



# Planning Committee

**Wednesday, 14 December 2022 at 6.30 pm**

**Council Chamber - Civic Centre**

## Members of the Committee

Councillors: M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, A Berardi, J Broadhead, R Bromley, V Cunningham, E Gill, C Howorth, A King, 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 A 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 contact [Democratic.Services@runnymede.gov.uk](mailto:Democratic.Services@runnymede.gov.uk) or 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- 4) Public speaking on planning applications only is allowed at the Planning Committee. An objector who wishes to speak must make a written request by noon on 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**  
**Part I**

Page

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

- |    |   |           |
|----|---|-----------|
| 1. | <b>Notification of Changes to Committee Membership</b>  |           |
| 2. | <b>Minutes</b>  | 4 - 7     |
|    | To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 9 November 2022 (Appendix A).                   |           |
| 3. | <b>Apologies for Absence</b>  |           |
| 4. | <b>Declarations of Interest</b>   |           |
|    | Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda. |           |
| 5. | <b>Planning Applications</b>  | 8         |
|    | a) 22/0512 - Longcross North, Chobham Lane, KT16 0EE  | 9 - 41    |
|    | b) 22/0454 - Ottershaw East Housing   | 42 - 100  |
|    | c) 22/0479 - Ottershaw East SANG  | 101 - 135 |
|    | d) 21/1167 - Padd Farm, Hurst Lane, Egham, TW20 8QJ   | 136 - 168 |
|    | e) 21/2050 - 30 The Causeway, Staines-Upon-Thames, TW18 3BY   | 169 - 229 |
| 6. | <b>Fees and Charges</b>   | 230 - 233 |
| 7. | <b>Exclusion of Press and Public</b>  |           |

**Part II**

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

## Runnymede Borough Council

## Planning Committee

Wednesday, 9 November 2022 at 6.30 pm

Members of the Committee present:	Councillors M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, A Berardi, J Broadhead, R Bromley, E Gill, C Howorth, R King (In place of A King), C Mann, I Mullens, M Nuti, S Saise-Marshall (In place of V Cunningham), S Whyte and J Wilson.
Members of the Committee absent:	None
In attendance:	Councillor N Prescott.

## 313 Minutes

Cllr S Whyte asked for additions to be made to the minutes of the meeting held on 5 October 2022 under the section about the Longcross North application to include the following points:

- Report from south west trains about data
- Approach to Surrey Police about the safety angle
- Lack of a path on the access road

The minutes were otherwise signed as a correct record.

## 314 Apologies for Absence

No apologies received.

## 315 Declarations of Interest

No interests declared.

## 316 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. Objectors and applicants and /or their agents addressed the Committee on the applications specified.

**RESOLVED that –**

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

## 317 RU.22/1421 - The Savill Building, Wick Lane, Englefield Green, Surrey, TW20 0UU

*Proposal: Full planning permission for proposed temporary Light Trail Event, starting and ending from The Savill Garden Visitor Centre Car Park and circumnavigating the Obelisk Pond along established footpaths/tracks.*

The committee identified traffic management as one of the key issues facing the application. The Corporate Head of Development Management and Building Control advised that whilst management of the highway was a County Council matter, a routing agreement had been provided and it had been deemed that the road usage associated with the event was suitable. Furthermore it would not be appropriate to impose a condition to require marshals to direct traffic.

In response to a question from a Member, the Corporate Head of Development Management and Building Control confirmed that consideration had been given to routing traffic to the Virginia Water car park for a park & ride to the event, however this had been ruled out by the applicant for operational reasons.

The Committee raised concerns about the possible sound generated from the event, and it was advised that low-level festive music would be played but noise barriers had been put in place for the nearest properties, and the attraction that generated the most volume at last year's event would not be at this year's event. The Council's Environmental Health team had assessed the application and deemed the noise levels appropriate.

Concern was also raised from some Members about the narrow, unlit walkway alongside Wick Lane. The impact of the additional traffic was likely to render this stretch unavailable to walkers, however whilst acknowledging this it was considered that the economic benefits of the event outweighed the inconvenience of the few people likely to be on foot in the area during the dark winter months.

In the event of permission being granted, the Corporate Head of Development Management and Building Control confirmed that any amendments to the route or allocation of the attractions would mean the application would need to return to Planning Committee to seek approval.

In response to a Member's concern about ecological impacts – particularly around bats – the Corporate Head of Development Management and Building Control highlighted that one of the conditions of the application was the completion of annual ecological appraisal carried out by a professional ecologist. Should issues be identified through this process then mitigation would need to be put in place, such as routing away from a particular roost.

Whilst the application was for a four year term, in light of most of the Committee being in favour of a shorter timeframe to be able to monitor the impact, the Corporate Head of Development Management and Building Control recommended amending permission to two years, with additional conditions for noise, light and traffic. The onus would be on the applicant to provide the information set out in the additional conditions.

#### **Resolved that –**

**The CHDMBC be authorised to grant planning permission subject to planning conditions 1-10 and informatives 1-2, which also includes amending the description of the development, to reduce the timeframe from four years to two years, as well as additional monitoring conditions relating to noise, light and traffic.**

Mr Lee Simon, an objector, and Mr Stephen Flint-Wood the applicant, addressed the committee on this application.

#### **318 RU.22/0611 - 15 Kingswood Close, Englefield Green, TW20 0NQ**

*Proposal: Full planning permission for part two storey part single storey rear extension and rear dormer. Two storey side extension. Replacement of front double storey section, new front bay windows, open porch and fenestration changes.*

A Member commented positively on the suitability of the application compared to what had come before, with more consideration given to surrounding neighbours without a loss of space.

Another Member raised concern that the development would significantly encroach on the boundary and have an overbearing and oppressive impact on a neighbouring kitchen, however the length of the application had been reduced and it had been cut in from both boundaries, leaving the Corporate Head of Development Management and Building Control to conclude that it was in accordance with the council's borough design guide.

Further concern was raised about the glass roof on the ground extension that could impact neighbouring properties' privacy as well as the associated light pollution. However the Corporate Head of Development Management and Building Control felt it would be an incredibly rare scenario to refuse on that basis, particularly as the light was not considered significant or oppressive.

In response to concerns that the glass roof could potentially hinder a future planning application from a neighbouring property, it was highlighted that under planning law potential future scenarios could not be taken into account, whilst the protected tree in the garden had been assessed and no concerns raised. Anything else removed from the garden was within the applicant's gift.

**Resolved that –**

**The CHDMBC be authorised to grant planning permission subject to planning conditions 1-4 and informative 1 as set out in the agenda.**

319 **RU.22/0270 - 11-13 St Judes Road, Englefield Green, Surrey, TW20 0BY**

*Proposal: Full planning permission for alterations and extension to Basement store area, side and rear extension to Ground Floor Shop and 1st Floor Flat and a new Shop Front.*

Several committee members commented that the application was an example of good practise, with the application amended to address the concern of nearby residents. It was also considered a positive move that a run-down shop would be brought up to a better standard.

**Resolved that –**

**The CHDMBC be authorised to grant planning permission subject to planning conditions 1-3 and informatives 1-4 as set out in the agenda.**

320 **RU.22/0729 - Unit 7, Fordwater Trading Estate, Medcalf And Co Limited, Ford Road, Chertsey, KT16 8HG**

*Proposal: Full planning permission for the redevelopment of existing industrial/commercial site to provide a new industrial/commercial unit.*

The Corporate Head of Development Management and Building Control confirmed that the application was coming to committee due to it being some 50sqm over the threshold for permitted development.

The Corporate Head of Development Management and Building Control clarified that whilst 10% of the energy consumption would be from renewable sources there was no scope to dictate how that 10% was made up, although the developer had indicated it would be via PV panels.

**Resolved that –**

**The CHDMBC be authorised to grant planning permission subject to planning conditions 1-21 and informatives 1-10 as set out in the agenda.**

321 **Caxton Avenue Conservation Area**

The Senior Planning Policy Officer advised that officers were of the view that 26 dwellings and their curtilages at Coombelands Lane and Caxton Avenue were suitable for designation as a conservation area due to their special architectural and historic interest.

This view was informed in consultation with Surrey County Council's Historic Environment Planning team and RBC's Heritage officer, who undertook separate appraisals of the area.

The properties are in an area that was in a proposed garden village that never materialised and has links to the Caxton printworks.

A proposed consultation would take place for four weeks from Friday 18 November, with the results of that consultation fed back to a future committee.

The committee chair confirmed his support for the proposal, highlighting the importance of recognising heritage.

**Resolved that –**

**Committee approved the draft Caxton Avenue Conservation Area Appraisal for public consultation for a period of four weeks, commencing on 18th November 2022.**

322 **Adoption of the Runnymede Parking Guidance Supplementary Planning Document**

The Corporate Head of Planning, Policy and Economic Development reported that following a six week consultation period on the Parking Guidance Supplementary Planning Document, 16 responses were received, and these responses had been reflected in the updated policy.

The most significant alterations were considered to relate to the addition of further information in chapter 3 on the trends of car ownership and additional information on cycling, as well as changes to the residential parking standards.

The existing guidance was adopted over twenty years old and was therefore significantly out of date. It was also given limited weight by development management in the decision making process.

The new guidance sought to provide more certainty for developers and communities relating to vehicle and cycle parking in association with new development, but possessed the flexibility to assess different parking schemes when an alternative approach may be appropriate.

Whilst acknowledging the Council would never be in a position to please everyone about parking, the committee chair added his support to the document, which was echoed by the committee.

It was added that getting people out of their cars would be extremely challenging until cycling infrastructure improved, and it was hoped that the Local Cycling & Walking Infrastructure Plan (LCWIP) and CIL monies would address those concerns in the long-term.

Officers confirmed that the allocation of CIL funding would be covered in the CIL governance arrangements and this document would not override any borough prioritisation documents, and whilst each application would be considered on its own merits, any developer that deviated from the standards set out within would be asked why.

#### **Resolved that –**

**1. The Runnymede Parking Guidance Supplementary Planning Document (SPD) as modified and as set out at Appendix A was approved for adoption with an implementation date of 16 November 2022.**

**2. Delegated authority was approved for the Local Plans Manager, in consultation with the Chair and Vice-Chair of the Planning Authority to update the SPD on receipt of the updated EV charging standards published by Surrey County Council (expected imminently).**

#### **323 Gypsy and Traveller allocation scheme SPD**

With the agreement of the Planning Committee Chair and Vice Chair, this item was deferred to a future meeting due to officer illness, along with the need to consider the implications of a relevant court case on the accompanying Equalities Assessment.

(The meeting ended at 8.50 pm.)

Chairman

## 5. Planning Applications

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

**If Members have particular queries on the applications, please contact Ashley Smith, Corporate Head of Development Management and Building Control by 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: 14/12/2022

**Longcross North, Chobham Lane, Surrey**



© Crown copyright and database rights 2022 Ordnance Survey 100006086

Scale: 1:6,000

0 100 200 m

**RU.22/0512**



**COMMITTEE AGENDA REFERENCE: 5a**

<b>APPLICATION REF:</b>	<b>RU.22/0512</b>
<b>LOCATION</b>	Longcross North, Chobham Lane, Surrey, KT16 0EE
<b>PROPOSAL</b>	Reserved Matters Application pursuant to application RU.20/1206 for Proposed sports provision, public open space including the creation of pedestrian routes and associated landscaping, access from Chieftain Road to Longcross Train Station, Station car parking and drop off provision, surface and foul water drainage and other associated engineering works.
<b>TYPE</b>	Reserved Matters
<b>EXPIRY DATE</b>	30/06/2022
<b>WARD</b>	Longcross, Lyne and Chertsey South
<b>CASE OFFICER</b>	Melissa Gale
<b>REASON FOR COMMITTEE DETERMINATION</b>	NUMBER OF LETTERS OF REPRESENTATION
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

**This application was deferred from the October Planning Committee**

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>1.</b>	Grant subject to conditions and deed of variation to the legal agreement (details of variations in full recommendation)

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

- 2.1 The application site relates to an area of land within the wider Longcross North site located to the south and east of Longcross railway station. The wider Longcross North site (33.6ha) forms the northern part of the Longcross Garden Village allocated development site within the 2030 Local Plan. The western part of the site falls within the designated Enterprise Zone comprising part of the Enterprise M3 area. The site was previously a Defence Evaluation & Research Agency (DERA) facility which also extends south of the M3 motorway. It is accessed off the Chobham Lane roundabout. The western (7.7ha) extent of the northern former DERA site falls within Surrey Heath Borough Council jurisdiction, with Burma Road and Chobham Common beyond which is a designated Site of Special Scientific Interest, Special Protection Area and Special Site of Conservation. The site is approximately 6km to the west of Chertsey, 2.5km to the northeast of the village of Chobham, with access to Longcross Station to the north. Virginia Water and the Wentworth Estate settlements and golf club lie north of the railway line.



- 2.2 The 'Longcross North' site received hybrid planning permission in August 2014 for mixed use redevelopment pursuant to planning permission reference RU.13/0856 (as amended by RU.16/0584 and RU.20/0729). Phase 1 development, comprising 108 dwellings, is completed, and occupied, accessed directly off Chobham Lane. Phase 2 development comprising a mixed-use Discovery Building (1,265sqm of mixed class E, F1 and sui generis commercial uses) and 78 residential apartments has been completed and many of the apartments are now occupied. Whilst reserved matters approval has also been granted for Phase 2 office development of approximately 16,765sqm, this consent has now lapsed. The remainder of Longcross North had permission to deliver a 3rd phase of commercial development (up to 62,260sqm B1 employment, 36,000sqm data centre use and remaining ancillary uses not delivered in Phase 2). Works have commenced on the delivery of a data centre complex. Many former DERA buildings remain in active use as Longcross Film Studios, including buildings outside the application site within the Surrey Heath land. The film studios are currently occupied by Netflix who have recently constructed a new temporary stage building following planning permission for two stage buildings.
- 2.3 Access to Longcross station is currently via a pedestrian footpath that extends eastwards alongside the railway to link with the first phase residential development of Longcross North (as approved under RU.13/0856) as well as an unmade footpath from Burma Road. The site comprises an area of existing woodland protected by a TPO, which extends alongside the railway and existing footpath and woodland area to the east of existing film studio land. The site includes an existing electrical sub-station and pump station and existing cleared areas of land to the north and south of the sub-station (west of the mv stream which extends along the eastern boundary). This cleared area has been used for storage of materials in association with the construction of the phase 2 residential apartments and adjacent Discovery building which are now complete. The means of vehicular access to the site is from Chobham Lane via the main site entrance roundabout. The site also falls within a Biodiversity Opportunity Area.

### **3. NEW MATTERS ARISING SINCE DEFERAL OF ITEM**

- 3.1 Following deferment from the October Planning Committee, the application has been amended to have regard to comments raised by members. The Following matters are new since the application was previous planning committee meeting:
- The plans have been amended to provide a continual footpath along the southern section of the turning loop access road. In addition, the lighting plan has been updated to illustrate the existing and proposed lighting along the extended northern footpath/cycleway adjacent to the railway and along the access road.
  - The applicant has also confirmed that they are willing to transfer the wooded land between the turning loop and the railway line to the Council in order to futureproof transport options and potential future capacity at Longcross. This would be secured in a legal agreement.
  - Consultation responses have also been received from Network Rail and the Surrey Crime Prevention Officer who have not raised objections to the proposal as set out below.

#### **4. APPLICATION DETAILS**

- 4.1 This is a Reserved Matters Application pursuant to hybrid planning permission RU.20/1206. The hybrid permission secured full planning permission for a re-configured discovery building car parking (previous approved under RU.17/1191), the retention of the stage 2 film studio building and associated hardstanding and outline permission for the layout of a proposed securing fence. Details of the appearance of the fence has been secured through a separate reserved matters application (recently approved under RU.22/0449 and has been partially erected on site). The location of the fence defines the boundary between the land in use by Netflix as film studios and the remaining land yet to be delivered as part of the wider Longcross North redevelopment. Hybrid permission RU.20/1206 also secured outline permission (with all matters reserved) to establish the principle for the proposed sports provision, public open space including the creation of pedestrian routes and associated landscaping, vehicular access from Chieftain Road to Longcross Train Station, Station car parking and drop off provision, surface and foul water drainage and other associated engineering works within the application site area. A number of drawings were approved as part of this outline permission including Framework Masterplan and Land Use Plan, illustrating the areas of the site for the different land uses proposed. This application seeks approval of the associated reserved matters of the appearance, layout, scale, access and landscaping for the station access and car parking, sports provision and public open space.
- 4.2 The application will provide vehicular access from Chieftain Road which is accessed from the roundabout junction on Chobham Lane to the Longcross Railway Station and is consistent with what was agreed at Outline stage. The proposed access road to the station via Chieftain Road and Fox Road has been designed to accommodate the passage of buses and includes a bus stop and turning loop close to the station entrance. The application also includes the provision of a 3m wide dedicated footway/cycleway along the western side of Fox Road. Road traffic signage which includes directional signage is also proposed from Chobham Road and leading through the site to the railway station for all transport modes including vehicles, pedestrians and cyclists. An informal footpath link is also proposed which connects the existing public space and footpath surrounding the recently landscaped lake to the north of the Discovery Building extending northwards along the western boundary close to the film studio land, through woodland to the railway station.
- 4.3 The application secures a railway station forecourt area which includes space available for cycle parking provision and sustainable travel modes such as e-scooters and bikes, details of which are to be considered and secured through the separate Longcross Garden Village application for the redevelopment of the land south of the M3. Whilst the majority of cycle provision would be provided through the Longcross Garden Village southern application a proportionate provision is proposed under the current application.
- 4.4 The station car park is proposed to the east of the site and will provide 42 car parking spaces, including time restricted spaces for station drop off and pick up. The size and location of the car park is consistent with what was agreed in the plans approved at outline stage.

Condition 13 of the of the hybrid planning application requires the submission of a Car Parking Management Strategy which includes details for the management, security and maintenance measures. Three car parking spaces for disabled users would be provided close to the turning loop and bus stop near to the station entrance. The hard and soft landscaping plan has been revised during the course of the application to respond to the

comments of the LLFA including permeable surface construction to car bays and SuDS feature within central landscaped turning loop to the station. In addition, the new tree planting has been further reinforced to the east of the proposed car park.

- 4.5 The application has been submitted with the following supporting documents: Ecological Assessment, Drainage Statement, Transport Note and Statement of Community Involvement.

## 5. RELEVANT PLANNING HISTORY

- 5.1 There is a long planning history relating to the site, the most relevant planning history to the determination of this application is set out below:

Reference	Details
RU.20/1206	<b>Hybrid planning application: full planning application for a re-configured discovery building car park (to that approved under RU.17/1191); retention of the stage 2 building and associated hardstanding; Outline planning permission sought for proposed sports provision, public open space and associated landscaping; vehicular access, drop-off and car parking to the railway station; and associated engineering works (all matters reserved) and proposed security fence (all matters reserved except layout).(amended plans rec 2.11.2020) Granted</b>
RU.22/0449	<b>Reserved matters application for the studio security fencing following outline permission for 'layout' (siting) under RU.20/1206 (Hybrid planning permission for re-configured discovery building car park, retention of stage 2 building, sports provision, public open space, vehicular access and car parking for the railway station, and associated engineering works and security fence) – Under consideration</b>
RU.21/1268	<b>Details pursuant to Condition 4 (Phasing Scheme) of planning approval RU.20/1206.</b>
RU.21/1556	Construction of two demountable stages and associated works for temporary period. Granted 22.12.2021 for a temporary period expiring on 15 June 2027.
RU.21/1267	Reserved matters application for the extension of The Boulevard access with associated planting and structural landscaping, pavements and footpaths, external lighting, drainage and associated infrastructure works. The application forms part of Longcross North planning permission RU.20/1206 (Hybrid planning permission for re-configured discovery building car park, retention of stage 2 building, sports provision, public open space, vehicular access and parking and associated engineering works) Granted - 25 <sup>th</sup> October 2021
RU.20/0729	Variation of condition 9 of hybrid planning permission RU.13/0856 (as amended by RU.16/0584) to extend the demolition time limit applicable to the upper western plateau buildings (mainly within Surrey Heath Borough Council land) from 3 years to 7 years. Granted - 2 <sup>nd</sup> July 2021

RU.17/1295	Phase 2 reserved matters application for the development of one part 4/part 5 storey residential building, one 5 storey residential building and one 4 storey residential building comprising 78 dwellings (comprising 18 x one bed apartments and 60 x two bed apartments); general amenity areas; vehicle parking; cycle parking; associated planting and structural landscaping; fencing and walling; pavements and footpaths; bin stores; external lighting; drainage and associated infrastructure works (including SUDS). The application forms part of phase 2 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 site including mixed uses, accesses, landscaping, infrastructure and utility works)(Amended Plans). Granted 15th February 2018.
RU.17/1191	Reserved Matters application for the development of a 3 storey building (Focal Building) totalling 1,265sqm (GEA), including up to 1,263sqm of A1-A5 uses, up to 1,263sqm of B1 employment uses (including marketing suite), up to 600sqm of D1 uses and up to 838sqm of D2 uses; general amenity areas; vehicle parking; cycle parking; associated planting and structural landscaping; works associated with the main pond; fencing and walling; pavements and footpaths; bin store; external lighting; drainage and associated infrastructure works (including SuDS). This application forms part of Phase 2 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 site including mixed uses, accesses, landscaping, infrastructure and utility works). Granted 8th December 2017.
RU.16/0584	Removal of condition 32 (requirement to improve junction at A30 London Road/Broomhall Lane/Chobham Road) of planning permission RU.13/0856 (Hybrid planning permission for the demolition of existing buildings and redevelopment of the site including mixed uses, accesses, landscaping, infrastructure and utility works). Granted June 2016.
RU.13/0856	Hybrid planning application for the demolition of existing buildings and redevelopment of the site to provide; up to 79,025sqm (GEA) of Class B1 employment uses (including parking); up to 36,000sqm (GEA) of sui generis Data Centres use (including ancillary facilities and parking); up to 200 dwellings, including a detailed first phase comprising 108 dwellings (comprising 13 x two bed, 26 x three bed, 21 x four bed and 13 x five bed dwellings; 8 x one bed apartments and 23 x two bed apartments; and 2 x one bed FOGs and 2 x two bed FOGs); roadways driveways and pavements; fencing and walling; up to 6,300sqm (GEA) of ancillary uses, including Class A1 - A5 uses (i.e. retail uses, cafe/restaurants and a public house up to 1,550sqm GEA), Class D1 uses (i.e. childcare facilities up to 600sqm GEA); Class D2 uses (i.e. Health and Leisure (up to 1900sqm GEA); the creation of Publicly Accessible Open Space (PAOS), ecological habitats, general amenity areas (including informal and formal open spaces), equipped play areas and landscaped areas; new vehicular accesses from the existing public highway network; vehicle and cycle parking; bin stores; landscape compound; car parking (for railway station); electricity sub-stations; lighting; drainage and associated infrastructure works, including sustainable drainage systems (SUDS); a foul pumping station; an acoustic fence and associated engineering and service operations.

	<b>Longcross South:</b>
RU.22/0393	Outline planning application with all matters reserved (except for means of site access with Longcross Road and Kitsmead Lane), for a mixed use Garden Village development comprising: residential development (Use Classes C3), care home/extra care accommodation (Use Class C2), land reserved for up to 10 travelling showpeople plots (sui generis), retail, food and drink (Use Classes E and F.2), public house (sui generis), community facilities (Use Classes E, F1 and F2), employment use (Use Class E), a primary school including early years provision (Use Class F1), public open space including allotments, sports pitches and ancillary facilities (Use Class F2), Suitable Alternative Natural Greenspace (SANG) (Use Class F2), landscaping and associated infrastructure and works including enabling demolition and ground works (Environmental Statement submitted) – Under consideration

## 6 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 6.1 National Planning Policy Framework and Guidance.
- 6.2 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. The following Local Plan policies apply to this application: SD1 (Spatial Development Strategy); SD2 (Site Allocations); SD3 (Active and Sustainable Travel); SD4 (Highway Design Considerations); SD5 (Infrastructure Provision and Timing); SD7 (Sustainable Design); SD8 (Renewable and Low Carbon Energy); SD9 (Longcross Garden Village); SL1 (Health and Wellbeing); SL26 (New Open Space); SL28 (Playing Pitches); EE1 (Townscape and Landscape Quality); EE2 (Environmental Protection); EE9 (Biodiversity, Geodiversity and Nature Conservation); EE10 (Thames Basin Heaths Special Protection Area); EE11 (Green Infrastructure); EE12 (Blue Infrastructure); EE13 (Managing Flood Risk); IE2 (Strategic Employment Areas);
- 6.3 SPGs which might be a material consideration in determination:
- Runnymede Design SPD (July 2021)
- Green and Blue Infrastructure SPD (November 2021)
- Parking Guidance SPD (November 2022)

## 7. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
RBC Drainage	The feasibility of infiltration SuDS shall be confirmed via ground investigation and shall be implemented in as much as can be practical for the site.  Hydraulic calculations show that the flooding occurs in the network for the

	1:100 year plus 40% climate change. Exceedance flow routes supported by proposed levels shall be submitted to confirm that flooding is contained within the curtilage of the site. This requirement can be secured by means of planning condition
LLFA - Surrey County Council	Following amendments and updated drainage details, are now satisfied that the proposed drainage scheme meets required standards and recommends conditions to ensure the SuDS scheme is properly implemented and maintained throughout the lifetime of the development.
Surrey County Highways Authority	Recommends a variation to the existing S106 to provide more clarity in respect of the maintenance of the station access road and its use by the public until the road is offered up for adoption. A number of conditions are also recommended.
Natural England	<p>Considers that the proposed development will not have significant adverse impacts on designated sites (SSSI and European/International sites) and has no objection.</p> <p>The station car park is now located outside the Thames Basin Heaths 400m buffer zone and as a result is less likely to be used by people parking and visiting the SSSI/SAC/SPA and as a result remove the requirement for the car park to be secured at all times.</p>
Sport England	Raises an objection until further clarity is provided on the design and specification of the sports pitches. Ideally expect to see robust ground conditions assessment, identifying any constraints including drainage which affect its suitability for sport and recommended scheme of works for preparing the playing fields.
Thames Water	Thames Water had no objection to foul water discharge into the Thames Water network in October 2019. Thames Water and the developer agreed that surface water would not be discharged into the Thames Water network, also in October 2019. There is no proposals to change this in this application so Thames Water has no additional comments.
RBC Arboricultural Officer	<p>No objection subject to conditions</p> <p>Application requires the removal of some low-quality trees some of which are subject to TPO. Principle of tree loss implied in the outline application and the loss can be mitigated by suitable tree planting. This is an opportunity to enhance the diversity of the tree stock of the site. Application is supported by a planting plan with suitable tree planting. Important to protect the retained trees from development operations by use of tree protection methods. Conditions recommended to secure implementation of planting scheme and Arboricultural Method Statement (AMS)</p>
RBC Green Spaces Team	No comments received
Environment Agency	Have no comments to make

Network Rail	15/11/2022 – Network Rail and Southwestern Railway have no objection providing the new design can accommodate 15m Rail replacement Buses.  Officer note: The applicant has provided a swept path analysis which CHA are satisfied demonstrates that a 15m long coach can be accommodated and enables sufficient passing space should two rail replacement vehicles of this size arrive at the same time.
South Western Railway	Refer to Network Rail comments above  (also noted that views have been expressed via County Highway Authority to ensure the design of the road and turning circle is appropriate for use)
Surrey Wildlife Trust	Has reviewed the submitted Ecological Report and Planning Statement and advises that the proposed Lighting appears in line with requirements of Condition 21 to have regard to impact on bats. The Ecological Assessment has regard for enhancements to be provided including for bats, which includes new tree planting, north-south green corridor and extensive wildflower meadow. Further clarification required regarding bat roosting enhancements and biodiversity.
West Surrey Badger Group	No comments received
Surrey Bat Group	No capacity to comment
Surrey Heath BC	No comments received
Scottish & Southern Electricity Networks	No comments received  Consultation sent 27/05/22 – respond by 20 <sup>th</sup> June
Chobham Parish Council	No objection subject to stated criteria, including appropriate assessment and mitigation of potential impact on Chobham Common's protected species, regard to HGV weight limit in Chobham High Street with approved routes put in place, measures to prevent Burma Road, Chobham Common car parks and other roads in vicinity being used for demolition traffic parking and waiting, and Burma Road should not be used for demolition traffic.
Surrey Police – Designing Out Crime Officer	No objection was raised to the current scheme. Advises that security mitigation is included to make the walk as safe as possible. Conditions are recommended to provide CCTV and appropriate lighting together with ParkMark accreditation and cycle storage provided to Secured by Design standards (refer to para.8.11 below)

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

- 7.2 200 Neighbouring properties were consulted in addition to being advertised on the Council's website, within the local press and through site notices. 15 letters of representation have been received which includes representations from Wentworth Residents Association and also from Upper Longcross Residents Association, which can be summarised as follows:

- Station Access Road
  - Should be via Burma Road, this may help existing fly tipping and littering on Burma Road, avoid increase traffic flows on residential roads and pollution from traffic
  - Alternative logical route through current film studio has not been considered
  - Should be adopted by Council, concerns residents will be responsible for maintenance costs and bringing it to an adoptable standard
  - Residents should not be paying for a road they do not want nor will use
  - Layout and location unacceptable and dangerous/risk of collisions, safety risk, close to play area, tight road junctions/bend and underground entrance for apartment parking, Chieftain Road has a blind corner with regular near misses
  - Existing upper Longcross Roads should just be linked by pedestrian and cycle paths
  - Roads narrow and hard for 2 cars to pass each other
  - Speed limit should be reduced, 30mph too fast given road width and next to playing fields
  - Route to station through a residential area, with road unsuitable for heavy vehicles day and night
  - Environmental impacts of access route to station with significant braking, deceleration and acceleration at pinch points
- Location of car park
  - Should be closer to station
  - Will lead to parking in neighbouring roads, already an issue
  - Should be returned to nature as recreational space and trees
- Size of car park
  - Insufficient/inadequate number of spaces
  - Prevents the addition of further stories
  - Limited size and charging will lead to parking in non-designated spaces across upper Longcross, visitor spaces already limited
  - Increased parking demand will lead to increased littering and degradation of roadways
- Drop off point too far from station
  - Will limit effectiveness of rail use
- Parking management
  - Parking control strategy needed to prevent parking on residential roads
  - Lack of information on how car park will be managed
- Film Studio boundary fence should be considered alongside the reserve matters application
- Trees and planting
  - TPO trees next to station add little value and screening
  - No information on density of planting and gaps
  - Screening should be on all sides of current open space and waste facility



- Request increased aesthetics in area of unsightly new stages
- Residential amenity
  - Car park and tennis courts will directly overlook residential dwellings
  - Noise pollution – from proximity of road and tennis courts to existing dwellings, no acoustic assessment of car park has been provided
  - Noise disturbance to existing apartments from sports pitches/village green
  - Increase light pollution with street lights and additional headlights along road
  - Car parking screening is poor – no information on density and should be on all sides
  - Request screening in area of recent studio buildings
  - Original plans for area was to be open landscaping and recreational area not large commercial car park
  - shared cycleway/footway would be directly outside windows of residents
  - Sub station should be screened – is an eyesore
- Play space/sports facilities
  - Fencing – should be appropriate safety standard
  - More tree planting screening for children's safety needed
  - Village hall would be more use than outdoor tennis tables with UK weather
  - Where would people park to use the sports facilities?
  - Safety and security of car park next to play area
  - Standards to be considered including open space to ensure long lasting quality, upkeep and maintenance
  - Lack information on construction specification and maintenance
  - Drainage should ensure sports and recreation fields are free from pooling water and to BS3882 - Existing soil compaction leads to pooling of water in landscaped areas and gardens
- Statement of Community Involvement is misleading, does not reflect concerns raised.
- Lack of meaningful community engagement with no meaningful feedback.
- Concern village green, tennis courts and car park will be corporate assets owned and maintained by Longcross Studios and private car park company, and would encourage set of minimum agreed standards for development and maintenance
- Current communal public spaces are not maintained correctly, therefore need clear plan of maintenance and costs.
- 3 proposed developments in Longcross/ Kitsmead Lane area – putting big strain and concern for traffic, water, drainage, gas & electric supplies.
- Number of dwellings is not fitting/ out of character for the surrounding area.
- Current lack of GP provision – will be exacerbated
- Major departure and undermines initial masterplan with business park to west with traffic through the former film studio land.
- Existing high voltage sub station shown to remain should be in a commercial/industrial zone not residential area
- Lack evaluation of additional signage, lighting, noise impacts from change of purpose for the area and impact on wildlife, habitats and ecology including bats

## 8. PLANNING CONSIDERATIONS

8.1 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 and forms part of an allocated housing site where the principle of mixed use development as set out in policy SD9 is permitted 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 for consideration are:

- Compliance with the parameters of the outline permission
- Implications for original Longcross North planning permission (RU.13/0856 amended by RU.16/0584) and Upper Longcross community;
  - o Existing and Proposed Site Phasing and existing development parameters;
  - o Sports and Open Space Provision
  - o Station car park and access
  - o Transport, vehicular and pedestrian movement routes
  - o Residential amenities
  - o Trees and landscaping
  - o Biodiversity
  - o Existing conditions and s106 – on-going compliance considerations
- Implications for the Garden Village designation, Longcross South masterplanning and policy SD9 compliance.

### 8.2 Principle

The residential use permitted under the mixed-use development for Longcross North, (originally pursuant to RU.13/0856) has been built out, however, there remains a number of key areas of infrastructure that has yet to be delivered to support this residential use and the wider Longcross north site. This includes vehicular access to the railway station including pick-up/drop off facilities, bus stop and station car park, together with sports pitches, open space and which is proposed for delivery under the current reserve matters application. Currently there is no public vehicular access available to Longcross Station.

8.3 Outline planning permission has been granted for proposed sports provision, public open space and associated landscaping, vehicular access, drop-off and car parking to the railway station, together with associated engineering work; will all matters reserved. The current reserved matters application considers the full details of access, appearance, landscaping and scale. The approved application has therefore established the principle of the re-configuration of land use and infrastructure layouts within the identified red line area. This principally supported the longer-term retention of the Longcross Film Studios land and buildings at the site, notably the 'Stage 2' building complex on the east side of Lower Road south of Longcross Station. This originally was envisaged as forming part of the public open space when hybrid planning permission was first granted for part full, part outline consent for the redevelopment of Longcross North site in 2014 under RU.13/1856.

8.4 The approved hybrid permission RU.20/1206, has established the principle of the delivery of sports facilities including tennis court and table tennis tables, public open space, associated landscaping, access road and footways/cycleways, station car park and drop off area and associated engineering works within the red line of the application site area. The plans approved under the outline consent established the location of the various land uses including the station car park. The 'hybrid' permission also granted permission for the siting of a security enclosure to the film studios which established the position for the

studio boundary fence line. The reserved matters details of the appearance of this fence has recently been granted securing a 2.5 and 3m high timber fence along the boundary with the film studios.

- 8.5 Whilst full details of siting did not form part of the earlier outline consideration, the principle of each of these items being provided within the red line area was established. The application was supported by landscape and masterplans to illustrate the location and how these uses could be accommodated within the site area having regard to the site opportunities and constraints, including existing TPO trees and ecological impacts. This illustrated a bus turning loop and space for cycle/e-scooter parking (or other alternative sustainable transport infrastructure) outside the station and the station car park was illustrated to the east, just north of the electric sub station, retaining the TPO trees outside the station entrance. Whilst the outline did not confirm the exact number of parking spaces that would be delivered, the approved documents and illustrative plans approved at outline stage indicated that the station car park would deliver in the region of 30 – 40 spaces.
- 8.6 The current reserved matters application considers the full details of access, appearance, landscaping and scale. The full detailed siting and layout is consistent with the framework masterplan and land use plan submitted to support the outline approval granted at Planning committee in 2020. As at the time of the submission of the hybrid application the applicant considers the car park to be located in a suitable location in planning terms furthermore the applicant considers the location of the car park to be fixed.
- 8.7 Since the October planning committee the applicant has obtained a legal opinion from a King's Counsel who is specialist in Planning law to confirm this position. The advice received confirms that any reserved matters application would need to conform with the drawings approved under the outline consent and the layout of the scheme should accord with the approved plans. It further advises that "the reserved matters are, therefore, constrained to follow the plans approved". The location of the car park as submitted under this reserved matters application is consistent with area illustrated for car parking on the approved Framework Masterplan and Landscape Masterplan and therefore the siting of the car park and land uses which form part of this reserved matters application are in principle acceptable.
- 8.8 A phasing plan has been agreed pursuant to Condition 4 (under reference RU.21/1268) to secure an appropriate timescale for delivery of the works having regard to current restricted station access, parking and deficiencies in open space and sports provision to support the existing residential development of Longcross North which is now completed and close to full occupancy. Condition 26 of the hybrid permission (RU.20/1206) requires completion of the station access, bus stop, turning facilities etc, car park, sports provision and open space in full within 24 months of the grant of the reserve matters application.
- 8.9 This was to secure delivery, given that these facilities are now overdue. It was also the subject of a S106 legal agreement, which secures public access of the open spaces (which includes areas of trees and woodland, sports pitches and tennis courts, station forecourt, access road and turning loop and station car park) and requirements for the approval of a Landscape Plan and Management Scheme. This ensures that public open spaces remain accessible to the public in perpetuity. It also secures improvements to the visual appearance of the retained stage buildings, and sustainable transport measures which will be developed further through the separate planning application for the development of Longcross South.
- 8.10 There is currently no vehicular access direct to the station, with no access for buses or rail replacement buses in close proximity to the station. Pedestrian access is currently achieved

via an existing footpath extending from the railway station eastwards parallel with the railway and linking the station and Phase 1 residential and is enclosed by the railway to the north and chain-link fencing to the south which does not currently provide a high quality environment for users. The current application will address the current deficiencies in respect of access to the station. The application has been amended to provide a continual footpath along the southern side of the access loop road to the station.

- 8.11 Surrey Police Designing out Crime Officer has reviewed the application and has raised no objections to the current amended scheme. They have advised that to be most effective and user-friendly, car parking facilities should be as close to the facility for which they are designated as possible. Further stating that, 'if the facility cannot be effectively and safely incorporated into the development, it will be imperative to ensure that security mitigation is included to make the walk as safe as possible'. As has been expressed above, the location of the car park has been fixed through the outline consent. The car park siting is just a short walk from the station. The amended plans show a continual footpath along the southern section of the new access road. This would meet with Surrey Police advice as the preferred pedestrian route which will be appropriately lit. They have recommended conditions to provide CCTV and appropriate lighting together with ParkMark accreditation and cycle storage provided to Secured by Design standards.
- 8.12 Whilst the application proposes the provision of disabled car parking spaces close to the station entrance, some members have raised concerns regard the provision of the drop off zone within the station car park. Whilst officers and Surrey Highways consider this to be a suitable location, which is just a short walk to the station and ensures sustainable transport modes are prioritised ensuring the area immediate surrounding the station is not dominated by vehicle movements.
- 8.13 Taking into account concerns from some members about future capacity at Longcross the applicant has agreed the transfer of the wooded land adjacent to the station to the Council as part of the legal agreement. The purpose of this is to address the potential operational concerns and to futureproof the station approach if more capacity is required. Therefore, if in the future it proves desirable to make changes to this land including drop off provision, this would fall within the gift of the responsible Local Authority.
- 8.14 Playing pitches and equipped play

It was acknowledged in granting the hybrid permission that an appropriate level of open space and sports provision can still be delivered on the site within the red line site area, to meet the current shortfall of provision for the existing residents of the Longcross North site. The application secures opportunities for recreation and sport as promoted by Policy SL1

- 8.15 The siting of the informal playing pitches to the north-east of the Phase 2 residential apartments to provide 2 mini soccer football playing pitches is consistent with that shown on the approved framework plan submitted with the hybrid planning application. Part of this area is already laid to grass, and the remaining area to the north is open land and therefore the proposed provision would improve the visual appearance of this area of the site and avoids tree loss. It was acknowledged under the hybrid permission that the siting of the sports pitches remain of sufficient distance from residential dwellings to avoid any undue disturbance. Its siting is readily accessible to existing residents of Longcross north and closely links with the existing playspace/ LEAP to the south and landscaped open space around the lake and creates an informal village green at the heart of the Longcross North site.

- 8.16 Sport England however, have raised an initial objection to the application as they are seeking further clarity on the design and specification of the sports pitches. This essentially reflects Sport England desire that these are constructed as formal sports pitches. The application however, proposes that the pitches would be informally marked providing a more flexible use of the open space. This enables the pitches and green to be available for use by existing residents and occupiers of the adjacent film studio's addressing the shortfall in existing provision, without forming a provision that could attract a wider catchment of users and is therefore considered appropriate for this part of the site. More formal sports pitches are intended to be delivered as part of the wider Longcross Garden Village development south of the M3 which is currently under consideration (RU.22/0393). It is noted that no objections were raised by Sport England to the related hybrid application subject to a number of recommended conditions to secure good quality sports facilities/playing field provision and community access. Condition 10 of the hybrid permission secures the use of the pitches for outdoor sport and play. Furthermore, public/ community access has been secured through existing S106 clauses which includes requirements for a management scheme to secure arrangements for the management and maintenance of the open spaces and arrangements for any regulated access to the Tennis Courts.
- 8.17 The application also proposes the provision of a tennis court and 3 outdoor table tennis, located to the north of the station car park within an existing cleared area of land and alongside the existing footpath linking the station. The quantum of provision for outdoor sport and play space provided would be consistent with that set out within the hybrid application and no objections have been raised by Sport England to the quantum proposed. This established an acceptance for the quantum of playing pitches and sport provision proposed. In respect of equipped play space, a LEAP is already in place opposite Firefly Road which was delivered as part of the first phase of development. An extension to the existing LEAP and a green gym/trim trail would help reduce the short fall of outdoor sports facilities and equipped play space and can be secured through condition. The overall quantum of informal play space would exceed the Fields in Trust standard and is considered consistent with Policy SL26 to secure the provision of open space and sports facilities to support residential development. The northern site also has direct access to informal open space which includes the woodland area comprising SANG, to the east of Phase 1 residential.
- 8.18 Therefore, despite the initial concerns raised by Sport England, the overall quantum and form of sports provision and open space proposed will address the current shortfall in provision for existing residents of Longcross North consistent with Policy SL23, SL1 and SD9 of the Local Plan. The development will also have the benefit of improving the visual appearance of this part of the Longcross North site and securing vehicular access and improved pedestrian access and connectivity to Longcross railway station.
- 8.19 Access
- Vehicular access is via the existing roundabout junction from Chobham Lane and extends along Chieftain road past the recently completed Discovery building and residential apartments constructed as part of Phase 2 development of the Longcross north site. There is no vehicular access to the station from the phase 1 residential along Chieftain Road and this is further restricted by Condition 5 of the hybrid permission which restricts access from the Chobham Lane site access roundabout only. The current application includes details of proposed directional signage to support the access route and assist navigation.
- 8.20 Currently there is no vehicular access or car park serving Longcross railway station and the majority of the application site area is currently not publicly accessible having formerly been used for construction access and storage in connection with the phase 2 development (now

complete). The current application will enable public access over the site improving the accessibility of the station. The current application will extend the access road northwards following the route of the existing internal construction access road to provide vehicular access to the proposed station car park and extending toward the station with a turning loop together with bus stop and 3 disabled parking bays and creation of a railway station forecourt area at the station entrance. The new access to the station will also include a 3m wide shared footway and cycleway together with pedestrian crossing points. As detailed at 7.9 above, a continual footpath will also be provided along the southern access loop road which will be suitably lit and CCTV provision secured through condition.

- 8.21 The station access concourse or forecourt area provides space for both short term and longer term cycle parking facilities which would provide space for up to 160 short term spaces on two tier cycle racks and 9 vertical cycle storage lockers for longer term parking. Whilst the application demonstrates that appropriate space is available to accommodate cycle parking together with electric scooter or bike provision this will largely be delivered through the Longcross Garden Village, southern application (RU.22/0393) having regard to the quantum of dwellings proposed under the southern application, which is currently under consideration. However, in order to support the existing development of 182 dwellings, a proportionate cycle parking provision will be secured under the current application. This provision supports Policy SD3 which seeks to improve the capacity of cycle parking at the Borough's railway stations and SD9 (Longcross Garden Village) which supports sustainable travel choices.
- 8.22 The proposed layout and works ensures that sustainable travel modes are prioritised. This is consistent with Policy SL1 which promotes opportunities for walking and cycling, and Policy SD3 which supports proposals which enhance accessibility and connectivity between people and places by active and sustainable travel forms. The existing footpath that runs parallel to the railway providing pedestrian access from the existing Phase 1 residential development of Upper Longcross to the east would be widened to provide accommodate a footpath and cycle way in addition to a continual footpath south of the access loop road providing options for pedestrians accessing the station. A dedicated footpath and cycleway is also proposed alongside the new access road, together with a more informal footpath through the public open space and existing woodland, both providing a more direct access from the south of the site from the Phase 2 Residential apartments and commercial Discovery Building and will form the main access route through to the station from the Longcross Garden Village to the south of the M3 (the subject of a current outline planning application RU.22/0393).
- 8.23 Letters received have raised concerns regarding the route of access and highway safety implications. Surrey County Highways Authority have reviewed the application and have raised no objection to the application but have recommended a number of conditions in addition to those already secured under the hybrid permission. Additional supporting information has been provided during the course of the application in response to comments from South Western Railway, expressed through consultation with County Highways Authority, in order to satisfy requirements for access and turning including use by Surrey buses and rail replacement coaches. Network Rail and Southwestern Railway have confirmed that they have no objection to the application providing the new design can accommodate 15m rail replacement buses. Plans have been submitted which demonstrate to the satisfaction of Surrey County Highways Authority that this can be achieved. Whilst the existing S106 secures public access of the open space and associated access road and footpaths, Surrey County Highways Authority have requested a Deed of Variation in order to strengthen existing clauses and provide more clarity of the station access road and its use by the public until the road is offered up for adoption.

#### 8.24 Parking

The siting of the car park has been carefully chosen, and reflected within the plans approved under the outline permission. It is to be located on an existing cleared area of the site just a short distance from the station entrance. Some of the representations received express the desire for the station car park to be located on land immediately adjacent to the station. This would result in the loss of an area of existing TPO protected woodland. This woodland area creates an important visual amenity that reflects the character of the Longcross Garden Village at this key arrival space, as well as providing ecological habitat and forms part of a wider bat foraging corridor. A revised siting would not be consistent with the approved plans and the legal opinion provided by the applicant confirms that “any other configuration would require a new planning application”.

- 8.25 The current application complies with the outline permission and the Council are obliged to consider the application as submitted and cannot consider theoretical alternative schemes. The applicant consider their proposal to be acceptable in Planning terms and consistent with the outline.
- 8.26 The application is to be considered as submitted, the proposed car park location is sited within an existing cleared part of the site which avoids the loss of the existing protected trees and has very limited biodiversity value. The car park is sited approximately 230m from the railway station which is a very short walk away (timed at a 2 minutes and 30 seconds walk from the car park exit to the entrance of the station). This is considered to be readily accessible and well sited to serve the railway station. This also ensures the arrival space creates an appropriate environment for visitors arriving at this key entrance to Longcross Garden Village and prioritises sustainable travel modes creating access for buses and space available for cycle parking and docking stations for e-bikes and scooters, and securing pedestrian and cycle links. Surrey CC raise no objection to the siting of the car park or its size. The plans have been amended since the October planning committee providing an alternative footpath route alongside the station access loop road. As detailed above, the amended plans have been reviewed by Surrey Police Secured by Design Officer who has raised no objections in principle to the revised plans subject to conditions to provide CCTV and appropriate lighting together with ParkMark accreditation and cycle storage provided to Secured by Design standards.
- 8.27 Whilst residents have expressed concerns regarding the impact of commuter parking on neighbouring residential roads, it is noted that there are no alternative parking options closer to the station (other than the proposed disabled car parking bays), than the proposed car park and therefore the siting of the car park itself is not considered to generate increased parking pressure on neighbouring residential roads. The issue of commuter parking on neighbouring residential roads is not uncommon surrounding railway stations. Whilst the management of the car park including proposed fee charging can assist, details of which have been secured through condition, this cannot be designed out in its entirety and would rely on traffic control measures.
- 8.28 It is also a consideration that Natural England has previously raised concerns regarding the importance of the management of car parking spaces to avoid use by those accessing the neighbouring Chobham Common SPA. This is reflected within the requirements of Condition 21 to secure a Car Park Management Plan. The siting of the car park would lie outside the Thames Basin Heaths 400m buffer zone and therefore less likely to be used by people parking and visiting the SSSI/SAC/SPA (the site by the station is within 400m of the receptor). As a result, Natural England has removed their requirement for the car park to be secured at all times and have confirmed that they do not consider the proposed development

will have significant adverse impacts on designated sites (SSSI and European/International sites).

- 8.29 Concerns have been raised by some residents regarding the quantum of spaces proposed. The current railway station is only accessible by foot and up until the recent footpath link to the Longcross north residential development was only accessible via a dirt track linking from Burma Road. Whilst the proposed car park would increase the accessibility of the station, it is not required to support either the existing residential and commercial development of Longcross North, or the wider Longcross Garden Village which will be supported by a range of sustainable travel options to access the station. The improvements proposed to the station access, including provision of a bus stop and drop off facilities together with a 42 space vehicular car park and 3 disabled spaces, would improve the accessibility and character and visual amenities of Longcross Station, consistent with Policy SD9, to create a high quality inclusive and accessible design reflective of the characteristically wooded Surrey setting. The quantum of spaces proposed is supported by Surrey County Highways Authority and is appropriate to serve both existing Longcross North development and to support the delivery of the wider Garden Village without generating significant vehicular movements to the but to support the existing and new community of Longcross many of which will be able to access the station using alternative sustainable modes of transport. It is also a consideration that neither South Western Railway nor Network Rail have raised any objections to the location or capacity of the proposed station car park. It will be an important consideration with regards the South Longcross application about how to secure a range of sustainable travel options from this development to the station.
- 8.30 Concerns have been raised by residents in respect of noise and disturbance, and potential for harm to residential amenity resulting from the siting of the proposed car park, tennis court and access road. There is a very good separation distance of approximately 50m to the nearest residential property to the east of the proposed car park, with the existing MVEE stream and adjacent woodland/trees providing a natural buffer between. An updated planting plan and section has been provided during the course of the application which details proposals for a hedge along the eastern and northern boundary of the car park together with additional tree planting including pine trees to further enhance existing tree planting and secure a robust visual screen along the eastern boundary of the site whilst enhancing ecological habitats and biodiversity value. It is important that the tennis court is not fully enclosed and is afforded a degree of natural surveillance. The separation distance to residential properties from these facilities is significant in planning terms and much greater than at many other locations in the Borough, given the separation distances involved and screening proposed it is considered that and no material harm to residential amenity is likely to occur as a result.
- 8.31 Condition 16 of the hybrid consent requires 20% of the station car park to be fitted with fast charge electric vehicle charging points and for the remaining 80% to be provided with passive infrastructure to allow for the future socket connection. Further details including management and maintenance requirements, security measures for the car park, will be secured through the Station Access and Car Park Management Strategy required by Condition 13 of the hybrid permission (RU.20/1206).
- 8.32 Ecology

The application is accompanied by an updated Ecological Survey as required with Condition 21. No evidence of protected species has been encountered at the site or identified as directly impacted by the proposed development. No evidence of badger activity within the site has been recorded which is consistent with previous surveys. Surveys identified bats



foraging along the woodland belt forming the northern boundary and along the eastern boundary.

- 8.33 The development has been designed to utilise existing cleared and open areas of the site whilst looking to maximise tree retention and protect ecological habitat in particular bat foraging habitat. Those trees identified to be removed have been identified as no or negligible potential for bat roost. Plans illustrate siting of street lights to the station car park and alongside the access route which demonstrates that they have been designed to limited light spill with the inclusion of back guards fitted to direct lighting to the roads and footway and reduce the risk of light spill to bat habitats. Surrey Wildlife Trust have reviewed the submitted assessment and are satisfied that the proposed lighting has appropriate regard to bats. Further clarity is sought regarding bat roosting enhancements and biodiversity which can be secured through condition.
- 8.34 The Ecological Assessment has regard for enhancements to be provided including for bats, which includes new areas of tree planting, north-south green corridor and wildflower meadow. The pond to the north of the discovery building whilst just outside of the application site area, has been recently re-instated including a surrounding enhanced wetland area and landscaped grounds. Further enhancements with new tree planting and wildflower planting is proposed to the north of the pond and adjacent to the film studio land which will enhance the visual appearance and character of this area whilst also contributing to biodiversity enhancements.

8.35 Trees

As set out above, the scheme has been designed to minimise tree loss. Whilst there would be some tree loss to facilitate the proposed development. Those trees to be lost are largely low-quality trees and whilst it is recognised that there will be a loss of some category 'B' trees, the siting and layout has been carefully designed to utilise existing open and cleared areas of the site, formerly used for construction purposes including the access road and thus minimises tree loss, retaining existing habitats and bat foraging corridors.

- 8.36 The important woodland tree belt subject of the TPO would be maintained. The quantum of new trees to be planted would exceed those to be removed and the planting plan demonstrates enhanced tree coverage, re-enforcing the green corridor from north to south of site, and assists in supporting existing bat foraging routes along the western boundary of the site and pond, and provides the opportunity to enhance and diversify the tree stock of the site. New tree planting is also proposed around the existing sub station providing a natural screen and landscape buffer. Conditions are recommended to secure suitable tree protection and new planting.
- 8.37 At the previous committee there was a query about the ecological value of the trees adjacent to the station and therefore whether or not a TPO was justified and whether or not a second opinion should be sought. A TPO is granted when it is 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. Whilst not individually outstanding specimens, the trees score highly on amenity value (both current and future) due to their group cohesion and prominence in the garden village and at a public transport node, this is an area TPO and ecological concerns were not a reason for the issuing of the TPO. As ecological reasons were not the reason for the granting of the TPO there is no benefit to the Council in seeking a second opinion on their ecological value, particularly as the Council is required to consider the scheme before it, as opposed to alternatives advanced by third parties.

#### 8.38 Drainage

An updated drainage drawing and technical note have been provided during the course of the application to respond to the comments of the LLFA. The application proposes permeable surfacing to the station car park parking bays using a Ecogrid system which allows for some grass fill between the grids. This has the added benefit of improved visual appearance as well as increasing biodiversity. A raingarden has also been added to the central area of the loop. The LLFA have reviewed the revised surface water drainage strategy and are satisfied it meets the requirements of the NPPF, PPG and the non-technical standards for sustainable drainage systems however further details are required which is secured through an existing Condition 8 of the hybrid permission and condition 9 requiring a verification report following completion. The conditions ensure the scheme is properly implemented and maintained.

#### 8.39 Environmental Impact Assessment and Appropriate Assessment

The local planning authority is the 'competent authority' for the purposes of giving permission for a plan or project as defined in the Conservation of Habitats and Species Regulations 2010 (amended 2017) and is therefore required to consider the implications of a plan or project upon designated European sites, in this instance the Thames Basin Heaths Special Protection Area (SPA) and Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) which are roughly 280m at closest point. Having regard to the proximity of the application site to the SPA and SAC, it is necessary to consider the likelihood of significant effects upon the integrity of the conservation objectives of the designated sites, as a consequence of the development, and whether or not an Appropriate Assessment should be undertaken prior to any grant of permission of the project concerned. This was considered as part of the outline/hybrid permission RU.21/1206 and is documented at 6.2 – 6.6 of the associated officer report. The current application is consistent with the outline permission in respect of land uses and development proposed and therefore the conclusions reached are also considered relevant to the consideration of this reserve matters application.

- 8.40 On the basis of the plans submitted which places the station car park outside of the 400m SPA buffer zone, Natural England have advised that they consider that the station car park proposed outside the 400m SPA buffer zone, Natural England considers that the proposed development will not have likely significant effects on the Thursley, Ash, Pirbright & Chobham Special Area of Conservation part of Thames Basin Heaths Special Protection Area and therefore a likely significant effect can be ruled out.
- 8.41 With regard to Environmental Impact Assessment, this was also considered at the outline/hybrid application stage where the application was formally screened for EIA upon receipt. It was concluded that, whilst the application just exceeds the indicative threshold of 5.0ha, as listed under Sch,2, Column 1, 10(b) of the Town and Country Planning (EIA) Regulations 2017, the application proposals would not give rise to impacts warranting EIA, having regard to the further assessment criterion set out under Schedule 3 of the Regulations, in particular considering the characteristics of the development, type and scale of impact in this location. Whilst it is recognised that the wider Longcross North development was the subject of EIA, the current application is a separate hybrid application considered on its own merits in the context of the Regulations. The current RMA is consistent with the hybrid application and therefore the conclusions previously reached remain applicable.

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

- 9.1 The proposal is not CIL liable.

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

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

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

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

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

## **11. CONCLUSIONS**

- 11.1 The application will secure the delivery of key outstanding infrastructure provision to support the existing residential and commercial development comprising the wider Longcross North site. A number of these matters are overdue for delivery and as such will resolve the harm caused by the existing breaches of planning control. It will address existing deficiencies in open space, play and sports provision and will secure access to Longcross station by buses (public transport) and cars as well as securing improved accessibility and connectivity by pedestrians and cyclists. The entrance and environment surrounding the station will be improved which will help support a modal shift and increased use of the rail transport. The application secures public access to this area of the site with enhanced tree planting and landscaping which will improve the visual appearance of this area and enhanced biodiversity. County Highways Authority are satisfied with the access and layout as proposed, and it has been demonstrated that there would be no undue impact on neighbouring amenity as a result.
- 11.2 The development has been assessed against the following Development Plan policies – SD3, SD4, SD5, SD7, SD8, SD9, SL1, SL26, EE1, EE2, EE9, EE10, EE11, EE12, EE13 and IE2 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.

## **12. FORMAL OFFICER RECOMMENDATION**

***The CHDMBC be authorised to grant planning permission subject to the completion of a Deed of Variation to the Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to Amend Clause 18 of the S106 agreement which requires the owner of the land to allow public access to and use of the station access road including the turning loop and associated footways for the purpose of access to and egress from the Railway Station, the Station Car Park, and the Open Space, in order to secure the following obligations:***

- (a) when public access will be allowed (i.e. at all times – 24 hours a day / 7 days a week);***
- (b) how the route will be maintained; and***
- (c) who will be responsible for maintaining it.***

***And a mechanism to provide for the transfer of the land between the turning loop and the railway line to RBC (details of land to be transfer, mechanism and timing delegated to CHDMBC).***

***And the subject to the following planning conditions:***

Conditions:

### **1 Reserved matters application (standard time limit)**

The reserved matters for which permission is hereby granted must commence not later than 6 months from the date of this permission, or not later than 18 months from the date of the outline approval, RU.12/1206, whichever is the later.

Reason: To comply with the requirements of Condition 2 of RU.20/1206 and 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:

- Site Location Plan, prepared by Patrick Parsons (Ref. A20036-FR-001 P5)
- Planning Application Boundary, prepared by Patrick Parsons (Ref. A20036-FR-002 P1)
- Hard Landscape Plan prepared by Murdoch Wickham (Ref. 1564-101 P4)
- Fencing Plan prepared by Murdoch Wickham (Ref. 1564-102 P4)
- Station Car Park Boundary Cross Section prepared by Murdoch Wickham (Ref. 1564-003 Rev D)
- Planting Plan, prepared by Murdoch Wickham (Ref. 1564-202 P6)
- Tree Removal and Protection Plan, prepared by Keen Consultants (Ref. 1707-KC-XX-YTREE-TPP01RevE)

- Lighting Plan, prepared by Patrick Parsons (Ref. A20036-FR-701 P5)
- Swept Path Plan, prepared by Patrick Parsons (Ref. A20036-FR-003 P2)
- Swept Path Plan (Bus/Coach turning area), prepared by Patrick Parsons (Ref. A20036-FR-006 P1)
- Overview Plan Sheet 1, prepared by Patrick Parsons (Ref. A20036-FR-111 P6)
- Overview Plan Sheet 2, prepared by Patrick Parsons (Ref. A20036-FR-112 P6)
- Overview Plan Sheet 3, prepared by Patrick Parsons (Ref. A20036-FR-113 P3)
- Drainage Layout Sheet 1, prepared by Patrick Parsons (Ref. A20036-FR-200 P6)
- Drainage Layout Sheet 2, prepared by Patrick Parsons (Ref. A20036-FR-201 P6)
- Drainage Layout Sheet 3, prepared by Patrick Parsons (Ref. A20036-FR-202 P6)
- Drainage Layout Sheet 4, prepared by Patrick Parsons (Ref. A20036-FR-202 P2)
- Proposed Levels Overview Sheet 1, prepared by Patrick Parsons (Ref. A20036-FR-301 P4)
- Proposed Levels Overview Sheet 2, prepared by Patrick Parsons (Ref. A20036-FR-302 P4)
- Proposed Levels Overview Sheet 3, prepared by Patrick Parsons (Ref. A20036-FR-303 P2)
- Signing and Road Marking Layout Sheet 1, prepared by Patrick Parsons (Ref. A20036-FR-701 P2)
- Signing and Road Marking Layout Sheet 2, prepared by Patrick Parsons (Ref. A20036-FR-702 P2)
- Signing and Road Marking Layout Sheet 3, prepared by Patrick Parsons (Ref. A20036-FR-703 P2)
- Signing and Road Marking Layout Sheet 4, prepared by Patrick Parsons (Ref. A20036-FR-704 P2)

Reason: To ensure high quality design and to comply with Policy SD3, SD4, SD5, SD7, SD8, SD9, SL1, SL26, EE1, EE2, EE9, EE10, EE11, EE12, EE13 and IE2 of the Runnymede 2030 Local Plan and guidance in the NPPF

3 The proposed alterations to and extension of Fox Road from Chieftain Road to Longcross Rail Station, including the upgrading of the Chieftain Road / Fox Road junction to accommodate the movement of buses, shall be constructed in general accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

4 The following pedestrian facilities shall be provided between the Longcross North Phase 2 section on Chieftain Road and Longcross Rail Station in general accordance with the approved plans, prior to the first use of the new access road by the public:

- a) A continuous 3.0m wide shared surface footway/cycleway along the western and then southern side of Fox Road;
- b) A pedestrian/cyclist crossing point on Fox Road comprising dropped kerbs and tactile paving;
- c) A 2.0m wide footway on the eastern and then northern side of Fox Road between the station car park and the pedestrian/cyclist crossing point, to allow car park users to walk to the station;

- d) The widening of the existing East-West footpath along the northern edge of Fox Road between the pedestrian/cyclist crossing point and Longcross Rail Station to 3.0m, to accommodate cyclists;
- e) A secondary North-South footpath link from the Discovery Building to Fox Road to the north with the provision of additional steps to connect to Fox Road to the south and thereafter the said approved pedestrian facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

5 The station car park shall not be brought into use unless and until the proposed vehicular access and egress from and to Fox Road have been constructed, and the egress has been provided with 2.4m by 43m visibility zones, in general accordance with the approved plans. 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 in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

6 The station car park shall not be brought into use unless and until space has been laid out within the site in general accordance with the approved plans for 42 vehicles to be parked, for vehicles to drop off and pick up, and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / drop off and pick up/ 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 in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

7 Prior to first use of the station car park, space shall be laid out within 50m of the station access for the provision of a minimum of 3 disabled parking spaces, to be connected to the station access via a new 2.0 wide footway, in general accordance with approved plans. Thereafter the disabled parking area shall be retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3,

SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

8 Prior to first use of the station car park, secure cycle parking facilities for a minimum of 10 cycles shall be provided within the station concourse area in accordance with details to be submitted to and approved in writing by the Local Planning Authority and which shall demonstrate provision to be Secured by Design standards. In addition, space shall be secured for further cycle spaces and the docking of e-bikes and e-scooters in accordance with the approved plans. The approved cycle facilities shall be delivered in accordance with the details as approved and shall thereafter be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

9 The proposed bus turning facility and concourse area adjacent to the Longcross Rail Station access shall be laid out and constructed in general accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

10 The proposed bus stop shall be sited on the south side of the bus turning facility and connected to the station access via a new 2.0m footway, in general accordance with the approved plans. The following facilities shall then be provided at the bus stop in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- a) Raised kerbing to a height of 140mm over a 9.0m length to ensure level access onto and off the buses
- b) A clearway with a 17m bus cage to protect the bus stop
- c) A bus shelter with seating and lighting.
- d) A RTP1 display board
- e) A bus stop flag and pole

The approved facilities shall be delivered in accordance with the timeframes set out in the delivery timetable, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

11 Prior to first use of the access road to Longcross Rail Station, measures to restrict access by private vehicles beyond the Station Car Park (with the exception of buses and disabled drivers), to include some or all the following:

- a) Suitable signage, lining, and surfacing to restrict private vehicle access along Fox Road beyond the station car park access;
- b) Double yellow line waiting restrictions around the bus turning circle to ensure that access for buses is maintained at all times;
- c) Introduction of traffic enforcement cameras on Fox Road and/or within the station concourse area;
- d) Any other alternative enforcement measures shall be designed and implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021 and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede Local Plan (2030) policies and objectives of the National Planning Policy Framework.

12 Details of the design, appearance and external materials of the proposed bus shelter shall be submitted for the prior approval in writing of the Local Planning Authority and shall thereafter be provided in accordance with the approved details prior to the first use of the bus turning facility.

Reason: In the interests of visual amenity and to secure a high quality design and appearance which is in keeping with the Garden Village and to comply with Policy EE1 and SD9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

13 No additional external lighting (including any floodlighting) shall be installed within the site area except in accordance with the details set out on drawing no. A20036-FR-701 Rev P5 (Longcross North-Eastern Fox Road Extension Lighting Overview) and section 5 of the submitted Ecological Assessment, without the prior permission in writing of the Local Planning Authority.

Reason: To protect the ecological value of the site including bat habitat, and to protect the amenities of neighbouring residential properties, and to comply with Policies EE1 and EE9 of the 2030 Local Plan.

14 The development shall be completed with new planting as detailed on drawing no. 1564/202 Rev P6 (NEC Planting Plan) which shall be implemented in accordance with an agreed timescale which shall be submitted to and agreed in writing by the local planning authority together with details for the management and maintenance, within 6 months of the date of this decision or prior to the first use of the station access road and turning head hereby approved.

Once planted, photographic evidence of the new trees shall be submitted to the LPA for approval.



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

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

15 Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (March to July inclusive) unless the applicant has first carried out a survey of such vegetation which shows that there are no nesting species within relevant parts of the application site and any such survey results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent birds being injured or killed during site clearance works and to comply with policies EE9 and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

16 Notwithstanding the details shown on the approved plans, details shall be submitted for the prior approval in writing of the Local Planning Authority of a scheme for the screening of the existing electricity sub station, together with a timescale for implementation, and the management and maintenance of the screening. The details shall be implemented in accordance with approved scheme.

Reason: In the interests of visual amenity and to secure a high quality design and appearance which is in keeping with the Garden Village and to comply with Policy EE1 and SD9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

17. Prior to any works within 10m of the MVEE stream, details shall be submitted to and agreed in writing by the Local Planning Authority demonstrating how a 5m buffer zone around the MVEE stream will be protected both during development and following completion of the works including details of proposed boundary treatment to the west of the MVEE stream alongside the proposed playing pitches. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: In order to protect the existing watercourse and adjacent land to avoid harm to biodiversity and wildlife habitat, and to comply with Policies EE1, EE2 and EE9 of the 2030 Local Plan and NPPF.

18. Details of proposed CCTV provision for the station concourse, car park and linking access road and footpath, together with a scheme for the management and maintenance of the CCTV provision shall be submitted for the prior approval in writing of the Local Planning Authority prior to the first use of the access road to Longcross Station. The approved CCTV cameras shall be provided and maintained in accordance with the approved details prior to the first use of the access road to Longcross Station.

Reason: In order to secure a safe, secure and sustainable environment for the users of the development and to comply with SD3, SD7 and SL1 of the 2030 Local Plan and NPPF.

19. Notwithstanding the details submitted with the planning application, details of the proposed external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the access road and car park hereby approved. Development shall be carried out in accordance with the approved details prior to the first use of the access road and car park and be retained as such thereafter.

Reason: In order to secure a safe, secure and sustainable environment for the users of the development and to protect wildlife, and to comply with Policies SD3, SD7, SL1 and EE2 of the 2030 Local Plan and 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 applicant is advised that this permission must also be implemented in accordance with the conditions and details approved under hybrid application RU.20/1206 and associated Section 106 Agreement.

3 The applicant is advised that in connection with condition 12 above, it is expected that the Bus shelter shall be of a traditional timber design compatible with the character of the Garden Village and adjacent woodland setting.

4 It is understood that it is the applicant's intention to offer the roadworks included in the application for adoption as maintainable highways. This cannot be adopted unless and until this connects to the public highway. Permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. If it remains the intention to offer these works for adoption the developer is encouraged to contact Transportation Development Planning at Surrey County Council prior to commencement of works on site. Prior to adoption as public highway the relevant TRO's will need to be applied for.

5 The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

6 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking)

are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

7 The applicant is advised that details of the design of a surface water drainage scheme for the development hereby approved is required to be submitted pursuant to Condition 8 of RU.20/1206. The drainage scheme should follow the principles set out in the submitted drainage strategy and the associated discharge rates and storage volumes shall be provided using a maximum total discharge rate of 13.2 l/s (including existing flows) as reflected within the LLFA response letter dated 18/07/2022.

8 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on their website.

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.

9 The applicants attention is drawn to the requirements of condition 12 of RU.20/1206 requiring the submission and approval of tree protective measures and method statement. Details submitted pursuant to this condition shall have regard to the submitted arboricultural method statement by Keen Consultants dated May 22 and Tree Protection Plan – 1707-KC-XX-YTREE-TPP01 Rev E.

10 The applicants attention is drawn to the requirements of condition 13 of planning permission RU.22/1206, requiring the submission and approval of a Station Access and Car Park Management Strategy

11 The applicants attention is drawn to the requirements of condition 14 of planning permission RU.22/1206, requiring the submission and approval of a Construction Environmental Management Plan (CEMP) to include Environmental Management and Construction Traffic Management Measures.

12 The applicants attention is drawn to the requirements of condition 18 and 21 of planning permission RU.22/1206, requiring the submission and approval of measures for enhanced bat roosting opportunities and bat sensitive external lighting controls.

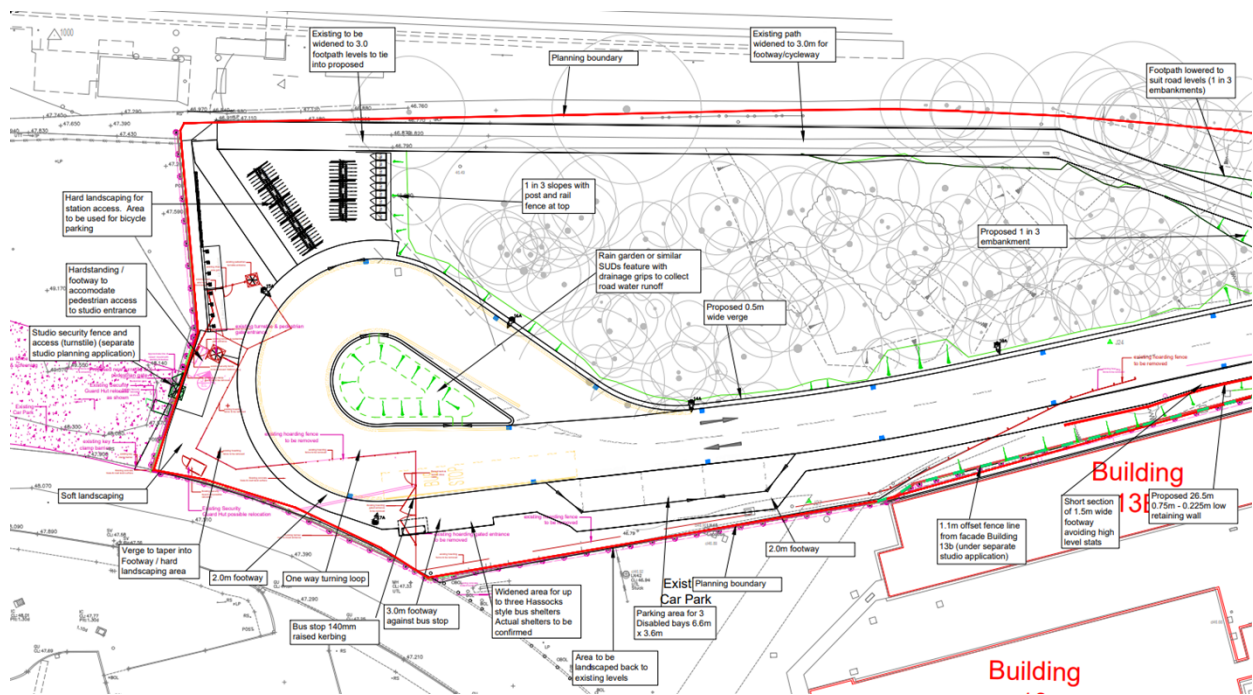
13 The applicants attention is drawn to the requirements of condition 19 of planning permission RU.22/1206, requiring the submission and approval of a remediation strategy to deal with risks associated with contamination of the site.

14 The applicants attention is drawn to the timescales set out under condition 26 of planning permission RU.22/1206, in respect of the completion of development.

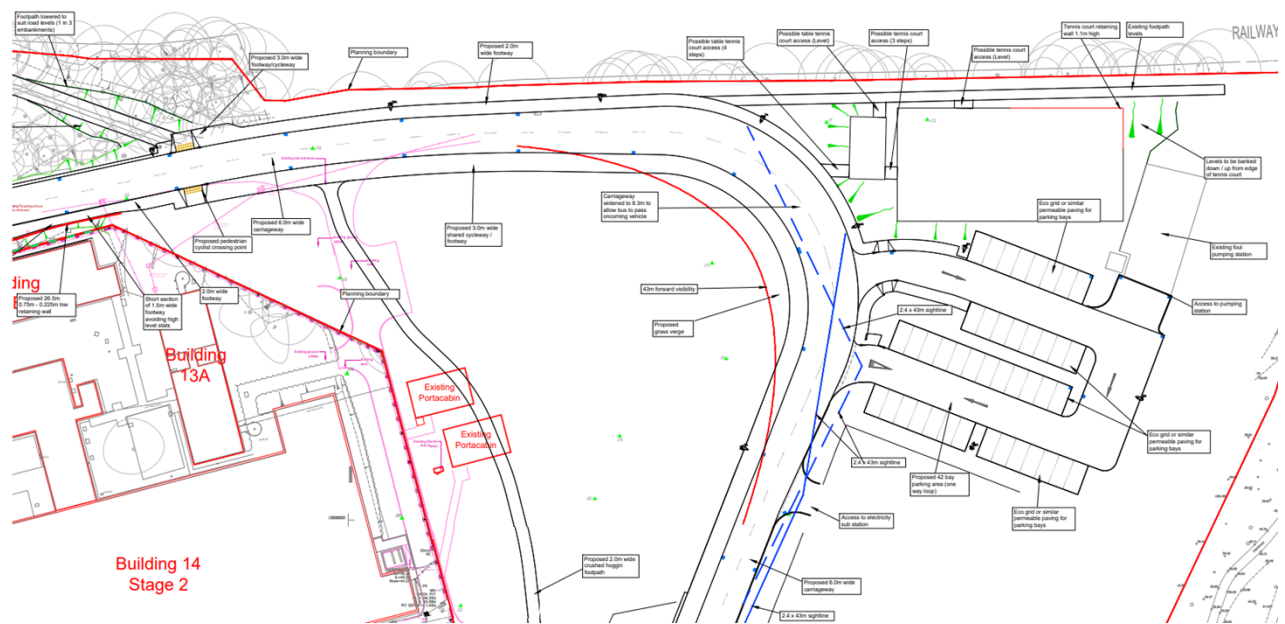
15 The applicants attention is drawn to the requirements of Schedule 1 of the S106 dated 6 July 2021, requiring the submission for approval the Landscape Plan and the Management Scheme as defined within the agreement for the open space, prior to the commencement of development.

16 The applicant is advised of the requirements to seek Network Rail's approval in respect of the Landlords Consent and Station Change processes.

### Proposed planting plan

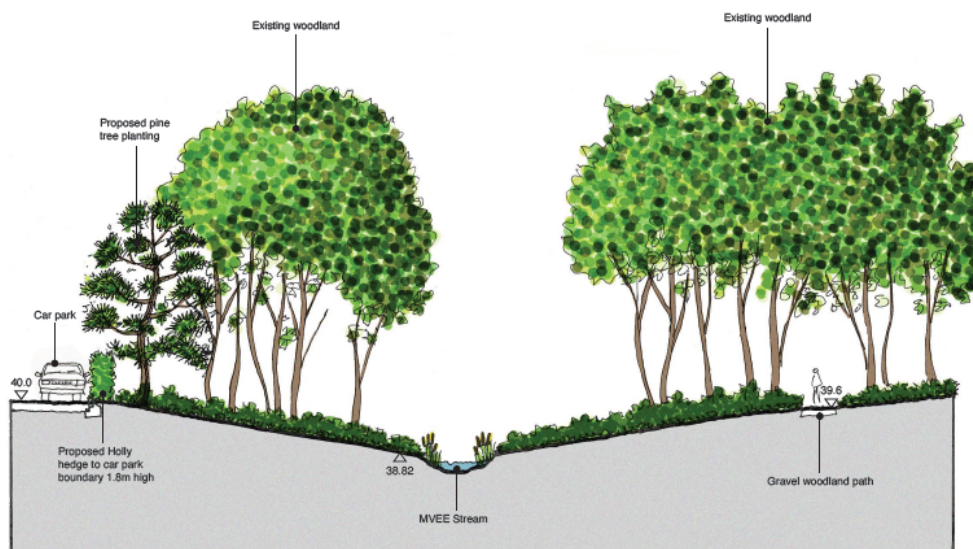


# Overview Sheet 1



## Overview Sheet 2





Station Car Park Boundary Cross Section



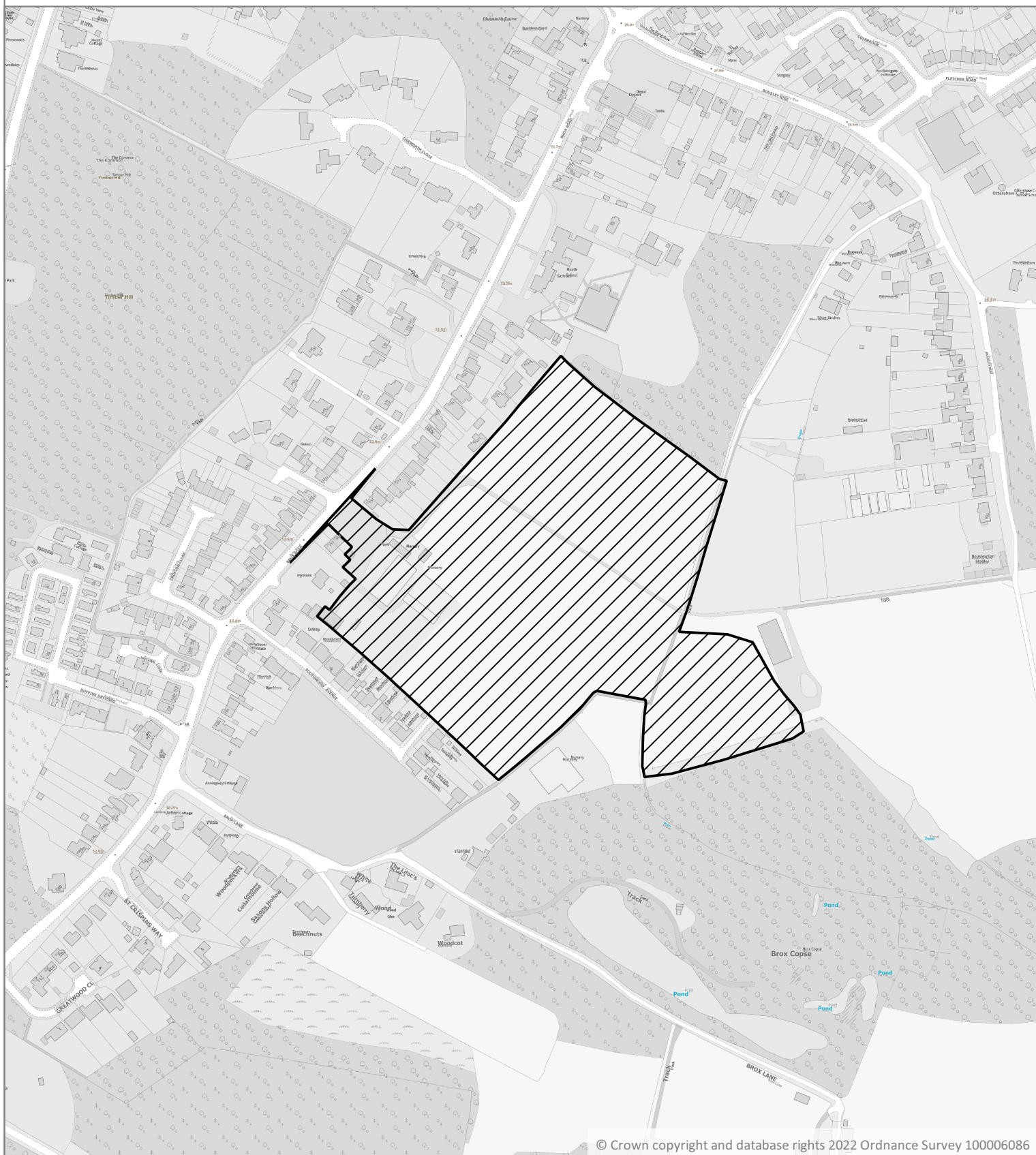
RU.20/1206 – Approved Framework Masterplan



FOR LOCATION PURPOSES ONLY

**Land to the east of Brox Road, Brox Road, Ottershaw**

Date: 14/12/2022



© Crown copyright and database rights 2022 Ordnance Survey 100006086

Scale: 1:4,000

**RU.22/0454**

0 100 200 m





**COMMITTEE AGENDA REFERENCE: 5b**

<b>APPLICATION REF:</b>	<b>RU.22/0454</b>
<b>LOCATION</b>	Land to the east of Brox Road, Brox Road, Ottershaw, KT16 0LQ
<b>PROPOSAL</b>	Hybrid planning application comprising: (a) Phased Full Planning Application for the demolition of existing buildings, provision of 2 x replacement garages for 155 and 157 Brox Road and delivery of a residential development (Use Class C3) comprising 184 dwellings (including 35% affordable housing) and 2 Gypsy and Traveller Pitches, informal and formal open space, footpaths, cycleways and internal roads, landscaping, planting and drainage infrastructure. Creation of new vehicular and pedestrian access into the site from Brox Road; and (b) Outline planning permission for: The use of 0.1 ha of land for the provision of a GP Surgery of up to 800sqm (Use Class E) with associated parking and landscaping (Amended plans and additional supporting documentation received 16/09/22)
<b>TYPE</b>	Hybrid (Full/Outline)
<b>EXPIRY DATE</b>	16/12/2022
<b>WARD</b>	Ottershaw
<b>CASE OFFICER</b>	Louise Waters
<b>REASON FOR COMMITTEE DETERMINATION</b>	Major development
<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 approve the application subject to the completion of a S106 agreement and planning conditions as set out in section 11 of this report.</b>
<b>2.</b>	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 not progress to his satisfaction</b>

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

- 2.1 The application site is located within the urban area and is currently occupied by a horticultural nursery which includes existing buildings, glasshouses, hardsurfacing and open land. The application site also includes a parcel of agricultural land falling within the Green Belt to the south-east which provides for the proposed drainage of the site including an attenuation basin. The application site has an area of some 6.67ha. Existing hedgerows and mature trees are positioned along the boundaries of the site. The site is accessed from an existing access from Brox Road to the west of the site.
- 2.2 The application site falls within Flood Zone 1. Neighbouring land is covered by Tree Preservation Order 50 (Rylstone, Brox Road, Ottershaw). Land to the south of the site is designated as ancient woodland known as Brox Copse. A public footpath runs along the south-eastern boundary of the site and connects to existing public footpaths to the north, south and west of the site. 192 Brox Road (located to the northwest of Brox Road) is a Grade II Listed Building. Existing residential development is located to the northwest (Brox Road) and to the south west (Southwood Avenue). The Meath School (a locally listed building) is located to the north of the site. Bousley Rise is located to the north. The site falls within 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

### **3. APPLICATION DETAILS**

- 3.1 Following the adoption of the Runnymede 2030 Local Plan the application site (excluding the area proposed for the attenuation basin to the south east) is no longer located within the Green Belt but is now within the urban area. This application site is a site allocated for development by the Runnymede 2030 Local Plan, Adopted 16th July 2020 by Policy SL12. A design review was undertaken by Design South East on the 5th November 2020 at the request of the council which provided design guidance on the proposed redevelopment of the site. In addition, a number of pre-application enquiries have been submitted to the council in 2020, 2021 and 2022. The applicant has also carried out public consultation and has sought to engage the local community. Since the submission of the current application, the applicant has sought continuing dialogue with Officers and the scheme has been further amended.
- 3.2 This application comprises a hybrid planning application seeking Phased Full Planning Permission for 184 dwellings in total comprising 119 market dwellings and 65 affordable dwellings along with 2 Gypsy and Traveller pitches measuring 0.1 hectares. This application also includes the provision of 2 x replacement garages for 155 and 157 Brox Road. A further 0.1 hectares has also been provided in outline to facilitate a future GP Surgery with associated parking and landscaping. All matters are reserved in respect of this outline element of the proposals. With respect to the GP Surgery policy SL12 requires the provision of 0.1ha of land and a proportionate contribution to the building of up to 800sqm for a new health facility comprising a GP surgery with associated parking and landscaping. The provision of 0.1 hectares of land as detailed on the submitted plans would be secured through a S106 legal agreement under this application. The details of which will need to be discussed further with the NHS. As the GP element is in outline (with all matters reserved) the access, appearance, landscaping, layout and scale of the development would need to be considered under a separate 'reserved matters' application in consultation with the NHS.
- 3.3 The proposal comprises a variety of dwelling sizes ranging from one bedroom apartments to five bedroom houses. The dwellings would range from two storey properties (some of which includes habitable accommodation within the roof) to three storey flatted development. The development includes a range of dwelling sizes comprising 23 x 1-bedroom properties, 41 x 2 bedroom properties, 82 x 3 bedroom properties, 26 x 4 bedroom properties and 12 x 5

bedroom properties. The affordable housing element would comprise 65 dwellings securing 35% Affordable Housing on-site through a mix of housing sizes and tenures including first homes, affordable rent and shared ownership.

- 3.4 A new access would be created to the north west of the site along Brox Road. This new access has been designed at a width of 5.5 metres (flared at the junction) with visibility zones of 2.4m x 50m and 2.4m x 47m. The proposals would also provide a 4m emergency access to the south west of the new junction to allow vehicular access to be maintained into and out of the application site during any future planned emergency road and infrastructure works to the main access.
- 3.5 This new vehicular access has been designed to link to a central primary road running through the application site which also comprises a 4m shared footway and cycle way (The Main Avenue). This primary road provides a link through the development to the proposed SANG land proposed to the east. This primary access road has been designed at a width of 5.5m and decreases to a minimum of 4.8m on the secondary / tertiary routes and 4.1m on shared private drives. Other parts of the site contain private drives, parking courts and shared surface areas. The shared surface areas are designed to reduce traffic speeds, reduce the amount of hard surfacing within the site and increase areas of soft landscaping.
- 3.6 The development provides for a total of 365 parking spaces for the new residential development (including garages). A further 35 visitor spaces have also been provided on site. Cycle parking is to be provided incorporating 2 spaces per dwelling within either a garage or shed and 1 space per apartment within a shared store. The development has also been designed to provide 138 EV charging points as required by policy.
- 3.7 The development has been broken up into four distinct character areas comprising the following:

Main Avenue – positioned along the primary vehicular, cycling and pedestrian route through the site to the SANG.

- Higher development comprising 2-3 storeys to reflect this main primary route through the site including apartment blocks and semi-detached units to provide a higher density.
- 25, 35, 40 and 50 degree roof pitches.
- Dwellings set back from road with tree belts and hedgerows.
- Parking concealed between plots.
- Mixture of red brick & brown multi brick, tile hanging & timber boarding, brown and slate coloured roof tiles.
- Pitched porch canopies, additional window bars and Georgian style front doors.
- Detailing applied to gable elements, Gablets to semi-detached dwellings, projecting headers in brick detail above first floor windows.

Rural Edge – positioned along the northern and eastern boundaries of the site.

- Reduced scale to reflect the boundary edges comprising 2-2.5 storey detached and semi-detached units.
- 35 and 50 degree roof pitches.

- Parking concealed between plots.
- Mixture of buff brick and red brick, tile hanging, brown and red coloured roof tiles.
- Hipped porches with posts, detailing applied to gable elements and country style front doors.
- Windows with horizontal and vertical glazing bars.
- Projecting headers in brick detail above first floor windows.

Central Break – positioned to the north of the Main Avenue

- 2 storey in scale providing predominantly semi-detached units with gabled detached units to address corners.
- 25, 35 and 50 degree roof pitches.
- Dwellings provided with shallow front gardens.
- Tree planting breaking up parking courtyards.
- Parking provided to plot frontages and between plots.
- Mixture of red brick & brown multi brick, white timber boarding, slate and brown coloured roof tiles, buff brick detailing (headers and cills included) detailing applied to gable elements and flat porch canopies.
- Contemporary style doors and casement windows.
- Brick band through first floor windows and arched brick headers.

Southern Edge – positioned adjacent to existing dwellings along Southwood Avenue.

- 2 storey in scale providing both semi-detached and terraced units.
- 25, 35 and 45 degree roof pitches.
- Landscaping provided between parking areas and to corners
- Parking concealed between plots and along frontage bays.
- Mixture of red & brown brick, brown and slate coloured roof tiles, white timber boarding, white painted stone headers and cills, flat porch canopies and cottage style front doors.

- 3.8 The development has been designed in an outward facing perimeter block ensuring that all public realm is naturally surveyed from dwellings and there are no rear facing gardens creating blank street frontages. All the individual dwelling houses would have private rear gardens. Other elements would include front gardens with low front hedging/planting and brick walls along more prominent boundaries. Separation distances between properties accord with the Runnymede Design SPD of 22m and include rear garden depths of 11m as a minimum for houses with many units exceeding this minimum depth. Rear to side relationships follow the Design SPD by providing 11m rear garden lengths and a 1m access for neighbouring properties (12m total length) provided as a minimum. The flats and apartment buildings would either have their own communal amenity space or are positioned in proximity to the new areas of open space to be provided within the new residential development.

- 3.9 The scheme allows for the retention of existing trees and hedgerows along the site boundaries. Further new strategic planting adds to these boundary conditions and provides further screening between existing and proposed residents. The site layout has been landscape led providing high quality landscaping including tree and hedgerow planting. Key to this is the tree lined street which runs west to east and connects Brox Road with the proposed SANG. Further open space has also been provided within the residential development to provide 2 no. LAP's (Local Area of Play). LAP 1 is located to the north-east of the site and LAP 2 towards the site entrance.
- 3.10 The existing public right of way which runs along the eastern boundary of the application site will be retained and enhanced as part of the development. The proposed development has also been offset from the existing field boundaries to the north and east of the site to allow space for native tree and wildflower meadow planting to strengthen these boundaries. A wildlife corridor has also been provided along the boundary of the site with Southwood Avenue. Additional open space provision is to be included within the SANG positioned to the east of the site as detailed under application RU.22/0479. The development also incorporates a Sustainable Drainage System (SuDS) including the creation of an attenuation basin to the south of the site designed to manage surface water and provide new wildlife habitats.
- 3.11 Waste and recycling provision has been provided within the development and tracking drawings have been provided to demonstrate that the proposed road layout can accommodate a refuse vehicle. Refuse and recycling bins for residents are to be accommodated for each unit within dedicated stores or within private rear gardens.
- 3.12 Two Gypsy and Traveller Pitches are proposed within the site which would occupy 0.1ha of land in the southern part of the application site. Each pitch would be provided with a single storey brick amenity building to provide water and electricity, a toilet and personal washing and laundry facilities. Soft landscaping is proposed around the pitches so to provide a landscaped buffer to both new and existing surrounding residential properties.
- 3.13 Following the withdrawal of planning application RU.21/0672 and following discussions with planning officers under this current application this hybrid planning application proposes the following revisions:
- Reduction in the number of residential units from 220 to 184 dwellings.
  - Improved layout of development resulting in less cramped plots.
  - Development redesigned to comply with the amenity standards as contained within the Councils Design SPD.
  - Reduction in the number of FOG's (flats over garages)
  - Creation of a 4m shared footway and cycle way running through the site linking the development to the proposed SANG land to the east.
  - Creation of 2 LAPs (Local Areas of Play) within the application site.
  - Additional planting along the boundaries of the new gypsy and traveller pitches.
  - More variation to the design and use of materials across the new housing development.
  - Revisions to the design and layout of new dwellings adjacent to existing residential development to the north along Brox Road to provide a significantly improved relationship.
  - Introduction of front gardens to some of the plots to better reflect existing local character.
  - Gypsy and Traveller pitches increased to 0.1 hectare.
  - Introduction of hipped roof designs across some of the dwellings and a reduction in height and pitch of some of the dwellings to reduce the overall height and massing of

the development.

- Increased provision of brick facing boundary walls and set backs to allow planting in prominent areas.
- Revisions to parking courts to provide landscape buffers for surrounding properties.
- Redesign of the site entrance to include changes in road surfacing to help break up the area of proposed hardsurfacing including the 4m emergency access to the south west.
- Wildlife corridor to be provided along the boundary with Southwood Avenue.
- Bays added to dwellings to activate side elevations.
- Improved facilities for refuse and recycling with respect to the flatted developments.
- Improved biodiversity enhancements

3.14 This application is supported by a Planning Statement, Design and Access Statement, Flood Risk Assessment and supporting drainage information, Ecological Impact Assessment (and an Addendum) and associated Ecological Surveys, Hard and Soft Landscaping Proposals, Soil Management Plan, Transport Statement, Travel Plan, Road Safety Audit and associated highway plans (including swept path analysis drawings) Topographical Survey, Arboricultural Impact Assessment and Arboricultural Method Statement, Daylight and Sunlight Assessment, Shadow Habitat Regulations Assessment, Landscape and Visual Appraisal, Site Waste Management Plan, Land Contamination Assessment, Green and Blue Infrastructure Checklist, Biodiversity Net Gain Assessment, Heritage Statement, Outdoor Lighting Report, Environmental Noise Survey, Air Quality Report, Construction Traffic Management Plan, Statement of Community Engagement, Energy and Sustainability Statement, Services Technical Note, CIL form and an Affordable Housing Statement.

#### 4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.22/0479	Full planning permission for the proposed change of use from agricultural land to publicly accessible open space to be used as Suitable Alternative Natural Greenspace (SANG) on 10.42ha of land, including the demolition of an existing barn and creation of new pathways, associated landscaping and associated earthworks. Creation of new areas of public open space (including play areas and a community orchard) relative to the adjacent site comprising a hybrid planning application. To be discussed on this agenda with an officer recommendation for approval.
RU.22/0460	EIA Screening Opinion in respect of the proposed development of the site for new residential development, a GP Surgery, Gypsy Traveller Pitches and the provision of a SANG (Suitable Alternative Natural Green Space). Not EIA development.
RU.21/0673	Full planning permission for the proposed change of use from agricultural land to publicly accessible open space to be used as Suitable Alternative Natural Greenspace (SANG) on 10.42ha of land, including the demolition

	of an existing barn and creation of new pathways and associated landscaping. Creation of new areas of public open space (including play areas and a community orchard) relative to the adjacent site comprising an outline planning application for residential development (Use Class C3); serviced gypsy/traveller pitches (Sui Generis); GP Surgery (Use Class E), landscaping and associated development. Withdrawn
RU.21/0672	Outline planning application for residential development (Use Class C3); serviced gypsy/traveller pitches (Sui Generis); GP Surgery (Use Class E); associated landscaping, utilities and drainage infrastructure; and associated infrastructure and enabling works including the demolition of all existing nursery buildings and glasshouses. All matters are reserved for future consideration with the exception of access to the site, to be taken from Brox Road. Withdrawn
RU.21/0633	EIA Screening Opinion in respect of the proposed development of the site for new residential development, a GP Surgery, Gypsy Traveller Pitches and the provision of a SANG (Suitable Alternative Natural Green Space) Not EIA development

## 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.

The relevant policies are considered to be:

- SD1 – Spatial Development Strategy
- SD2 – Site Allocations
- SD3 – Active & Sustainable Travel
- SD4 – Highway Design Considerations
- SD5 – Infrastructure Provision & Timing
- SD7 – Sustainable Development
- SD8 – Renewable & Low Carbon Energy
- SL1 – Health and Wellbeing
- SL12 – Housing Allocation Ottershaw East
- SL19 – Housing Mix and Size Requirements
- SL20 – Affordable Housing
- SL22 – Meeting the needs of Gypsies, Travellers and Travelling Show People
- SL26 – New Open Space
- EE1 – Townscape and Landscape Policy
- EE2 – Environmental Protection
- EE9 – Biodiversity, Geodiversity and Nature Conservation
- EE10 – Thames Basin Heaths Special Protection Area
- EE11 – Green Infrastructure
- EE13 – Managing Flood Risk

- 5.3 The application site is a site allocated for development by the Runnymede 2030 Local Plan, Adopted 16th July 2020 (policy SL12).
- 5.4 SPDs which might be a material consideration in determination:
- Runnymede Borough Parking Guidance (2022)
  - Affordable Housing Supplementary Planning Document (2022)
  - Runnymede Design Supplementary Planning Document (2021)
  - Green and Blue Infrastructure Supplementary Planning Document (2021)
  - Thames Basin Heaths Supplementary Planning Document (2021)
  - Infrastructure Delivery and Prioritisation (2020)
  - Parking Strategy: Surrey Transport Plan (2020)
- 5.5 This site falls within the designated Ottershaw Neighbourhood Area. However, a Neighbourhood Plan has not been developed yet for this area.

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Heathrow Airport Safeguarding	No objections (comments provided with respect to the use of cranes)
Environment Agency	No objections (comments provided with respect to ground water protection)
Historic England	No objections
Natural England	No objections subject to the development complying with the requirements of Runnymede's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA.
National Highways	No objection subject to conditions
Surrey Police -Designing Out Crime Officer (north division)	No objections. Guidance given with respect to Secured by Design.
Thames Water	No objections subject to conditions
Land Contamination Officer	No objections subject to conditions.
Drainage Section	No objections
Environmental Health	No objections subject to conditions.
Listed Building & Conservation Adviser	No objections
Local Planning Section	No objections
Tree Officer	No objections subject to conditions.
Green Spaces Team	No comments received



Safer Runnymede	No comments received.
Direct Services Officer – Recycling Officer	Requests improved refuse and recycling facilities for the communal flats. <i>(Officers comments: The proposed refuse and recycling facilities for the flats have been amended to incorporate requirements from the Direct Services Officer)</i>
Surrey County Council -Education	No objections subject to financial contribution (To be provided through CIL)
Surrey County Council - Countryside Access Officer	No objections – Contribution sought towards enhancing the existing public right of way.
Surrey County Council – Rights of Way Officer	No comments received
Surrey County Highway Authority	No objections subject to conditions. S106 requirement for: <ul style="list-style-type: none"> <li>• contributions towards the HIF Scheme (£246 per sqm)</li> <li>• Travel plan fee of £6,150</li> <li>• Retention of public access to and from the public use elements of the site including the SANG and GP surgery.</li> <li>• Restrict the occupation of the development over and above the 93<sup>rd</sup> dwelling until the A320 Ottershaw roundabout works have been completed.</li> <li>• In the event that the HIF Scheme is not progressed the same fee shall be given to the County Highway Authority for an alternative scheme.</li> </ul>
Surrey County Archaeology	No objections
Surrey County Council Minerals and Waste	No objections subject to conditions.
Surrey County Council Lead Flood Authority	No objections subject to conditions.
Sport England	No objections
Surrey Bat Group	No objections
Surrey Gypsy Traveller Communities Forum	Supports the proposal
Surrey Wildlife Trust	No objections subject to conditions
West Surrey Badger Group	No objections subject to conditions.

Brox End Nursery Residents Association	No comments received.
Fairoaks Airport	No objections
Ottershaw Neighbourhood Forum	<ul style="list-style-type: none"> <li>• fails significantly in a number of key areas and does not demonstrate adherence to national and borough policies and supporting guidance.</li> <li>• The need for housing is recognised but in its current form we would not wish this development to be built at this location in our village.</li> <li>• Should be refused pending a satisfactory redesign.</li> <li>• Inappropriate density and spacing.</li> <li>• Overlooking issues to adjacent properties</li> <li>• The development should reflect the sparser density and more varied character of surrounding development</li> <li>• Contrary to the Design SPD the development does not relate well to its neighbours.</li> <li>• The housing mix does not reflect or support the housing need for the local area.</li> <li>• Poor design of minimal character which does not integrate with the more eclectic design of the whole of the surrounding area</li> <li>• No landmark buildings and provides minimal distinction between the 4-character areas.</li> <li>• Should create a single character area which seamlessly integrates with existing character.</li> <li>• Overly large parking areas at the edges of the development which impact neighbouring properties</li> <li>• GP Surgery has insufficient parking</li> <li>• The Safety Audit Report recommends double yellow lines each side of the entrance to the development which is unacceptable as it will push patient parking further away from the surgery.</li> <li>• The development fails to comply with government and council</li> </ul>

	<p>policy with respect to green infrastructure including the councils Green &amp; Blue Infrastructure SPD with insufficient trees, hedgerows and green spaces.</p> <ul style="list-style-type: none"> <li>• Lacks a suitably proportioned green corridor/buffer zone around the perimeter</li> <li>• Insufficient biodiversity net gains representing a lower gain or even a net loss.</li> <li>• Harmful impacts on biodiversity</li> <li>• Poor sustainable design barely meeting the current standard.</li> <li>• No evidence of exploring community-based solutions for renewable power or heating.</li> <li>• Design and layout fail to reflect the surrounding area</li> <li>• Fails to meet local aspirations and government principles of build back better</li> <li>• Location on the fringe of the village, remote from other amenities, will encourage increased vehicle use.</li> <li>• One of the two 2030 Local Plan SLAA plots close to the village centre would be a better choice</li> <li>• Incorrect developable area</li> <li>• Inappropriate housing mix. Ottershaw has sufficient numbers of 4+ bedroom properties</li> <li>• Whilst the NPPF encourages efficient use of the land it also requires the density and form of development to reflect the character, accessibility, and infrastructure capacity of the local area.</li> <li>• The granting of permission at Brox End will further exacerbate congestion</li> <li>• Insufficient road traffic capacity already exists within the village with several schools, a nursery a haulage firm and a number of other HGV users.</li> <li>• New developments in Chertsey South will increase the demands on the Ottershaw Surgery.</li> <li>• Poor spacing with boundary properties.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• A more bespoke individual and varied layout would integrate better with the surrounding area.</li> <li>• Plot positioning provides an unacceptable urban street effect rather than a rural one.</li> <li>• Design is generic and fails to reflect existing character with respect to materials and form.</li> <li>• Development will significantly increase traffic which is flawed without significant investment in poor local infrastructure</li> <li>• A single access with have highway safety implications</li> <li>• Insufficient car parking</li> <li>• Poor design of parking courts is poor creating unsupervised space for burglars and unwelcome noise and light pollution to existing and proposed properties</li> <li>• Insufficient space for cycling, pedestrians and for vehicle turning.</li> <li>• Should provide secure cycle storage.</li> <li>• Concerns regarding overlooking and proximity to existing properties surrounding the site</li> <li>• Open spaces are completely lacking throughout the interior of the development</li> <li>• It is unclear who will be responsible for owning and managing the Gypsy and Traveller pitches</li> <li>• Green spaces should be improved on the site edges.</li> <li>• Significant issues outstanding with respect to the SANG design and layout and its management.</li> <li>• Poor local transport infrastructure</li> </ul>
--	--

## Representations and comments from interested parties

- 6.2 193 neighbouring properties were consulted in addition to being advertised in the local paper. Site Notices have also been erected in the vicinity of the application site. 44 letters of representation have been received in regard to the original scheme and a further 90

letters following the receipt of amended plans which can be summarised as follows:

- The impact on village life will be detrimental with too much traffic and pressure on local facilities.
- The development has too many properties and is not of a suitable density. Fails to comply with the Runnymede Site Capacity Addendum
- The developable area calculated by the applicant is not correct
- The development does not align with the existing village character and context.
- There is insufficient green infrastructure, open space and soft landscaping.
- There are no green corridors around the site such as those which are designed into the much better proposal at nearby Green Lane by Taylor Wimpey
- Insufficient housing mix fails to meet local need and the AECOM report
- The application should be urgently reviewed and scaled down to an acceptable level.
- The whole project appears to be an exercise in maximizing profit for all parties concerned by squeezing too many properties in and the needs of local residents have not been sufficiently acknowledged.
- Increasing the number of residents as part of the Ottershaw East development will exacerbate the Brox Road/Murray Road junction.
- Without improvements to the Brox Road/A320 Priority Junction, the Ottershaw Roundabout will receive greater traffic and Brox Road/Murray Road will become heavily congested.
- Fails the test of a being a high-quality design.
- Fails to comply with Central Government and Runnymede planning policies.
- The design of dwellings is not in keeping with the rest of the village
- A complete disregard for the displacement to existing wildlife.
- The four-character areas show little real variation and do not reflect the diverse housing in Ottershaw village.
- Insufficient biodiversity net gain.
- Inadequate infrastructure.
- Problems with foul waste capacity which require major upheaval for the village to rectify.
- New A320 roundabout will not help improve local traffic flow as no widening of road between roundabout and McClarens.
- The building at the gateway next to 153 Brox Road is now an apartment building. This does not fit into the context of Brox Road.
- The access is inadequate and will noticeably reduce visibility onto Brox Road and harm highway safety.
- Concerns regarding drainage
- Insufficient highway design and street widths.
- There is insufficient road capacity already in the village which will be further exacerbated by this development and result in harm to highway safety.
- Travel Plan insufficient
- Lack of amenity space for apartments.
- Space for cycle storage and bins is not obvious in the plan.
- The large number of apartment blocks with balconies does not equate with the "formal Suburban" context of Ottershaw.
- Poor contextual relationships with existing surrounding properties and harmful high density development adjacent to site boundaries. Does not integrate with the existing properties surrounding the site.

- Does not align with the village character and more in line with urban townscape.
- Inappropriate parking courts back onto the rear of existing dwellings and associated harmful impacts upon existing surrounding properties.
- Minimum garden distances too tight. Risk of gardens being undersized with no margin for error
- Identikit housing estate, character areas poor and indistinctive.
- No landmarks or placemaking.
- Concerns raised by waste and recycling officer.
- New A320 roundabout will not help improve local traffic flow as no widening of road between roundabout and McClarens.
- It is inappropriate to site an apartment block so close to 153 at the entrance to the development. It is overbearing, out of context and does not blend in.
- Apartments blocks and parking pools should not back or side onto existing buildings.
- There are no dedicated routes for cyclists and pedestrians. All routes prioritise cars.
- The density of housing adjacent to existing dwellings is contrary to multiple national and local design guides which all state that new housing should relate to the context and respond to the existing built form.
- Insufficient policy for sustainable design.
- Policy SL12 stated clearly that the increased densities were only permissible with a high quality design. The current application is not a high-quality design.
- The applicant has not consulted the residents on the design as recommended in the NPPF.
- Problems associated with the traveller pitches.
- The existing highway network cannot cope and no new building should be allowed until the free flow of traffic is sorted.
- No dedicated paths for cyclists and pedestrians
- The development should not be allowed until the Priority Junction along the A320 is dealt with appropriately with the community in mind and the Ottershaw Roundabout is redesigned.
- Noise and pollution will be a problem.
- The people visiting the SANG will also increase parking problems that already exist on Brox Road.
- Harmful impacts on local infrastructure including hospitals and schools.
- The position for the gypsy site is completely wrong and will detrimentally affect existing properties that border the site.
- There is also inadequate parking for the development and the proposed doctor's surgery. Parking space sizes are inadequate.
- Ottershaw village is poorly served by public transport and infrastructure being a dormitory village dependant on car use.
- Agree with objections raised by BRAG
- Travellers do not move around and concerns are raised that occupants will run businesses from their plots to the detriment of local residents.
- The Transport Assessment report found that the residential aspect of the Proposed Scheme is estimated d) to generate a maximum of 128 two-way trips in any peak period. This equates to just over two additional vehicles on the network every minute, which will create greater danger for highway users including pedestrians and cyclists.
- Local residents moved to Ottershaw because of the village feel. Residents do not want to live in a developed town

- Not a sustainable location
- No sports and leisure facilities
- No demand for traveller pitches and inappropriate for the site.
- Inappropriate large parking courts located close to existing properties
- Loss of Green belt and agricultural land
- GP surgery will further exacerbate congestion and highway safety. The Transport Assessment found that a maximum of 53 two-way trips, making a further 106, would be generated in any peak period. This equates to almost one additional vehicle movement on the network every minute.
- Parts of the development are not easy walking distance to shops and so car use will increase.
- The opportunity should now be taken to restrict both ends of Brox Lane, together with Slade Road, to all through traffic. There should be no entry (except for access and buses). The 30mph speed limit on both of those roads should be reduced to 20mph.
- Little has changed with respect to the amended plans.
- Impact on the M25
- This development will lead to local residents being driven out of Ottershaw.
- This development in conjunction with Brox End will completely change the living environment of local residents.
- Danger to local residents
- Insufficient access for refuse trucks and access for large caravans to the Gypsy and Traveller pitches.
- Development should be designed to design out the potential for crime.
- The poor relationship of the development to existing dwellings will result in harmful impacts upon existing surrounding properties including loss of privacy, increase in noise, overshadowing and overlooking.
- Impacts of the development upon a neighbouring passive house at 135A Brox Road.
- The proposed development does not integrate or feather in with the existing settlement.
- The style of housing proposed is generic and essentially similar to all of the applicants housing units at all its sites nationally and does not reflect the Ottershaw vernacular which is mixed styles representing multiple architectural styles of different periods.
- Plots should be configured so that new development relates well to its neighbours.
- Development must respond to the plot and building rhythm within the local context.
- The development poorly integrates around the border with existing residents properties. There are pockets of poor integration and high density arrangements of new housing.
- There is no green edge around the site and no buffer or green corridor to enable the requirement for biodiversity and corridors for wildlife.
- The layout and streetscape apart from the central avenue is indistinct, featureless, and monotonous.
- The Runnymede design SPD emphasises throughout that good design should reflect local vernacular and include variety including landmark buildings, points of interest and variations of style.
- Police Secured By design principles must be adopted.
- Brox Road and Slade Road speed limits and restrictions must be implemented before construction commences.

- Consideration must be given to extending distances to bordering properties.
- The creation of a SANG- the community does not need this and the associated parking issues.
- Concerns with the design of the SANG. Local residents do not want the SANG
- Poor location of the GP Surgery
- Will lead to harm to mental health and well being of existing residents
- The applicants have failed to work with the Ottershaw Neighbourhood Forum.
- Fails to comply with the Government White paper 'build back better'
- Harmful impact upon property values
- Examples of appeal decisions on other sites which have defended poor design and harmful impacts on existing residents.
- Not enough affordable housing
- Fear of increased crime and anti-social behaviour
- The site should not have been taken out of the Green Belt.
- Since the publication of the new NPPF there has been a reduction in tolerance of poor design.
- Examples given for an improved layout
- The consultation exercise undertaken by the applicant was a tick box exercise
- The SANG should be repositioned to run along the back of the existing properties along Brox Road that border the field. This will reduce the disruption to the natural habitat and would create a natural barrier between existing properties and the new site.

6.3 In addition 11 letters have been received from the Brox Road Action Group (including a signed petition) raising the following objections

- Loss of Green Belt and green spaces and harmful impacts on the health, well being and safety of residents.
- The proposed development fails to respond to local village character and context.
- Fails to maintain local distinctiveness and contribute positively to the local area.
- Fails to preserve high standards of amenity for neighbouring occupiers.
- No attempt has been made to achieve a suitable transition between the existing neighbouring development which is lower density and suburban in form.
- Concerns over refuse collection
- Harmful impacts on biodiversity – no wildlife corridors
- Will lead to biodiversity net losses
- The development will lead to a huge change in village character
- Development results in an obtrusive and inappropriate urbanising effect
- Detrimental impacts on the basic needs of residents.
- Fails to maintain quality of life for future and existing residents.
- Fails to comply with central government and local planning policies
- Density out of keeping with the local context – fails to comply with the councils Site



#### Capacity Analysis Addendum.

- Incorrect developable area has been used in the density calculations.
- Insufficient green space and landscaping. The design should follow the recent development by Wimpy at Green Lane with a green buffer around the site edges
- Poor contextual relationship and integration with existing built form
- Poor design - Identikit design with poor place making and little character. No landmark buildings, variation in design or landmark buildings.
- Not sustainable design
- Inappropriate housing mix – fails to meet local needs
- Inappropriate denser housing adjacent to existing properties and site boundaries
- Poorly designed parking courts
- Poor relationship, design and separation distances to site boundaries and neighbouring properties
- Harmful impacts upon the amenities of existing dwellings surrounding the site
- Insufficient infrastructure and parking for the SANG.
- Examples of appeal decisions which refuse development for poor design and harmful impacts on neighbouring properties
- Poor design of LAP's
- Since the publication of the new NPPF there has been a reduction in tolerance for poor design
- Insufficient parking
- There are other brownfield sites and offices which could be used for housing
- COP 26 and the Pandemic has highlighted the importance of green spaces
- Harmful impacts on highway safety. The new A320 works will not improve safety.
- The recent development at Brox End will further exacerbate congestion and highway safety issues
- Fails to comply with policy SL12 and the Surrey Landscape Character Area.
- Fails to comply with the Government White Paper 'Build Back Better'.
- Poor local infrastructure. The development should be sustainable and reflect the infrastructure capacity of the area.
- Insufficient access and space for vehicles to safely access and move around the site
- Development fails to design out crime
- Insufficient amenity space for the proposed residents

- Increase in noise and light pollution for existing residents
- Unclear how the Gypsy and Traveller Pitches will be delivered. The proposed gates should be removed
- The consultation exercise by the developer was a tick box exercise and local residents comments have not been taken on board
- As the council prepares for its new local plan local support will depend on how the council implements the 2030 Local Plan. This development reduces residents confidence and support for the local plan
- Examples given of an improved layout.
- The NPPF, NDG and local guides are not just simply “guidance” which can be ignored or compromised. They constitute tests of high quality design for which an application can be refused if it does not comply.
- The T&C Planning Act mandates compliance with the development plan and the development plan requires a high-quality design. The application has not met this standard therefore they must state the material considerations as to why it should be set aside. Overriding factors do not include the need for housing as this has already been considered within the Development Plan for this site.
- The council and the applicant has to state the material justification as to why the requirement for a High-Quality design required in the Development Plan for Ottershaw East should be set aside (as per the T&CP Act).
- Areas of the applicant’s design do not constitute a high-quality design including the SW corner behind Southwood Avenue and behind 151 Brox Road.
- The housing minister has said he will be calling time on mass development from volume builders with their restricted pattern book which is repeated at all their sites nationally.
- The council must therefore either reject the application or justify why it should be allowed given that it does not satisfy the criteria of a high-quality design

## **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. Following the adoption of the Runnymede 2030 Local Plan the site (excluding the attenuation basin to the south east) is located within the urban area and is no longer constrained by the Green Belt designation. The application site is therefore located within the urban area where the principle of such development is acceptable subject to detailed consideration. This development must be considered in light of the presumption in favour of sustainable development advocated by the NPPF.
- 7.2 The key planning considerations are considered to be the principle of the development and the proposed quantum of development, the impact of the development on the character and visual amenities of the area and whether the proposal represents high quality design, the impact upon existing surrounding heritage assets, the impact upon existing trees and blue infrastructure, the impact upon residential amenity, environmental protection (noise impacts,

air quality impacts and land contamination) housing mix and affordable housing, highway safety and parking, flood risk and drainage, biodiversity and nature conservation, sustainable design and health and wellbeing. Consideration also needs to be given to the impact of the development upon the Thames Basin Heath SPA. The planning history of the site and relevant comments raised by consultees and residents are also material planning considerations.

#### Principle and Quantum of Development

- 7.3 The Runnymede 2030 Local Plan was adopted on 16th July 2020 which contains policies for the redevelopment of this site. Policy SD1 considers the spatial distribution of growth over the period of the Local Plan (2015-2030) confirming that 298 net additional dwellings (including 15 completions and 6 dwellings deriving from the provision of C2 older people's accommodation) and 2 traveller pitches will be provided within Ottershaw within the plan period. Policy SL12 (Housing Allocation at Ottershaw East, Ottershaw) confirms that this site (which also includes the Field Nursery to the south which is omitted from this current application) will deliver a high quality development that will make provision for a minimum of 200 C3 dwellings, 2 net additional serviced Gypsy/Traveller pitches and a GP surgery. Policy SD2 confirms that the site will be expected to be delivered 2023-2027 subject to the delivery of necessary mitigation on the A320. The principle of the development of this site for new housing, a GP surgery and gypsy and traveller pitches has therefore already been established through the adoption of the local plan.
- 7.4 The Runnymede Site Capacity Analysis Addendum (2018) suggested that given the need to ensure efficient use of land whilst taking account of surrounding context and density at Brox End Nursery, it was considered that Ottershaw East could come forward for at least 200 net dwellings and 2 Gypsy/Traveller pitches. Given the requirement to use land efficiently it was considered under the Site Capacity Analysis Addendum that density should range higher than the immediate vicinity whilst taking account of surrounding character and the resolution at Brox End Nursery (which represented a net density of around 32dph under application RU.17/1940).
- 7.5 The current application proposes 184 dwellings excluding the Field Nursery. The applicant has confirmed that the application has a site area of some 6.67 hectares including the GP Surgery, Gypsy and Traveller Pitches and the attenuation basin. This represents a gross density of some 28 dwellings per hectare. The applicant has confirmed the net site area to be some 4.82 hectares which represents a net density of some 38 dwellings per hectare.
- 7.6 Following consultation with the Local Planning Section no objections have been raised with respect to the proposed quantum and density of development. It is recognised that it is not possible at the high-level plan making stage to predict what detailed measures might need to be incorporated into a specific scheme. It is considered that the proposed quantum and density of development would be appropriate for this site which would represent an efficient use of land taking on board the densities of existing surrounding development.
- 7.7 The application site is considered to be within an existing settlement within a relatively sustainable location. The development is located approximately 1.0km from the local shopping parade along Brox Road. The application site is also positioned close to a range of other local services and facilities including local schools, a nursery and the Castle Public House. It is therefore considered that the site is suitably located for accessing a range of local facilities on foot for both the residents of the site as well as the staff of the GP surgery. An existing cycle route (NCN Route 223) is located to the west of the site and runs alongside the A320. This route provides traffic-free access to Chertsey to the north and Woking to the south. Nearby towns such as Addlestone, Chertsey and Woking are all located within the 6.1km average cycle distance. The nearest bus stops to the site are located on Brox Road

approximately 300m from the centre of the residential area of the site located to the northeast of the site access. Further stops can be found in the centre of Ottershaw along Murray Road approximately 1.1km from the centre of the site. The site is therefore within an existing settlement and is considered to be located within a reasonably sustainable location. Given its allocation under Local Plan policy SL12 the proposed development is considered to be acceptable in principle.

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

- 7.8 Paragraph 126 of the NPPF confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the NPPF states that new development should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history, including the surrounding built environment and landscape setting. New developments should establish and/or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live and visit. The NPPF however makes it clear that this should not discourage change (such as increased densities) and developments should optimise the potential of a site to accommodate and sustain an appropriate amount and mix of development including green and other public space.
- 7.9 Policy EE1 (Townscape and Landscape Quality) of the Runnymede 2030 Local Plan requires all development proposals to achieve a high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land. Developments should create attractive and resilient places which make a positive contribution to the Borough's townscape, public realm and/or landscape setting and which will endure into the long term, paying particular regard to layout, form, scale, materials, detailing and any guidance set out in adopted planning documents including the Council's Design SPD.
- 7.10 The application is supported with a Design & Access Statement which clearly outlines the design evolution of the proposals and the background to this development including a Design South East Review back in 2020 and extensive discussions with planning officers both during the consideration of the current and previously withdrawn planning applications and during extensive pre-application discussions.
- 7.11 The councils Design SPD and other design documents have also helped to inform the layout, form, scale and design of the development and the proposal has resulted following a detailed analysis of the site and its local context. The application is also supported by a Landscape and Visual Assessment (LVA) which confirms that there will be some impacts during construction but these will be temporary in nature. The LVA confirms that characteristics identified within The Surrey Landscape Character Assessment have been retained within the layout where practical and the pattern of development is designed to assimilate with the existing settlement pattern and form of Ottershaw.

- 7.12 The retention of the boundary hedgerows and trees will assist in providing a sense of maturity to the development which reflects and integrates within the wider landscape. This approach seeks to ensure that the existing well wooded character and landscape features are retained. The LVA advises that the proposed landscape and visual effects are considered to be limited in geographic extent and will be mitigated by the retention and protection of existing planting and the submission of a new landscaping scheme. The LVA concludes that there are not considered to be any significant landscape and visual effects as a result of the development which is considered to comply with policy SL12 of the Runnymede Borough Local Plan.
- 7.13 Objections were raised by officers under application RU.21/0672 given the proposed quantum of development proposed (up to 220 dwellings) and its cramped layout. The applicant has carefully considered previous objections raised by planning officers and have significantly reduced the quantum of development across the site by 36 dwellings to ensure that the development would be of an appropriate density and layout with appropriate spacing between existing and proposed development which would respect the existing local context and provide space for high quality planting across the site and new areas of public realm and open space. The layout of the development has been designed to comply with space standards contained within the councils Design SPD and represents high quality design. Individual dwellings would have private rear gardens to an acceptable standard with some exceeding the minimum standard and each flat would either have shared communal amenity space or be positioned in proximity to the newly created areas of open space to be provided within the development.
- 7.14 The development focuses upon the importance of good connections and provides a clear hierarchy of routes across the site linking into Brox Road, existing public footpaths surrounding the site and to the proposed SANG land to the east, all important components of high quality design and placemaking. This clear layout of routes helps to define spaces and creates a series of different character areas across the site. This high quality design approach helps to break up the development and create a legible 'high quality' layout. The primary and secondary roads have pedestrian footpaths whereas the shared surfaces create a more informal use of space combining pedestrians and vehicle activity helping to reduce vehicle speed and car dominance in these more informal sections of the site.
- 7.15 Key to this layout is the creation of a new tree lined avenue through the site from Brox Road to the neighbouring SANG land and public footpaths. This will provide a shared pedestrian and cycle lane which will help to define the primary route through the site and create a central spine which will link into the existing public rights of way, the new areas of open space across the application site and to the SANG land to the east. The development is considered to be landscape led and the layout provides opportunities to both protect existing planting within the site and to strengthen existing planting through the submission of a high quality landscaping scheme. The application is also supported with a Green and Blue Infrastructure Checklist which identifies that the site layout and planting plan have been designed based on ecological considerations to ensure the retention and protection of the most important ecological features within the site namely boundary hedgerows and woodland. These features all contribute to the overall high quality design of the scheme.
- 7.16 Policy SL26 (New Open Space) requires residential developments of 20 dwellings (net) or more to provide new or enhanced provision of open space in accordance with the standards set out within the policy. The layout of the development has been designed to incorporate new open space both within the new residential element of the scheme and within the newly created SANG to the east. This includes the provision of a LEAP (locally equipped area of play) community orchard and natural play area to be provided within the SANG. In addition 2 LAPS will be provided as part of the new residential development.

- 7.17 The residential development also provides for the creation of open space and new areas of planting along the northern boundary of the site with the Meath School, new hedgerow and tree planting along the boundaries of properties along Brox Road & Southwood Road and the creation of a buffer along the boundary of the site with the public footpath/SANG to the east with new meadow planting. The Council's Local Planning Section raise no objection to the development with respect to policy SL26 on the basis that the layout of the development will provide for new areas of open space both within the application site and within the adjoining SANG land. On this basis it is considered that the proposal would comply with Policy SL26 and that the proposed quantum of development can be achieved whilst providing space for open space and recreation both within the application site and within the neighbouring SANG land.
- 7.18 A planning condition is recommended which secures further details of the detailed design and planting of the 2 new LAPS within the application site in consultation with the councils Green Spaces Team. A planning condition is recommended under the SANG application (RU.22/0479) to secure further details of the detailed design and planting of the LEAP (locally equipped area of play) community orchard and natural play area to be provided within the SANG. The S106 legal agreement should also secure management arrangements for the maintenance of all public space, open space and equipped play spaces across both sites.
- 7.19 This application carefully considers the scale of the development to ensure that the proposal will integrate successfully into its surroundings. The development ranges in height from single storey buildings (including the amenity block for the Gypsy and Traveller plots and new garages/sheds) 2 and 2.5 storeys for the new residential development and 3 storey apartment buildings. The design of the scheme ensures that new dwellings positioned adjacent to the boundaries of the site with Brox Road and Southwood Avenue will be restricted in height to two storeys.
- 7.20 The 3 storey apartment buildings have been carefully positioned away from the site boundaries along the Main Avenue. The apartment buildings would be set back from Brox Road by some 65 metres to reduce their prominence and scale when viewed from Brox Road. Finished ground levels will also be lower (when compared to Brox Road) which will further reduce the scale and massing of the proposed 3 storey development when viewed from Brox Road. Careful consideration has also been given to the design of the new residential units fronting Brox Road (plots 1 and 2) to ensure that their design and scale reflects existing neighbouring properties along Brox Road and provides a high-quality designed development which turns the corner into the application site and provides for additional landscaping.
- 7.21 The applicant has undertaken a local design appraisal of the surrounding area which has informed the individual design and external materials of the new residential properties. The individual building designs vary across the four distinct character areas as outlined in paragraph 3.7 above and have taken design cues from the local area. The local area assessment (see appendix 3) undertaken by the applicant advises that the surrounding area is characterised by a mixture of building types, styles and ages. This includes smaller cottage dwellings, arts and crafts style housing, post war development including 1970's/ 80's terrace housing and more modern developments comprising infill and back land development. The local area assessment concludes that this has led to a variety of building styles within the local area with no predominant building type or character.

- 7.22 The development looks to introduce some of the local design features identified in the local area into the development including a mixture of both gabled and hipped roofs across the development in a mixture of brick colours, timber boarding and tile hanging. The design also incorporates brickwork detailing to the elevations, contrasting bricks to the cill and head of windows, horizontal brick banding, painted cills and a variety of door, window and porch designs. This level of design detail adds to the overall high design quality of the development. A planning condition is also recommended to secure samples/details of the proposed materials to ensure design quality.
- 7.23 The proposed Gypsy and Traveller pitches have been designed to reflect guidance within the councils Design SPD and will be designed to integrate with the proposed new residential development across the site. These 2 pitches will be located to the south of the site adjacent to the existing public right of way. The development provides for 0.1 hectares of land as required by policy SL12 and provides space for landscaping outside the boundaries of the site to protect future occupants from users of the public footpath and to provide additional screening to protect the amenities of existing and proposed neighbouring residential units.
- 7.24 The provision of the 2 Gypsy and Traveller Pitches will be secured through a Section 106 legal agreement in line with the requirements contained within policy SL22. These pitches will be sold on the basis of applicants meeting a range of criteria relating (amongst other things) to demonstrating a local connection to the Borough and meeting the definition of a Gypsy or Traveller. It is envisaged that the allocated pitches will be sold as market pitches with the expectation that once the Council has a list of eligible applicants for the pitches, the sale of the pitch will then be between the developer and purchaser directly. The proposal is considered to comply with Policies SL12 and SL22 of the Runnymede 2030 Local Plan.
- 7.25 The new GP surgery is submitted in outline as part of this hybrid application with all matters reserved at this stage. The NHS support the application and look forward to working with the council as part of the future 'reserved matters' application. This outline approach will allow officers to undertake additional consultations with the NHS as part of a future reserved matters application. These discussions will help to inform the appearance, means of access, landscaping, layout and scale of this aspect of the development proposals.
- 7.26 At this stage the development ensures that this current planning application provides for a site area of 0.1ha of land and a proportionate contribution to the building of up to 800sqm for a new health facility which would be secured through CIL. The provision of land for the health facility will be secured by a S106 legal agreement in consultation with the NHS and the site will be ringfenced for this use. The nature, use and design of the building will be a matter for the Runnymede Borough Council to progress via a subsequent reserved matters application.
- 7.27 Two of the proposed parking areas i) SW corner behind Southwood Avenue and ii) 151 Brox Road could benefit from being broken up more. However, neither of these parking areas are in prominent positions and neither would have a significant impact on the overall design quality of the development. The NPPF is very clear about making efficient use of land as well as achieving high quality design. To improve these two small areas would result in the loss of dwellings and in this instance officers do not consider that the visual benefits of this to the scheme as a whole would outweigh the loss of dwellings required.

- 7.28 On the basis of the above assessment, it is considered that the development would represent a high quality of design which would be of an appropriate layout and scale which would both respond to the existing local context including the built, natural and historic character of the area while making the efficient use of land. 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 considered existing local character within its scale and design all leading to a high quality design.
- 7.29 Furthermore, the design has incorporated the various guidelines and principles set out in the recently adopted Design Guide SPD. The Design and Access Statement confirms that the development has been designed to meet the requirements of M4(2) under Building Regulations. All dwellings provide a means of level access in compliance with these standards. In addition the statement confirms that 5% of units meet the requirements of M4(3) of Building Regulations comprising 9no. units on the scheme which complies with policy SD7 of the Runnymede 2030 Local Plan. 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. The development is therefore considered to comply with policy EE1 of the Runnymede 2030 Local Plan, guidance within the councils Design SPD and policy within the NPPF.

#### The impact upon existing surrounding heritage assets

- 7.30 Special regard has to be given to existing heritage assets. Policy EE3: Strategic Heritage Policy of the 2030 Local Plan confirms 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 in accordance with national legislation, policy and guidance. Policy EE4: Listed Buildings states that the Council will support appropriate development which seeks to maintain, sustain and enhance the significance and special architectural and historic interest of Listed Buildings in the Borough.
- 7.31 The application is supported by a Heritage Statement which has considered the impact of the development upon existing heritage assets including the existing Grade II Listed Building at 192 Brox Road. The Heritage Assessment concludes that the site does not contribute to the significance of any designated heritage assets and that the proposed development will not harm any designated heritage assets through changes to their setting.
- 7.32 Policy EE8 of the 2030 Local Plan considers locally listed heritage assets confirming that development will be required to preserve the character and significance of locally listed heritage assets, their setting and any features of architectural or historic interest. The Heritage Assessment considers the impact of the development on the locally listed Meath School confirming that the proposed development of the site would not alter any aspects of the setting of this locally listed building that contributes to its significance and no harm would be caused.
- 7.33 Following consultation with the councils Listed Building & Conservation officer no objections have been raised with respect to the impact of the development upon existing surrounding heritage assets. Historic England also raise no objections to the development. The development is therefore considered to comply with policies EE3, EE4 and EE8 of the Runnymede 2030 Local Plan and heritage policy within the NPPF. Policy EE7 of the Runnymede 2030 Local Plan considers archaeology.



- 7.34 The application is supported by a Heritage Assessment and a desk based archaeological assessment which considers that the potential for significant archaeological remains is considered to be very low. The desk based assessment advises that the site has been heathland since, in all probability, the later prehistoric period until it was used as a nursery from the mid to late nineteenth century onwards. The assessment states that below ground disturbance caused by tree planting and other activities associated with the nursery will have further reduced the potential for archaeology to survive. Based on these findings Surrey County Archaeology confirm that it is very unlikely that significant archaeological remains will be present on the site and no further archaeological investigations will therefore be required to be undertaken. The development is therefore considered to comply with policy EE7 of the Runnymede 2030 Local Plan and heritage policy within the NPPF.

The impact upon existing trees and blue infrastructure

- 7.35 Policy EE11 of the Runnymede 2030 Local Plan seeks to avoid further habitat fragmentation of green infrastructure by encouraging development proposals which restore, maintain and enhance habitat connectivity. The Council will seek development to contribute towards the delivery of a high quality multi-functional green infrastructure network by requiring proposals to provide and make enhancements to onsite green infrastructure assets.
- 7.36 Policy EE12 requires development to contribute towards the delivery of a high quality multi-functional blue infrastructure network through the provision, protection, maintenance and enhancement of blue infrastructure to deliver multiple benefits and services for biodiversity, recreation and landscape. The development is considered to be landscape led and the layout of the development has been designed so as to protect existing green and blue infrastructure within the application site.
- 7.37 The application is supported by an Arboricultural Impact Assessment and Arboricultural Method Statement. This supporting information confirms that the only green infrastructure which will be removed as part of the development includes category C planting comprising a hedgerow along the front of the site (to allow for the construction of the site entrance and pedestrian access) a small internal group of laurel, holly and cotoneaster and a 10m section of hawthorn and holly hedgerow to allow for the construction of the site drainage. The remaining green infrastructure within the site will be retained, protected and enhanced as part of the development proposals.
- 7.38 The site layout has also been assessed in terms of shading and the potential for future pressure to remove retained trees by future occupants. Given the orientation of the site and the relationship between the proposed buildings and the retained trees, the submitted Arboricultural Impact Assessment concludes that shading by trees is unlikely to be a concern to future residents and existing green infrastructure will be able to sit comfortably with the proposed development.
- 7.39 The application is also supported by a soft landscaping scheme which includes a scheme of new planting across the site and along site boundaries to include new semi mature and standard trees, new hedge planting, new shrub and bulb planting, new areas of grassland and wildflower meadow. The application is also supported by a Green and Blue Infrastructure document which confirms that the site is being enhanced through the creation of an attenuation pond, neutral grassland, the creation and enhancement of native species hedgerow and scrub habitat within the residential development.
- 7.40 The development will also be providing a series of interconnected public green spaces and streets with ornamental and native plantings. This includes the creation of open space and landscape buffers along the northern and eastern boundaries providing a wildflower meadow with native hedge and tree planting. The main avenue at the heart of the site has been

widened to accommodate an avenue of trees, hedgerow and bulb planting in the grass verges. The application is fully supported by the councils Arboricultural Officer confirming that the proposed new soft landscaping scheme will significantly increase the number of trees on the site and fully mitigate against the minimal tree loss needed to implement the development. The development is therefore considered to comply with policies EE11 and EE12 of the Runnymede 2030 Local Plan, the councils Green & Blue Infrastructure SPD and policy within the NPPF.

#### The impact upon residential amenity

- 7.41 The development has been designed to comply with guidance within the Councils Design SPD and provides a minimum 'back to back' distance between both existing and proposed dwellings of 22 metres. In some of the plots across the development these minimum back to back distances have been exceeded. New development where it is positioned with its rear elevation facing the side boundaries of existing neighbouring development retains a minimum rear garden length of 11 metres. This layout is considered to protect the amenities of existing residential properties surrounding the application site and proposed residential development within the application site.
- 7.42 The application has also considered finished levels across the site and has also included additional planting to some of the site boundaries in order to further protect the amenities of existing dwellings surrounding the application site. The 2 Gypsy and Traveller Pitches have been designed to accommodate a planted strip around the boundaries of the site which will both protect the future occupants of the pitches from the footpath and neighbouring residential development and provide a planted buffer to existing and proposed residential properties surrounding the pitches.
- 7.43 Further consideration has been given to the impact of the development upon existing bungalows positioned to the north of the site known as 119-123 Brox Road. Plots 30-34 have been designed with hipped roofs facing these existing properties and are positioned at a lower level within the application site to reduce the height and bulk of these properties when viewed from these neighbouring dwellings and their garden areas
- 7.44 135A Brox Road is a modern 'infill' development positioned to the north west of the application site. Consideration needs to be given to the design and layout of the development given the design and close positioning of this existing neighbouring dwelling to the application site and its passive house design. The applicant has considered a variety of different options for this aspect of the proposals. Amended plans have been submitted under this application omitting 2 dwellings from the scheme (plots 26 and 27). This results in the provision of 2 pairs of semi-detached properties to the south east of this existing neighbouring property retaining a distance of some 12.2 metres to the boundary of this property.
- 7.45 The development also provides for a planted buffer along the north western boundary of the application site adjacent to this neighbouring dwelling and its garden area. In addition, a small private parking area is positioned to the south east of this existing dwelling to provide an open aspect to the rear elevation of this existing neighbouring property. This layout and design will also ensure that there will be no overlooking or loss of privacy from 135A Brox Road to the proposed dwellings and their garden areas within the application site. It is considered that on the basis of the above assessment the proposed development will ensure that there will be no adverse impact on the amenities of neighbouring residential properties or to future occupiers of the proposed development and will provide an appropriate standard of amenity space for the proposed residential units and will comply with policy EE1 of the Runnymede 2030 Local Plan, the councils Design SPD and policy contained within the NPPF.

## Environmental Protection

- 7.46 Policy EE2 of the Runnymede 2030 Local Plan considers environmental protection confirming that pollution can lead to adverse impacts on the natural environment and the health and well-being of individuals and communities. Pollution effects can come from a number of sources and affect receptors including air, soil and water and through noise, vibration, radiation, dust and particulate matter, odour and light. Policy EE2 confirms that development proposals should aim to ensure that any emissions from sources or impacts on receptors can either be fully mitigated or reduced to acceptable levels.
- 7.47 The application is supported by an environmental noise survey which quantifies the existing ambient and background noise levels at the site to secure an appropriate design. The assessment identifies the nearest noise sensitive receptors as the proposed new development itself and existing residential dwellings immediately adjacent to the site along Brox Road, Southwood Avenue and Bousley Rise. The noise survey concludes that given existing noise levels the development will not be required to provide any mitigation measures
- 7.48 The survey provides guidance for plant noise emission limits at the nearest noise sensitive receptors with respect to the GP surgery. The design and positioning of any external plant in association with the new GP facility would be required to be submitted under a future reserved matters application. The noise levels of any external plant and the impact upon surrounding residential properties would therefore be considered under this separate application.
- 7.49 It is therefore considered that the development is considered to comply with policy EE2 of the Runnymede 2030 Local Plan and relevant policy within the NPPF with respect to noise.
- 7.50 An Air Quality Technical Note has been prepared which considers the air quality impacts of the proposed development. The technical note confirms that traffic generated by the proposed development is not expected to lead to any air quality impacts at local existing receptors or within the nearest AQMA (Addlestone). The report concludes that there is not expected to be any exceedances of the relevant air quality objectives within the site, and it is considered suitable for the proposed development. Environmental Health raise no objections subject to a condition requiring the submission of a Dust Management Plan for the construction phase of the development. It is therefore considered that subject to conditions the development is considered to comply with policy EE2 of the Runnymede 2030 Local Plan and relevant policy within the NPPF with respect to air quality.
- 7.51 A Desk Study Ground Investigation has been prepared to support the application with respect to land contamination. The investigation confirms that there are no significant potential sources of contamination or hazardous ground gases at the site. The report does identify some localised potential sources of contamination however the potential risk is considered to be 'very low to low' and 'locally moderate' within the immediate vicinity of the sources of contamination.
- 7.52 The Councils Land Contamination Officer raises no objection subject to the imposition of a planning condition to secure an assessment of the nature and extent of contamination present on the site and the submission of a 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. It is therefore considered that subject to conditions the development is considered to comply with policy EE2 of the Runnymede 2030 Local Plan and relevant policy within the NPPF with respect to land contamination.

### Housing Mix and Affordable Housing

- 7.53 Policy SL19 of the Runnymede 2030 Local Plan requires all new studio, 1-, 2- and 3-bedroom residential units (under use class C3) to meet minimum space standards as set out in the policy which replicates the National Space Standards. The applicant has confirmed that the development has been designed to comply with these minimum space standards.
- 7.54 Policy SL19 (Housing Mix and Size Requirements) requires development proposals of 10 or more (net) additional dwellings to contribute to meeting the Housing Market Area's identified housing needs by generally providing a housing mix as set out in the Strategic Housing Market Assessment or any similar evidence for market and affordable units. The table below outlines the proposed housing mix compared with policy SL19 requirements.

Units	Policy SL19 requirements	Proposed
-------	--------------------------	----------

	Market	Affordable	Market	Affordable
1 bedroom	5-10%	10-20%	3%	31%
2 bedroom	25-30%	40-45%	11%	43%
3 bedroom	40-45%	25-40%	56%	23%
4 + bedroom	20-25%	5-15%	30%	3%

The Council's Local Planning Section have confirmed that the Council's latest monitoring suggests an overall plan wide oversupply of 1 & 2 bedroom market units within the borough and an undersupply of 3-4+ units. On this basis it is considered that the proposed housing mix for the market housing will help to redress the current oversupply of smaller market units. The Council's Housing Section fully supports the proposed housing mix for the affordable units. It is therefore considered that the proposed development complies with policy SL19 of the Runnymede 2030 Local Plan.

- 7.55 Policy SL20 (Affordable Housing) of the Runnymede 2030 Local Plan confirms 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. Development proposals of 10 or more (net) additional dwellings will be expected to provide 35% of dwellings as affordable units with a tenure split as above which includes 10% of homes for affordable home ownership (starter homes, discounted market sales housing and/or other products which provide affordable routes to home ownership in line with the definition contained in the 2019 NPPF)
- 7.56 Since the adoption of the Local Plan the Government has introduced its First Homes policy and to take account of this, Runnymede has published a 'First Homes Interim Policy Statement' (Jan 2022). This changes the required affordable tenure mix to 25% First Homes, 53% Social/Affordable and 22% Other forms of affordable.

- 7.57 This application proposes 184 dwellings of which 65 would be affordable which meets the Policy SL20 requirement of 35%. The affordable housing provision provides for 24.6% First homes (16 x 1-bedroom flats) 52.3% Affordable rent (4 x 1 bedroom flats, 8 x 2 bedroom flats, 14 x 2 bedroom houses & 8 x 3 bedroom houses) and 23% Shared ownership (1 x 2 bedroom flat, 5 x 2 bedroom houses, 7 x 3 bedroom houses & 2 x 4 bedroom houses). This housing mix is supported by the Councils Housing Section and is generally in line with the Runnymede 'First Homes Interim Policy Statement'.
- 7.58 No objections are raised by Planning Policy with respect to the proposed affordable housing provision to be provided as part of this proposal. The development is therefore considered to comply with policy SL20 of the Runnymede 2030 Local Plan and the proposed affordable housing provision will need to be secured through a S106 Legal Agreement (including a nominations agreement) in consultation with the councils Housing Section.

#### Highway safety and parking

- 7.59 A new vehicular and pedestrian access would be created to the north west of the site along Brox Road. This new access has been designed at a width of 5.5 metres (flared at the junction) with visibility zones of 2.4m x 50m and 2.4m x 47m. Dropped kerbs, complete with tactile paving will also be provided at either side of the access road to assist pedestrian movements. The new access would also provide a 4m emergency access to the south west of the new junction to allow vehicular access to be maintained into and out of the application site during any planned emergency road and infrastructure works. The application is supported by a Transport Statement (TS) and a Travel Plan which seeks to promote and encourage sustainable travel to and from the site.
- 7.60 A separate Road Safety Audit was also submitted at the request of the County Highway Authority. The TS confirms that the development provides a safe access off Brox Road which has been designed in line with both local and national guidance. The TS confirms that the internal road network for the site has been designed in line with the Surrey Design Guide and the principles set out in Manual for Streets. Swept path analysis of the vehicular access onto Brox Road and the internal road layout has also been undertaken to ensure that a 4x4 car trailing a twin-axle caravan can access and egress the proposed gypsy and travellers' site and the application site can be suitably accessed by refuse and emergency vehicles.
- 7.61 The TS estimates that the development proposals have the potential to generate up to 158 two-way vehicle movements in the morning peak and 147 two-way vehicle movements in the evening peak period. Junction capacity analysis undertaken as part of the TA concludes that the proposed development will not have a material impact on the local highway network. The County Highway Authority has assessed the proposals and raise no objections.
- 7.62 Policy SD5 (Infrastructure Provision & Timing) of the Runnymede 2030 Local Plan requires development proposals (including sites allocated in the local plan) which give rise to a need for infrastructure improvements to mitigate their impact. The Runnymede Strategic Highway Assessment Report (Oct 2017) raised concerns about the cumulative impacts of development over the period of the Local Plan on existing transport infrastructure and considered that major investment would be required to mitigate against this impact. The A320 Corridor Study has provided feasibility information on junction improvements required along the length of the A320 which includes the Ottershaw roundabout. Forward funding to enable early delivery of the A320 corridor improvements have been secured through the Housing Infrastructure Fund (HIF).

- 7.63 The Infrastructure Delivery & Prioritisation SPD (adopted Nov 2020) requires 100% funding associated with the Housing Infrastructure Fund (HIF) funding to be recovered from developments impacting on the A320 corridor, by using the formula in the SPD and the appropriate tariff of £246 per sqm. This development is considered to impact on the A320 corridor and is therefore required to mitigate against this impact by providing a contribution of £2,163,078 towards the HIF. The County Highway Authority have confirmed that improvements to the A320 will satisfactorily account for the additional highway impacts generated by this development and the required contributions towards the HIF funding will be required to be secured through a S106 legal agreement.
- 7.64 The County Highway Authority also requires a clause within the S106 to restrict the occupation of the development over and above the 93<sup>rd</sup> dwelling until the A320 Ottershaw roundabout works undertaken as part of the HIF Scheme have been completed. In the event that the HIF Scheme is not progressed the County Highway Authority require the same fee to be given to the County Highway Authority for an alternative scheme. The County Highway Authority (CHA) also recommend a Travel Plan auditing fee of £6150 and a requirement to secure public pedestrian access for all public areas comprising the GP Surgery, the neighbouring SANG land and public areas of open space and play areas across the application site. These requirements will also be secured through a S106 legal agreement including the requirement to secure the preparation and implementation of a Travel Plan.
- 7.65 The CHA have also requested planning conditions to secure the provision for sustainable modes of transport to secure improvements to pedestrian, cycle and bus routes. This includes improvements for both pedestrians and cyclists travelling southwest of the application site to the Brox Road/Guildford Road junction including the provision of new dedicated crossings for both cyclists and pedestrians. Improvements to the 2 existing bus stops in close proximity to the Castle Public House travelling to the north east and south west to include the provision of raised kerbs to ensure level access for users with restricted mobility, new bus shelters, clearways with a 23m bus cage to protect the bus stop and the installation of RTPI (Real Time Passenger Information).
- 7.66 Negotiations are also taking place as to whether it is necessary for the developer to provide improvements to the bus services to provide a Demand Responsive Transport (DRT) Bus Service linking the development site to key local destinations including but not limited to Woking, Chertsey and Addlestone. An update on this will be provided in the planning addendum.
- 7.67 In addition, the CHA require the provision of 2 car club vehicles for a minimum of 2 years with all costs associated with the provision of the vehicles and parking spaces being met by the applicant. The car club provision will need to be secured either within a public location within the application site or on the public highway.
- 7.68 The CHA also requires improved connections to and resurfacing of the existing Rights of Way (footpaths) in the proximity of the site. This will also meet the requirements of the Countryside Access Officer (Surrey County Council) with respect to improvements to the existing Public Rights of Way and Policy SL12 of the Runnymede 2030 Local Plan. These requirements will be secured through the S106 legal agreement.
- 7.69 The County Highway Authority (CHA) have confirmed that the design of the new access onto Brox Road meets with their requirements and the new access is not considered to prejudice highway safety. The CHA advise that the development will increase traffic along Brox Road

however given the expected trip rates as outlined in the TS the development is not considered to result in any significant or severe local impacts. The CHA confirm that the supporting TS has provided junction capacity assessments for several of the local junctions. The results of these assessments indicate that all junctions (with the exception of the Ottershaw roundabout which will be subject to improvements through the HIF) will operate within capacity during the various scenarios modelled.

- 7.70 The scheme provides for a total of 365 parking spaces for the new residential development (including garages). A further 35 visitor spaces have also been provided on site. Cycle parking is to be provided incorporating 2 spaces per dwelling within either a garage or shed and 1 space per apartment within a shared store. This level of parking is considered to comply with the councils parking standards. The parking provision equates to 1 space per apartment, 2 spaces per 2/3 bed unit, 2-3 spaces per 4 bedroom unit and 3 spaces (including garaging) for the 4/5 bedroom units. The size of the individual parking spaces have been designed to reflect the sizes as currently recommended by the Councils Parking Guidance Supplementary Planning Document (SPD). The proposed 2 Gypsy and Traveller Pitches have been designed to accommodate sufficient space for the parking of vehicles on site. The GP element of the proposals is currently in outline with all matters reserved. The proposed design of the GP Surgery, landscaping and parking provision will therefore need to be further considered as part of a future reserved matters application.
- 7.71 The CHA also recommend a condition with respect to the submission of a Construction Transport Management Plan. In order to reduce construction related traffic generated by this development, the applicant is proposing to utilise excavated material removed from the application site upon the SANG land to the south east. This approach is considered to have highway, environmental and amenity benefits by avoiding the need to remove excess material off site. This aspect of the proposals however will need to be further considered under planning application RU.22/0479 for the SANG which is also to be discussed upon this Committee agenda. National Highways have also assessed the application and raise no objections subject to a planning condition to secure the submission of a workplace Travel Plan for the proposed construction of the development. This is required to ensure that the development does not prejudice highway safety on the strategic road network (SRN) including the M25 and the interchange with the A320 (Junction 11) and to promote sustainable transport measures to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and policy within the NPPF. This will be secured by condition.
- 7.72 On the basis of the above assessment and subject to conditions and a S106 legal agreement (as outlined above) it is considered that the development will not prejudice highway safety and the development will comply with policies SD3, SD4 and SL12 of the Runnymede 2030 Local Plan and policy within the NPPF.

#### Flood risk and drainage

- 7.73 The application site is located within Flood Zone 1. A Flood Risk Assessment has been submitted in accordance with the requirements of the NPPF as the site is over 1 ha which also includes details of sustainable urban drainage. The Flood Risk Assessment demonstrates that the proposed development is not at significant flood risk and that flood mitigation strategies will be undertaken to address any residual risk. The drainage strategy proposes to utilise an open SuDS basin with flows restricted to the current greenfield runoff rate and attenuated up to the 1 in 100-year plus climate change event. A swale is utilised to add further water treatment prior to the discharging at a controlled rate into the adjacent ordinary watercourse via a swale for the provision of additional water treatment prior to outfall. Foul water is to discharge via gravity into the existing Thames Water public sewer to the south of the site. The Flood Risk Assessment concludes that the development will not

increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

- 7.74 The Environment Agency raise no objections to the proposals subject to confirmation with respect to groundwater protection and clarification that if infiltration drainage is proposed it must be demonstrated that it will not pose a risk to groundwater quality. The applicant has confirmed that no infiltration SuDS is proposed on site given the site will discharge to the existing ordinary watercourse. Surrey County Council as Lead Local Flood Authority (LLFA) are satisfied the proposals meet the requirements set out in the technical Standard and Planning Policy Guidance and recommend conditions. 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. Further details of the drainage scheme will be secured by condition as recommended by the LLFA. The development is therefore considered to comply with policies EE13 and SL12 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.
- 7.75 Thames Water are currently working with the applicant to identify and deliver the off-site foul water infrastructure needs to serve the development. Thames Water have identified that some capacity exists within the foul water network to serve 50 dwellings (or 40 dwellings and 800sqm commercial floorspace) but beyond that upgrades to the waste water network will be required. Thames Water raise no objections to the development subject to a planning condition requiring the submission of a 'Development and Infrastructure Phasing Plan' to be agreed with the local planning authority to secure the necessary reinforcement works in order to avoid sewage flooding and/or potential pollution incidents. The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection on this basis. No comments have been received from Affinity Water with respect to water supply.

#### Biodiversity and Nature Conservation

- 7.76 Policy EE9 (Biodiversity, Geodiversity and Nature Conservation) of the Runnymede 2030 Local Plan confirms that the Council will seek net gains in biodiversity through the creation, expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. The application is supported by an Ecological Impact Assessment EIA (including an addendum report) which provides further details of protected species within the application site and the adjoining land proposed for the SANG under RU.22/0479. These assessments also provide for proposed mitigation and biodiversity enhancements across both of the application sites. The EIA also considers the wider impacts of the development upon the Southwest London Waterbodies Ramsar and SPA, Windsor Forest and Great Park SAC and Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) confirming that the proposed development will not give rise to significant effects on European Sites either alone or in combination with other plans and/or projects.
- 7.77 Surveys completed in 2018 and 2020 found a low population of slow worm, badger setts (within the adjoining SANG land) and evidence of bats. The addendum report sets out the findings of updated results of a Great Crested Newt (GCN) survey, updated bat surveys and an updated reptile survey. The updated surveys found no presence of GCN and the addendum report therefore considers that GCN are absent from both application sites. The addendum report however recommends that a precautionary method of working will be implemented to include timing of works outside the hibernation season and phased habitat removal under the watching brief of a GCN licenced Ecological Clerk of Works. The addendum report confirms that if GCN are found during the development all works would cease to allow consultation with Natural England in order to secure an appropriate licence.



- 7.78 The updated reptile survey found a low population of slow worms on-site and the addendum report confirms that a reptile mitigation strategy will be produced which will include a method statement to both protect and enhance the existing population of slow worms on site. The development includes the demolition of all existing buildings within both the application site and within the adjoining SANG land. The Ecological Impact Assessment recommended additional bat surveys be undertaken of buildings B1 and B4. Updated surveys have found no roosting bats within either buildings. However due to the high suitability of roosting potential and the known foraging within building B4 the addendum report recommends the use of soft demolition techniques (supervised by a suitably qualified bat ecologist) confirming that if a roost is found during demolition works the works will cease until a licenced ecologist is contacted and further works are progressed under licence from Natural England. The updated surveys found foraging and commuting activity along the woodland edge within the SANG land and within the residential land. The addendum report confirms that lighting on-site will be carefully designed to be directed away from existing boundary features so as to protect these habitats.
- 7.79 Several badger setts were found within the adjoining SANG land. There was no evidence of foraging or sett creation within the residential land. The Ecological Impact Assessment confirms that the proposed new development under this application will have no impact on these sets. The EIA confirms that a 30m buffer will be implemented around each Sett entrance during the creation and enhancement works on the SANG land and scrub will be hand planted around the Setts to restrict disturbance from people and dogs within the SANG.
- 7.80 A further badger survey is also recommended to be undertaken prior to the commencement of the development to provide up to date evidence of badger activity across the site (and the neighbouring SANG Land) which will help to secure any proposed mitigation if required. The EIA found the potential for common and widespread bird species within the tree lines, scrub, hedgerows and woodlands including along the boundary features confirming that these habitats will be untouched by the proposed development. The EIA also makes recommendations with respect to invertebrates, dormice, watervole and hedgehogs.
- 7.81 The Ecological Impact Assessment includes mitigation and enhancements to ensure that habitats for reptiles, roosting, foraging and commuting bats, great crested newts and badgers are maintained and enhanced post development and no impacts will occur during site clearance works. The site layout and planting plan has been designed based on ecological considerations to ensure the retention and protection of the most important ecological features across the site, namely the boundary hedgerows and woodland. The residential land habitat loss will be mitigated through the creation of an attenuation pond, neutral grassland, creation and enhancement of native species hedgerow and scrub habitat within the residential development itself. Further mitigation and enhancement will be created in the SANG land, which includes the creation of a wildlife pond, scrub habitat, woodland habitat, traditional orchard, and native species hedgerow.
- 7.82 The residential development will enhancements for biodiversity including the creation of a hedgehog highway, the installation of bat boxes/bat bricks and bird boxes/swift bricks, creation of bug hotels and the creation of log piles and hibernacula. Planting enhancements will include additional scrub planting and meadow grassland, hedgerow enhancements and the creation of a sustainable drainage pond with marginal aquatic vegetation. The SANG land will also create additional suitable habitat for a range of reptiles, bats, badgers and GCN by the creation of scrub, deadwood, tussocky grassland, ponds, woodland, wildflower meadows and tree planting.

- 7.83 The application is supported by a Biodiversity Net Gain Assessment Report. This report concludes that there will be a net loss on the residential site as a result of the development. However, enhancements across the neighbouring SANG land will compensate for this loss by providing an overall net gain of +24.65% habitat units, +118.88% Hedgerow Units and 104.76% river unit net gain. In addition, the provision of bat and bird boxes, a hedgehog highway, bug hotels, log piles and hibernacula will provide further ecological enhancements within the application site. The Ecological Impact Assessment confirms a commitment to provide and implement a Construction Environmental Management Plan (CEMP) and Landscape and Environmental Management Plan (LEMP) which will ensure that habitat features of most importance to protected and priority species utilising the site are retained and enhanced.
- 7.84 The Surrey Wildlife Trust raise no objections to the development subject to compliance with the Council's Thames Basin Heath SPD which sets out the Council's approach to the measures required to avoid/mitigate impacts to the SPA including how SANG can be delivered and financial contributions required towards the SAMM. In addition, the Surrey Wildlife Trust require the imposition of conditions with respect to additional badger surveys, the submission of a sensitive lighting management plan, to secure the biodiversity enhancements as contained within the Ecological Impact Assessment (including the addendum report) and the Biodiversity Net Gain Assessment and the submission of a Landscape and Ecology Management Plan (LEMP) and a Construction Environment Management Plan (CEMP).
- 7.85 The Surrey Wildlife Trust also provide comments with respect to the potential impact of the new SUD's attenuation basin on ancient woodland positioned to the south of the site. According to the submitted plans the proposed attenuation basin would be positioned outside of a 15 metre protection zone around this designated ancient woodland. On this basis it is not considered that the proposed SUD's scheme will have any harmful impacts on this neighbouring designation. Planning conditions are recommended in line with the requirements of the Surrey Wildlife Trust. This will include a planning condition to secure the submission of a CEMP prior to the commencement of the development. This condition will ensure that a risk assessment of the potentially damaging construction activities are undertaken and practical measures to avoid and reduce their impacts during construction including the use of protective fences, exclusion barriers and warning signs. The development is therefore considered to comply with policy EE9 and SL12 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.  
Impacts upon the Thames Basin Heaths SPA
- 7.86 The application 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.

- 7.87 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since. It falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has any residual adverse effects that lead to a likely significant effect on habitats at the THBSPA. In undertaking this Appropriate Assessment it is considered that there will be permanent effects arising from increasing the number of residential accommodation within 5km of the TBHSPA. Policy SL12 of the Runnymede 2030 Local Plan included the requirement for the provision of an area of SANG to avoid impacts to the Thames Basin Heaths Special Protection Area as well as a contribution towards SAMM
- 7.88 A separate planning application (RU.22/0479) has been submitted in conjunction with this application for the proposed change of use of land to the east of the application site to provide a SANG. The proposed SANG comprises an area of 9.97ha (excluding the proposed LEAP and SUD's) which could support some 566 dwellings which exceeds the proposed 184 dwellings and 2 Traveller Pitches in Policy SL12. This would also support any additional residential units proposed within the neighbouring Field Nursery. Following consultation with Natural England they raise no objections to this development as long the applicant is complying with the requirements of Runnymede's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement to secure the provision of the Suitable Alternative Natural Greenspace (SANG) and contributions towards the Strategic Access Management and Monitoring (SAMM). This will be secured through a S106 legal agreement
- 8.89 The SAMM contributions comprise £2,592 for the 2 Gypsy and Traveller pitches and £155,358.00 for the residential development. It is therefore concluded through this appropriate assessment that with the avoidance measures in place, the proposal will not have an adverse effect on the integrity of the TBHSPA. The development is therefore considered to comply with policy SL12 and EE10 of the Runnymede 2030 Local Plan and policy within the NPPF.

#### Sustainable Design

- 7.90 The applicant has submitted an Energy Assessment which indicates that solar PV panels and solar thermal roof systems could be installed on the multiple roof slopes across the development to provide renewable energy. The assessment also advises that other potential technologies may be explored at the detailed design stage to comply with Policy SD8 which promotes renewable energy and requires a minimum of 10% of the development's energy needs to be supplied by renewable and/or low carbon sources. Policy SD7 also promotes sustainable design. Conditions are recommended to secure this and in respect of water efficiency and compliance with the Site Waste Management Plan. The proposal is considered to comply with policies SD7 and SD8 of the Runnymede 2030 Local plan and the NPPF.

#### Health and Wellbeing

- 7.91 Policy SL1 (Health and Wellbeing) of the Runnymede 2030 Local Plan advises that the council is supportive of development which takes opportunities to assist people of all ages and backgrounds living, working and relaxing in Runnymede to lead healthy lifestyles and improve quality of life. New major development should: encourage people to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport and promote opportunities for recreation and social interaction. The development has been designed to provide a high quality of open space and public realm both within the application site and within the neighbouring SANG. This includes 2 Local Areas of Play (LAP's) and a dedicated cycle and pedestrian route through the site to the SANG. The development also provides for areas of communal open space across the development which will be maintained for use by the occupants of the site. The neighbouring SANG land will also provide for a new public open space of some 10.42 hectares including a new pond and wetland areas, a LEAP (Local Equipped Area for Play), a community orchard (comprising rows of fruit and nut bearing trees planted within open, herb rich grassland, a natural play area and trim trail, a woodland play area and new meadow areas. The development is considered to comply with policy SL1 of the Runnymede 2030 Local Plan.

## **8. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 8.1 In line with the Council's Charging Schedule the proposed development would be liable for the Community Infrastructure Levy (CIL). 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 CIL acts as a "pool" of contributions from which the Council is able to fund infrastructure necessary to support the borough, as a whole. This includes matters such as the provision of education or health provision, or indeed any other infrastructure requirements. The site is liable for the CIL at a rate of £300 per square metre of net floor space (plus any indexation). Depending on the level of deductible floor space which can be considered as part of this planning the scheme could generate CIL receipts in the region of £5,163,300 plus any indexation. This should be taken as an initial officer estimate before affordable housing exceptions. CIL can only be calculated post decision, prior to commencement of any planning permission.

## **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 Full Application

The application is considered to be acceptable in principle, provides an appropriate quantum of development whilst securing a high-quality design which has been landscaped and which creates a sense of place. Furthermore, it is considered to protect and enhance the character and appearance of the surrounding area.

- 10.2 The amenities of existing residential properties surrounding the site would not be significantly impacted and the existing heritage assets would be protected and there would be no harmful effects upon archaeology. The development will seek to protect and enhance biodiversity and green and blue infrastructure within the site and will provide suitable mitigation towards the Thames Basin Heaths SPA and protected species (subject to a S106 Legal Agreement securing the provision of the SANG and SAMM contributions).

- 10.3 There are not considered to be any environmental protection, flooding or drainage issues. The development is considered to provide an appropriate level of parking and cycle parking. There are not considered to be any implications for highway safety subject to a S106 legal Agreement to secure contributions and a restriction in the occupation of the development with respect to the A320 Works, the submission of a Travel Plan and Travel Plan Auditing Fee and to secure pedestrian access to all public areas of the site and the SANG. Considerations have been given to health and wellbeing and sustainable design and renewable and low carbon energy. An appropriate level of affordable housing will be secured through the S106 legal agreement, and the provision of the Gypsy and Traveller Pitches will also be secured through the S106 Legal Agreement.

### 10.4 Outline application GP Surgery

The application has provided for an area of land comprising 0.1 hectares for a proposed healthcare facility which is in line with policy SL12 of the Runnymede 2030 Local Plan. The provision of the 0.1 hectares of land as detailed on the submitted plans would be secured through a S106 legal agreement under this application. The details of which will need to be discussed further with the NHS. A proportionate contribution to the building of up to 800sqm for a new health facility comprising a GP surgery with associated parking and landscaping would be secured through CIL. As the GP element is in outline (with all matters reserved) the access, appearance, landscaping, layout and scale of the development would need to be considered under a separate 'reserved matters' application in consultation with the NHS.

- 10.5 The development has been assessed against the following Development Plan policies – SD1, SD2, SD3, SD4, SD5, SL19, SD7, SD8, SL1, SL12, SL20, SL22, SL26, EE1, EE2, EE3, EE4, EE7, EE8, EE9, EE10, EE11, EE12 and EE13 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations

including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## **11. FORMAL OFFICER RECOMMENDATION**

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 £157,950
2. SANG – Delivery of the proposed SANG submitted under RU.22/0479 must be delivered prior to occupation of any development and transferred to The Land Trust with the requisite contribution for management/maintenance in perpetuity.
3. The provision of 2 Gypsy & Traveller pitches including a clear phasing for their timely delivery.
4. The provision and deliverability of 35% Affordable Housing as outlined within the report and the submitted plans.
5. Secure management arrangements for the maintenance of all public amenity space (including any verges) the open space and 2 LAPs within this application site and the proposed LEAP, community orchard and natural play area within the neighbouring SANG land.
6. Secure the provision of 0.1 hectares of land for a new health facility.
7. Transportation improvements and contributions, including a) A financial contribution of £2,163,078 towards mitigation measures on the A320 b) Travel plan auditing fee of £6150.
8. Secure the provision for sustainable modes of transport to secure improvements to pedestrian, cycle and bus routes to include:
  - (i) Highway improvements for both pedestrians and cyclists travelling southwest of the application site to the Brox Road/Guildford Road junction including the provision of new dedicated crossings for both cyclists and pedestrians.
  - (ii) Improvements to the 2 existing bus stops in close proximity to the Castle Public House travelling to the north east and south west to include the provision of raised kerbs to ensure level access, new bus shelters, the provision of clearways with a 23m bus cage to protect the bus stop and the installation of RTPI (Real Time Passenger Information).
  - (iii) Investigate the provision of a car club, providing details of a proposed scheme, funding and operation and the provision of 2 car club vehicles for a minimum of 2 years with all costs associated with the provision of the vehicles and the associated parking spaces being met by the applicant (including £50 worth of free travel for car club vehicles for each apartment and the provision of one year free membership of the car club for all initial occupants of the residential units)

(iv) Secure improved connections to and resurfacing of the existing Rights of Way (footpaths) in the proximity of the site in consultation with the Countryside Access Officer (Surrey County Council)

9. To secure the preparation and implementation of a Travel Plan
10. Secure public pedestrian access for all public areas comprising the GP Surgery, public areas of open space and play areas across the application site and the neighbouring SANG land and ensure no lockable gates to public pedestrian access points.
11. Restrict the occupation of the development over and above the 93<sup>rd</sup> dwelling until the A320 Ottershaw roundabout works have been completed.
12. Provide a scheme showing potential vehicular and pedestrian connections to the neighbouring Field Nursery to prevent the sterilisation of this neighbouring land which also falls within the allocated site.

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 subject to the following planning conditions:***

Compliance

1 Full application (standard time limit)

The development hereby approved in detail 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 Outline application (standard time limit)

In respect of that part of the application for which outline planning permission is granted (for the provision of 0.1ha of land to be provided for a new health facility as detailed within the site layout drawing number PL01 Rev 0 Site). Approval of the details of the appearance, layout and scale of the buildings, the access and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development hereby granted in outline is commenced and shall be carried out as approved.

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

3 Outline application (reserved matters standard time limit)

In respect of that part of the application for which outline planning permission is granted (for the provision of 0.1ha of land to be provided for a new health facility as detailed within the site layout drawing number PL01 Rev 0 Site)

(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 Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004

4. List of approved plans (Full Application)

The development hereby permitted shall not be carried out except in accordance with the plans as set out in accordance with the approved drawing register titled "Document Transmittal Sheet" job number 7126 received 01.12.2022 and the proposed site access layout plan 001A.

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

5. Removal of Permitted Development Rights (Full Application)

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, any parking spaces or garages hereby permitted shall be used for, or made available for the parking of vehicles at all times and for no other purpose

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area, and to ensure that adequate and satisfactory provision is made for the parking of vehicles within the site. As required by Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6. Refuse stores

A The refuse and recycling bin stores for the development hereby approved in detail shall be provided in accordance with the approved details prior to the first occupation of the development or for each phase of the development and retained thereafter.

B. Any forthcoming reserved matters regarding layout and/or appearance for the development approved in outline shall include further details for the storing of refuse and recycling (on a phased basis or otherwise). The development shall be undertaken in accordance with the approved details and maintained thereafter.

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

7. Protected species (Full and Outline Applications)

The development hereby permitted shall be undertaken in accordance with the Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received



16.09.2022, the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022.

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

8. Site Waste Management Plan (Full and Outline Application)

All waste material must be recycled or disposed of in accordance with the approved Site Waste Management Plan received on the 16.09.2022.

Reason: To achieve sustainable development and to comply with Policies SD7 and EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

9 Gates and accessibility

No gates shall be provided across the vehicular entrance to the development.

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

Pre- Commencement Conditions

10 Development phasing (Full Application)

Prior to the commencement of the development hereby approved further details of the proposed phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of when the Local Equipped Area of Play, community orchard and natural play area to be provided in the neighbouring SANG land under application RU.22/0479 shall be provided.

Once approved the development shall be undertaken in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of ensuring a comprehensive scheme comes forward and to ensure a clear and comprehensive scheme is taken forward from the onset.

11 Levels (Full and Outline Application)

Prior to the commencement of the development hereby approved (including demolition) details of the existing and proposed levels across the site shall be submitted to and approved in writing by the Local Planning Authority. This may be updated on a phased by phased basis or otherwise. The development shall thereafter be carried out in complete accordance with the approved details.

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

12 Construction Transport Management Plan (Full and Outline Application)

Prior to commencement of development (including demolition) a Construction Transport Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

(a) parking for vehicles of site personnel, operatives and visitors

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

Only the approved details shall be implemented during the construction of the development. This shall be updated as required during the construction of the development hereby permitted.

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.

### 13 Surface Water Drainage (Full and Outline Application)

Prior to commencement of development hereby approved (including demolition) full details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. This may be updated on a phased by phased basis or otherwise. The design must satisfy the SuDS Hierarchy and be compliant with the national Non Statutory Technical Standards for SuDS, the NPPF and the Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events 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. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.4 l/s/ha applied to the positively drained areas of the site only.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.)  
Confirmation is required with respect to any lining requirements for the proposed attenuation basin to prevent ground water ingress, including details of biodiversity and water quality improvement measures within the basin.
- c) Evidence of the wider connectivity of the downstream receiving watercourse, including details of any existing on-site watercourse(s) or surface water pipes and how these have been incorporated into the surface water drainage strategy.

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 and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 14 Land Affected by Potential Contamination (Full and Reserved Matters)

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

Prior to commencement of development, an assessment of the nature and extent of contamination on the site shall be 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: o human health o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes o adjoining land o ground waters and surface waters o ecological systems o 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 Tree Protection (Full and Outline application)

A. Prior to the commencement of development, including demolition and/or before any equipment, machinery or materials are brought on to the site, tree protection measures shall be carried out in accordance with the approved protection plan and method statement (Arboricultural Method Statement -14436\_R03b Rev B)

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

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

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

16      Landscape and Ecological Management Plan (LEMP) Full and Outline Application

Prior to the commencement of the development (including demolition) a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the submitted Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022 and the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022 and should include, but not be limited to the 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.
- k) Measures to eradicate Schedule 9 invasive plant species

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

17      Construction Environmental Management Plan (Full and Outline Application)

Prior to the commencement of the development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should be based on the proposed impact avoidance measures specified in the submitted Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022 and the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022 and should include, but not be limited to the following:

- a) Map showing the location of all of the ecological features (this shall include a badger survey)
- b) Risk assessment of the potentially damaging construction activities

- c) Practical measures to avoid and reduce impacts during construction (including a Dust Management Plan)
- d) Location and timing of works to avoid harm to ecological/ biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fences, exclusion barriers and warning signs.
- g) The submission of a reptile mitigation strategy.
- h) Details of a precautionary approach to construction works (including details of soft demolition techniques) with respect to bats, birds, reptiles, badgers, great crested newts, water voles and hedgehogs.

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

Reason: To protect and enhance the biodiversity of the site during construction works and to protect the amenities of existing and proposed residential properties and to comply with Policies EE2, EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### Works above ground floor level

#### 18 External Materials (Full Application)

A. Prior to any works above the ground finish floor levels of the development on any specified phase hereby approved in detail, a detailed schedule and specification/samples of the materials and finishes to be used shall be submitted to and approved in writing by the Local Planning Authority. These shall be based on the details contained in the character areas of the submitted Design and Access Statement and shall include:

- Brickwork (including bonding and mortar);
- Cladding;
- Windows and doors (including reveals and frames);
- Soffits (as relevant);
- Balconies and privacy screens (as relevant);
- External guttering;
- Roofing tiles;
- Boundary treatments
- Details of all rooftop structures including flues, satellite dishes, plant, lift overruns, cleaning cradles (as relevant);
- Plant enclosures (as relevant)

B. The development shall be carried out and retained 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.

19 Hard and Soft Landscaping (Full Application)

A. Prior to commencement of any works above ground level of the development hereby approved in detail, full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. 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 (including any lighting), 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.

This shall also include further details of the proposed design (including proposed new planting) of the x2 Local Areas of Play within the application site and samples of all hard surfacing within the application site as well as a plan for the long term management of the landscaped areas.

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 (including retained trees) which within a period of five years of the commencement of any works in pursuance of the development is pruned not in accordance with BS3998, 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.

20 Renewable energy

A. Prior to commencement of any works above ground level any phase of of the development hereby approved in detail further details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that a minimum 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies (on a phased basis or otherwise) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be based on the details contained in the approved Energy and Sustainability Statement dated March 2022. Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the Local Planning Authority.

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

B. The reserved matters application(s) relating to layout for the scheme approved in outline shall provide sufficient details of the above.

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 existing and proposed residential properties and to comply with Policies SD8 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

21 Biodiversity Net Gain

Prior to commencement of any works above ground level of the development hereby approved in detail updated details of the proposed biodiversity net gain based on those outlined within the Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022, the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022 and the Biodiversity Net Gain Assessment (Biodiversity Metric 3.0 Calculation Tool) shall be submitted to and approved in writing by the Local Planning Authority. Details shall also include the proposed timing for the implementation of the biodiversity net gain. Once approved the biodiversity enhancements shall be undertaken in accordance with the approved details and shall thereafter be retained.

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

Prior to Occupation

22 New Access

Prior to first occupation of the development hereby approved in detail the approved vehicular and pedestrian access to Brox Road shall first be constructed and provided with visibility zones in accordance with the approved plans. This shall include a four metre wide footway/cycleway to serve as an emergency vehicle access point and thereafter the visibility zones shall be kept permanently clear of any obstruction over 600mm 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.

23 Parking

Prior to first occupation of the residential units hereby approved (on a phased basis or otherwise) the relevant allocated car and cycle parking space and turning space for that dwelling or flat shall first have been laid out within the site in accordance with the approved plans for vehicle and cycle parking. 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.

24 Electric vehicle charging

Prior to first occupation of the residential units hereby approved (on a phased basis or otherwise) details of each dwelling to be 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) shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided prior to the first occupation of the relevant dwelling.

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

25 Verification Report (SUDs) Phased (Full and Outline Application)

Prior to the first occupation of the development hereby approved (on a phased basis or otherwise), a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing 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.

26 Water efficiency (Full and Outline Application)

Prior to the occupation of any of the relevant building approved in detail, details of the water efficiency measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be based on Section 8: water Conservation of the approved Energy and Sustainability Statement dated March 2022. The development shall be undertaken in accordance with the approved details and maintained thereafter

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.

27 Infrastructure provision

Prior to the occupation of the 50th dwelling of the development hereby approved, or the 40th dwelling and 800sqm commercial floorspace, whichever is sooner, further details shall be submitted to and approved in writing by the local planning authority to provide the following :

1. Evidence that all foul water network upgrades required to accommodate the additional flows from the development have been completed; or
2. The submission of a Development and Infrastructure Phasing Plan to be submitted to and approved in writing by the Local Planning Authority.

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

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

### Informatives

#### 1 Summary of Reasons to Grant Consent

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

#### 2 New/Modified Vehicle Crossovers and Dropped Kerbs

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

#### 5 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.

6      Damage to the highway

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

7      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

8      Electric vehicle charging

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

9      Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/> All crane applications should be sent to Heathrow's Works Approval Team via the following address:  
[Airside\\_Works\\_Approvals@heathrow.com](mailto:Airside_Works_Approvals@heathrow.com)

10     Noise mitigation for the proposed residential units

The applicant is advised that Environmental Health have advised that with respect to planning condition. The development should be designed to meet the criteria of 55dB, LAeq16 hour (day-time) in private amenity areas, 35dB LAeq, 16 hour (day-time) in living rooms and bedrooms, and 30dB, LAeq, 8 hour (night-time) and 45dB, Lmax (night-time) in bedrooms.

11     Natural England Licence

The applicant is advised of the requirement for a Bat Mitigation Licence and Great Crested Newt Mitigation Licence from Natural England where development activities may cause an offence. The licence can only be applied for once planning permission has been granted.

12     Ground Water Protection

The application is advised of the comments received from the Environment Agency regarding groundwater protection. If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. Any infiltration SuDS greater than 3m below ground level is considered to be a deep system and generally

not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base of the infiltration point and the peak seasonal groundwater levels. All need to meet the criteria set out in the Environment Agencies groundwater protection publication. In addition any infiltration SuDs must not be constructed in ground affected by contamination.

13 Environment Agency consents, permits or licences

The Environment Agency have a regulatory role in issuing legally required consents, permits or licences for various activities. The Environment Agency have not assessed whether consent will be required under this regulatory role. The applicant should contact 03708 506 506 or consult their website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx> This includes any proposal to undertake work in, over, under, or within 8 metres of the top of the bank of a designated main river, called a Flood Risk Activity permit.

14 Comments from the Surrey County Council Countryside Access Team

The applicant is advised of the comments received from the Countryside Access Team in their letter dated 17.06.2022.

15 Comments from Thames Water regarding surface water

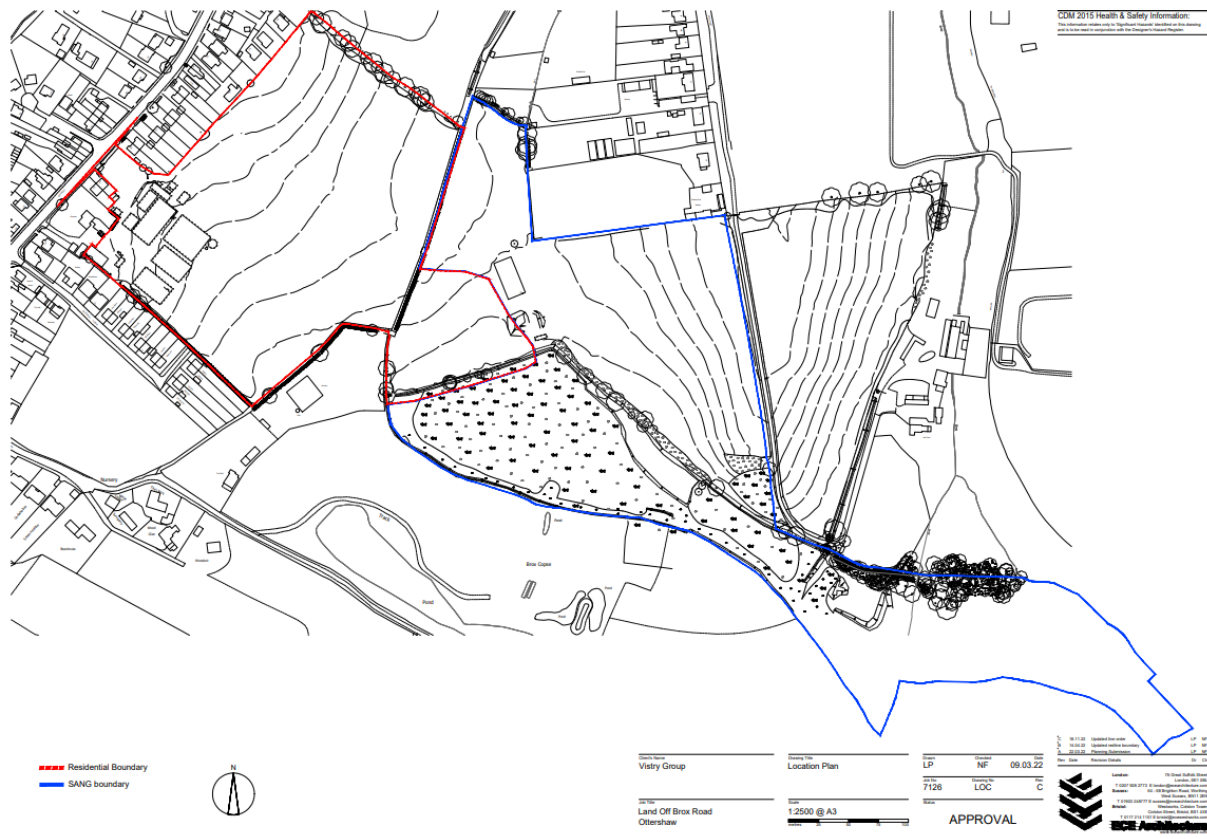
The applicant is advised of the comments received from Thames Water in their letter dated 20.05.22 with respect to surface water

16 Secure by Design

The applicant is advised of the comments received from Surrey Police dated 21.11.22 providing advice with respect to Secured by Design.

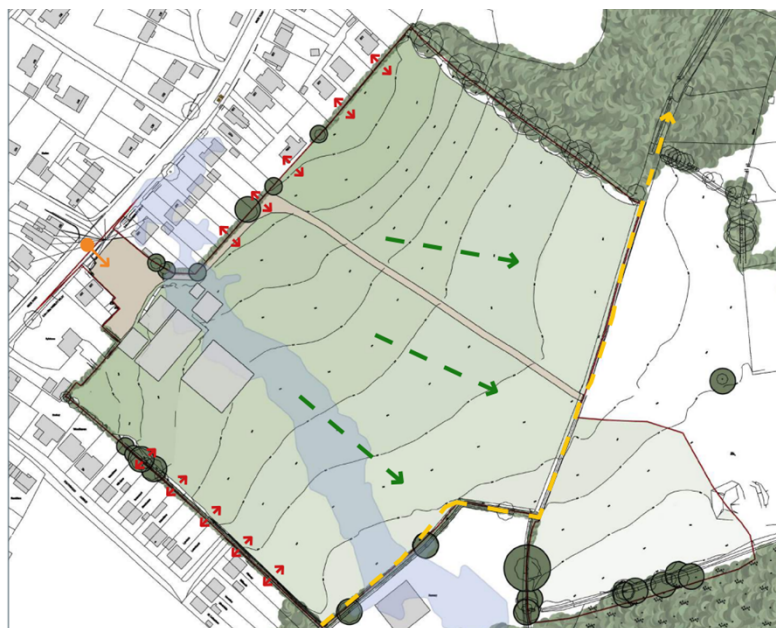
## Appendices RU.22/0454

### Appendix 1 Site Location Plan and Site Plans



### Existing Site Plan

- KEY**
- Existing Access Point
  - Existing Trees
  - Residential Interaction
  - Surface Water Flood Limits
  - Existing Hard Surfaces
  - Public Right of Way
  - The site slopes from the north-west to the south-east
  - Views over potential landscaping



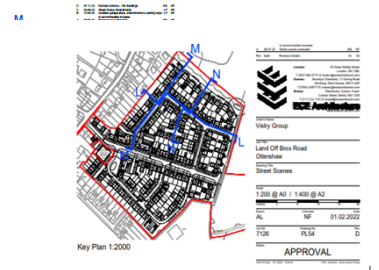
## Proposed Site Layout





## Appendix 2 - Some Street Scenes





## Existing and Proposed Street Scene from Brox Road





View along the Main Avenue looking towards the SANG



VIEW ALONG MAIN AVENUE LOOKING TOWARDS SANG

View of the development from the SANG



VIEW FROM SANG LOOKING TOWARDS RESIDENTIAL DEVELOPMENT

## Appendix 3 Response to the existing character of the surrounding area

### CHARACTER RESPONSE

The team have worked closely to ensure that the design is reflective of its context and picks up on design cues from the local area.

The pattern of development throughout Ottershaw is a mixture of styles and ages within Brox Road itself a clear example of the development of Ottershaw through the time. This includes smaller cottage dwellings, arts and crafts style housing, post war development including 1970's/ 80's terrace housing brought through as infill and back land development.

This has led to a wide ranging spread of design styles within Ottershaw, not being defined by one character style but with various materials and design styles along one street. Each development contains its own character and brings something new to the village rather than a copy cat or pastiche of what has come before.

While the development proposals draw upon cues from the locality it also continues the trend of development having a character of its own.

Key details include:

1. Brickwork detail with expressed headers within banding course
2. Varied doors styles linked with building character
3. Mixture of materials including tile hanging, timber and brick in close vicinity to be another
4. Brick banding running through eaves and across elevations
5. Contrasting head and eave colour to brickwork
6. Brickwork details to gables
7. Timber boarding at first floor
8. Hipped bays and roofs
9. Painted eaves
10. Gables dividing semi-detached dwellings
11. Hips to reduce building mass



1



2



3



4



5



6



7



8



9



10

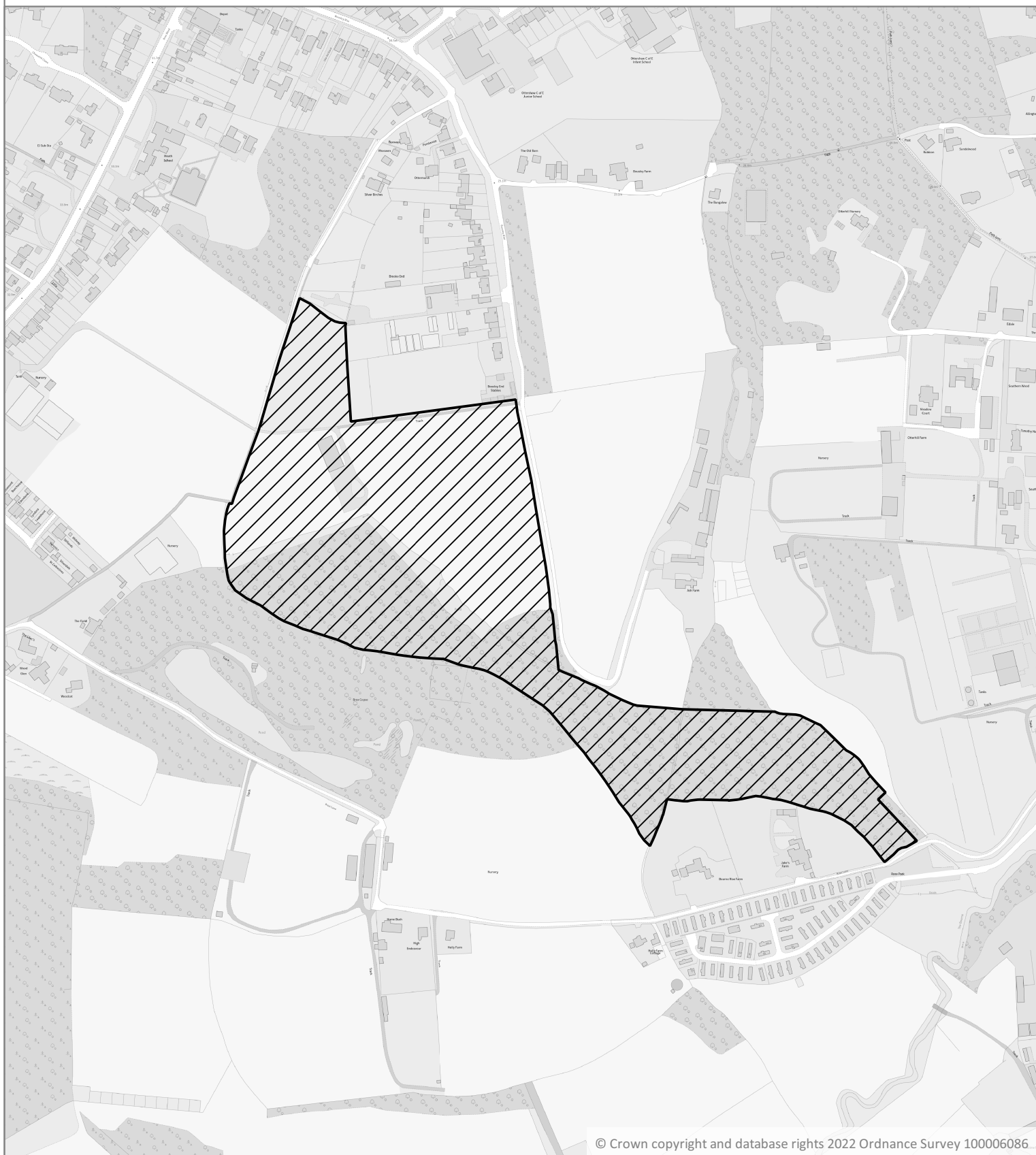


11



Date: 14/12/2022

**Land to the east of Brox Road, Brox Road, Ottershaw**



Scale: 1:5,000

**RU.22/0479**

0 100 200 m



**-COMMITTEE AGENDA REFERENCE: 5c**

<b>APPLICATION REF:</b>	<b>RU.22/0479</b>
<b>LOCATION</b>	Land to the east of Brox Road, Brox Road, Ottershaw, KT16 0LQ
<b>PROPOSAL</b>	Full planning permission for the proposed change of use from agricultural land to publicly accessible open space to be used as Suitable Alternative Natural Greenspace (SANG) on 10.42ha of land, including the demolition of an existing barn and creation of new pathways, associated landscaping and associated earthworks. Creation of new areas of public open space (including play areas and a community orchard) relative to the adjacent site comprising a hybrid planning application comprising: (a) Full planning application for the demolition of existing buildings, provision of 2 x replacement garages for 155 and 157 Brox Road and delivery of a residential development (Use Class C3) comprising 184 dwellings (including 35% affordable housing) and 2 Gypsy and Traveller Pitches, informal and formal open space, footpaths, cycleways and internal roads, landscaping, planting and drainage infrastructure. Creation of new vehicular and pedestrian access into the site from Brox Road; and (b) Outline planning permission for: The use of 0.1 ha of land for the provision of a GP Surgery of up to 800sqm (Use Class E) with associated parking and landscaping.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	16/12/2022
<b>WARD</b>	Ottershaw
<b>CASE OFFICER</b>	Louise Waters
<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>To approve the Full Application subject to the completion of a s106 agreement and planning conditions as set out in section 11 of this report.</b>

2	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 not progress to his satisfaction.</b>
---	--

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

- 2.1 The application site comprises a parcel of open agricultural land extending to some 10.42 hectares comprising woodland and grassland. The allocated housing site Ottershaw East (Policy SL12) is positioned to the north west of the site. A field drain is located along the western boundary and intersects the site from the north west to the south east before joining the River Bourne. A large agricultural storage building is positioned to the north of the site which will be demolished as part of the development. Existing public footpaths are located along the western and southern boundaries of the site.
- 2.2 The site is located within the Green Belt and falls within 5km of the Thames Basin Heath SPA. Brox Copse an area of ancient woodland is located to the south of the site and Halls Farm Wood and Grassland, a Site of Nature Conservation Importance, is positioned to the east of the site. Land to the south east is designated as a biodiversity opportunity area. The eastern parts of the site fall within a Mineral Safeguarding Area. The site is located within Flood Zone 1 (low risk) with land to the east falling within Flood Zones 2 and 3. Existing residential properties surround the site as well as some agricultural holdings and a Polo facility.

## **3. APPLICATION DETAILS**

- 3.1 This application is seeking Full Planning Permission for the proposed change of use from agricultural land to publicly accessible open space to be used as Suitable Alternative Natural Greenspace (SANG). The application includes the proposed demolition of an existing barn and the creation of new pathways, associated landscaping and associated earthworks. The creation of the SANG will provide for new areas of public open space including a new pond and wetland areas, a LEAP (Local Equipped Area for Play), a community orchard (comprising rows of fruit and nut bearing trees planted within open, herb rich grassland) a natural play area and trim trail, woodland play area and new meadow areas.
- 3.2 The development also proposes new pedestrian links into existing surrounding footpaths. The SANG includes a main circular walking route of 2.5km which will be bound in gravel to allow convenient year-round, all weather, and all-ability access. Secondary connecting paths will be laid out to present visitors with a variety of walk lengths and options. Simple timber ditch crossings will be installed where the path route intersects existing field drains.
- 3.3 Site furniture will be of predominantly timber construction in simple and robust designs. Interpretation panels will be installed at main access points which will provide information on the habitats and features of the SANG. Maps will also be provided indicating both the range of walks available within the SANG and its recreational connectivity within the broader landscape. Socially and environmentally responsible recreational activity will be promoted including the use of litter and dog waste bins which will also be provided at access points. Timber benches will be installed at appropriate intervals and near focal points such as the pond and orchard
- 3.4 The SANG will create new habitats across the site including new areas of grassland which



will be predominantly managed as 'wildflower meadow', although localised areas of short sward grassland will be maintained to promote the safe enjoyment of natural play areas. New tree and shrub planting will be undertaken within the northern part of the SANG with scattered trees and linear bands or 'islands' of scrub and woodland. A large area of continuous scrub planting will be provided along the existing woodland edge to screen the Badger sett locations. Once established this new planting will provide a refuge and foraging resource for wildlife and will promote connectivity between the areas of wooded habitat to the north and south.

- 3.5 New native species-rich hedgerow will be planted along the northern part of the SANG's eastern boundary in order to enclose and frame the SANG and provide a link between the wooded areas to the north and south. The hedgerow will serve a screening function and provide breeding habitat for birds, and a foraging resource, refuge, and wildlife corridor for a wide range of species. The two new wetland features will comprise a large basin in the western part of the SANG, which will also serve as a Sustainable Drainage System (SuDS) for the proposed new residential development under RU.22/0454) to the west, and a wildlife pond to the east which will provide habitat for aquatic flora and fauna and an attractive focal point with a naturalistic character.
- 3.6 Parts of this application site fall within policy SL12 (Housing Allocation at Ottershaw East) of the Runnymede 2030 Local Plan which requires the provision of an area of SANG for the new residential development proposed within the Ottershaw East allocated site to avoid harmful impacts to the Thames Basin Heaths Special Protection Area as well as a contribution towards SAMM. This proposed new area of SANG will provide for mitigation against the harmful impacts of planning application RU.22/0454 comprising an area of some 9.97 hectares (excluding the LEAP and new SUD's pond) Allowing for a regional-standard provision rate of 8ha per 1,000 new residents and an average local occupancy rate of 2.2 persons per dwelling (as given in the Thames Basin Heaths SPA SPD), the residual area of the proposed SANG would generate sufficient capacity to mitigate 566 dwellings which would far exceed the mitigation requirements of the neighbouring development site where 184 new dwellings and 2 Gypsy and Traveller Pitches are proposed.
- 3.7 This application is supported by a letter of intent from the Land Trust advising that subject to a contract and payment of an agreed endowment, the Land Trust is intending to take formal ownership of the SANG. On this basis the Land Trust would thereafter remain responsible for its provision and maintenance in perpetuity (no less than 80 years). The agreed endowment would include all management and maintenance, including the periodic capital replacement of site furniture and access infrastructure. The capital sum would be ring fenced for the site and will be invested within the Land Trust's wider investment portfolio. The site would be managed in accordance with the SANG Management Plan. The Land Trust has a proven track record in managing land for the benefit of communities and wildlife. It has been approved by Natural England and a number of Local Planning Authorities as an appropriate body to manage SANG and now manages over 300 ha of SANG from Devon to Surrey.

## **4. RELEVANT PLANNING HISTORY**

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

Reference	Details
RU.22/0454	Hybrid planning application comprising: (a) Full planning application for the demolition of existing buildings, provision of 2 x replacement garages for 155 and 157 Brox Road and delivery of a residential development (Use Class C3) comprising 186 dwellings (including 35% affordable housing) and 2 Gypsy and Traveller Pitches, informal and formal open space, footpaths, cycleways and internal roads, landscaping, planting and drainage infrastructure. Creation of new vehicular and pedestrian access into the site from Brox Road; and (b) Outline planning permission for: The use of 0.1 ha of land for the provision of a GP Surgery of up to 800sqm (Use Class E) with associated parking and landscaping. To be discussed on this agenda with an officer recommendation for approval.
RU.22/0460	EIA Screening Opinion in respect of the proposed development of the site for new residential development, a GP Surgery, Gypsy Traveller Pitches and the provision of a SANG (Suitable Alternative Natural Green Space). Not EIA development.
RU.21/0673	Full planning permission for the proposed change of use from agricultural land to publicly accessible open space to be used as Suitable Alternative Natural Greenspace (SANG) on 10.42ha of land, including the demolition of an existing barn and creation of new pathways and associated landscaping. Creation of new areas of public open space (including play areas and a community orchard) relative to the adjacent site comprising an outline planning application for residential development (Use Class C3); serviced gypsy/traveller pitches (Sui Generis); GP Surgery (Use Class E), landscaping and associated development. Withdrawn
RU.21/0672	Outline planning application for residential development (Use Class C3); serviced gypsy/traveller pitches (Sui Generis); GP Surgery (Use Class E); associated landscaping, utilities and drainage infrastructure; and associated infrastructure and enabling works including the demolition of all existing nursery buildings and glasshouses. All matters are reserved for future consideration with the exception of access to the site, to be taken from Brox Road. Withdrawn
RU.21/0633	EIA Screening Opinion in respect of the proposed development of the site for new residential development, a GP Surgery, Gypsy Traveller Pitches and the provision of a SANG (Suitable Alternative Natural Green Space) Not EIA development

## 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 SPDs which might be a material consideration in determination:  
SPDs including but not limited to Thames Basin Heaths Special Protection Area (April 2021) and Blue Infrastructure (Nov 2021)
- 5.4 This site falls within the designated Ottershaw Neighbourhood Area. However, a Neighbourhood Plan has not been developed yet for this area.

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Environment Agency	No objections (comments provided with respect to ground water protection)
Lead Flood Authority	No objections subject to conditions
West Surrey Badger Group	No objections subject to conditions
RBC Planning Policy	No objections subject to the SANG land being transferred to The Land Trust with the requisite contribution for management/maintenance in perpetuity.
Surrey Wildlife Trust	No objections subject to conditions
Natural England	No objections
RBC Land Contamination Officer	No objections subject to conditions.
RBC Drainage	No objections
Surrey Bat Group	No objections
Surrey County Council - Countryside Access Officer	No objections – Contribution sought towards enhancing the existing public right of way
RBC Listed Building & Conservation Adviser	No objections



Surrey County Council Minerals and Waste	No objections
National Highways	No objections
Surrey Police - Designing Out Crime Officer (north division)	No objections. Guidance given with respect to Secured by Design.
Surrey County Archaeology	No objections
Sport England	No objections
Tree Officer	No objections subject to conditions
Historic England	No objections
BAA safeguarding (Heathrow)	No objections
RBC Economic Development Officer	No objections
County Highway Authority	No objections subject to conditions. S106 requirement for the retention of public access to and from the SANG
Affinity Water	No comments received.
Thames Water	No comments received
The Ottershaw Society	No comments received
Fairoaks Airport	No comments received
Brox End Nursery Residents Association	No comments received
Safer Runnymede	No comments received
SCC Public Rights of Way	No comments received
Civil Aviation Authority	No comments received
RBC Environmental	No comments received.

Health Officer	
RBC Green Spaces Team	No comments received
Airside Operations Manager	No comments received
Safeguarding Heathrow Airport	No comments received

## Representations and comments from interested parties

6.1 230 Neighbouring properties were consulted in addition to being advertised in the local paper. Site notices have also been displayed surrounding the application site. 76 letters of representation have been received which can be summarised as follows

- Harmful impacts upon existing wildlife and biodiversity.
- New developments should include a variety of green open spaces in a variety of sizes and locations. It is not enough for this requirement to be diverted to the SANG.
- Lack of sports facilities which is considered essential by the Runnymede Infrastructure Analysis.
- A Biodiversity net gain has only been achieved by adding in the SuDS and a hedgerow into the SANG which does not form part of the housing development allocated land.
- The development fails to comply with policies and guidance as set out within the Local plan, the Runnymede Design SPD, the NPPF and the National Design Guide.
- Lack of parking and significant problems of overspill on-street parking along Brox Road and other nearby roads. Contrary to advice from Natural England.
- In order to avoid disruption outside of the development the SANG parking provision must fall within the proposed new housing development, accessible from its Brox Road entrance and be suitably convenient to facilitate access to the SANG by all including the less able.
- Evidence from the SANGs Summer survey showed that of 216 visitors (in a 16-hour period) to Ottershaws other SANGs (17ha in total), 36% of those visitors were not local to Ottershaw. Further to this, the transport survey of this document shows 32% of visitors were by car. 60% of visitors were dog walkers. If we assume 1 per vehicle (as many dog walkers are), this is 69 cars in a 16-hour period to a 17ha area. Therefore, we can estimate there could be 40 cars in a 16-hour period visiting the new SANG. There must be a car park to accommodate these visitors otherwise the development area will become congested and Brox Road and its attributor roads, further congested.
- Measures and initiatives need to be both tangible and physical.
- The improvements to the A320/Brox Road junction need to be completed so that residents can have better and safer walking, running and cycling routes.
- The development should not be occupied until the works under 2021/0185 have been carried out. The Ottershaw East site has been included as part of HIF assessment and the improvements highlighted within the submitted Transport

Assessment account for the additional impact generated by this development proposal.

- A planning condition restricting the number and direction of site traffic should be adopted in order to direct site traffic South on Brox Road.
- No improvements are being made to the A320/Brox Road Priority Junction and it does not address a safer route for pedestrians, cyclists and the like to travel between the pedestrian and cycle route along the A320 via the Brox Road/Guildford Road.
- The CHA has made more damage by not including the A320/Brox Road in the A320 HIF improvement (urgent action) as a greater degree of traffic will be diverted along Brox Road Village road causing greater issues particularly for Murray Road residents.
- A cycle path from the development along Brox Road and across the A320 junction to the existing cycle path, would promote safe and healthy travel options.
- Ottershaw is a rural Village, poorly served by public transport. There is only one bus service that runs hourly through the Village, others 2 hours daily. This public transport does not align with the plans for the area and the increase in population.
- The CHA recognise the site, and Ottershaw as a whole, is not a particularly sustainable location (in transport terms), and as a result have requested conditions to include improvements to pedestrian, cycle and bus modes of transport.
- The Travel Plan by Vistry Homes is inadequate as it fails to recognise the importance of the A320/Brox Road Priority Junction improvements due to the failings of Surrey County Council's to include the improvement of this junction in the HIF improvements according to the A320 Corridor Study Report.
- The A320/Brox Road junction is dangerous for pedestrians and cyclists wishing to use NCN Route 223. There is no safe pedestrian or cycle junction from the A320/Brox Road junction where most accidents have occurred.
- The CHA has imposed a 4 metres wide cycle pedestrian access onto Brox Road from the subject development but this has not been met according to plans RU.22/1317.
- In order to avoid disruption outside of the development the SANG parking provision must fall within the proposed new housing development, accessible from its Brox Road entrance and be suitably convenient to facilitate access to the SANG by all including the less able.
- The SANG application is completely nonsensical and is an unacceptable destruction of the local environment.
- The land should be retained solely as land beneficial to local wildlife and not be used by people and dogs.
- The ongoing development and noise will disturb all animals in this local environment, and potentially those in other adjacent nearby ecosystems.
- There are already plenty of outdoor areas used by humans and dogs all around the area.
- The people visiting the SANG will also increase parking problems that already exist on Brox Road.
- Local infrastructure cannot support the number of cars and people this development will generate
- This development along with the Brox End Nursery site has and will completely change our living environment. It will lead to us leaving Ottershaw driven out by unsuitable over development after 35 years of living in a peaceful village environment.

- This application in conjunction with the granting of permission at Brox End near to the site will exacerbate congestion especially at peak times and school drop offs.
- There is insufficient road capacity already within the village.
- Ottershaw village is poorly served by public transport and infrastructure being a dormitory village dependant on car use.
- Scoping Report carried out by HUB stated that the location of the site was not considered sustainable with infrequent bus provision and poorly connected cycle and pedestrian links. The report states that infrastructure is poor. Together with the 46 houses being constructed in Brox Road, the Brox End Nursery, density of the proposed development is unsustainable.
- The opportunity should now be taken to restrict both ends of Brox Lane, together with Slade Road, to all through traffic. i) No Entry (Except for Access and Buses) ii) The 30mph speed limit on both of those roads should be reduced to 20mph.iii) Speed tables and width restrictions are not a satisfactory solution, apart from the additional engine noises they create, they simply cause greater harmful emissions at their sites, with vehicles slowing stopping and accelerating away.
- There is only one access/exit point to the site so there is a possibility of a site gridlock at peak times.
- Biodiversity should be enhanced as part of new development and should be designed to maximise gains in Biodiversity. Offsetting it through a hybrid application to the SANG (which is currently inaccessible and undisturbed land anyway) plays into the developers' hands so they can show numbers to suit them.
- Police Secured By design principles must be adopted.
- ALL NPPF and RBC planning policies must be adhered to fully.
- Brox Road and Slade Road speed limits and restrictions must be implemented before construction commences.
- Parts of the development are not easy walking distance to shops and so car use will increase to link to rail services in Woking, Chertsey and Addlestone. The NPPF states that all housing development must be sustainable and reflect the infrastructure capacity of an area.
- The creation of a SANG- the community does not need this.
- Design should promote the use of local tree species such as oak, birch and Scots pine.
- Local infrastructure will not be able to cope with additional traffic.
- Unclear why the SANG area is proposed to be situated at the farthest point from existing residents? Could the SANG not be repositioned to run along the back of the existing properties along Brox Road that border the field. This could minimise the objections and deprivation of village community feel that the development threatens.
- increased number of cars will add to the noise and pollution.
- Noise disturbance would be a real problem for what was a really quiet, peaceful and pleasant village to live in.
- We have lived in what was a lovely residential village with our family for 36 years, this proposal would completely ruin this environment.
- Object to the development of Green Belt land.
- Earlier this month in the Queens speech opening the new session of parliament, the Government announced the "Levelling up and Regeneration Bill. Given the significant new legislation that has been introduced into parliament it would seem reasonable that the Planning Committee pauses its consideration of such a substantial development until the impact of this legislation is clear.

- The increase in traffic will have a deleterious effect on the local environment resulting in increased pollution and stress to local inhabitants.
- Loss of privacy and security to existing surrounding properties.
- This is an opportunity to secure the long term future of this section of the strategic gap between the built settlements of Ottershaw and Addlestone. All the SANG land must therefore remain designated and protected as Green Belt.
- Unclear if Runnymede will be prepared to take over the woodland North of Jakes Farm, shown on the masterplan which, in its' present state, is not of the same quality and has serious maintenance and public safety problems that the other sites do not.
- This area of woodland has been unmaintained private wilderness as part of Ash Farm. Not clear if RBC will take over the site.
- The marshland has been drained by perimeter and internal ditches and ponds feeding the River Bourne. I believe these ditches have historically been maintained by the Environment Agency, as the woodland plays an important role in holding back stormwater from the River Bourne. Despite that the access to Rose Park and part of Brox Lane become flooded most years
- Concerns over the spread of Himalayan Balsam.
- The boundaries between the woodland of Bourne Rise Farm and Jakes Farm are delineated by maturing oaks which be subject to a TPO. Footpaths should be safely routed further to the north to be clear of their spread.
- New security fencing would have to be away from oaks and hollies whilst allowing maintenance of drainage ditches from within the application site.
- May require ditches to be re-aligned which will have to be negotiated with adjoining owners.
- Details of boundary treatment should be a reserved matter with full details to be approved before development commences.
- The existing woodland environment has real and potential hazards that cannot be considered safe for public access.
- Fear of accidental grass fire spreading to the woodland and becoming uncontrollable.
- Issues of public liability and insurance for all parties must be addressed.
- This area of woodland needs strategic pre- planning and significant investment over a number of years which should start now.
- The considerable cost of setting up the SANG should not fall on the Local Authority.
- The funding of construction/remediation works and ongoing management to ensure a safe and long-lasting public amenity should be part of a Section 106 or similar binding legal agreement.
- It would be beneficial to start improvement works and tree planting early to create a suitable and safe environment for wildlife and residents long before the new housing is completed.
- With proper preservation and enhancement of the best existing features, and by dealing with identified problems, the proposed SANG can remain a strategic part of the Green Belt and become a great asset for the wider community as well as an exemplar project for nature conservation and the enhancement of biodiversity.
- The delivery of the SANG can only be achieved through consultation with adjoining owners and with the active involvement of Runnymede Borough Council in both the sensitive remediation and the establishment of this asset, as well as with long term management and maintenance.
- Loss of green space and public footpaths which are highly valued and utilised by

residents of the area.

- There is inadequate local infrastructure to support such a large development and it would cause major traffic issues to surrounding roads.
- Any further development of this green belt space would have a profound visual impact on neighbouring properties, their privacy and disturbance.
- Increased capacity on the M25 and associated harmful impacts.
- The aim of saving the Thames Basins Heaths Special Protection Area, which is the purpose of a SANG, need not be at this price of sacrificing all other pockets of wildlife.
- The "net biodiversity gain" touted in the reports will be rendered pointless if the wildlife is killed or driven out.
- Concerns regarding the date of the ecological surveys and the accuracy of the information. No evidence was sought or collected from local environmental groups and individuals.
- There should be no intention to install lighting within the SANG. This should be a natural green space, not an un-natural one.
- The "Ottershaw East SANG Creation & Management Plan 4/3/22" also notes that "No part of the SANG is designated for nature conservation; the nearest locally designated site is some 700m distant." It should be designated (formally or informally) for future reference
- The SANG needs areas which are visually pleasing but unappealing to actually access, using brambles, gorse, hedging and such natural deterrents.
- The creation of play areas across the SANG will distribute children, adolescents and dogs throughout the entire SANG with harmful impacts
- How is it intended to keep dogs out of the other pond? This is a permanent issue for Hare Hill Open Space.
- You don't understand how you ruin our lives.
- Local infrastructure will not cope.
- The size of this development will completely encroach on the lives of those living in the village bringing huge amounts of traffic and footfall. It is a terrible shame for Ottershaw to allow change of use from agricultural land.
- it is way too big for such a small village. It is an over-development and the infrastructure cannot cope.
- Loss of agricultural land.
- Either take the whole of the area out of greenbelt or leave the land alone.

The letters of representation also make reference to objections raised under RU.22/0454 with respect to the new hybrid planning application. These comments are considered under this separate planning application.

6.2 In addition, a letter of objection has been received by the Ottershaw Neighbourhood Forum outlining the following concerns:

- The SANG should aim to balance the protection and development of wildlife and vegetation with that of providing amenity space for residents. The current solution fails to achieve this. As such it offers too much freedom for residents to roam across the whole of the site and little or no protection to the habitat.
- The SANG should seek to return the area towards its historical origins. As such greater emphasis should be placed upon indigenous species reforestation and

hedgerow creation.

- The detailed design of the SANG should be developed in close cooperation with the local community in order to ensure its expectations are met. This should be effected through liaison with the local council, Ottershaw Neighbourhood Forum and other community groups.
- No specific consultations regarding the SANG have taken place with the Ottershaw Neighbourhood Forum or other community groups. Discussions held in February 2022 focussed on the housing development and not the villages expectations for the SANG.
- The SANG should seek to reflect the practice and functions of the other SANGS in the local area which seek to limit public access mainly to footpaths and immediate surrounding areas whilst providing only minimal other activity amenity space as stated in the Natural England, Thames Basin & Heaths and RBC, SANG requirements/SPDs.
- The SANG development should include a pictorial and written vision for the space which looks approx. 50 years into the future. This will help to inform the detailed development of the solution to ensure it is delivered to best effect and provide a checkpoint as time passes.
- SANG Categorisation. There is inconsistency in how the areas of the housing development and the SANG are quoted and used across the 2 Ottershaw East applications (0454/0479). Although the SuDS area is embedded in the SANG and is listed many times as an amenity to be used by the SANG users, its acreage has been removed from the SANG total area. The result of this is a SANG of less than 10ha rather than more and as such a different set of requirements are seen to be applicable. In our opinion this is incorrect and the full area of over 10ha should be used.
- Vehicle Parking. It is not clear from the application what category this SANG falls into and it is perceived this will also affect the solution. Looking at its size of around 10ha it is our largest SANG by some margin. As such it is unclear whether the intent is to serve only the local population up to 400 metres or wider. The current application includes no provision for vehicle parking. As such the catchment is stated as 400 metres. This is clearly arbitrary and unrealistic as external users from a wider catchment cannot be deterred unless you restrict public access to the SANG.
- In our experience regarding our other SANGs we see clear evidence of a wider catchment area for about a third of users, eg Memorial Field dog walkers (of which there are many) using its car parks will doubtless wish to use this SANG as a regular alternative. Without dedicated car parking they will simply park on Brox Road.
- For this SANG, given its size and varied nature we would see wider access being even higher. In order to meet the wider case there are firm requirements to provide the following: i) Dedicated vehicle parking within close proximity of the SANG (ie adjacent). ii) Dedicated disabled vehicle parking as a part of the provision and provision for cycle parking.
- The implications of not providing parking will result in completely unacceptable

increased congestion and safety risk along Brox Road

- Badger Habitats. A number of badger setts have been identified within the SANG area and concerns are raised that the current SANG solution appears to take no regard for their presence with many of the footpaths coming in very close proximity or actually right on top of the setts. Additionally, there is no consideration of their foraging areas. We recommend that the SANG layout is carefully reconsidered in order to ensure the safety of this species.
- The current proposed solution does not comply with the requirements for species protection stated/referenced in the Natural England response ref 408394 dated 5 Oct 22
- Woodland Play/Trim Trail. The woodland play area is embedded in an area of ancient woodland which is too remote from the housing development and therefore unsafe. If the requirement for the area remains, it should be relocated.
- It is recommended that additional hedging is introduced throughout the boundary to provide screening of the boundary fence and positively contribute to the Biodiversity Net Gains for the development.
- The footpaths through the forested area in general are in too close proximity to the boundary. Whilst it is understood these alignments are indicative, it is recommended that these are moved a small distance further into the SANG.
- SuDS Outfall. It is unclear whether a full impact assessment has been completed to demonstrate whether the ditch to the south of the development proposed for the outfall and its capacity is sufficient to avoid any increase to flood risk elsewhere.
- Tall Edge Planting/Mature Trees. These plantings should seek to mirror the tree species mix of the adjacent ancient forest. Fast growing, small and non-indigenous species should not be encouraged.
- In our opinion a community orchard is more aligned with an urban rather than a rural setting. We would recommend this is replaced with more irregular indigenous species woodland.
- The SANG boundary onto Brox Lane in the SE corner should be opened to allow pedestrian/cycle access. Providing wider access is pertinent considering the significant size of the SANG when compared to the proposed housing development. This would also provide some benefit with respect to active & sustainable travel.
- Whilst annualised cost estimates have been provided for management and replacement of SANG furniture etc, it is unclear for how long the applicant is required to meet the requirement "in perpetuity". This needs clarification.
- There is an opportunity to provide a cyclepath connection from FP30 through the SANG onto Brox Lane in the SE corner. Provision of this would significantly reduce the amount of vehicle usage, particularly at and around peak times, contributing positively to the proportion of active & sustainable travel in the area.

6.3 In addition a letter of representation have been received from The Brox Road Action Group (BRAG) outlining the following concerns

- Insufficient parking.



- The creation of the SANG as part of the hybrid application (RU.22/0479) and the amenities within it, appeal to those within the village but also to those in nearby villages. Regardless of the bus and cycle links, there will be an amount of the public which will drive to the SANG. There has been no parking provision considered for these visitors nor a contingency parking area should the number of visitors by car exceed expectations once the development is complete.
- According to Nature England, "For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance (400m) of the developments linked to it". The amount of car parking space should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANG and the SPA.
- According to the BNG assessment report completed by Tyler Grange, and the planning application itself, the SANG comprises 10.42ha of habitat. A car park provision for the SANG should be considered within the residential development area. The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANGS. It should provide an attractive alternative to parking by the part of SPA for which it is mitigation. Car parks should be clearly signposted and easily accessed. New parking provision for SANGS should be advertised as necessary to ensure that it is known of by potential visitors.
- Evidence from the SANGs Summer survey showed that of 216 visitors (in a 16-hour period) to Ottershaws other SANGs (17ha in total), 36% of those visitors were not local to Ottershaw. Further to this, the transport survey of this document shows 32% of visitors were by car. 60% of visitors were dog walkers. If we assume 1 per vehicle (as many dog walkers are), this is 69 cars in a 16-hour period to a 17ha area. Therefore, we can estimate there could be 40 cars in a 16-hour period visiting the new SANG. There must be a car park to accommodate these visitors otherwise the development area will become congested and Brox Road and its tributary roads further congested.
- In order to avoid disruption outside of the development the SANG parking provision must fall within the proposed new housing development, accessible from its Brox Road entrance and be suitably convenient to facilitate access to the SANG by all including the less able.
- Design standard 17 states the development should contain a mix of uses. A SANG as large as the one proposed for Ottershaw East would be worthy of a cafe and such a provision should be considered and doubles as an opportunity for social spaces.
- If this is not rectified now, it will have a significant impact on the development and the surrounding roads outside the development. We urge that all parking requirements (the housing development and the SANG) are reviewed before any decision is approved.

## **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. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are considered to be the provision of public open space and whether the proposed development comprises appropriate development in the Green Belt including impact on visual amenities/landscape character, impact on neighbouring amenities, impact on trees and ecology and whether any highway matters would result.

### Provision of public open space

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

### Green Belt Considerations

- 7.3 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open. Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. One of the forms of development not considered to be inappropriate is set out in para 150(e), material changes in the use of land such as for outdoor sport, recreation etc. Paragraph 145 of the NPPF further advises that local planning authorities should plan positively to enhance the beneficial use of the Green Belt and the examples given are “to provide access; to provide opportunities for outdoor sport and recreation; [and] to retain and enhance landscapes, visual amenity and biodiversity”.
- 7.4 Policy EE16 of the 2030 Local Plan states that provision of facilities for outdoor sport, outdoor recreation...may not be inappropriate in the Green Belt provided such provision preserves openness and does not conflict with its purposes. Policy EE19 states that changes of use of land may not be inappropriate but should have no greater impact on the openness of the Green Belt and the purposes of including land within it than the existing use.
- 7.5 The proposal is for the change of use of the land to a Suitable Accessible Natural Greenspace (SANG) with associated works to bring the site up to SANG standard. SANGs are areas of open space provided for general recreation by the public and the primary purpose of a SANG is to provide an alternative to the sites for informal recreation within the Special Protection Area. As part of this application no new buildings are proposed on the site, thus maintaining the openness of the site. The proposed development would also specifically provide public access to the site providing opportunity for outdoor. The proposed change of use of the land to provide a SANG is therefore considered to be an appropriate form of development within the Green Belt which would comply with policies EE16 and EE19 of the Local Plan.
- 7.6 This application also proposes however land raising across the northern section of the SANG in order to prevent excavated material from the neighbouring land (RU.22/0454) being removed off site. Careful consideration needs to be given to the extent of this land raising and its impact upon the Green Belt. Policy EE18 (Engineering Operations in the Green Belt) of the Runnymede 2030 Local Plan confirms that proposals for engineering

operations including material changes in land levels are considered inappropriate development unless the applicant has demonstrated that the operations preserve the openness of the Green Belt at the site and its vicinity, and do not conflict with the purposes of the Green Belt. This policy confirms that the extent and visual impact of the changes in land levels will be taken into account in assessing such proposals, as will the purpose and intent of future use in order to ensure the visual effects are not harmful.

- 7.7 An additional statement has been submitted by the applicant which confirms that maximum ground raising is proposed to be up to 1 metre above existing ground levels. The raised areas are to be graded at the edges over a minimum of 10m resulting in a maximum slope of 1:10 at the site edges. This supporting statement advises that the proposed changes in levels will cause negligible impact on the openness of the Green Belt and this impact will become less apparent once planting has started to establish further softening the proposed land level changes.
- 7.8 Given the proposed extent of the land raising it is considered that there will be some harm albeit limited to the openness of the Green Belt. As such the proposed land raising is therefore considered to represent an inappropriate form of development in the Green Belt (by definition) which would also have detrimental impacts upon the openness of the Green Belt. This would be contrary to policy EE18 of the Local Plan.
- 7.9 Paragraph 147 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.10 In conclusion there is clearly some limited harm in these respects which weights against the proposal and which will need to be taken into account when considering whether any 'very special circumstances' exist which would clearly outweigh the identified harm to the Green Belt and any other harm. It is therefore necessary to consider whether any other harm would arise from the proposed development.

#### Impact on residential amenities of neighbouring occupiers

- 7.11 The application includes the proposed demolition of an existing barn and the creation of new pathways, associated landscaping and associated earthworks. The creation of the SANG will provide for new areas of public open space including a new pond and wetland areas, a LEAP (Local Equipped Area for Play), a community orchard (comprising rows of fruit and nut bearing trees planted within open, herb rich grassland) a natural play area and trim trail, woodland play area and new meadow areas. The development also proposes a main circular walking route of 2.5km. This proposed development has been sensitively positioned within the application site so as to be positioned away from existing surrounding residential properties and their immediate private garden areas. The occupiers of existing surrounding land will be aware that the SANG land is to be used as public open space by members of the public. However, given the proposed layout and intended use of the SANG it is not considered that the proposed development would be detrimental to the amenities of existing neighbouring properties.
- 7.12 The proposed SANG is to be utilised predominantly by the occupants of the neighbouring development (RU.22/0454) and the local community. The provision of no onsite parking for the SANG will also restrict the number of people accessing the site by vehicles such that it is

not considered that the level of activity generated by the proposed development would be detrimental to the amenities of nearby occupiers. The proposed land raising of 1.0m within the northern parts of the SANG have been positioned in excess of 10 metres from the site boundaries to ensure that a sufficient buffer is retained to existing site boundaries and sufficient space is provided to allow for a slope of 1:10 at the boundary edges.

- 7.13 A planning condition is recommended to secure the provision of details of any new lighting in order to protect the amenities of existing properties surrounding the site. Given the proposed layout of the development, the separation distances involved and the nature of the use at the site it is considered that the proposal would not adversely affect the amenities of any neighbouring or nearby occupiers. The proposal therefore complies with the guidance in the NPPF which seeks to ensure a good standard of amenity for existing occupiers and Policy EE1 of the Local Plan.

#### The impact upon existing trees and blue infrastructure

- 7.14 Policy EE11 of the Runnymede 2030 Local Plan seeks to avoid further habitat fragmentation of green infrastructure by encouraging development proposals which restore, maintain and enhance habitat connectivity. The Council will seek development to contribute towards the delivery of a high quality multi-functional green infrastructure network by requiring proposals to provide and make enhancements to onsite green infrastructure assets. Policy EE12 requires development to contribute towards the delivery of a high quality multi-functional blue infrastructure network through the provision, protection, maintenance and enhancement of blue infrastructure to deliver multiple benefits and services for biodiversity, recreation and landscape.
- 7.15 The development is considered to be landscape led and the layout of the SANG has been designed so as to protect existing green infrastructure within the application site. The application is supported by an Arboricultural Impact Assessment and Arboricultural Method Statement. This supporting information confirms that the only green infrastructure which will be removed as part of the development includes category C planting comprising a 10m section of hawthorn and holly hedgerow to allow for the construction of the site drainage. The remaining green infrastructure and blue infrastructure within the site will be retained, protected and enhanced as part of the development proposals.
- 7.16 The application is also supported by a Green and Blue Infrastructure document which confirms that further mitigation and enhancement will be created in the SANG land which includes the creation of a wildlife pond, scrub habitat, woodland habitat, traditional orchard, and native species hedgerow. Further details of the proposed new planting across the site will be secured by planning condition. The development is therefore considered to comply with policies EE11 and EE12 of the Runnymede 2030 Local Plan, the councils Green & Blue Infrastructure SPD and policy within the NPPF.

#### Ecology Considerations

- 7.17 The intention is that the proposed public open space would be used as a SANG. As such the proposal would assist in mitigating the impact on the Special Protection Area as required by the Saved Southeast Plan Policy NRM6 together with Local Plan Policies EE9 and EE10. This would result in a significant ecological benefit. Policy EE9 (Biodiversity, Geodiversity and Nature Conservation) of the Runnymede 2030 Local Plan confirms that the Council will seek net gains in biodiversity through the creation, expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species.
- 7.18 The application is supported by an Ecological Impact Assessment EIA (including an

addendum report) which provides further details of protected species within the application site and the adjoining land under RU.22/0454. These assessments also provide for proposed mitigation and biodiversity enhancements across both of the application sites. The EIA also considers the wider impacts of the development upon the Southwest London Waterbodies Ramsar and SPA, Windsor Forest and Great Park SAC and Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) confirming that the proposed development will not give rise to significant effects on European Sites either alone or in combination with other plans and/or projects.

- 7.19 Surveys completed in 2018 and 2020 found a low population of slow worm within the neighbouring site (RU.22/0454), badger setts within the SANG land and evidence of bats. The addendum report sets out the findings of updated results of a Great Crested Newt (GCN) survey, updated bat surveys and an updated reptile survey. The updated surveys found no presence of GCN and the addendum report therefore considers that GCN are absent from both application sites. The addendum report however recommends that a precautionary method of working will be implemented to include timing of works outside the hibernation season and phased habitat removal under the watching brief of a GCN licenced Ecological Clerk of Works. The addendum report confirms that if GCN are found during the development all works would cease to allow consultation with Natural England in order to secure an appropriate licence. The updated reptile survey found a low population of slow worms on the neighbouring site (RU.22/0454). The addendum report confirms that a reptile mitigation strategy will be produced which will include a method statement to both protect and enhance the existing population of slow worms.
- 7.20 The development includes the demolition of all existing buildings within both the application site and within the adjoining development (RU.22/0454). The Ecological Impact Assessment recommended additional bat surveys be undertaken of buildings B1 and B4 on the neighbouring site (RU.22/0454). Updated surveys have found no roosting bats within either buildings. However due to the high suitability of roosting potential and the known foraging within building B4 the addendum report recommends the use of soft demolition techniques (supervised by a suitably qualified bat ecologist) confirming that if a roost is found during demolition works the works will cease until a licenced ecologist is contacted and further works are progressed under licence from Natural England. The updated surveys found foraging and commuting activity along the woodland edge within the SANG land and within the neighbouring site. The addendum report confirms that any lighting on- site will be carefully designed to be directed away from existing boundary features so as to protect these habitats.
- 7.21 Several badger setts were found within the SANG land. There was no evidence of foraging or sett creation within the neighbouring residential land. The Ecological Impact Assessment confirms that the proposed new development under this application will have no impact on these sets. The EIA confirms that a 30 m buffer will be implemented around each Sett entrance during the creation and enhancement works on the SANG land and scrub will be hand planted around the Setts to restrict disturbance from people and dogs within the SANG. A further badger survey is also recommended to be undertaken prior to the commencement of the development to provide up to date evidence of badger activity across the site which will help to secure any proposed mitigation or revisions to the layout of the SANG and the associated pathways.
- 7.22 The EIA found the potential for common and widespread bird species within the tree lines, scrub, hedgerows and woodlands including along the boundary features confirming that these habitats will be untouched by the proposed development. The EIA also makes recommendations with respect to invertebrates, dormice, watervole and hedgehogs. Consideration is also given to the need to control invasive species.

- 7.23 The Ecological Impact Assessment includes mitigation and enhancements to ensure that habitats for reptiles, roosting, foraging and commuting bats, great crested newts and badgers are maintained and enhanced post development and no impacts will occur during site clearance works. The site layout and planting plan has been designed based on ecological considerations to ensure the retention and protection of the most important ecological features across the site, namely the boundary hedgerows and woodland. Mitigation and enhancement will be created in the SANG land, which includes the creation of a wildlife pond, scrub habitat, woodland habitat, traditional orchard, and native species hedgerow. The SANG land will also create additional suitable habitat for a range of reptiles, bats, badgers and GCN by the creation of scrub, deadwood, tussocky grassland, ponds, woodland, wildflower meadows and tree planting.
- 7.24 The application is supported by a Biodiversity Net Gain Assessment Report. This report concludes that enhancements across the SANG land will provide an overall net gain of +24.65% habitat units, +118.88% Hedgerow Units and 104.76% river unit net gain. The Ecological Impact Assessment confirms a commitment to provide and implement a Construction Environmental Management Plan (CEMP) and Landscape and Environmental Management Plan (LEMP) which will ensure that habitat features of most importance to protected and priority species utilising the site are retained and enhanced.
- 7.25 The Surrey Wildlife Trust raise no objections to the development subject to conditions with respect to additional badger surveys, the submission of a sensitive lighting management plan, to secure the biodiversity enhancements as contained within the Ecological Impact Assessment (including the addendum report) and the Biodiversity Net Gain Assessment and the submission of a Landscape and Ecology Management Plan (LEMP) and a Construction Environment Management Plan (CEMP). These requirements will be secured by planning condition. As recommended by the Surrey Wildlife Trust a planning condition will be imposed to secure the submission of a CEMP prior to the commencement of the development. This condition will ensure that a risk assessment of the potentially damaging construction activities are undertaken and practical measures to avoid and reduce their impacts during construction including the use of protective fences, exclusion barriers and warning signs. The development is therefore considered to comply with policy EE9 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.

#### Flood risk and drainage

- 7.26 The application site is located within Flood Zone 1. A Flood Risk Assessment has been submitted in accordance with the requirements of the NPPF as the site is over 1 ha which also includes details of sustainable drainage. The Flood Risk Assessment demonstrates that the proposed development is not at significant flood risk and that flood mitigation strategies will be undertaken to address any residual risk. The drainage strategy proposes to utilise an open SuDS basin with flows restricted to the current greenfield runoff rate and attenuated up to the 1 in 100-year plus climate change event. A swale is utilised to add further water treatment prior to the discharging at a controlled rate into the adjacent ordinary watercourse via a swale for the provision of additional water treatment prior to outfall.
- 7.27 The Flood Risk Assessment concludes that the development will not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site. The Flood Risk Assessment also advises that within the proposed SANG self-binding gravel pathways will be provided. The development will therefore not increase the impermeable area of this part of the site. Users would be able to safely circumnavigate or leave any areas which may experience temporary flooding. To reduce the risk of standing water on the proposed pathways the Flood Risk Assessment recommends that the pathways should be elevated slightly above the surrounding green space and that

appropriate channels be provided for surface water to cross where necessary.

- 7.28 The Environment Agency raise no objections to the proposals subject to confirmation with respect to groundwater protection and clarification that if infiltration drainage is proposed it must be demonstrated that it will not pose a risk to groundwater quality. The applicant has confirmed that no infiltration SuDS is proposed on site given the site will discharge to the existing ordinary watercourse. Surrey County Council as Lead Local Flood Authority (LLFA) raise no objections subject to conditions. 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. Further details of the drainage scheme will be secured by condition as recommended by the LLFA. This will also include details of the proposed finished levels of the site and how the proposed drainage scheme will deal with the proposed new areas of land raising within the northern section of the SANG. Consideration will also need to be given to the impact of any drainage scheme upon biodiversity and protected species. The development is therefore considered to comply with policy EE13 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.

#### Environmental Protection

- 7.29 A Desk Study Ground Investigation has been prepared to support the application with respect to land contamination. The investigation confirms that there are no significant potential sources of contamination or hazardous ground gases at the site. The report does identify some localised potential sources of contamination however the potential risk is considered to be 'very low to low' and 'locally moderate' within the immediate vicinity of the sources of contamination. The Councils Land Contamination Officer raises no objection subject to the imposition of a planning condition to secure an assessment of the nature and extent of contamination present on the site and the submission of a 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
- 7.30 No comments have been received from Environmental Health with respect to the development proposals. Given the proposal to raise levels within the SANG by utilising excavated material from the neighbouring site (RU.22/0454) the submission of a Dust Management Plan for the construction phase of the development is recommended in order to protect neighbouring residential amenities. It is therefore considered that subject to conditions the development is considered to comply with policy EE2 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.

#### Highway safety and parking

- 7.31 The proposed SANG does not provide for any parking. Given the provision of no parking for the SANG the guidance from Natural England is that the catchment will only be local to the SANG (400m). The proposed SANG is proposed to mitigate against the impacts of the neighbouring development (RU.22/0454) which is located less than 300 metres from the SANG. If a car park were provided, then the SANG catchment could increase to 2km. The SANG Management Plan references the close proximity of the proposed SANG to the existing Timber Hill, Ottershaw Chase and Hare Hill SANGs advising that 'the three sites could be considered to form a mutually complementary local SANG 'network'.
- 7.32 As such, it may be possible for the proposed SANG to be considered as part of the suite of SANG available in Ottershaw and as car parking is provided in other Ottershaw SANG, a car park in this SANG proposal may not be required to gain a larger catchment area. This will need to be explored with Natural England by Planning Policy should permission be granted. However, at this stage the proposed SANG is proposed purely to mitigate against the harmful impacts of the neighbouring development (RU.22/0454) and given its close proximity

to the SANG a car park is not required by Natural England.

- 7.33 A new vehicular, cycle and pedestrian access would be created on the neighbouring site (RU.22/0454) accessed from Brox Road. This would provide both pedestrian and cycle links through to the new SANG. This new access has been designed at a width of 5.5 metres (flared at the junction) with visibility zones of 2.4m x 50m and 2.4m x 47m. Dropped kerbs, complete with tactile paving will also be provided at either side of the access road to assist pedestrian movements. This new access has also been subject to a Road Safety Audit. The County Highway Authority (CHA) have confirmed that the design of the new access onto Brox Road on the neighbouring site (RU.22/0454) meets with their requirements and the new access is not considered to prejudice highway safety. The County Highway Authority raise no objections to the development subject to conditions.
- 7.34 The CHA has requested planning conditions to secure the provision for sustainable modes of transport to secure improvements to pedestrian, cycle and bus routes and a condition to secure the construction of the new vehicular and pedestrian access into the neighbouring land (RU.22/0454). These requirements will be secured under planning application RU.22/0454 through the S106 legal agreement and a planning condition. This approach will also secure the requirements from the Countryside Access Officer (Surrey County Council) with respect to upgrading works to the existing public footpaths. The County Highway Authority (CHA) also recommend a requirement to secure public pedestrian access for the SANG land. This requirement will be secured through a S106 legal agreement as part of this application. It is therefore considered that subject to conditions and a legal agreement to secure public pedestrian access to the SANG the development is considered to comply with policies SD3 and SD4 of the Runnymede 2030 Local Plan and relevant policy within the NPPF.

#### Consideration of Very Special Circumstances

- 7.35 The proposed land raising is considered to represent an inappropriate form of development in the Green Belt which would also have minor detrimental impacts upon the openness of the Green Belt. This would be contrary to policy EE18 of the Local Plan and the NPPF. This impact is considered to be minor and will lessen as additional planting to be provided within the site becomes established. It is therefore necessary to consider whether any very special circumstances exist which would clearly outweigh this identified harm to the Green Belt.
- 7.36 The Transport Statement advises that the development proposed under RU.22/0454 will have existing levels remodelled across the site which would amount to some 23,000 cubic metres of excavated material. The Transport Statement advises that if this were to be transported from site the removal of this excess waste would amount to approximately 2,915 lorry loads or 5,830 two-way lorry movements. In order to prevent the removal of this excavated material from site it is proposed that this material will be spread across the northern area of the SANG land.
- 7.37 This approach has significant environmental, neighbouring amenity and highway benefits. Any very special circumstances are required to be assessed against the specific circumstances of the application site in question and the specific development proposals under consideration. These must be fully balanced against any harm identified. It is concluded these material considerations in combination would amount to 'very special circumstances which would justify the development and clearly outweigh the limited harm which has been identified to the Green Belt and given substantial weight.

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



- 8.1 In line with the councils charging schedule the proposed development would not 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 application proposes the change of use of agricultural land for use as a Suitable Alternative Natural Greenspace (SANG). The use of this land as public open space for informal recreation would provide a beneficial use of this Green Belt land, enhance visual amenities and the proposals will provide significant biodiversity enhancements compared to the existing status of the site, both in terms of the habitats present and the opportunities that the proposal presents for protected species such as nesting and foraging birds, bats, reptiles and mammals.
- 10.2 The proposal will also facilitate biodiversity benefits associated with the Thames Basin Heaths SPA given that it will not only divert potential future use associated with the proposed adjacent new housing (RU.22/0454) but it will also divert existing use of the SPA by existing residents close to the SANG site. The proposal is considered acceptable in terms of the impacts on highway safety and parking, ecology, flooding and drainage, neighbouring residential amenities, environmental protection, existing trees and blue infrastructure.
- 10.3 The proposed land raising is considered to represent an inappropriate and harmful development within the Green Belt (by definition) which would also have detrimental impacts upon the openness of the Green Belt and would conflict with the purposes of the Green Belt. This would be contrary to policy EE18 of the Local Plan. This impact is considered to be minor and will lessen as additional planting to be provided within the site becomes established. There is clearly some limited harm in these respects which weights against the

proposal and which will need to be taken into account when considering whether any 'very special circumstances' exist which would clearly outweigh this identified harm to the Green Belt.

- 10.4 As contained within Paragraph 147 of the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
- 10.5 The Transport Statement advises that the development proposed under RU.22/0454 will have existing levels remodelled across the site which would amount to some 23,000 cubic metres of excavated material. The Transport Statement advises that if this were to be transported from site the removal of this excess waste would amount to approximately 2,915 lorry loads or 5,830 two-way lorry movements. In order to prevent the removal of this excavated material from site it is proposed that this material will be spread across the northern area of the SANG land. This approach has significant environmental, neighbouring amenity and highway benefits.
- 10.6 It is concluded that these material considerations in combination would amount to 'very special circumstances which would justify the development and clearly outweigh the limited harm which has been identified to the Green Belt. It is considered that in this specific case there would be significant advantages by retaining and re-using any excavated material from the neighbouring site (RU.22/0454) which amounts to the 'very special circumstances' which would justify the development and clearly outweigh the harm which has been identified to the Green Belt
- 10.7 The development has been assessed against the following Development Plan policies - SD2, SD3, SD4, SD5, SL1, SL12, EE1, EE2, EE9, EE10, EE11, EE12, EE13, EE16, EE18, and EE19 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## **11. FORMAL OFFICER RECOMMENDATION**

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

1. Costs of initial set up works
2. Costs of maintenance and replacements in perpetuity
3. Secure management arrangements with the Land Trust for the maintenance of the SANG in perpetuity
4. Secure public pedestrian access for the application site and ensure no lockable gates to public pedestrian access points.

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

***And the subject to the following planning conditions:***

Compliance

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:

Site Boundary Plan (SANG) OTT/SBP/05

SANG Design Plan 14436/P02f

SANG Creation and Management Plan 21/44-1C

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

3 Protected species

The development hereby permitted shall be undertaken in accordance with the Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022, the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022.

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

Pre- Commencement Conditions

4 Landscaping and SANG Details

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

- " Means of enclosure/boundary treatments
- " Existing and proposed finished levels.
- " Details of pedestrian access, circulation areas & hard surfacing materials including proposed links to existing surrounding public footpaths

- " minor artefacts and structures (e.g.furniture, dog waste bins, refuse or other storage units, signs, external services, etc).
- " Maintenance access points and routes
- ' Details of any new lighting including the design, positioning within the application site, hours of operation and a proposed lux levels plan
- " Details of benches/seating
- " Soft landscaping details shall include new planting plans (including new trees, shrubs and other soft landscaping details, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate and proposed timetable for implementation
- " Detailed design for the proposed LEAP (Local Equipped Area for Play) community orchard, new pond and wetland areas, natural play area and trim trail, woodland play area and new meadow areas.

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

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

## 5 Tree Protection

- A. Prior to the commencement of any development, including before any equipment, machinery or materials are brought on to the site, further details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority.
- B. The protective measures shall remain in place until all works are complete, and all machinery, equipment and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.
- C. 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.
- D. 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 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 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 to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

## 6 Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of the development (including demolition) a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be undertaken in accordance with the approved details and thereafter retained.

The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the submitted Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022 and the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022 and should include, but not be limited to the 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.
- k) Measures to eradicate Schedule 9 invasive plant species

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

#### 7 Construction Environmental Management Plan

Prior to the commencement of the development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should be based on the proposed impact avoidance measures specified in the submitted Ecological Impact Assessment (TG Report No. 14436\_R01b\_NMR\_CW) received 16.09.2022 and the Addendum Report (TG Report No. 14436\_R07\_NMR\_CW) received 06.10.2022 and should include, but not be limited to the following:

- a) Map showing the location of all of the ecological features (this shall include a badger survey)
- b) Risk assessment of the potentially damaging construction activities (including any drainage proposals)
- c) Practical measures to avoid and reduce impacts during construction (including a Dust Management Plan)
- d) Location and timing of works to avoid harm to ecological/ biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fences, exclusion barriers and warning signs.
- g) The submission of a reptile mitigation strategy.
- h) Details of a precautionary approach to construction works (including details of soft demolition techniques) with respect to bats, birds, reptiles, badgers, great crested newts, watervoles and hedgehogs.

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

Reason: To protect and enhance the biodiversity of the site during construction works and to protect the amenities of existing and proposed residential properties and to comply with Policies EE2, EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 8 Construction Transport Management Plan

Prior to the commencement of development a Construction Transport Management Plan to include details of

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

- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (h) on-site turning for construction vehicles

Shall be 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.

## 9 Surface Water Drainage

Prior to the commencement of the development hereby approved details of the design of a surface water drainage scheme and proposed finished levels shall be 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) Detailed drainage design drawings and calculations which demonstrate how surface water run-off from the proposed SANG will be intercepted and accommodated within the proposed attenuation basin.

Once approved the development will be undertaken in complete accordance with the approved details and shall thereafter be retained.

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.

## 10 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

Prior to commencement of development, an assessment of the nature and extent of contamination on the site shall be 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: o human health o property (existing or proposed) including buildings, crops, livestock,

pets, woodland and service lines and pipes o adjoining land o ground waters and surface waters o ecological systems o 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.

Prior to occupation

11 Landscape management

Following the capital works to install access, infrastructure and landscaping, the SANG will not be made available to the public until the Local Planning Authority have confirmed in writing that the site has been enhanced to the agreed SANG standard,



in accordance with the SANG Management Plan hereby approved. Thereafter, the SANG will be made publicly available and managed in perpetuity by the Land Trust, in full accordance with the landscape maintenance schedule set out within the approved Plan.

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

## 12 Verification Report (SUDs) Phased (Full and Outline Application)

Prior to the SANG hereby permitted being brought into first use a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing 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

### Informatives:

#### 1 Lead Flood Authority

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence

#### 2 Comments from the Surrey County Council Countryside Access Team

The applicant is advised of the comments received from the Countryside Access Team in their letter dated 17.06.2022.

#### 3 Environment Agency Consents, Permits or Licences

The Environment Agency have a regulatory role in issuing legally required consents, permits or licences for various activities. The Environment Agency have not assessed whether consent will be required under this regulatory role. The applicant should contact 03708 506 506 or consult their website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx> This includes any proposal to undertake work in, over, under, or within 8 metres of the top of the bank of a designated main river, called a Flood Risk Activity permit.

#### 4 Ground Water Protection

The application is advised of the comments received from the Environment Agency regarding groundwater protection. If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. Any infiltration SuDS greater

than 3m below ground level is considered to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base of the infiltration point and the peak seasonal groundwater levels. All need to meet the criteria set out in the Environment Agencies groundwater protection publication. In addition any infiltration SuDs must not be constructed in ground affected by contamination

#### 5 Natural England Licence

The applicant is advised of the requirement for a Bat Mitigation Licence and Great Crested Newt Mitigation Licence from Natural England where development activities may cause an offence. The licence can only be applied for once planning permission has been granted.

#### 6 New/Modified Vehicle Crossovers and Dropped Kerbs

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

#### 7 Other Works to the Highway

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

#### 8 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).

#### 9 Accommodation works

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

#### 10 Damage to the highway

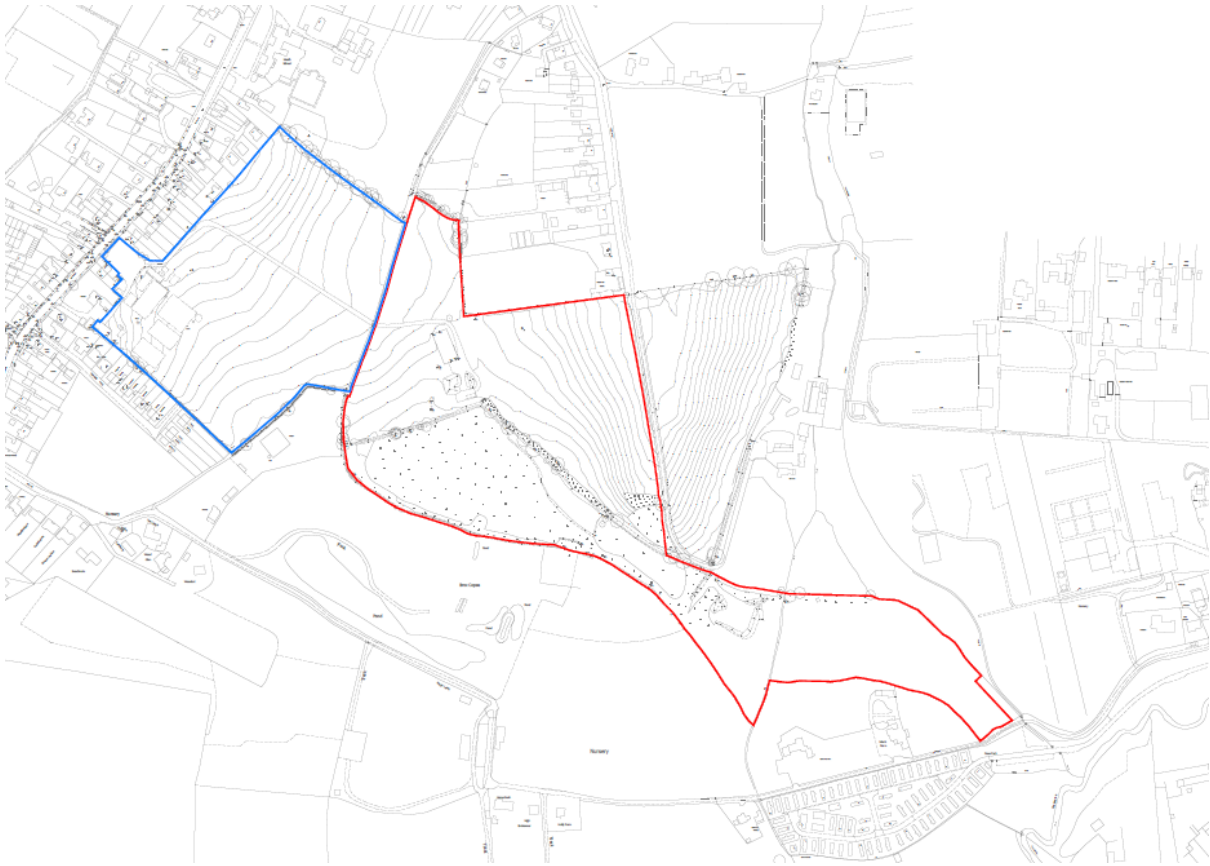
Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The

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

#### 11 Statutory utility works

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

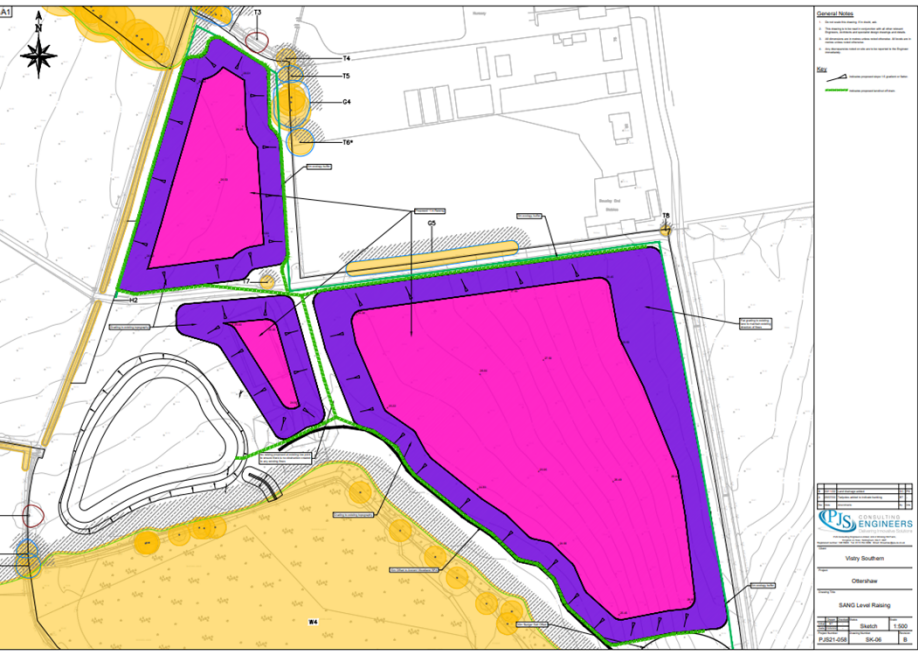
Site Location Plan



SANG Design Plan



SANG Levels Plan







**COMMITTEE AGENDA REFERENCE: 5d**

<b>APPLICATION REF:</b>	<b>RU.21/1167</b>
<b>LOCATION</b>	Padd Farm, Hurst Lane, Egham, TW20 8QJ
<b>PROPOSAL</b>	The erection of 2 new buildings, the retention of 1 x residential dwelling, and the refurbishment of 2 existing buildings to be used as offices, a training centre and fabrication bays as part of the applicant's corporate headquarters following the demolition of all remaining buildings on site. Refurbishment and decontamination of existing site and the creation of open grassed area with an area of landscaped open space.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	06/05/2022
<b>WARD</b>	Thorpe Virginia Water
<b>CASE OFFICER</b>	Adam Jackson
<b>REASON FOR COMMITTEE DETERMINATION</b>	N/A
<i><b>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</b></i>	

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>To refuse planning permission for the following reasons</b>	
1.	The proposed development is inappropriate development in the Green Belt and therefore by definition harmful. There are no "Very Special Circumstances" to outweigh this harm which is given substantial weight. The proposal is contrary to paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework and policy EE19 of the Runnymede 2030 Local Plan.

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

- 2.1 The application site is 12.15ha. The northwest corner of the site contains a cluster of buildings mostly made up of agricultural buildings, but also a residential bungalow (building 19) and incidental buildings (*Buildings 17, 18, 30 & 32*), and two buildings which have lawful use for light industrial purposes (*Buildings 8 & 9* which are connected). There is also a second bungalow on site (*Building 16*), however this building has unlawful extensions, and the residential use of the building is also unlawful. This part of the site also contains the main access which leads from the north corner of the site down to this cluster of buildings.

There is a second access within this area off Hurst Lane which is positioned adjacent to the residential bungalow (*Building 19*). There are areas of lawful hardstanding within this area used for parking and open storage. The northeast corner of the site also includes large areas of hardstanding, although most of this is unlawful. The triangular shape of the northern part of the site means it does not have a distinct north boundary, rather the eastern and western boundaries converge at an apex where the main access is positioned. A 3m tall manmade earth bund separates the north of the site from the rest of the site to the south. The southern part of the site, which covers approximately two thirds of the site, comprises of open agricultural grass land. The western boundary of the site runs parallel with Hurst Lane and is enclosed by trees and shrubs. The eastern boundary is bound by an area of woodland which separates the site from Longside Lake. Apart from the raised bund described above, the topography of the site is generally flat.

- 2.2 The application site lies within the Green Belt, part of the site is within flood zone 2 (between a 1 in 100 and 1 in 1000 annual probability of fluvial flooding), and the site is within the 5km buffer of the Thames Basin Heaths SPA and a SSSI Impact Risk Zone. The site is within a Mineral Safeguarding Area. The site was formerly part of a gravel extraction site.
- 2.3 The surrounding area comprises of a mix of residential properties, which run along the western side of Hurst Lane, and some commercial uses to the north. Immediately to the north is Green Landscape Nursery which has agricultural/horticulture use and Bellbourne Nursery, which is used for storage and distribution, although also has permission for residential use. Further afield, the site is located between Virginia Water to the southwest, Egham to the north and Thorpe to the east. The site is also close to the M25 which runs parallel to the site to the east on the other side of Longside Lake. Virginia Water railway station is 2.3km away and there are two bus stops on Stroude Road approximately 350m from the site. Local services and amenities are available at Virginia Water.

### **3. APPLICATION DETAILS**

- 3.1 The application proposes to redevelop the site for use as a company headquarters for a scaffolding and access provider. The operation of the site will include storage and distribution of scaffolding equipment as well as for training, industry certification, and apprenticeship courses. It is proposed to demolish the majority of the existing buildings on site, with the exception of buildings 2, 8 and 9, which will be converted for use as a workshop and a metalwork fabrication building (*Buildings I and H on the proposed site plan*). A new office and training hall are also to be erected (*Buildings K & J on the proposed site plan*). The industrial buildings are between approximately 7.5m and 7.8m tall. The existing lawful bungalow on site (*building 19*) is also proposed to be retained for use as an independent dwelling. New/existing areas of hardstanding are proposed to be used for open storage, drop off, and the parking of articulated vehicles. The existing unlawful hardstanding in the northeast part of the site is to be partially retained for use primarily as a temporary storage area and as an overspill parking area for articulated vehicles. Some of the existing lawful hardstanding within the northwest corner of the site is to be removed. 55 car parking spaces are located across the site for staff and visitors. The existing access in the north corner of the site will be utilised by the scaffolding company and the existing western access will be used for the dwelling. It is proposed to retain the majority of trees on site, including those along the western boundary with Hurst Lane and new soft landscaping will be provided. The southern part of the site is proposed to be remediated and kept as an



open grassed area for use by staff and the public.

#### 4. PLANNING HISTORY

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

Reference	Details	Decision and date
EGH.55/3495	Use of land for pig and chicken raising	Granted – 24/11/1955
EGH.60/6405	Erection of deep litter house and rearing house	Granted – 19/07/1960
EGH.63/8664	Poultry house	Granted – 04/10/1963
EGH.65/10608	Development of land as site for agricultural dwelling	Refused – 24/03/1966
EGH.65/10324	Erection of bulk food bin and replacement of poultry house store	Granted – 22/09/1965
RU.73/16289	Use of land for the parking and storage of touring caravans and boats on trailers (maximum 60) for a temporary period of 5 years	Refused – 02/11/1973
RU.75/0075	The extraction of bulk filling materials for use in connection with the construction of the Thorpe-Egham section of the M25 and restoration of agriculture	Granted – 11/08/1975
RU.79/0916	Erection of a bungalow for occupation in connection with management of poultry farm	Refused – 30/11/1979
RU.81/0863	Stationing of a mobile home and siting of a box trailer for storing applicants' furniture (retrospective) for a temporary period of one year	Granted - 08/11/1982
RU.82/0540	Use of part of land and buildings for storage of applicant's personal property and vehicles and re-positioning of garage	Refused – 05/11/1982
RU.82/0705	Change of use of agricultural buildings to private stabling with ancillary storage facilities	Granted – 26/01/1983
RU.83/0467	Renewal of RU.81/0863 for stationing of mobile home and siting of a box trailer to store applicant's furniture for a temporary period of six months	Granted – 15/08/1983
RU.84/0828	Erection of a cattle shed of some 1,350sq.ft. (125.4 sq.m)	Granted – 01/02/1985
RU.84/0846	Improvement of land for agricultural purposes by the tipping of imported overburden and topsoil	Granted 30/01/1987

RU.84/0906	Siting of mobile home for use in connection with agricultural holding	Refused – 09/04/1985
RU.86/0535	Stationing of mobile home for a temporary period of 3 years (revised plans indicating a revised siting) (amended by letter dated 7.7.86 and plan received 8.7.86)	Refused – 04/08/1986
RU.87/0983	Improvement of land for agricultural purposes by the tipping of imported over burden and topsoil (amended by letter dated 5.10.87 received 12.10.87 and revised plan received 12.10.87).	No objection – 24/12/1987
RU.89/0099	Mobile home for agricultural worker	Granted – 09/03/1990
RU.90/0012	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/03/1990
RU.91/0106	Change of use of Building B from agricultural barn to use in connection with the storage, distribution and sale of animal feed (as amplified by letter dated 20.3.91)	Refused – 09/05/1991
RU.91/0107	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/05/1991
RU.91/0108	Change of use of Building 'A' from agricultural storage for retail sales of craft goods (as amended by Plan No. RBC/91/66/1 received 2.9.91)	Granted – 18/09/1991
RU.91/0109	Renewal of planning permission for mobile home for agricultural worker	Granted – 09/05/1991
RU.91/1028	Retention of land for grading and mixing of top soil and sand, the retention of a storage compound and use of mobile screening plant 2 year period	Granted – 22/04/1992
RU.92/1006	Resting of portacabin for office use of land for planting of trees and shrubs, use of barn for storage of vehicles and equipment, provision of operational land, parking and access	Refused – 11/01/1993
RU.92/0553	Renewal of temporary permission for a mobile home for an agricultural worker and for a further period of 1 year.	Granted – 07/10/1992
RU.92/0554	Construction of detached three bedroom bungalow for agricultural occupation, with double garage to replace the currently used mobile home.	Granted – 28/07/1993

RU.93/0509	Continued use of land for the grading & mixing of soil, retention of storage compound and operation of mobile screening plant. Consultation from Surrey County Council.	Object – 16/08/1993
RU.93/0406	Change of use of farm building for use as retail shop for sale of pet animals and ancillary goods (amplified by letter and plan received 20.7.93, 29.7.93 and 3.8.93).	Refused – 03/09/1993
RU.94/0257	Change of use of redundant farm building to part B1 use (Saddlers workshop & Farriers workshop) with ancillary A1 use	Refused -03/06/1994
RU.94/0428	The erection of an enclosure for swimming pool incorporating approved double garage	Refused – 13/07/1994
RU.94/0805	Single storey extension to house boiler and oil tank.	Granted – 24/11/1994
RU.95/0269	Parking for 5 goods vehicles; storage of hardcore, topsoil and demolition materials; and retention of two portacabin offices, ancillary store and w.c. amounting to 225 sq m all on a site of about 0.8 ha.	Object – 24/05/1995
RU.95/0447	Retention of concrete hardstanding	Refused – 04/09/1995
RU.95/1065	Erection of free-standing poultry house	Refused – 30/04/1997
RU.96/0024	Use of site as a civil engineering contractor's yard for the storage of plant equipment, portacabins and materials for a 12-month period plus retention of security fencing and lighting (retrospective)	Refused – 28/02/1996
RU.97/0222	Continued use of two agricultural buildings for commercial storage of film and stone for a temporary period plus demolition of other buildings.	Granted – 30/04/1997
RU.98/0284	Reuse of building A for storage and light industrial purposes for a temporary 12-month period	Refused – 07/04/1999
RU.98/0285	Continued use of building B for the commercial storage of film	Granted – 07/04/1999
RU.98/0286	Use of building G for storage and light industrial purposes and conversion of lean-to to ancillary office, plus rebuilding of sewage pump housing	Refused – 07/04/1999
RU.98/1232	Temporary use of land for the storage of landscaping materials and stationing of portacabin with B & P landscape contractors	Refused - 07/04/1999

	operations (2 years)	
RU.99/0174	Use of agricultural building for storage of building materials and plant	Refused – 14/09/1999
RU.99/0797	Use of building G for storage with minor fabrication ancillary to the storage use	Granted – 14/09/1999
RU.04/0954	Variation of clause 3 of the legal agreement under RU.92/0554 for the southern part of the site to be sold off as a separate unit	Refused – 13/12/2004
RU.08/1087	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 25/06/2009
RU.09/0194	Lawful use certificate for existing hardstanding and service roads	Granted – 16/10/2009
RU.09/0936	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 23/06/2011
RU.09/0547	Application for discharge of obligations contained in S106 legal agreement. dated 28th July 1993 relating to all the land and premises at Padd Farm	Refused – 14/07/2011
RU.10/0016	Certificate of existing lawful use for stationing of caravans in residential use	Refused – 23/06/2011
RU.17/0412	Application to dispose of part of the site with reference to a s106 obligation (planning)	Refused – 08/03/2017
RU.18/1552	EIA SCREENING OPINION RELATING TO THE PROPOSED DEVELOPMENT ON LAND AT PADD FARM, HURST LANE, EGHAM FOR THE BELOW SCHEME: Demolition of existing buildings and site decontamination, the erection of up to 130 new residential dwellings (areas A & B) and provision of public open space on the southern part (area C) of the site under PART 2 (6) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017	Environmental statement required – 16/11/2018
RU.19/0066	EIA Scoping Opinion for proposed development at Padd Farm	Scoping Agreed – 22/02/2019
RU.21/0695	The demolition of existing buildings and structures, and removal of hardstanding; the decontamination of land; the erection of 38 affordable dwellings with associated access, parking, landscaping, and infrastructure works; and the change of use of land to paddocks.	Refused – 15/02/2022

### Enforcement History

- 4.2 It should be noted that there is a separation of control between the 'use' of a building and its physical presence/fabric, and a lawful building can have been occupied by uses that that were unlawful. All existing and historic buildings on the site are labelled between 1 and 32, this ties in with the numbering used in the enforcement history/investigations across the site. The majority of the existing buildings on site are lawful, however have been subject to one of more unlawful uses. All of the physical buildings are considered lawful with the exception of building 16 which has been unlawfully extended. The residential use of the building is also not lawful. All other unlawful buildings have been removed from the site. The lawful use of most of the site is agricultural with commercial uses permitted within buildings 8 and 9 and residential use permitted within building 19, although this is subject to a legal agreement which requires the building to be tied to an agricultural use of the land. Buildings 17, 18, 30 and 32 are considered to be incidental to the use of building 19. As of 15/06/2018 all businesses trading from the site have left as confirmed by The Enforcement Receiver. The site is also now currently vacant, and all buildings are unoccupied.

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

### 5.1 National Planning Policy Framework and Guidance:

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

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

### 5.3 Supplementary Planning Documents and Guidance:

- Runnymede Design Supplementary Planning Document
- Runnymede Infrastructure Delivery and Prioritisation Supplementary Planning Document
- Green and Blue Infrastructure Supplementary Planning Document
- Car Parking Supplementary Planning Guidance

- Trees, Woodland and Hedgerows Supplementary Planning Guidance

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Environment Agency	<p>Requests that an Ecological Mitigation Plan and Biodiversity Net Gain Assessment is submitted. Also notes that an Ecological Impact Assessment has not been submitted.</p> <p><b>Officer Note:</b> <i>The Environment Agency have been re-consulted following the submission of additional information relating to Biodiversity Net Gain and comments are awaited.</i></p>
Natural England	<p>Advises that they have no objection to the application.</p>
Lead Local Flood Authority	<p>Do not consider that the proposed drainage scheme meets the requirements set out in the National Planning Policy Framework, Planning Practice Guidance, or the Non-Statutory Technical Standards for sustainable drainage systems, however, consider that a condition could be applied which secures an updated SuDS scheme prior to commencement of development.</p>
SCC Highways	<p>Initially raised no objections, however once officers raised concerns over the base data used in the transport assessment the following information is requested to clarify matters:</p> <p>An updated TRICS assessment to understand the difference in trips between the existing use and the proposed.</p> <p>Where potentially 16.5 m articulated vehicles are to be used this could cause a problem however an agriculture use can also be associated with large vehicles. Could the applicant provide a ratio of vehicle types so that this can be assessed?</p> <p><b>Officer Note:</b> <i>Following the submission of an updated Transport Statement, the CHA has requested further information regarding the existing trip rates and facilities available for oncoming traffic when an articulated vehicle is using the lane. These requests have been forwarded to the applicant and a response is awaited.</i></p>
SCC Minerals and Waste	<p>Advises that proposals to extract or otherwise work minerals within the Mineral Safeguarding Areas at Milton Park Farm and Whitehall Farm are sufficiently far away to not create any issues. The Padd Farm application site is also unlikely to form part of any future scheme to work minerals within the wider MSA. A mineral resource assessment could be undertaken to establish whether prior working of any underlying mineral resource would be viable for export or in use as part of any future non-mineral development undertaken on that land.</p>
SCC	<p>Concludes that any archaeological remains that may have been present on the site will have been destroyed by previous quarrying</p>

Archaeology	and as such there is no requirement for any further archaeological work.
RBC Tree Officer	<p>Notes that the tree loss is minimal in terms of numbers and is mainly in one area to the centre of the site, however the trees to be removed do include some B category trees/groups and it would be desirable and is possible on this large site to mitigate the loss of these trees by replanting. Advises that it will be possible to protect the retained trees from adverse effects of the development. Suggests conditions securing an Arboricultural Method Statement, including details of tree protection, and a Landscape Strategy.</p> <p><b>Officer Note:</b> <i>The AIA has not been updated since the new layout for the development was submitted. The new layout appears to retain additional trees, however should members be minded to grant planning permission, the AIA will need to be updated and Tree Protection details will need to be provided which respond to the new layout. These details can be conditioned</i></p>
RBC Drainage	Advises that the internal floor levels of the building will need to be raised to comply with the Runnymede SFRA. Safe access and egress is considered possible from the site.
RBC Contaminated Land	Suggests a condition which requires the applicant to carry out an assessment of the nature and extent of contamination on site and provide and implement a remediation scheme if necessary. The condition also sets out what to do if unexpected contamination is found after the development has been commenced.
RBC Environmental Health	<b>Officer Note:</b> <i>Environmental health have been consulted following the submission of a new Noise Impact Assessment and comments are awaited.</i>
Surrey Wildlife Trust	<p><u>Bats</u></p> <p>Requests the results of the bat presence/likely absence surveys are provided. Without these results, the presence or likely absence of bats on the site is unknown. These survey results should be provided prior to determination.</p> <p><u>Reptiles</u></p> <p>Requests that further presence/likely absence surveys are submitted. The recommendation in the Preliminary Ecological Appraisal has been updated to no further surveys required without any justification. Clarification is also required on why the recommendation is for a precautionary approach to works rather than translocation of reptiles.</p> <p><u>Habitats Regulation Assessment</u></p> <p>Requests clarification on the potential impacts of the development on the Thursley, Ash, Pirbright &amp; Chobham Special Area of Conservation and the Thames Basin Heaths Special Protection Area mentioned in section 5 of the applications Habitat Regulations</p>

	<p>Assessment.</p> <p><b><u>Updated comments:</u></b></p> <p>Following the submission of a letter from Arbtech and a Biodiversity Net Gain Calculator, the Surrey Wildlife Trust have made the following updated comments.</p> <p><u>Bats</u></p> <p>Notes that the 2021 bat presence/likely absence surveys have still not been submitted, but that the results of the surveys are cited within the Arbtech letter. Advises therefore that securing updated bat presence/likely absence surveys through a prior to commencement condition would be suitable option of the project, however advises that the 2021 bat presence/likely absence surveys are reviewed by the LPA prior to determination.</p> <p><u>Reptiles</u></p> <p>Advises that a reptile mitigation and enhancement strategy is secured through a pre-commencement condition.</p> <p><u>Habitats Regulation Assessment</u></p> <p>Advises that the updated report mentioned in the Arbtech letter has not been submitted.</p> <p><u>Biodiversity Net Gain</u></p> <p>Notes that the woodland on site has been assessed as being 'other woodland: mixed' as opposed to 'Lowland Mixed Deciduous Woodland', which would be more in line with a woodland habitat categorised as being a Habitat of Principal Importance.</p> <p><b><i>Officer note: This has been queried with the applicant and a response is awaited.</i></b></p> <p><u>Landscape and Ecological Management Plan (LEMP)</u></p> <p>Advises that a Landscape and Ecological Management Plan is secured by condition should the application be granted.</p>
Surrey Bat Group	Requests that details of the emergence surveys undertaken in 2021 are provided. Without these details it is not possible to determine if the survey work was suitable and if the conclusion that no bats were using the structures on site to roost in can be relied upon.
Surrey Police	Suggests a condition requiring the applicant to demonstrate through accreditation that the development achieves or can achieve 'Secure by Design'.

### Representations and comments from interested parties

- 6.2 82 Neighbouring properties were consulted in addition to being advertised on the Council's website and 22 letters of representation have been received (16 originally and 7 following



*the submission of amended plans*). Of the 16 original submissions 14 are in objection and 2 are in support. Of the 6 submitted since amended plans were received, 2 are in objection to the proposal and 4 are in support. Representation received can be summarised as follows:

#### Original representations

##### *Objections*

- Concerns over harm to the Green Belt
- Concerns over the impact on neighbouring properties
- Concerns regarding the noise that the operation of the site will generate.
- Concerns with the industrialisation of Hurst Lane
- Concerns that this application will set a precedent for future industrial uses
- Concerns that the development will harm the character of Hurst Lane
- Concerns over the impact on the environment and biodiversity
- Concerns that the development will result in the spread of contaminants
- Concerns over the impact of the development on flooding
- Concerns over the ability of Hurst Lane to accommodate traffic associated with the development and other industrial uses within Hurst Lane.
- Considers that the site is in a poor location for access to local facilities
- Concerns over the legality of existing buildings on the site
- Concerns that there are outstanding enforcement issues on the site
- Considers that the site should be returned to agricultural use
- Considers that the redevelopment of the site needs to be considered as part of a larger masterplan for Hurst Lane
- Considers the application should be determined at a Planning Committee

##### *Support*

- Considers that the proposal to improve the Padd Farm site will be of benefit to the local area and community
- Advises that there is a need for training facilities within this region.
- Considers that the proposal will offer very significant economic gains within the sector

#### Following amended plans

##### *Objections*

- Concerns regarding the noise that the operation of the site will generate.
- Concerns with the industrialisation of Hurst Lane.

- Concerns over the ability of Hurst Lane to accommodate traffic associated with the development and other industrial uses within Hurst Lane.
- Concerns over the legality of existing buildings on the site.
- Concerns that there are outstanding enforcement issues on the site
- Considers that the application should be determined at Planning Committee.
- Considers that the lane should be considered as a singular site

### *Support*

- Considers that the amended plans have addressed the most objectionable aspects of the scheme
- Considers that the impact of the development will be lower than that of the houses previously proposed
- Supports the decontamination of the site
- Considers the proposal for lorries to only use the north gate to be sensible
- Supports the plan to retain as much greenery along the lane as possible
- Considers that the development will bring good jobs to the community

## **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 considered appropriate. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- Whether the development constitutes appropriate development in the Green Belt
- The impact on the character and appearance of the area
- The impact on residential amenity
- Traffic implications and the impact on highway safety
- The impact on contaminated land
- The impact on biodiversity
- The impact of the development on flood risk
- The impact on archaeology
- The impact on minerals
- Energy and sustainability

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

- 7.2 The application site is in the Green Belt where the National Planning Policy Framework (NPPF) sets out that the construction of new buildings should be considered as inappropriate unless one of the exceptions listed in paragraphs 149 or 150 applies.
- 7.3 The applicant considers that the proposal falls within the exception set out in paragraph 149 (g), which allows for the partial or complete redevelopment of previously developed land provided there would not be a greater impact on the openness of the Green Belt than the existing development. In support of this position, the applicant has submitted a PDL Statement; a Green Belt Statement, prepared by Paul Dickinson Associates; and a legal opinion from Essex Chambers. The applicant's position is that as the land constitutes the entirety of Padd Farm as a single planning unit of 12.8ha, and as there are two primary uses on that land (Agricultural and Light Industrial), this constitutes a mixed use and as such the planning unit would constitute previously developed land. In light of the information submitted and the supporting legal opinion, it is reasonable to accept the elements relating to previously developed land, the assessment of whether the redevelopment of this land constitutes appropriate development is set out below.
- 7.4 Previously Developed Land is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The land in this case is, due to it being a single planning unit, the entirety of Padd Farm. The land includes 26 permanent buildings and their associated areas of hardstanding within the northwest corner of the site, with a further area of hardstanding within the northeast corner. The land therefore falls within the definition of previously developed land. However, the definition of previously developed land within the NPPF then goes on to exclude certain types of land, including that which is currently or was last occupied by agricultural buildings. Buildings, 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 21, 22, 23, 24, 26 and 27 (*the building number also includes buildings that have now been removed from the site*) as shown on drawing 432 revision B are agricultural buildings and as such hold no weight when assessing whether the redevelopment of the previously developed land would have a greater impact on openness of the Green Belt. This is due to agricultural buildings being an appropriate form of development in the Green Belt under paragraph 149 (a) of the NPPF.
- 7.5 In terms of whether the redevelopment of the land will have a greater impact on the openness of the Green Belt. The volume of the existing buildings (*excluding the agricultural buildings*) is 6,642cbm. Building 2 is also included within the figure, as although an agricultural building, the re-use of this building is appropriate under paragraph 150 (d). The proposed buildings have a volume of 10,526cbm, which is an increase of 3,884cbm or 58% and results in a clear spatial impact on the openness of the Green Belt. In addition, the bulk manifests itself in a way which would have a clear visual impact on the openness of the Green Belt due to the increased height of the proposed buildings (*Buildings K & J on the proposed site plans*) when compared to the buildings being removed, and the additional mass and bulk of the two new buildings due to the increase height, high eaves and flat roof design. There is a reduction in the number and spread of buildings on the land, however this does not offset the impact that the redevelopment would have on the openness of the Green Belt due to the increase volume, height, mass and bulk of the proposed new buildings. It is also accepted that views of the development would be partially obscured by vegetation within the site and along the site boundaries, however this is also true of the existing development.
- 7.6 The redevelopment of the land would also have additional impacts on the openness of the

Green Belt from the proposed use of the hardstanding. The applicant has provided calculations which show that the amount of hardstanding will remain largely the same as the amount of existing lawful hardstanding on the land, however the operations plan (*Drawing: 438 revision A*) shows that the use of the hardstanding for light industrial purposes will have a significant impact on openness. This is due to the proposal of areas of outdoor storage for machinery and materials, temporary storage areas, lorry loading and unloading areas, overnight lorry parking, and 55 car parking spaces. It is considered that these areas would have much greater impact on openness compared to the outdoor storage and parking of vehicles and machinery likely to be associated with an agricultural use, especially given that these would also likely be stored within the agricultural buildings proposed to be demolished. It is noted that hardstanding has been removed from along the boundary with Hurst Lane, however any benefits of this are far outweighed by the impact that the storage and parking of vehicles, materials and machinery on the rest of the hardstanding will have on the openness of the Green Belt.

- 7.7 Overall, the redevelopment of the land would have a greater impact on the openness of the Green Belt and as such the proposal does not fall within the exception set out in paragraph 149 (g) of the NPPF. The proposed is therefore inappropriate development and is, by definition, harmful. Substantial weight is attached to this harm and as per paragraph 147 of the NPPF, inappropriate development should not be approved except for in very special circumstances. Whether very special circumstances exist which clearly outweigh the harm arising from the inappropriate nature of the development and any other harm identified, is considered at the end of this report.

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

- 7.8 Policy EE1 The Local Plan sets out that all development proposals, whether within the Green Belt or within the urban area, will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area. Paragraph 126 of the NPPF also places importance on the creation of high quality, beautiful and sustainable places, and paragraph 134 sets out that development that is not well designed should be refused. Paragraph 130 sets out a number of considerations which decision makers should take account of when determining planning applications.
- 7.9 The proposal consists of the erection of 2 x new buildings, the conversion of 2 x existing buildings and the retention of an existing agricultural workers dwelling for use as an independent dwelling. All the remaining existing buildings are to be demolished. The new buildings are approximately 7.5m tall and utilitarian in design, which is considered appropriate for the site which consists of existing agricultural and commercial buildings. The retained existing buildings will be made good and will be similar in design to the proposed new buildings. The proposed buildings are considered to be appropriate, in scale and design in terms of their impact on the character and appearance of the area, and clearly there will be benefits as a result of the removal of existing dilapidated buildings and general site clearance.
- 7.10 Paragraph 131 of the National Planning Policy Framework sets out the importance of trees in contributing to the character and appearance of an area. The application has been supported by an arboricultural report and a tree protection plan which sets out that the majority of the trees within the site, including those along the boundary with Hurst Lane, will be retained. It is stated that where trees are required to be removed they will be replaced. A detailed soft landscaping strategy will be required to be conditioned should members be minded to grant planning permission. The southern part of the site is proposed to be kept as open land and full details of the soft landscaping within this area could also be secured by

this condition.

### ***The impact on residential amenity***

- 7.11 Paragraph 130 of the NPPF sets out that development should create places with a high standard of amenity for all existing and future occupiers, and policy EE1 of the Local Plan sets out that development proposal will be supported where they ensure no adverse impact on the amenities of occupiers. Policy EE2 also sets out that development proposals resulting in external noise impacts will be expected to implement measures to mitigate and reduce noise impacts to a minimum.
- 7.12 In terms of the impact on existing residents, the separation distances between the proposed new buildings and the neighbouring properties are sufficient to ensure existing residents would not experience any material loss of light or privacy. An updated Noise Impact Assessment has been submitted which sets out the results of existing background noise monitoring and the measurements of various noise producing activities proposed to be carried out across the site. The average existing background noise level was recorded to be 48dB (LA90) with a range of between 42dB and 57dB (LA90) over the 15-minute intervals recorded, with the main source of existing noise found to be the M25. Measurements of proposed operations such as HGV movements, Tele Lifter loading and unloading, and sorting of scaffolding materials were then recorded with the average noise levels for each activity ranging between 62dB and 89dB. Taking into account the distance to noise sensitive receptors and other mitigation factors such as certain activities being carried out indoors, the predicted noise levels are 50dB, which is just an increase of 2dB over the existing background levels. The type of noise, in terms of pitch and frequency will inevitably be different to the existing background noise from the M25 and therefore potentially more noticeable, however it should be noted that the existing lawful agricultural and light industrial uses on the site would also increase noise above the existing background levels were they to be re-instated. Comments have not yet been received from the Council's Environmental Health team, however it is considered that the conclusions of the report are reasonable and the proposed development is therefore unlikely to materially impact the amenity of neighbouring residents. It is suggested that should members be minded to grant permission, this is on the provision that no objections are received from the Environmental Health team.
- 7.13 It is also proposed to use the existing agricultural workers dwelling as a new independent dwelling, and as such it is necessary to consider the standard of amenity that would be provided for the future residents of this dwelling. Detailed plans have not been provided for this dwelling, however it appears from the basic floor plans provided that the dwelling has an appropriate layout which will provide the future occupiers with a good standard of indoor amenity. A separate access is provided for this dwelling to its own parking area at the front, however no details have been provided for bin or cycle storage. No details of the outdoor amenity space have been provided either, or how this will be separated from the rest of the site. However, it is clear from the proposed site layout that space for these facilities is available, and these details could be secured by condition should members be minded to grant planning permission.

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

- 7.14 The National Planning Policy Framework sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy SD4 sets out that development proposals which generate significant traffic movements must be accompanied by a Transport Assessment or Transport Statement which considers the impact of the proposal on the highway network. The application is

supported by a Transport Statement which concludes that the proposed development will result in a minimal increase in vehicular movements, with trip generation analysis undertaken at the site predicting a total of 34 vehicle movements in the AM peak and 29 vehicular movements in the PM peak. The Transport Statement sets out that this has been calculated based on an overall office floorspace of 1,274sqm, which has been used to predict a worst-case scenario due to office space, in general, generating a greater number of vehicle movements than light industrial. However, the Transport Statement does not set out the trip rates that would be generated by the existing use and as such it is not possible to confirm the overall increase in traffic and therefore what the impact on Hurst Lane and the local road network would be. The transport statement also states that the proposal will generate 4 daily two-way movements of HGV. The applicant has responded to request for further information regarding trip rates for the existing use and passing points for HGV, and these comments have been forwarded onto the County Highway Authority. Their comments on this are awaited.

- 7.15 It is proposed for the development to utilise the existing access in the northern corner of the site, which will be updated in order to achieve visibility splays of 2.4 x 43m in both directions. The existing secondary access onto Hurst Lane, which is adjacent to the existing bungalow on the western boundary will be closed to main site traffic and used for the residential property only.
- 7.16 55 car parking spaces will be provided on site, which is considered sufficient for staff and those attending for training. The Planning Statement also commits to 40% of these being electric vehicle charging points. Within the northeast part of the site there is an area for overnight truck parking.

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

- 7.17 Paragraph 174 of the NPPF sets out that planning decisions should contribute to and enhance the natural environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. A phase 1 geo-environmental assessment has been carried out across the site and the results of this have been submitted in support of the application. This assessment confirms that the site was formerly a gravel pit and that former landfilling and commercial operations have occurred at the site, which may have caused pollution. Given the identified sources of contamination and the likelihood of sensitive receptors at the site the report concludes that a moderate to high risk is present for future and adjacent site users. Further works, including detailed ground investigation, are therefore required to identify the extent of the contamination and in order to establish the necessary remediation works; this can be conditioned to be carried out prior to the commencement of development. The condition would also set out what should be done in the event of unexpected contamination being found during construction.
- 7.18 Discussions have previously been held with the Environment Agency as to whether the site could be remediated outside of planning. They advise that should contamination reach the main river they could use the Water Resources Act to require the site owner to decontaminate the site, however they are not aware of any impacts on nearby water courses. The other way in which the site could be remediated is via Part IIA of the Environment Protection Act, however the site would need to be determined as contaminated land first before the Environment Agency could get involved. The Environment Agency have advised that as the contamination is likely to be just in the gravel aquifer, the site could not be designated as a special site and passed to Environment Agency control. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.

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

- 7.19 Policy EE9 of the Local Plan sets out that developments on sites including or adjacent to priority habitats and species will not be permitted unless it can be demonstrated that the impact of the proposals will not result in significant adverse effects. This is line with the hierarchy set out in paragraph 180 of the NPPF which sets out that if significant harm to biodiversity cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused. Policy EE9 of the Local Plan also sets out that the Council will seek net gains in biodiversity, through the creation/expansion, restoration and enhancement of habitats and features to improve the status of priority habitats and species. The application is supported by a Preliminary Ecological Appraisal; a Preliminary Roost Assessment Survey report (*PEA report*); a letter responding to comments received from the Surrey Wildlife Trust and setting out a summary of the bat surveys and reports completed to date (Arbtech Letter); and a biodiversity net gain report produced by Sweco Ltd.
- 7.20 The PEA report assesses several of the buildings on site to have low habitat value to support roosting bats, and therefore requiring further surveys to be carried out. Bat emergence/re-entry surveys were carried out in 2018 by Applied Ecology, however these surveys are now out of date. The report states that update surveys were undertaken in 2021 by CSA Environmental on buildings and trees with the potential to support roosting bats, and that these surveys confirm the likely absence of bats roosts, however the results of these surveys do not appear to have been provided. As such it is not clear the extent of the work carried out, or whether the results of the 2018 preliminary roost assessment and emergence/re-entry surveys are still valid. In response to these concerns the applicant has submitted the Arbtech letter which provides a summary of the work carried out across the site in relation to bats and other protected species. This letter concludes that although the bat emergence/re-entry surveys are now out of date, given the breadth of survey work previously undertaken on site, it would be acceptable to secure these surveys by condition rather than prior to determination, given the likely absence of bats on the site. It should be noted that this same approach was taken under the previous application (*RU.21/0695*). The current applicant has not submitted the same level of information, in so far that the results of the 2021 preliminary roost assessments are missing, however the overall breadth of work undertaken across the site in relation to bats remains the same.
- 7.21 The most recent version of the PEA report has updated the recommendation with regards to reptiles from further presence/likely absence surveys required to no further surveys required with a precautionary approach to development recommended. This is the same approach agreed under the previous application (*RU.21/0695*). It is considered that a reptile mitigation and enhancement strategy can be secured through a pre-commencement condition should members be minded to grant permission.
- 7.22 A Biodiversity Net Gain Calculator has been submitted which concludes that a biodiversity net gain can be achieved across the site, however the Surrey Wildlife Trust have questioned why the woodland on site is categorised as 'other woodland: mixed' as opposed to 'Lowland Mixed Deciduous Woodland', which would be more in line with a woodland habitat categorised as being a Habitat of Principal Importance. This has been queried with the applicant and their response is awaited.
- 7.23 Lastly, a Habitats Regulation Assessment (*HRA*) has been submitted with regards to the impact on nearby Special Areas of Protection (*SPAs*), Special Areas of Conservation (*SACs*) and Ramsar sites. The report concludes that the risks from the proposed development, alone or in conjunction with other development, to nearby European designated sites can be

dismissed. A potential impact pathway was identified for the Thursley, Ash, Pirbright & Chobham SAC and the Thames Basin Heaths SPA, however given the scale and nature of the development and the distance to these sites, it is not considered that the proposed development would have a negative impact either alone or in combination.

### ***The impact of the development on flood risk***

- 7.24 Paragraph 167 of the NPPF sets out that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere, and where appropriate, applications should be supported by a site-specific flood-risk assessment (FRA). Policy EE13 of the Local Plan is consistent with this and sets out that the flood risk assessment should be proportionate to the scale of development and demonstrate that all forms of flood risk have been taken into account. Part of the site within the northwest corner is within flood zone 2, and as such a FRA has been submitted in support of the application which sets out proposed mitigation measures to reduce the risk from flooding for the future users of the site. The Council's Drainage Officer has asked that the finished floor levels are raised further, however given that the new buildings are outside of the flood zone and the rest of the buildings are existing, this is not considered reasonable. There is a safe access/escape route for the existing dwelling on site in the event of a flood, and as such there is no material risk to the future occupiers of this dwelling.
- 7.25 In terms of the risk to flooding elsewhere and to neighbouring properties, there is a reduction in built footprint within flood zone 2, and as such the development represents a betterment. The development will not therefore reduce the capacity of the flood plain to store water and will not therefore increase the risk of flooding elsewhere.
- 7.26 As the site is over 1 ha it is also necessary for Sustainable Urban Drainage Strategy to be implemented. The strategy for dealing with surface water drainage has been set out in the FRA, however no details have been submitted to establish whether infiltration is feasible, and it is unclear why a pumped solution has been chosen as there appears to be sufficient space to accommodate shallow attenuation that would facilitate a gravity discharge if infiltration is deemed unfeasible. Additionally, consideration has not been given to using complex flow control which would help reduce the attenuation requirements during the larger storm events, and elements such as conveyance swales, bioretention areas, and permeable paving have not been considered. An assessment of the onsite watercourse should also be submitted, detailing flow route and connectivity. The proposed drainage strategy is not considered to comply with the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems, however it is clear that a solution to drainage on the site is possible and as such it is advised that an updated drainage strategy, which takes into account the above points, can be secured by condition, should members be minded to approve the application.

### ***The impact on archaeology***

- 7.27 Policy EE7 of the Local Plan sets out that an archaeological assessment is required for proposals on sites which exceed 0.4ha. This is consistent with paragraph 194 of the NPPF which sets out that where a site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. No such assessment has been undertaken or submitted with this application, however archaeological potential at the site will have been lost when the site was previously quarried and used for landfill, and the proposal will not therefore have any impact on archaeological remains.



### ***The impact on minerals***

- 7.28 The application site forms part of a Minerals Safeguarding Area (MSA). Paragraph 211 of the NPPF sets out that great weight should be given to the benefit of mineral extraction and policies MC6 and MC7 of the Surrey Minerals Plan Core Strategy Development sets out that where feasible, minerals should be worked before development takes place. However, as the site makes up only a small section of the MSA and is alongside residential dwellings, the site is unlikely to form part of any future scheme to work minerals within the wider MSA. No objections are therefore raised to the development although it is recommended that the applicant undertakes a mineral resource assessment to assess the viability of minerals being extracted prior to development, and should permission be granted this could be included as an informative.

### ***Energy and sustainability***

- 7.29 An Energy Statement has been submitted in support of the application which sets out climate change mitigation measures to comply with the councils' energy hierarchy of:

- 1) Be lean; use less energy
- 2) Be clean; supply energy efficiently
- 3) Be green; use renewable energy

The measures proposed are predicted to result in energy savings of 13.48%. Should members be minded to grant planning permission it is recommended that a condition is imposed which ensures that the development is carried out in accordance with this statement.

### ***Planning Balance and Conclusions***

- 7.30 It has been demonstrated that in accordance with national policies the proposal results in inappropriate development which would cause significant harm to the openness of the Green Belt. This harm needs to be afforded substantial weight in accordance with the NPPF. This development can therefore only be approved if there is a case of very special circumstances which would clearly overcome this identified harm. No other harm has been identified as a result of the proposal.
- 7.31 Officers have reviewed the case of very special circumstances put forward by the applicant and consider that the following weight can be attributed to the relevant material considerations.

<b>Benefits</b>	<b>Weight afforded</b>
<b>Employment</b> – The application is supported by an economic statement which sets out that the proposal will contribute towards reducing the Council's industrial floorspace deficit and will provide jobs for over 50 employees and 10 apprenticeships each year. Additionally, temporary jobs would be created during the construction and demolition works, and construction workers as well as future staff and visitors will have a positive impact through direct and indirect expenditure in the local	<b>Limited Weight</b> – The Runnymede 2030 Local Plan sets out the Council will aim to encourage new businesses to the Borough. Policy IE3 sets out that the Council will encourage a range of types and sizes of new employment floorspace and will seek the retention/re-use of small warehousing units. Policy IE3 also supports small scale rural offices or other small-scale rural employment development through the conversion or redevelopment of existing buildings, however the policy is clear that

economy.	<p>this is on the provision they accord with the Council's Green Belt policies.</p> <p>However, the Local Plan does not set out any specific shortfall in industrial floorspace to be met, and whilst jobs created and money brought into the economy from future staff and visitors would have an economic benefit, for a development of this size, the benefits would be fairly minor. It is also not clear whether alternative sites outside of the Green Belt have been considered, and if so why these were discounted. Finally, it is considered that the same economic benefits could be achieved by locating the development elsewhere.</p>
<p><b>Sustainability &amp; Energy Efficiency</b> – The applicant states that the development activities onsite will produce solar panel clean-energy equipment for its own use and develop emerging products for market use which will deliver energy-saving benefits to the local economy and the wider construction industry generally. The Green Belt Statement mentions that a Sustainability Note (May 2022) explains how the proposed new facility will allow for research and development activities, including into a lightweight sectional steel structures using low carbon production methods and the integration of solar panels systems into their scaffolding.</p>	<p><b>No weight</b> – Other than a few bullet points within the Planning Statement, no information has been provided on the solar panel clean-energy equipment. It is also not clear what document the applicant is referring to when they mention the Sustainability Note. Notwithstanding, it is not clear what wider benefits this research would have in terms of energy efficiency. The Energy Statement submitted with the application also fails to demonstrate how the proposed development and the operation of the site will be energy efficient in accordance with the energy hierarchy set out in policy SD8 of the Local Plan, <i>and this is recommended as a reason for refusal</i>. No weight can therefore be given to these benefits.</p>
<p><b>Open Space and Recreation</b> – The southern part of the site is to be remediated and landscaped for use by staff and the public. The application is supported by a management strategy for the proposed area of open space and the applicant suggests creating a maintenance regime.</p>	<p><b>Limited Weight</b> – The NPPF sets out the importance to high quality open spaces in contributing to the health and well-being of communities, and as new open space is normally only a policy requirement for housing developments, the creation of open space in this instance is an added benefit.</p> <p>However, there is no identified need for open space in this specific location and as such any benefit would not outweigh the harm caused to the Green Belt by development elsewhere on the site. The management strategy sets out principles for the maintenance of the open space, however the proposals for the creation open space are not fully realised and the hard</p>

	and soft landscaping details are limited.
<p><b>Biodiversity</b> - The area to the south of the site is to be provided as an area of natural greenspace. The Green Belt statement refers to an Ecological Impact Assessment and concludes that the proposed development will have a beneficial effect on woodland, trees and hedgerows and provide opportunities for significant ecological enhancement.</p>	<p><b>No weight</b> – It has not been demonstrated that the development would result in a net gain in biodiversity, and the Ecological Impact Assessment referred to has not been submitted. The application is supported by a Preliminary Ecological Assessment, however this concludes that an Ecological Mitigation and Enhancement Plan, informed by a Biodiversity Net Gain assessment should be produced, which also hasn't been submitted. A net gain in biodiversity is a requirement of policies SD7 and EE9 of the Local Plan, <i>and as such the failure to demonstrate a net gain biodiversity at this stage is recommended as a reason for refusal.</i></p>
<p><b>Remediation and Restoration</b> – The Green Belt statement sets out that the applicant is committed to undertaking full ground conditions investigations and remediating the site where necessary.</p>	<p><b>Significant weight</b> – The phase 1 geo-environmental assessment submitted with the application identifies contamination on site, which poses a risk to existing and future residents as well as the ground water and surface water environment. The Environment Agency have also confirmed that it would be difficult to enforce the decontamination of the site outside of the planning process. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.</p>
<p><b>Flood Risk</b> – The Flood Risk Assessment demonstrates that there will be a reduction of building footprint and hardstanding within flood zone 2.</p>	<p><b>Significant weight</b> – Several of the existing buildings are within flood zone 2, the removal of which will provide a betterment in flood plain storage and reduce the risk of flooding elsewhere and to existing residents. The proposed buildings are located within flood zone 1.</p>

- 7.32 In addition, it is acknowledged that whilst the agricultural buildings on site could not be given weight in assessing the impact on openness under the tests set out in paragraph 149(g) of the NPPF, and due to be an appropriate form of development in the Green Belt, the agricultural buildings do clearly have an existing impact on openness. However, even when taking these buildings into consideration there would be a small increase in the volume of the buildings across the site (95sqm) and as set out in the Green Belt assessment above, this manifests itself in a more harmful way to the visual openness of the Green Belt. In addition, given the harm to openness identified as a result of the outdoor storage and parking areas, the redevelopment of land would still result in a greater impact on the openness of the Green Belt than the existing development even when taking the removal of

the agricultural buildings into account. The removal of the agricultural buildings is therefore only afforded **Limited weight**.

- 7.33 The proposal represents inappropriate development in the Green Belt and as such is, by definition, harmful. Any harm to the Green Belt, in accordance with paragraph 148 of the NPPF, should be given substantial weight, and in accordance with paragraph 147, harmful development should not be approved except in very special circumstances. As per the above table, the case for very special circumstances does not clearly outweigh the harm identified.

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

- 8.1 The office development is CIL liable and attracts a fee of £50 per sqm. Based on the information submitted, the overall tariff is therefore £30,500. No CIL forms have been submitted with the application and as such, should member be minded to approve the application this should be subject to the relevant forms first being received.

## **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 imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

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

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

## **10. CONCLUSIONS**

- 10.1 The application proposes to redevelop the site for use as a company headquarters for a scaffolding and access provider. The site will be used for training, industry certification, and apprenticeship courses. It is proposed to demolish the majority of the existing buildings on site, with the remaining buildings retained for light industrial use apart from building 19 which will be retained as an independent dwelling. A new office and a training hall are also to be erected. The development represents inappropriate development

within the Green Belt and no very special circumstances are considered to exist which clearly outweigh the harm caused.

- 10.2 The development has been assessed against the following Development Plan policies – SD3, SD4, SD7, SD8, SL1, SL19, SL26, EE1, EE2, EE7, EE9, EE11, EE12, EE13, EE15, EE19 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. 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

**That the CHDMBC be authorised to refuse planning permission for the following reasons:**

1. The proposed development is inappropriate development in the Green Belt and therefore by definition harmful. There are no “Very Special Circumstances” to outweigh this harm which is given substantial weight. The proposal is contrary to paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework and policy EE19 of the Runnymede 2030 Local Plan.

**RU.21/1167 – Padd Farm, Hurst Lane**

## Location Plan



Proposed Site Plan





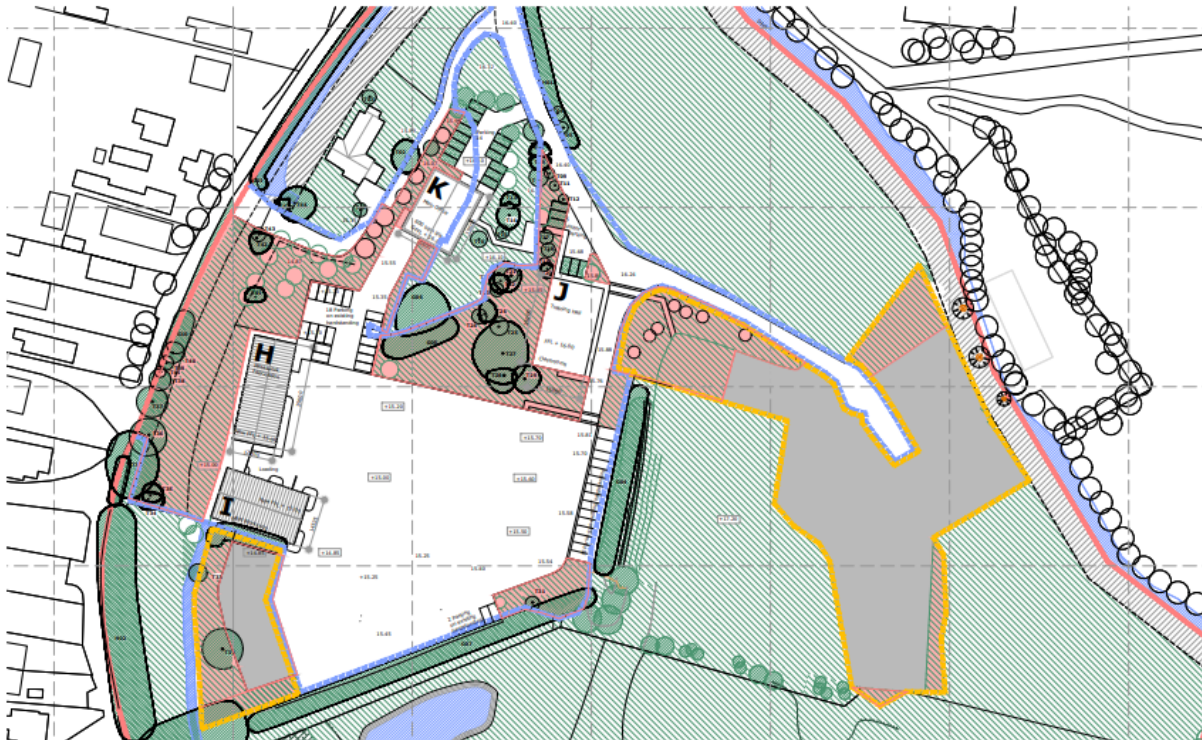
## Existing and proposed hardstanding

Dotted blue = Existing lawful hardstanding

Dotted yellow = Existing unlawful hardstanding

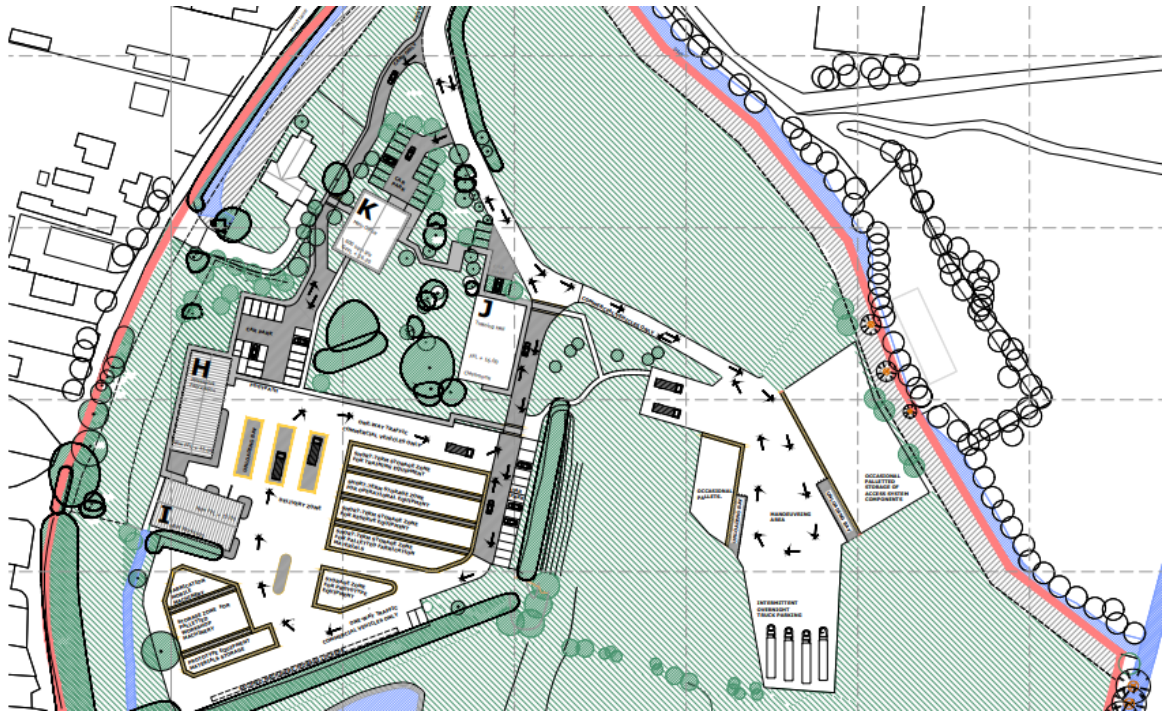
Hatched red = Lawful and unlawful hardstanding to be removed

Shaded grey = Unlawful hardstanding to be retained

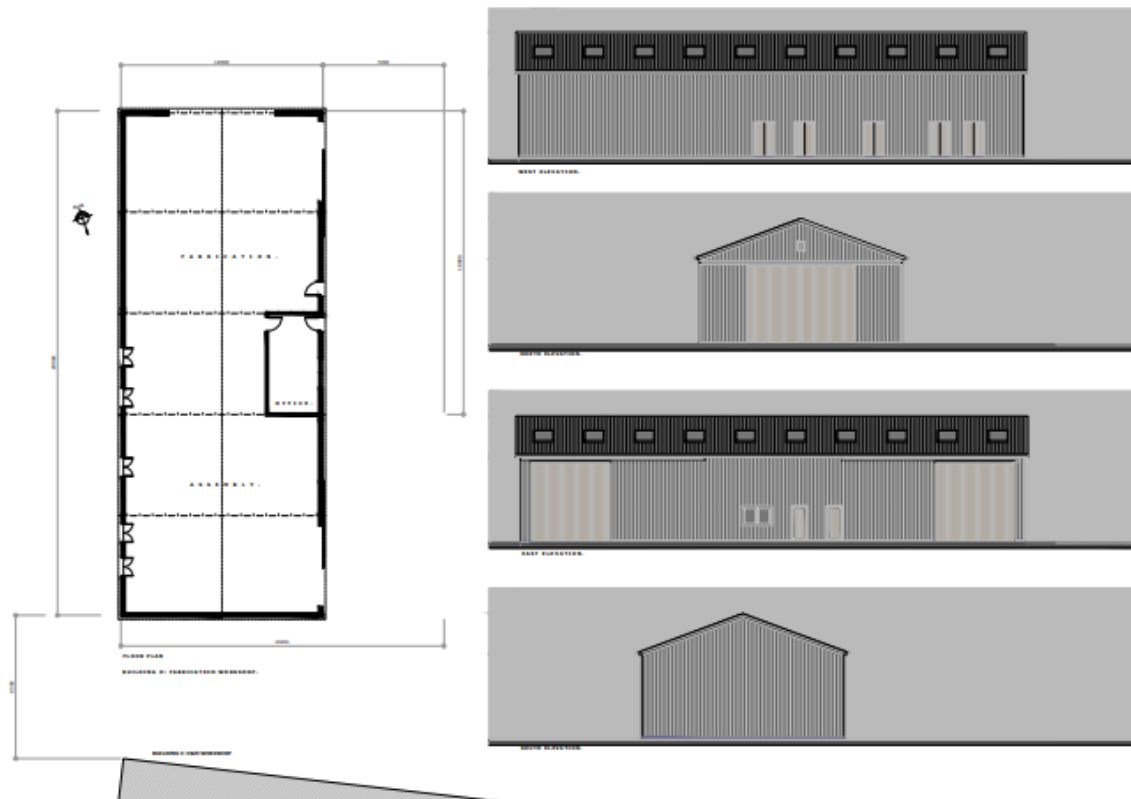




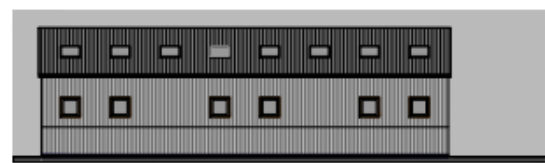
## Site operations plan



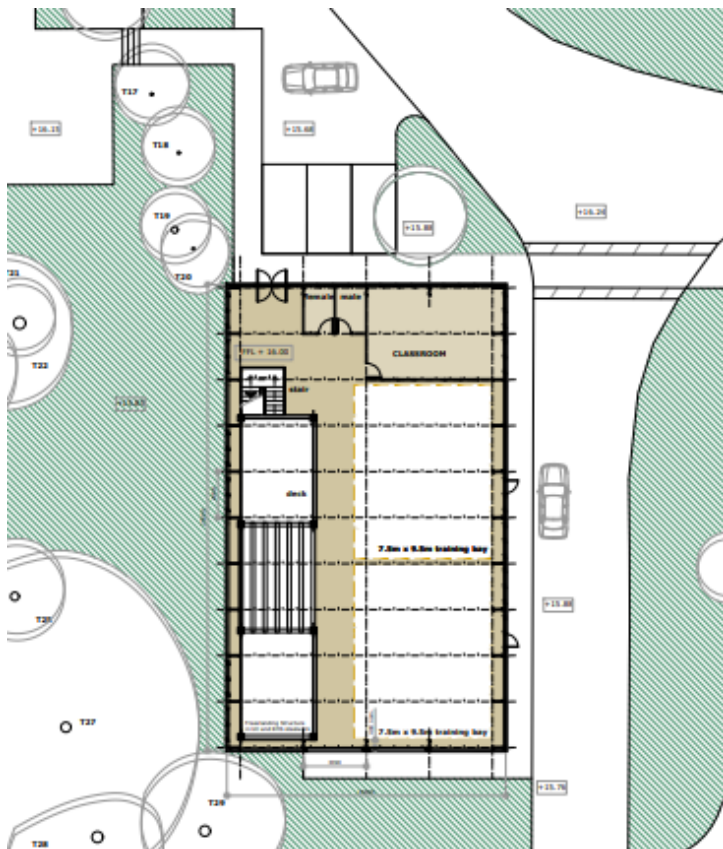
## Building H floor plans and elevations



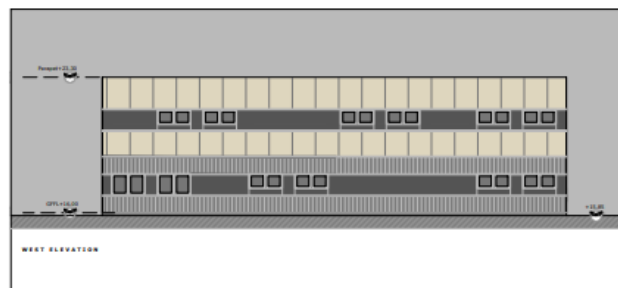
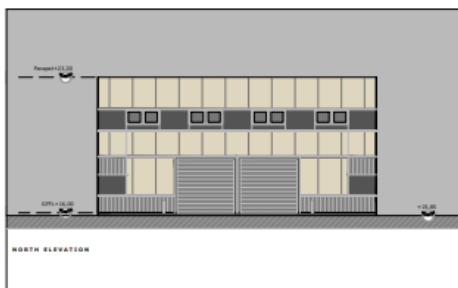
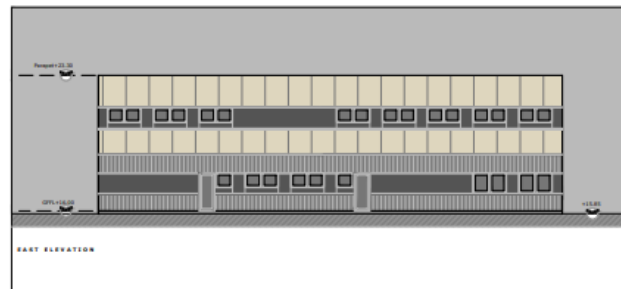
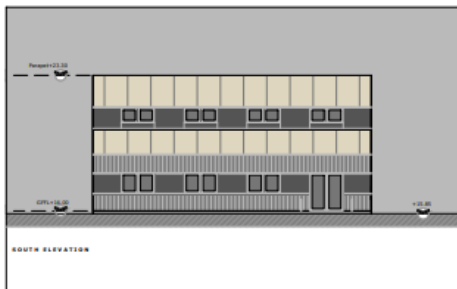
## Building I floor plans and elevations



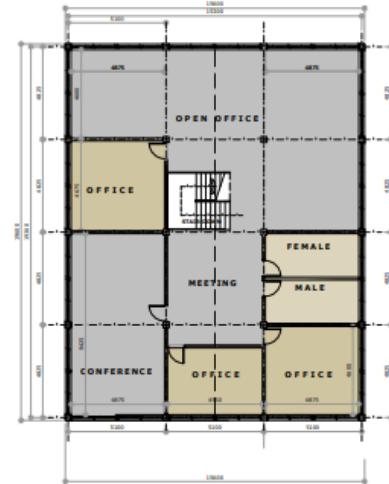
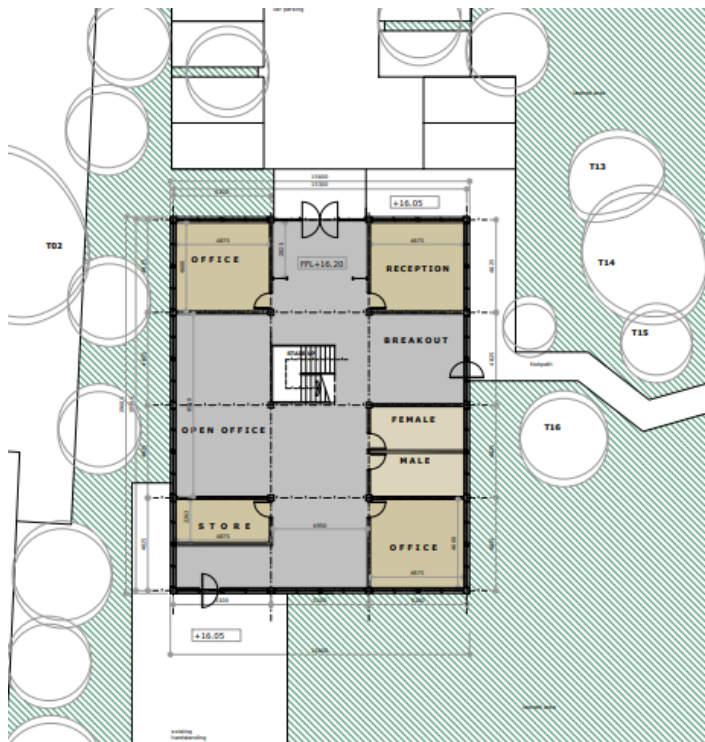
## Building J floor plans



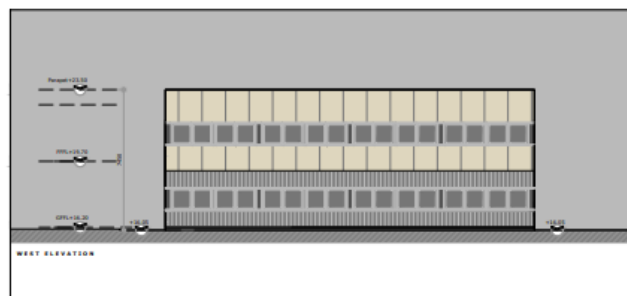
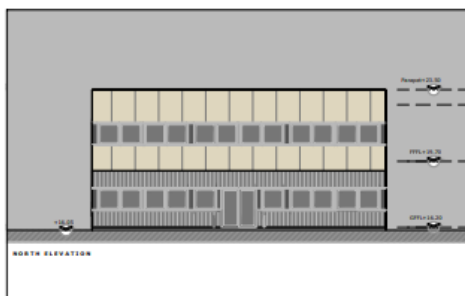
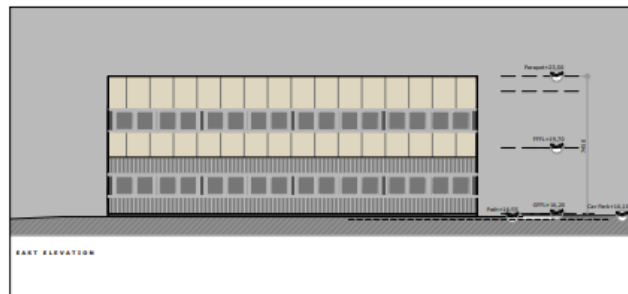
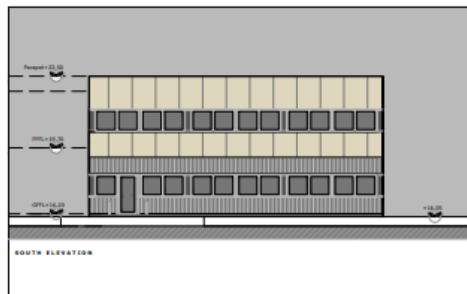
## Building J elevations



## Building K floor plans



## Building K elevations



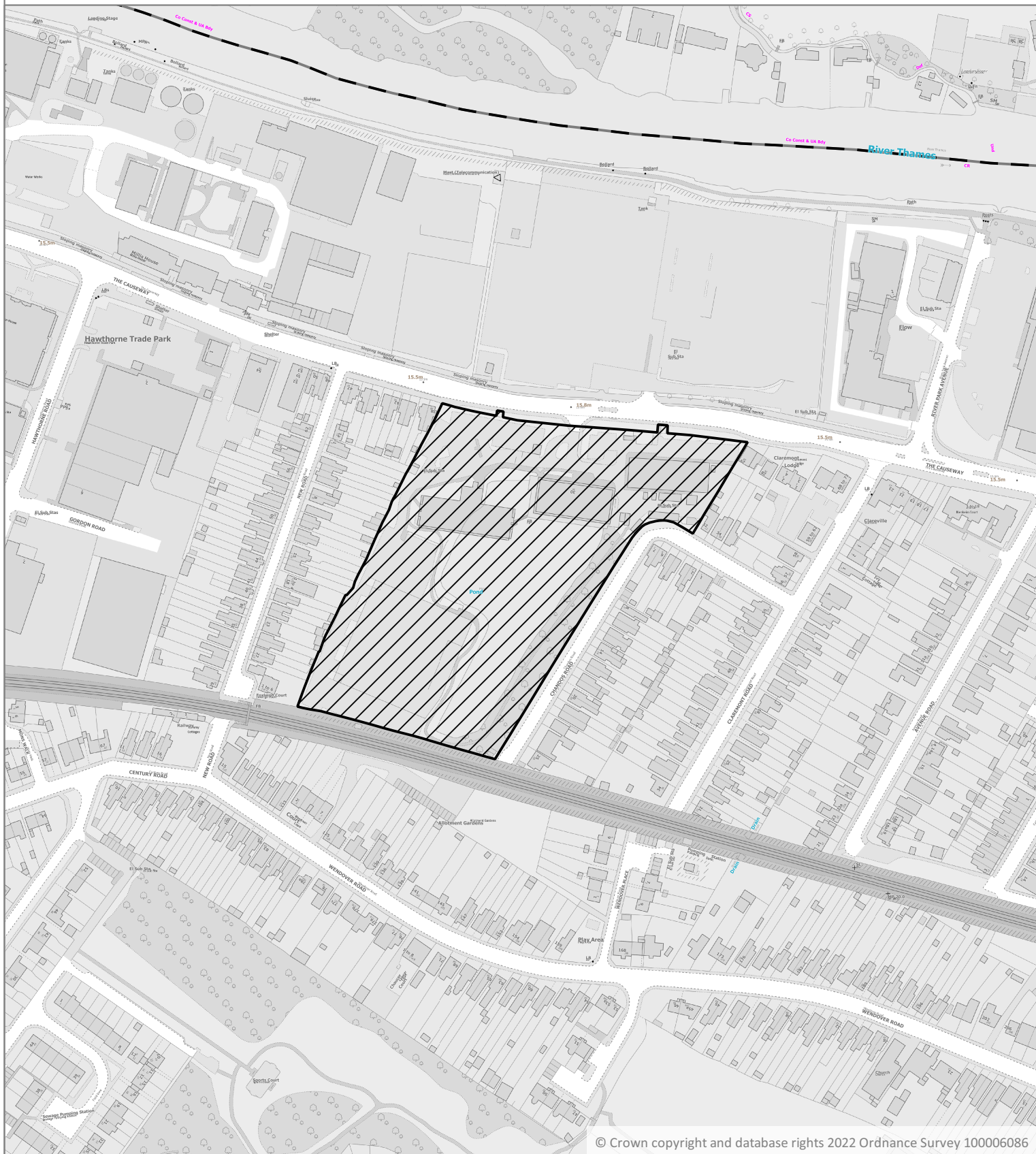






Date: 14/12/2022

**The Causeway, Staines-Upon-Thames**



Scale: 1:3,000

**RU.21/2050**

0 100 200 m



**COMMITTEE AGENDA REFERENCE: 5e**

<b>APPLICATION REF:</b>	<b>RU.21/2050</b>
<b>LOCATION</b>	30 The Causeway, Staines-Upon-Thames, TW18 3BY
<b>PROPOSAL</b>	Demolition of all existing buildings and structures, and the comprehensive redevelopment of the Site to deliver 272 residential units (Use Class C3). Associated landscaping, car parking and ancillary development. (amended 18/01/2022)
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	23/03/2022
<b>WARD</b>	Egham Hythe
<b>CASE OFFICER</b>	Christine Ellera
<b>REASON FOR COMMITTEE DETERMINATION</b>	LISTED BY CHDMBC.
<i><b>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</b></i>	

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
	When applying the planning balance, it is not considered that the harm caused from the proposed development; notably the substantial harm regarding the design, matters regarding flooding and the harm to neighbouring amenity is outweighed by the benefits of the scheme. Even if matters regarding flooding were overcome it is considered that the resulting harm from the poor approach to design substantially outweighs the benefits. Accordingly, the application is recommended for refusal for the following reasons (it should be noted that refusals reasons 4, 5 and 6 could be resolved were a completed legal agreement provided to secure such matters):
	<p>1) The proposed development by reason of the proposed layout, form, scale, landscaping and overall design approach fails to deliver a high quality design led scheme. The proposed development is not of good design and does not seek to create beautiful, high quality and sustainable places. Therefore, the proposed development is contrary to Policy EE1 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework (2021) and the National Design Guide (2019).</p> <p>2) It has not been demonstrated that there are not reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding nor that the proposed development would be safe throughout its lifetime and not lead to increased flood risk elsewhere. The proposed development is therefore contrary to policy EE13 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework</p>



	<p>(2021)</p> <p>3) The proposed development by reason of its siting, position and built form would result in direct overlooking and loss of privacy to No. 32 Chandos Road, detrimental to the amenities of the occupiers of this dwelling and contrary to Policy EE1 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework (2021)</p> <p>4) In the absence of a completed legal agreement for SANG and SAMM Contributions in accordance with the Council's adopted Supplementary Planning Guidance on the Thames Basin Heaths Special Protection Area the Local Planning Authority are not satisfied that; there are no alternative solutions, or that it is likely that the proposal would pass the Regulation 49 test of imperative reasons of overriding public interest. It is bound to refuse permission in accordance with Regulation 48 (5) of the Habitats Regulations 1994 and Article 6 (3) of Directive 92/43/EEC</p> <p>5) In the absence of a completed legal agreement the proposed development has failed to secure the provision of 34 affordable housing units (12% on site provision) to meet local needs. The proposed development is therefore contrary to policy SL20 of the Runnymede 2030 Local Plan (2020), Runnymede Affordable Housing Supplementary Planning Document (2022) and the National Planning Policy Framework (2021) and its associated guidance</p> <p>6) In the absence of a completed legal agreement the proposed development has failed to secure the provision of the necessary infrastructure needed to make this development acceptable in planning terms. The proposed development is therefore contrary to policies SD3, SD4, SD5 and EE9 of the Runnymede 2030 Local Plan (2020) and the National Planning Policy Framework (2021) and its associated guidance.</p>
--	--

## 2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1. The application site relates to an existing office complex, occupied by three commercial buildings; Lakeside House, Lakeside East and Lakeside West which are between 2 and 3 commercial storeys in height, the tallest of which is Lakeside House, standing at circa 15.5m in height (equivalent to approximately 5 residential storeys). The remainder of the site provides a large area of car parking, including a single decked storey car park at the south of the site.
- 2.2. With reference to the below planning history Lakeside House and Lakeside East benefits from prior approval to be converted from offices to residential.
- 2.3. The site is located to the south of The Causeway and is largely surrounded by residential properties both to the east and to the west. These residential properties are typically two storey detached and semi detached houses many of which benefit from long extending garden areas. The site is bound by the railway line to the south of the site. Within the wider area The Causeway is characterised by a mix of commercial and residential properties including a number of large retail warehouse sheds. The opposite side of The Causeway is characterised by large office buildings and parking areas.
- 2.4. The site is within the urban area but not in a town centre location, it is approximately a mile from Egham town centre however this walk involves navigating through part of an industrial

estate and crossing over the M25 foot bridge. The town centre of Staines is also a similar distance away to the east and forms the main town centre in the adjoining Borough of Spelthorne.

2.2 The key constraints of this site include:

- Strategic Employment Areas
- Flood zone 2 and 3a
- Flood zone 3b- Functional Floodplain (the lake)
- Groundwater source protection Zones
- Urban Area
- Hazardous Substance Consent

2.3 Adjacent to:

- Areas of High Archaeological Potential and County Site of Archaeological Importance.

### 3. APPLICATION DETAILS

3.1. The proposal is for full planning permission to redevelop the site to deliver 272 residential units. All existing office buildings and parking areas etc. would be demolished to facilitate the redevelopment.

3.2. The residential units would be provided through x8 blocks of flats and x10 town houses positioned to the rear of the site. Blocks numbered V1- 4 would face onto the Causeway, blocks V6 and V10 would “sit” behind blocks V3 and V4 and block V5 would be adjacent to the lake, located relatively on the footprint of the current building known as Lakeside West. Towards the rear of the site would be blocks V7 and V8.

3.3. **Table 1:** Summary of proposed blocks/ housing mix:

Building	Storey height	One bedroom	Two bedroom	Three bedroom	Total units
V1	Up to 4	5	2	2	9
V2	Up to 5	10	8	2	20
V3	Up to 5	9	8	4	21
V4	Up to 4	9	5	-	14
V5	Up to 6	17	29	-	46
V6	Up to 7	18	23	4	45
V7	Up to 8	25	32	1	58
V8	Up to 6	17	24	1	42
V9 (houses)	Up to 2	-	-	10	10
V10	Up to 3	6	1	-	7
<b>TOTAL</b>	-	116	132	24	272

3.4. Within the wider scheme a total of x12 one bedroom and x1 two bedroom units (total of 13 units or 4.7% would be wheelchair adaptable). The initial submission proposed that 28 units would be for affordable housing units. During the consideration of this planning application a further 6 units were proposed, total of 34 and this would now be contained in blocks V2 and v4.

- 3.5. 141 parking spaces are proposed for the development, with 12 of them being wheelchair accessible. These will all be provided at ground level, positioned along the access routes within the site.
- 3.6. The updated Travel Plan submitted in support of this planning application sets out that car parking would be allocated to the townhouses and larger units (3+bedrooms), accessible units will be provided with access to a single parking bay. The remaining spaces would then be distributed to 2-bedroom units that require a space.
- 3.7. The proposal includes 473 cycle parking spaces which are split across each residential block and the townhouses. Access to the store will be controlled and for residents only.
- 3.8. The proposed landscaping sets out that the woodland and pond/lake on site will be retained and enhanced and states that development will commit to keeping a 5m buffer from the edge of the pond/ lake. An enhanced path looks to go around the south eastern end of the lake with new bridge and pontoons. The Flood Risk Assessment submitted in support of the planning application sets out that the size of the lake would be increased to provide additional flood storage towards the western end of the bank.

#### 4. RELEVANT PLANNING HISTORY

- 4.1 There is extensive planning history to this site. The following history is considered relevant to this application, recent prior approval applications effectively agree the conversion of Lakeside West and Lakeside House from offices to residential under Prior Approval:

Reference	Details
RU.22/0125	Prior Approval Application for an extension to the existing building to provide an additional two storeys to create an additional 20 residential units, under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA (New dwellinghouses on detached buildings in commercial or mixed use) <i>Prior Approval Required and Refused April 2022</i>
RU.22/0121	Lakeside House 30 The Causeway. Prior Approval Application for an extension to the existing building to provide an additional two storeys to create an additional 16 residential units, under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA (New dwellinghouses on detached buildings in commercial or mixed use). <i>Prior Approval Required and Refused April 2022</i>
RU.21/1519	Lakeside West 30 The Causeway. Prior Approval Application for an extension to the existing building to provide an additional two storeys to create an additional 16 residential units, under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA (New dwellinghouses on detached buildings in commercial or mixed use). <i>Prior Approval Required and Refused November 2021</i>

RU.21/1523	Lakeside House 30 The Causeway. Prior Approval Application for an extension to the existing building to provide an additional two storeys to create an additional 16 residential units, under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA (New dwellinghouses on detached buildings in commercial or mixed use). <i>Prior Approval Required and Refused November 2021.</i>
RU.21/0484	Lakeside West 30 The Causeway. Prior notification of proposed change of use from offices (Use Class B1a) to residential (Use Class C3) for 39 residential units, under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 3, Class O. Grant Prior Approval- May 2021.
RU.21/0483	Prior notification of proposed change of use from offices (Use Class B1a) to residential (Use Class C3) for 28 residential units, under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 3, Class O. Grant Prior Approval- May 2021
RU.20/1703	Lakeside West 30 The Causeway. Prior notification of proposed change of use from offices (Use Class B1a) to residential (Use Class C3) for 39 residential units, under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 3, Class O. <i>Withdrawn prior to determination.</i> Applications RU.20/1701 (Lakeside East) and RU.20/1702 (Lakeside House) were also withdrawn prior to determination.
RU.20/1190	Lakeside West 30 The Causeway. Prior notification of proposed change of use from offices (Use Class B1a) to residential (Use Class C3) for 42 residential units, under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 3, Class O. Prior Approval Required and Refused
RU.20/0889	Lakeside West 30 The Causeway. Prior notification of proposed change of use from offices (Use Class B1a) to residential (Use Class C3) for 42 residential units, under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 3, Class O. Prior Approval Required and Refused. Applications RU.20/0888 (Lakeside House) and RU.20/0890 (Lakeside East) were also refused for the same reason.

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

- 5.1 The Borough's current adopted Development Plan comprises of the Runnymede 2030 Local Plan which was adopted on 16 July 2020 and the policies have to be read as a whole. The relevant policies are considered to be:
- SD1 – Spatial Development Strategy
  - SD2 – Site Allocations
  - SD3 – Active & Sustainable Travel
  - SD4 – Highway Design Considerations
  - SD5 – Infrastructure Provision & Timing
  - SD7 – Sustainable Development
  - SD8 – Renewable & Low Carbon Energy
  - SL1 – Health and Wellbeing
  - SL19 – Housing Mix and Size Requirements
  - SL20 – Affordable Housing
  - SL22 – Meeting the needs of Gypsies, Travellers and Travelling Show People
  - SL26 – New Open Space
  - EE1 – Townscape and Landscape Policy
  - EE2 – Environmental Protection
  - EE9 – Biodiversity, Geodiversity and Nature Conservation
  - EE10 – Thames Basin Heaths Special Protection Area
  - EE11 – Green Infrastructure
  - EE13 – Managing Flood Risk
  - Policy IE1: Employment allocations
  - Policy IE2: Strategic Employment Areas
  - Policy IE3: Catering for modern business needs

### Other Material Considerations

- 5.2 National Planning Policy Framework (revised July 2021)- acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. At the heart of the NPPF is a presumption in favour of sustainable development. The document, as a whole, forms a key and material consideration in the determination of any planning permission.

The supporting National Planning Policy Guidance (NPPG) is also a material consideration for decision making, as is the National Design Guide (2019) and the Nationally Described Space Standards (2015)

- 5.3 SPDs which can be a material consideration in determination:
- Runnymede Borough Parking Guidance (2022)
  - Affordable Housing Supplementary Planning Document (2022)
  - Runnymede Design Supplementary Planning Document (2021)
  - Green and Blue Infrastructure Supplementary Planning Document (2021)
  - Thames Basin Heaths Supplementary Planning Document (2021)
  - Infrastructure Delivery and Prioritisation (2020)
  - Parking Strategy: Surrey Transport Plan (2020)

## **6. CONSULTATIONS CARRIED OUT**

- 6.1. **Consultees responses:**

**Table 2:** Summary of consultation responses.

Consultee	Summary of comments
Environment Agency	<p>Raise objection- Summary of a wider objection which is discussed further below in section 7.4 Principle of the Development in Flood zone 3a and 2 and Wider Flood Risk Considerations:</p> <p>The section and elevation drawings provided show that many of the underfloor voids are proposed below ground level. This means voids will not freely self-drain when flood water recedes and storage capacity for any further flooding would not be guaranteed. The proposed design is not in accordance with EA recommendations and they have concerns that the voids would not provide the level of flood compensation needed to ensure this development is compliant with planning policy. Replacing flood storage which is lost through development, is best achieved where minimal human or mechanical intervention is involved.</p>
Natural England	No objection to make on this application
Health and Safety Executive	No objections subject to conditions regarding the revocation of Hazardous Substances Consent at adjoining land.
Surrey Wildlife Trust	Detailed comments have been provided during the consideration of this planning application. Full comments and discussion are set out in section 7.10 Ecology and biodiversity.
Council's Viability Consultants on Affordable Housing (Dixon Searle Partnership)	Detailed comments have been provided during the consideration of this planning application. Full comments and discussion are set out in section 7.6: Housing Mix and Affordable Housing
Affordable Housing Officer	We are disappointed that only 34 properties, out of 272, would be for Affordable Housing, as opposed to the 95 homes required by our policy and which should comprise 25% First Homes, 53% social/ affordable rent and 22% other forms of affordable housing such as shared ownership. Our preference is for good quality houses with gardens, especially 2 bedroom 4 person homes, for the families on our Housing Register who are in housing need. The homes should also be genuinely affordable for local people, preferably with rented homes delivered at Social (rather than Affordable) rent and so more in line with Runnymede Council rents. If RBC is minded to approve the application, clarity should be sought as to the tenure and size mix proposed. It should also be

	<p>noted that the Registered Provider should be approved by the Council, from our list of preferred partners which is available on the website and on request.</p>
Energy Officer	<p>The RBC Energy Officer had raised concerns about measures for the secure storage of cycles. It has now been confirmed that bin and cycle stores will be placed in each block, which will incorporate secure access. As well as separate evidence that EV charging provision will be delivered in line with and excess of the latest Surrey County Council guidance.</p> <p>Previous comments found the methods proposed to 'be lean' and 'be clean' to be generally acceptable. However, concerns were also raised regarding the use of gas boilers in supplying energy. The Energy &amp; Sustainability Statement now confirms that dwellings can utilise zero carbon emission heat pump systems for heating and hot water.</p> <p>Concerns were also raised regarding lack of clarity about whether the 10% target had been met. The Statement now confirms that the proposed PV installation will represents 11.12% of the development's energy needs, satisfying the Policy requirement.</p> <p>The latest Energy &amp; Sustainability Statement discounts connection to existing networks as they do not currently exist in the area. This is considered to be acceptable. Developers are encouraged to transition away from gas boilers, and heat pumps are considered to be one of the most efficient low carbon heat sources keeping energy use to a minimum, while not using fossil fuels on-site.</p>
Arboricultural Officer	<p>The application requires some tree removals to achieve the proposed lay out but does retain many of the existing trees. There is great potential to improve the retained existing trees and plant more trees to mitigate the tree loss. However, the process of development can harm the retained trees. To prevent harm to the retained trees and mitigate the tree loss, tree protection conditions should be attached to any forthcoming permission.</p>
Drainage Engineer	<p>In principle, we have no objection to proposed finish floor levels. We believe there is a typo in 15.97m AOD as other sections of the report references 15.67m AOD. For consistency, this should be corrected. The EA will also need to comment.</p> <p>Permeable Surfacing - Infiltration is not to be allowed in made ground. It is stated that made ground was encountered at 1.0- 1.2m bgl. As permeable surfacing are largely shallow infiltration SUDs, confirmation is required that the system will be designed so that infiltration occurs in strata below made ground. If it is</p>

	<p>concluded that infiltration in the permeable paving is not feasible and infiltration is to occur only in the lake, adequate attenuation should be provided to ensure that pre and post development infiltration rates is maintained. Hydraulic calculations indicate that cellular storage is proposed. It is not clear their locations as they are not shown on the proposed layout. The network shall be designed so no surcharge occurs for the 1:2 year event.</p> <p>Further information that safe access/egress is available for proposed dwellings in the southwestern corner should be submitted.</p>
Contaminated Land Officer	A Phase 1 investigation has been completed showing the need for a Phase 2 detailed site investigation post demolition prior to development. Such matters can be secured by way of conditions.
Waste and Refuse Services	<p>Raises a number of point of queries:</p> <ul style="list-style-type: none"> <li>• Access points to bin stores: In some areas, there is not direct access to the vehicle due to landscaping/planting</li> <li>• Bin store layout- need to demonstrate a suitable access and manoeuvring can be accommodated, as well as easy access for residents to all containers</li> <li>• Doors- demonstrate all door opening outward</li> <li>• Capacity Further clarification is required regarding the number of properties assigned to each bin store area</li> <li>• Food waste- demonstrate access for a communal food waste container(s).</li> </ul>
Environmental Health	No comments received
Green Spaces Team	No comments received
SCC Highway Authority	<p>No objections raised- recommends an appropriate S106 agreement should be secured before the grant of permission which should include:</p> <ul style="list-style-type: none"> <li>• two car club spaces</li> <li>• vouchers for all residential units towards the car club</li> <li>• three year's free membership of the car club for all initial occupants of the residential units.</li> <li>• To secure the Travel Plan auditing fee</li> <li>• provide each dwelling with a combined cycle/public transport voucher per dwelling.</li> </ul> <p>This and the wider highways considerations are discussed below in section 7.7 Highways Considerations</p>



	of the report.
SCC Lead Local Flood Authority	No objections- We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to our advice below. Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.
SCC Archaeology	The site borders an area of High Archaeological Potential, and the site has a high to moderate potential for archaeological interest. Further archaeological works can be secured by way of condition.
Cadent Gas	Holding objection based on the proximity to a nearby pipeline. This is discussed further below.
National Highways	No objections- the proposals would not materially affect the safety, reliability and/or operation of the Strategic Road Network. Having reviewed the Transport Assessment, we are satisfied with the trip generation figures produced. When compared to the existing office use of the site, there will be a net reduction in vehicle trips to/from the site. It is therefore unlikely that there will be any meaningful impact upon the Strategic Road Network.
Network Rail	<p>Due to the proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.</p> <p>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.</p> <p>The applicant / developer must also follow the Asset Protection informatives which are issued to all proposals within proximity to the railway.</p>
Affinity Water	No comments received

Thames Water Utilities	<p>We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.</p> <p>Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the an informative regarding the above.</p> <p>In terms of surface water drainage, the developer should follow the sequential approach to the disposal of surface water. Management of surface water from new developments should follow guidance under sections 167 &amp; 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.</p> <p>As the proposed development is located within 15 metres of a strategic sewer requests a condition that no piling shall take place without a piling method statement first being approved.</p> <p>Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, they have no any objection to the above planning application, based on the information provided</p> <p>Recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p>
UK Power Networks	No comments received
Surrey Bat Group	<p>We have read the accompanying bat report prepared by Greengage, which detailed the methodology and results of a range of surveys carried out between late August and October 2021. The surveys themselves have been carried out broadly in line with best practice however there is a problem with the timing of the surveys. These should be spread across the active period of May to August, or sub-optimally September. These surveys are limited to late August and September and do not consider the period in June and July. If the consultants argue that the surveys are sufficient based on their professional judgement, they will need to supply</p>

	evidence to substantiate this.  The report makes a number of recommendations for mitigation, compensation and enhancement, including the provision of bat boxes, but the types and number are not specified. Further details will need to be secured by condition.
Spelthorne Borough Council	No comments to make
Royal Borough of Windsor and Maidenhead	No comments to make

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

- 6.2. 103 letters of representation have been received from individual addressees; comments made can be summarised as follows:

#### *Principle of development*

- The proposed development is contrary to the local plan and NPPF, as it is a residential development on a Strategic Employment Area.
- The council should not have approved the change of use of the building to residential undertaken under previous Prior Approval applications on this site.
- The site has had a previous application refused in 2003.

#### *Design concerns*

- The proposal is an overdevelopment of the site.
- The density of the scheme is too high and should be reduced.
- The proposals out of keeping with the character of the area.
- The proposed development is too high and should be restricted to the maximum height being as existing.
- The proposed materials are out of keeping with the character of the area.

#### **Highway Safety and Parking Concerns**

- There is insufficient parking for the proposed development.
- Concerns about parking allocation, and provision of suitable disabled car park spaces.
- Concerns about highway safety and emergency vehicle access.
- Proposal will have exacerbate existing on street parking pressures in the surrounding roads.
- Concerns about servicing and refuse vehicles being able to access both the development, as well as surrounding areas given on street parking pressures.
- Request clarification regarding electric vehicle charging spaces and the numbers set out in the applicant submission.
- Does not consider that the parking survey submitted as part of the application provides a true assessment of existing parking stress.
- The proposed development increased vehicle traffic during peak rush hour times and could increase highway safety issues, particularly for pedestrians.
- As part of one representation a survey of the existing streets and their parking capacity has been submitted.
- There are no regular bus services to cater for the new units.
- Such a development will have a detrimental impact the community's health and wellbeing

being.

#### *Impact on neighbouring amenity*

- The height of the buildings will mean that the proposal will overlook adjoining properties resulting in loss of privacy.
- Queries why specific houses are not including in the results of the Daylight and Sunlight assessment.
- Development would result in loss of light and privacy to neighbouring properties.
- Increased noise and disturbance resulting from the development both at construction phase and completion.
- Concerns about light pollution, to just to wildlife but to residents in surrounding areas.

#### *Ecology and environmental concerns*

- The pollution will affect both local residents and local wildlife, including bats and the local toad population.
- As part of one local residents' letter of representation they have provided a ecology assessment as a doctor in in amphibian conservation. The assessment notes some beneficial mitigation strategies proposed by the developer however highlights the mitigation measures proposed to reduce impacts on toad numbers are ineffective, as they do not address the overarching threat to this population (discussed further below).
- Concerns have been raised about the impact on bats.
- Section 40 of the NERC Act 2006 requires all public bodies to have regard for biodiversity conservation when carrying out their function.
- The proposal will affect the ecology of the local area, including the local toad population that used the lake.
- Concerns about the loss of trees and impact on wildlife.
- This development will massively impact upon common toad and their migration route.
- The proposed development would increase the carbon footprint above reusing the existing buildings.
- The proposal does not provide a low carbon hearing solutions.

#### *Flooding Issues*

- Previous incidents of flooding have occurred on site and to surrounding properties due to groundwater flooding.
- The proposal will increase flooding pressures in the surrounding area.
- In 2016 British Gas (the former site owners) submitted Planning Application RU.16/0474 for a Flood Management Scheme which was granted permission on 6 July 2016 and was also approved by the Environmental Agency- this should be implemented if permission is granted.
- Thames Water has not provided enough evidence that the existing sewers can cope with the demand this development.
- The development will increase pressures on the existing overstretched sewage system.
- The topographical survey, which is key in providing an open approach for assessment of flood risk. This piece of information is also necessary to consider this planning application and it is absurd that this has not been provided.
- The proposed development fails to dela with ground water flooding issues which the site and wider area experiences.

#### *Other Matters*

- Raises concerns about the level of community engagement which the developer has suggested has taken place.
- Concerns about impact on local services including GP places and hospital services.
- Disagrees about the level of engagement which the developer claims to have

- undertaken.
- Impact the proposed development have on local services including doctors hospitals and schools.
- Queries potential conflict of interest between council leaders and the developer
- Queries the need for a change in case officer.
- There is no demand for this proposal as Runnymede is meeting 109% of housing needs.
- Some representations have made comments on a flyer sent to Local Residents by the developer. This does not form part of the planning application and the flyer has not been considered as part of this planning application.
- The request for an extension of time for residents to provide consultations response has been ignored.
- Concerns about asbestos.
- Reference made to a S106 Social Housing Levy.

## 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 following key planning matters are also considered relevant:

- Principle of development
- Principle of the Development in Flood zone 3a and 2 and Wider Flood Risk Considerations
- Design considerations
- Housing Mix and Affordable Housing
- Highways Considerations
- Provision of a Suitable Residential Amenity
- Impact on Neighbouring Amenity
- Ecology and biodiversity
- Renewable Energy
- Other Considerations
- Planning Obligations/Infrastructure

### 7.2. Principle of development

#### The presumption in favour of sustainable development

- 7.2.1. Paragraph 2 of the NPPF highlights that the National Planning Policy Framework is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 7.2.2. Paragraphs 11 of the NPPF (2021) deals with the “presumption in favour of sustainable development” and sets out that:

*“For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or*

*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 7.2.3. Footnote 8 of the NPPF (2021) states that, for decision-taking on applications involving the provision of housing, assessing when policies which are most important for determining the application are out-of-date can *include* situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer). Or, where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
- 7.2.4. In relation to the Housing Delivery Test, the most recently published ‘Housing Delivery Test: 2021 measurement’ shows the Council has delivered 109% of their requirement. Well above the footnote 8 threshold of 75%.
- 7.2.5. In relation to five-year supply of deliverable housing sites, the strategic policies relating to the housing requirement are set out in the Runnymede 2030 Local Plan (2020). Whilst the Local Plan contains an average annual housing target of 500dpa, over the next 5 years, an annualised target of 672 units net housing completions is required. This takes into account the appropriate buffer and the shortfall of provision since the start of the Plan period. The Council’s position is that we have 5.82 years’ worth of deliverable housing supply, in excess of a 5 year supply required by footnote 8. This is set out in full in the “Runnymede Borough Council Five Year Housing Land Supply December 2021”, contained in Appendix 11 of the Runnymede Strategic Land Availability Assessment 2021 (published February 2022).
- 7.2.6. Therefore, Footnote 8 of the NPPF (2021) is not relevant. However, a wider assessment of the policies most important for determining the application and whether they are ‘out-of-date’ will be considered further below as required and will be assessed as part of the wider planning balance.
- 7.2.7. For the purpose of clarification, it can be confirmed that this site has been identified for 50 units in the Council’s 5yhls calculation (based on the prior approval applications). However, if the Council refused this planning application, or any other application forming part of this allocation it would not alter the Council’s position set out above in relation to it being able to demonstrate in excess of a 5yhls.

#### Principle of the Loss of Office Development

- 7.2.8. Policy IE2 regarding Strategic Employment Areas (SEA) off the Local Plan as well as the associated adopted proposals map identifies this site as forming part of the strategic employment area SA3: The Causeway and Pinetrees Business Park. This policy is clear that the change of use of land and or buildings from employment to non employment uses will be resisted in such locations.
- 7.2.9. Currently the Council’s most recent published Runnymede Employment Land Review (ELR) 2016 identifies that The Causeway South employment area “*provides premium employment land within the Borough and the wider sub-region. Its proximity to the M25,*

*Heathrow and Staines upon Thames gives the area good market visibility. The majority of office stock in this area is of high quality with three contemporary office buildings completed within the last decade...”*

- 7.2.10. The Runnymede/Spelthorne Strategic Housing Market Assessment Partial Update (2018) forecast requirements for office floor space to a range of 46,400sqm - 63,200sqm (6.8ha - 8.6ha land) over the period 2016-2030. The Council's most recent monitoring data shows in the period 2015-2021, 18,378sqm of office floorspace has been completed, some 28,022sqm short of identified need. Factoring in losses of other former B uses, total B use floorspace completed 2015-2021 is 11,744sqm, short by some 51,356sqm overall. As such, total loss of employment at this site will further exacerbate meeting identified employment needs.
- 7.2.11. The applicants have provided evidence of the marketing exercise undertaken for the site. Whilst the breadth of the marketing exercise appears to be comprehensive, with a substantial database contacted and an Estates Gazette advert placed, the length of the marketing exercise for only one month and took place at the beginning of the Covid-19 pandemic. This it is not considered a robust marketing evidence to demonstrate that the site is not appropriate for office redevelopment. Any further marketing exercise at this stage would be perfunctory given the sites being acquired by Stonegate Homes.
- 7.2.12. Wider arguments put forward by the applicants including that there is no realistic prospect of employment use at the site; the site being surrounded by residential properties restricts the nature of employment uses which could come forward in the future and that the prior approval applications establishes the loss of employment use.
- 7.2.13. The site benefits from prior approval under national legislation to convert the existing office floor space into residential. This is a strong material consideration. It is difficult to substantiate an objection to “resist” the loss of this employment floor when the applicants, could currently and in any case, convert the existing buildings on site to residential accommodation without the need for planning permission. Accordingly, and whilst the local plan seeks to resist the loss employment generating uses of SEA, there are material circumstances which demonstrate that the harm regarding the change of use and effective loss of office floor space on this site would be limited.

7.3. Principle of the proposed residential redevelopment of the site

- 7.3.1. The site is located within the urban area of Runnymede. Whilst not a town centre location (and this is discussed further below) it is in a generally mixed-use area with residential roads both to the east and west of the application site. The Causeway does benefit from local amenities including a large food store and within walking distance of Staines Town Centre. There are also local bus routes which pass the site. Therefore, and subject to the acceptance of the loss of office floor space for reasons as set out above, the principle of bringing forward this site for residential use is considered acceptable. However, this is subject to wide considerations as detailed below including development in flood zone 3a and ensuring a high-quality residential scheme is delivered.

7.4. **Principle of the Development in Flood zone 3a and 2 and Wider Flood Risk Considerations**

Sequential Test

- 7.4.1. The pond/lake is located in Flood Zone 3B (functional floodplain). Much of the wider site falls within Flood Zone 3A, with the exception of the northern edge of the side (where

building V3 and V4 are located) being in Flood Zone 2. The site is not allocated for residential development and as such the NPPF (2021) and its associated guidance is clear that the sequential test is required. This is for the Local Planning Authority to assess. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The area of search is considered to be Borough wide.

- 7.4.2. The applicants Sequential Test is contained in Appendix 2 of their Planning Statement and looks at sites in the Borough which can accommodate 218- 328 units (i.e. a variation factor of +/- 20%). At the time of preparing the planning statement the Council were still updating the Strategic Housing Land Availability Assessment (SHLAA) (2021) and as such the applicants utilised the 2018 SHLAA and Brownfield Register (2017). It should be noted that the sequential test directs an assessment from all sources of flooding. It would appear that the planning agent's assessment has only looked at sites with lower levels of fluvial flooding and has not considered that their own Flood Risk also identifies low to medium risk of Surface Water/Pluvial flooding and other source of flooding. However, this may not yield a different outcome as the Council is not directing residential development to flood zone 3A irrespective of if there are other potential sources of flooding.
- 7.4.3. The applicants have looked at alternative sites and have discounted them because they are either too small to accommodate the number of units proposed and/or they are in different ownership and thus other parties are pursuing the redevelopment of those site.
- 7.4.4. Whether or not the applicants utilised the SHLAA 2018 or the 2021 is unlikely to yield a different outcome to this sequential test. Nor if they look at further sites which have less site area in flood zone 3a then this site. The reason being is that Runnymede are taking forward development in the Borough in a plan lead approach, directing residential development to lower areas of flooding. This means the Council are working with developers in such areas to bring forward such development through site allocations in our up to date Plan. The adopted Local Plan has allocated sufficient sites in the forthcoming years to meet need, and as part of this is working with site owners/ developers to bring forward these sites. Therefore, most of these larger site allocation will not be "available".
- 7.4.5. Furthermore, Runnymede is a small Borough and whilst there are some sizable site allocations contained in the Local Plan, were a sequential test only focuses on singular sites to accommodate the development, there are only 4 of these for 218+ units, all of which are deliverable and currently being brought forward by separate landowners. Although it is noted that the applicants have not confirmed if they have contacted these respective site owners to see if they are able to progress their proposal on these sites. Where the sequential test is only to apply to sites of a comparable size and number of units proposed then, subject to some points of clarification, the applicants may be able to pass the sequential test. This is likely the case for their confined search parameters, which include 272 (+/- 20%) dwellings on this site. However for clear design reasons set out below, Officers do not even believe that this site can be successfully accommodated this number of units.
- 7.4.6. The number of units which the applicants sequential test has utilised, therefore limits the number of alternative sites available in Runnymede. The NPPG which supports the NPPF (2021) was updated in August 2022 and sets out that 'Reasonably available sites' are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development. It



clarifies that these could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'. It is not considered that the submission by the applicant has addressed these points as it has discounted sites simply because they are different ownership and has not looked at if a series of small sites would be capable of accommodating the proposed development. Accordingly, it is not considered that the applicants submission demonstrates that this proposal passes the sequential test.

#### Exceptions Test

- 7.4.7. The NPPF (2021) and the PPG are clear that it is only after a site passes the sequential test it is then necessary to demonstrate that the Exceptions Test is past. The officer assessment has set out above that they do not consider the sequential test has been passed. This should be the end of the assessment. However, the NPPG which supports the NPPF, has recently been updated also sets out, under the section regarding how Local Planning Authority's decide whether an application passes the Sequential Test states in Paragraph: 029 that:

*"Ultimately the local planning authority needs to be satisfied in all cases that the proposed development would be safe throughout its lifetime and not lead to increased flood risk elsewhere."*

Only such a robust assessment on flood risk can only be undertaken by considering if the proposal complies with the exceptions test and any other wider flooding considerations. Therefore, and for the avoidance of doubt and in the event of an Appeal situation the following assessment has been undertaken.

- 7.4.8. The Exceptions Test requires the following:

The development would provide wider sustainability benefits to the community that outweigh the flood risk; and

the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Each part of the Exceptions Test must be met and are considered below:

- *The development would provide wider sustainability benefits to the community that outweigh the flood risk*

- 7.4.9. The applicant's justification for their position on the Exceptions Test is also contained in Appendix 2 of their Planning Statement. They contend that the wider sustainability benefits to the community including increasing the provision of new market housing in the borough and that this proposal would contribute to meeting an identified need, create jobs and associated benefits that are normally attributable to new housing. The applicants also claim that the NPPF (2021) identifies that there are three objectives to sustainability separated into economic, social and environmental and that this proposal will provide sustainability benefits responding to each objectives. The applicants Exceptions Test directs the reader to refer to the wider planning statement, although no specific part of the document is referenced. It is however noted that Paragraph 7.134 of the applicants planning statement sets out how they consider the proposed development meets the objectives of the NPPF.

- 7.4.10. Whilst the applicant's assessment is noted, the NPPG advises that Local Planning

Authority's need to set their own criteria for the assessment on "*wider sustainability benefits to the community*". The NPPG sets out that this should have regard to the objectives in the Sustainability Appraisal framework. The Council's Strategic Flood Risk Assessment (SFRA) (2018) sets out that in order to assess whether part 1 of the Exception Test can be passed, applicants should assess their scheme against the relevant decision aiding criteria relating to the objectives within the Sustainability Appraisal (SA) Framework for the Local Plan. In July 2022 the Council prepared an updated Sustainability Appraisal Scoping Report, section 15 of this document sets out the sustainability framework and updates the 11 objectives and associated decision aiding criteria. This is set out and assessed in **Appendix 1- Table 3**.

7.4.11. In summary of Appendix 1, the Council's Sustainability Appraisal sets out 11 objectives that form the assessment of sustainability benefits to the community. The assessment contained in Table 3 identifies that the proposed development meets a number of the objectives, including;

- Biodiversity- this proposal would avoid impact on protected habitats and would provide biodiversity net gains.
  - Soil and mineral resources- The scheme will make efficient use of previously developed land and would be expected to meet the relevant contaminated land requirement.
  - Improvements to water quality and efficiency- the development will minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures.
  - Reduce air and noise pollution- Whilst the proposed development does not directly seek to minimise exposure to poor air quality, given the proposed development would result in less vehicle movements than the existing office use it is not considered to add to such issues
  - Greenhouse gases, and sustainable construction and community infrastructure- The proposed development would meet policy objectives regarding the energy hierarchy and will increase renewable/low carbon energy generation.
- *The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall*

7.4.12. The second part of the Exceptions Test seeks to ensure that the proposed development does not result in increased flood risk. In terms of potential sources of flood risk, it is not considered that the site would be affected by tidal flooding, there is no likely flooding from artificial sources (such as reservoirs) and the area only shows a small number of sewer flooding. Accordingly, the focus of the assessment has been on the following:

- Fluvial flooding- the majority of the site being located in Flood Zone 3a and having a high probability of flooding.
- Surface Water/Pluvial- part of the site including the area of the proposed town houses being located in an area of 'Medium' risk (layout it is noted much of the wider site is in a lower probability location)
- Ground water flooding- The majority of the site is not located within an area that is potentially susceptible to groundwater flooding/emergence within the Council's Strategic Flood Risk assessment. Groundwater levels are less than 2m below the ground surface and the on-site lake is in continuity with the underlying groundwater table. However, with reference to a number of concerns from local residents there have been previous flood events in the local area. The FRA submitted in support for the planning application by the applicants set out that during January and February 2014, a significant River Thames flood event

occurred affecting several areas adjacent to the River Thames including the local streets adjacent to the site which are lower lying than this site. It is understood that this site was not flooded due to having a higher ground level. The FRA sets out that the on-site pond/ lake appears to have hydraulic continuity with groundwater. Therefore, when local groundwater levels increase, the lake level will also rise and conversely if the lake levels are lowered by pumping this will reflect in the local floodplain as a lowering of the groundwater. The Council's Strategic Flood Risk Assessment also identifies that it is likely that local groundwater is influenced by the water levels in the River Thames.

- 7.4.13. The Council's SFRA sets out certain measures to assess whether part 2 of the Exception Test can be passed, the following, these are taken in turn:
- 7.4.14. *Flood compensation storage and the use of voids*- the majority of the site, excluding the existing buildings on the site and a strip of land on the northern boundary are within flood zone 3a or the 1 in 100 annual probability +35% allowance for climate change floodplain. Therefore, any additional footprint or land raising on the site would require floodplain compensatory storage. Compensatory storage is required for any net increase in built development footprint arising from development.
- 7.4.15. The NPPG is clear that where flood storage from any source of flooding is to be lost as a result of development, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided. Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. The applicants set out that in the submission that as the area of land outside of the 1 in 100 annual probability +35% allowance for climate change flood extent is very limited, therefore it would not be possible to provide a full 'level for level' flood compensation scheme such that the losses are compensated by gains at the same level.
- 7.4.16. In order to provide the necessary flood plain storage, the applicants are proposing that all of the proposed buildings would be provided with floodable underfloor voids. They set out that as the detailed structural design has not yet been undertaken, but for the purposes of estimating the flood storage losses and gains an allowance of +15% of the ground floor footprint has been assumed for supporting structures. In addition, external ground levels will change from existing to provide safe escape, vehicle access, open space and landscape areas. The proposed net change in flood storage within the FRA assumes a combination of demolition, new build footprint with underfloor voids and changes to ground level. The applicants Flood Risk Assessment also sets out that to compensate for the net deficit in flood storage after other mitigation measures, it is proposed to create additional capacity on the site by extending the western part of the lake (between proposed buildings V5 and V7) to provide additional floodplain storage. Whilst initial site plans of this were provided as part of the initial submitted FRA, sections were only provided as part of the most recent submission for additional information dated 29.09.2022.
- 7.4.17. The NPPG states that whilst the use of stilts and voids below buildings may be an appropriate approach to mitigating flood risk to the buildings themselves, such techniques should not normally be relied upon for compensating for any loss of floodplain storage. This position is supported by the Council's SFRA. However, the Environment Agency initially objected on 23.03.2022 to this planning application, part of this objection is in regards to the approach to flood compensation storage. The Environment Agency considered that the use of floodable voids as a primary design response to flood storage

mitigation is not the preferred option. However, given the extent of flooding expected across the site, they were willing to accept it on this occasion. Nonetheless, the Environment Agency considered the details and technical evidence and plans to support this approach were insufficient. The applicants provided further additional information in this regard, including further details of the underfloor voids and the applicants updated the proposed plans of the building accordingly. However further to this the Environment Agency, in their response dated 09.09.2022 maintained their objection. The applicants have submitted further additional information to address this matter. We are still awaiting a response from the EA on this matter. Members will be verbally updated at the planning committee.

- 7.4.18. *Finished floor levels*- The SFRA advises that the ground floor levels of new development should be set at a minimum of 300mm above the design flood level +35% allowance for climate change flood level which is at 15.97m AOD It is proposed to set the finished floor level of the proposed buildings at 16.00m AOD which the applicants submission sets out provides a 330mm freeboard above the reference flood level and exceeds the above requirements. The proposed development also results in part of building V5 being set on piers over the lake, which is the same model as the current building on site.
- 7.4.19. *Flood resistance and resilience techniques*- Flood resistance techniques help to reduce the amount of water that gets inside a property in the first place. Flood resilience techniques help to reduce damage caused by any water that gets inside the property. Matters regarding the use of voids and finish floor levels as discussed above form part of the flood resistance technique.
- 7.4.20. Flood resilience measures (also referred to as recoverability measures, or wet-proofing), accept that water will enter the building, but through careful design and changes to the construction will minimise damage and allow faster cleaning, drying, repairing and re-occupancy of the building after a flood. It is not evident that the applicants have submitted any details of this as part of this planning application, the details submitted as part of the FRA seeks to focus on resistance techniques, i.e., to avoid water entering proposed new buildings. Nonetheless both are a requirement of the above policies. Were this scheme otherwise recommended for approval officers would have endeavoured to engage with the applicant to resolve this matter.
- 7.4.21. *Safe access and egress*- Safe access routes should be provided that are located above design flood levels and avoid flow paths. Where this is not possible, the NPPF accepts that limited depths of flooding may be acceptable, provided that the proposed access is designed with appropriate signage etc. to make it safe. The acceptable flood depth for safe access will vary depending on flood velocities and the risk of debris within the flood water. Officers offer a cautious approach in this regard, as directed by the NPPF, as even low levels of flooding can pose a risk.
- 7.4.22. The FRA refers to details submitted as part of previous prior approval applications, details of which were not submitted as part of this planning application and relate to the separate conversion of each separate offices to residential on this site. These previous prior approval applications identifies that The Causeway itself to the north of the site provides a safe route of escape in the area, heading east to Staines Bridge and then north into Staines Town Centre. Officers acknowledge that this position has been agreed as part of these previous prior approval applications. The FRA further recognises that the three existing office buildings are located at the higher areas at the front of the site near The Causeway and that this proposed development will include residential units in the south-western corner of the site which has lower ground levels than the front of the site. Further

consideration of the safe escape route within the site is therefore required.

- 7.4.23. The scheme proposes a route in and away from the site will be provided which will be set at a minimum of 15.50m AOD. At this level the route would be dry during the present day 1 in 100 (1.0%) annual probability flood event and during the 1 in 100 annual probability +35% allowance for climate change flood event, the maximum flood depth along this route would be 170mm which would be 'Very Low Hazard'. Were this planning application approved full details of this should be secured by way of conditions.
- 7.4.24. *Emergency Planning-* One of the considerations to ensure that any new development is safe, including where there is a residual risk of flooding, is whether adequate flood warnings would be available to people using the development. An emergency plan will be needed wherever emergency flood response is an important component of making a development safe. The above safe access and egress forms a clear part of this.
- 7.4.25. The site is located within the EA's Flood Warning and Flood Alert areas. The FRA sets out that it is "recommended" that the future site occupiers sign up for this free service. Were this planning application approved then an updated Flood Warning Evacuation Plan to reflect the safe escape route for the proposed development would need to be provided instead of simply referring to a document approved for a different type of a development and a different part of a wider site.
- 7.4.26. *Surface water flood risk management, techniques and Sustainable Drainage-* In accordance with The Flood and Water Management Act 2010, the Surrey County Council, in its role as Lead Local Flood Authority (LLFA), is a statutory consultee for all major applications. Paragraph 169 of NPPF (2021) states that all 'major' planning applications must incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development. The site currently, with the exception of the lake is largely laid to hardstanding/ developed. Currently surface water runoff from the existing impermeable areas at the site either directly infiltrates to ground via soakaways or via an outfall to the on-site lake and percolates through the lakebed to the underlying gravels. The Surface Water drainage strategy set out by the applicants, contained the Flood Risk Assessment prepared by Stantec proposes to continue to this arrangement.
- 7.4.27. The applicants FRA further sets out that the majority of the site will consist of permeable surfacing with an underlying sub-base with infiltration to ground. Roof areas will either drain to the sub-base beneath these areas or to the existing surface water drainage pipe networks. The main access road will be impermeable and will drain to the existing drainage system or onto the adjacent permeable car parking spaces. Overflow pipes will be included which will transfer runoff during more extreme events to the onsite lake. The existing surface water drainage outfalls to the lake will be retained.
- 7.4.28. The initial response from the LLFA raised queries regarding this approach and that the intrusive ground investigations mentioned within the submitted Flood Risk Assessment by Stantec, had not been evidenced. The LLFA requested that the results of infiltration testing and confirmation of groundwater levels be submitted, as well as how the existing lake will be used as an infiltration basin.
- 7.4.29. In response to this Stantec, the applicants Flood Risk consultants have provided further details in a letter dated 11th February 2022 which clarified the various matters raised. Further to this the LLFA have confirmed that the proposed drainage scheme meets the requirements set out in the requirements of the NPPF, its accompanying PPG and the

Non-Statutory Technical Standards for sustainable drainage systems (subject to conditions). On this basis it considered that the proposed development would provide suitable urban drainage in line with current standards

#### Flood protection and mitigation

- 7.4.30. Irrespective of the need to pass the sequential and exceptions test Policy EE13 of the Local Plan requires new development to not materially: Impede the flow of flood water; reduce the capacity of the floodplain to store water; cause new, or exacerbate existing flooding problems, either on the proposed development site or elsewhere.
- 7.4.31. In addition, the NPPF (2021) requires that development should only be allowed in areas at risk of flooding where; the most vulnerable development is located in areas of lowest flood risk within the site; is appropriately flood resistant and resilient; incorporates sustainable drainage systems, any residual risk can be safely managed and safe access and escape routes are included where appropriate.
- 7.4.32. In terms of the most vulnerable development being located in areas of lowest flood risk within the site. The highest risk of flooding in the site would be the pond/ lake so arguable the scheme meets this requirement. All other flooding matters have been considered above as part of the Exceptions Test

#### Conclusions regarding development in Flood zone 3a and 2 and Wider Flood Risk Considerations

- 7.4.33. For reasons set out above it is not considered that the proposed development robustly demonstrates that there are no other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The proposed development therefore does not pass the Sequential Test.
- 7.4.34. In terms of the Exceptions Test, the NPPG sets out that identified sustainability benefits need to be balanced against any associated flood risks. It is not considered that the proposed development has demonstrated that the proposal would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.4.35. There remains an outstanding objection from the Environmental Agency as the statutory consultees on flood risk and the technical details associated with the applicant's flood storage compensation. No flood resilience techniques have been proposed as part of this applicant. As it stands it is not considered that the proposed development passes the Exceptions Test.
- 7.4.36. Overall and as required by Local Plan policies, the NPPF (2021) and its associated guidance it is not considered that there are no other reasonably available sites appropriate for the proposed development, in areas with a lower risk of flooding nor that the proposed development would be safe throughout its lifetime and would not lead to increased flood risk elsewhere. This is considered to result in substantial harm. This will be considered further below as part of the wide planning balance.

#### **7.5. Design considerations**

- 7.5.1. Policy EE1 sets out that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land. In particular development proposals will be supported where they:
- Create attractive and resilient places which make a positive contribution to the

- Borough's townscape, public realm and/or landscape setting.
  - Create developments which promote social interaction and design out crime
  - Contribute to and enhance the quality of the public realm/ and/or landscape setting through high quality and inclusive hard and soft landscaping schemes.
- 7.5.2. The NPPF (2021) sets out that there is a clear focus that proposed developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. The NPPF (2021) sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 7.5.3. In addition, the NPPF (2021) requires development to function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. As part of this development should ensure that it is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). Development should also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
- 7.5.4. The above policy framework and other material considerations as a whole are clear that a housing redevelopment should be design led to optimise a site's capacity, have regard for the character of the area and create high quality, beautiful places.
- 7.5.5. The character of this part of Borough is currently that of a suburban approach to and edge of town centre location with a mix of uses, generally low-rise with some examples of medium-rise commercial buildings along The Causeway. The area lacks a clear definition but is largely character by two forms of development
- 7.5.6. The first is the tightly grained more 'urban neighbourhood' form of streets, mainly found in the adjoining residential development (although it also includes some commercial buildings). This has a generally positive character and successful qualities. It is a more traditional form of streets which provides active and well supervised edges, a clear relationship between the buildings and the street with a graduation of public to private spaces between them. The scale of built form is modest.
- 7.5.7. The second character is large buildings set in 'landscape', in this space that is predominantly car parking. These are more reflected in the commercial uses and do not create a positive character. This is because buildings have little or no relationship with the street because either they are too far from it or set close but with blank frontages; the landscape lacks quality and coherence; spaces are dominated by parking; and the built form has little consistency or coherence.
- 7.5.8. These character areas are also well articulated in the applicant's Design and Access statement. However, the design approach for the proposed development is not clearly expressed as it seeks to provide an urban neighbourhood' form of street along The Causeway frontage, as well as large pavilion blocks around the lake.
- 7.5.9. In principle, the creation of an 'urban' street frontage on The Causeway offers the opportunity to integrate the existing pockets of residential together, although not necessarily with development of exactly the same scale or form as at present. However, the proposed street frontage does not share the key positive characteristics of the

residential street frontages onto The Causeway.

- 7.5.10. Behind the street frontage, pavilion blocks in landscape in the form of around the lake has the potential to be appropriate, provided that it is high quality and positive in its character. However, the current proposals for the built areas of the site result in a public realm that is dominated by car parking, and generally with insufficient soft landscape for the proposals to achieve a character of buildings set in landscape. There is little coherence of building forms, scale and massing and it is not clear what the overall design intent is for the built form in this part of the site. The proposals include a number of tall buildings (over 20m) within the interior of the site, with no rationale for their siting in this location, apart from the potential arguments that such buildings are positioned away from site boundaries. This does not form a credible design led strategy for a response to built form this location
- 7.5.11. Overall, the proposal lacks a clear concept that is followed through in the detailed design, to demonstrate the creation of a well-designed beautiful place which would have a positive character and is appropriate to the wider context as required by the above policies. This is discussed in further detail below:

#### Proposed Layout

- 7.5.12. The existing building line along the southern edge of The Causeway is fragmented, due to the mix of uses, with many buildings<sup>7</sup> being set-back, often behind frontage car parking. Immediately east and west of the site there are short stretches of small-scale residential units. When considering these residential units in isolation, the building line varies: from a short stretch of continuous frontage to the west to a varied building line that steps back from the street to the east. The building line to the east varies between approximately 12 and 5m from the pavement edge, with units set behind front gardens and/or driveways. The residential units to the west of the site are set back approximately 3.5m from the pavement edge, and provide an active edge along The Causeway, with front doors and living spaces on the street frontage.
- 7.5.13. Along both sides of the Causeway there are pavements of approximately 3m width, creating a reasonable pedestrian environment considering the lack of frontage/surveillance in places, and the volume of traffic that uses the Causeway, including industrial traffic utilising the units within the vicinity of the site.
- 7.5.14. The proposed layout has the ability to create a street frontage with buildings defining the street and could help to knit together the character of this part of The Causeway. However, the proposed development is not successful at achieving this as the design is car orientated and fails to consider how people will move through site in terms of walking/cycling. Entrances to buildings from the interior of the site do not create active edges onto The Causeway. There are no street entrances, only access to plant rooms where entrances might be expected on the elevations. There are no entrances from the small pedestrian spaces created between the pairs of blocks, and no front doors to ground floor units from The Causeway. This is prevalent across this whole proposed development, where the proposed internal layout of the buildings at ground floor results in all new pedestrian/ cycle routes through the site being framed either side by inactive frontages with bin/bike stores and plant rooms. This undermines any approach in creating a new neighbourhood.
- 7.5.15. A key point and example of this is the proposed vehicular route that runs north-south past the proposed townhouses, due to the car-dominated environment it is likely to create. This street it is lined on both edges by a significant amount of parking and framed to the east by a single storey bin and cycle storey and long stretches of inactive frontages



afforded by the bin, bike and plant stores within the ground floor layouts of these blocks along this edge. The refuse/cycle store is not represented on the CGIs and sketches provided, in the Design and Access Statement where an open route through the blocks towards the lake is suggested. The significant area of hardstanding creates an undesirable and unsuitable environment for the townhouses which are proposed to the west.

- 7.5.16. The proposal comprises a range of block typologies where buildings are irregular in shape, which the Design and Access statement suggests is to contrast with the cubic nature of the surrounding industrial and commercial buildings. However, it also contrasts with the surrounding residential areas and therefore fails to have any regard for the character of the area. Moreover some (but not all) of the buildings are pavilions, whereas others are linear in form. Blocks 'V6', 'V5', 'V7' and 'V8' are all set around the lake, reading as a series of different objects but there is no clear design concept or order underpinning their layout and arrangement. Blocks 'V6' and 'V10' appear like add ons, pushed into the corner of the site.
- 7.5.17. One of the key assets within the site is the lake, however, aside from the position of the buildings around the water's edge to maximise views from the blocks immediately surrounding it, there is a lost opportunity to draw this landscape character through the site and create a strong sense of place. The public realm of the current proposals is dominated by the proposed car parking, cycle parking and refuse stores and there is little communal amenity space. The current layout does not successfully demonstrate that the proposed degree of intensification will create a well-designed place. This is discussed further below in the landscaping section.

#### *Proposed form and scale*

- 7.5.18. All of the buildings within the vicinity of the site are predominantly between 2-3 storeys in height, with some buildings of 4 commercial storeys generally located towards the western end of the street (Future Electronics) and within Pinetrees Business Park (to the east). The mix of uses within the area affords a variation in scale and massing, from small scale terraced housing to large scale commercial warehouses.
- 7.5.19. For context, Burgan House, the large office building to the northeast, across the road from the application site fronting The Causeway is some 4 storeys and up to 16m in height. Further to the west the office building adjacent (to the front of the water works) is 4 storeys and circa 14.9m in height.
- 7.5.20. The proposed buildings have been structured to rise towards the middle of the site and step down towards the edges of the site (east and west). It is unclear how this forms parts of a positive credible design led approach to development. In any event, the application describes the height changes as 'gradual'. There are minimal changes in height for each step (1 storey at a time) and the steps in height are proposed over a very short distance, which reduces the effect of the volume receding. The massing of the buildings, including the large massing of the building proposed where the former Lakeside West was located (boiling V5), compound this issue further due to the dominance of the sloping roofscape on a bulky building, particularly when viewed from the east and from within the site.
- 7.5.21. Blocks 'V6', 'V5', 'V7' and 'V8' are all taller blocks (at 6+ storeys) of different forms but with no clear ordering in terms of hierarchy or coherence. Block 'V5' seems intended to be a focal point that is distinct in form and design. However, Block 'V6' also seems intended to be a focal point closing the view from the street, and Block 'V7' is the tallest building on site, so also potentially a focal building. As such, the lack of clear design led strategy in terms of the block layouts and positioning is only exacerbated by the built form

and lack of a clear design strategy.

- 7.5.22. The scale of development fronting onto the Causeway, generally at 3-5 storeys, which largely appears to be of an appropriate scale to respond to the street space. The Design and Access Statement states that the massing of the buildings step down to the eastern and western boundaries. dimensional of the site to relate to its surrounding context in terms of scale. However, the massing and scale of block V1 – V4 is complex and results in the massing and scale appearing awkward due to the many relatively small steps in massing and set-backs at the upper levels. The resulting effect is more to draw attention to the complexity of the form, rather than to reduce the apparent scale of the development. The end result being a visually dominant and overbearing form of development.
- 7.5.23. The DAS states that the 2 storey town houses are proposed to respect the scale of existing homes on New Road. However, this arrangement introduces an uncomfortable jump in scale within the site boundary, between the 2 storey townhouses and the eight storey blocks on the eastern edge of the street and appear to be pushed in the south corner of the site.

#### Proposed approach to architecture

- 7.5.24. Within the wider character of the area, there is a prevalence of facing brickwork with some light-coloured rendering on the residential units within the immediate context of the site, as can be seen along The Causeway, New Road, Claremont and Chandos Road. The materiality along the remainder of the Causeway is varied, with materials typical of commercial and industrial buildings including cladding panels, rendering and glass.
- 7.5.25. The proposed buildings adopt a colour palette that is stated to have been drawn from the former marshland character of the site, with the use of some facing brickwork that relates to the materiality of the existing residential units within the vicinity of the site.
- 7.5.26. The colour palette selected comprises greens and browns amongst more neutral tones. The quantum of green zinc used for the facades of some of the blocks (for example Block 'V5') makes this colour dominating. The proportion of brick to zinc cladding is not always comfortable in the street views, for instance on the flank wall of Block 'V2' or on the north elevation of Block 'V3'. This approach to materiality only highlights and pronounces the irregular and complex roof forms of the proposed buildings.
- 7.5.27. The appearance of the town houses within the scheme makes some nods to the surrounding context for example through the use of bay windows. The primary material used on the facades of the proposed buildings is grey brick with hints of green zinc. The effect is to make the row of 10 houses appear monotonous in comparison to the shades of brickwork and detailing on the surrounding homes along New Road, Chandos Road and Claremont Road.

#### Proposed landscaping and provision of open space

- 7.5.28. Currently the Causeway has scattered vegetation, with no regularity or distinctive character. A continuous hedge screens the plot to the north-west of the site, with otherwise limited tree planting along the length of the road. A grass verge runs along the northern boundary of the existing site, creating separation between the pavement and the railings that enclose the commercial buildings located on site at present.
- 7.5.29. The residential units immediately adjacent to the site that overlook The Causeway have well-defined private space on their frontages, delineated from the street through the use

of low fences, railings or boundary vegetation. The depth of the private space varies, and it often comprises planting or grassed areas which soften the streetscape, in contrast to the hard landscapes of the surrounding commercial and industrial units.

- 7.5.30. The design concept for the scheme suggests that the view from The Causeway to the lake is a key principle. However, this is not clearly carried through on the layout plans, where a proposed building sits in the view line. Together with the tree planting along the western edge of the access, this creates a filtered view that is revealed only from within the site, rather than being visible from the street.
- 7.5.31. Instead, the scheme's landscaping strategy is dominated and defined by long stretches of car parking within wide streets that could otherwise be used as amenity space, or attractive streetscapes. The lack of landscape or other visual break within the rows of spaces compounds the visual dominance of parking further. Ultimately the inability to provide the required car parking in high quality public or private spaces is a demonstration that the proposal is seeking to accommodate too many residential units.
- 7.5.32. It is also noted that one of the key landscape benefits of this proposal advocated by the applicant's submission is improving access to the pond/lake and creating improved access to this location through the provision of defined trails, bridges and pontoons. During the consideration of the planning application, the Common Toad Impact Assessment seeks to restrict access through closing gates to the pond/lake from the south and eastern route through the woodland, including onto the pontoons and bridge area during mid-June- August. This would mean that one of the core landscape areas would be closed during summer months when residents would most likely wish to utilise this part of the site. This is not a practical solution and ultimately the ecological constraints should have been used to inform the approach to landscaping as opposed to this add on gated access which would fundamentally undermine the initial landscaping strategy proposed by the applicants. This shortfall is simply another example of how this proposal is not landscape led.

#### Design Conclusions

- 7.5.33. Overall, there are substantial concerns regarding the proposed design strategy (or lack thereof) from the proposed development. It is not considered that this proposed development responds to the local context and would not achieve high quality and inclusive design. The proposed development would not create an attractive place and would not positively deliver a high-quality public realm and/or landscape setting.

#### **7.6. Housing Mix and Affordable Housing**

##### Housing Mix

- 7.6.1. Policy SL19 deals with Housing Mix and Size Requirements. This sets out that developments of this size will be required to contribute to meeting the Housing Market Area's identified housing needs by generally providing a housing mix as set out in the Strategic Housing Market Assessment or any similar evidence for market and affordable units. The SHMA (2018) sets out that there is a general requirement across the borough largely for three bedroom units, and then two bedroom units.
- 7.6.2. The proposed housing mix of the scheme as a whole (including affordable housing units) is set out above in the proposed description of development, **Table 1** and is primary one and two bedroom units.
- 7.6.3. Additional information was submitted as part of this planning application, in a Cover Letter dated 5.05.2022, Montau Evans the applicant's planning agent, acknowledged that the

provision of units is weighted towards one- and two-bedroom units. However, they highlight that the proposal would deliver x10 town houses alongside a number of three-bedroom duplex units within the flatted accommodation blocks. The applicant contends that this variation in both unit size and typology seeks to ensure a mixed and balanced community is created on the site.

- 7.6.4. However, it still remains that the proposed development would result in an over concentration of one and two bedroom units which is not aligned with the needs of the Borough and the requirements of the above policy. Policy SL19 is clear that that development proposals which depart significantly from the required mix of housing will only be supported where evidence demonstrates that such a mix would not be feasible or viable. The applicants have not provided any robust evidence in line with policy SL19 to demonstrate why the site cannot meet the requirements of development plan policy and why an over concentration of one-bedroom units is proposed. The proposed development is therefore contrary to policy SL19. That being said, Officers also recognise that there is a need to make “efficient use of land” and notwithstanding the wider objections regarding the proposed approach to design and the overdevelopment of the site, the application site is within a fairly sustainable, mixed use area. Therefore, given the sites location the harm associated with the over concentration of one bedroom units is considered to be limited.

#### Adaptable dwellings

- 7.6.5. With regards to the provision of adaptable dwellings. Policy SD7 of the Local Plan regarding Sustainable Design states that unless it can be demonstrated that it is unfeasible to do so, in major residential schemes, achieve compliance with Part M4(2) of the Building Regulations with 5% of dwellings achieving Part M4(3).
- 7.6.6. The applicant planning statement sets out that the scheme proposes the delivery of 15 wheelchair units which comply with Part M4(3) and claims that this would exceeds the policy requirement of 5% of dwellings achieving Part M4(3). The planning statement advises that the remainder of the units will be brought forward in compliance with Part M4(2) of the Building Regulations. However, based on the scheme summery contained in the Design and Access Statement only 13 would be wheelchair accessible (x12 one bedroom and x1 two bedroom units). The proposed plans appear to accord with the Design and Access Statement. This would work out at just under 5% (4.7%). However, there is opportunity for there to be a further wheelchair adaptable unit to be provided on the sixth floor plan of building V7 (the Design and Access Statement sets out the there is only x1 wheelchair accessible unit on the fifth floor and both floors are identical). Were this scheme otherwise recommended for approval officer would have clarified this matter further.

#### Affordable Housing

- 7.6.7. In terms of affordable housing policy SL20 of the Local Plan which sets out that the Council will expect development proposals of 10 or more (net) additional dwellings to provide 35% of dwellings as affordable units. In seeking affordable housing provision, the Council will have regard to scheme viability and take a negotiated approach to the final percentage of affordable housing delivered and the type and tenure split of affordable units. Where viability evidence demonstrates that the full amount of affordable housing cannot be delivered the Council will negotiate a level of on-site affordable housing that can be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received.
- 7.6.8. The Applicant initially proposed to deliver a total of 28 residential units as affordable

housing including 21 units allocated for Affordable Rent and 7 units allocated for Intermediate tenure. This would equate to 10% of total proposed dwellings with a tenure mix of 75% Affordable Rent and 25% Intermediate. This would fall well below the requirements of the above policy in terms of the viability of this scheme. As part of the initial submission associated with this planning application a Financial Viability Assessment was submitted to justify, in viability terms, the proposed level of affordable housing.

- 7.6.9. In accordance with the justification for policy SL20 the Local Planning Authority have taken an 'open book' approach to negotiation and have required the viability assessments to be scrutinised by independent consultants at cost to the developer. The FVA has been critically reviewed by an independent viability assessor. A key component of such an assessment is the land value for the site. This is not based on actual land price purchase (to ensure that affordable housing requirements are not prejudiced if a developer has paid too much for a site) but are typically established through an assessment of what the existing use value of the land is plus a premium for the landowner. This premium is usually defined as being the minimum return at which it is considered a reasonable landowner would be willing to sell their land. This is all set out in the Council's adopted SPD on Affordable housing.
- 7.6.10. However, in some instances the alternative use value (AUV) is a different and appropriate way to establish the value of land. In the case of this site, there is an alternative scheme, where the existing offices could be converted to residential use without the need for planning permission or any affordable housing provisions. The independent viability consultants have reviewed a number of the assumptions made within the FVA and whilst some of these are considered to be with an acceptable range there were a number of points which were queried. This largely relates to the assumed values of assessing this proposed development against the "alternative use value" of the office buildings on site being converted into residential and also the assumed building rates (i.e., the cost of constructing the proposed development). Minor changes to these assumptions translate into significant differences in viability outcomes and no suitable justification was provided by the applicants regarding the build cost rates. Accordingly, the applicants were invited to submit further information to justify a number of these assumptions, particularly a proposed cost plan which would set out in full the build cost associated with the proposed development.
- 7.6.11. Further to this the applicants have submitted a Cost Estimates for the proposed development prepared by Collabor8 Construction Consultants. This estimates that the total construction cost of the proposed development would be £56,543,986 (which would exclude inflation as viability assessments need to be done at today's rates). This has been reviewed by an independent surveyor who has advised that the base build costs of the proposed development are reasonable although towards upper end (i.e., assumes it would be a high end build), whereas the indicative costs for the permitted development scheme are towards the more middle range of developments.
- 7.6.12. This is a difficulty with this viability assessment is comparing one scheme with another (hypothetical) scheme and how the relative assumptions between the two are taken into account. Changing assumptions for one scheme usually means changes in the same/similar assumptions for the other scheme. The potential sales values are one of the key matters which remain in dispute. In response to this the applicants have proposed, without prejudice to their position, to increase their affordable housing offer from its current provision of 28 homes to 34 homes (reflecting an increase of 6 affordable homes). These 34 units are to be the entirety of Blocks 2 and 4 and reflect an increased affordable

housing provision of 12.5% of total proposed dwellings.

- 7.6.13. Having regard for the fact that affordable housing viability is not an exact science, the addition of the 6 affordable homes is considered to move the discussion forward and ultimately would provide an affordable housing provision within the value of range of what viability evidence indicates. On this basis this overall provision is considered to be within the range of what this site can viably achieve.
- 7.6.14. In terms of the affordable housing tenure mix it is unclear what this provision would be. The viability evidence submitted by Montagu Evans sets out that this would be blocks 2 and 4, it is assumed that this relates to block V2 and V4 respectively would therefore provide a total of x19 one bed, x13 two bedroom and x2 three bedroom unit. Were this planning application recommended for approval Officers would have engaged with the applicants to agree tenure mix and nominal rights for tenants. This should comprise 25% First Homes, 53% social/ affordable rent and 22% other forms of affordable housing such as shared ownership.

## 7.7. **Highways Considerations**

### Sustainable transport/ highways capacity considerations

- 7.7.1. Policy SD3 of Local Plan deals with Active and Sustainable Travel. This sets out that the Council will support proposals which enhance the accessibility and connectivity between people and places by active and sustainable forms of travel. This includes supporting developments which integrate with or provide new accessible, safe and attractive active and sustainable travel networks and routes to service and employment centres and rail interchanges.
- 7.7.2. As set out above the site is not within a town centre location, the site remains in an urban area. The Transport Assessment submitted in support of this planning application identifies that the site is in close proximity to some local amenities. This includes a local food store, 400m away and the wider amenities in Egham High street, which for an able bodied person would be within a 20 minutes walking distance. The town centre of Staines is also within 1 km walking distance, although it is noted this is the adjoining Borough. Therefore, local services can be reached by active modes of transport. There are local bus stops in the immediate vicinity of the site with bus routes between Slough and Heathrow Terminal 5, some limited buses to and from Frimley Park Hospital, and more regular buses which go between Staines and Virginia Water. Although many of these bus routes are limited or non operational on a Sunday. The nearest railway stations are Egham and Staines, both of which are located just under 2 km from the site. It is understood that one of the above bus services does go via these train stations. Overall given this wider context it is considered that the site is in a relatively sustainable location.
- 7.7.3. The proposed development also proposes to undertake the following:
- Improvements to the bus shelters
  - Electric vehicle charging points
  - Cycle Parking (a total of 458 spaces)
  - Two car club vehicles.
  - Securing a travel plan which will include public transport/cycle vouchers
- 7.7.4. Having regard for the site locations and proposed provisions it is considered that the proposed development will seek to secure and promote sustainable and active modes of transports.

- 7.7.5. In terms of highway capacity, the lawful use of the site is for offices where employees would come to and from the site at peak hours. The Transport Assessment looked at trip generation based on the existing and proposed uses of the site. The trip generation assessment was based on comparable site information from the TRICS database for the typical weekday peak periods of 08:00-09:00 (AM peak) and 17:00-18:00 (PM peak). As this is generally when any highways impacts resulting from the development would be most pronounced.
- 7.7.6. The existing office space has been estimated to have produced approximately 223 person trips during the AM peak and 236 person trips during the PM peak. The proposed residential development has the potential to generate 238 two-way total person movements in the AM peak and 147 two-way total person movements in the PM peak. Looking at the vehicular trips within this, the Transport Assessment estimated that the proposals would reduce the AM peak vehicle trips to/from the site by approximately 97 two-way movements and will reduce the PM peak vehicle trips by approximately 135 two-way movements. Surrey County Council in their role as the highway authority has reviewed this evidence and agreed with the findings.
- 7.7.7. In conclusion given the existing lawful use of the site any changes in trip generation resulting from this proposal would be minimal.

#### Proposed access

- 7.7.8. Policy SD4: Highway Design Considerations states that the Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of the needs of all highway users for safe access, egress and servicing arrangements.
- 7.7.9. The proposed development would utilise the existing access to the site, located off Causeway which is the existing access serving the (now former) employment generating use. This proposal would not affect this. Deliveries and refuse collection will be undertaken on-site in much the same way as for the existing situation. Delivery and refuse vehicles will be able to make use of the available space on-site to serve the respective blocks within the development.
- 7.7.10. It is noted that in the case of an emergency, were the main access into the site to become blocked, emergency vehicles will be able to make use of the north-western pedestrian access. This shared access will be provided with dropped bollards to prevent vehicles from using this access. Were this planning application recommended for approval officers would explore if this would need to be secured by way of condition or legal agreement.

#### Parking considerations

- 7.7.11. The Council has recently adopted a Parking Guidance SPD. This SPD expresses neither a maximum nor minimum standard for residential development. This is to enable development proposals to respond fully and flexibly to the characteristics of their location, taking account of the availability of alternative means of travel in the area, car parking issues in the locality and to make the most efficient use of land.
- 7.7.12. The NPPF (2022) sets out that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. The NPPF further states that such local parking standards should take into account accessibility of the development; the type, mix and use of

development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. This accords with the contents of the Council's Parking Guidance SPD. A wider assessment of the characteristics of a site's location, taking account of the availability of alternative means of travel in the area, car parking issues in the locality and to make the most efficient use of land.

- 7.7.13. This site is neither in a town centre location, but is also not a suburban location, it is an urban mix use area. Notwithstanding the design objections to the proposed parking solution, spreading hardstanding to the southern end of the site this proposed development would provide a total of 141 parking spaces. Overall, this would equate to a parking ratio of just over 0.5 spaces per residential unit.
- 7.7.14. The above assessment has already set out that the site is in a relatively sustainable location and how the proposed development is seeking to promote sustainable and active modes of transport. The Transport Assessment sets out that according to the 2011 Census data for Car Ownership, 34% of residents that live within this area do not own a vehicle. This is based on previous data from over 10 years ago and does not represent future trends. The proposed development would also provide x2 car club spaces assist future residents on not having to rely on private car ownership. Further measures to support sustainable modes of transport are set out above. Overall and given the wider matters and the site's location the proposed parking ratios are considered, overall to be acceptable.
- 7.7.15. Local residents have raised significant concerns regarding how the proposed development, or the proposed parking ratios would result in increased parking overspill and increased parking stress on the wider roads and area due to the parking being insufficient for the development proposed. The Highway Authority at the County Council have recommended a condition for the developer to set up a consultation with those residents on a possible permit scheme whereby future residents of The Causeway would not be able to parking on the wider street. Were this planning application recommended for approval Officers would have considered this further as it is not considered that such a requirement could meet the tests for condition and a planning obligation would be more appropriate.
- 7.7.16. It should also be noted that the proposed development includes 12 wheelchair accessible parking spaces. The applicant's submission sets out that all wheel chair adaptable units would be allocated a parking spaces, but the scheme proposes 13-14 wheelchair adaptable homes (ie two more units than spaces). Were this scheme recommended for approval Officers would have engaged with the developer to seek opportunities for 1:1 disabled parking spaces.

#### Highways Conclusion

- 7.7.17. In summary, the site is located in a relatively sustainable location, the proposed development would not result in a discernible increase in vehicle trip above those which could/ did take place when the site was in office use and would utilise the existing access. The proposed parking ratios are in the region of 0.5 parking spaces per units, this level of parking is considered acceptable due to the site's location and the wider package of measures which would be secured as part of this planning application and would include; Improvements to the bus shelters, Electric vehicle charging points, Cycle Parking, two car club vehicles and securing a travel plan which will include public transport/cycle



vouchers.

**7.8. Provision of a Suitable Residential Amenity**

- 7.8.1. All proposals are expected to provide high quality homes and a high standard of amenity for all existing and future users in accordance with paragraph 130 of the National Planning Policy Framework (NPPF).
- 7.8.2. Policy EE1 of the Local Plan further states that development proposals should ensure no adverse impact on the amenities of occupiers of the development proposed. In addition, Policy SL19 of the Local Plan sets out the minimum floor space standards expected for new developments to accord with. The Council's adopted SPD on Design provides further guidance of some of the qualitative expectations, particularly within standard 24. This includes ensuring new developments provide suitable levels of natural daylight and sunlight to new (and existing) properties. Flatted developments should be seeking to deliver dual aspect units and, in all cases, avoiding single aspect north facing units. Development is also expected to provide suitable ventilation.
- 7.8.3. Internal Amenity
- 7.8.4. All proposed units have been designed to comply with the relevant minimum floorspace standards.
- 7.8.5. A Sunlight and Daylight Assessment has been submitted in support of this planning application. This document provides an assessment of the levels of day and sunlight to both internal and external areas of the development proposed. This utilises the industry recognised BRE standards which itself is a guide for sunlight and daylight on or between the buildings for good interior and exterior conditions. The assessment of internal layout sets out that a 50% sample of habitable rooms within the proposed development was assessed and that the rooms chosen were considered the likely worst performing units on the lower floors and some on the upper floor units to show how the light levels improve further up the blocks.
- 7.8.6. The conclusions of the Sunlight and Daylight Assessment is that out of the 440 rooms assessed, 407 would meet the guidance to providing a suitable level of internal daylight. This means that 33 rooms would not meet the guidance, these are largely the living/kitchen/dinning room areas. All of these rooms which fall short of the guideline values are served by windows cited beneath balconies. Whilst projecting balconies provide a level of amenity it does show that this can in turn effect the level of lighting which the windows below afford.
- 7.8.7. In terms of sun lighting, 323 of the 440 rooms would meet the BRE guidance on a winter basis. It is recognised in terms of sunlight that the orientation does affect this assessment. It is recognised that most buildings units have largely been designed to be dual aspect. There are a small proportion of the units proposed to be single aspect, however the majority of which are orientated east, west or south. There are four single aspect north facing single aspect units in building V5.

External Amenity

- 7.8.8. In terms of public open space there are very few areas of public amenity space that are easily accessible within the vicinity of the site. Local parks and recreation grounds severed from the site by major infrastructure including the railway line, the M25, in addition to the River Thames. This development therefore needs to provide suitable amenity space for future residents as well as creating a setting for the development.

- 7.8.9. Policy SL26 of the Local Plan requires new open space provision on sites of 20 or more units. If the scheme were to go ahead as submitted, it would give an occupancy (using standard occupancies as set out in Table 3-1 of the Infrastructure Delivery & Prioritisation SPD) of around 467.
- 7.8.10. Policy SL26 requires play space to be provided at 0.8ha per 1,000 population. Ideally this should be provided as 0.25ha per 1,000 population as equipped/designated and 0.55ha per 1,000 as informal. This would give a requirement for 1,168sqm of equipped/designated play space and 2,569sqm of informal. The applicant sets out that the proposed development now provides 1,221 sqm of play space through a combination of designated play areas and incidental play across the site. This is shown in the updated landscaping plans. It would appear that the wider site provides in quantitative standards suitable amount of open space. Overall, it is considered that the proposed development provides a suitable *quantity* of public open space for the development.
- 7.8.11. The sunlight and daylight assessment shows that based on the BRE guidance all of the proposed amenity spaces would receive sufficient level of sunlight.
- 7.8.12. In terms of private amenity space each upper floor unit would appear to have their own individual balconies of at least 5sqm in floor area and all would largely appear to provide suitable functional amenity space. However, it is noted that in building V5 the x4 single aspect north facing units would only have north facing balconies, which creates undesirable living accommodation. It is noted that the Design and Access Statement sets out that each block would also afford an “amenity deck” on upper floors, as son from of communal terrace area. However how these decks would be accessed is unclear from the proposed floorplans. Were this planning application recommended for approval such matters would have been clarified with the developer team.
- 7.8.13. The greater concern is the useability of the private amenity space for future residents at ground floor level. There is no distinction between the public/ private or interior/exterior space and so no separation between the fronts and the service areas. The arrangement of these blocks on site and a scheme dominated by car parking results in a layout that does not provide any private or shared space (aside from the amenity space provided in balconies and, in places, roof terraces), with the entirety of the ground floor public realm being accessible to the public. This significantly limits the potential and opportunities provided by the outdoor space and could affect how much the spaces are used, as the lack of a sense of ‘ownership’ will compromise its functionality.
- 7.8.14. For example, in terms of private amenity space blocks V1- V4 are set back behind a semi-private space along the street frontage but this distance appears to be less than for most of the residential buildings to the west and is not designed to be gardens for the new flats. This creates a poor setting for the development and does not allow a suitable degree of privacy and quality of outlook for future occupiers. This goes towards wider design concerns about the proposed layout of the development. It should also be noted that the proposed pond/lake side pontoon areas and woodland walk would not be accessible and would be closed from mid June- August due to ecological constraints of this site. Therefore, one of the wider key areas of public amenity space would not be available for residents.

#### Provision of a Suitable Residential Amenity conclusions

- 7.8.15. It is recognised that just under 10% of the rooms sampled as part of the sunlight and daylight assessment would receive daylighting levels below the industry recognised guidance. However, it is also recognised that most of the units have been designed in a

manner to provide as many dual aspect units and overall the development would provide an adequate level of public and private amenity space.

- 7.8.16. The matters raised regarding some of the lower ground floor units private amenity space is less successful this goes towards wider arguments regarding poor design. As discussed above, as whole, there is a wider amenity space provided for the residents of the development. Accordingly, it is considered that the above identified harm regarding the provision of suitable residential environment is considerably limited.

#### 7.9. **Impact on Neighbouring Amenity**

- 7.9.1. All proposals are expected to provide high standard of amenity for all existing and future users in accordance with paragraph 130 of the National Planning Policy Framework (NPPF). Policy EE1 sets out that “all development proposals will be expected to Ensure no adverse impact ...to neighbouring property or uses”.
- 7.9.2. The Runnymede Design SPD states that “All dwellings must be designed with high quality internal and external space, in an appropriate layout, to accommodate different lifestyles and a range of private and communal activities. Accommodation must be designed to provide suitable levels of natural daylight and sunlight to new and existing properties ...”. The document also provides further guidance of such matters including, sunlight and privacy. In terms of privacy the SPD highlights that development could consider incorporation of roof terraces as private space, provided other aspects of privacy and overlooking are not compromised for other residents.
- 7.9.3. The adjacent properties potentially affected by the proposed development are 29 and 38 The Causeway (located to the east and west respectively), properties along Chandos Road to the east, notably 32, and 4-7, and to the west properties along New Road.
- 7.9.4. A daylight and sunlight report has been submitted in support of this planning application which looks at the potential impact on the amenities of these adjoining properties. This has utilised the industry recognised standards which is contained in the BRE Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice (second edition, 2011). It is noted that an assessment on properties along New Road has not been undertaken as part of this assessment.

#### Potential impact on No. 29 The Causeway

- 7.9.5. No. 29 is located to the North East of the application site and is a semi detached “chalet” style property. There are no side facing habitable room windows in No. 29 which would face the proposed development. Accordingly, the main assessment is assuring that the proposed development does not result in a significant loss of light and or overbearing impact on this dwelling’s front and rear facing have room windows and associated amenity area. Block V4 which extends up to four storeys in height would be positioned closest to this property. This building will be located some 12 - 13 metres from this nearby residential property and the height of the building is staggered away from no. 29. In view of this it is not considered that the proposed development, in terms of built form, would result in a significant loss of light and/or overbearing impact which would have a detrimental impact to the amenities of the occupiers of this adjoining property.

#### Potential impact on No. 38 The Causeway

- 7.9.6. No. 38 is located to the North West of the application site, this a two storey semi detached property, with single storey side and rear projection, there are no side facing habitable room windows which face onto the proposed development. Similarly, the main assessment is ensuring that the proposed development does not result in a significant

loss of light and/ or overbearing impact on this dwellings front and rear facing habitable room windows and associated amenity area. Block V1 which extends up to four storeys in height would be positioned closest to this property. This building will be located some 10 - 12 metres from this nearby residential property. The height of block V1 is also staggered away from no. 29. The front and rear elevation of block V1 would also be positioned relatively in line with number 38, at the closest point. In view of this relationship, it is not considered that the proposed development, in terms of built form, would result in a significant loss of light and/ or overbearing impact which would have a detrimental impact to the amenities of the occupiers of this adjoining property.

#### Potential impact on No. 32 Chandos Road

- 7.9.7. No 32 Chandos Road is a detached two storey property located to the east of this application site. This property affords an existing single storey rear extension and conservatory. There is a change of levels between the two sites which results in the existing boundary fence between the sites being up to a height just above the eaves line of the conservatory. Block V10 will be located relatively in line, with this property, but will extend further to the rear and angled away from the side boundary. At the closest point V10 will be positioned some 5 metres from the site boundary and would be two storey in height, some 6.2m to the flat roof and then extending up to three storeys in height.
- 7.9.8. The ground floor living rooms main source of lighting is through x2 ground floor side facing windows. The articulation of the existing extensions means that there is a small front facing window in the dining area to this property which also looks out into the same space as these two side windows.
- 7.9.9. The submitted sunlight and daylight assessment has not assessed the layout of the property correctly and has identified the ground floor side facing windows as being bathroom windows. They have assumed that the living room is the conservatory and the dining room is a living/kitchen/dining area. It is unclear why such assumptions have been made given there are plans on the council public system which show the actual layout of this property. In any event, the BRE industry recognise standards suggests that:
- “If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building from the centre of the lowest window, subtends an angle of more than 25° to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case if either:*
- the VSC [vertical sky component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; [or]*
  - the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.”*
- 7.9.10. From the officer’s assessment there is a potential that these side facing windows to be affected by the form and scale of building V10. However, is also noted that there is existing boundary treatment between the two sites which already limits the amount of daylight and sunlight this room currently receives. This also already compromises any outlook afforded from this room. This is also true of the front facing window in the rear dining room. These windows all look out into a fairly “enclosed” area to the side of No. 31. In view of this and given the space into the boundary and the staggered height of building V10 it is not considered that the proposed built form of this proposed development would result in a significant increase in loss of light to these habitable room windows. The rear conservatory would still retain suitable levels of lighting from the wider aspect it receives.
- 7.9.11. In terms of potential overbearing impact. For reasons which are unclear the submitted Sunlight and Daylight Assessment does not consider the potential impact on sunlight to

these property's rear amenities area but yet has modelled other properties which are positioned further away from the development. However, the built form of "Lakeside West" is positioned to the northwest of this property and visually does appear as a fairly imposing built form when viewed from the rear amenities area of No. 32. As discussed above building V10 will be angled away from this property. Block V4 will be positioned further NW of the application site. Overall and given the existing arrangement it is not considered that the proposed development would result in any significant increase overbearing impact.

- 7.9.12. In terms of privacy the balconies in buildings V10 are largely angled away to prevent any direct overlooking, there is one side facing bedroom window in the second floor of this building however again, the angled design of this block means it would not directly overlook No.32's rear garden area. However, and whilst it is recognised there is existing built form of Lakeside West, positioned close to this property which is fairly imposing, the office use means that the perception of that overlooking is fairly low. Building V4 will be positioned some 25m from the rear elevation of this property and includes a number of large balconies which will directly overlook into this property's rear amenities area. This is not just at first and second floor level but also includes a "decked" communal upper floor area. The Council SPD on Design sets out a basic level of privacy can usually be achieved between two storey properties where a back-to-back distance of 22m exists. For flats it sets out that as buildings get higher, greater spacing may be required between elevations to avoid overlooking and compromised privacy. Overall and having regard for the proposed relationship, separation distances, the position and height of the proposed building V4, it is considered that the proposed balconies and decked areas would result in a loss of privacy and overlooking which would have a detrimental impact on the amenities of the occupiers of No. 32 Chandos Road. This will be considered below as part of the wider planning balance.

#### Potential impact on No. 4-7 Chandos Road

- 7.9.13. These properties are in the form of semidetached two storey properties. The properties are positioned to the South of Chandos Road and the nearest proposed building which could potentially affect the level of sun/ daylight would be building V10. Therefore, the focus of this assessment is on these properties front/north facing windows.
- 7.9.14. The Applicants Sunlight and Daylight Assessment does consider this and identifies that there is potential impact most notably on 6 and 7 Chandos Road, which form the pair of semidetached houses directly opposite building V10. This assessment shows that whilst the proposed development would have some impact on the levels of lighting the ground floor windows receive overall the wider bay windows to the properties would retain sufficient levels of sun/daylighting. The upper floor oil windows were also determined to retain sufficient levels of lighting.
- 7.9.15. Overall, officers are content that the findings of the sunlight daylight assessment in regards to these properties appear to be sound. Officers also note that the proposed building V10 would be positioned approximately 20m from these properties. the building would also be some 6 to 9 metres high. Overall and given these separation distances it is not considered that the proposed development would be significantly visually dominant on these properties.
- 7.9.16. In terms of privacy it is noted that proposed balconies in building V10 would directly face on to the northern elevation of these dwellings. However, any overlooking would be to the front elevation of these properties where a less degree of privacy is expected and whilst up to 3 storeys in height would retain a separation distance and relationship fairly common within the wider area. Therefore, it is not considered that the proposal would

result in a significant loss of privacy which would have additional on the amenities of the occupiers on these properties.

#### Potential impact on properties along New Road

- 7.9.17. The submitted Sunlight and Daylight Assessment does not assess potential impact on properties which abut the site from New Road. It is recognised that properties along New Road have fairly long gardens which means that there is a separation distance of at least 18m to sometimes over 25m exists between the rear elevation of these properties and the western boundary of the application site.
- 7.9.18. The proposed development is designed in a manner where building V5, would be positioned on the footprint of the existing property comet known as lakeside West. While the proposed development results in a significant and substantial increase in mass and bulk particularly in this visually dominant roofscape it is stepped away from this side boundary. Therefore, it is unlikely that this building would result in any significant impact on the amenities of the occupiers of surrounding properties in terms of loss of light or overbearing impact.
- 7.9.19. Similarly, along the southern end of New Road properties currently see or have some limited views of the “top deck” of the existing car park located to the South Western side of the application site. This car park and decked area would be replaced by x10 semi detached houses position some 10 metres from this western side boundary. These buildings would be posited on raised voids (for flooding reasons) and as such would have an overall height of 10.3m to the ridge and 7.8m to the eaves. Given the separation distances, and the buildings they would replace, it is not considered that these town houses would result in any further significant impact on the amenities of the occupiers of the properties which these houses would abut along New Road.
- 7.9.20. There are also concerns from local residents, and officers do agree, that there is a significant increase in overall form and built scale within this development, notably building V8 and V7, the latter being up to 8 storeys in height. There are a number of concerns from local residents of this perception of overlooking from these large pavilion blocks where windows and balconies in the proposed development would overlook the rear amenity area of these surrounding properties. However, there remains a separation distance in the region of around 35- 40 metres between these larger buildings and the rear elevations of these adjoining properties therefore it is difficult to argue that this would result in direct overlooking.
- 7.9.21. It is recognised that these buildings of this form and scale are visually prominent and therefore will create a perception of increased overlooking. For design reasons, it is not considered that the form or scale proposed is appropriate for this location, however it is also recognised that in such urban locations an element of change is likely to take place. It is not considered that the proposal results in significant and direct overlooking which would have detrimental impact on the amenities of occupiers of adjoining properties. Accordingly, on that basis the harm resulting from this perception of overlooking is considered to be limited.

#### Potential impact on amenities due to noise and disturbance.

- 7.9.22. There have been some concerns that the proposed development could result in increased activities on the site which would result in undue noise disturbance, detrimental to the amenities of the occupiers of all the surrounding residential properties. It is not considered that bringing this site into residential use would result in significant increase in

noise levels particularly anti-social hours of the day. Any issues regarding potential anti-social behaviour are matters which would be dealt with by either the environmental health team and or local police.

- 7.9.23. It is also understood that currently some trespassing issues take place on the site, where people are accessing this site at late hours in the evening causing noise and disturbance. As set out above such matters are not within the remit of planning. There are a number of arguments that bringing this site into residential use where there would be people on the site in the evening and there is an element of “natural surveillance” could assist in reducing any potential issues regarding such matters than a current office use, whether occupied or otherwise when there are less likely to be people present on the site on evenings and weekends.

#### 7.10. **Ecology and biodiversity**

- 7.10.1. Policies SD7 of the Runnymede 2030 Local Plan sets out that development proposal will be supported where they protect existing biodiversity and include opportunities to achieve net gain in biodiversity. Policy EE9 of the Runnymede 2030 Local Plan also set out that the Council will seek net gains in biodiversity, through the creation/expansion, restoration, enhancement, and management of habitats and species, especially where adjacent to trees and hedgerows protected by a Tree Preservation Order.
- 7.10.2. Paragraph 174 of the National Planning Policy Framework states that planning decisions should minimise impacts on and provide net gains for biodiversity and paragraph 180 sets out that opportunities to improve biodiversity in and around developments should be integrated as part of their design.
- 7.10.3. It is therefore necessary for proposed development to first protect and avoid against any impact on ecology, where this is not possible mitigation should be necessary they should then mitigate and then provide biodiversity net gains. As part of the initial submission the applicants submitted a Preliminary Ecological Appraisal, Tree Survey and Arboricultural Impact Assessment, Bat Survey Report, Landscape Strategy and Habitat Regulations Assessment Screening, all prepared by Greengage dated 2021.

#### The need for an Appropriate Assessment

- 7.10.4. Where there is the potential for a plan or project to have an adverse effect upon Special Areas of Conservation (SAC) or Special Protection Areas (SPA), the Local Planning Authority, must consider the protection afforded to these legally protected ‘national site network’ sites before granting approval. It is a matter of national planning policy that Ramsar sites should also be treated by the competent authority in the same way as SPAs and SACs, but they do not form part of the national site network. Article 6(3) of the Habitats Directive is clear that a project not directly connected with or necessary to the management of a site will adversely affect the integrity of that site if it is liable to prevent the lasting preservation of the constitutive characteristics of the site that are connected to the presence of a priority natural habitat whose conservation was the objective justifying the designation of the site.
- 7.10.5. A Habitats Regulation Assessment has been prepared by Greenage, as the ecology consultants for the applicants in support this planning application. The purpose of this assessment is to assist the Local Planning Authority in undertaking the above assessment. The conclusions of the Habitats Regulation Assessment is that there is no potential for a likely significant effect on the qualifying features of the Windsor Forest & Great Park Special Area of Conservation (SAC); and South West London Water Bodies Special Protection Area (SPA) and Ramsar site. An Appropriate Assessment is therefore

not therefore considered necessary.

#### Potential Ecological Impact and/or Mitigation

- 7.10.6. The Preliminary Ecological Appraisal sets out that whilst not a priority habitat, the woodland and the pond/lake on site will be retained and enhanced where possible. This document also sets out that a Construction Environmental Management Plan including information on pollution control measures, would be produced to avoid, minimise or mitigate any construction effects on the environment. Both matters could be secured by way of condition, were this planning application approved.
- 7.10.7. Bat surveys were undertaken to assess the likely presence of bats on this site. Some of the consultation feedback from the consultees queried the time and extent that bat surveys were undertaken. The response from the applicants ecologists was that during the surveys in August and September no bats were seen to emerge or return to the building which had been assigned potential for bat roosting (due to having such features such as features included missing/slipped tiles and a hole in a soffit box ). As such, it was concluded that bats were likely absent from the building. It was also concluded that the potential roosting space was relatively confined and unlikely to maintain a constant temperature for long periods of time. As such, the potential for these features to support roost was considered to be negligible. The Ecological Appraisal made further recommendations regarding mitigation, compensation and enhancement, including the provision of bat boxes, bat sensitive lighting. Such matters could be secured by way of a Landscape Ecological Management Plan.
- 7.10.8. In terms of trees, woodland and shrubs, these were identified as having high value for nesting birds and other wildlife. The ecological approval suggested further measures to undertake clearance to ensuring avoiding and then mitigating any potential impact.
- 7.10.9. These documents have been reviewed and considered by Surrey Wildlife Trust in their role as the Council's Ecological advisers. They have advised that overall, the structure and scope of the report is sufficient to support this planning application and that review process demonstrates compliance with the relevant guidance.
- 7.10.10. However one of the key matters which was raised was that the Ecological Appraisal noted that common toads were recorded as present during ecological surveys undertaken on site and that it was recognised in the Ecological Appraisal that there was a population on site is of county significance given the designated conservation verge which is present on the edge of the site however, actual survey work to determine the actual impact of the proposed development, in order to design a common toad mitigation strategy had not been completed.
- 7.10.11. Further to this, a Common Toad Impact Assessment has been submitted in support of this planning application, this has been updated as part of the consideration of this planning application and the following assessment is based on version 2 prepared by Lizard Landscape Design and Ecology, 2022. Surrey Wildlife Trust accepts that the impact assessment has collated sufficient information to inform appropriate mitigation and enhancement for common toads. One of the areas of discussions is that the proposed landscape approach for this site shows access around this lake and a number of suspended timber pontoons, a suspended timber bridge, and a mooring platform. These will increase recreational activity on and around the pond/ lake. The concerns of the Council's ecological advisers (and indeed local representations) are that this may cause disturbance and changes to the aquatic vegetation currently present within the lake. Due to this the Common Toad Impact Assessment sets out that the woodland footpath to the east of the site will be closed to the public from the months of mid-June - August to allow



toadlets migrating away from the waterbody safer passage and reduce the risk of mortality from trampling and dog attack. The timber decks would also be closed and signed to prevent accidental access via the lake during this time. Which effectively means that some of the key open spaces, which the applicant's landscaping strategy is informed by will not be accessible to the public in the summer months.

- 7.10.12. In ecological terms this may be considered to provide suitable avoidance and/or mitigation however from a landscape led/ open space strategy for residents this is not practical and is significantly flawed. It effectively means that residents are closed off from accessing their own open space during peak summer months when residents will probably wish to access it the most. Were this planning application otherwise acceptable Officers would have sought to negotiate a revised landscape strategy which actually is designed from initial concept to have regard for this key constraint, as opposed to adding on gates to restrict access in the summer months which is not a practical solution. A more holistic and comprehensive approach which designs out access to these key ecological areas as part of a wider landscape led approach is needed. However, for reasons set out above, the proposed strategy towards landscaping is considered to be poorly conceived from the onset. It is one dominated by hardstanding and car access, as opposed to one which has been informed and respond to the site. The matter of limiting access to the pond/ lake area in the summer months is another example of its shortfalls.
- 7.10.13. The Common Toad Impact Assessment also set out that an underpass system will be implemented to the western aspect of the site. The document has not provided any maps showing the proposed location and no detail, even in outline, or specification has been provided. This was initially raised by Surrey Wildlife Trust and the applicants' revised documents has failed to address these issues. Again, this supports officer's wider assertions these issues should have been considered initially as part of the submission and the proposed landscape approach revised to respond to the key constraints.
- 7.10.14. It is also noted that the Common Toad Impact Assessment proposes that during any construction works a biodiversity champion shall be appointed to safely move any toads to the woodland areas during construction and inspect, repair and report the fencing as appropriate on a daily basis. Surrey Wildlife Trust advise that daily checks should be carried out every morning prior to the start of works or any vehicle movements and that the process is managed by a suitably qualified ecologist. Officers do not believe that such specific management and maintenance at construction stage could be dealt with by way of condition as it is difficult to enforce. Were this planning application recommended for approval such matters would likely need to be secured by way of planning obligation.
- 7.10.15. Ultimately the overall conclusions of the above are that were this planning application recommended for approval that the avoidance and mitigation of existing wildlife on this site could be secured by way of conditions and planning obligations (the day-to-day practicality of this as a suitable design led solution notwithstanding).

#### Biodiversity Net Gain

- 7.10.16. In terms of biodiversity net gain, the applicant's submission sets out that the proposed habitat creation includes urban trees, green roofs, modified grassland, other neutral grassland and the introduced shrub and mixed scrub and a trellis system green wall. The development also proposes to enhance the existing woodland habitat.
- 7.10.17. The proposals are understood to provide a total net increase of 21.37% in ecological value. Were this planning application recommended for approval biodiversity net gains can be secured by way of condition.

### Thames Basin Heath Special Protection Area

- 7.10.18. Policy EE10 of the Runnymede 2030 Local Plan sets out that for sites beyond the 5km zone of influence, as in this case, an appropriate assessment may be required under the Habitats Regulations Assessment to determine whether there will be a likely impact on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and that developments of 50 new dwellings and above between 5km and 7km from the Special Protection Area are likely to have an impact.
- 7.10.19. The Preliminary Ecological Appraisal has scoped out an impact upon statutory designated sites. Through the Preliminary Ecological Appraisal report and the Habitat Regulations Assessment, it has been concluded that the proposed development will not have a significant effect on the qualifying features of the designated sites.
- 7.10.20. As competent authority the Council's appropriate assessment is that the contributions in line with the agreed strategy with Natural England, means harm to protected species can be avoided and mitigated by the provision of SANGs. The Council has available capacity to accommodate this development subject to appropriate payments for delivery and maintenance. The Council's SPD on the Thames Basin Heath SPA sets out that large scale residential developments of 50 or more net new dwellings that fall between 5-7km from the SPA may be required to provide avoidance and mitigation measures. The strategy for these uses is set out within section 3 but for some applications may be assessed on a case by case basis in agreement with Natural England. Subject to securing these SANG contributions by way of a s106 agreement it is considered that the proposal would address the impacts arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF (2021).
- 7.10.21. The second part is towards the Strategic Access Management and Monitoring funds which enable the coordinated visitor management across the whole of the publicly accessible TBHSPA. The funds are used in part to survey the Thames Basin Heaths' Authorities SANGs. The purpose is to identify any improvements to the SANG.
- 7.10.22. In accordance with the Council adopted SPD for this area a financial contribution of £105,393.28 is required towards SANG and a further £41,994.00 towards SAMM towards the avoidance/ mitigation strategy is necessary. Were this application otherwise recommended for approval these financial contributions would have to be secured through a planning obligation.
- 7.11. **Renewable Energy**
- 7.11.1. New development is expected to demonstrate how it has incorporated sustainable principles into the development including; construction techniques, renewable energy, green infrastructure and carbon reduction technologies.
- 7.11.2. Policy SD8: Renewable and Low Carbon Energy sets out that new development will be expected to demonstrate how the proposal follows the energy hierarchy (Be lean; use less energy, Be clean; supply energy efficiently and Be green; use renewable energy). For a scheme of this scale, it is also expected for the development to incorporate measures to supply a minimum of 10% of the development's energy needs from renewable and/or low carbon technologies. In addition, development proposing 10,000sqm – 50,000sqm of net additional floorspace should consider whether connection to existing renewable, low-carbon or decentralised energy networks is possible.
- 7.11.3. The NPPF (2021) paragraph 155 states that in determining planning applications, developments should comply with any development plan policies on local requirements

for decentralised energy supply unless it can be demonstrated by the applicants, having regard to the type of development involved and its design, that this is not feasible or viable.

- 7.11.4. The application is supported by an Energy and Sustainability Statement prepared by eb7. This statement shows how the development would comply with the 'Energy Hierarchy' by first looking at how buildings be designed to use improved energy efficiency measures in terms of insulation and natural ventilation. However, as part of this the applicants are proposing to utilise high efficiency condensing gas boilers. The intention to install gas boilers is at odds with the Government's ambition to phase out the installation of new and replacement natural gas boilers by 2035 and the current Net Zero Strategy: Build Back Greener which is aiming to phase out the installation of new and replacement natural gas boilers, removing fossil fuels and ensuring that all heating systems used in 2050 are compatible with net zero targets.
- 7.11.5. The second part of the Energy Hierarchy is to ensure efficient and low carbon energy supply. In particular, this concerns provision of decentralised energy where practical and appropriate. The Energy and Sustainability Statement highlights that there are no known plans for an energy network in Staines. The site is outside of "Staines". However, officers recognise that in and around the Causeway this assertion appears to be correct. In terms of onsite Combine Heat Plants (CHP) the Energy and Sustainability Statement states that the high-density accommodation and the associated energy consumption at Lakeside would make the project an ideal host for a CHP system. However, they have been discounted by the applicant's submission as they consider them not to be as efficient based on current building control assessment than gas boilers and that they would not provide sufficient carbon benefits.
- 7.11.6. The final element of the 'Energy Hierarchy' requires development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation. The supporting statement identifies that Photo Voltaic (PV) panels could result in a 21.80% reduction in emissions over and above those achieved through energy efficiency measures. They have also suggested that air source heat pumps could result in a theoretical carbon saving of 17.5% or a 11.12% reduction in energy consumption. The statement continues that recognising the ongoing decarbonisation of the UK electricity grid, and thus the significant advantage in the use of electrical only systems, especially heat pumps, the use of air source heat pumps for the heating and hot water requirements through individual units for the houses, and communal units serving heat interface units in the blocks of flats.
- 7.11.7. In support of this the applicant sought to submit amended plans which show a large "blocked" areas for where air source heat pumps could go. These images whilst endeavouring to show space for renewable technologies did not realistically capture such plant enclosures and could be misconstrued to be a misleading representation. This is particularly relevant for interested third parties who should be allowed the ability to clearly understand the development proposed. These plans were not accepted by the Local Planning Authority for this reason.
- 7.11.8. Overall, it is considered that were this planning application recommended for approval that the wider matters could be dealt with by conditions whereby an updated energy strategy could be provided prior to works of the development (on a phased basis or otherwise) to demonstrate how the scheme would be taken forward based on modern day practices whilst having regard for the energy strategy proposed. Such conditions could also seek to secure that air source heat pumps were only accepted where they would not material effect such a permitted scheme.

## 7.12. **Other Considerations**

### Fire Statement

- 7.12.1. The Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order requires a fire statement in support of planning application(s) for buildings containing 7 or more storeys (where the building is in dwelling house use or education).
- 7.12.2. Due to this a fire statement has been submitted in connection with this planning application and has been prepared by a Principal Fire Safety Consultant. This document sets out fire safety matters relevant only to the extent they are relevant to land use planning and does not contain the breadth and depth of information on fire safety which would be expected to be submitted at building control application stage. Requirements of the fire statement at planning stage do not duplicate or require compliance with the building regulations
- 7.12.3. As required under the aforementioned Order the Health and Safety Executive (HSE) were consulted on this planning application. The comments provided were directing the Local Planning Authority to the Hazardous Substances Consents which were present at the site.

### Hazardous Substances Consents

- 7.12.4. The site across the road, known as 31 the Causeway used to hold a former gasholder. A Hazardous Substances Consent (HSC) was granted by the Local Planning Authority in their role as the Hazardous Substances Authority as part of this operation for the storing of natural gas in this structure. It would appear that British Gas never formally sought to revoke this HSC when the gasholder was decommissioned. Therefore, there is currently a HSC on part of the site. As the gasholder has been decommissioned/ demolished and natural gas is no longer stored on this site, the risk to public is no longer present. Therefore, the Local Planning Authority are currently seeking to revoke the HSC under sections 14(2) of The Planning (Hazardous Substances) Act 1990 which enables the Local Planning Authority to do this where the substance has not been stored on the site for at least 5 years (i.e., the gas holder is understood to have been dismantled at least 7-8 years ago).
- 7.12.5. Discussions with the Health and Safety Executive (HSE) regarding the above have highlighted that the site is within the consultation zone of a further Hazardous Substances Consent for the storage of chlorine at the nearby waterworks. A HSC was granted to the North Surrey Water Company, this company is no longer in existence and it is understood that the waterworks are now run/ owned by Affinity Water. Consents run with the land and whilst it is understood that the storing of chlorine on the site no longer takes place. However, the HSE has advised that a precautionary approach is necessary. It remains that the risk to the population must be considered and the HSE are a statutory consultee.
- 7.12.6. Proposals which include residential development located in consultation zones, such as this, result in an increase in the number of people working or visiting the area. The risk considered by the HSE is the residual risk which remains after all reasonably practicable preventative measures have been taken. Through discussions the HSE have agreed to remove their objection to this planning application on the basis that the applicant accepts a condition that the development shall not occupied until this Hazardous Substances Consents has been revoked. This scheme is considered on this basis and were this planning application recommended for approval such matters could be secured by way of condition. Irrespective and separate to this the Local Planning Authority are seeking to revoke the HSC.

### Contaminated Land

- 7.12.7. Policy EE2 seeks, where relevant, contaminated land surveys are to be submitted as part of applications to determine the source of any pollutants and any remedial measures necessary. Paragraphs 174 and 183 of the NPPF (2021) seek to ensure that through decision making that suitable land remediation is secured through redevelopment.
- 7.12.8. A Phase 1 Contamination Assessment prepared Unity Environmental and dated December 2021 has been submitted in support of this application. The overall conclusions of this assessment are that the possibility of various contaminants on the medium to high potential risk to future site users and/or controlled waters. In order to determine whether the potential contaminants of concern are present on-site, and if so in what quantities, a Phase II intrusive investigation would be required. Aligned with the consultation response from the Council's Contaminated Land Officer. Were this planning application recommended for approval such matters could be secured by way of condition.

### Archaeology

- 7.12.9. As the application site is over the 0.4 hectares an archaeological assessment and evaluation is required under policy EE7 of the Local Plan. A desk-based assessment has been submitted in support of this planning application.
- 7.12.10. The applicants have submitted a Heritage Desk Based Assessment produced by Cotswold Archaeology and dated December 2021 contains a review of information currently held in the Surrey Historic Environment Record together with other relevant sources in order to determine the potential for significant archaeological remains to be present. The report concludes that the site has a high to moderate potential for archaeological remains from the later prehistoric and Roman periods, and although past development of the site may have removed archaeological deposits across some areas of the site, there is still the potential for archaeology to survive, particularly in the western and eastern parts of the site and so the report recommends that further work may be required in order to clarify the archaeological potential of the site.
- 7.12.11. Were this planning application recommended for approval further work would be required including archaeological evaluation trial trenching exercise to establish whether Archaeological Assets are present at the site and enable suitable mitigation measures to be developed. However, as the desk based archaeological assessment does not identify the likely presence of remains of national significance requiring preservation in situ, and the site will have been disturbed in places by previous construction such matters could be secured by way of condition.

### Cadent Gas Objection

- 7.12.12. Cadent Gas placed a holding objection on this planning application as the proposal is within the vicinity of our gas assets. Subsequent to this the applicant has provided a plan which shows that the development is not in the vicinity of the London to Southampton pipe way and that the nearby mains run around the edge of the site and would not appear to affect this development.
- 7.12.13. This information has been presented to the Cadent Gas. On the 22.09.22 the case officer for this planning application contacted Cadent Gas and requested they update their position having regard for this information. To date no response has been received.

However, given the evidence in front of officers it is considered appropriate to continue to consider this planning application.

### **Planning Obligations/Infrastructure**

- 7.12.14. In line with the Council's Charging Schedule the proposed development would be liable for the Community Infrastructure Levy (CIL). The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space
- 7.12.15. CIL acts as a "pool" of contributions from which the Council is able to fund infrastructure necessary to support the borough, as a whole. This includes matters such as the provision of education or health provision, or indeed any other infrastructure requirements. The site is liable for the CIL at a rate of £90 per square metre of net floor space (plus any indexation). Depending on the level of deductible floor space which can be considered as part of this planning application (this is dependent on how long the existing offices have not been in use) the scheme could generate CIL receipts in the region of £1.5 million (average), plus any indexation. This should be taken as an initial officer estimate before affordable housing exceptions. CIL can only be calculated post decision, prior to commencement of any planning permission.
- 7.12.16. In addition to this and to make the development acceptable in planning terms, were Members of the planning committee minded to approve this planning application then it is recommended that it would be subject to the following planning obligations, secured through a Section 106 legal agreement:
- Residential Travel Plan inc. auditing fee of £6,150 (index linked)
  - Details of Car Club provision as part of this scheme, including two parking spaces provided for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space either within a publicly accessible location of the development or on the public highway and pump priming being met by the developer.
  - Provision of £50 worth of free travel for car club vehicles for each residential unit.
  - Provision of three year's free membership of the car club for all initial occupants of the
  - residential units. (index linked)
  - Public Transport Voucher- a combined cycle/public transport voucher of £100 per dwelling, at a total cost of £27,200. The developer monitoring and reporting on voucher take up. (index linked)
  - Mechanisms to secure implementing a residents on street parking permit scheme
  - Details of emergency access via bollards and how this would be made available for emergency vehicles.
  - Details of waste receptacles to be provided (refuse/recycling/ food wastes bins)
  - SAMM and SANG financial contributions
  - Onsite biodiversity champion to deal with ecology mitigation measures during construction of the development
  - Public access and closures of public access from mid June- August
  - Timing of delivery of landscaping works and future management including that of SuDs
  - Secure affordable housing provision equating to 34 units including tenure and nominal rights.
  - Council's Monitoring costs

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

- 8.1. 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.

## **9. CONCLUSIONS AND PLANNING BALANCE**

- 9.1. In summary, whilst the site is designated as strategic employment land it is considered that the loss of the employment generating use of this site would result in limited harm. In accepting such loss, the principle of a residential redevelopment in the location is acceptable. It is accepted that the proposal would make efficient use of previously developed land and deliver some economic benefit. These are given moderate weight as benefits of the proposal. The proposal would also provide additional housing, recognising the council's current housing land supply position as detailed above, this is given moderate weight as benefits of the proposal.
- 9.2. In terms of flood risk considerations, it has not been sufficiently demonstrated that there are no alternative reasonably available sites appropriate for the development in areas with a lower risk of flooding. It is also not considered that the proposed development has demonstrated that the proposal would be safe throughout its lifetime and not lead to increased flood risk elsewhere. This is considered to result in harm which substantially weighs against the scheme.
- 9.3. In terms of design, it is considered that the proposal would create a poor-quality place to live, is not of a form or scale which has any regard for the character of the area and does nothing for supporting high quality design or beautiful and sustainable buildings. This too is considered to result in substantial harm.

- 9.4. It is also recognised that the proposed development will provide an over concentration of one bedroom units, contrary to Local Plan policy which requires proposals to provide a balance of units which reflects need. Given the wider urban, mixed-use location of the site the harm associated with this is considered limited. In terms of adaptable dwellings, the proposal would provide just under 5% of the overall units and would provide a total of 34 affordable homes which equates to 12.5% of total proposed dwellings. The viability evidence submitted and assessed as part of the application suggest this is around the level of affordable housing the site can viably deliver. The delivery of this level of affordable housing is given moderate weight as a benefit of this development.
- 9.5. The proposed development is considered acceptable in terms of sustainable transport and wider highway safety considerations. This is subject to the implementation of a number of sustainable measures and travel plan. These are all considered to be measures necessary to make the development acceptable in planning terms and thus are given limited weight as a benefit of the scheme. Overall, the proposals are considered to provide a suitable residential environment for future users. However, in terms of impact on the amenities of local residents it is identified that the proposed development would result in a significant loss of privacy and overlooking, detrimental to the amenities of the residents of No. 32 Chandos Road. This is considered to result in moderate harm which weighs against the scheme.
- 9.6. In terms of ecology and biodiversity subject to a number of measures it is considered that the proposal will suitably avoid and mitigate against potential impacts on existing biodiversity and also would provide a demonstrable net gain in biodiversity. The latter of which is given moderate weight as a benefit of the scheme. Financial contributions would be necessary in order for the proposal to address the impacts arising from the development on the Thames Basin Heath Special Protection. This is to mitigate the impact and is not a benefit arising from the scheme.
- 9.7. The proposed energy strategy submitted in connection with the proposed development would mean that the scheme could deliver renewable energy and carbon savings in line with adopted planning policy. This is the requirement for all developments and as such are given limited to moderate weight as a benefit of the proposed development. The proposed development is considered to provide a fire statement to deal with matters within the remit of planning, subject to conditions the development would not raise issues in terms of the nearby hazardous substances consent and again subject to conditions does not raise any issues in terms of contaminated land or archaeology. There are a number of planning obligations as listed above to make the development acceptable and are not considered to be necessarily benefits that way in favour of this proposed development.



- 9.8. When applying the planning balance, it is not considered that the harm caused from the proposed development; notably the substantial harm regarding the design, matters regarding flooding and the harm to neighbouring amenity are outweighed by the benefits of the scheme. Even if matters regarding flooding were overcome it is considered that the resulting harm from the poor approach to design substantially outweighs the benefits. Accordingly, the application is recommended for refusal for the following reasons (it should be noted that refusals reasons 4, 5 and 6 could be resolved were a completed legal agreement provided to secure such matters):
- 1) The proposed development by reason of the proposed layout, form, scale, landscaping and overall design approach fails to deliver a high-quality design led scheme. The proposed development is not of good design and does not seek to create beautiful, high quality and sustainable places. Therefore, the proposed development is contrary to Policy EE1 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework (2021) and the National Design Guide (2019).
  - 2) It has not been demonstrated that there are not reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding nor that the proposed development would be safe throughout its lifetime and not lead to increased flood risk elsewhere. The proposed development is therefore contrary to policy EE13 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework (2021)
  - 3) The proposed development by reason of its siting, position and built form would result in direct overlooking and loss of privacy to No. 32 Chandos Road, detrimental to the amenities of the occupiers of this dwelling and contrary to Policy EE1 of the Runnymede 2030 Local Plan (2020), Runnymede Design Guide Supplementary Planning Document (2021), the National Planning Policy Framework (2021)
  - 4) In the absence of a completed legal agreement for SANG and SAMM Contributions in accordance with the Council's adopted Supplementary Planning Guidance on the Thames Basin Heaths Special Protection Area the Local Planning Authority are not satisfied that; there are no alternative solutions, or that it is likely that the proposal would pass the Regulation 49 test of imperative reasons of overriding public interest. It is bound to refuse permission in accordance with Regulation 48 (5) of the Habitats Regulations 1994 and Article 6 (3) of Directive 92/43/EEC
  - 5) In the absence of a completed legal agreement the proposed development has failed to secure the provision of 34 affordable housing units (12% on site provision) to meet local needs. The proposed development is therefore contrary to policy SL20 of the Runnymede 2030 Local Plan (2020), Runnymede Affordable Housing Supplementary Planning Document (2022) and the National Planning Policy Framework (2021) and its associated guidance
  - 6) In the absence of a completed legal agreement the proposed development has failed to secure the provision of the necessary infrastructure needed to make this development acceptable in planning terms. The proposed development is therefore contrary to policies SD3, SD4, SD5 and EE9 of the Runnymede 2030 Local Plan (2020) and the National Planning Policy Framework (2021) and its associated guidance.

## **10. FORMAL OFFICER RECOMMENDATION**

*The CHDMBC be authorised to refuse planning permission for reasons set out above in paragraph 9.9 of the above Report.*

*Also add the following informatives:*

1. The plans considered as part of this planning application are as set out in the Schedule 2e: schedule of application drawings submitted on 22 December 2021 and 5 May 2022
2. The applicant is advised that in the event of an appeal situation refusal reasons 4, 5 and 6 could likely be overcome by way of a legal agreement which secures the relevant matters as per the above officer report and/or any update policy or guidance.
3. It should be noted and for the avoidance of doubt that a number of matters and issues have been highlighted within the report, where the officer conclusion of this report are that were this planning application otherwise considered acceptable then they would have engaged with the developer to resolve matters. It is also recognised that the planning agent have also set out such request. Were there not substantive objections to this scheme then officers would have sought to resolve matters. However, in the interest of effective decision making and to reduce abortive costs (which would not have in any event overcome the refusal reasons) this proposal has proceeded to determination.

**Appendix 1- Table 3: Exceptions Test Assessment against Sustainability Appraisal Objectives**

SA Objectives	Decisions Aiding Criteria
<b>Objective 1- To conserve and enhance biodiversity, habitats and species and ecosystem services, including green &amp; blue infrastructure</b>	<ul style="list-style-type: none"> <li>• Will it avoid potential impacts of development on designated sites?</li> <li>• Will it avoid net loss of and achieve enhancement of ecological resources and services?</li> <li>• Will it avoid habitat fragmentation? Will it lead to development which incorporates or enhances biodiversity, green and blue infrastructure and its connectivity?</li> <li>• Will it help achieve delivery of Local Nature Recovery Strategies and enhancement of Biodiversity Opportunity Areas/Priority Habitat?</li> </ul>
<p>Meets objective- matters regarding ecology and biodiversity impact are set out in section 7.10 Ecology and biodiversity. As are the manner in which this proposal would avoid impact on protected habitats were this planning application approved and a legal agreement completed.</p>	
<b>Objective 2- to protect and improve the health and well-being of the population and reduce inequalities in health</b>	<ul style="list-style-type: none"> <li>• Will it help to address pockets of deprivation and child poverty?</li> <li>• Will it improve access to healthcare?</li> <li>• Will it provide for the needs of an ageing population and those with specialist needs?</li> <li>• Will it facilitate opportunities to achieve active lifestyles and prevent obesity?</li> <li>• Will it improve opportunities to access green &amp; blue infrastructure, outdoor/indoor sports, leisure and recreation?</li> <li>• Will it protect and enhance community facilities and services?</li> <li>• Will it safeguard human health and well-being by promoting climate change resilience through sustainable siting, design, landscaping and infrastructure?</li> <li>• Will it improve opportunities to access community facilities and services?</li> <li>• Will it support local sustainable food production, including the provision of allotments and community gardening?</li> </ul>
<p>Neutral impact- The proposed development is unlikely to have any direct impact on deprivation and child poverty or improve access to healthcare. The proposal would provide some units for wheels chair adaptability as per the requirement so of Local Plan policy and does offer some areas of open space which can utilised by local residents. The proposal will neither protect, enhance nor improve opportunities of access to community and facilities. The proposal will not support local sustainable food production. However it is recognised that the proposed development would generate CIL receipts (discussed further above) which would go towards contributing towards the infrastructure to support the Borough as whole, which can include community building, outdoor sports or allotments et. al</p> <p>In terms of safeguarding human health and well-being by promoting climate change resilience through sustainable siting, design, landscaping and infrastructure. The scheme has been designed to meet development plan policies in terms of energy provision (see above) and have regard for climate change in term of flood protection measures (discussed further above). The scheme is not however landscape led and it is not evidence how this scheme has been designed with sustainability at the forefront of the proposal. Overall, it is not considered that this proposal <u>promotes</u> climate change resilience.</p>	
<b>Objective 3: to protect soil and minerals resources</b>	<ul style="list-style-type: none"> <li>• Will it ensure that mineral resources are not sterilised?</li> <li>• Will it avoid environmental effects from mineral abstraction on sensitive receptors?</li> <li>• Will it make the most effective use of land and achieve efficiency in land use and avoid the development of greenfield land over the</li> </ul>

SA Objectives	Decisions Aiding Criteria
	<p>redevelopment of previously developed land and buildings?</p> <ul style="list-style-type: none"> <li>• Will it provide opportunities for remediating/mitigating despoiled, degraded, derelict, contaminated and unstable land?</li> <li>• Will it avoid the loss of the most valuable agricultural land?</li> <li>• Will it minimise waste arisings and facilitate recycling?</li> </ul>
<p>Meets objective- the proposed development will not affect mineral resources or mineral abstraction. The scheme will make efficient use of previously developed land and would be expected to meet the relevant contaminated land requirement. The proposal would not affect agricultural land and were permission forthcoming, conditions would secure a Site Waste Management Plan.</p>	
<p><b>Objective 4: to improve water quality and efficiency</b></p>	<ul style="list-style-type: none"> <li>• Will it ensure developments are water efficient and include opportunities for water recycling, water stewardship and water sensitive design where appropriate?</li> <li>• Will it help to improve water quality?</li> <li>• Will it minimise inappropriate development in Source Protection Zones?</li> </ul>
<p>Meets objective- the Energy Assessment which supports this planning application sets out that the development will minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures. The dwellings will seek to meet the required level of 105 litres maximum daily allowable usage per person in accordance with the former Level 4 of the Code for Sustainable Homes. In terms of water quality the submitted FRA sets out how the proposed SuDS techniques could provide sufficient water quality treatment for the surface water runoff before it is discharged to ground. The proposed development will not affect Source Protection Zones.</p>	
<p><b>Objective 5- to increase resilience to climate change, including flood risk</b></p>	<ul style="list-style-type: none"> <li>• Will it ensure that people, property and businesses are protected from flooding, taking into account the impacts of climate change? Will development incorporate SuDS, Natural Flood Management schemes and flood resilient design?</li> <li>• Will it lead to developments which are designed to be resilient to hotter, drier summers and warmer, wetter winters?</li> </ul>
<p>Does not meet objective- Matters regarding flooding, taking into account the impacts of climate change, SuDS, Natural Flood Management schemes and flood resilient design are addressed above in the flooding considerations sections and how the proposed development currently fail to meet this. In terms of being adaptable to whether conditions, overall, it is considered that the energy statement addresses these requirements and sets out how the development will be the energy hierarchy. The first stage it Be Lean to effectively utilise a passive design whereby buildings are designed and constructed to be comfortable in higher temperatures, without resorting to energy intensive air conditioning and measures in line with the "cooling hierarchy".</p>	
<p><b>Objective 6: to reduce air and noise pollution</b></p>	<ul style="list-style-type: none"> <li>• Will it ensure that development minimises exposure to poor air quality and noise pollution and does not add to air/noise pollution in the wider area?</li> <li>• Will it avoid contributing to congestion and reduce travel demand?</li> <li>• Will it facilitate the incorporation of electric vehicle charging points into new developments or ensuring they can be retrofitted?</li> </ul>
<p>Meets objective- An Air Quality Assessment has been submitted in support of this planning application. This identifies that at the construction phase of the development could give rise to emissions which could cause dust soiling effects on adjacent uses. However, by adopting the appropriate mitigation measures to reduce emissions and their potential impact. The proposed development is not within (but close to) an air quality management area and will result in more people living in this location where there will be, to an extent a reliance of private vehicles. However, given the previous office use and as the transport assessment (see section 7.7 Highways Considerations) demonstrates, the proposed development is unlikely to result in</p>	

SA Objectives	Decisions Aiding Criteria
<p>increased trip generation above the lawful use. Therefore, whilst the proposed development does not directly seek to minimise exposure to poor air quality it is not considered to add to such issues. The same can be said for any potential contribution to congestion and paragraph (see section 7.7 Highways Considerations) sets out measures to through the Travel Plan which could assist in reducing reliance on private vehicles.</p>	
<p><b>Objective 7:</b> <b>reduce greenhouse gas emissions</b></p>	<ul style="list-style-type: none"> <li>• Will it ensure that new developments are designed to achieve high levels of energy efficiency?</li> <li>• Will it prioritise access to and improve connectivity by good public transport and safe/attractive walking and cycling facilities infrastructure (including segregated cycle lanes), over facilities for private cars?</li> <li>• Will it help to achieve walkable neighbourhoods?</li> <li>• Will it increase renewable/low carbon energy generation? Will it provide opportunities to reduce carbon emissions and provide carbon capture/sinks?</li> <li>• Will it promote waste reduction, the use of sustainably sourced materials and re-use of resources in construction and renovation?</li> </ul>
<p>Meets objective- The development is not based on delivering the “highest” level of energy efficiency a development could achieve, such a carbon zero, and it is unclear how sustainable principles have truly informed the design of the proposed scheme. However, the proposed development would meet policy objectives regarding the energy hierarchy (see section 7.10 Ecology and Biodiversity) and the proposed energy efficiency measures would likely be higher than the existing offices on site. As set out above in the transport section the proposed development is located in a relatively sustainable location. However as set out above, the proposed layout is poor and is one which is car dominant as opposed to being designed to promote and support active and sustainable modes of transport. The proposal will utilise PV panels and as such will increase renewable/low carbon energy generation. Conditions could secure a site waste management plan and the ability to try and sustainably sourced materials and re-use of resources.</p>	
<p><b>Objective 8- to sustain economic growth and competitiveness across the Borough</b></p>	<ul style="list-style-type: none"> <li>• Will it support a dynamic and diverse economy?</li> <li>• Will it stimulate economic growth in deprived areas? Will it support low environmental impact business sectors?</li> <li>• Will it contribute to the provision of opportunities for employment and improvements in educational attainment and skills development? Will it maintain and enhance the vitality/viability and retail function of the Borough’s town and local centres?</li> <li>• Will it support the Borough’s tourist attractions?</li> </ul>
<p>Neutral impact- the site is designated as Strategic Employment Land in the Local Plan. The proposed development would result in the loss of land designated for economic purposes. However, the existing offices can be converted to residential under prior approval designated Government. There are also arguments that bringing houses into this location will enable people to live closer to work opportunities and the construction of houses does result in increased job and economic benefits which flows from this. The area is not in a deprived areas and will not support low environmental impact business sectors. It will not contribute to the provision of opportunities for employment and improvements in educational attainment and skills development but arguably for reasons set out above will neither result in any loss. There are arguments that bringing more people into the locality will maintain and enhance the vitality/viability and retail function of the nearby town and local centres (although arguably the closets town is not in the Borough). However, there are arguments that were this site in employment use it would do this too.</p>	
<p><b>Objective 9- to ensure the</b></p>	<ul style="list-style-type: none"> <li>• Will it provide viable and deliverable good quality and affordable housing to meet identified needs?</li> </ul>

SA Objectives	Decisions Aiding Criteria
<b>provision of high quality, sustainable constructed and affordable homes and necessary community infrastructure</b>	<ul style="list-style-type: none"> <li>• Will it ensure the protection, enhancement or delivery of necessary community infrastructure?</li> <li>• Will it protect, enhance or provide delivery of infrastructure services and facilities?</li> <li>• Will it achieve development that demonstrates sustainable design and construction including efficient use of materials?</li> </ul>
Meets objective- The proposed development would provide 34 affordable housing units which is about 12% of the overall provision. Whilst this is well below the affordable housing policy requirements there is an element being provided. This will go towards needs. In terms of infrastructure the scheme would generate CIL receipts which can go towards the infrastructure to support the Borough as a whole. Planning obligation could secure the necessary infrastructure to make the development acceptable in planning terms. Site Waste Management Plans and Construction Environmental Management Plan can secure development utilise sustainable design and construction.	
<b>Objective 10: to protect and enhance the Borough's historic and cultural assets</b>	<ul style="list-style-type: none"> <li>• Will it ensure that development avoids adverse effects on heritage assets, archaeology and Conservation Areas?</li> <li>• Will it enhance and promote the Borough's heritage assets and their setting?</li> <li>• Will it protect or enhance the Borough's cultural facilities/services?</li> <li>• Will it improve access to the Borough's cultural facilities/services?</li> </ul>
Neutral impact- the proposed development is not considered to affect any heritage assets and thus whilst it may avoid adverse effects it does not enhance nor promote them. Nor would it protect. Enhance cultural facilities or impact access to such facilities or services.	
<b>Objective 11- to protect and enhance open space and the landscape/townscape character of the Borough.</b>	<ul style="list-style-type: none"> <li>• Will it protect and enhance landscape character?</li> <li>• Will it ensure that development is of high quality and inclusive design and is well- related to the surrounding townscape?</li> <li>• Will it ensure the quality of and provision of suitable open space, where need is identified?</li> </ul>
Does not meet objective- it is not considered that the proposed development would meet this objective. A full assessment of how the proposed development fails to provide a landscape led, high quality residential environment which has due regards for the character of the area is set out and discussed further above in section 7.5 Design Considerations.	







Proposed Site Plan - Ground Floor



**RU.21/2050- 30 The Causeway Appendix 4: Proposed Front elevations of each building NOT TO ANY UNIFORM SCALE**



**Building V1**



**Building V2**



**Building V3**



**Building V4**

Building facing The Causeway



Building V5



Building V7

Buildings within site



Building V6



Building V8



**Building V9 (total of x10 town houses)**



**Building V10**

## Fees and Charges (Resources, Jill Stockdale)

**Synopsis of report:**

To recommend the proposed fees and charges under this Committee's remit for next financial year.

**Recommendation(s):**

The proposed fees and charges as set out in Appendix A be approved to be effective from the dates within the appendix or as soon as practical thereafter.

### 1. Context of report

- 1.1. The current fees and charges were agreed twelve months ago at the committee meeting in November 2021.

### 2. Report

- 2.1. The Council Constitution provides delegated authority to Officers to alter fees, charges and prices without reference to Committee in order to respond to market conditions, new needs, changes in tax rates and so on. Nonetheless, the annual review of charges still remain an important part of the overall budget setting process and the policy framework for service provision in general.
- 2.2. As part of the budget setting process, Service Managers are requested to review their charges each year. Members have previously agreed that officers put forward recommended increases based on:
- Current market conditions
  - Local competition
  - The likely yield of any fee increase
  - On-going savings targets and revenue reduction programs
- 2.3. Members have accepted that in some service areas it may not be possible to significantly increase fees, and in others it may be necessary to decrease them to stimulate demand, however in order to counteract the high levels of inflation officers were asked to aim for an average of 8% for discretionary locally set charges where to do so would not be detrimental to the service.
- 2.4. This report reviews current levels of fees and charges, with a view to helping to balance next year's budget and is a key strand of the Council's Medium Term Financial Strategy.
- 2.5. The fees and charges proposed by service managers for next year are set out at Appendix A along with the dates that they will take effect. The appendix includes a Yield column showing the budget for each charges/group of charges, so that Members can estimate the financial implications of any price rises.

### 3 Resource implications

#### 3.1 Development Management

The management of development through the determination of applications in a positive and proactive manner, and in a timely manner. Planning application fees are currently set by statute. There is no proposal by the Government to increase the fees in 2023.

The charges for the Council's pre-application advice service were reviewed by the Planning Committee on 23 October 2019 to come into effect on 1 January 2020.

- 3.2 Building Control  
The Building (Local Authority Charges) Regulations 2010 aim to allow local authorities to respond to competition from the private sector by devolving the setting of charges for some building control functions. The Regulations require authorities to prepare systems within which they will fix and recover charges for the performance of the prescribed building regulation control functions. The aim is to recover the full cost of operating a building control service by breaking even over each three-year period.
- 3.3 Building Control fees are currently set with guidance issued by Local Authority Building Control. There is a proposal to increase these fees by 5% from 1 April 2023.
- 3.4 General  
All other discretionary fees and charges have been increased by approximately 8%.
- 4 **Legal implications**
- 4.1 Where the status of a charge is marked as 'statutory' the Council is required under the law to levy a fee. Where the status is given as 'discretionary' the Council may amend the fee charged or choose to make no charge for the service.
- 5 **Equality implications**
- 5.1 Where any major changes to the structure of any charging regime are proposed, an Equality impact Assessment will have been completed by the relevant Budget Manager.
6. **Environmental/Sustainability/Biodiversity implications**
- 6.1 There are no direct implications from the setting of fees and charges. Environmental, Sustainability and Biodiversity implications are reviewed as part of overall service area planning and decision making,
7. **Timetable for Implementation**
- 7.1 The proposed fees and charges as set out in this report are to be effective from the dates within the appendix or as soon as practical thereafter.
8. **Conclusions**
- 8.1 High inflation is a cost to the Council as well as to our customers. Setting fees and charges is a fine balance between generating income for the Council to help support and maintain services and ensuring that the service will not be adversely affected by a drop in usage through over-pricing.

**(To resolve)**

**Background papers**

None

## Appendix A - Fees and charges

### Planning and Building Control Services

	Charge Status	From April 2021 £	From April 2022 £	From April 2023 £	% Increase	Yield £	VAT treatment
<b><u>Local Plan and Policies map</u></b>							
Cost of printing the Runnymede 2030 Local Plan Policies Map including p&p	Discretionary	84.00	84.00	88.00	4.76%	0	Outside Scope
Cost of printing the Runnymede 2030 Local Plan plus p&p.	Discretionary	33.00	33.00	35.00	6.06%	0	Outside Scope
<b><u>Planning fees</u></b>							
Planning application fees - Set by Statute	Statutory					720,000	Outside Scope
Pre-Application advice service fees - Set by the Planning Committee on 23 October 2019	Discretionary					84,000	Standard
High hedges complaint fee - Charge for processing and resolving dispute	Discretionary	716.00	730.00	788.00	7.95%	0	Outside Scope
<b><u>Building control fees</u></b>							
Set by the Planning Committee with guidance issued by Local Authority Building Control	Discretionary	Increased by 5% from 01 April 2021	No Increase	Increased by 5% from 01 April 2023	5.00%	346,000	Standard
Set by the Planning Committee with guidance issued by Local Authority Building Control	Discretionary	Increased by 5% from 01 April 2021	No Increase	Increased by 5% from 01 April 2023	5.00%		Outside Scope

## Fees and charges

### Planning and Building Control Services

	Charge Status	From April 2021 £	From April 2022 £	From April 2023 £	% Increase	Yield £	VAT treatment
<b><u>Supply of Planning and Building Control histories, technical enquiries, background information and for checking compliance with planning Consents and conditions.</u></b>							
A minimum fee in respect of enquiries involving site inspections for the purpose of checking compliance with planning conditions	Discretionary	245.00	250.00	270.00	8.00%	2,000	Outside Scope
A minimum fee for general enquiries for the supply of planning and building control histories and background information on sites	Discretionary	96.00	98.00	105.00	7.14%		Outside Scope
Building Control completion letter	Discretionary	44.00	45.00	48.00	6.67%	0	Outside Scope
<b><u>Search and copying fees, paper/electronic (micro-fiche) (includes VAT)</u></b>							
Search and copying fees - planning decision notices	Discretionary	35.00	36.00	39.00	8.33%	0	Standard
Copies of 106 Agreements and appeal decisions	Discretionary	35.00	36.00	39.00	8.33%		Standard
Background papers / miscellaneous documents	Discretionary	3.70	3.80	4.00	5.26%		Standard
A4 print from website	Discretionary	0.30	0.30	0.30	0.00%		Standard