towards residential properties would either have rooflights or secondary obscurely glazed windows.

The proposals reflect the shape of the overall site with two buildings connected by a recessive pend forming a building linked in plan, but visually separated when viewed down Guildford Road. The building footprint steps purposefully back to help break down the overall mass and a recessed top storey has been introduced reducing the overall impact of the building on the streetscape with the taller building closer to the non-residential element of the railway line. The railway provides a natural buffer between the site and the neighbouring buildings to the north, meaning the boundary is less sensitive in terms of separation distance and building heights, therefore, the highest elements of the building are located on this boundary. The development would front directly onto Guildford Road with access into the building through the centre pend. There would be scope for some landscaping across the frontage but as this aspect is a reserved matter to be considered at a later time and as the siting is similar to the existing nearby it is considered that the development would not adversely affect the appearance of the surrounding residential streets. As such, it is considered that the current proposals fit in with the scale and grain of the general pattern of development in the vicinity of the area. As such the layout and design would respect and enhance the townscape and would not be harmful to the established character and appearance of the surrounding area in accordance with Policy EE1.

***Following the receipt of amended plans the building footprint has been set back a further metre from the Guildford Road frontage with a width at its narrowest point of approx. 2.2m, increasing to over 3m in places so to afford a planting bed for shrubs. The amended proposals have also moved the building very slightly further north. The 3<sup>rd</sup> floor Mansard roof of building 1 has been set back 2.0m and the 4<sup>th</sup> floor mansard roof of building 2 has been set back 2.2m and still accommodates the overall apartment***

***mix. The dormers have been set back 200mm to reduce their prominence. The overall plan at 4<sup>th</sup> floor level has had to be changed, but the layout is improved.***

- 7.6 Regarding the suitability of the living accommodation being provided for future occupants, the current proposal provides more dual aspect accommodation than the previous scheme. 44 flats (81%) would have an enclosed private patio or balcony all exceeding the minimum standard set out in the Council's Adopted Design SPD. The design of the proposed scheme, with enclosed balconies would mean none would overlook each other or directly face onto neighbouring residential properties. In addition to the private amenity space, the layout also includes areas of communal spaces and a play area serving the flatted development which would add interest to the development and create opportunities for communal activities. The larger areas of communal amenity space are at the rear of the proposed buildings where there is less road noise. All of the homes would meet the required Nationally Described Space Standards with the one-bedroom flats all exceeding 50m<sup>2</sup> and the two-bedroom flats exceeding 70m<sup>2</sup> and thus meet the minimum floor space requirements set out in Policy SL19. There is level access to all areas and 2 residents lifts are proposed. All dwellings are designed to comply with Building Regulations Part M4(2) for future adaptation, whilst 5% are designed to Part M4(3) as fully accessible for wheelchair users in compliance with Policy SD7. The design complies with the principles of secured by design and allows for natural surveillance of all the communal areas and the single vehicular access. There will be controlled access doors into the buildings 1 and 2 which will aid security measures at the building.

***An updated accommodation schedule has been submitted which shows that all the flats would still comply with the national minimum space requirements set out in Policy SL19.***

- 7.7 The Runnymede 2030 Local Plan promotes creating attractive places which make a positive contribution to the Borough's townscape, paying regard to layout and landscape character. It is considered that the development displays evidence of exploring place and context and has some relation to the local character. Furthermore, the design has incorporated the various guidelines and principles set out in the recently adopted Design Guide SPD. Considering the above, it is considered that the proposed development would make a positive contribution and the layout and design would respect and enhance the townscape and the established character and appearance of the surrounding area and would be appropriate for its setting given the local context in compliance with Policies EE1, EE9, and EE11 and the NPPF.

### Heritage

- 7.8 Special regard has to be given to the protection of heritage assets, both above and below ground. The NPPF requires local planning authorities to assess the particular significance of any heritage asset that may be affected by a proposal and consider the balance between the potential harm to a heritage asset and the public benefits of the proposal. Policy EE3 Strategic Heritage Policy states that 'Development that affects Runnymede's heritage assets should be designed to protect, conserve and enhance the significance and value of these assets and their settings'. As the proposed development is in proximity to a number of statutory listed buildings (Chertsey Railway Station and Cowley's Almshouses, 33-41 Guildford Road), the impact of the proposed development on these heritage assets needs to be carefully considered.

Policy EE4 (Listed Buildings) requires that proposals should not adversely affect the Listed Building or its setting by virtue of design, scale, materials, or proximity or impact on views or other relevant aspects of the historic building fabric. The proposal site lies within the setting of two listed buildings, however due to their siting being located obliquely and with other tall buildings located within the vicinity, it is considered that the proposed development would not

cause harm to their setting. It is also important to note that the Council's Conservation Officer has raised no objections to the proposals and particularly likes the upper floor solution where the fifth level is inset which minimises the bulk of the highest block. As such, it is considered that the proposal would therefore comply with Policies EE1 and EE4 of the LP and the NPPF.

#### Connectively and Highway Considerations

- 7.9 There would be additional traffic movements in and out of the site and letters of objection have raised concerns about impacts on highway safety and parking in the area, and although the CHA notes the various objections to the proposals considers the site to be relatively sustainable in transport terms, and it is not considered a necessity for future occupiers to own their own vehicle. The provision of car club vehicles on site will have the effect of reducing the need for car ownership for future occupiers and the submitted Travel Plan will offer opportunities to encourage sustainable modes of transport. Therefore, the CHA considers that a "no car" development at this location is acceptable (as per Surrey County Council Car Parking Guidance Policy) in the context of the impact on highway safety and capacity. The Developer cannot be required to "fix" existing issues, but there could be opportunities to introduce parking restrictions or Controlled Parking Zones, however this would be outside of the Planning System. The County Highway Authority have undertaken a site visit and an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and raises no objection and as such no objections are raised subject to conditions requiring the access to be provided with visibility zones as shown, and also a Construction Transport Management Plan. It is therefore considered that no additional traffic or highway issues have arisen from this current proposal and the scheme satisfies Policy SD4.

#### Affordable Housing

- 7.10 Under Policy SL20 35% of the units should be secured as Affordable Housing. Although still subject to negotiations with a Registered Provider the intention is to deliver the entire site as affordable housing, specifically at much needed Social Rent levels. Under the National Planning Policy Framework (Paragraph 65) 10% of the homes on site should be made available for affordable home ownership. It states that "Exemptions to this 10% requirement should also be made where the site or proposed development...

d) is exclusively for affordable housing..."

Policy SL20 sets the target that "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." Since 2013 just 2% of rented affordable housing completions in Runnymede have been let at Social Rent levels. The remaining 98% were at Affordable Rents and it is understood that most would be at the maximum 80% of market or Local Housing Allowance level. Social Rents are typically nearer to 50% of a market rate. The cost of accommodation in Runnymede Borough is exceptionally high. For some applicants on the Council's Housing Register the cost of an Affordable Rent can be prohibitive, especially for working households with a low income. Considering recent increases in the cost of living, Social Rents can provide households with security and peace of mind. The Levelling Up the United Kingdom white paper states that, "The UK Government will also increase the amount of social housing available over time to provide the most affordable housing to those who need it. This will include reviewing how to support councils to deliver greater numbers of council homes, alongside Housing Associations. The UK Government will also ask Homes England to play a wider role in supporting mayors and local authorities to realise their ambitions for new affordable housing and regeneration in their areas".

This application seeks approval for 27 one-bedroom and 27 two-bedroom flats. Policy SL19: Housing Mix and Size Requirements of The Runnymede 2030 Local Plan requires the mix of units to reflect the identified housing needs of the area. Recent figures provided by the Housing Department at Runnymede Borough Council show the breakdown of applications on the Housing Register by the number of bedrooms each household requires:

Bedrooms Required	Number of Applicants	Percentage of Total
One bedroom	616	50.6%
Two bedrooms	342	28.1%
Three bedrooms	206	17.0%
Four (+) bedrooms	53	4.3%
Total	1217	

Runnymede Council's Allocation Scheme prioritises transfers for tenants who are under occupying family size homes, however the difference in rent on new affordable housing at Affordable Rent (up to twice that of existing social rent tenancies) means that it is difficult to encourage tenants to move unless they are not able to manage in the larger home or are subjected to the Social Sector Size Criteria. Provision of good quality smaller properties at social rent should facilitate the availability of larger homes to people on the Housing Register. The proposed mix of one-bedroom and two-bedroom flats strikes a balance between the needs identified by these figures and a manageable and sustainable development. This application seeks to provide much needed accommodation in a sustainable location. The intended Registered Provider has a local management presence with a proven track record of working with other local services to benefit not just residents of their own accommodation but those of the wider community.

The proposed scheme is for 100% affordable housing, with the exact tenure mix still to be agreed with the CHDMBC. Once agreed the tenure mix would be secured through the s106 agreement. Secondly, given that the provision of 100% affordable has been attributed weight in the planning balance; a planning condition is recommended to secure this and to ensure that any change to this level of provision would require the submission of a section 73 application to vary this condition. Lastly given that the scheme would be 100% affordable, in accordance with the Council's First Homes - Interim Policy Statement (January 2022) it would fall within one of the listed exceptions and would not be required to provide First Homes.

The current affordable mixes being considered or something similar are as follows:

- i) 100% social rent; if not viable then
- ii) A mixed scheme of shared ownership and social rent i.e., Building 1 shared Ownership and Building 2 Social Rent or
- iii) 100% affordable rent with the intention to charge the rent at maximum 70% or lower of market rent rather than that 80% that most Housing Associations would charge.

Whilst proposals i) and iii) technically fall short of the requirement in the NPPF (paragraph 64) which requires major development involving the provision of housing to provide at least 10% of the total number of homes to be available for affordable home ownership". However, given the over provision of affordable housing being provided and the Borough's need this is considered in the instance to outweigh this requirement.

#### Impact on Trees

- 7.11 An Arboricultural and Planning Integration Report has been submitted which surveyed 9 category C (various) and 1 category B (oak) trees which are predominantly located on the boundaries of the site and concludes that to implement the proposal it will be necessary to remove 3 category C trees.
- 7.12 All the vegetation to be removed is of low quality and its loss to public amenity is negligible due to its overall condition and lack of visual presence. All vegetation of high and moderate quality and mostly growing around the boundaries of the site will be retained and can be adequately protected throughout the development process.
- 7.13 As landscaping is a reserved matter it will be determined at a future date, however the indicative plans indicate the retention of the more mature trees on the site and the introduction of additional landscaping around the site including the main communal areas to the rear which will provide outdoor amenity space for residents.

***As the revised plans have resulted in the further set back of the building additional landscaping can also be provided along the frontage which is welcomed.***

- 7.14 The retained trees can be adequately protected during construction activities to sustain their health and longevity. Elsewhere there are opportunities for tree, shrub and hedge planting across the site. Precautions to ensure that the trees are protected and preserved for the future are proposed which includes tree protection measures implemented in conjunction with the proposals. Consequently, there will be an acceptable impact upon the local trees, subject to adhering to normal tree protection and construction techniques.
- 7.15 The Councils Tree Officer does not object to the works but recommends a condition requiring the tree protection measures are carried out as set out in the Arboricultural and Planning Integration Report by GHA dated 06/09/2021 Ref GHA/DS/122360:21. The proposal therefore complies with policies EE1, EE9 and EE11.

#### Ecology

- 7.16 Any development should not adversely affect the ecological interests of the site, indeed any future application could be an opportunity to improve the biodiversity of the area. A Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and a Bat Presence/Likely Absence Report (TSA Ecology June 2022) have been submitted with the application which considers the ecology of the site. A bat survey has recently been carried out during which no bats were seen to emerge from Buildings 1 and 2 within the site which were assessed as having low potential to support roosting bats and the new building works will include opportunities for nesting and roosting for bats. Surrey Wildlife Trust raises no objections subject to compliance with the submission of a Landscape and Ecological Management Plan (LEMP) and biodiversity enhancement to include bat boxes. With the landscaping on the site being a future reserved matter for determination and in combination with successful implementation of the avoidance, mitigation and enhancement measures set out in the above-mentioned submission documents 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 Policies EE9 and EE11.

#### Public Open Space

- 7.17 In terms of recreation, Local Plan Policy SL26 requires the provision of play spaces in new housing developments of 20 dwellings (net) or more. The revised scheme has resulted in a slightly greater communal space which would amount to 900sqm and a (toddler) play area has been indicated on the site layout plan. It is considered that the provision can be secured via a condition or legal agreement as can its future maintenance. On this basis it is considered that

the proposal would comply with Policy SL26 and that the quantum of development could be achieved whilst providing space for recreation. A management company will be set up to maintain all the communal areas within the site, including landscaping, open space and non-adopted roads.

***Following concerns regarding the location of the play area this has been relocated to be more in the centre of the site and away from the boundary with the railway line.***

#### Land Contamination

- 7.18 No objections have been raised by the Council's Contaminated Land Officer subject to conditions securing the installation of a ground gas or vapour protective membrane in compliance with Policy EE2 of the Runnymede 2030 Local Plan.

#### Noise and Air Quality Management

- 7.19 The noise environment at the site is influenced by railway noise which lies to the northeast of the site. A Noise Assessment has been undertaken to assess the baseline situation, the suitability of the site for residential development and identify any mitigation measures. The most likely units to be affected are those along the north eastern flank of building 2 which includes balconies, although these would be predominantly enclosed. It is considered that providing an element of private amenity space weighs in favour of some inevitable noise impacts and it is considered that by specifying appropriate glazing and facade construction along with acoustically treated means of ventilation, it will be possible to ensure that an acceptable internal environment within the proposed buildings will be met.
- 7.20 Overall, it is concluded that, with the recommended measures in place, the occupants of the new properties can be provided with an acceptable acoustic environment. It is for these reasons and subject to conditions the proposed development is in accordance with Policy EE2 of the Local Plan and relevant policies in the NPPF in relation to noise.

#### Flood Risk and Drainage

- 7.21 The site is within Flood Zone 1 and a Groundwater Source Protection Zone and there is a risk of surface water flooding which coincides with an overland flow route, however, proposed buildings are outside of the footprint of the route. A Flood Risk Assessment was submitted in accordance with the requirements of the NPPF including details of Sustainable Urban Drainage.
- 7.22 Surrey County Council as Lead Local Flood Authority (LLFA) is satisfied the proposals meet the requirements set out in the technical Standard and Planning Policy Guidance. It is therefore considered that the site can deal with surface water drainage for the development in a sustainable manner which complies with the NPPF. The details of the drainage scheme can be secured by conditions as recommended by the LLFA.

#### Impact on Neighbouring Amenity

- 7.23 Regarding the effect of the proposals on the living conditions of neighbouring properties, Galleon House (4-10 Guildford Road) to the west comprises a recent office to residential conversion with extensions to the roof providing a total of 12 flats. Building 1 would be located close to the side boundary with this property and would extend further to the rear, however the existing no. 2a extends significantly to the rear and has several first-floor side windows facing directly into the rear parking and garden area. Although the proposed development would be 2 storeys higher, the building would be staggered, the 4<sup>th</sup> floor would be inset and the side windows would all be secondary and obscurely glazed with no balconies facing directly into the rear parking and garden area.



- 7.24 Nos, 53-57 Highcross Place to the rear of the site comprise 2 storey high modern terraces with no.57 having a short rear garden. The proposals have been amended which has resulted in a reduction in the depth of building 2 as well as the removal of angled windows, it is not considered that there would be any direct overlooking in view of the position and location of windows, balconies and separation distances. Greater separation distances would be maintained as well as a significant reduction in mass and bulk when compared to the earlier refused scheme (RU.20/0046). The building has been designed with articulation and setbacks to maintain appropriate relationships to surrounding residential properties. This articulation and stepping back of the footprint on the upper floors also responds positively to the existing properties, with increasing separation distances as the heights of the building increase. At least a 22m separation distance from windows in the development to rear gardens to properties to the southwest of the site would be maintained.

***As the amended proposals have resulted in a further set back of the building, as a consequence of this the building is now closer to the rear boundary by around 1 metre, however as it has also been slightly repositioned further north it is considered that the changes to outlook when comparing with the previous proposals would be minimal.***

- 7.25 It is considered that these separation distances, coupled with the orientation and form of the proposed development, the position of windows and balconies, retention of trees and future landscape enhancement which will also act as a landscape screen would avoid harmful overlooking and would provide an acceptable relationship between the existing and proposed dwellings and would not have a significant impact upon the residential amenities of all these properties and as such the proposal complies with Policy EE1.

***It is noted that whilst the amended proposals have been improved predominantly in terms of setbacks and it is considered that they should help to address some concerns of the scheme, it is understood that they may not overcome all previous reservations, however this must be balanced with the other benefits which outweigh the borderline issues.***

#### Other Matters

- 7.26 As the site is within an Area of High Archaeological Potential, Policy EE7 of the Local Plan requires the applicant to carry out an archaeological review of the site. A desk study has been carried out which concludes that the site has potential to contain evidence of medieval and post medieval development and recommends that further work may be required to clarify the archaeological potential of the site. The County Archaeologist has reviewed the study and agrees with the recommendations of the assessment and considers that it would be reasonable and proportionate to secure the evaluation and any further works by condition in compliance with the requirements of Policy EE7.
- 7.27 The proposed development will have impacts on local infrastructure including education, health and Police which will all now be delivered through CIL in compliance with Policy SD7.
- 7.28 Policy EE10 states that additional residential development (including strategic allocations) beyond the 400m Special Protection Area exclusion zone, but within 5km of the Special Protection Area boundary, will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area. These must be delivered prior to occupation and in perpetuity and agreed with Natural England (NE). NE agrees with the position that the Council has taken in relation to the provision of strategic SANGS and securing SAMM payments. Following assessment by the Council as a competent authority, the Council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided. The applicant has submitted a draft S106 with the application and as competent authority the Council's

appropriate assessment requires a contribution of £79,282.13 toward the provision of SANG and £31,590.00 towards the provision of SAMM in accordance with the Council's Adopted SPG. Subject to securing the SANG and the relevant SAMM contributions by way of a s106 agreement, it is considered that the proposal would address the impacts of the development the impact arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF in compliance with Policy EE10.

- 7.29 Policy SD8 requires development of 1,000sqm or more to meet 10% of that development's energy requirements from renewable and/or low carbon technologies and new policy SD7 promotes sustainable design. As the proposal is for approx. 4,047sqm (GIA) of residential floorspace Policy SD8 requires development of this scale to consider whether connection to existing renewable/low carbon or decentralised networks is possible. The Energy Statement sets out that the proposed development will produce 11.60% less CO2 and use 12.14% less energy than the baseline scenario, which would surpass the on-site target reduction of 10%, as required by the policy. The applicant has submitted an Energy Assessment which indicates that this will be achieved through the provision of solar power (PV) generated electricity. However, no further details of measures have been provided and therefore conditions are recommended to secure this and in respect of water efficiency, and the proposal complies with the policies SD7 and SD8 and the NPPF.

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

- 8.1 In line with the Council's Charging Schedule the proposed development would be CIL liable.

## **9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS**

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

Consideration has been given to s149 of the Equality Act 2010 (as amended), which 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 site is in the urban area and is included the Council's SLAA (Feb 2022). The proposal would provide a net addition of 48 dwellings which will contribute to housing supply particularly for affordable homes in the borough. This has to be given significant weight in favour of the application. The application site is not a proposed Strategic Employment Area (SEA) and it is in the urban area so the presumption is in favour of development. The design and quantum of development proposed makes an efficient use of an appropriate site and is not considered to be harmful to the character of the area or on future occupiers. The traffic and highway safety aspects of the application have been reviewed by the County Highway Authority who

raises no objections and conclude that the proposed access is safe, and no harmful impacts would arise in respect of the highway network in the area. No other technical planning issues have been identified that would prevent planning permission being granted in accordance with the development plan and the NPPF.

- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD2, SD3, SD4, SD5, SD7, SD8, SL19, SL20, SL26, EE1, EE2, EE3, EE4, EE7, EE9, EE10, EE11, EE12, EE13, IE2 and IE3 of the Runnymede 2030 Local Plan of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## **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. SAMM (TBHSPA) financial contribution of £31,590.00**
- 2. SANG(TBHSPA) financial contribution of £79,282.13**
- 3. The provision and deliverability of 100% Affordable Housing details of which will be subject to approval of the Council's Housing Officers**
- 4. Secure management arrangements for the maintenance of the open space**

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

(a)

Application for approval of the reserved matters shall be made to the Planning Authority before the expiration of three years from the date of this permission.

(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the reserved matters to be approved, whichever is the later.

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

2 Reserved Matters

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

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

3 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the approved Schedule of Plans as set out in 183\_L(10)-102-P1 - Location Plan, 183\_L(10)-200-P2 - Existing Site Plan, D00-00W\_011-001 01 - Bauder Solar Panels received 17/09/21, **183\_L(20)-200-P8 Proposed Site Plan, 183\_L(20)-201-P5 Separation Distances Second Level, 183\_L(20)-300-P7 Proposed Ground Floor Plan, 183\_L(20)-301-P7 Proposed First Floor Plan, 183\_L(20)-302-P5 Proposed Second Floor Plan, 183\_L(20)-305-P6 Proposed Roof Plan, 183\_L(20)-400-P5 Sections, 183\_L(20)-500-P5 Elevations Building 1, 183\_L(20)-501-P4 Elevations Building 2, 183-View Sheet 01-P3, 183-View Sheet 02-P3, 183\_L(20)-502-P5 Context Elevations, 183-Chertsey Schedule, 183\_L(20)-303-P7 Proposed Third Floor Plan and 183\_L(20)-304-P7 Proposed Fourth Floor received 02/08/22**

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

4 External Materials

No development above slab level shall commence until details of the materials to be used on the external surfaces of the dwellings have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

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

5 Finishing Materials

No development above slab level shall commence until a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.

In the interests of the visual amenities of the area and the character and appearance of the area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

6 Hard and Soft Landscaping

a) Full details of both hard and soft landscaping works including tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted in detail 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, or other means of enclosure within or around the site, access features, minor

structures, the existing trees and hedges to be retained, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development.

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

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

7 Tree Protection

The construction of the development shall take place fully in compliance with the measures set out in the Arboricultural and Planning Integration Report by GHA dated 06/09/2021 Ref GHA/DS/122360:21. Such measures and enhancements as provided shall be retained and maintained thereafter.

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

8 Tree retention

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

Reason: To protect the trees to be retained 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 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.

#### 10 Landscape Management Plan

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

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

#### 11 Surface Water Drainage

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

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
- 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- 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 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.
- g) Confirmation that proposed infiltration does not occur in made ground
- h) Confirmation that surface water has received adequate treatment prior to discharge into ground.

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

12 Verification Report SUDS

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 and 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 constructed to the National 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.

13 Electric vehicle charging and car club bays

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

- (a) The provision of two on site car club bays and car club vehicles
- (b) The provision of electric vehicle charging points provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32-amp single phase dedicated supply)

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

14 Closure of existing access

The development hereby approved shall not be first occupied unless and until the existing access from the site to Guildford Road has 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.

15 New Access

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

Reason: 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 Parking

The development hereby approved shall not be first occupied unless and until space has been

laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading & unloading 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.

17 Construction 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
- (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.

18 Sustainable development

In the event any gas-fired boilers are installed as part of any of the development hereby approved, they shall meet a minimum emissions standard of 40 mg NO<sub>x</sub>/kWh.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas in accordance with guidance within the NPPF.

19 Ground gas or vapour protective membrane

Before the commencement of the above ground construction of the development hereby permitted, details of the ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways) which is to be laid under the floor of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Details should include a detailed plan of where the membrane is to be installed, the name and model number of the membrane to be deployed and details as to how the membrane is to be installed and who by. Following approval of the plan, the membrane shall be laid in accordance with the approved plan. The membrane is to be retained for the life of the development.



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

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

20 Noise (Acoustic insulation and ventilation)

No above ground development shall commence until a noise mitigation scheme has been submitted to and approved in writing by the local planning authority. The submitted scheme shall demonstrate that noise levels within all dwellings will not exceed 35 dB(A) LAeq 0700 – 2300 within living rooms and bedrooms and will not exceed 30 dB(A) LAeq 2300 – 0700. Also, typical peak noise levels shall not exceed 45 dB(A) LAmax, 2300 - 0700 in bedrooms. The mitigation scheme should include details of any mechanical ventilation scheme proposed, to facilitate reasonable levels of comfort cooling when windows are closed. Development shall be carried out in accordance with the approved details prior to occupation of any part of the development, or in accordance with an alternative timetable to be agreed in writing with the local planning authority.

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

21 Ecology

The construction of the development hereby approved in detail shall take place fully in compliance with the measures set out in The Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and The Bat Presence/Likely Absence Report (TSA Ecology June 2022) and the final development shall include the mitigation and enhancement measures as recommended in The Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and the Bat Presence/Likely Absence Report (TSA Ecology June 2022) including the provision of bat boxes. Such measures and enhancements as provided shall be retained and maintained thereafter.

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

22 Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the LPA prior to the occupation of development. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and should include, but not be limited to following:

- 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 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 applicant with the management body(ies) responsible for its delivery.
- j) 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.

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.

23 Sensitive Lighting Scheme

Before any external lighting is installed at the site, details shall be submitted to and approved in writing by the Local Planning Authority. 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.

24 Renewable Energy

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

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

In the event of PV's panels being part of the chosen renewable energy measure, details shall be submitted to and approved in writing by the LPA prior to installation.

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

25 Archaeological Work

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

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

26 Provision of Play Areas

Prior to the commencement of above ground works of development hereby approved details of the siting, size and design of the children's equipped play area shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include measures for management and maintenance, and the scheme shall be implemented fully in accordance with the approved details and retained for the lifetime of the development. **The details shall be in accordance with approved drawing 183\_L (20)-200-P8 Proposed Site Plan.**

Reason: To ensure the development includes high quality open spaces to enhance the health and well-being of the future occupiers of the development and to comply with Policy SL26 of the Runnymede 2030 Local Plan and guidance in the NPPF.

27 Water Efficiency

Prior to the first occupation of the development hereby permitted it shall be demonstrated that the optional requirement for water consumption (110 litres use per person per day) in Regulation 36(2)(b) of the Building Regulations has been complied with for that dwelling. 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.

28 Gates and accessibility

No gates shall be provided across the vehicular entrance to the development. There shall also be no lockable gate to pedestrian access points.

Reason: To protect the visual amenities of the area and to promote inclusive communities in accordance with the NPPF.

29 Affordable Housing

The proposed scheme shall provide 100% affordable housing in line with the mix and requirements set out in the legal agreement to be read in conjunction with this decision notice.

Reason: To accord with the terms of the planning application and because the level of affordable housing proposed which exceeds policy requirements has been attributed weight in the planning balance.

### 30 Travel Plan

Three months prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide" and in general accordance with the Framework Travel Plan dated January 2018. And then the approved Travel Plan shall be implemented on occupation and for each and every subsequent occupation of the development, and thereafter maintained and developed to the satisfaction of the Local Planning Authority.

Reason: To encourage active and sustainable travel and to avoid harmful impacts on air quality and to comply with Policies SD3 and EE2 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 New Vehicle Crossovers and Dropped Kerbs

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

##### 3 Other Works to the Highway

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

##### 4 Closure of existing access

When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways

Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

5 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)

6 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.

7 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.

8 Utility works liaison

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.

9 Electric vehicle charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

10 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) .

11 Unless it can be demonstrated that it is unfeasible to do so the applicant shall achieve compliance with Part M4(2) of the Building Regulations with 5% of dwellings achieving Part M4 (3).

12 The applicant is advised to incorporate into the development the principles and practices of the 'Secured by Design' scheme in consultation with the Designing Out Crime Officer.

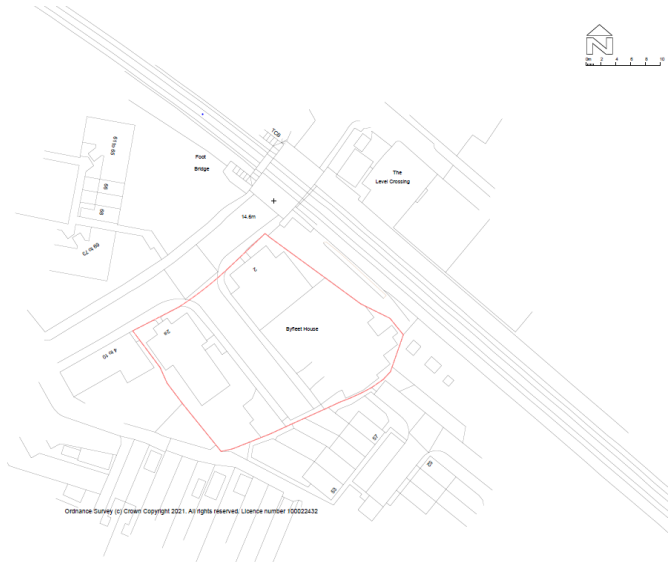
- 13 The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours: -
- 8.00am - 6.00pm Monday to Friday  
8.00am - 1.00pm Saturday  
and not at all on Sundays and Bank Holidays.
- 14 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- 15 If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk) . Please use our reference number in any future correspondence.
- 16 The applicant / developer is advised to contact Network Rail's Asset Protection and Optimisation (ASPRO) team via [AssetProtectionWessex@networkrail.co.uk](mailto:AssetProtectionWessex@networkrail.co.uk) prior to works commencing. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

#### **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.

RU.21/1634

Location Plan



Proposed layout plan



View 1 to 4



View 1

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View 2

**UNLM**  
77 & Wood Way  
 Weybridge, Surrey TW20 2JF  
 0181 6072760

**PRELIMINARY**

Client  
 Grove Developments

Project Title  
 Proposed Residential Development  
 on Site at 3 Guilford Road, Chertsey

Drawing Title  
 3D Views Sheet 01

Date	State	Drawn	Checked	Scale
May 21	100	GP	SR	A4

Drawing No.  
 183 - View Sheet 01

Rev  
 P3



View 3

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View 4

**UNLM**  
77 & Wood Way  
 Weybridge, Surrey TW20 2JF  
 0181 6072760

**PRELIMINARY**

Client  
 Grove Developments

Project Title  
 Proposed Residential Development  
 on Site at 3 Guilford Road, Chertsey

Drawing Title  
 3D Views Sheet 02

Date	State	Drawn	Checked	Scale
May 21	100	GP	SR	A4

Drawing No.  
 183 - View Sheet 02

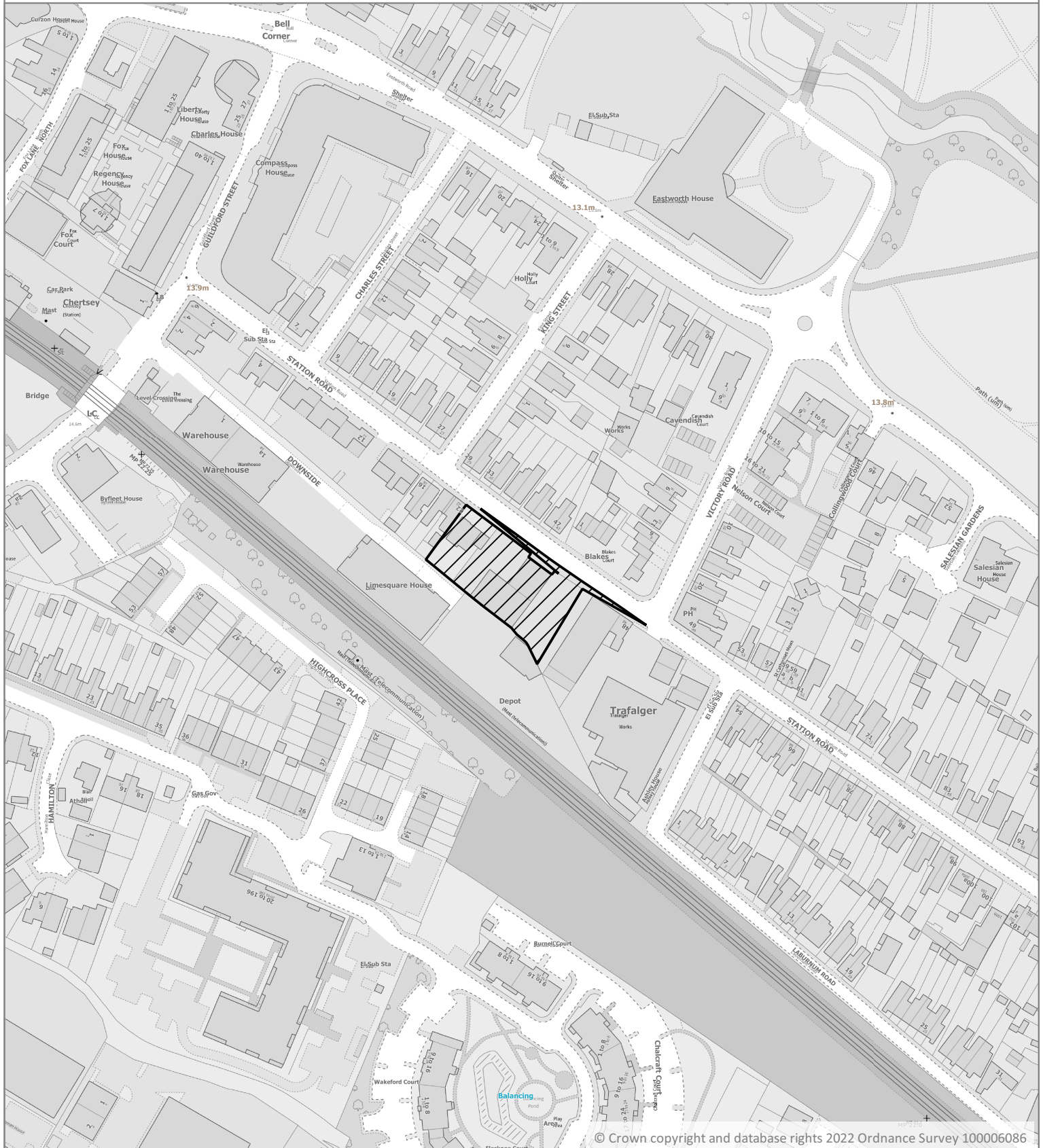
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 P3





Date: 07/09/2022

Station Road, Chertsey



Scale: 1:2,000

0 50 100 m

**RU.22/0553**



## Committee Agenda Reference 5B

<b>APPLICATION REF:</b>	<b>RU.22/0553</b>
<b>LOCATION</b>	Land at 24 and 36-38, Station Road, Chertsey, KT16 8BE
<b>PROPOSAL</b>	Demolition of existing buildings and erection of part three, part four storey property for 27 residential units, parking and amenity area. (Revised Plans received amending the layout and amenity area of the top floor flats)
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	01/07/2022
<b>WARD</b>	Chertsey Riverside
<b>CASE OFFICER</b>	Justin Williams
<b>REASON FOR COMMITTEE DETERMINATION</b>	Major Application
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### 1. SUMMARY OF RECOMMENDATION

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>1.</b>	<b>Grant subject to condition and completion of a S106</b>
<b>2.</b>	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 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>

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

- 2.1 The application site is former builders' merchants and comprises of four buildings one large two storey building and two single storey buildings, one being a bungalow. The site also has a large area of hardsurfacing. The site is adjacent to an existing light industrial commercial unit to the southeast of the site with an access road serving commercial units at Downside commercial area to the rear. Residential properties are opposite the site and to the Northwest of the site.

- 2.2 The surrounding properties are generally two and three storeys with pitched roofs and of varied style.
- 2.3 The site is located approximately 210 metres from Chertsey Railway Station and with the town centre approximately 560 metres away. Bus stops are located on Eastworth Road approximately 180 and 300 metres away to the North of the site. The Public parks at Chertsey Recreation Ground, Gogmore Farm Park and Bourne Meadow Park are located approximately 600 – 200 metres away. The site lies within the urban area and partially within 5kms of the Thames Basin Heath Special Protection Area. The site is within Flood zone 1.

### **3. APPLICATION DETAILS**

- 3.1 The applicant has applied for Full Planning Permission for the erection of a four-storey flat, sedum, roof building with the fourth floor being set in from all elevations providing accommodation and roof top amenity areas. The proposal would provide 27 units, 10 being affordable housing. The units would be 2 bedroom for the affordable housing with the market housing being a mixture of 2 and 3 bedroom units. The proposal would be set back from the pavement with the boundary delineated by a small brick wall and a landscaping area between the front boundary and the building. Car parking for 20 vehicles would be located on the southeastern boundary with cycle storage and bin storage areas at ground floor in the building. A shared private amenity area for the occupiers of the units would be located to the rear of the site adjacent to the rear boundary where a further cycle storage area would also be located.
- 3.2 The proposed building would be approximately 12 metres high, with the fourth floor set in from all elevations with the roof top units having roof gardens. The building would have a maximum width of 36 metres wide and be of an L shape with a minimum depth of 15 metres increasing to a maximum depth of 25 metres.
- 3.3 The site currently has two vehicular accesses to the site and that the one closest to the existing commercial use would be modified and used. The proposal would provide 20 car parking spaces with at least four of these being for EV charging and there would be secure parking spaces for 27 cycles. The statement notes that the proposed use would result in a reduction of traffic movements in the morning peak hour and a slight increase in the evening peak hour. However, the use would result in an overall reduction of traffic to and from the site between 07:00 and 19:00 from the previous use.
- 3.4 The Planning Statement and Design and Access Statement states that the site constitutes previously developed land with the site being vacant and has been since March 2021. The proposal would redevelop the site and bring it back into use. The proposal would contribute to housing need in the Borough and provide affordable housing. The proposed front elevation has been broken up with recesses and reflects that found at Charles House at the western end of Station Road. The proposal would also be set back from the pavement with landscaping in front of the building with the boundary defined by a low brick wall. The overall height is also similar to that of the adjacent neighbouring properties, albeit the fourth floor is above the maximum height of the adjacent buildings but is recessed from all elevations. The site is currently covered in hard surfacing with the proposal providing additional landscaping to the front and to the rear of the site and with a sedum roof to the property. All of the additional landscaping measures assist in improving biodiversity at the site. Solar

Photovoltaic Panels would be provided on the roof of the property to provide renewable energy for the users of the flats.

- 3.5 The Noise Assessment outlines that daytime noise levels at the site would be within acceptable WHO parameters with night-time levels slightly above this but could be controlled by acoustic measures including insulation and glazing.
- 3.6 The Air Quality Assessment states that the closest Air Quality Management Area is the M25 which is approximately 670 metres from the site. The proposal would have limited impact on air quality through the construction phase with dust spoiling having a medium impact on air quality, with low impact on air quality during the operational phase. However, this can be controlled under a Dust Management Plan.
- 3.7 The applicant has submitted several other documents in support of this application; Preliminary Ecological Appraisal, Flood Risk Assessment, Geo Environmental Report and Surface Water Drainage Statement.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 No previous planning history

#### **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 Other documents which might be a material consideration in determination:
  - Infrastructure Delivery and Prioritisation Supplementary Planning Document
  - Runnymede Design Supplementary Planning Document
  - Green and Blue Infrastructure Supplementary Planning Document

#### **6. CONSULTATIONS CARRIED OUT**

##### **Consultees responses**

<b>Consultee</b>	<b>Comments</b>
<b>Surrey Wildlife Trust</b>	No objection
<b>Surrey Lead Local Flood Authority</b>	No objection subject to conditions regarding full details of SuDS scheme

<b>RBC Drainage</b>	No objection
<b>RBC Contaminated Land Officer</b>	No objection subject to condition
<b>RBC Tree Officer</b>	Landscaping should incorporate more trees on the site
<b>Thames Water</b>	No objection on wastewater network and sewage treatment – informative advising site is within 15 metres of Thames Water underground waste water assets.
<b>Surrey County Highways</b>	No objection subject to conditions
<b>RBC Housing</b>	No objection to the proposal

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

6.2 29 Neighbouring properties were consulted in addition to being advertised on the Council's website and 40 letters of representation have been received 22 from different properties, which can be summarised as follows:

- The area is already congested, this would make the congestion in the area worse
- The proposal would add to on street parking, which is already stretched
- The proposal would cause overshadowing the occupiers of the properties opposite the site
- The proposals are not in keeping with the adjacent two storey housing
- The proposal would cause overlooking
- The construction of the development would be disruptive to residents
- More flats near the flood plain should not be allowed
- The proposal is not in keeping with the properties in the surrounding area
- The proposal would add pressure to already overstretched infrastructure such as, schools, healthcare, police, fire etc.
- The scale of the proposal is out of keeping with the area.
- The area for car parking should be permeable and not contribute to surface water flooding
- The proposal should incorporate dust suppression measures during the construction period to safeguard the amenities of the occupiers of the adjacent neighbouring properties.
- Construction traffic should not block access to adjacent properties.
- The proposed development would result in an increase in noise pollution
- The amount of parking is inadequate for the proposal.

## **7. PLANNING CONSIDERATIONS**

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the impact the proposal would have on the character and appearance of the area, the impact on the visual amenities of the street scene, the residential amenities of the occupiers of the adjacent neighbouring properties and the impact on highway safety and biodiversity.
- 7.2 The site is located in a residential area and is within walking distance of Chertsey Railway Station, Bus stops, Chertsey Town Centre and Council recreation parks. The NPPF states that the planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The site is not a protected employment site under Policy IE2 and does not fall within any of the categories set out in Policy IE3. Furthermore, Policy SD1 of the Local Plan which outlines that Chertsey including Chertsey South will require 2,212 net additional dwellings during the plan period 2015-2030. The proposal would reuse an existing vacant parcel of land in a predominantly residential area for residential use and contribute to housing in a sustainable location. It is therefore considered that the principle for the use of the site for residential is acceptable.

#### Design, Layout and Impact on Character and Appearance of the Area

- 7.4 The NPPF states that the creation of high quality and sustainable buildings and places is key to what the planning and development process should achieve. Decisions should be sympathetic to local character while not preventing or discouraging appropriate innovation or change (such as increased densities), developments should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Local Plan Policy EE1 provides a range of requirements for new residential development and the supporting text refers to the careful planning required for such development to meet the objectives of the policy.
- 7.5 The application site is a former builder merchants and is adjacent to residential properties opposite and east of the site and with commercial to the rear and west. The surrounding area has a varied appearance with properties predominantly having small set backs from the road with on street parking. The heights of the properties are mostly two storey with tall pitched roofs with some having accommodation in the roof area. The properties are mostly housing, however, there are flats along Station Road and in the surrounding area. Charles House which is a four storey residential flatted unit with the fourth floor set in from all elevations is located to the northwest of the site. The proposal would include off street parking inc. EV charging spaces and secure cycle storage parking.
- 7.6 The proposal would be taller than the adjacent neighbouring properties, however, the fourth floor would be set in from all elevations. With the height nearest to the closest neighbouring property, 22 Station Road, being similar to the ridge height.
- 7.7 The proposed change of use of the site to residential would be in keeping with the predominant use of the area and the scale and design of the proposal would not be over-dominantly within the street scene or result in poor design which would be harmful to the character and appearance of the area. It is considered that the proposal would comply with Policy EE1 of the Local Plan and policies of the NPPF in this regard

#### Impact on neighbouring properties.

- 7.8 The surrounding area is predominantly residential, and the proposal would replace existing buildings which are mostly 2 storey with pitched roofs with a four storey flat roof building. The proposal would extend beyond the rear elevation of the closest neighbouring adjacent property (22 Station Road), which is commercial at ground floor with a residential flat at first floor level. However, this would be limited at a depth of approximately 2.5 metres. In addition, the fourth floor would be set in off this side elevation. No windows are proposed on the side elevations which would face onto this property. No. 22 is a two storey property and the rear garden is already overlooked by the first floor flat and by their attached neighbour. It is therefore considered that the proposal by nature of its limited projection beyond the rear elevation and its design would not materially result in an overbearing or unneighbourly form of development to the detriment of the occupiers of this neighbouring property.
- 7.9 The proposal would retain good separation distances to the neighbouring property 46 Station Road (which is a commercial unit) with the proposal including a surface car park adjacent to the boundary with the proposed building approximately 20 metres away from the boundary. Whilst there would be windows and external amenity areas facing the property, it is considered that because of the use of No. 46 being commercial, the proposal would not materially result in overlooking or loss of privacy to the occupiers of this property and would not have an adverse impact on the amenities of this property.
- 7.10 The rear boundary of the site abuts an access road which serves a number of commercial properties including a vehicle rental business. The proposed building would extend to within 1.5 metres with this boundary. It is noted that there is a window in this building in the ground floor elevation facing the application site. This serves an office area. This building is outside of the application site and there are posts for fencing along the boundary which has since been removed. The window would look out onto the car parking area. The proposal would include windows which would face the properties to the North. However, in view of the adjacent land use the proposal would not overlook or lead to an unacceptable loss of privacy. In addition, it is not considered that the proposal would be materially overbearing to the users of the adjacent site, the proposal would comply with Policy EE1 of the Local Plan in this respect.
- 7.11 The proposal would face onto Station Road where properties predominantly face onto the road with a small set back from the pavement. The proposal would follow the same design principles. With windows facing the road with a small set back from the pavement with landscaping. The adopted design guide states that across the street, 10 metres is considered an accepted distance for sufficient privacy. The proposal would comply with this with a separation distance of approximately 14 metres. The proposal would be clearly visible from properties across the street and would impact on the amenities of the occupiers of these properties more than the existing situation. However, the height of the proposal would not be significantly dissimilar to that of other properties nearby, furthermore the proposal has been designed to break up the mass and bulk of the proposal so as not to be materially overbearing to the detriment of the occupiers of the adjacent neighbouring properties. In addition, the proposed residential uses fronting other residential use would not result in material level of overlooking. In addition, it is noted that there are other flats in the road which have similar relationship with properties opposite the road. It is therefore considered that the proposal would comply with policy EE1 of the Local Plan in this respect.

#### Highways

- 7.12 It is proposed to retain the existing access closest to the adjacent commercial unit at No. 46 Station Road and stop up the other access. Letters of objection raise concern about the lack of parking to be provided at the site and the impact this will have on the surrounding area. However, it is noted that the site is located within 210 metres of the Chertsey Railway Station

and two bus stops are located nearby on Eastworth Road approximately 180 – 300 metres away. With the town centre close by. It is therefore considered that the site is in a highly sustainable location with easy access to amenities and public transport. Notwithstanding this, the proposal would provide 20 car parking spaces on the site, with at least four with EV charging and secure cycle storage for approximately 27 cycles. The submitted assessment notes that the proposal would result in a reduction in peak traffic movements from the site during the morning, with only a marginal increase in the evening. The County Highways Authority raise no objection to the application, but recommend conditions regarding the submission of a Construction Transport Management Plan to minimise disruption to the occupiers of the adjacent neighbouring properties during the construction phase of the proposal, subject to this condition and others regarding provision of car parking area, cycle storage, EV charging points and the closing up of two of the existing accesses it is considered that the proposal would comply with Policy SD4 of the Local Plan.

#### Flood Risk and Drainage

- 7.13 The site is within Flood Zone 1 and a Groundwater Source Protection Zone. A Flood Risk Assessment has been submitted in accordance with the requirements of the NPPF which includes details of sustainable drainage.
- 7.14 Surrey County Council as Lead Local Flood Authority (LLFA) is satisfied that the proposal meets the requirements set out in the technical stand and planning policy guidance. It is therefore considered that the site can deal with Surface Water Drainage for the development in a sustainable manner which complies with the NPPF. The details of the drainage scheme can be secured by conditions as recommended by the LLFA.

#### Biodiversity and landscaping

- 7.15 Policy SD7 of the Runnymede 2030 Local Plan requires development to protect existing biodiversity and include opportunities to achieve net gains in biodiversity as well as greening the environment. The existing site is predominantly covered by buildings and hard surfacing with the exception of the rear garden of the bungalow to be demolished. The applicant has submitted a Preliminary Ecological Appraisal. The appraisal details that the site has limited ecological features at the moment and the buildings, garden area and Conifer and Ash trees presently on site are unlikely to support species of ecological importance. The appraisal also lists measures to provide biodiversity net gain, which includes additional planting at the site of trees, shrubs and hedgerow, bird and bat boxes and openings in boundary fences to ensure free movement of small mammals throughout the site and neighbouring properties. Exact details of the biodiversity and landscaping scheme have not been submitted; however, this can be secured via condition. Surrey Wildlife Trust raise no objection to the application. It is considered that the proposal would comply with Policy SD7 of the Runnymede 2030 Local Plan

#### Housing Mix

- 7.16 The proposal would provide 27 units being a mixture of 1, 2 and 3 bedroom units. These would all comply with the size requirements as required by Policy SL19 of the Local Plan. The applicant has advised that the proposal would provide 9 affordable housing units in accordance with adopted Policy SL20. Furthermore, the applicant has advised that if planning permission is secured then the proposal would come forward as 100% affordable. However, it is noted that this is not the current proposal to be determined. It is considered that the proposal would comply with policies SL19 and SL20 of the Runnymede 2030 Local Plan.

#### Land Contamination



- 7.17 No objections have been raised by the Council's Contaminated Land Officer subject to conditions securing a site characterisation to identify if there is any contamination on the site, with further remediation measures to reduce risks if identified. Subject to this condition, the proposal would comply with Policy EE2 of the Local Plan.

#### Noise and Air Quality Management

- 7.18 As indicated above, the site is in a predominantly residential area, with light industrial uses to the east and south of the site. The Chertsey to Addlestone Railway line approximately 30 metres to the south, however this is located the other side of the existing commercial units to the south/rear of the site. The submitted noise assessment notes that the site does suffer from noise disturbance, but this could be controlled by remediation measures including glazing and acoustic insulation, exact details of this have not been submitted and therefore a condition is recommended for further details to be submitted.
- 7.19 The site is not close to an air quality management area and it is not considered that the proposal would be affected by air quality or materially contribute to air quality once it has been completed. However, during construction of the proposal, this may cause dust nuisance. This could be controlled via a dust suppression scheme and a condition requiring the submission of these details prior to construction of the site is recommended. Subject to the above conditions, the proposal would comply with Policy EE2 of the Local Plan.

#### Renewable Energy

- 7.20 Policy SD8 of the Runnymede 2030 Local Plan refers to renewable and low carbon energy. The policy states that major development proposals will be required to submit an energy statement demonstrating how the energy hierarchy has been applied and how it will be implemented. The applicant has submitted a Sustainability and Energy Statement which states that the proposal would be constructed of methods to reduce CO2 and would provide 21 photovoltaic panels on the roof, in addition water saving measures would be included in the units. Therefore, it is considered that the proposal would comply with Policies SD7 and SD8 of the Runnymede 2030 Local Plan.

#### Thames Basin Heath Special Protection Area (TBH SPA)

- 7.21 The site lies within 5km of the Thames Basin Heaths Special Protection Area. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced, they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.
- 7.22 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed

mitigation, to reach a conclusion as to whether the proposal has a residual adverse effects that lead to a likely significant effect on habitats at the THBSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has agreed to submit a S106 with a clause for mitigation on the TBH SPA. The Council's appropriate assessment requires a contribution of £44,045.63 towards the provision of SANG and £17,550.00 towards the provision of SAMM in accordance with the Council's adopted SPG. Subject to securing the SANG and SAMM contributions by way of the S106 agreement, it is considered that the proposal would address the impacts of the development on the TBH SPA in accordance with Policy EE10 and the NPPF.

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

- 8.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment.

## **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 application site is in the Urban Area and would provide a net addition of 26 units to the housing supply in the Borough. The site would reuse an existing site for residential in what is a predominantly residential area. The site would make an efficient use of land for residential development and the design and character of the proposal is not considered to be harmful to the character of the area or on future occupiers. The traffic and highway safety aspects of the

proposal have been assessed by Surrey County Highways who raise no objection to the application. There are no other technical planning issues which would prevent planning permission being granted in accordance with the development Plan and the NPPF.

- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD2, SD3, SD4, SD5, SD7, SD8, SL19, SL20, SL26, EE1, EE2, EE9, EE10, EE11, EE12, EE13 and IE3 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 and conditions:

SAMM (TBH SPA) Financial contribution of £17,550.00

SANG (TBH SPA) Financial contribution of £44,045.63

The provision and deliverability of 35% affordable housing mix to consist of 2 first homes and 7 affordable rent.

### **Conditions**

1) Commencement

The development for which full planning permission is hereby granted must be commenced no 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.

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

3) External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations of the dwellings shall be submitted to and approved by the Local Planning Authority. The approved materials shall be used for the purposes of constructing the approved development, with no variations, unless otherwise agreed in writing by the Local Planning Authority.

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

4) Hard and soft landscaping

Full details of both hard and soft landscaping works including tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted.

This shall include indications of all changes to levels, hard surfaces, walls, fences, or other means of enclosure within or around the site, access features, minor structures, the existing trees and hedges to be retained, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development. The above details should also be supported by a phasing plan/timetable for the delivery on the hard and soft landscaping.

(b) 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 in accordance with the phasing plan/timetable agreed with the Local Planning Authority.

Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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

5) Acoustic glazing and ventilation

Before the development hereby approved is occupied details of the acoustic glazing, and ventilation for the residential properties as outlined in the submitted Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority with the approved measures installed and retained in perpetuity.

Reason: To minimise potential noise impacts to the occupiers of the proposed units and to comply with Policies EE1 and EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

6) Surface Water Drainage

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

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 11 litres/sec, including evidence of small-scale sustainable drainage measures incorporated on site.
- 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- 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 drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

7) Suds Verification Report

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 and 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 National Non-Statutory Technical Standards for Suds.

8) Closure of existing accesses

The development hereby approved shall not be first occupied unless and until the existing access from the site to Station Road has been permanently closed and any kerbs, verge, footway fully reinstated

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

9) Creation of vehicular access

No part of the development shall be first occupied unless and until the proposed modified vehicular access to Station Road has been constructed and provided in general accordance with the approved plans and thereafter shall be kept permanently clear of any obstruction over 0.6m high.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

10) Provision of parking spaces

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

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

11) EV Charging

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

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

12) Cycle parking

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

The secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

### 13) Construction Transport Management Plan

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

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

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 does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

### 14) Land Affected by Potential Contamination

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

#### (i) Site Characterisation

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning

Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

(a) a survey of the extent, scale and nature of contamination;

(b) an assessment of the potential risks to:

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

(ii) Submission of Remediation Scheme

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

(iii) Implementation of Approved Remediation Scheme

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

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

(iv) Reporting of Unexpected Contamination

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



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

15) Sensitive Lighting Scheme

Before any external lighting is installed at the site (excluding within the curtilage of a private residential properties), details shall be submitted to and approved in writing by the Local Planning Authority. 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.

16) Renewable Energy and Water Efficiency

The development hereby approved shall provide renewable energy technology, energy efficiency and water efficiency measures as outlined in the submitted and approved Sustainability and Energy Statement dated 14 March 2022 to ensure that a minimum of 10% of the predicted energy consumption of the development would be met through renewable energy/low carbon technologies unless otherwise agreed in writing by the Local Planning Authority.

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 technologies and to comply with Policy SD8 of the Runnymede 2030 Local Plan and guidance in the NPPF.

17) Dust suppression and air quality

Prior to commencement of development details of a dust suppression scheme shall be submitted to and approved in writing by the Local Planning Authority with such details operational throughout the construction period of the development.

Reason: To minimise the potential dust soiling effects on the occupiers and users of the adjacent neighbouring properties and to comply with Policy EE2 of the Runnymede 2030 Local Plan

18) Biodiversity

No development shall take place until a Biodiversity improvement strategy for on site works has been submitted and approved in writing by the Local Planning Authority. The Strategy should be based on the submitted Preliminary Ecological Appraisal and

Ecological Impact Assessment. All on site biodiversity enhancements within public areas shall be delivered prior to that area of the site being opened up for public use.

Such measures shall be retained in perpetuity.

Reason: To protect the habitat of bats, any invertebrates, reptiles and small mammals, the flora and fauna and ecological value of the site and to comply with Policies EE9 and SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

## **Informatives**

### 1) Summary of Reasons to Grant Consent

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

- 2) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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/permits-and-licences/traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
- 3) The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 4) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 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) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developer's expense.

7) Unless it can be demonstrated that it is unfeasible to do so the applicant shall achieve compliance with Part M4(2) of the Building Regulations with 5% of dwellings achieving Part M4 (3).

8) The applicant is advised to incorporate into the development the principles and practices of the 'Secured by Design' scheme in consultation with the Designing Out Crime Officer.

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 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.

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

#### **Recommendation Part B:**

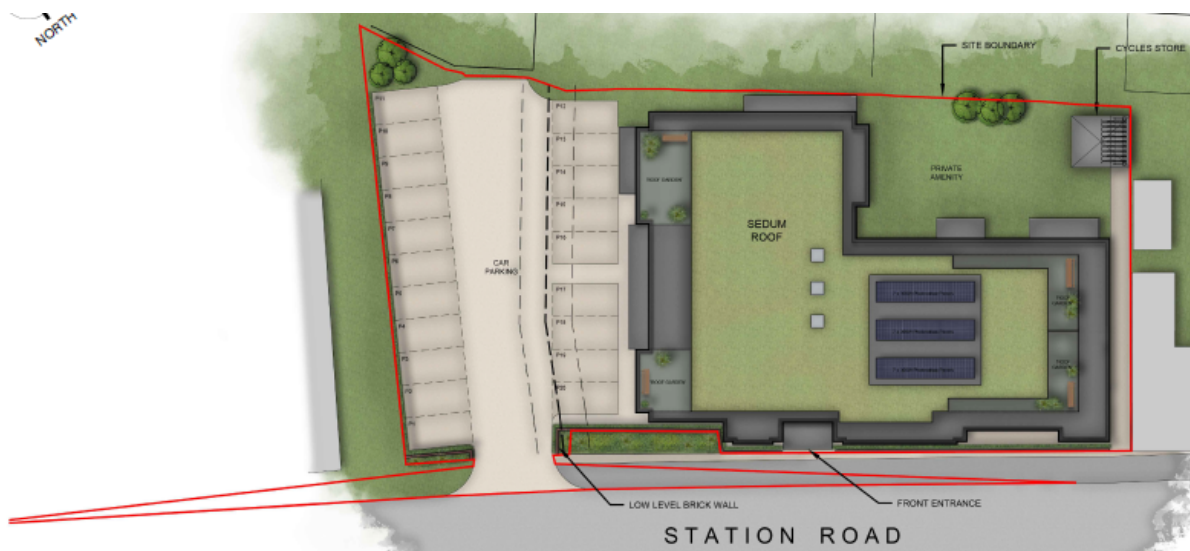
The CHDMBC be authorised to refuse planning permission should the S106 not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant refusal of the application. Reasons for refusal relating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

RU.22/0553 – Land at 24 and 36-38 Station Road Chertsey

Location Plan



Proposed block plan

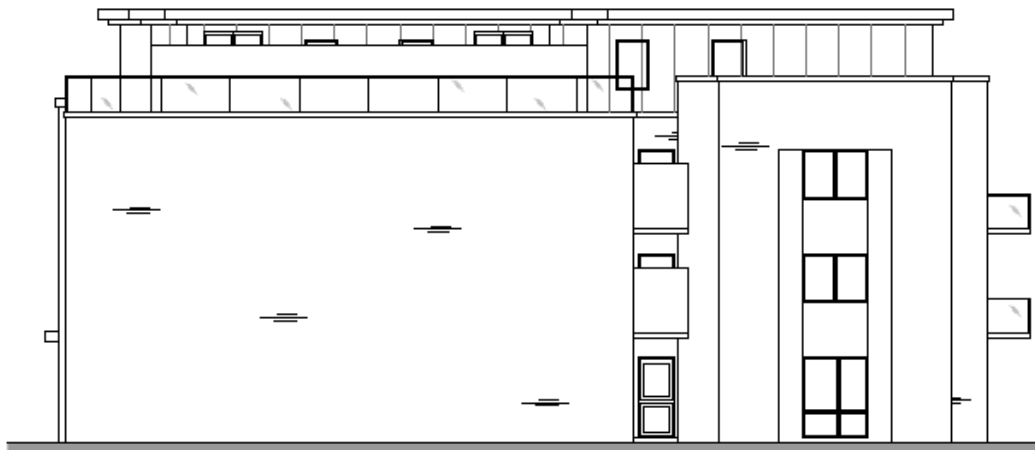


### Proposed street scene



FRONT ELEVATION (FACING STATION ROAD)  
FLATS 1 - 27

### North western side elevation



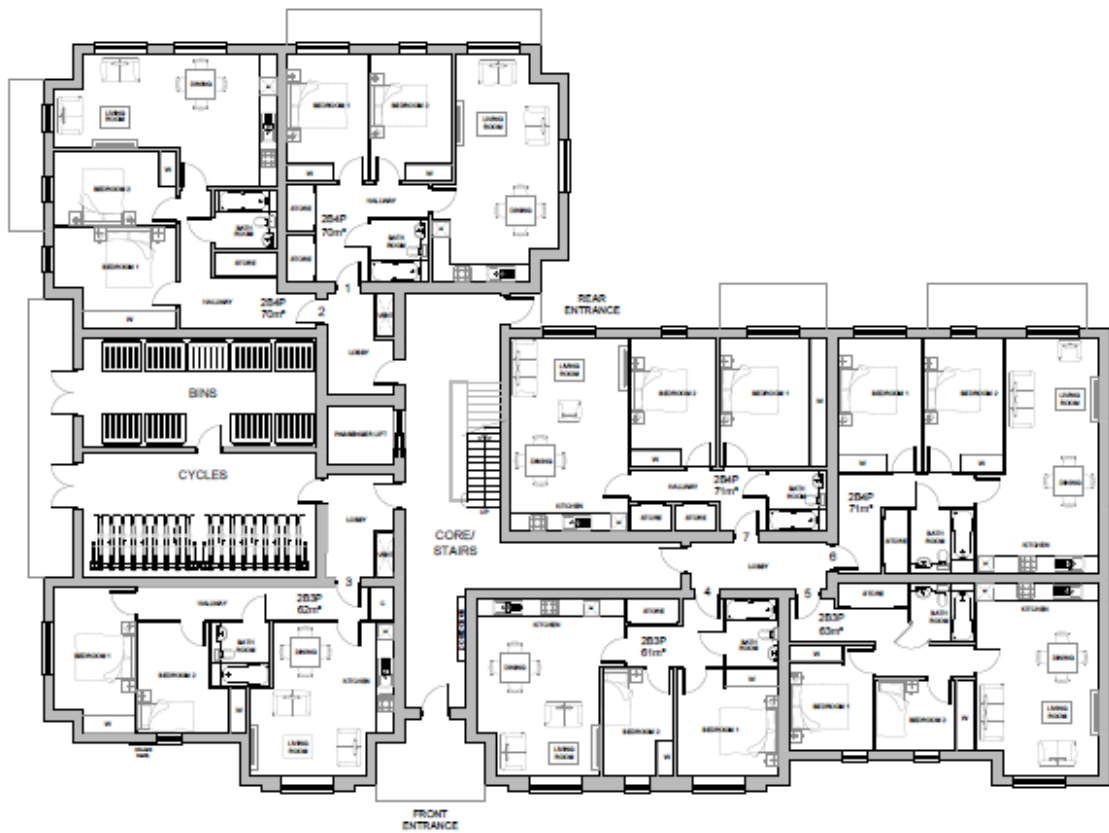
### Rear elevation



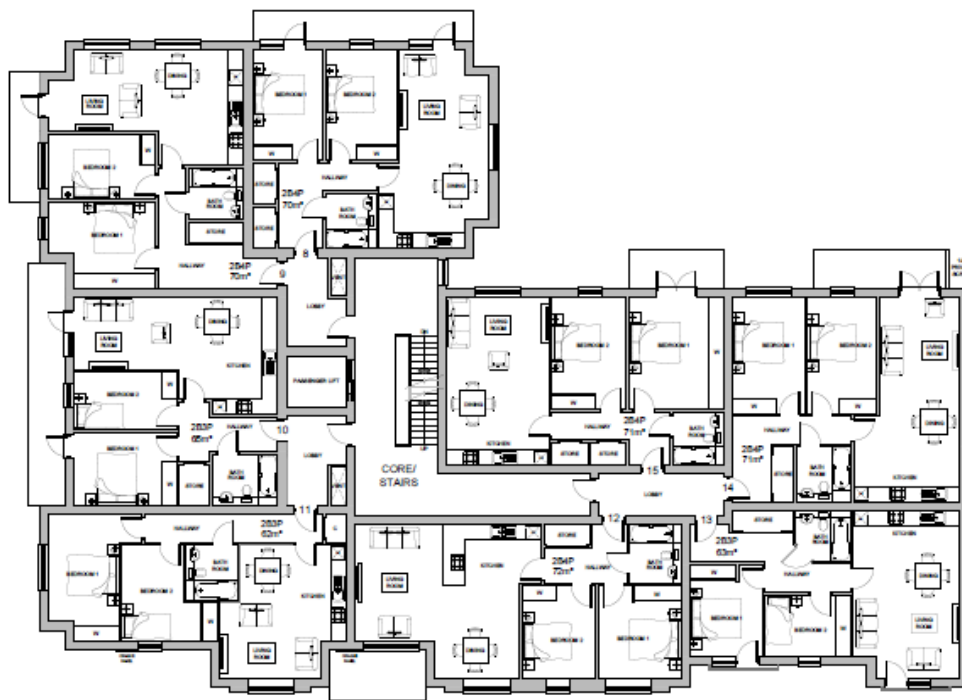
South western side elevation



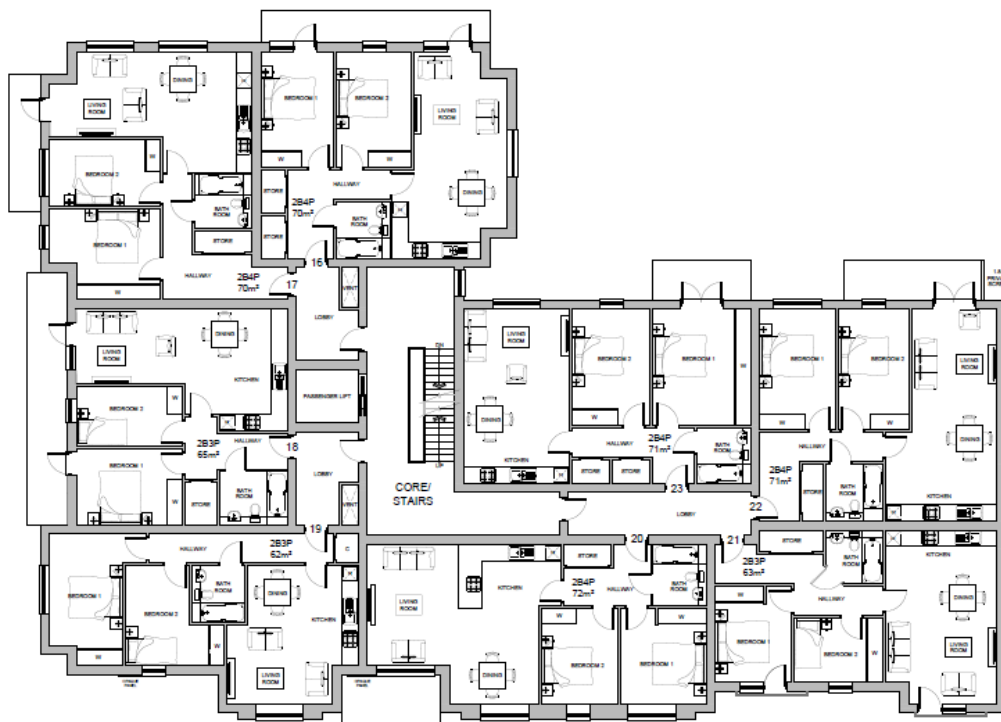
Ground floor plan



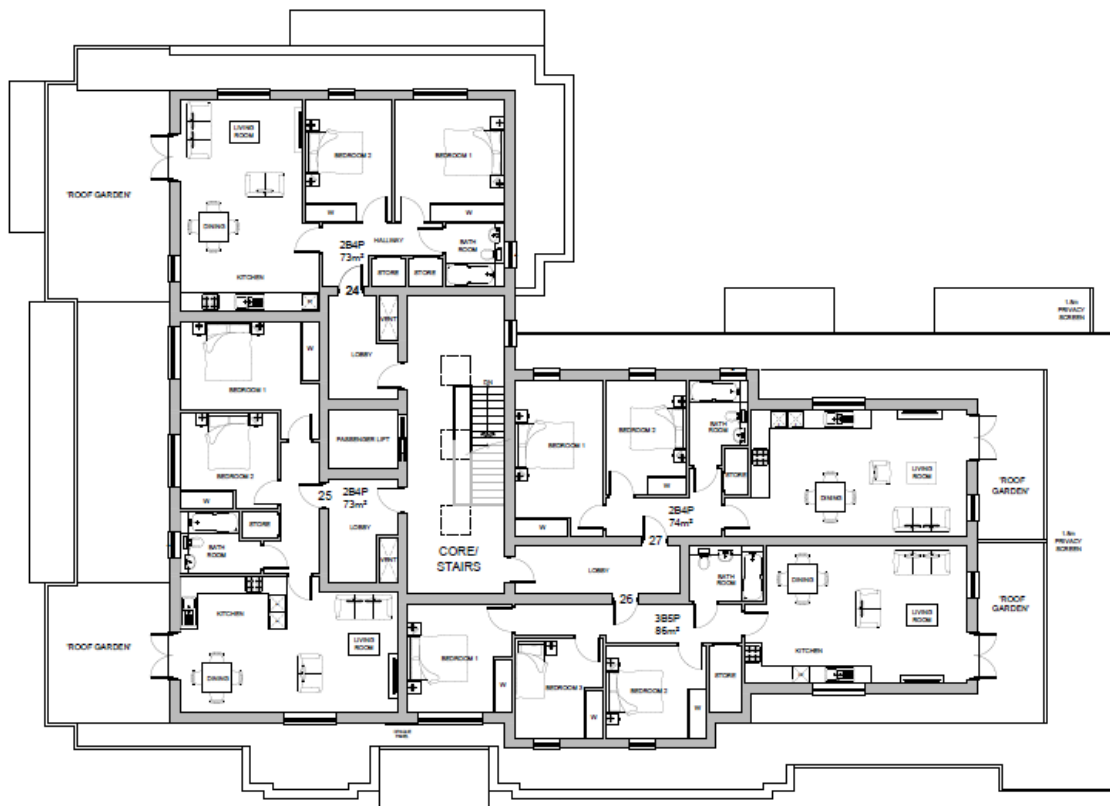
1st floor plan



2nd floor plan



### 3<sup>rd</sup> floor plan



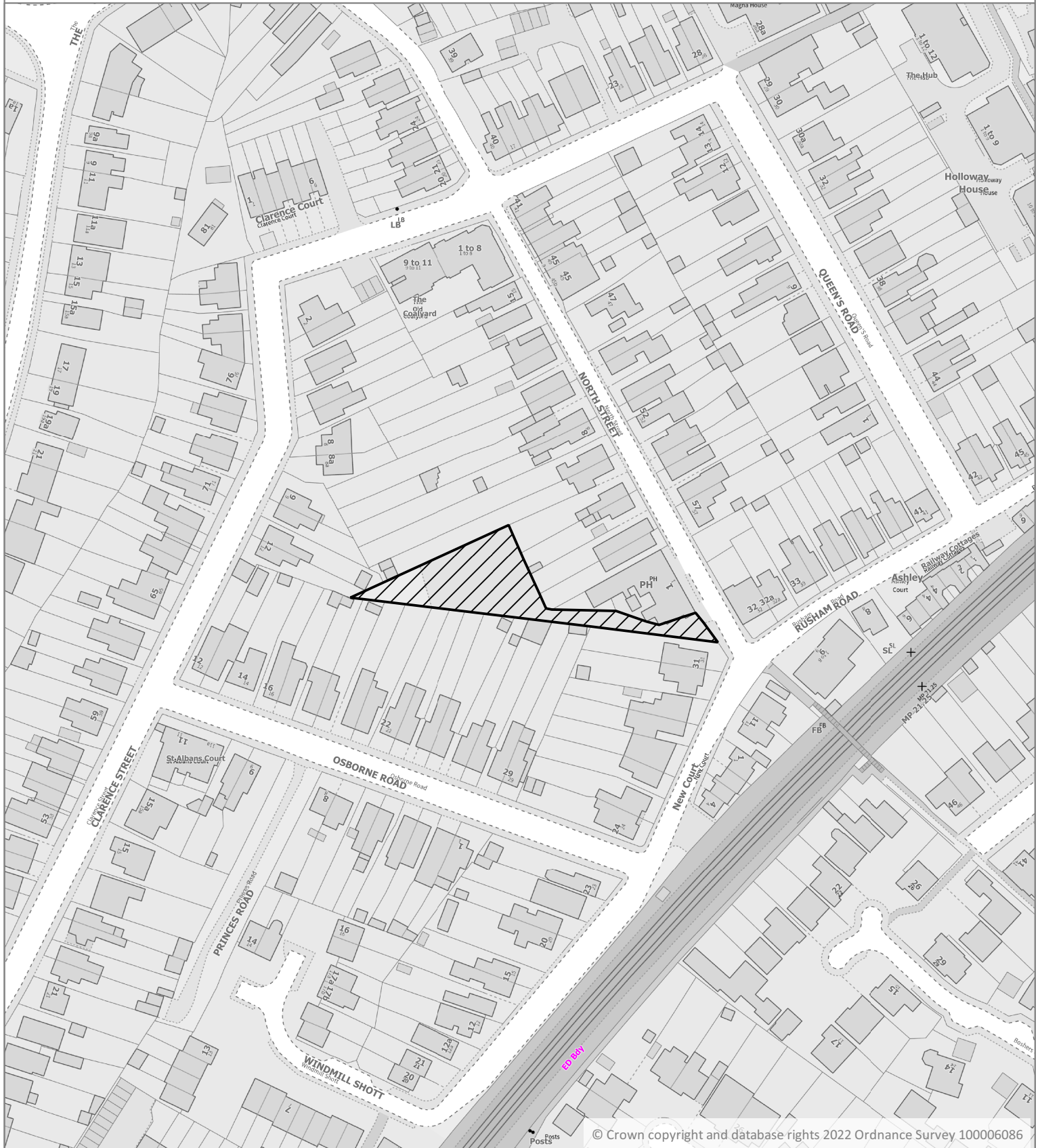




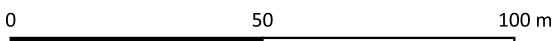
FOR LOCATION PURPOSES ONLY

Date: 07/09/2022

Rear of North Street, Egham



Scale: 1:1,500



**RU.22/0992**



## Committee Agenda Reference 5C

<b>APPLICATION REF:</b>	<b>RU.22/0992</b>
<b>LOCATION</b>	The Rear of 1 North Street, Egham, TW20 9RP
<b>PROPOSAL</b>	Construction of a residential development to the rear of 1 North Street, Egham comprising 7 flats together with associated amenity space, parking, refuse and recycling store and bicycle store.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	16/08/2022
<b>WARD</b>	Egham Town
<b>CASE OFFICER</b>	Jennifer Cade
<b>REASON FOR COMMITTEE DETERMINATION</b>	Number of residential units proposed
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### 1. SUMMARY OF RECOMMENDATION

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

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

- 2.1 The application site consists of a backland site located to the west of The Foresters Pub which currently serves as a car park for the pub. The site is accessed via a long narrow access road from North Street to the east. The application site is mostly hardstanding with a small area of grass in the western corner. The surrounding area is predominantly residential apart from the pub. The application site is located within the Urban Area.

### 3. APPLICATION DETAILS

- 3.1 This application is a full application which seeks permission for the erection of a 2.5 storey detached building comprising 7 flats (5 x 1 bed, 2 x 2 bed). The proposed building would have a T shaped footprint with a ridge height of 9.2 metres with a pitched and crown roof design with side and rear gables incorporating buff brick with red brick detailing and grey slate tiles. 2 rear dormers and roof lights are also proposed. Amended plans have been received during the course of the application which involved changes to the internal layout of Flat 7 with no external changes.

### 3.2

	Type	Internal floor area (m <sup>2</sup> )	Comparison with previous proposal
<b>Flat 1</b>	Studio	41.02	No change
<b>Flat 2</b>	2 bed 3 person	61.10	No change
<b>Flat 3</b>	1 bed 2 person	52.38	No change
<b>Flat 4</b>	1 bed 2-person duplex	58	No change
<b>Flat 5</b>	2 bed 3 person	61.10	No change
<b>Flat 6</b>	1 bed 2 person	52.38	Previously part of flat 6 which was a 2 bed 4 person duplex 98.61m <sup>2</sup>
<b>Flat 7</b>	Studio	37.62 (with 75% above 2.3m in height)	As above

3.3 To the front of the site is an area of car parking with 6 spaces. A bike store is located on the southern side of the building and bin store is located alongside the access road. A communal garden is to the west of the site and 6 of the flats have their own private balcony or patio area.

3.4 A Design and Access Statement, Planning Statement, Renewable Energy Statement and Car Park Management Plan have been submitted with the application.

## 4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.21/2186	Construction of a residential development to the rear of 1 North Street, Egham comprising 6 flats together with associated amenity space, parking, refuse and recycling store and bicycle store (amended plans and description 21/03/2022). Grant Consent- subject to conditions June 2022
RU.21/1593	Construction of a residential development to the rear of 1 North Street, Egham comprising 8 flats together with associated amenity space, parking, refuse and recycling store and bicycle store. Withdrawn November 2021
RU.19/1741	Proposed demolition of an existing metal gas bottle enclosure associated to the public house use and introduction of a new smaller purpose built brickwork enclosure. Removal of internal staircase to first floor accommodation and the introduction of a new external metal staircase for separate access via an existing window opening which will be replaced with a glazed door. External staircase will offer better means of escape and additional storage internally for public house. Part demolition of the existing female WC's to make smaller and refurbish WC's. Grant Consent- subject to conditions February 2020

RU.01/0809	Change of use of part of the ground floor of the public house (Class A4) to 4. No. additional bedrooms for bed and breakfast. Grant Consent- subject to conditions September 2001
RU.00/0372	Erection of a permanent brick building incorporating 5 chalets to provide overnight accommodation and a detached garage. Grant Consent- subject to conditions July 2000
RU.99/0494	Retention of external timber staircase to existing living accommodation, rooflight in existing roof slope and closure of existing double door on side elevation to provide a single opening. Grant Consent- subject to conditions June 1999

## 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 Other documents which might be a material consideration in determination:
- Infrastructure Delivery and Prioritisation Supplementary Planning Document
  - Runnymede Design Supplementary Planning Document
  - Green and Blue Infrastructure Supplementary Planning Document

## 6. CONSULTATIONS CARRIED OUT

### 6.1 Consultees responses

Consultee	Comments
RBC Drainage Engineer	No objection subject to SuDS condition
RBC Environmental Health Officer	No objection
RBC Tree Officer	No objection
RBC Deputy Direct Services Manager	No objection subject to further details of bin store design
SCC County Highways Authority	No objection subject to conditions

### Representations and comments from interested parties

6.2 27 Neighbouring properties were consulted in addition to being advertised on the Council's website and 5 letters of representation from 4 properties have been received which can be summarised as follows:

- First application was granted permission against our wishes. Now a new application is being submitted seeking to squeeze an extra unit into the site
- Access problems have been much commented on and they would be exacerbated by the approval of this scheme
- Application could be seen as 'pushing one's luck' or even 'taking the mickey'
- Urge planning committee to reject the application
- Concerned regarding narrowness of access road
- Damage has been caused to boundary fences by construction vehicles since last application was approved
- Pleased planning committee insisted on widening of the access road at its narrowest point which was conditioned
- Disappointed that this new application has come in which seems to be an attempt to disregard the planning committees' recommendations
- Applicant appears to have ignored concerns about narrowness of the access road
- Should be rejected but if it is approved ask that the applicant be obliged to restore and replace the crash barriers along the length of boundary fence with pub as a condition of planning approval and before any works are undertaken
- Increase to 7 flats should mean increase to 7 parking spaces
- Applicant has stated that there is 'no guest accommodation presently on site' however current refurbishment and upgrading of rooms above and to the rear of the pub is ongoing. Needs clarification from the owner his intentions for the future of the pub
- Pub manager space given up for occupants of rooms above the pub
- New application gives no detail on 'onsite turning for construction vehicles' and for 'parking and unloading of plant materials' as recommended by Transport Development Planning Officer
- Considerable noise at the rear of the pub with drinking customers occupying tables at the rear and 24 hour plant noise
- No detail on how development will be lit particularly at night given position in unlit garden landscape
- Target of just 10% renewable energy provision is particularly disappointing for a new build
- Concerns regarding parking with North Street being particularly narrow which already causes problems for parked and passing cars
- Concerns regarding construction traffic
- Concerns regarding noise and disturbance caused by future occupiers
- Block of flats would block views and cause loss of privacy
- Is the Runnymede Design SPD just for show or does it have some meaning?
- Hope development will remain 6 flats only with no further subdivision of property
- Development should be smaller and single storey to fit in better with local area or limited to only 2 houses with gardens
- Do not feel development would fit in with period architecture of the area visually
- Large communal bin area that would attract rats and other pests
- Many sites in the surrounding area that have recently been built on to create flats but no new houses
- Concerns regarding loss of pub car park

- Can count 11 cars currently parked in pub car park
- Access road is not large enough for the build and for emergency and service vehicles to use

## **7. PLANNING CONSIDERATIONS**

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the principle of the development of the site for 7 flats, the impact on the character and visual amenities of the street scene, impact on residential amenities of future and adjoining occupiers, highway safety and parking. The impact on the neighbouring public house is also a consideration.
- 7.2 This scheme follows the grant of permission for a similar scheme for 6 flats which was granted under RU.21/2186 which is a material consideration of significant weight in the determination of this application. The building size, position, scale and external appearance remain the same as that previously approved under RU.21/2186, the only change is to the internal layout which results in an increase in the number of residential units proposed from 6 to 7.
- 7.3 In terms of the design and appearance of the block of flats, the existing site is a car park to the rear of the Foresters Pub. The principle of the loss of this car parking area and its redevelopment for flats has already been accepted under the approval of the previous application RU.21/2186. The current proposal has the same external design, scale and form as that approved under RU.21/2186 and as such it would be wholly unreasonable to raise any objections on these matters given that there has been no material change in circumstance or policy since the last application was determined.
- 7.4 With regard to the residential amenity of future occupiers, Policy SL19 sets out minimum space standards for new developments which have been complied with (detailed in section 3.2). Compared to the previous application approved under RU.21/2186 the number of flats has been increased from six to seven. Flat 4 is a duplex flat split over two levels with the upper floor located within the roof space which is served by a dormer and roof lights. Flat 7 is a studio flat located solely within the roof space and is served by a dormer window and several roof lights. Six of the seven flats benefit from a private balcony or patio and all flats will have access to the communal garden to the west of the site. All flats are dual aspect with sufficient windows to provide an adequate standard of internal amenity.
- 7.5 The communal garden is a triangular shape and has a depth of approximately 21 metres with an area of 155sqm. The provision of both private and communal external amenity areas is considered to provide an acceptable level of external amenity space for the proposed flats. Privacy screening and planting are proposed to separate the private areas from the communal areas for Flats 1 and 2 which are adjacent to the communal area and side access to prevent any loss of privacy.
- 7.6 The proposed block of flats is located a minimum of 26 metres away from the Foresters Arms pub. The pub has no outdoor areas to the rear and the surrounding area is predominantly residential. Given this, and the proposed block of flats being located a good distance from the

pub the proposal is not considered to result in an unacceptable relationship with regard to noise and disturbance from the pub.

- 7.7 A bin store is proposed along the access road in the location of the existing commercial bin store which has been amended since its original submission. The Councils Recycling Officer has reviewed the scheme and stated the location and access to the bin area is acceptable but would require further details about the bin store design which can be secured by way of condition. The bin store is located some distance away from the residential flats which is a negative of the scheme but is the same as previously approved under RU.21/2186 and is not considered to be unduly harmful. Therefore, the proposal is considered to provide an acceptable standard of living for future occupiers having regard to Policies EE1 and SL19.
- 7.8 In terms of the residential amenity of neighbouring occupiers the site is surrounded by the rear gardens of properties along North Street, Clarence Street and Osbourne Road. The proposal has the same design, scale, form, and window/ balcony positionings as that approved under RU.21/2186.

The approximate minimum separation distances between the proposed building and nearest properties remain as previously proposed and as noted below:

North Street - 31 metres to 3 North Street  
Clarence Street - 33 metres to 11 Clarence Road  
Osbourne Road - 26 metres to 22 Osbourne Road

The Runnymede Design Guide states that a distance of 22 metres between habitable rooms is an acceptable distance which is met in all cases.

- 7.9 As previously proposed all the windows on both side elevations are indicated on the plans to be obscurely glazed and non-opening up to 1.7 metres. As previously stated under the consideration of the previous application it is noted that there will be some overlooking of rear gardens however, given the depth of rear gardens, separation distances and location of windows with privacy screening to balconies this is not considered to amount to an unduly harmful impact and this remains the case.
- 7.10 The proposed block of flats will be located to the south of gardens for properties along North Street and so will result in a degree of overshadowing, however as previously stated these properties benefit from very deep gardens and the roof has been designed to be hipped in from the front, rear and sides so as to reduce the massing and given the separation distances and garden depths is not considered to result in harmful overshadowing or overbearing impacts. Therefore, the proposal is not considered to have a negative impact on the residential amenity of neighbouring properties and is considered to comply with Policy EE1.
- 7.11 The site would be accessed via the existing vehicle access point off North Road and 6 parking spaces, 8 cycle store spaces and space for turning would be provided within the site. A car park management strategy has also been submitted. The County Highways Authority have been consulted and have advised that the proposal would be acceptable in terms of highways safety and capacity grounds and raised no objection to the application subject to conditions regarding layout of parking area, a construction management transport plan, cycle parking and electric vehicle charging.

- 7.12 There would be 6 parking spaces proposed, to serve 7 flats and 2 spaces would be retained for use by the pub manager directly behind the pub. The site is in a sustainable location close to Egham town centre and its facilities, the train station and other public transport links. The County Highway Authority acknowledges residents' concerns about parking and states that there are double yellow lines around the priority junction of North Street and Rusham Road and on the southern side of Rusham Road which will help prevent on street parking in dangerous locations. Additionally, the County Highway Authority considers that the parking demand associated with this application is unlikely to have significant or severe impacts on the capacity of the surrounding highway network so is acceptable from a highway's perspective in accordance with the NPPF, local policy and Surrey County Council's maximum parking standards
- 7.13 The Highways Authority also highlight the alternative parking options including Wapse Farm public car park which is a 4 minute walk from the site. Under previous application RU.21/2186 a condition was imposed to require the canopy and single storey porch on the pub to be removed to increase the width at the narrowest point at the entrance to the site to 4 metres. The current application proposes a slightly different section of the canopy and porch to be removed, however this still achieves a minimum width of 4 metres at the entrance point. Therefore, subject to conditions the proposal is considered to comply with Policy SD4.
- 7.14 A landscaping plan has been submitted with the application which the Councils Tree Officer has reviewed. The Councils Tree Officer commented that the scheme would provide screening from the west and north which are the shorter gardens neighbouring the site. They also commented that the larger trees (height of 3-3.5m at planting) would give more instant screening which has been provided. Therefore, the landscaping scheme is considered to be acceptable in accordance with Policy EE11.
- 7.15 A Renewable Energy Statement has been submitted with the application which concludes that installing solar photovoltaic panels on the roof would allow the development to have over 10% of its energy requirements met by renewable or LZC technologies. Conditions in relation to biodiversity, drainage, water efficiency are recommended to comply with Policies EE1, SD7 and EE13.

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

- 8.1 In line with the Council's Charging Schedule the application proposes new residential development and therefore would be liable for a Community Infrastructure Levy contribution. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space.
- 8.2 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. The tariff payable for this development is £180 per sqm.

## **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

- 10.2 The development has been assessed against the following Development Plan policies - EE1, EE2, EE9, EE11, EE13, SL19, SD4, SD7 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

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

- 1 Full application (standard time limit)

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

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

- 2 List of approved plans

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

2715-RDJWL-01-ZZ-DR-A-0025 Rev C11, 2715-RDJWL-01-ZZ-DR-A-0030 Rev C07 received 12/08/2022

2715-RDJWL-XX-XX-DR-A-0016 Rev C08, 2715-RDJWL-ZZ-XX-DR-A-0020 Rev C09, 2715-RDJWL-XX-XX-DR-A-0021 Rev C06, 2715-RDJWL-01-ZZ-DR-A-0041 Rev C02, 2715-RDJWL-XX-XX-DR-A-0015 Rev C06 received 21/06/2022

Renewable Energy Statement (2715-RDJWL-XX-XX-RP-A-009) received 21/06/2022

Car Park Management (2715-RDJWL-XX-XX-RP-A-0031) received 21/06/2022

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

3 External materials (details required)

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

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

4 SuDS (scheme for approval - pre-construction)

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

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

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

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

5 Side screen to balcony

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

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

#### 6 Bin store provision

Prior to the first occupation of the development hereby permitted, details of the siting, size and design of the refuse and recycling bin storage area 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.

#### 7 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. 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.

#### 8 Parking and turning

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

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

9 Cycle storage

Prior to first occupation of the development, cycle storage shall be provided in accordance with details as shown on the approved plan 2715-RDJWL-ZZ-XX-DR-A-1020 Rev C1 received 18/08/2022.

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

10 Electric vehicle charging points (per dwelling)

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

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

11 Renewable energy (as approved)

The development hereby permitted shall be built in accordance with the approved Renewable Energy Statement (2715-RDJWL-XX-XX-RP-A-009) received 21/06/2022 and thereafter retained, maintained and operational for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policies SD7 and SD8 of the Runnymede 2030 Local Plan and guidance within the NPPF.

12 Landscaping

The development hereby permitted shall be undertaken in complete accordance with the approved landscaping details:

2715-RDJWL-ZZ-XX-DR-A-1020 Rev C1 received 18/08/2022

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.

### 13 Biodiversity

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

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

### 14 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.

15 Prior to the commencement of the development hereby permitted the canopy and single storey porch shall be demolished to the extent as shown crosshatched in green on approved plan 2715-RDJWL-XX-XX-DR-A-0021 Rev C06 (received 21/06/2022).

Reason: In the interest of highways safety and neighbouring amenity in accordance with Policy SD4 and EE1.

## **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 Land Ownership

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

### 3 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).

### 4 Accommodation works

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

#### 5 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.

#### 6 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.

#### 7 Electric vehicle charging

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

8 With regard to discharging Condition 6 the applicant should have regard to the comments received from the Councils Recycling Officer received 12/08/2022.

#### 9 Numbering and Naming

The applicant is advised that Runnymede Borough Council is the authority responsible for numbering and naming of properties and new streets in accordance with the Public Health Act 1925. Application forms may be obtained from the Engineering Division. Applications should be made at least two months in advance of the property being occupied.

#### 10 Hours of Construction Works

The applicant is advised that the council has established the following guideline hours for noisy works:

8am to 6pm Monday to Friday; and  
8am to 1pm on Saturday.

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

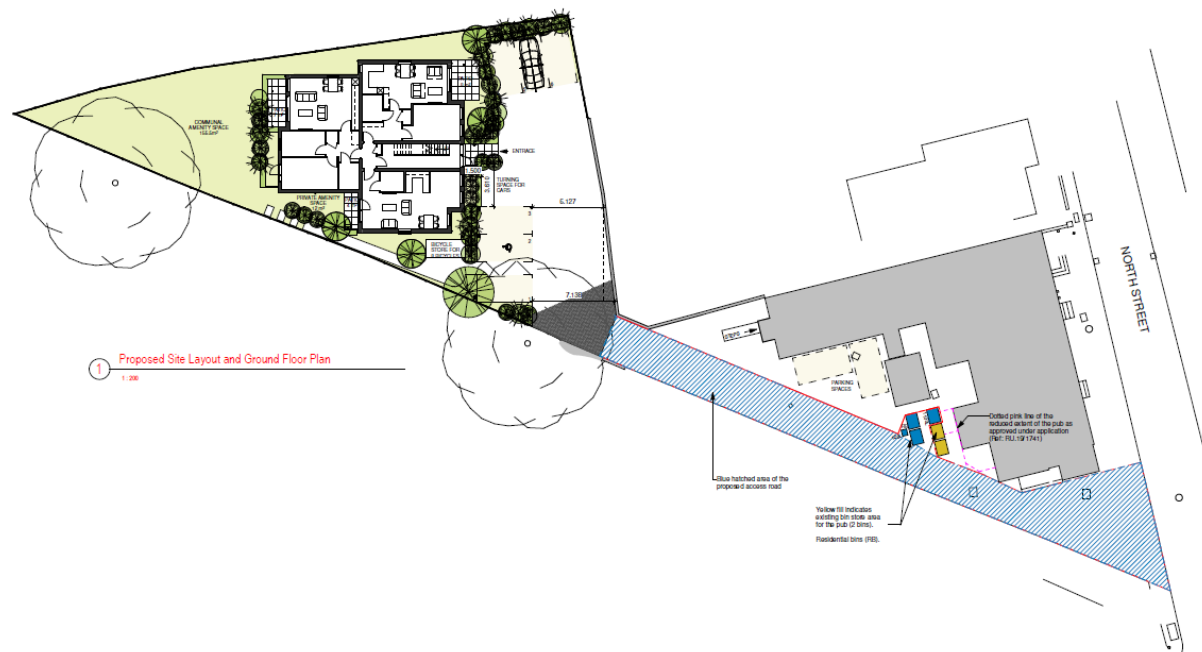
Further information is available from the Council's Environmental Health Department.

# RU.22/0992 Rear of 1 North Street

## Location Plan



## Proposed Site Plan



## Proposed Elevations



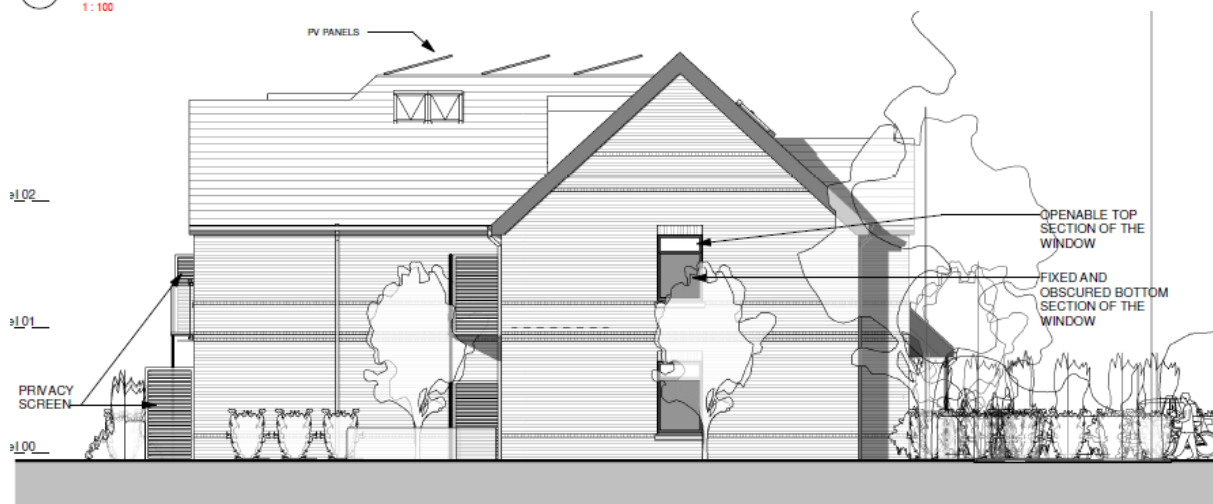
1 Proposed Front Elevation

1 : 100



2 Proposed Rear Elevation

1 : 100



3 Proposed Side Elev

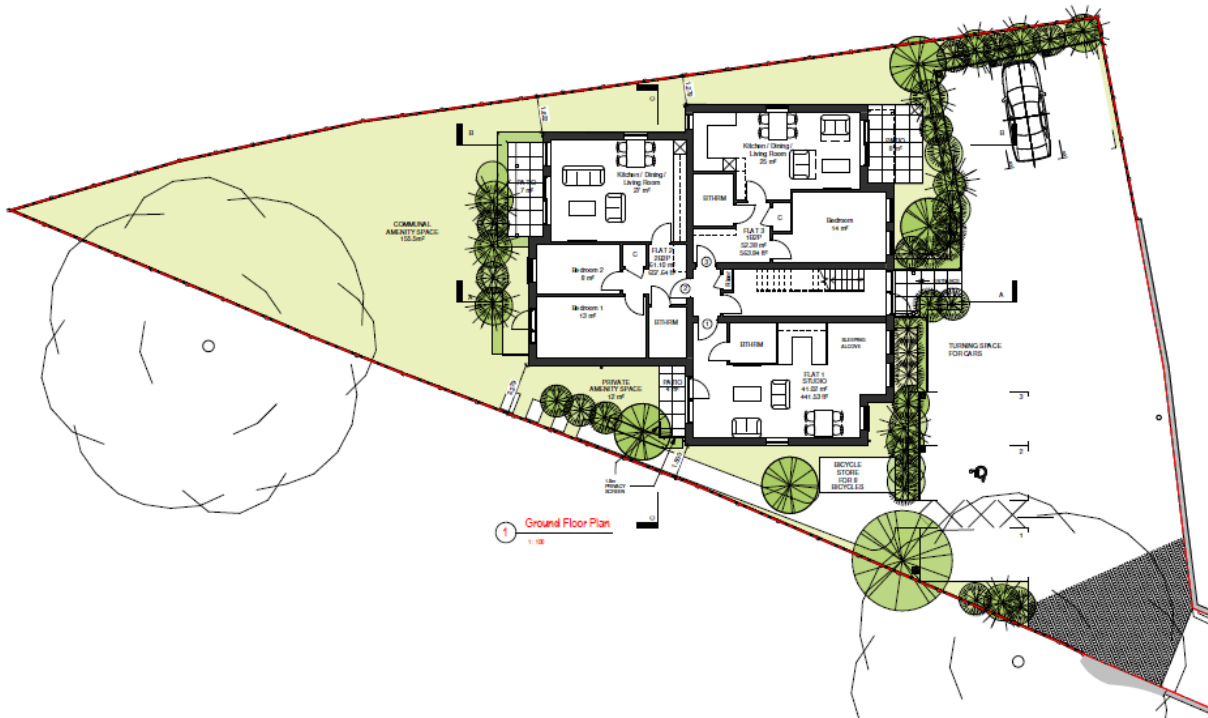
1 : 100



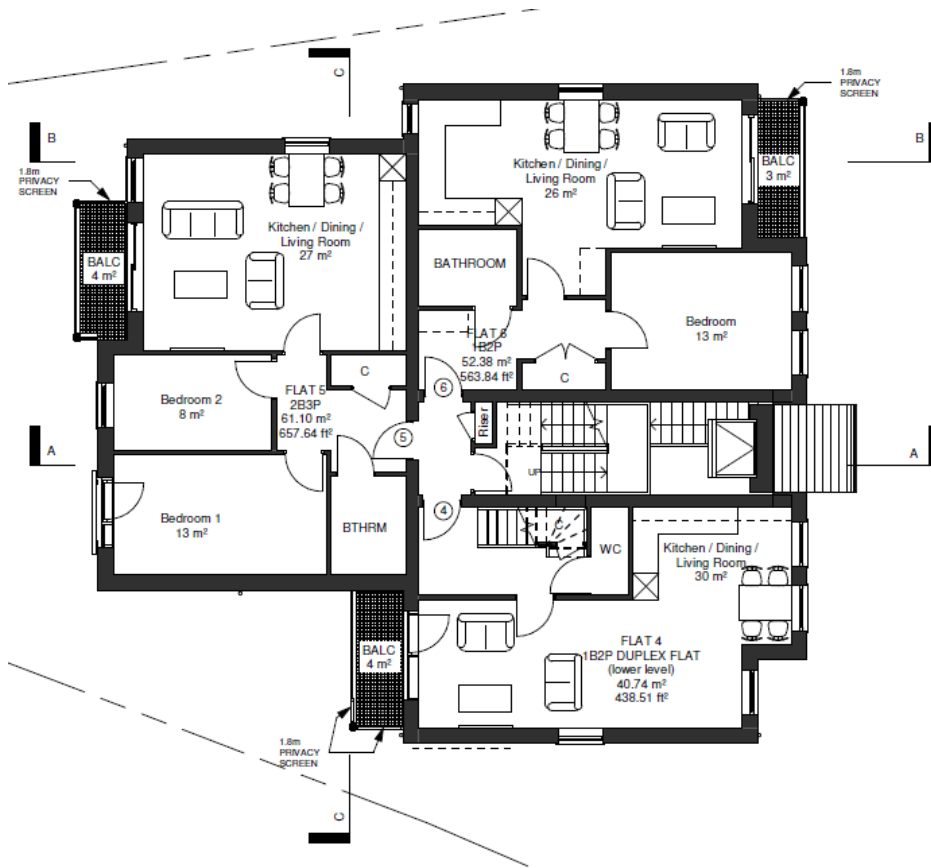


4 Proposed Side Elevation  
1/100

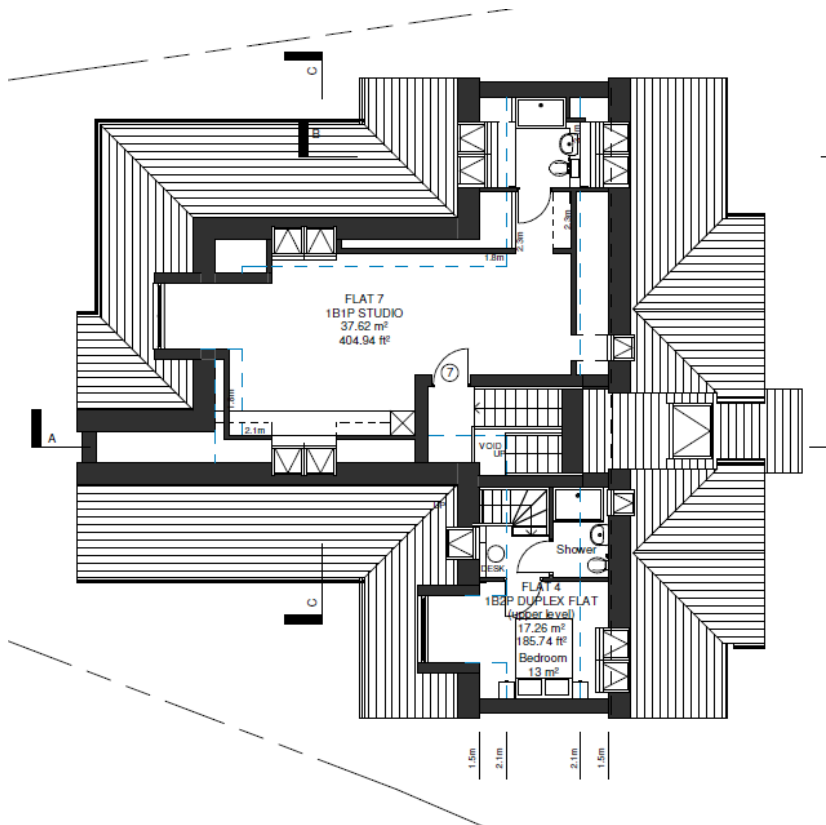
### Proposed Floor Plans



1 Ground Floor Plan  
1/100



2 First Floor Plan  
1:100

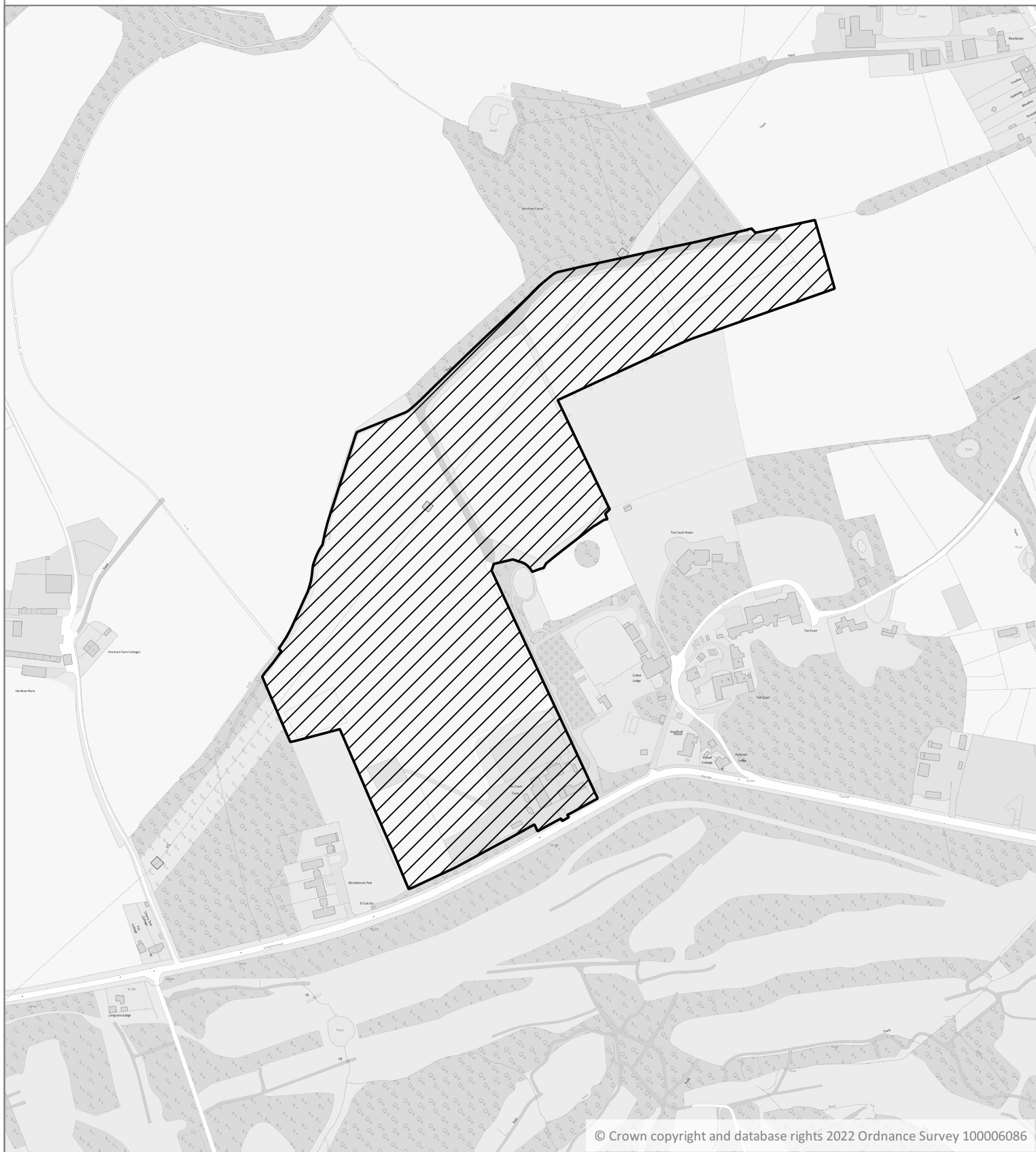


3 Second Floor Plan  
1:100



Date: 07/09/2022

**Angel Farm, Longcross Road, Chertsey, KT16 0DJ**



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Scale: 1:5,000

0 100 200 m

**RU.21/2098**



## Committee Agenda Reference 5D

<b>APPLICATION REF:</b>	<b>RU.21/2098</b>
<b>LOCATION</b>	Angel Farm, Longcross Road, Chertsey, KT16 0DJ
<b>PROPOSAL</b>	Conversion of 1xno.stable block brick building and the replacement of existing timber outbuilding (riding club/office) to deliver 1no. dwelling with mezzanine floor, integral garage, associated landscaping works.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	02/02/2022
<b>WARD</b>	Longcross, Lyne and Chertsey South
<b>CASE OFFICER</b>	Adam Jackson
<b>REASON FOR COMMITTEE DETERMINATION</b>	Called in by Cllr Whyte due to concerns that the proposal represents inappropriate development in the Green Belt.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### 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 the completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure mitigation against the likely impacts of the development on the Thames Basin Heaths Special Protection Area, and the subject to the planning conditions in section 11 of this report.</b>
<b>2.</b>	<b>To refuse planning permission at the discretion of the CHDMBC should the Unilateral Undertaking 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>

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

- 2.1 The application site is known as Angel Farm and has most recently been used as a riding school. The site is located to the north of and is accessed from Longcross Road. The majority of the site comprises of open fields; however the site includes an area of hardstanding within the southeast corner with a cluster of buildings on it, including stables, store rooms and a club house. There is also a ménage in this area. There is an existing gated access to the front of the site, which the proposed development will continue to utilise. There is also a secondary access within the southeast corner from which a track provides access to the fields at the rear.
- 2.2 The overall size of the site is 13 hectares, however the area to be developed (within the hardstanding in the southeast corner) is approximately 1500 sqm. The site is bordered

along the southern boundary adjacent to Longcross Road by a close boarded wooden fence and mature trees subject to Tree Preservation Order (TPO) 6.

- 2.3 The application site is located within the Green Belt and is within 5k of the Thames Basin Heaths Special Protection Area

### 3. APPLICATION DETAILS

- 3.1 The proposal is for the conversion of an existing stable building and the replacement of the timber club room to create 1 x new dwelling. The two buildings will be connected via a new glazed link. It is also proposed to make alterations to the stable building, including:

- A new glazed front gable
- 3 x new rear dormer windows
- 5 x new rooflights to the front
- 2 x rooflights to the rear
- 4 x new/replacement windows on the front elevation
- A full height window/rooflight on the front elevation
- 6 x new/replacement windows and doors on the rear elevation
- A reduction to the floor levels by approximately 500mm
- Changes to the external materials

- 3.2 The height of the building because of the lowering of the floor levels and adjacent ground levels is approximately 6m. A mezzanine floor is being added in at first floor, however the overall footprint of the building will be unchanged. Front and rear garden areas are proposed. A carpark/hardstanding area is proposed to the rear, and the property has an integral garage. The dwelling will utilise the existing main access off Longcross Road.

### 4. RELEVANT PLANNING HISTORY

- 4.1 The Planning History for the site is as follows:

Reference	Details	Decision
CHE.22669	Proposed agricultural dwellings.	Refused (20/08/1970)
RU.83/0471	Siting of mobile home for use in connection with Fan Court Farm.	Refused (19/10/1983)
RU.88/1412	To close the existing access to Sanford House and Linton Lodge, and improve existing access to Fancourt Farm to serve both the Farm and the aforementioned houses.	Granted (16/01/1989)
RU.05/0808	Application for a certificate of existing lawfulness for the use of land for the siting of a residential mobile home.	Granted (26/04/2006)

RU.07/1124	Change of use of part of the land to form training area for horses and erection of 1.5 metre high post and rail fencing to enclose the area.	Granted (03/12/2007)
RU.07/1269	Creation of new vehicular access onto Longcross Road.	Refused (07/01/2008)
RU.08/0366	Creation of new vehicular access onto Longcross Road	Granted (23/05/2008)
RU.08/0842	Erection new building comprising 10 stables and two tack rooms following demolition of five existing buildings.	Refused (17/10/2008)
RU.08/1093	Erection new building comprising 8 stables, 1 storage room and 2 tack rooms following demolition of five stables.	Granted (15/12/2008)
RU.09/1084	Retrospective planning application for a revision to planning permission RU.08/1093 changing the roof design and creating a covered area to the front of the stables.	Granted (10/02/2010)
RU.11/0336	Retention of 6 no. lighting columns 3.2m in height around manege.	Granted (24/05/2011)
RU.11/0338	Retention of shelter overlooking manege	Granted (24/05/2011)
RU.11/0339	Retention of Isolation pens to rear of existing stables demolition of existing remaining 2 covered pens.	Granted (24/05/2011)
RU.11/0341	Retention of track around west and north sides of manege with associated landscaping.	Granted (24/05/2011)
RU.11/0340	Retention of horse exerciser	Granted (24/05/2011)
RU.10/0295	Retrospective planning application for the erection of wooden building for use as riding club office/restroom/meeting area	Granted (27/05/2011)

## **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

5.3 Other documents which might be a material consideration in determination:

- Infrastructure Delivery and Prioritisation Supplementary Planning Document
- Runnymede Design Supplementary Planning Document
- Thames Basin Heaths Supplementary Planning Document
- Green and Blue Infrastructure Supplementary Planning Document

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Surrey Wildlife Trust	<ul style="list-style-type: none"> <li>• Bats do not appear to appear to present a constraint to the proposed development.</li> <li>• An Ecological Enhancement Plan which is in line with the recommendations of the Bat Emergence/Return to Roost Survey Report and the Preliminary Ecological Appraisal, and which provides evidence that the development will provide a net gain in biodiversity, should be secured prior to the commencement of development.</li> <li>• The development should be carried out in accordance with a Construction Environmental Management Plan to ensure there will be no harm to the Wood Pasture and Priority Parkland Habitat adjacent to the site during construction.</li> </ul>
Surrey Bat Group	The Bat Report appears to have been carried out in accordance with best practise. More details should be submitted with regards to the proposed enhancement measures.
RBC Drainage	No objections subject to the addition of a Sustainable Urban Drainage System (SuDS) condition.
RBC Arboricultural Officer	The small amount of excavation within the root protection areas (RPA) of the trees is unlikely to have a significant effect on the trees. No objections subject to a condition to secure the soft landscaping works within the front driveway and a condition to secure tree protection measures during construction work.
SCC Highways	No objections subject to the addition of a condition to secure the proposed parking area and to secure electric vehicle charging.

### Representations and comments from interested parties

6.2 49 Neighbouring properties were consulted in addition to being advertised on the Council's website and 2 letters of representation have been received, which can be summarised as follows:

- The development is inappropriate development in the Green Belt
- The development will set a precedent for more dwellings or a larger development
- The existing access has not been built in accordance with the approved plans.
- The secondary access is in the southeast corner is not lawful
- The development will harm protected trees
- The development would conflict with conditions imposed on previous permissions
- The site is currently being used unlawfully as a builder's yard and for storage
- The development will harm biodiversity

## **7. PLANNING CONSIDERATIONS**

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the Green Belt where only certain forms of development are acceptable. The development must also be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- Whether the development is appropriate in the Green Belt
- The impact on the character and appearance of the area
- The impact on residential amenity and the creation of a suitable residential environment
- Parking & Highway safety
- The impact on protected trees
- The impact on biodiversity

### **The principle of development**

7.2 The existing lawful use of the site is equestrian and therefore the site can be considered to constitute Previously Development Land in accordance with the definition as set out in the NPPF.

7.3 The use of the site was originally restricted to the previous site owner for the keeping of his own horses., Under the approval of application RU.11/033 the use of the site was expanded to allow it to be used as a riding school, however this use was still linked by condition to the then site owner. The Design, Planning and Access statement submitted with the current application states that the site is now under new ownership and the riding school has ceased operation. The site was found to be vacant during the site visits undertaken for both this application and the previous withdrawn application (RU.21/0151). The ownership certificates attached to the application forms also confirm that the site is now under new ownership.

7.4 The proposed development would not therefore result in the loss of an existing business, because as per the conditions imposed on RU.11/0337, the permission for the use of the site as a riding school ceased when the site came into new ownership. Furthermore, there is no conflict with policy IE3.

### **Whether the development is appropriate in the Green Belt**

7.5 Paragraph 149 of the National Planning Policy Framework (NPPF) sets out that Local Planning Authorities should regard the construction of new buildings as inappropriate development in the Green Belt. However, this paragraph goes on to list several exceptions to this. One such exception, set out in sub paragraph g), is the partial or complete redevelopment of previously developed land provided there would be no greater impact on the openness of the Green Belt.

7.6 Policy EE17 of the Runnymede 2030 Local Plan is consistent with paragraph 149 (g) of the NPPF and sets out the considerations that will be taken into account when assessing the impact on openness. Paragraph 150 of the NPPF also sets out that the re-use of buildings on the Green Belt can be considered appropriate, however the proposed development is not considered to fall within this exception due to the number of extensions and alterations



proposed to the stable building, which also includes the removal of the existing club room.

- 7.7 The application proposes to convert the existing stable building to a dwelling, and in order to facilitate the conversion it is proposed to create a new glazed gable frontage and add 3 dormer windows within the roof to the rear. It is also proposed to replace all the existing windows with new larger openings. The existing club house will be removed, and an extension erected in its place which will be connected to the stable building/new dwelling via a glazed link. The front gable and dormer windows are set down from the ridge of the proposed dwelling and the front gable is approximately 0.5m deep. The extension is taller than the club room it replaces, however is also set down from the ridge of the existing stable building. This extension, including the glazed link has a footprint of approximately 52sqm which is an increase of approximately 10sqm.
- 7.8 Whilst there is technically no increase in the height of the building, it is proposed to reduce the internal floor levels by 500mm which is being achieved via a significant regrading of the surrounding ground levels. As a result, the proposed dwelling would be taller than the existing when measured from base to ridgeline. The proposed dwelling therefore also has a greater volume than the existing building and appears larger and would be more prominent than the existing low profile stable building. As a result, and also taking into account the proposed extensions/alteration detailed above, the proposed dwelling would have both a greater spatial and visual impact on the openness when compared to the existing stable building.
- 7.9 However, it is also proposed to remove two existing buildings to the rear of the stable building. A second stable building, with a footprint of 170sqm and a height of 4.5m, and a tractor shed with a footprint of 48sqm and a height of 5.1m. There is also a reduction of hardstanding across the site, and whilst there would be some impact on openness from new boundary treatments and residential paraphernalia, the overall impact is likely to be less than the use of the existing hardstanding which could currently be used to park vehicles and store equipment associated with the equestrian use.
- 7.10 Overall, it is considered that the redevelopment of this part of the site would not result in a greater impact on the openness of the Green Belt, and the proposal therefore constitutes appropriate development under paragraph 149 of the NPPF and policy EE17 of the Local Plan, however, it is considered necessary to condition that the second stable building and tractor shed be demolished prior to the conversion of the main stable building. It is also considered necessary for class A, AA, B, C, D and E permitted development rights to be removed for the new dwelling to prevent further extensions or additional buildings from being erected which could impact on the openness of the Green Belt.

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

- 7.11 The proposed change of use of the dwelling and associated work would not harm the character and appearance of the area. The proposed extensions/alterations are proportionate to the existing building and are of a high-quality design. It is also proposed to change the external materials of the building, however, the choice of red brick, timber and slate are considered suitable within this rural area, and the proposed dwelling would retain its stable like appearance. The proposal complies with policy EE1 of the Local Plan and section 12 of the NPPF.

#### **The impact on residential amenity and the creation of a suitable residential environment**

- 7.12 In terms of residential amenity, paragraph 130 of the NPPF tasks decision makers with ensuring developments create places with a high standard of amenity for existing and future users. The proposed dwelling would be provided with a large rear garden as well as additional garden space to the front of the site. The internal floorspace exceeds the minimum standards set out in policy SL19 of the Local Plan for a dwelling of this size. The

proposed dwelling will experience some noise and disturbance from the equestrian use on the rest of the site, should such a use be re-implemented, however this is unlikely to materially impact on the amenity of the future occupiers. The permission for use as a riding school ceased when the previous owner sold the site and should permission for such a use be granted again it could be subject to the same conditions to protect the residential amenity of neighbouring occupiers. A boundary treatment condition has been suggested to ensure that the dwelling remains separate from the rest of the site, and there is no loss of privacy from the equestrian use.

- 7.13 In terms of impacts on existing residents, the nearest residential property is Serpentine House to the northeast. The main house is over 100m away and as such there would be no material impact on the amenity of this property. There are no first floor side windows proposed which would face this property's garden and in any case, level differences and boundary planting would ensure overlooking is not possible.

#### **Parking & Highway safety**

- 7.14 An area of hardstanding will be provided to the rear of the dwelling. There is an integral garage which will ensure there is enough space to park all vehicles associated with the dwelling. A condition has been suggested which would secure an electric vehicle charging point. It is also suggested that details of a cycle store and refuse/recycling stores are secured via condition.
- 7.15 The access to the dwelling will be shared with the rest of the site, utilising the existing access onto Longcross Road. It is noted that a neighbouring resident has raised concerns that this access was not built according to the approved plans, however this has previously been investigated by the Council's enforcement team who took no further action. The existing access also appears sufficient to serve the proposed dwelling and provides good visibility of Longcross Road in both directions. A secondary access exists within the southeast corner of Angel Farm and can be seen on plans as far back as 2005, however this access is not to be utilised by the proposed dwelling and is stated on the plans to be retained for maintenance only. The proposed dwelling and the rest of the site can both be accessed from the main entrance.

#### **The impact on protected trees**

- 7.16 A Tree Preservation Order (TPO6) runs along the front of the site and encroaches into the site by approximately 23m. Some of the trees along the eastern boundary, between the application site and Serpentine House are also therefore covered by the TPO. The application is supported by an Arboricultural Impact Assessment, which concludes that all of the existing trees can be retained and adequately protected throughout the development process. Due to the excavation works and ground level changes, there would be some minor incursions into the root protection areas (RPA) of trees T1, T2, T3 and T9 along both along the front and east boundary, however in all cases, the areas of the RPA that would be affected are already within areas of hardstanding and the majority of the land within the RPA is being returned to grass which has the potential to greatly benefit the trees. Subject to conditions which secure soft landscaping and tree protection measures to be implemented during construction, it is not considered that the development would negatively impact upon the protected trees on or adjacent to the site.

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

- 7.17 The application has been supported by a Preliminary Ecological Appraisal which concludes that the habitat on this part of the site, which comprises mostly of hardstanding and buildings, is mostly unsuitable for protected species. There are also no historical records of protected species at the site, and no protected species were discovered during walkover surveys. Following internal inspections, several buildings were found to have the potential to support bat roosts, including the stable building being converted and the club

room, which are considered to have a high potential. The tractor store and the second stable building to the rear, which are being demolished as part of this application, were also found to have moderate and low potential respectively. Further surveys were therefore undertaken to establish the presence of bats within these buildings, and the results of these surveys are reported in the Bat Emergence and Return to Roost Survey Report. Whilst bats were recorded foraging and commuting across the site, no emergence or return to roost activity was recorded. It is not considered therefore that the development would impact upon any protected species.

- 7.18 The Surrey Wildlife Trust (SWT) recommend that a methodology is provided for the removal of trees with the potential for bats to roost, however only 1 tree was identified as having such potential within the Preliminary Ecological Report and all trees are proposed to be retained. SWT have also recommended a construction environmental management plan is submitted to offset the impacts from construction on the Woodland Pasture and Parkland Priority Habitat to the east of the site, however the development is of a fairly small scale and there is no reason to believe that the construction activity would have an impact beyond the site boundary above and beyond what would normally be expected of a development of this size, or that any impacts would cause harm to this habitat or to biodiversity.
- 7.19 The site lies within 5km of the Thames Basin Heaths Special Protection Area. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with the Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Council's SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.
- 7.20 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has a residual adverse effect that leads to a likely significant effect on habitats at the TBHSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has agreed to provide mitigation measures and have submitted a draft Unilateral Undertaking in respect of SAMP payment and contribution towards SANGS. This is in accordance with Policy EE10 and guidance within the NPPF. The draft is currently being reviewed by the Council's Funding Officer, and it is recommended that the Planning Committee authorises the CHDMBC to grant planning permission following the completion of this agreement.

#### **Other issues**

- 7.21 The Council's Drainage Engineer has suggested a condition requiring a sustainable urban drainage scheme to be submitted, however given the scale of the development and that a significant amount of existing hardstanding is being removed, this is not considered necessary or reasonable.

- 7.22 A mobile home on site has previously been found to be lawful in 2005, however this is believed to have been removed from site circa 2011. A modular building was present on site at the time of the site visit, however this building did not appear to be in residential use.
- 7.23 It was also noted during the site visit that the site is currently being used for storage by a building company. Vans, construction vehicles and materials were all on site during the site visit, however were just outside of the area proposed to be developed. It is not clear whether these are associated with the proposed development, or if this is an unlawful use of the site. This is something that would need to be referred to the Council's Enforcement Team following the outcome of this application.

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

- 8.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development is estimated to be £95,400.

## **9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS**

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

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

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

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

## **10. CONCLUSIONS**

- 10.1 The development has been assessed against the following Development Plan policies – SD4, SD7, SL19, EE1, EE2, EE9, EE10, EE11, EE12, EE17 & IE3 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 Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure mitigation against the likely impacts of the development on the Thames Basin Heaths Special Protection Area, and the subject to the following planning conditions:

1. Full application (standard time limit)

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

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

2. List of approved plans

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

- Location Plan (Unnumbered)
- Proposed Land Use Plan (Unnumbered, Rev 2)
- Site Plan (13803, Rev 2)
- Proposed Ground & First (Mezzanine) Floor Plans (13804, Rev 0)
- Proposed Front and East Elevations & Section A-A (13805, Rev 0)
- Rear & Side (West) Elevations (13806, Rev 0)
- Section B-B & Roof Plan (13807, Rev 0)
- Demolition Works: 1 Stable Building (13810, Rev 0)
- Demolition Works: 2 Tractor Shed (13811, Rev 0)

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

3. External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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 (for approval)

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 and maintained in complete accordance with the approved details.

Reason: In order to obtain a satisfactory form and scale of development in the interests of the visual amenities of the area and the openness of the Green Belt and to comply with Policy EE1 and EE17 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 5. Boundary treatment (general)

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). Unless otherwise agreed, such approved means of enclosure shall be erected/planted in accordance with the approved details prior to the first occupation of the dwelling. The boundary treatment shall thereafter be retained and maintained in accordance with the approved details.

Reason: To enhance the appearance of the surrounding area and to ensure the future residents are provided with a suitable residential environment in accordance with policies EE1 and EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 6. Biodiversity

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

#### 7. External lighting and floodlighting

Before any external lighting is installed at the site, details shall be submitted to and approved in writing by the Local Planning Authority. Lighting should not be directed toward trees, hedgerows or bat boxes and should not face upwards. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

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

#### 8. Landscaping

a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA). 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 a 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.

#### 9. Tree protection

Prior to the commencement of the development, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protection measures, that have first been submitted to and approved in writing by the Local Planning Authority, shall be implemented/installed. The approved measures shall be installed fully in accordance with the details as agreed and shall be retained for the duration of the works. Once installed, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall there be any fires started, tipping, refuelling, disposal of solvents, cement mixing, alteration of ground levels, excavations or vehicle access within those areas 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. 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 to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning area(s) shall be retained and maintained for its designated purpose(s).

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. Electric vehicle charging points (per dwelling)

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.

#### 12. 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 and should be maintained for the lifetime of the development.

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

#### 13. Bin store provision

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 the 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.

#### 14. Water efficiency

Prior to the first use/occupation of the development hereby permitted, details of the measures to achieve water efficiency of 110 litres per person per day 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.

#### 15. Renewable energy (details required)

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

Development shall be carried out in accordance with the approved details and thereafter retained, maintained and kept 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.

#### 16. Demolition (Green Belt)

Prior to the commencement of the conversion of the stable building to a dwelling, the second stable building and the tractor shed, as shown on plans 13810, 13811, and the proposed land use plan (Rev 2), shall be demolished and all resultant debris removed from the site.

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

#### 17. Restricted Permitted Development Rights

Notwithstanding the provisions of Classes A, AA, B, C, D, and E of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Classes A, AA, B, C, D or 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.

#### **Recommendation Part B:**

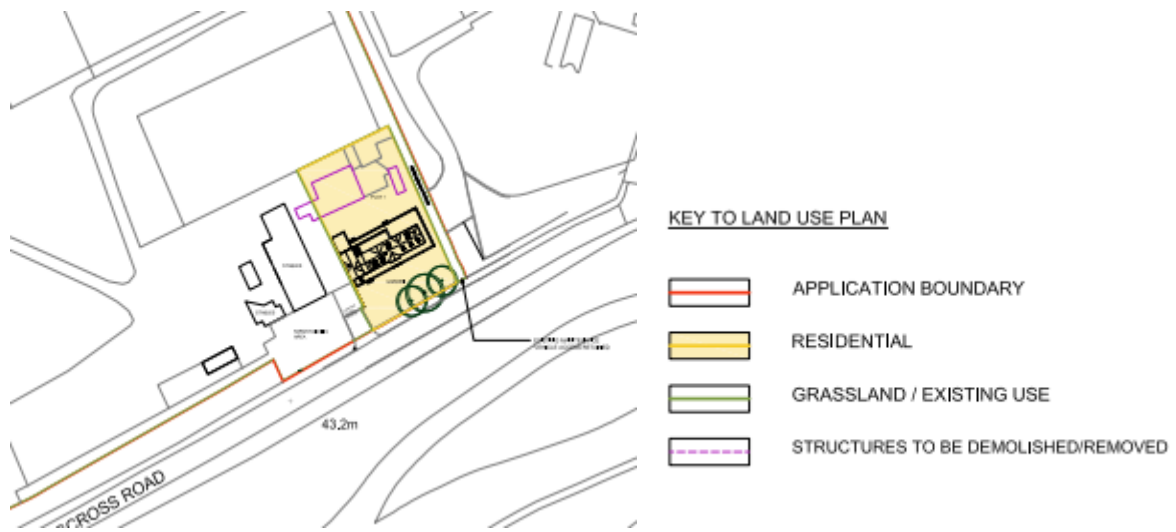
The CHDMBC be authorised to refuse planning permission should the Unilateral Undertaking not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant refusal of the application. Reasons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

**RU.21/2098 – Angel Farm**

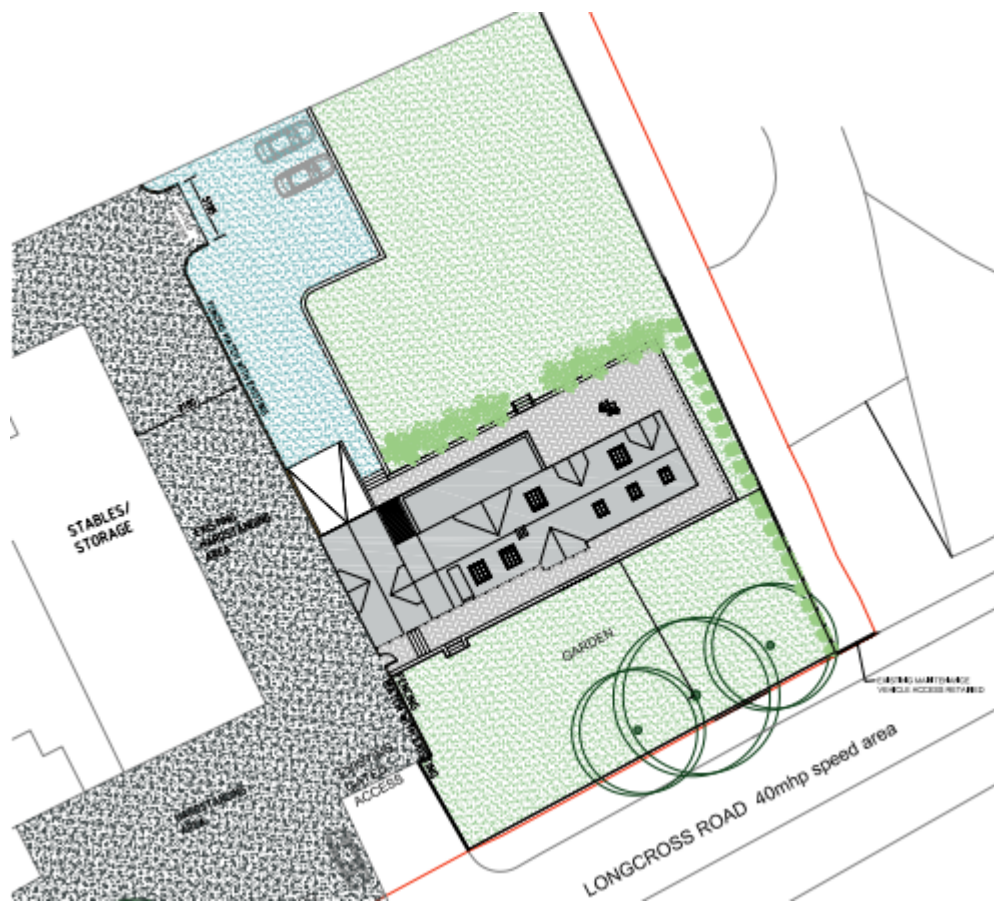
**Location Plan**



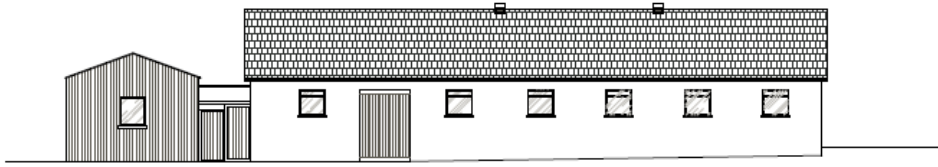
**Proposed Land Use Plan**



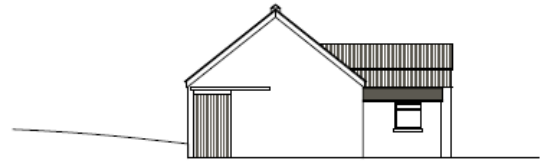
**Proposed Site Plan**



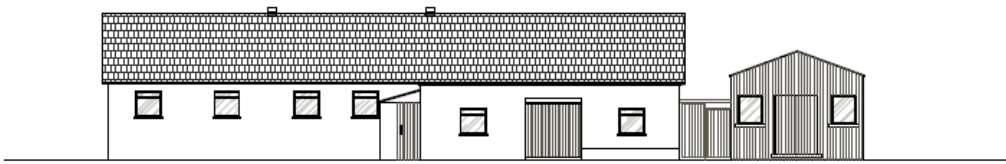
## Existing Elevations



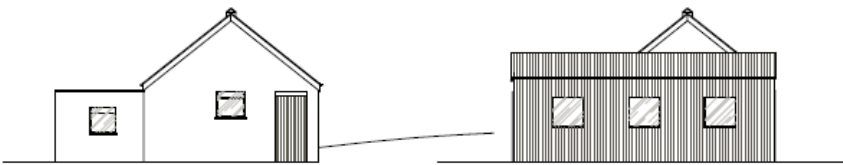
FRONT ELEVATION  
scale 1:100



SIDE ELEVATION (EAST)  
scale 1:100



REAR ELEVATION  
scale 1:100



VIEW 1 (WEST)  
scale 1:100

VIEW 2 (WEST)  
scale 1:100

## Proposed Elevations



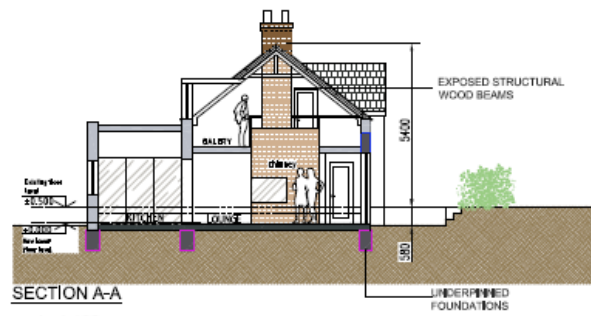
**FRONT ELEVATION (SOUTH)**  
scale 1:100



**SIDE ELEVATION (EAST)**  
scale 1:100

**NOTES:**

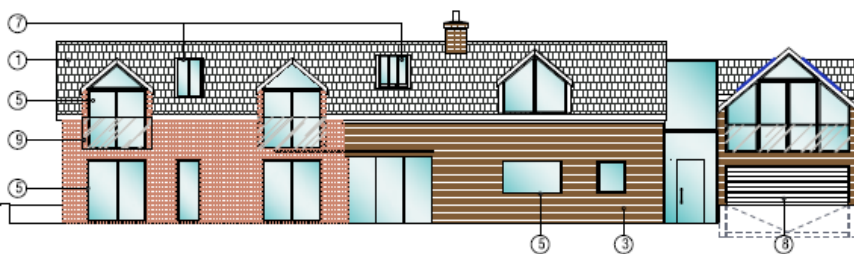
1. FOR THE FULL LIST OF MATERIALS SEE DRAWING NR, 13806 AND MEL DOCUMENT DESIGN AND ACCESS STATEMENT.



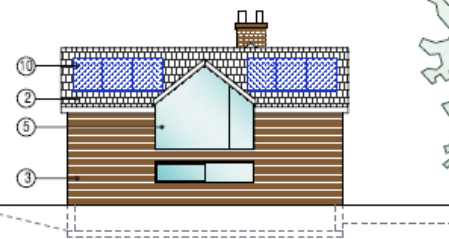
**SECTION A-A**  
scale 1:100

**HEALTH & SAFETY:**

THE CONTRACTOR MUST AT ALL TIMES OPERATE SAFE WORKING PRACTICES, MAINTAIN THE INTEGRITY OF THE EXISTING STRUCTURES, AND CONFORM TO ALL THE APPROPRIATE REQUIREMENTS OF THE HEALTH & SAFETY EXECUTIVE INCLUDING THE 'CONSTRUCTION (HEALTH, SAFETY AND WELFARE) REGULATIONS 1996'. THE WORKING METHODS OF ANY HAZARDOUS OPERATIONS MUST FIRST BE DISCUSSED WITH THE DESIGNER AND OR PROJECT MANAGER PRIOR TO COMMENCEMENT



**REAR ELEVATION (NORTH)**  
scale 1:100

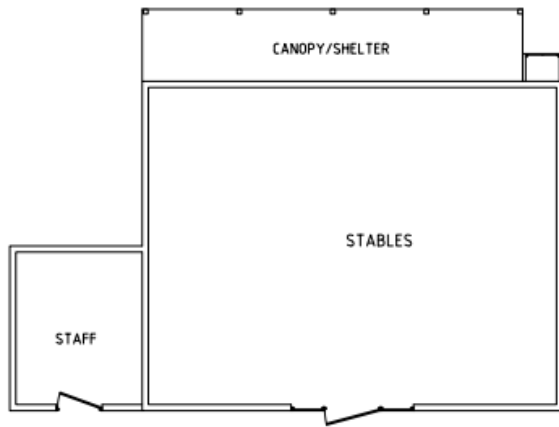


**SIDE ELEVATION (WEST)**  
scale 1:100

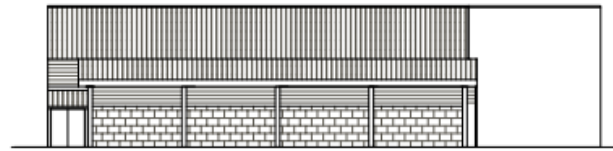


**Demolition Plans**

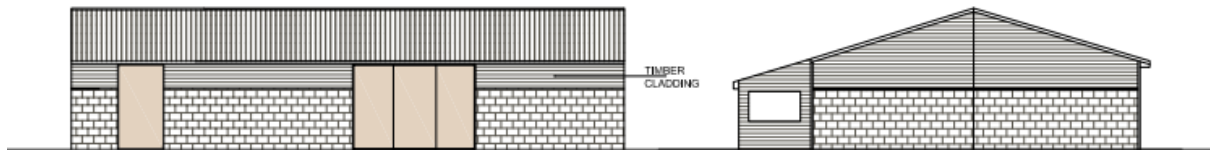
*(Second stable building)*



GROUND FLOOR PLAN  
scale 1:100



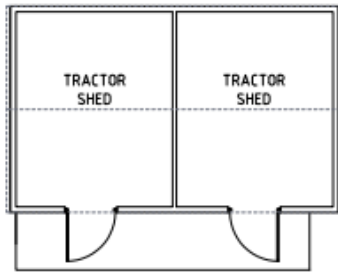
REAR ELEVATION  
scale 1:100



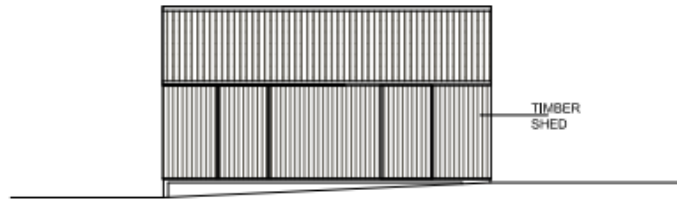
FRONT ELEVATION

FLANK WEST ELEVATION

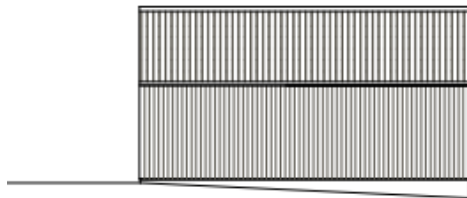
*(Tractor Shed)*



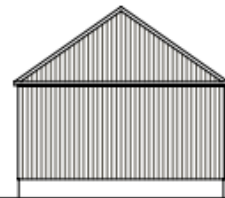
GROUND FLOOR PLAN  
scale 1:100



FRONT (WEST) ELEVATION  
scale 1:100



REAR (EAST) ELEVATION



SIDE (NORTH) ELEVATION



## Review of the Runnymede 2030 Local Plan (Planning Policy, Judith Orr)

### Synopsis of report:

This report updates the Planning Committee on the progress with Local Plan preparation and sets out why officers are pausing the commencement of the Issues and Options consultation, at least for a short period.

### Recommendation(s):

None. This report item is for information.

## 1. Context of report

1.1 The Runnymede 2030 Local Plan (2015-2030) was adopted in July 2020. The Local Plan was examined under the transitional arrangements against the 2012 National Planning Policy Framework (NPPF), which required Local Plans to have a 15-year time horizon. However, there was nothing to prevent part of this time horizon occurring prior to adoption. This meant that even though the 2018 NPPF had been published in July 2018, the 2030 Local Plan didn't need to take account of the amendment contained in it which stated that strategic policies should look ahead over a minimum 15-year period from adoption (underlining my emphasis).

1.2 In light of this change in policy at a national level, the Inspector agreed to allow Runnymede to adopt its 2030 Local Plan (with only 10 years remaining on the Plan period post adoption) but on the proviso that the Council commenced an early review of its Plan. This is captured at paragraph 5.19 of the Local Plan which states:

*The Council will commence a review of the Runnymede 2030 Local Plan as soon as possible to ensure that it is able to meet the requirement of the NPPF to complete a review of the plan within 5 years of the date of adoption of this plan. In practical terms this will mean that the Borough Council commences its review early in 2021, in order to complete a review before the summer of 2025...In accordance with the NPPF, the review will also need to plan for a 15-year period from the date of its adoption (i.e., 2040).*

1.3 In line with the above commitment, the review of the Runnymede 2030 Local Plan commenced in January 2021. At the time of writing this report, the review is well underway with key parts of the updated evidence base, and the Issues and Options document itself drafted.

## 2. Report and options considered

2.1 In February 2022, the Government published its Levelling Up the United Kingdom White Paper. This paper made a number of important statements which have the potential, if introduced, to have a significant (albeit positive) impact on the development of the review of the Runnymede 2030 Local Plan, known as the Runnymede 2040 Local Plan.

2.2 In particular, although the Levelling Up White Paper sets out that the Government remains committed to its 300,000 annual target for the delivery of new homes, it also states that, 'In support of levelling up, the UK Government will target the majority of delivery on brownfield sites outside London and the South East' and states that the Government's proposals 'will reduce pressure on housing and on greenfield and Green Belt sites in overheated areas of London and the South East'

- 2.3 In May 2022, the Levelling up and Regeneration Bill (LURB) was published. The levelling up legislation, which went through its second reading in the House of Commons in June 2022, is set to substantially alter the planning system. This is likely to include the way national housing requirements are worked out and set locally, which will have significant effects on planning and house building. At the second reading of the Bill, the Government announced that a prospectus paper, setting out proposed changes to the NPPF, would be published in July 2022. This did not materialise, and publication is not expected until after a new Prime Minister is in post.
- 2.4 As a result of the current uncertainty, several planning authorities are halting or revising their local plan timetables to await more details on the national policy changes that the Levelling Up and Regeneration Bill will bring. A few of the many examples of councils who have paused work on their Local Plans include:
- **Hertsmere** - Members resolved to abandon its newly published draft plan due to opposition from residents about the level of proposed Green Belt release.
  - **Ashfield** - Has paused work on its local plan, while it waits for clarification on housing targets from the Government.
  - **Arun** - Paused work on its local plan to await proposed reforms to the planning system.
  - **Mid Sussex** - Members voted to defer discussion of its draft updated local plan to await the outcome of any change in Government policy.
- 2.5 Officers share the view that it would be sensible to pause the commencement of the Issues and Options consultation in Runnymede until the new Prime Minister is in place and their position in relation to the LURB and planning/housing policy is understood. This is because, as it stands, the annual level of housing need in Runnymede is assessed under the Government's Standard Method as being for 549 dwellings per annum. This is a high level of housing need, beyond the current housing requirement of 500dpa in the Runnymede 2030 Local Plan. Meeting this level of need in full is highly likely to require removal of additional land from the Green Belt.
- 2.6 However, it appears that under Levelling Up, the Government's position on planning to meet housing needs across the country is likely to change. This could have significant implications for the development of the spatial strategy in the next iteration of the Local Plan (i.e. how much growth we plan for and where it is directed to).
- 2.7 Officers had hoped that the NPPF prospectus consultation planned for July would provide sufficient information and steer to enable the Issues and Options consultation to go ahead in October. However, without this prospectus being published, there is considered to be too much uncertainty to proceed.
- 2.8 Officers therefore propose to await the appointment of a new Prime Minister and further information from the Government on the Levelling Up agenda and what it is likely to mean for the development of Local Plans in the South East of England before progressing further.
- 2.9 During this period of pause, officers propose to further refine the contents of the Issues and Options document where appropriate, in discussion with Members. It is also proposed, following discussions with Counsel, that officers accelerate the timetable for the production of the remaining parts of the Green Belt evidence base. The two pieces of evidence which need to be completed are:

**1-A site specific assessment of land introduced to the Authority by third parties after the 2030 Local Plan was produced.** This work will be the final piece of evidence in determining whether there are any further small sites which could potentially (and further to a range of wider considerations related to overall site sustainability) be considered for release from the Green Belt. This would be an addendum to the Green Belt Review Part 2 and would follow the same methodology.

**2-A strategic Green Belt Review which looks at how the Green Belt is performing in Runnymede at appropriate large-scale geographies.** This is following the Council's commitment at its Examination in Public into the soundness of the Runnymede 2030 Local Plan to carrying out a strategic review with the other Surrey Authorities. Relevant extracts from the Inspector's letter into the soundness of the Local Plan are as follows:

*...in the light of all the factors affecting Runnymede, I consider the longer-term needs can best be addressed by a Surrey-wide approach, as committed to by the planning authorities. This will enable full account to be taken of the nature of the Green Belt in Runnymede and other districts and its importance in protecting the regional function of the wider Green Belt.*

*Furthermore, Runnymede's Green Belt is part of the first substantial area of open land on the south-western edge of London, and much of it is fragmented in nature. It would not be in the interests of sustainable development of the borough or its surroundings to seek to pre-judge the outcome of a joined-up approach on this fundamentally important spatial policy for the wider area (paras 53 and 54).*

- 2.10 Whilst the second stage of the Surrey Local Strategic Statement, and its commitment to a Surrey wide Green Belt Review fell away when it was replaced by the Surrey 2050 Place Ambition (a decision taken by Surrey County Council Future Steering Board in July 2019), this piece of work, or a similar piece of work based on a robustly defined alternative geography is believed by officers and Counsel to be necessary and required. It is considered preferable to complete the Green Belt evidence base prior to the Issues and Options consultation (previously, completion of this work had been timetabled to be completed prior to the second public consultation on the Local Plan known as the Preferred Options and Draft Plan consultation) as it is possible that the findings could impact on the spatial strategy options considered 'reasonable'.
- 2.11 An amended Local Development Scheme (LDS) (the document setting out the timetable for the production of the Local Plan and other Development Plan Documents) will need to be produced and brought back through the Planning Committee, and then approved at Full Council. However, at the time of writing this report, it is unclear what length of delay may be recommended. It is therefore proposed to bring the LDS back through the Planning Committee in late 2022/early 2023 when it is hoped that there will be more steer at a national level following the appointment of the new Prime Minister.

### 3. Policy framework and legal implications

3.1 As set out earlier in this report, the Runnymede 2030 Local Plan (2015-2030) was adopted in July 2020. The Local Plan contains a commitment at paragraph 5.19 to review the Plan, starting in 2021, in order to complete the review before the summer of 2025.

3.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require local planning authorities to review Local Plans (such as the Borough Local Plan) every five years to ensure policies remain relevant and effectively address the needs of the local community. This is reflected in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), which sets out the process that should be followed to review local plans. Reviews should be completed no later than five years from the adoption date of the Plan. The Runnymede 2030 Local Plan reaches its fifth anniversary in July 2025.

- 3.3 Pausing the commencement of the Issues and Options consultation is likely to mean that the replacement Local Plan may not be in place by July 2025 as the existing timetable for the review and update process allows very little margin for slippage. Dependant on changing circumstances and evidence, policies may be considered out-of-date and carry less weight when determining planning applications when they are more than 5-years old. However, the advice of Counsel is that as long as our housing land supply does not become critically low (below 3 years), we are likely to be successful in defending ourselves against speculative development in the Green Belt given the high level of policy protection given to this designation.
- 3.4 A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It must be made available publicly and kept up-to-date so that local communities and interested parties can keep track of progress. As such, it is important that an amended LDS is brought back to Planning Committee as soon as practicable. The proposal to bring the LDS back through the Planning Committee in late 2022/early 2023 is genuinely believed by officers to be the earliest opportunity to update the LDS based on the facts available at this time in light of the uncertainty noted earlier in this report. In the meantime, information will be published on the Council's website which will advise that the commencement of the Issues and Options consultation has been paused and that an updated version will be published as soon as practicable thereafter.
- 3.5 Members are invited to note that this report does not require a decision to be taken by this Committee as the Council has delegated decisions as to "...the progression of any part or all of the Local Plan.." to the Corporate Head of Economic Development and Planning Policy and the Local Plan Manager within its current Constitution, both of whom recommend pausing the commencement of the Issues and Options consultation further to consulting with Counsel prior to this meeting. In accordance with the Council's Consultation Strategy, the Chairman of the Committee has been informed of the intention of Officers in advance of this course of action.

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

- 4.1 Pausing the commencement of the Issues and Options consultation may mean that some policy spend on certain elements of the Local plan evidence base is deferred to the next financial year. However, whilst this is likely to be the case, other pieces of work have been brought forward. Overall, no additional budget is forecast to be required in the current financial year. There is currently sufficient resource within the Planning Policy team to progress the Local Plan Review.

#### 5. **Equality implications**

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

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

- 5.2 There is currently an up to date Local Plan in place for the Borough. An Equality Impact Assessment has been undertaken for the Local Plan as a whole and equalities considerations associated with each Local Plan policy robustly assessed. The same type of assessment will be completed to support the next iteration of the Local Plan.

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

- 6.1 Pausing the commencement of the Local Plan Issues and Options consultation will allow some resource within the Planning Policy team to be freed up to produce a Blue and Green Infrastructure Strategy for the Council. This strategy, which will be developed in discussion with a range of other Council departments and external consultees, will focus on the natural environment and how by creating a strong, well considered network of green and blue corridors and spaces, the Council can support adaption and resilience to climate change, halt loss of and improve biodiversity and contribute to the health and wellbeing of our communities. The production of this Strategy will also underpin the Council's approach to securing the 10% Biodiversity Net Gain (BNG) from new development as set out in the Environment Act, and which becomes mandatory in Winter 2023.

## 7. **Other Implications**

- 7.1 None.

## 8. **Conclusion**

- 8.1 Officers are pausing the commencement of the Issues and Options consultation until a new Prime Minister has been appointed and their intentions in relation to the Levelling Up agenda and planning reforms are clearly understood. This will protect the position of Runnymede and ensure that the new Local Plan is robust and reflects the most up to date national planning policy guidance. This pause will also allow the Green Belt evidence base to be completed prior to the Issues and Options consultation in line with Counsel advice. A further report will be brought back to the Planning Committee in the latter part of this year/early next year with an amended LDS, which will quantify the length of pause proposed.

### **(For information)**

#### **Background papers**

None.