



Planning Committee

Wednesday, 26 July 2023 at 6.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, T Burton, V Cunningham, T Gates, E Gill, C Howorth, S Jenkins, A King, C Mann, M Nuti, M Singh, 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).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please contact 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.
- 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.
- 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.

7) Commonly used acronyms:

ACEP	Assistant Chief Executive (Place)
ADM	Assistant Development Manager
BCM	Building Control Manager
CHPEBE or HoP	Corporate Head of Planning, Economy & Built Environment (also referred to as Head of Planning for brevity)
DLPM	Deputy Local Plans Manager
DM	Development Manager
PPSM	Planning Policy and Strategy Manager

List of matters for consideration

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Part I

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

1. **Notification of Changes to Committee Membership**
2. **Minutes** 4 - 6

To confirm and sign, as a correct record, the minutes of the meeting of the Committee held on 28 June 2023.
3. **Apologies for Absence**
4. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
5. **Planning Applications** 7
 - a) RU.22/0682 Land Off Rosemary Lane, Thorpe, Surrey, TW20 8PH 8 - 38
 - b) RU.23/0557 Land East of Highcross Place, Chertsey 39 - 53
 - c) RU.22/1846 Coombelands, Animal Sciences Unit (ASU), Woodham Lane, Surrey, KT15 3NB 54 - 78
 - d) RU.23/0066 Augustine House, Gogmore Lane, Chertsey, Surrey, KT16 9AP 79 - 96
 - e) RU.22/0109 Willow Farm, Chobham Road, Ottershaw, KT16 0QE 97 - 114
6. **Caxton Avenue Conservation Area Appraisal** 115 - 136
7. **Exclusion of Press and Public**

Part II

There are no 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, 28 June 2023 at 6.30 pm**

Members of the Committee present: Councillors M Willingale (Chairman), P Snow (Vice-Chairman), A Balkan, T Burton, M Cressey (In place of C Mann), V Cunningham, T Gates, E Gill, C Howorth, S Jenkins, A King, M Nuti, S Whyte and J Wilson.

Members of the Committee absent: Councillor M Singh.

In attendance: Councillors L Gillham and I Mullens.

6 Minutes

The minutes of the meeting held on 31 May 2023 were confirmed and signed as a correct record.

7 Apologies for Absence

None received.

8 Declarations of Interest

No declarations of interest were made.

9 Review of the Runnymede 2030 Local Plan

Paragraph 2.8 of the report was amended to remove the references to Full Council in the fifth and eighth bullet points.

The Committee was provided with a summary of the Local Plan process. The timetable for the review of the Runnymede 2030 Local Plan was set out in the September 2020 Local Development Scheme. Work on the review of the Runnymede 2030 Local Plan was underway, with the Planning Policy Team on course to publish the Issues and Options consultation document in October 2022. However, due to uncertainty around the Government's policy direction, in particular because of the change of Prime Minister and the ongoing transition of the Levelling Up Bill through Parliament, officers advised at the 7 September 2022 Committee that they felt the process needed to be paused until more certainty existed. Consequently, the Local Development Scheme was now out of date.

The Committee was provided with an overview of the options available, as set out in the report.

There was detailed discussion around the advantages, disadvantages and risks associated with each option. An additional risk was flagged in relation to option 3 by officers which was that if the Council continues to pause, and the new planning making system is not introduced, that the Runnymede 2030 Local Plan will become out-of-date in July 2025. As such by pursuing option 3, the Council would to a large degree, be reliant on the new Planning System coming forward (and in a similar form to what has been consulted upon).

To help mitigate against this risk, it was suggested that a further report to reconsider Plan preparation was brought back to Planning Committee in October if the revised NPPF had not been published, or if publication has occurred but significant changes had been made

to the consultation proposals for the new system.

Particular regard was paid to the Council's ability to require development of a high environmental standard (in response to climate change concerns) under each of the available options. It was noted that new policy could not be implemented via Supplementary Planning Documents (SPDs), but that work was taking place on reviewing whether Runnymede's SPDs and Local Design guidance were as robust as they could be, within the confines of the existing local framework. It was also possible that new National Development Management Policies being proposed by the Government had the potential to provide more standardisation in some areas including in relation to climate change.

The timeline for introducing a new Local Plan under the anticipated planning system was discussed. Officers advised that the new system was proposing to make the Local Plan consultation and implementation process achievable within 30 months taken from the start of the process.

The Committee questioned whether it was possible to begin immediately the process of gathering evidence for the next Local Plan. It was stated that a balance needed to be struck between the Council's desire to expedite acting on its climate change commitments, and producing evidence which would subsequently go out of date and need refreshing prior to submitting a new local plan for examination.

There was debate about the merits of each option, and a minority of members initially advanced the case for option 2. After significant debate a vote was undertaken and it was agreed that option 3 would be the agreed way forward.

The Committee would receive an update on the national picture relating to the planning reforms matter at its meeting in October 2023 (or November 2023 should there be a reason for slippage). In addition, at this meeting, officers would also bring back further information regarding:

- What would be achievable (under option 2) for a climate change review;
- Details of new/revised policy guidance that could be produced by officers in the interim period whilst the new Plan Making system is awaited (under option 3),
- A more detailed analysis of the timetable for producing different parts of the evidence base in the run up to the new Plan Making system being introduced so that the Council could 'hit the ground running' when the new system starts.

Resolved that –

- 1) The work on the next iteration of the Plan should be based around the option for preparing a Plan under the new plan-making arrangements;**
- 2) Once the Government had published its next iteration of the National Planning Policy Framework, a new Local Development Scheme be produced based around the option of preparing a Plan under the new plan-making arrangements, and brought back to the Committee, prior to being taken to Council for final approval.**
- 3) The Committee would receive a further update on this matter at its meeting ideally this should be at the October 2023.**

10 Englefield Green Conservation Area

The Committee was updated on the review of the existing Englefield Green Conservation Area.

Following the informal consultation exercise carried out by officers in April and May 2023, approval was now sought to formally consult on the Englefield Green Conservation Area

Appraisal and associated boundary changes, as contained in the Englefield Green Conservation Area Appraisal and Management Plan. As part of the Council's eventual response to the consultation, the Committee requested that it be clearly indicated where adjustments to proposals had been made, in response to resident feedback.

The Committee reviewed the proposed exclusions and additions to the Conservation Area. The Committee noted that there was legislation to protect properties from unsuitable development on the peripheries of Conservation Areas. It was suggested that the Crown Lease for the Green be referenced in the consultation preamble, in order to manage residents' expectations on what was possible. It was reported that the references to "Northfield Road" should read "Northcroft Road".

Resolved that –

The Committee approve the draft Englefield Green Conservation Area Appraisal, including the proposed boundary review, for public consultation from Monday 3rd July to Friday 18th August 2023.

(The meeting ended at 7.41 pm.)

Chairman

6. 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.

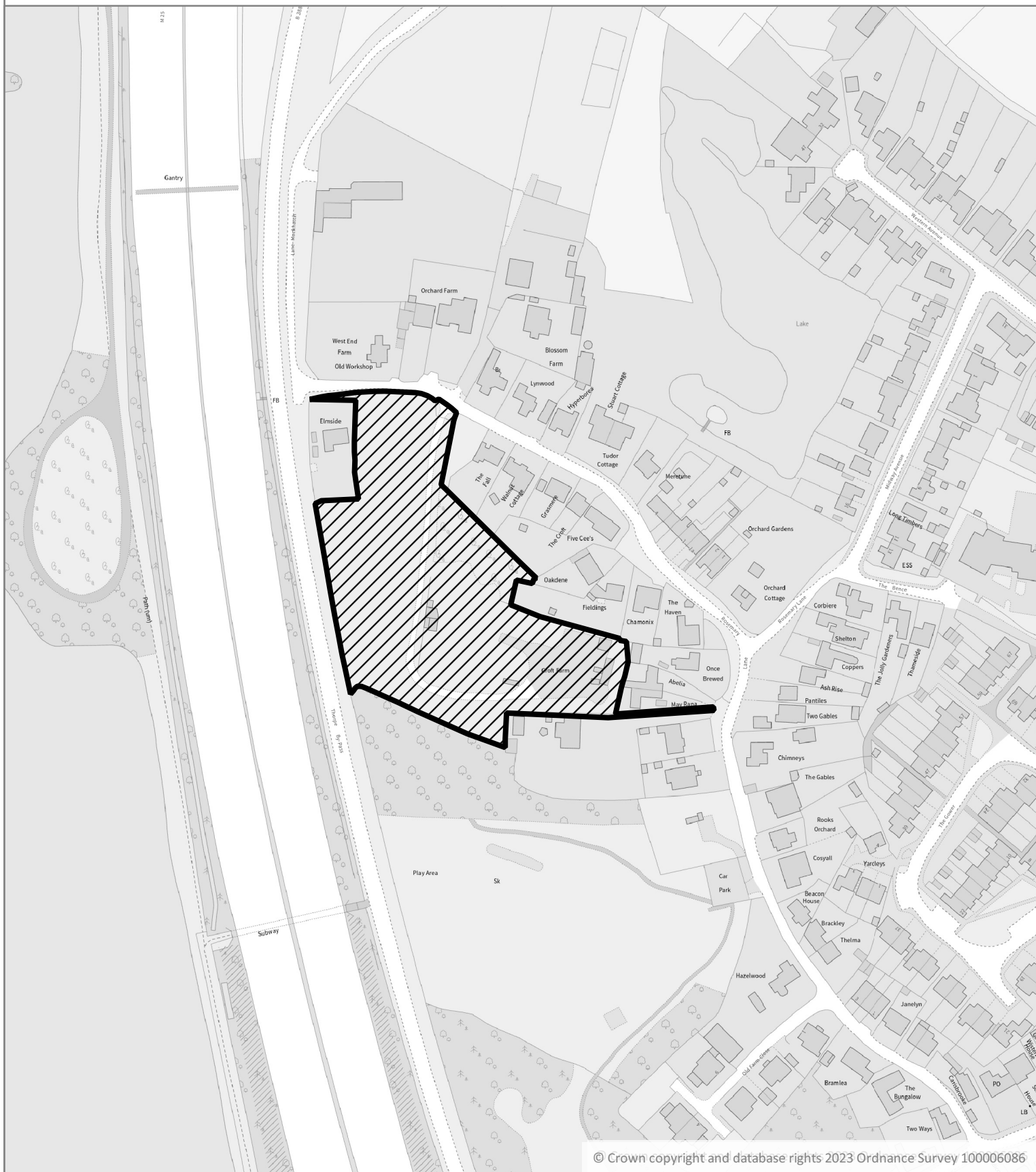


FOR LOCATION PURPOSES ONLY

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 14/07/2023

Rosemary Lane



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Scale: 1:2,500

0 50 100 m

RU.22/0682



COMMITTEE AGENDA REFERENCE: 5A

APPLICATION REF:	RU.22/0682
LOCATION	Land Off Rosemary Lane, Thorpe, Surrey, TW20 8PH
PROPOSAL	Full Planning Permission for the comprehensive redevelopment to provide residential use (Class C3) for 24 units (8 Affordable), with landscaping, car parking and associated works
TYPE	Full Planning Permission
EXPIRY DATE	26/07/2022
WARD	Thorpe
CASE OFFICER	Justin Williams
REASON FOR COMMITTEE DETERMINATION	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

It is recommended the Planning Committee authorises the Head of Planning:	
A	Approve the application subject to: The completion of a legal agreement which secures the infrastructure set out in the heads of terms set out in Section 11 of this report and the conditions set out in section 11 of this report
B	Or to refuse planning permission at the discretion of the Head of Planning should the S106 Agreement not progress to their satisfaction or if any other material considerations arise prior to the issuing of the decision notice that in their opinion would warrant refusal of the application.

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site is located on the western side of Rosemary Lane in a parcel of land between Rosemary Lane and the Thorpe bypass. The site would be accessed off Rosemary Lane utilising an existing access to the site adjacent to Elm side and proposes an access to Rosemary Lane from the Thorpe bypass (B388). Footpath 52 and 53 cross the site. The

site was formerly used as a builder’s yard , but is vacant with a number of low-level buildings closer to the south-eastern corner of the site in a poor condition. The site abuts garden areas of residential properties on the eastern side of the site and with the Frank Muir Memorial field to the South. To the North of the site and opposite the proposed access is a West End Farm which is a Grade II Listed Building. The western part of the site is adjacent to a wooded area close to the Thorpe Bypass and includes an area of Private Area of Open space which is laid to grass.

- 2.2 The M25 Air Quality Management Area extends into the western boundary of the site and the site is an allocated site for residential development within the Thorpe Neighborhood Plan for approximately 24 homes. The site lies within the urban area and within 5kms of the Thames Basin Heath Special Protection Area.

3. APPLICATION DETAILS

- 3.1 The applicant has applied for Full Planning Permission for the erection of 24 units with the creation of a new access onto Thorpe bypass. The application has been revised during the course of the application reducing the number of units from 29 units to 24 units and amending the access to the site from having two accesses onto the Thorpe bypass to one access onto the bypass. The proposal would retain an area of open space to the centre of the site with four units to the north of the site being accessed off Rosemary Lane with the other remaining units having an access onto Thorpe bypass. Pedestrian and cycle routes through the site would remain. The proposal would include a mix of dwellings and tenure which is detailed below.

Number of Bedrooms	Private	First homes	Shared ownership	Affordable rent	Total
Two	2	1	0	6	9
Three	4	0	1	0	5
Four	10	0	0	0	10
Total	16	1	1	6	24

- 3.2 The applicant has submitted a number of documents in support of the application, including a Design and Access Statement, Green and Blue Infrastructure Strategy, Flood Risk Assessment, Bat Activity Report, Transport Statement, Waste Management Strategy, Built Heritage Statement, Biodiversity Impact Assessment, Noise Impact Assessment, Air Quality Impact Assessment, Arboricultural Impact Assessment.
- 3.3 The Design and Access Statement outlines how the current design has been reached including how the parking would work on the site.
- 3.4 The Transport Assessment notes that the site has a number of small outbuildings and was previously used for open storage with grassland in association with nearby Croft Farm. The revised scheme would result in an additional four dwellings accessing onto Rosemary Lane

with 20 units being accessed from a new junction with Thorpe Bypass. The proposal would provide 46 allocated car parking spaces, four visitor spaces, 22 EV charging spaces and one disabled parking space.

- 3.5 The site is currently predominantly open and laid to grass with some areas of hard surfacing. The proposal would include additional landscaping, including trees, wildflower areas and drainage basin. This details that a net gain in biodiversity of approximately 0.3 units or 12% ecological value would be created. The biodiversity impact Assessment is complemented by a Green and Blue Infrastructure Report, which refers to hedgerow planting, hedgehog holes in garden fences, bird and bat boxes. The proposal would also include permeable paving and swales along the edge of the open space area.
- 3.6 The application site has a number of outbuildings in a state of disrepair and a stretch of trees along the western boundary and southern boundary which could provide roosting and foraging opportunities for bats. The submitted Bat Activity Report notes that the habitat on the site has low potential for foraging bats, but the site could be used for commuting and foraging especially along site boundaries. The report details that a buffer zone between the application site and the woodland edge be maintained to minimise the potential impact on these areas. The report also refers to measures to reduce the spread of light pollution into these sensitive areas.
- 3.7 The site is located adjacent to an Air Quality Management Area and within 25 metres of the M25 to the west of the site. The report outlines that there may be issues with air pollution during the construction of the site, which can be controlled by dust suppression measures. The Noise Impact Assessment notes that the site is at medium risk from noise, with the majority of the houses towards the eastern part of the site away from the M25. Windows should be double glazed with trickle vents to allow ventilation without the need for opening windows and brick walls to be built along the western boundaries of the properties in the southern part of the site.
- 3.8 The Arboricultural Report details that because of the need to create a new access onto Thorpe Bypass a number of trees will have to be removed to facilitate this and the necessary visibility splays. However, additional landscaping and planting will take place to mitigate this. The trees to be removed are of mixed species and age. The report notes that an Arboricultural Method Statement and Tree Protection Plan will be required and will be submitted on the request of a planning condition should the application be approved to ensure the retention of as many of the trees as possible at the site and to prevent any accidental damage caused to existing trees during the construction of the site.
- 3.9 The applicant has submitted a Built Heritage Statement as the site is adjacent to an area of High Archaeological Potential and the size of the site exceeds 0.4 ha as required by Policy EE7 of the Local Plan. There is also a Grade II Listed Building outside of the site located to the North (West End Farm). The statement concludes that the proposal would not impact on the character and setting of the adjacent Listed Buildings.
- 3.10 The site is not within the medium or high-risk flood zones, however, because of the size of the site the applicant has submitted a Flood Risk Assessment and Drainage Strategy. The FRA concludes that the proposal would not impact on the flood plain or increase the number of people at risk from flooding. With regard to managing surface water drainage. There is an existing highway ditch which runs along the western site boundary and the applicant is proposing to release surface water into this drainage ditch at a controlled rate. This will be done by swales and an attenuation basin.

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.20/1706	Outline application for the erection of up to 36 dwellings and associated highway works (details of access for approval). Appeal dismissed August 2021
RU.18/1838	Outline application for the erection of up to 83 dwellings and associated Access. Refused December 2019 – Appeal Dismissed December 2020.
RU.18/1326	Town and Country Planning (Environmental Impact Assessment Regulations 2017 – screening opinion as to whether the proposed residential development of 83 dwellings, associated infrastructure, including access public open space, landscaping and pedestrian and highway network improvements. Not EIA development September 2018.
RU.07/0382	Extension to internal access road and new turning area and repair and maintenance of the existing internal access road. Refused August 2007
RU.02/0736	The erection of 43 dwellings with vehicular access off Rosemary Lane and associated car parking and open space provision following demolition of Elmside Refused August 2002.

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.

Thorpe Neighbourhood Development Plan 2015-2030 – Adopted June 2021

5.3 SPDs which might be a material consideration in determination:

Runnymede Design Guide

Green and Blue Infrastructure Tariff

Affordable Housing

Thames Basin Heath Special Protection Area

6. CONSULTATIONS CARRIED OUT

6.1 Consultees responses

Consultee	Comments
National Highways	No comments received
Surrey Archaeology	No objection
Lead Local Flood Authority	No objection
Surrey Crime Prevention Officer	No comments received
RBC Planning Policy	No objection
RBC Housing	No objection
Surrey Wildlife Trust	No objection – subject to conditions regarding the submission of an Ecological Management Plan, Construction Environmental Management Plan, Provision of a Sensitive Lighting Management Plan
Surrey County Highways	No objection
RBC Environmental Health Officer	No objection subject to conditions regarding further details be submitted regarding final details of noise mitigation measures
SCC – Countryside Access Team	Object – clarification on FP52 – Any works should not obstruct, divert or interfere with public right of way.

Representations and comments from interested parties

- 6.2 30 Neighbouring properties were consulted in addition to being advertised on the Council's website, a site notice displayed and advertised in the Local Press and 39 letters of representation have been received in regard to the original scheme and a further 6 letters following the receipt of amended plans, three in objection and three in support which can be summarised as follows:

Original scheme

- The existing trees and shrubs protect residents in Rosemary Lane from noise and pollution
- The removal of trees and shrubs will devastate wildlife in the area
- The access to the bypass is dangerous (*Officer comment - access now amended*)
- The proposed access to Spring Farm would access onto a road where speeds are generally in excess of 55 mph (*Officer comment - access now amended*)
- It has not been demonstrated how the access to Spring Farm can be secured to accommodate servicing vehicles accessing the site (*Officer comment - access now amended*)
- It is not clear how Rosemary Lane will be closed and the impact it would have on existing properties in Rosemary Lane
- There is no green travel plan for the site
- There is a lack of public transport to and from the site
- The new development does not integrate with the community.
- The amount of social housing is over and above the required figure
- Muckhatch Lane should not be converted into a cycle/pedestrian link
- A different junction should be provided and not divide Rosemary Lane
- Flats would be out of keeping with the established character of the village being houses with their own gardens
- A buffer zone needs to be provided between the application site and properties in Rosemary Lane
- The proposed site is within the flood plain and add to surface water flooding.
- There is no childrens play area
- The proposal does not enhance Thorpe, just adds to new homes in the area.
- The site should be kept as Green Belt and not developed with woodlands and trees to absorb CO2 emissions and provide safe recreational area.
- The application should be revised to address Climate Change Emergency and government targets for UK Net Zero carbon.
- The proposal should not include three storey houses
- The proposal should be consistent with the Thorpe Neighbourhood Plan
- Additional traffic onto the lane heightens risk to other users of the lane
- The type of units is not consistent with the plan
- The proposal would not provide sufficient amenity land for the site as outlined in the Neighbourhood Plan
- The proposal would result in significant tree loss and not result in a net gain of biodiversity
- The proposal would expose occupants of the units to air and noise pollution
- Coltscroft and Elmside have been excluded from the plan for which 24 units in the neighbourhood plan has been based. As a result the site is much smaller and therefore the number of units should also be reduced.
- A well-designed scheme should compliment the villages current detached housing stock with generous plots in a semi-rural setting
- Increasing the number of units accessing onto Rosemary Lane which is already congested will result in the lane being impassable and compromise safety.
- The water pressure in Rosemary Lane is already low, and additional units will only exacerbate this problem
- The proposal would lead to increased pressure on schools and local GP's.

- Archaeological remains have been found in the Village Church and iron age remains found in the wider area. There may be material underground.
- The proposed plans appear cramped and out of character and appearance with Rosemary Lane
- The site is in the flood plain and suffers from sewage problems. Any more houses would put additional strain onto the existing sewage system.
- The proposal would result in overlooking and loss of privacy
- There is an existing building on the site which would be demolished and is made of asbestos. The demolition of this building would lead to an increase of lethal pollution in the immediate atmosphere.
- The site contains back fill from the London Blitz and there are human remains on the site.
- No one should live on a site above dead people's body parts
- The area suffers from subsidence from the previous use of the land.
- The site should remain as a green field in perpetuity
- The proposal would affect existing footpaths through the site.

Revised scheme

Thorpe Neighbourhood Forum

- The proposals reflects the policies in the neighbourhood plan in the vast reduction in numbers and provides a sensible access arrangement.
- The proposal enhances biodiversity.
- The type and style of dwellings proposed reflects that required by the neighbourhood plan.

Objection

- The affordable housing should be spread out across the site, and not in just one corner.
- The concentration of affordable housing would lead to a large housing block close to properties in Rosemary Lane which would lead to light pollution, noise pollution and anti-social behaviour.
- The number of affordable dwellings should be lower.
- The social housing allocation will impact on the village.
- Can access to the site be from Thorpe bypass.
- Flats should not be able to extend any higher than proposed.
- Vehicles should not be able to park on the grass verge around the open spaces, bollards or low fence be placed around the public open space.
- Properties in Rosemary Lane will be subject to noise and dust during the proposed works.

Support

- The revised plans will result in Muckhatch Lane being untouched with Rosemary Lane now being used for an additional 4 properties.
- Developers have listened to genuine concerns.
- Much more suitable plan.

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. The site is also an allocated site within the Thorpe Neighbourhood Plan which was adopted in June 2021. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the layout, scale, design, housing land supply/need, housing mix, affordable housing, highway safety, impact on the character and visual amenities of the area, impact on the residential amenities of the occupiers of the adjacent neighbouring properties, leisure recreation, potential impact on trees, protected species, noise and air quality, drainage, flood risk, ground water, contaminated land and on local infrastructure.

Principle and Quantum of Development

- 7.2 Policy SD1 of the Runnymede 2030 Local Plan allocated 89 net additional dwellings for Thorpe. This includes 11 completions and 28 dwellings from C2 older accommodation. Therefore, the net amount for new dwellings in Thorpe is 50. The site is within the Thorpe Neighbourhood Area and the Thorpe Village Plan identifies three sites for a total of 74 units. This is one of those allocated sites in the Neighbourhood Plan and Policy TH2 refers to this site for approximately 24 homes. However, it is noted that the allocation includes a small area of other land outside of the application site.
- 7.3 Policy TH2 of the Neighbourhood Plan states that the proposal should be predominantly 2 – 3-bedroom homes with an area of approximately 0.75 hectares of public open space. The plan also advises that the layout and heights of a building should have full regard to the location of the land and the setting of the Grade II Listed Building at West End Farm.
- 7.4 The proposal includes 24 units with a large proportion of two and three bedrooms homes thereby being consistent with the policy. The allocation includes an area of 1.75 ha of land with approximately 1 ha being developed and the remainder being for open space. The proposal would have an area of 1.3 ha with 0.4 ha being public open space. 0.9 hectares being developable. Whilst this area of public open space is lower than the amount cited in the policy the area of open space is considered to be of a good size, shape and location and would provide a high-quality useable area. This proposed development provides a good balance between making the most efficient use of the land to deliver housing numbers, whilst providing a more suitable means of access whilst still delivering a meaningful and high quality public open space. For these reasons no objection is raised on this ground. Furthermore, the location of the open space is broadly consistent with that identified in the Local Plan.
- 7.5 Whilst the proposal includes a smaller parcel of land than that in the allocation, i.e., excludes Coltscroft and should Coltscroft come forward at a late date, which may result in a slightly higher number of units coming forward, it is considered that the proposal would result in an efficient use of land within the urban area which would be broadly consistent with the aims and objectives of the policies in the adopted Neighbourhood Plan. Therefore, there is no objection to the quantum of development proposed.

Housing Mix

- 7.6 The make-up of the housing mix is detailed above. The proposal would provide 8 affordable housing units which would be 33% affordable housing. The Local Plan Policy is for 35% affordable housing. 35% of 24 units is 8.4. The Council's Adopted SPD for affordable housing

states that when the calculation of the number of affordable units required results in a figure less than a dwelling (whole number) the Council will round up to the nearest number of units where the number is 0.5 or above., or down if it is less than 0.5. As the proposal would be 8.4, then it is rounded down to 8 which is what is proposed. The proposal therefore complies with the adopted Affordable Housing Policy and SPD.

- 7.7 The proposal would provide a range of affordable housing and at least one of the units would also be wheelchair compatible. The Council's Housing Business Development and Policy Manager raises no objection to the application.

Design, Layout and impact on Character and Appearance of the area.

- 7.8 The NPPF requires the provision of high-quality spaces, and that new development should add to the overall quality of the area, be visually attractive, sympathetic to local character, establish or maintain a strong sense of place, optimise the potential of the site and sustain an appropriate amount and mix of development whilst providing places that are safe, inclusive and accessible. This is reinforced by Policy EE1 of the Local Plan and Policy TH2 of the Thorpe Neighbourhood Plan.
- 7.9 The proposed dwellings would be two storey with off street parking and private amenity areas. The proposal does include flats, however these would each have their own front door and have the appearance of a row of terraced properties. The flats would overlook the central amenity space and would have car parking to the rear with a pedestrian footpath linking the southern section of the site to the northern section of the site. The proposed development would also use a variety of housing style and materials being reflective of the adjacent character of the area which has a varied appearance. It is therefore considered that the proposal would be in keeping with the established character of the area.
- 7.10 The proposed dwellings would have good sized gardens in accordance with the adopted Design SPD with the flats mostly having their own private amenity areas but will also be immediately adjacent to the public open space. It is therefore considered that the proposed development would provide an appropriate amount of open space and would be reflective of the spacious character of the wider area.
- 7.11 Footpaths through the site from Rosemary Lane and to the Frank Muir Memorial Ground to the South and onto the footpath towards Green Road (FP53) are to being retained.

Impact on the amenities of the occupiers of the adjacent neighbouring properties.

- 7.12 The site is located in a residential area with residential properties to the North, East and South east of the site. The applicant has submitted a plan showing the boundary features of the site with any existing boundary fencing to be made good, with the landscaping plan indicating enhanced landscaping on the boundaries of the site with residential properties. The proposed layout includes side elevation of some dwellings close to boundaries of the site. However, there would be no side windows which would directly overlook neighbouring properties. Any front or rear elevations would afford some overlooking to garden areas of properties, However, the dwelling houses would be over 18 metres away from their rear boundaries. The proposed buildings would be a maximum of two storey and it is considered that the proposed buildings closest to boundaries with residential properties would not be materially overbearing and not result in loss of privacy to the occupiers of these properties.
- 7.13 The proposal would provide an access road to the site serving adjacent to Elmside which would serve two properties in the development. Landscaping would be provided close to this property and given the limited number of units the access road would serve it is considered

that the location of the access would not materially harm the amenities of the occupiers of Elmside or West End Farm to the North of the site.

- 7.14 The proposal would introduce two new dwellings facing onto West End Farm. However these would be set back from the road with landscaping to the front. There would be a separation gap of approximately 20 metres between the closest properties and it is considered that because of the separation distance the proposed dwellings would not materially result in overlooking or loss of privacy to the occupiers of the neighbouring property.
- 7.15 It is considered that the design of the proposal, layout and proposed landscaping would not result in the proposed development having an adverse impact on the amenities of the occupiers of the adjacent neighbouring properties through overlooking, loss of privacy, loss of light or being overbearing. The proposal would comply with Policy EE1 of the Local Plan and Policies within the Neighbourhood Development Plan.

Access

- 7.16 The proposal has been revised during the course of this application with the applicant no longer proposing two accesses onto Rosemary Lane. The applicant now proposes to retain the existing situation to the North of the site with one access to the site serving four properties only and a new access serving the remainder 20 units closer to the crossing with Footpath 53. Vehicle movements between the northern section and southern section will be restricted with a footpath only being provided between the two sections with the open space separating.
- 7.17 The applicant has provided a transport statement which identifies that the proposed development would provide 46 allocated parking spaces, four visitor spaces with 22 EV charging and one disabled space. It is noted that this does not include the proposed garages for the residential units. Cycle parking will also be provided at the site.
- 7.18 As identified above the site is well served by existing footpaths to and through the site and this will be retained. The County rights of way officer has advised that any works near to rights of way should not interfere with the public right of way. The village has limited bus services with approximately 5 services per day. However, given the nature of the village being relatively compact with a range of facilities, inc. a post office, shop, schools, public house and church and with Thorpe Industrial Estate nearby, it is considered that the site is in a sustainable location.
- 7.19 The proposal would generate approximately 10 trips to and from the site in the morning peak hour from the new southern access, 3 from the northern access onto Rosemary Lane and 12 trips and 4 trips in the evening respectively. This would not have a material increase in traffic around the site.
- 7.20 Surrey County Highways have been consulted on the application and raise no objection to the application subject to conditions. The applicant has submitted a safety report regarding the new junction onto the Thorpe Bypass and road surveys have been completed with support from Surrey Police in reducing the speed limit on the Thorpe Bypass from 60 mph to 40mph. This outlines that the speed reduction is suitable. However, a contribution from the applicant of £25,000 is recommended to secure this speed reduction. Subject to compliance with the conditions the proposal would comply with Policies SD3 and SD4 of the Runnymede 2030 Local Plan.

Air Quality

- 7.21 The site is located adjacent to the M25 Air Quality Management Area and the revised layout demonstrates that none of the proposed buildings are within this area. The assessment also

outlines mitigation measures to be used at the site to prevent/limit any pollution to the occupiers of the adjacent neighbouring properties and future occupiers of the site are unlikely to be affected by Air Quality matters. The Council's Environmental Health Officer raises no objection to the application on this point.

Noise

- 7.22 The M25 and the Thorpe bypass run North to South close to the western boundary. The document states that internal noise levels can be achieved, but measures will need to be incorporated regarding external measures in line with WHO guidelines. The Council's EHO raises concern to the data of the Noise report, with the surveys being carried out in 2018. However, accept that internal and external noise level measures can be achieved. However, full details of which will need to be submitted and agreed by condition. Also, further information regarding ventilation when windows are closed during sleeping hours is also required to be submitted by condition.

Energy and Sustainability

- 7.23 Policy SD7 and SD8 of the Local Plan refer to Sustainable Design and Renewable Energy respectively. Policy SD7 refers to measures to provide cycle storage, recyclable waste, solar gain/cooling, EV charging points, water efficiency, compliance with Part M4 (2) and (3) of the Building Regulations and incorporating sustainable construction and demolition techniques and reuse and recycling of construction waste. The applicant has submitted an Energy Strategy Report and a Waste Management Centre in support of the application. The proposal does incorporate places for cycle and bin storage inc. recyclable waste with EV charging points for each property. The proposal would also include one dwelling suitable for wheelchair access in compliance with Part M4 (2) of the Building Regulations. The submitted Waste Strategy refers to the applicant delivering a fabric first development incorporate sustainable construction and the use of recycled and recyclable materials. The Council's Energy Advisor raises no objection to the application with this regard and it is considered that the proposal complies with Policy SD7 of the Runnymede Local Plan.
- 7.24 Policy SD8 states that major development proposals will be required to submit an energy statement demonstrating how the energy hierarchy has been applied and how it will be implemented. The submitted energy statement states that the layout have good sized openings to allow for natural light with all units being at least dual aspect. Maximising the opportunities for daylight and sunlight to all rooms. All units will also include heat recovery systems to retain heat within the buildings. In addition, the report identifies that Air Source Heat Pumps and Solar PV can be used to provide at least 10% of the energy requirements of the buildings on the site. The Council's Energy advisor raises no objection to the application; however, they recommend that further details of renewable energy sources, i.e., ASHP's and Solar PV Panels should be submitted to ensure noise levels from the heat pumps and any potential glare from PV panels can be mitigated. Subject to this condition it is therefore considered that the proposal would comply with Policy SD8 of the Local Plan.

Biodiversity

- 7.25 Policy SD7 of the Local Plan also refers to measures to protect biodiversity and to include opportunities to achieve net gain. The site is currently predominantly grass with a few trees and shrubs which are of no major significance. There are also a number of buildings on the site which are to be demolished and the applicant has submitted a Bat report and preliminary Impact Assessment, which outlines potential habitat and species on the site. The Preliminary Impact Assessment details that the site has low potential for reptiles, moderate potential for birds, although these are not rare or unusual species, moderate potential for invertebrates, but

the potential for any rare species is low. There is evidence on the site for badger activity on site, but no sets. Finally, there are protected species of Bluebell along the border with the woodland to the South of the site.

- 7.26 The submitted bat report identifies that there are no bats roosting in the buildings, but the site given the tree corridor on the western boundary may be used for foraging.
- 7.27 The submitted Biodiversity Impact Assessment and landscaping scheme identifies areas of the site where biodiversity will be increased. The submitted metric calculator details that the proposal would provide a net increase in biodiversity for habitat of 11% and 36% in hedgerow units. It is considered that this would comply with Policy SD7 of the Local Plan in providing opportunities for net gain in biodiversity. Surrey Wildlife Trust has been consulted on the application and views are awaited on the revised scheme, however, no objection was raised on the original scheme, but recommend conditions regarding lighting scheme and a Construction Environment Management Plan to ensure habitat and animals on site found during construction are protected as much as possible.

Green and Blue Infrastructure and Trees and Landscaping

- 7.28 Policies EE11 and EE12 of the Runnymede 2030 Local Plan refer to Green and Blue infrastructure respectively. Policy EE11 requires proposals to restore, maintain and enhance habitat connectivity, with Policy EE12 requiring the same for blue infrastructure. The site is bordered by planting on all sides and the proposal will retain this (apart from the new access) and provide additional planting across the site. The site is not close to a main water course, but the proposal does include measures for water retention on site via suds which will be managed. The submitted landscaping strategy includes measures to facilitate habitat movement across the site. The proposed landscaping plan does outline the removal of a number of trees to facilitate the new access towards the southwestern corner of the site. However, given the existing high level of tree coverage in this area and the amount of landscaping proposed and the benefits of providing the access in this position it is not considered that this would have a materially harmful impact. The submitted Arboricultural Impact Assessment does acknowledge that a Tree Protection Plan should be submitted along with an Arboricultural Method Statement to fully detail what trees are being proposed to be worked on to ensure the maximum retention of trees on site and to preserve the verdant character of the area. Subject to these conditions, it is considered that the proposal complies with Policies EE11 and EE12 of the Runnymede Local Plan.

Flood Risk and Drainage

- 7.29 The application site is not within medium or high-risk flood zones. However, the applicant has submitted an FRA because of the area of the site. The submitted FRA details that the proposals would not increase the number of people at risk from flooding. The report also documents how surface water would be managed at the site with permeable paving and swales. The Lead Local Flood Authority raise no objection to the application.

Heritage

- 7.30 The Northern access to the site would be opposite West End Farm which is a Grade II Listed Building. The applicant has submitted a Heritage statement which considers that the proposal would have a low impact on the setting and character of the Listed Building. Policy EE3 of the Runnymede 2030 Local Plan requires development to be designed to protect, conserve and enhance the significance and value of these assets. The location of the access to the site close to the Listed Building would impact on the setting of this building by result in an increased level of movement around the site from vehicular activity. However, given that the new access

onto Rosemary Lane would only serve a limited number of properties, it is considered that this would not be significant to adversely affect the character and appearance of the Listed Building. The Councils Listed Building and Heritage advisors raise no objection to the application. The proposal is therefore considered to be in accordance with Policy EE3 of the Local Plan.

Archaeology

- 7.31 The site is adjacent to an Area of High Archaeological Potential. The applicant has submitted an Archaeological Assessment with the application, and this details that the area was extensively quarried in the late 19th and early 20th Century. Surrey County Archaeology consider that because of the extensive ground disturbance works carried out at the site most if not all of any archaeological remains would have been removed and therefore raises no objection to the application and no further work is required. The proposal complies with Policy EE7 of the Runnymede 2030 Local Plan

Thames Basin Heath Special Protection Area

- 7.32 The application site is within 5km of the Thames Basin Heaths SPA. 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.
- 7.33 The guidance is that Natural England are required to be consulted and the LPA must have regard to its advice. Natural England agreed the framework for relevant development proposals affected by the TBHSPA in 2008 and the Council has been following this framework since then utilising it as standing advice removing the need for individual consultation to Natural England for schemes of this scale. It therefore falls to the Council to undertake the Appropriate Assessment of the application, which includes the consideration of any proposed mitigation, to reach a conclusion as to whether the proposal has residual adverse effects that lead to a likely significant effect on habitats at the TBHSPA. In undertaking this Appropriate Assessment, it is considered that there will be effects arising from increasing the number of residential units within 5km of the TBHSPA. The applicant has submitted an occupation calculator which outlines the contributions required for SANG and SAMM and these will be secured under the S106 agreement.

Contaminated Land

- 7.34 The submitted Geo environmental report identifies that the site is a former builder's yard and has been subject various excavation and back filling, with the last being in the 1960's. The report identifies that there may be some elevated concentrations of contaminants within the ground which could be risk to contractors, end users. Furthermore, some gas ground protection measures will be required. However, the report identifies remediation measures to overcome this. The Council's Contaminated Land Officer raises no objection to the application, but conditions regarding implementation of the remediation strategy and verification report and the reporting of any potential unexpected contamination is

recommended. Subject to this condition, the proposal complies with Policy EE2 of the Runnymede Local Plan in this regard.

Previous Reasons for Refusal

- 7.35 This application is a revision from several previous schemes which have been refused and dismissed at appeal. The most recent appeal (RU.20/1706) was for 36 units. In dismissing this appeal, the inspector commented that the provision of around 36 dwellings was an overdevelopment of the site not in accordance with the Neighbourhood Plan policy. The Inspector also raised concern over biodiversity and that the applicant had not demonstrated that a biodiversity net gain can be achieved on the site. The applicant has submitted information for this application and as detailed above a biodiversity net gain can be achieved at the site. The previous application also included some rear garden areas within the AQMA which the Inspector considered that this could have a harmful effect on the health of the future occupiers of the properties. The revised scheme does not include any rear garden areas within the AQMA. It is considered that the reduction in number of units, revised layout of properties and the biodiversity net gains proposed all overcome the previous reasons for refusal.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The site is an allocated site within the Thorpe Neighbourhood Plan the proposal would provide 24 dwellings, 14 of which would be 2 and 3 bedrooms and would provide 0.4 ha of open space. The layout has been sensitively designed to reduce the potential impact of the new dwellings on the amenities of the occupiers of the adjacent neighbouring properties. All of the properties would provide good amenity spaces, with no properties or garden areas being within the AQMA and the proposal would provide a net gain in biodiversity at the site. Four properties would be accessed from Rosemary Lane with the remainder being served from a new access road onto Thorpe Bypass. The northern and southern sections would be connected by a footpath. The Highways Authority raise no objection to the application and recommend that the speed limit on the bypass be reduced to 40 MPH. The proposal would comply with the aims and objectives of the Thorpe Neighbourhood Plan and the Runnymede 2030 Local Plan, and it is considered that the reduction in units and changes to the access to the site addresses the previous reason for refusal and concerns from occupiers of adjacent neighbouring properties.
- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD3, SD4, SD5, SD7, SD8, SL1, SL19, SL20, SL26, EE1, EE2, EE3, EE4, EE7, EE9, EE10, EE11, EE12, of the Runnymede 2030 Local Plan, Policies TH2 (i) TH4 and TH5 of the Thorpe Neighbourhood Plan adopted 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 Head of Planning 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:

2. Planning Obligations of:

i) SANG £52,086.78 SAMM £23,686.66 (TBH SPA Financial Contribution)

ii) The provision and deliverability of affordable housing – 1 first home, 1 shared ownership and 6 affordable rent (1 of which is disabled Part M4 (2))

ii) Highway works – Contribution for speed reduction £25,000 index linked to RPIx from date of signed S106

iv) Secure delivery of public open space and transfer to a management company

All figures and contributions will also need to be finalised in negotiations with the applicant and relevant consultees and final authority in these negotiations is given to the Head of Planning.

And the subject to the following planning conditions:

1. Commencement

The development for which full planning permission is hereby granted must be commenced no later than the expiration of three years beginning with the date of this permission.

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

2. List of approved plans

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

Drawing numbers and documents	Date received
Accommodation Schedule _SL.01_REV F	26 May 2023
CSE.01 Rev C – Street Elevations	26 May 2023
CSL.01 Rev D – Coloured Site Layout	26 May 2023
OSP.01 Rev C – Open Space Plan	26 May 2023
BBS.01.pe Rev B – Bins and Bicycle Store Floor Plan & Elevations	26 May 2023
P.3-8.e1 Rev B – Plots 3-8 (1 x 2B4P Wch, 5 x 2B4P Flats) Elevations	26 June 2023
P.3-8.e2 Rev B – Plots 3-8 (1 x 2B4P Wch, 5 x 2B4P Flats) Elevations	26 June 2023
P.3-8.p1 Rev D – Plots 3-8 (1 x 2B4P Wch, 5 x 2B4P Flats) Floor Plans	26 June 2023
P.3-8.p2 Rev B – Plots 3-8 (1 x 2B4P Wch, 5 x 2B4P Flats) Floor Plans	26 June 2023
HT.2B-S.e Rev C – House Type 2B-S Elevations	26 May 2023
HT.2B-S.p_C – House Type 2B-S Floor Plans	26 May 2023
HT.3B2(2blk).e Rev B – House Type 3B2 (2-Block) Elevations	26 May 2023
HT.3B2(2blk).p Rev B – House Type 3B2 (2-Block) Floor Plans	26 May 2023
HT.3B2.p Rev C – House Type 3B2 Floor Plans	26 May 2023
HT.3B2-1.e Rev A – House Type 3B2 Elevations Option 1	26 May 2023
HT.3B2-2.e Rev A – House Type 3B2 Elevations Option 2	26 May 2023
HT.E-CT.e Rev A – House Type E-CT Elevations	26 May 2023
HT.E-CT.p Rev A – House Type E-CT Floor Plans	26 May 2023
HT.F1.e Rev A – House Type F1 Elevations	26 May 2023
HT.F1.p Rev A – House Type F1 Floor Plans	26 May 2023
HT.J1.p Rev C – House Type J1 Floor Plans	26 June 2023
HT.J1-1.e Rev C – House Type J1 Elevations Option 1	26 May 2023
HT.J1-2.e Rev D – House Type J1 Elevations Option 2	26 June 2023
HT.J1-B.e Rev B – House Type J1-B Elevations	26 May 2023
HT.J1-B.p Rev B – House Type J1-B Floor Plans	26 May 2023

AHL.01 Rev D – Affordable Housing Layout	26 May 2023
BML.01 Rev D – Boundary Material Layout	26 May 2023
COS.01 Rev P3 – Central Open Space	26 May 2023
DML.01 Rev D - Dwelling Material Layout	26 May 2023
PSL.01 Rev D – Parking Strategy Layout	26 May 2023
RSL.01 Rev D – Refuse Strategy Layout	26 May 2023
SBP.01 Rev D – Site Block Plan	26 May 2023
SE.01 Rev C – Street Elevations	26 May 2023
SL.01 Rev D – Site Layout	26 May 2023
SS.01 Rev C – Site Section	26 May 2023
P.1-2.e Rev A – Plot 1-2 (HT.3B2 / HT.2BT) Floor Plans	26 May 2023
P.1-2.p Rev A – Plot 1-2 (HT.3B2 /HT.2BT) Elevations	26 May 2023

3. External materials (details required)

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

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

4. Hard and Soft landscaping

Full details of both hard and soft landscaping works including tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted. The details shall include indications of all changes to levels, hard surfaces, walls, fences, or other means of enclosure within or around the site, access features, minor structures, the existing trees and hedges to be retained, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development. The above details should also be supported by a phasing plan/timetable for the delivery on the hard and soft landscaping.

Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out in accordance with the phasing plan/timetable agreed with the Local Planning Authority.

Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously

damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority give written consent to any variation.

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

5. Arboricultural Report and Tree Protection

Prior to the commencement of any development, including before any equipment, machinery or materials relevant to commencement are brought on to the site, a site specific Arboricultural Method Statement (AMS) and Tree Protection Plan shall be submitted to the Local Planning Authority for approval.

These details should be in accordance with the Arboricultural Impact Assessment dated May 2023 and the general provisions of BS5837:2012 and give details of, but not be limited to, the construction of all structures/surfaces within the RPA of any trees to be retained, details of the removal of any structures/surfaces within the RPAs of retained trees and the method of tree protection to be used, phased, if necessary, to allow for the requirements of demolition and construction.

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

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

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

6. Landscape and Ecological Management Plan

Prior to construction of the slab level a Landscape and Ecological Management Plan (LEMP), including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority.

This should be in accordance with the recommendations in section 8 of the Ecological Appraisal, (September 2022) and Technical note dated January 2023 The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- Details of any new habitats created on site.
- Details of the extent and type of new planting and seeding outside of the developed areas, which should be native species of UK provenance.
- Details of the lighting scheme that should be of a sensitive design to minimise impacts on all semi-natural habitats within and adjacent to the site.
- Details of maintenance regimes including how the semi-natural habitats will be managed over the long-term in order to retain their ecological diversity.
- Details of management responsibilities including adequate financial provision and named body responsible for maintenance.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to ensure the protection of wildlife, supporting habitat and secure the opportunities for the enhancement of the nature conservation value of the site and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

7. SUDS

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

- Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% 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 **1.3 l/s**.
- 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.).
- 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.
- Details of drainage management responsibilities and maintenance regimes for the drainage system.
- 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.

8. Verification report

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

9. Visibility Splays – (Thorpe Bypass -B388)

No part of the development shall be commenced unless and until the proposed vehicular access to the proposed development from B388 Thorpe By-Pass has been constructed and provided with visibility zones in general accordance with the approved plans (Drawing No. 19017-THOR-5-SK003 - Rev C) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

10. Visibility Splays - (Rosemary Lane)

No part of the development shall be commenced unless and until the proposed three vehicular accesses to the proposed development from Rosemary Lane have been constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

11. Construction Transport Management Plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) vehicle routing
- (e) measures to prevent the deposit of materials on the highway

(f) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

12. Parking layout

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for its designated purpose.

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

13. Cycle storage

The development hereby approved shall not be first occupied unless and until each of the proposed dwellings have been provided with bicycle parking in a robust, secure enclosure in accordance with the approved plan and thereafter retained and maintained to the satisfaction of the Local Planning Authority. Within the proposed cycle storage, facilities for the charging of e-bikes are to be provided, consisting of a standard three-point plug socket. All apartments are to be provided with parking for a minimum of 1 bicycle and houses with for a minimum of 2.

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

14. Renewable Energy

Prior to the occupation of the development hereby approved details of the chosen renewable technology including their location shall be submitted to and approved in writing by the Local Planning Authority to ensure that a minimum of 10% of the predicated energy consumption of the development would be met through renewable energy/low carbon technologies unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on site renewable energy sources/low carbon technologies and to comply with Policy SD8 of the Runnymede 2030 Local Plan and guidance in the NPPF.

15. Biodiversity

No dwelling hereby approved shall be occupied until the biodiversity enhancement measures proposed for that particular property as set out within the Biodiversity Impact Assessment May 2023 has been installed All biodiversity enhancements within public areas shall be delivered prior to that area of the site being opened up for public use. Such measures shall be retained on site in perpetuity.

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

16. Noise

Prior to the occupation of the dwellings hereby approved details of the measures to achieve acceptable internal and noise levels as identified in the submitted Noise Impact Assessment May 2023 (18-4229 Rev F) shall be submitted to and approved in writing by the Local Planning Authority. Once the approved measures are installed they shall be retained in perpetuity.

Reason: To protect the amenities of the future occupiers of the proposed properties and to comply with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

17. Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) that is in accordance with the approach outlined in the Ecological Appraisal (September 2022), measures identified in the Air Quality Assessment September 2022, and Noise impact Assessment has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas detailing the works to be carried out showing how the environment will be protected during construction. Such a scheme shall include details of the following:

- The timing of different aspects of site clearance and construction works.
- The measures to be used during site clearance and construction in order to minimise the environmental impact of the works, including potential disturbance to existing sensitive habitats and associated species.
- Any necessary pollution prevention methods including those to prevent polluted surface water run-off entering any of the ditches or streams in or adjacent to the site.
- A map or plan showing habitat areas to be specifically protected identified in the Ecological Appraisal.
- Any necessary mitigation measures for protected species.
- Construction methods.
- Dust suppression methods
- And hours of construction

The works shall be carried out in accordance with the approved Construction Environmental Management Plan.

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

18. Sensitive Lighting Scheme

Before any external lighting is installed at the site (excluding within the curtilage of a private residential properties), details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

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

19. Contamination

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.

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) Details of Planning Obligation

The applicant is advised that this permission is subject to a Section 106 Agreement.

- 3) 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.
- 4) The applicant is expected to ensure the safe operation of all construction traffic 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. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
- 5) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 6) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-managementpermit-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.
- 7) The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 8) Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species

or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to www.naturalengland.gov.uk

- 9) The applicant is advised to incorporate into the development the principles and practices of the 'Secured by Design' scheme in consultation with the Designing Out Crime Officer.
- 10) The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours: -
8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.
- 11) 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 www.surrey.gov.uk.
- 12) Groundwater Protection
If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. The Environment Agency consider any infiltration SuDS greater than 3m below ground level 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 Agency's [Groundwater Protection](#) publication. In addition, they must not be constructed in ground affected by contamination.
- 13) To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing: maps@affinitywater.co.uk. Please note that charges may apply.

RU.22/0682 – Land off Rosemary Lane

Location Plan



Proposed Block Plan



Proposed street scene elevations



Previous Scheme in application



Appeal Scheme – RU.20/1706



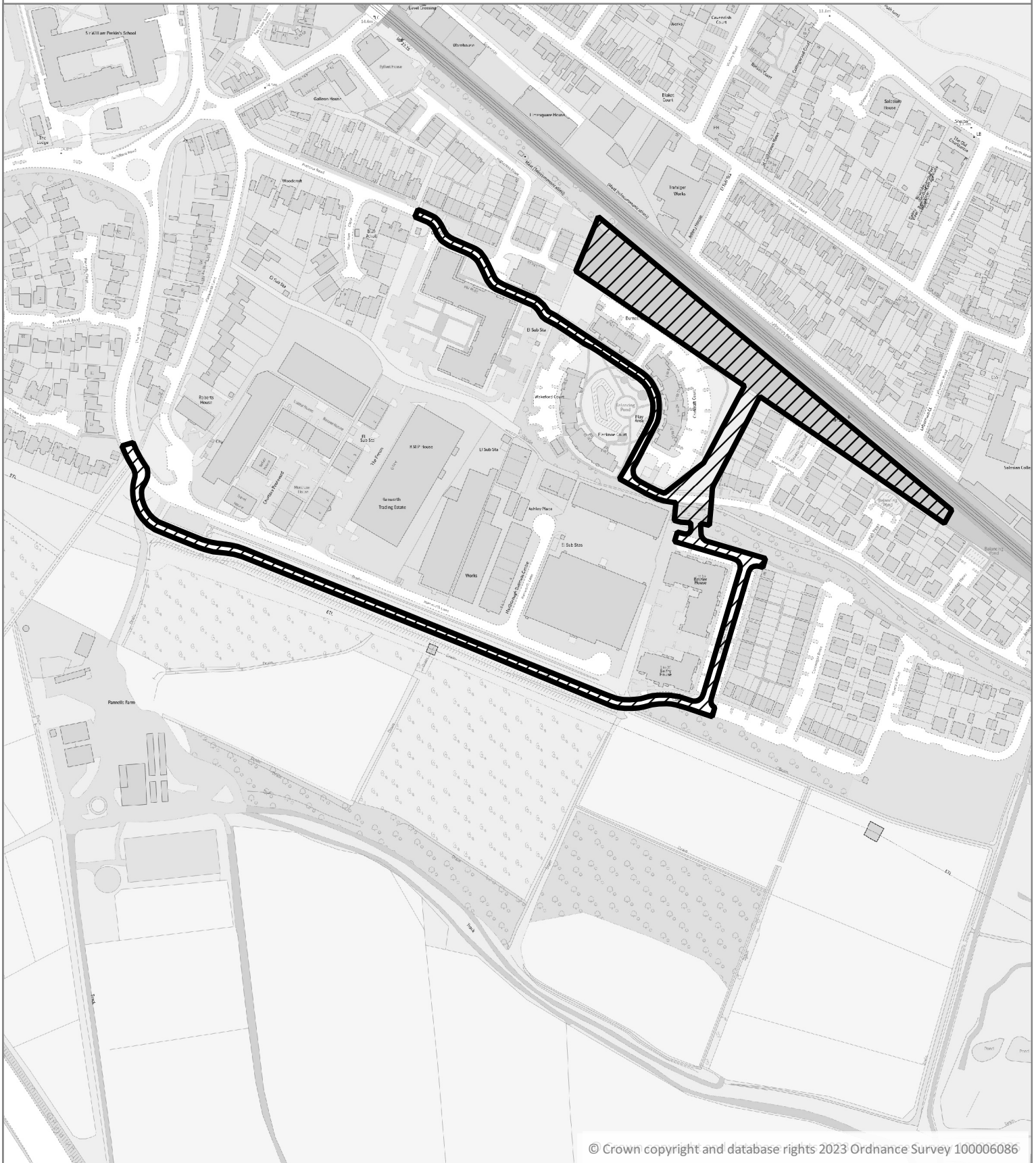


FOR LOCATION PURPOSES ONLY

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

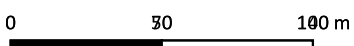
Date: 14/07/2023

Land East Highcross Place



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Scale: 1:3,500



RU.23/0557



COMMITTEE AGENDA REFERENCE: 5B

APPLICATION REF:	RU.23/0557
LOCATION	Land East of Highcross Place, Chertsey,
PROPOSAL	Reserved matters submission in relation to appearance and landscaping for RU.18/0443 - Erection of 48 dwellings
TYPE	Reserved Matters
EXPIRY DATE	11/07/2023
WARD	Chertsey Riverside
CASE OFFICER	Justin Williams
REASON FOR COMMITTEE DETERMINATION	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

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

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The red line application site has an area of some 1.1ha. The majority of the site is a wedge of land varying in width from some 40m at its widest (adjacent Highcross Place) to 10.7m opposite the end of Laburnum Road (at its eastern end). The red line also includes a boot of land through the Bellway development (RU.15.0855 and RU.15/1198) which is now largely occupied and is sited to the south of the application site and either side of the access road. Access to the site is along Kennett Lane, onto Highcross Place to the end of Pretoria Road (where the road is adopted) and through to the site to the South of Hanworth Lane which is under construction (RU.18/1280)
- 2.2 The railway (unfenced) runs along the northern boundary of the main 'wedge part of the site, with the Laburnum Road properties on the other side of the railway line. The properties in Laburnum Road are predominantly two storey terrace properties with narrow frontages (set

some 1m below the railway line). The southern boundary of the wedge is formed by the Bellway scheme, with 4 storey flats on the western side and 2 storey houses on the eastern end. The 'boot' part of the site passes between units on the Bellway site (4 storey flats on the western side in Chalcraft Court & 2/2.5 storey houses on the eastern side -1 Kennett lane & 1-8 Medland Mews), and then follows the Bellway access road through towards Highcross Place to the end of Pretoria Road.

- 2.3 The wedge part of the site (on which it is proposed to erect the buildings) is currently overgrown scrub land adjacent to the railway. There are isolated areas where materials (concrete etc) have been dumped on the land. Some of these areas have become overgrown and appear as raised areas. Generally, however, the site falls from north to south (though by only some 0.5m), and it is roughly level with the railway. Land to the south (on which the 4 storey flats are built) was raised (in order to provide SUDS), and so that site is higher than the application site (by approx.0.8-1m in the vicinity of the flats). There are a few mature trees at the western end of the wedge, close to the rear of the Highcross Place properties, and some towards the western end, but the site is generally scrub.
- 2.4 The boot part of the site (access road) has been surfaced with loose aggregates and is roughly level. The area of land on the opposite side of the road (which is to link with the access road in the residential development granted under ref RU.18/1280) comprises an area of mature trees that separate the site to the south. A ditch also runs across this area (running through the middle of the tree belt). The site to the south is near completion.
- 2.5 The site is part of the Hanworth Lane reserve housing site in the Runnymede 2030 Local Plan (Policy SL3), and part is within 5km of the Thames Basins Heath Special Protection Area (TBHSPA) the remainder being in the 5-7km zone. The site is in a ground water source protection zone and part is at the edge of an indicative area for foul sewer flooding. There is a Tree Preservation Order (TPO 417) on a belt of trees at the southern edge of the boot. Pannells Farm Site of Nature Conservation Importance lies to the southern side of Hanworth lane (SNCI - wet grassland, pond).

3. APPLICATION DETAILS

- 3.1 The application is the reserved matters for Landscaping and Appearance to be decided only. The layout, scale and access was agreed under RU.18/0443.
- 3.2 The applicant has submitted plans showing how the buildings would look, which are similar to those approved under RU.18/0443. The applicant has submitted landscaping plans for both hard and soft landscaping around the site.
- 3.3 The applicant has also submitted to support their application information including an Arboricultural method statement, Construction Environmental Plan, Geo Environmental report, Written Scheme of Investigation - Archaeology and a sustainability and Energy Statement.

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.18/0443	Outline planning application for the erection of up to 48 dwellings (was previously 52 dwellings) (including affordable housing), vehicular access via Pretoria Road and Hanworth Lane, with open space, landscaping including Sustainable Drainage System and all necessary ground works. All matters reserved except for means of access, layout and scale.' (revised plans received amending design and detailing of the units and further amended plans received 3 August 2020 reducing the number of flats and including 3 bed flats). Granted December 2021
RU.23/0556 -	Details pursuant to Discharge Conditions 7 (CTMP 10 - Tree protection) 11 (Landscaping) 12 (Contamination) 13 (WSI 17 - Renewable energy) 20 (Biodiversity) 21 (Noise Mitigation) 24 - (CEMP) and 26 - (Sustainable construction of planning permission) of RU.18/0443 for the Outline planning application for the erection of up to 48 dwellings (was previously 52 dwellings) (including affordable housing), vehicular access via Pretoria Road and Hanworth Lane, with open space, landscaping including Sustainable Drainage System and all necessary ground works. All matters reserved except for means of access, layout and scale.' (revised plans received amending design and detailing of the units and further amended plans received 3 August 2020 reducing the number of flats and including 3 bed flats). Split Decision – Conditions, 7, 10, 12 part I only, 17, 20 , 21 and 26 have been discharged. Conditions 11,12, 13 and 24 additional information required.
RU.23/0835	Details pursuant to Discharge Condition 15 (Surface water Drainage Strategy) of planning permission RU.18/0443 for the Outline planning application for the erection of up to 48 dwellings (was previously 52 dwellings) (including affordable housing), vehicular access via Pretoria Road and Hanworth Lane, with open space, landscaping including Sustainable Drainage System and all necessary ground works. All matters reserved except for means of access, layout and scale.' (revised plans received amending design and detailing of the units and further amended plans received 3 August 2020 reducing the number of flats and including 3 bed flats). Under consideration

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 which can be a material consideration in determination:

- Runnymede Design Supplementary Planning Document (2021)
- Green and Blue Infrastructure Supplementary Planning Document (2021)

6. CONSULTATIONS CARRIED OUT

6.1 Consultees responses

Consultee	Comments
Network Rail	No objection
Surrey County Highways	No objection
RBC Tree Officer	No objection
HSE	Object
Surrey Wildlife Trust	No objection

Representations and comments from interested parties

6.2 358 Neighbouring properties were consulted in addition to being advertised on the Council's website, in the local press and a site notice has been displayed. 48 letters of representation have been received 40 from different properties. A summary of their concerns is detailed below:

- The proposal is insensitively designed with poor quality materials;
- There has been lack of progress of the concerns raised by residents in the 2018 application;

- There is a lack of infrastructure in Chertsey for these proposals;
- Will the A320 works go ahead following Woking Council being declared bankrupt;
- The proposal does not provide sufficient parking;
- The proposal would have visual impact on the amenities of the occupiers of adjacent neighbouring properties;
- The proposal would result in loss of privacy;
- What are the impacts on contamination;
- The proximity of the building to the railway does not allow space for suitable and agreed landscaping;
- The proposal would result in light pollution from windows;
- The proposal is out of character with the area;
- The proposal would add more cars in the area which would increase pollution;
- The buildings look ugly and have a prison like appearance;
- Buildings would impact on flooding;
- The proposed building would increase traffic in the area which is already gridlocked in the morning and afternoons;
- The construction of the development will cause dust pollution;
- The proposed siting of the buildings would result in overlooking;
- There is no landscaping to soften the view of the proposal;
- The proposal would result in a loss of green space;
- Schools, doctors and other amenities are already stretched beyond capacity;
- Additional traffic onto Pretoria Road will be unacceptable;
- More built up areas will have an overwhelming impact on the Victoria drainage system;
- Foxes and slow worms live on the site;
- There are unoccupied buildings in Addlestone, there is no need /demand for flats here;
- The buildings would block out sunlight;
- Construction will be noisy and adversely affect home workers;
- The development would add strain on existing Wi-Fi connections; and
- There are already no places for NHS dentists.

7. PLANNING CONSIDERATIONS

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are the appearance of the building and landscaping around the site and its impact on the visual amenities of the area and the residential amenities of the occupiers of the adjacent neighbouring properties.
- 7.2 The principle of development at the site has been established, with the sites allocation in the Local Plan for housing under Policy SL3. Furthermore, the means of access to the site, the scale and layout of the development has been approved under RU.18/0443. The sole matters outstanding to be considered are the appearance of the buildings and the landscaping around them.

Appearance

- 7.3 The site is located in a residential area which is characterised by different types of properties of different design, with two storey properties to the north of the site along Laburnum Road and to the east in Highcross Place and west in Medland Mews. However, to the south there are three – four storey flats which each have private balconies and with parking areas around the buildings. The proposal would have a similar appearance to these buildings, using similar materials and with similar surface parking around the site. Whilst the site is separate to the flats in Chalcroft Court and Burnell Court the design and appearance reflects the character of these units and it is considered that the proposal would be in keeping with the established appearance of these units. The proposal would comply with Policy EE1 of the Local Plan in this aspect.

Landscaping

- 7.4 The applicant has submitted detailed landscaping plans for the site. This includes planting along the boundaries of the site, around parking bays, to the North of the site adjacent to the railway line and along the access road. The Council's Tree Officer raises no objection to the proposal and the Surrey Wildlife Trust raise no objection to the proposal. The landscaping softens the view of the development from the surrounding area and adds to the green infrastructure around and through the site. There would be an open area between the site and the south boundary as there is an underground gas pipeline along this area. However, outside of this area there would be planting of a variety of species of trees, shrubs and grasses to provide a landscaped setting to the development in keeping with that of the existing area. To the north of the site, adjacent to the railway line, as previously approved, there would be an acoustic barrier at a height of 2 metres which would also be landscaped with planting to reduce the visual prominence of the structure. It is therefore considered that the proposal would comply with Policy EE11 of the Local Plan in this regard.
- 7.5 No details of the maintenance of the landscaped areas have been submitted and therefore a condition is recommended requiring further details of this to be submitted.

Other matters

- 7.6 The applicant has submitted a Construction Environment Management Plan which was required by condition 24 under RU.18/0433. This outlines measures to safeguard the environment of the area and the site during construction works and also includes a dust

suppression strategy. The Surrey Wildlife Trust raise no objection to the submitted information and is satisfied that this condition can be discharged.

Health and Safety Executive

- 7.7 The HSE has been consulted on this application as the site is within a consultation zone for a former gas holder station. Despite the gas holder station no longer being on site, HSE records have not been updated and the HSE has advised that until the hazardous substance consent has been formally revoked by the Planning Authority their objection will remain. Notwithstanding this, it is considered that as the gas holder station has been demolished some time ago and this matter was not raised under the consideration of the previous applications for residential development at the site and the wider area, it is considered unreasonable to insist on a condition restricting development for this as the only matters to be determined under this application are appearance and landscaping. Notwithstanding this, the Council is in any case preparing a report to revoke the Hazardous Consent and update the HSE records.

Letters of representation

- 7.8 A number of letters of representation have been received which raise concerns about the location of the proposed buildings, access to the buildings and the principle of development at the site. As indicated above, the principle of development of the site has been established under the allocation of the site for residential development under the 2030 Local Plan and it was previously allocated for development since the 1993 Local Plan. Access to the site, the layout of the site and scale of the buildings were approved under the consideration of the previous application RU.18/0443. This includes the potential impact of the proposal on the amenities of the occupiers of adjacent neighbouring properties from the scale and layout of the buildings. The previous application secured contributions to mitigate the impact on the TBH SPA, works to the A320 and affordable housing contribution. As the legal agreement was not signed prior to the CIL adoption in March 2021, the development is CIL liable.

Conditions

- 7.9 The applicant has submitted several applications to discharge conditions from the original application. A number of these have been discharged and are under consideration. Reference will be made to the approved conditions and matters outstanding.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposal is CIL liable.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has 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 principle of the scheme has been established and approved, with the matters for consideration being landscaping and appearance. The proposed buildings would have a similar appearance to the units in Chalcroft Court and Burnell Court to the south of the site and landscaping would be provided around the site to provide green corridors as well as softening the appearance of the buildings in the street scene.
- 10.2 The development has been assessed against the following Development Plan policies – SL1, SL3 SL19 SL20, SD2, SD3, SD4, SD7, SD8, EE1, EE2, EE7, EE9, EE10, EE11, EE12 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 Head of Planning be authorised to grant planning permission subject to the following planning conditions:

1 Reserved matters application (standard time limit)

The reserved matters for which permission is hereby granted must commence not later than two years from the date of this permission, or not later than five years from the date of the outline approval (26 November 2021).

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

2 External materials (as approved plan and details)

The proposed external detailing of the development hereby approved, shall not be carried out except in complete accordance with the details shown on the submitted plan number 5010 Rev P1 received 11 April 2023.

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

3 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans: PR124123_10A, PR124123_12 Sheet 1, PR124123_12 Sheet 2, PR124123_12 Sheet 3, PR124123_11 Sheet 1, PR124123_11 Sheet 2, PR124123_11 Sheet 3 received 21 June 2023, PR124123_66, 1001 Rev P1, 5010 Rev P1, 5001 Rev P6, 5002 Rev P6, 5003 Rev P6 received 11 April 2023

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

4. Landscaping

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

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

5. Landscape and Ecological Management Plan

Prior to construction of the slab level a Landscape and Ecological Management Plan (LEMP), including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority.

This should be in accordance with the proposed landscaping scheme The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- Details of maintenance regimes including how the semi-natural habitats will be managed over the long-term in order to retain their ecological diversity.
- Details of management responsibilities including adequate financial provision and named body responsible for maintenance.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to ensure the protection of wildlife, supporting habitat and secure the opportunities for the enhancement of the nature conservation value of the site and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

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

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

3 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.

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

5 The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

6 Hours of Construction Works

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

8am to 6pm Monday to Friday; and

8am to 1pm on Saturday.

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

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

7 Land Ownership

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

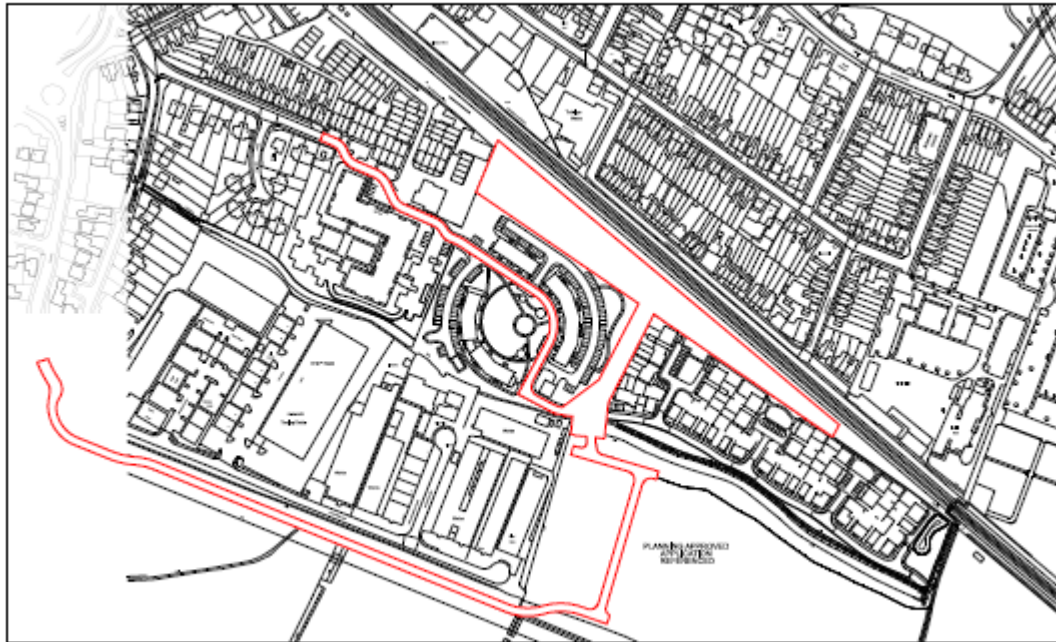
8 Party Wall Act 1996

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

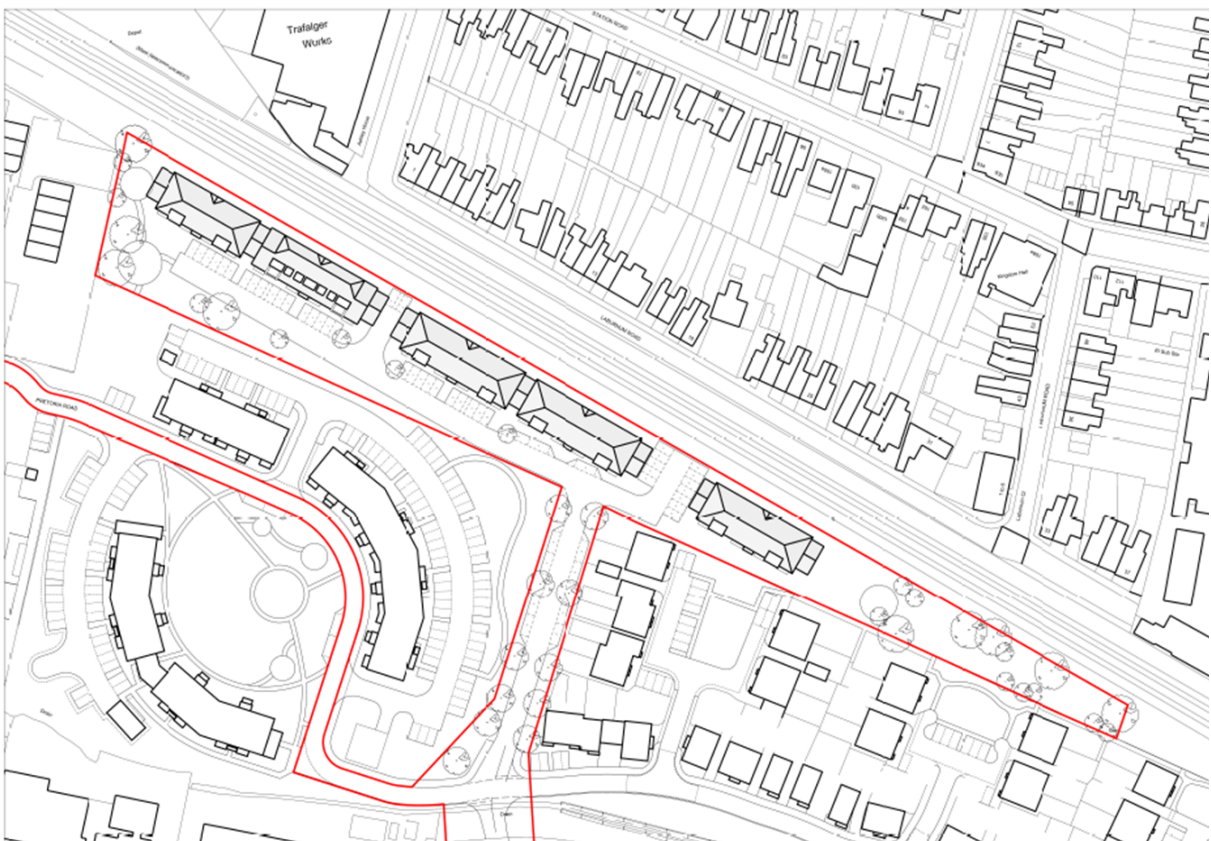
9 The applicant is advised that this site is subject to a Section 106 Agreement secured under the outline application RU.18/0443.

RU.23/0557 – Land east of Highcross Place

Location Plan



Approved layout plan – RU.18/0443



Proposed landscaping layout



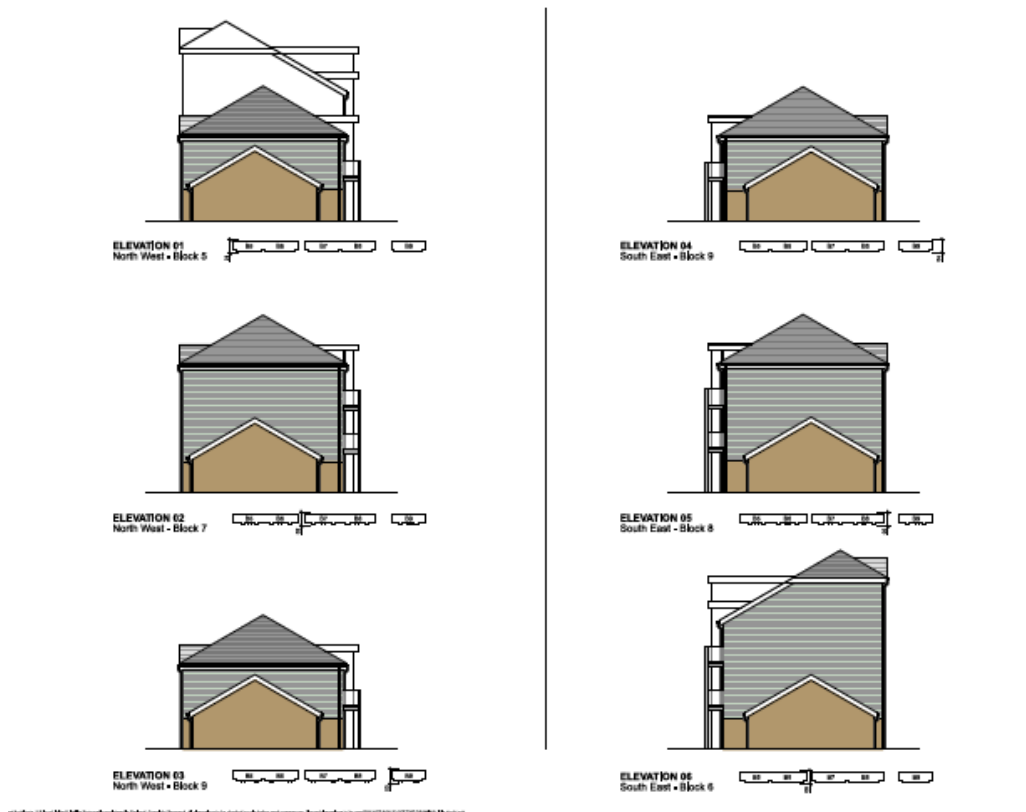
Proposed elevations facing Chalcroft Court



Proposed elevations facing Laburnum Road



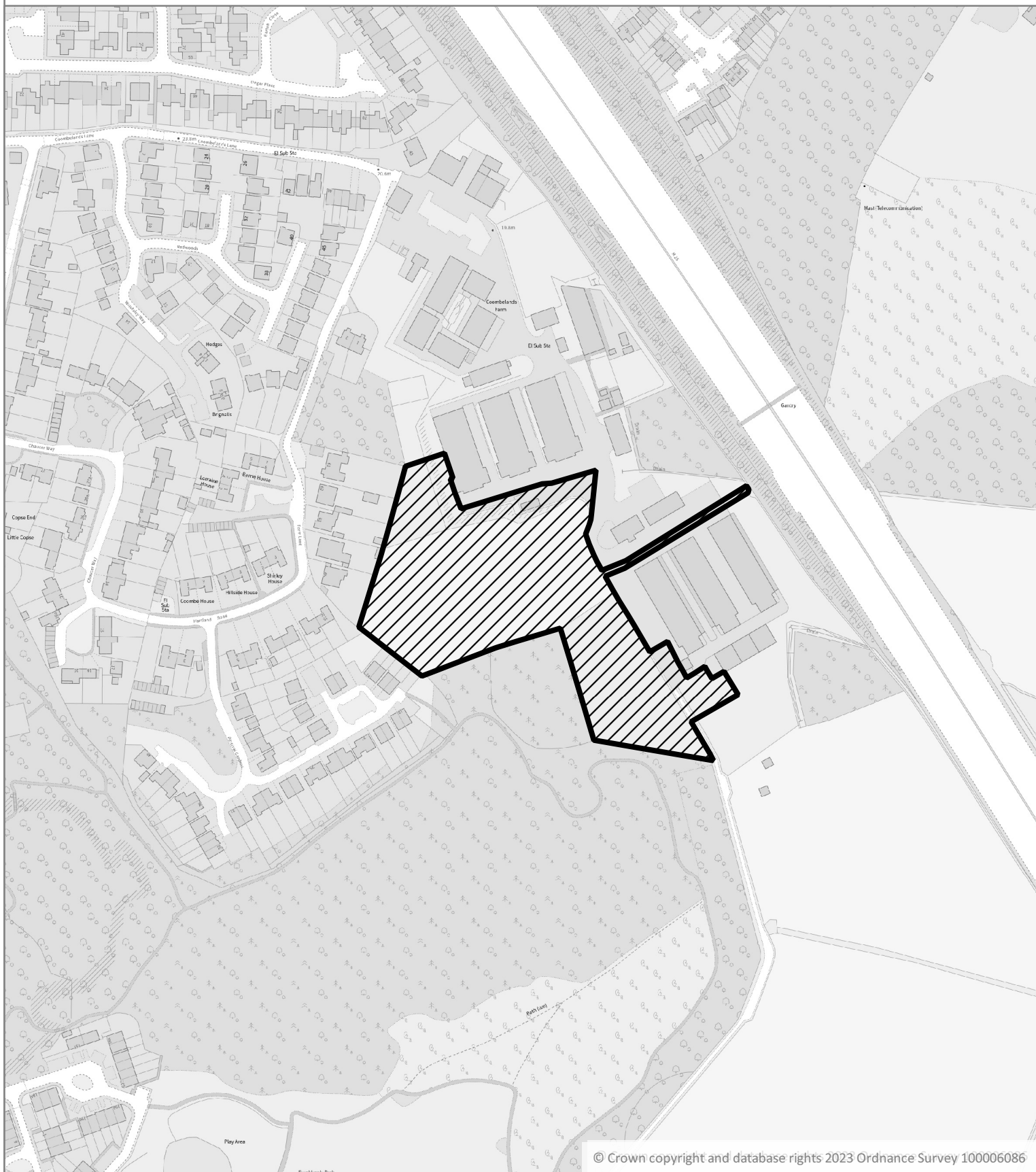
Proposed side elevations





Date: 14/07/2023

Cooimbelds



Scale: 1:3,600

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RU.22/1846



COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.22/1846
LOCATION	Coombelands Animal Sciences Unit (ASU), Woodham Lane, Surrey, KT15 3NB
PROPOSAL	Hybrid planning application, with outline planning permission for the provision of x2 buildings, site levelling, creation of hardstanding, plant areas, sub stations, landscaping and associated works with detailed consideration of reserved matters relating to the means of access, layout and landscaping.
TYPE	Hybrid Application
EXPIRY DATE	23/03/2023
WARD	Woodham & Row Town
CASE OFFICER	Christine Ellera
REASON FOR COMMITTEE DETERMINATION	Major planning application.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the Head of Planning (HoP):

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| 1.1. | <i>To grant planning permission subject to the submission of additional ecological information to the satisfaction of the HoP and the planning conditions set out in section 11.</i> |
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2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1. The Department of Environment, Food and Rural Affairs (DEFRA) land ownership comprises approximately 105 hectares of land situated between Rowtown to the north, Woodham to the south and the M25 to the east. The major part of the site is situated within the Green Belt and consists of Animal Science Units (ASU's) at (Halls, Grange, Coombelands and Holme) which are all used in connection with DEFRA on-site operation. The remainder of the land, approximately 8 hectares, is situated within the urban area to the north of Woodham Lane and this forms the main built complex of the laboratory building and associated structures.
- 2.2. Coombelands is located to the north of the main site and comprises the largest livestock facility (out of the ASU's on site), with buildings designed for larger livestock animals. Buildings 417 and 418 are located to the north of the site close to Farm Lane and

Coombelands Lane which is a residential area near to Row Town. The Addlestone Bourne flows through the overall site and to the north of the main site. The site is a laboratory / technical complex with associated farms forming one of Europe's major research centres for animal and plant health.

3. APPLICATION DETAILS

- 3.1. This is a hybrid planning application whereby planning permission is being sought for outline planning permission for two Class E research and development buildings, site levelling, creation of hardstanding, plant areas, sub stations, landscaping and associated works. Detailed planning permission is being sought for Access, Landscaping and Layout. The manner in which they are seeking planning permission is that in agreeing these reserved matters the applicant can commence site level works and landscaping. Prior to further works reserved matters regarding Appearance and Scale would be required.
- 3.2. Whilst matters regarding Appearance and Scale would be considerations for future reserved matters applications, as part of this planning application parameter plans have been proposed which seeks to agree the maximum parameters for the scale of any proposal. The following assessment shall be made based on these parameters (and therefore the “worst-case” scenario).
- 3.3. Building 1 would be located to the southern side of the application site, adjacent to existing woodland. The position of this building would be located on a relatively flat grassed area. The proposed floor area would be some 70m in length and 26.5m in width. The maximum height parameters would be 13.9m with a further 3m in height above for any potential flue above. Two plant enclosures are proposed as part of building 1 and bin enclosures in the southwestern corner. Whilst not specified in the proposed plans the Noise Assessment states that the plant equipment to the west of building 1 would be for the air source heat pumps and those to the east, the emergency back-up generators.
- 3.4. Building 2 is located to the western ends of the site. Due to the level changes this would require a significant excavation of land, up to 3m in height for the land to be level with adjoining buildings. This building would be 34m in length and 20 in width and up to 8.7m in height, much of the proposed height would be to accommodate plant equipment incorporated within the building. This building would also include one adjoining plant enclosure and two detached enclosures. Whilst not specified in the proposed plans the Noise Assessment states that the plant equipment adjoining the building would be for the air source heat pumps and those to the north, the emergency back up generators.
- 3.5. The Arboricultural Report states that a total of 10 trees (4 high quality trees, 4 moderate quality trees, 1 low quality tree and 1 very low quality trees) will be removed as part of this planning application, as well as a liner group of trees of moderate quality and part of 2 hedges. A detailed landscaping plan has been submitted during the consideration of this planning application. This includes grassed and wildflower areas, the planting of 21 semi mature trees around the western perimeter of the application site and 30 trees in pots around the new hardstanding areas to the east of building 2.
- 3.6. Appearance of these buildings is not a consideration of this planning application and would be for a future reserved matters application. However, the Design and Access Statement submitted for each building separately suggests the indicative appearance of the buildings would be brick and metal cladding of similar appearance and colours to

agricultural barns

4. RELEVANT PLANNING HISTORY

- 4.1. The planning history for this site is extensive. The first Council records of planning history for the wider site is CHE.3997. There was a masterplan for the site which was first established through application RU.97/1317 and subsequently updated in 2005 through RU.05/1316. Given the time that has passed since the latest masterplan, the evolving needs of the APHA site and the future investment into the site that was announced by central government in March 2020, DEFRA are undertaking further master planning for the wider APHA Site. This planning application is coming through independent from the wider discussions.

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.
- 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)
 - Runnymede Design Supplementary Planning Document (2021)
 - Green and Blue Infrastructure Supplementary Planning Document (2021)
 - Infrastructure Delivery and Prioritisation (2020)

6. CONSULTATIONS CARRIED OUT

6.1. Consultees responses

Consultee	Comments
Natural England	No objection- Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes
National Highways	No objection- Having reviewed the information in relation to this planning application we are satisfied that this proposal will have no meaningful

	impact on the safe and efficient operation of the Strategic Road Network.
Highway Authority	No objection- having assessed the application on safety, capacity and policy grounds subject to conditions
Lead Local Flood Authority	No objections- 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.
Surrey Wildlife Trust	Recommend that the LPA require the Applicant to submit the following prior to determination of the planning application: <ul style="list-style-type: none"> • Additional Bat presence/likely absence survey data for buildings that will be impacted by the proposal. • Clarification on the loss of retention of tree T85 • Additional evidence-based justification on reptiles and on Great Crested Newts
Arboricultural Officer	Raises objection- The removal of 4no. category A trees to enable the development is unacceptable. Though the trees are stated in the report as being in the life stage of semi mature which might be technically correct for such a long-lived species; to most observers a tree of 1m in trunk diameter and 20m tall is a mature tree. These trees are of significant age and size, they each support a vast diversity of other species throughout their structures. I cannot support the removal of these tree as mitigation for their loss and the loss of the habit they provide is not possible to achieve in an acceptable time scale. I do note that the applicant has proposed semi mature tree planting, but this well-meaning proposal cannot in my professional opinion mitigate the loss of these trees. I cannot see the removal of these trees can be justified solely by the intended use of the proposed buildings if they could be sited elsewhere on the estate.
Contaminated Land	No objections
Archaeology Officer	No objections subject to conditions
SCC Waste and Minerals	No objection subject to Runnymede Borough Council being satisfied that the development includes adequate and appropriate facilities for waste storage and recycling, and that adequate controls exist to ensure that such facilities are maintained and managed for the life of the development and that conditions secure a Waste Management Plan prior to commencement.
SCC Rights of Way Officer	No comments received.

6.2. Representations and comments from interested parties.

6.3. 46 Neighbouring properties were consulted in addition to being advertised on the Council's website, site notices in press and an initial site notice. Further to this, 3 letters of representation have been received, comments made can be summarised as follows:

- Concerns about noise and disturbance during construction

- Concerns about noise and smells from the Farm and concerns about light pollution
- Coombelands Lane is not a suitable road for traffic
- Residents will view the sheds

7. PLANNING CONSIDERATIONS

7.1. In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- Principle of development and wider impact on the Green Belt
- Design considerations including visual impact and loss of trees
- Ecological considerations, including impact on adjoining environmental designations and biodiversity net gain.
- Impact on Neighbouring Amenity
- Highways Considerations
- Flood protection, mitigation and sustainable urban drainage
- Renewable and Low Carbon Energy
- Other Considerations

Principle of development and wider impact on the Green Belt

- 7.2. The application site resides within the wider Animal and Plant Health Agency Site, which is located in New Haw, north of Woodham Lane. The operations are as a laboratory / technical complex, with associated farms forming one of Europe's major research centres for animal and plant health. The site effectively provides for public service infrastructure. Before considering the principle of the development in the Green Belt it is worth noting that the NPPF and the Local Plan support the delivery of such infrastructure subject to the wider consideration as will be detailed below.
- 7.3. The site is located within the designated Green Belt, with the location of the proposed new buildings within the wider site area of the Coombelands Animal Sciences Unit, which is a research and development operation forming part of the wider APHA Facility. On this basis the proposal represents development on previously developed land (as defined in the NPPF).
- 7.4. The NPPF states that on previously developed land within the Green Belt limited infilling or the partial or complete redevelopment is only acceptable where the development would not having a greater impact on the openness of the Green Belt than the existing development. Policy EE17 of the Local Plan provides further guidance of factors to be taken into consideration.
- 7.5. The proposal would result in development in a part of the site which is currently absent of built form and therefore the development would have a greater impact on openness than the existing green field, a position which the applicant accepts. The proposed development is therefore by definition inappropriate development in the Green Belt.

- 7.6. In terms of the wider harm to the openness of the Green Belt. When considering the maximum parameter proposed by the applicant in spatial terms the proposed buildings are substantial in size. Both with large footprints and building 1, located to the southern end of the application site would be the largest with a maximum height parameter of 13.9 metres with an additional flue up to 3 metres in height above the ridge. Building 2 would be up to 8.7 metres in height with excavation works also proposed. In visual terms, and as discussed further below, conditions can seek to ensure that at the reserved matters stage regarding scale and appearance these buildings comes forward in a manner whereby they would be read as part of the wider farm and operations which currently taking place on this site. The existing layout of buildings on this site and the proposed location of the new buildings means that public views are very limited. Overall, it is considered that the proposed harm to the openness of the Green Belt is considered to be limited to moderate.
- 7.7. In terms of the impact on the purposes of the Green Belt, the aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Given the proposed is located within the confines of the existing APHA site, within the existing farm operations at Coombelands it is not considered that the proposal would undermine the purposes of the Green Belt.
- 7.8. To summarise, the proposal represents inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is also considered that there would be some limited to moderate harm to the openness of the Green Belt.
- 7.9. The NPPF (2021) is also clear that when considering any planning application 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. A full assessment of the planning application will be undertaken to identify any harm to the Green Belt and any other harm resulting from the proposal. An assessment of Very Special Circumstances will then be undertaken.

Design considerations including visual impact and loss of trees

- 7.10. Policy EE1 of the Local Plan sets out that development should be visually attractive, achieve high quality design, and respond to and be sympathetic to local character/context. The Council's adopted SPD on design provides further guidance regarding how development proposal should respond positively to local context. The National Planning Policy Framework (2021) sets out that developments should respond to local context, as well as functioning well and add to the overall quality of the area, not just for the short term but over the lifetime of the development as well as being visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.11. The planning application is seeking full planning permission to undertake site levelling works and landscaping. The proposed layout and position of the buildings is therefore a consideration of this planning application.
- 7.12. The proposed position of the development would mean that 10 trees would be removed as part of this planning application, which include 4 Category A (high quality) trees and 4 category B (moderate quality trees). Whilst the development proposes the planting of 21 semi mature trees around the west perimeter of the application site these will take a number of years to grow into maturity. Good design requires a development to respond

to site constraints (this is set out in the NPPF, the National Design Guide the Local Plan and through to the Councils Design SPD). This proposal is inherently dictated by the design requirements of the applicant to provide a specific facility as opposed to having regard necessary for the existing site constraints. Largely the applicant's justification of this approach appears to come down to the applicant's case for the need of the development. This is detailed below as part of their Very Special Circumstances Case. The applicants have a requirement for updated facilities which they claim is required in a specific location.

- 7.13. Irrespective of the applicants "needs case" the proposed development would result in the loss of a number of mature trees and whilst replacement and enhanced planting is proposed it will take a number of years to mature and in the interim period there will be some harm associated with this. The Council's Arboricultural Officer has raised objection in this regard. The proposal would result in some harm due to the loss of the existing mature trees, having regard of the proposed replacement planting this harm is considered to be moderate. This will be considered further as part of the planning balance.
- 7.14. Scale is not a consideration of this planning application, but the applicant is seeking to agree maximum parameters for which future reserved matters application would come forward. Building 1 with a maximum height parameter of 13.9 metres with an additional flue up to 3 metres in height above the ridge would be a large building. The indicative plans supporting the application contained within the Design and Access Statement show how the massing and scale of the building can be reduced through the roof profile of the proposed building. In terms of building 2 this building is up to 8.7 metres in height, but the excavation works associated with levelling the land to facilitate this building mean that the buildings visual prominence is significantly reduced. The maximum height parameters proposed are largely aligned with the highest point of the existing agricultural buildings towards the front of the Coombelands site. Overall and having regard for the siting and position, the maximum parameters proposed for the scale of the buildings are considered to be visually acceptable and would be read as part of the wider farm buildings already on the site. Public views of these buildings are very limited and restricted given its position well within the confines of the site. and would not be overtly prominent within the wider area.
- 7.15. As set out above, appearance of these buildings is not a consideration of this planning application and would be for a future reserved matters application. However, the Design and Access Statement submitted for each building separately suggests the indicative appearance of the buildings would be brick and metal cladding of similar appearance and colours to agricultural barns, which would reflect those already on this part of the site. Conditions are recommended that future reserved matters for both scale and appearance come forward in accordance with the details contained in the Design and Access Statement regarding these matters.

Ecological considerations, including impact on adjoining environmental designations and biodiversity net gain.

- 7.16. In accordance with policy EE9 on Biodiversity, Geodiversity and Nature Conservation of the Local Plan the Council expects biodiversity asset protection to be achieved primarily through avoidance, and then mitigation. The application needs to demonstrate that the impact of proposals, either alone or in combination, will not result in likely significant adverse effects.

- 7.17. Layout and landscaping are matters for consideration as part of this planning application and as such there are a number of matters which need to be considered as part of the planning application. A number of ecological reports have been submitted in support of this planning application; this includes; Technical Note – Ecology (dated November 2022), Bat Roosting and Bat Activity Report (dated January 2022), Preliminary Ecological Appraisal (dated March 2021) and a Reptile Survey Report (dated November 2021), all prepared by prepared WSP.
- 7.18. Following initial queries raised by Surrey Wildlife Trust the applicant provided a response to matters raised. However, the initial response has failed to fully clarify a number of matters raised by the Council's ecological advisors. This includes the need to clarify if a building is being demolished as part of the planning application (and thus the bat report should have regard for this), works to trees, evidence-based justification for limited suitability of the grassland habitats for reptiles and additional clarification on presence/likely absence surveys regarding Great Crested Newts.
- 7.19. The applicants have, in their response dated 03.07.23 committed to clarifying matters, including confirming that that there was an error in a previous report which sought to fell additional trees and confirmed the development does not include the demolition of an existing building on site. They have also advised that they are in a process of preparing additional documents to demonstrate that the site has limited suitability of the existing grassland habitat for reptiles. They have also provided a recent waterbodies sampling document dated March 2023 which shows there are no Great Crested Newts in the locality. Once the applicant has provided all the outstanding information and updated reports to aligned with the points of clarification set out in the Applicants letter, officer will re-consult Surrey Wildlife Trust as our ecology advisors. Given the commitment by the developer and the likelihood additional information can satisfy the outstanding queries, the officer recommendation is that delegated authority be given to grant planning permission subject ecological matters being resolved to the satisfaction of the HoP.
- 7.20. In addition to the above it is necessary to demonstrate opportunities to enhance or create new benefits for wildlife. The completion of the development should result in a measurable long-term net gain for biodiversity. Further to a request from the case officer the applicant has submitted details of their Biodiversity Net Gains strategy and utilised Natural England's Biodiversity Metric to calculate the biodiversity of a site before and after development. Based on the landscaping plan proposed the scheme achieves a quantitative net gain for area-based biodiversity units of 11.07% Net Gain in Area-based Habitat Units and 59.07% Net Gain in Hedgerow Units. A condition regarding a Landscape Environment Management Plan which will seek to implement and maintain the proposed landscaping area is recommended in condition 12.

Impact on Neighbouring Amenity

- 7.21. Layout and the proposed position of the buildings is a matter for consideration under this planning application and whilst scale is not a reserved matter being applied for this planning application has sought to agreed parameters for how such details shall come forward under future reserved matters planning application and as such the maximum parameters (i.e. the worst case scenario) will be considered.
- 7.22. Policy EE1 sets out that "all development proposals will be expected to ensure no adverse impact ...to neighbouring property or uses". The Runnymede Design SPD provides further guidance of such matters including, sunlight and privacy. Paragraph 130 of the National Planning Policy Framework also sets out that all proposals are expected

to provide high standard of amenity for all existing and future users.

- 7.23. Due to the proposed location of the proposed new buildings, the nearest residential properties potentially affected by the proposed development are No. 61- 65 Farm Lane. The rear elevation of these nearby properties are 35m from the proposed building 2 and its associated plan. In addition, there is also a notable change of levels between Farm Lane and proposed building 2. Due to these level changes land will need to be excavated in order to provide level ground. The sections proposed show that ground level will be excavated down to the adjoining buildings, over 4m below the ground level of the nearby residential properties. The indicative sections show at maximum parameters much of the plant would not be visible from adjoining properties and that building 2 would appear to be around 4.5m above these properties around floor level. Building 1 would be well located away from neighbouring properties and close to existing woodland and thus would have limited impact on amenities of nearby residential properties. Having regards for the separation distance and the maximum height parameters proposed it is not considered that the proposed development would have a significant impact on neighbouring properties in terms of loss of lights and/or overbearing impact.
- 7.24. In terms of noise and disturbance, Policy EE2 of the Local Plan states that in terms of noise, proposals which have or would be subject to unacceptable adverse effects will not be supported. As part of this the policy is clear that proposals will need to consider the effects of external noise on outside amenity and where possible incorporate opportunities to create areas of relative tranquillity or areas which offer respite from high ambient noise levels. The NPPF (2021) states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health which includes noise. The NPPF (2021) further states that development should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 7.25. Plant equipment is proposed as part of the development in the form of building 1: x3 air source heat pumps, x9 air handling units and 1x emergency diesel generator and for building 2: x4 air source heat pumps, x2 air handling units and 1x emergency diesel generator. The emergency generators will be located in an external compound adjacent to each building. Operation of the emergency equipment is only expected during life-safety conditions and power failures.
- 7.26. Scale and appearance are reserved matters and as such full details would be expected as part of that planning application, but the Noise Impact Assessment submitted in support of this planning application seeks to limit maximum power levels and associated noise. This proposes that noise generated from plant would be 10db *below* background noise. The proposed diesel generators would only be used in backup situations where electric power to the area failed. Whilst the noise of these diesel generators would be 10db *above* background levels. In view that diesel generators would only be used in the rare case of a power outage it is considered that this would have an acceptable relationship with neighbours. However, an updated noise survey would be expected as part of reserved matters regarding scale and appearance to demonstrate compliance, it is recommended that this be secured by way of **condition 7**.
- 7.27. The potential impact on highway safety is considered further below, however, to avoid potential highway safety issues construction traffic would be from the part of the site known as “Halls Farm”, to the south of Row Town. This would result in a construction traffic going via internal roads to the Coombelands part of the site, taking construction vehicles to the

south of the residential development known as Strawberry Fields. In terms of impact on neighbouring amenity during construction, whilst the objection from local residents about the duration of the works are noted, the Local Planning Authority do not have the ability to control the timeframe it takes for construction works to be undertaken. Noise and disturbance during construction is dealt with under separate Environmental Health legislation. A Construction Management Plan has been submitted as part of this planning application however hours of construction do not accord with the established Runnymede Guidelines. For this reason (and for those set out below in terms of highway considerations) it is considered that an updated Construction Management Plan will be required prior to commencement of any works. This is set out in recommended **condition 8**.

- 7.28. Other concerns have been raised regarding animal smells etc. The site is an operational farm and whilst the farm operations go beyond a “typical” agricultural farm the buildings proposed are associated with that operational farm. There will always be an element of agricultural smells associated with the existing use on the site, this proposal will not change the existing use.

Highways Considerations

- 7.29. 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. The NPPF (2021) is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.30. Whilst access is a consideration of this planning application the existing access would be unchanged as part of this development. The proposed development is to replace older buildings within the wider APHA estate which are coming to the end of their useful life. Whilst there is a requirement to provide a new facility in a “turn key” operation the proposed buildings are not seeking to increase the number of employees which are at the site or intensify activities above those which already take place. On this basis it is not considered that the proposed development would raise any additional highways issues in terms of highway safety, capacity of parking requirements.
- 7.31. To avoid potential highway safety issues construction traffic would be from the part of the site known as “Halls Farm”, to the south of Row Town to avoid potential highway safety concerns. A Construction Management Plan has been submitted as part of this planning application which sets out how construction traffic would be managed during construction. However, a construction site layout plan has not been provided and as such it is considered that an updated Construction Management Plan will be required prior to commencement of any works. This is set out in recommended condition 8.

Flood protection, mitigation and sustainable urban drainage

- 7.32. 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. The site is within flood zone 1, defined as less than 0.1% chance of flooding in any year. For a scheme of this size a Flood Risk Assessment (FRA) is required. The purpose of the FRA is to demonstrate that the proposal will not be in an area at risk of flooding and ensure that flood risk is not increased elsewhere.

- 7.33. An Enabling Works Drainage Strategy and Flood Risk Statement prepared by WSP has been submitted in support of this planning application. The potential increase to flooding from a development of this nature could be through any increase in impermeable areas, and the resultant increased risk of causing rapid surface water runoff to watercourses and sewers, thereby causing surcharging and potential flooding. There is also the potential for pollutants to be mobilised and consequently flushed into the receiving surface water system. Such matters need to be considered through managing sustainable drainage.
- 7.34. The development proposals include providing a surface water drainage network for the enabling works areas, as well as surface water connection points for proposed two new buildings. The proposed access roads will drain via gullies and channel drains. The Country Council in their role as the Lead Local Flood Authority have advised that proposed drainage scheme meets the relevant requirements and further matters can be dealt with by way of condition. It is therefore considered that the proposed will not be in an area at risk of flooding and suitable measures can be secured by way of recommended **condition 13 and 16** to ensure that flood risk is not increased elsewhere.

Renewable and Low Carbon Energy

- 7.35. 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. 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.
- 7.36. Whilst scale and appearance are matters for consideration as part of future reserved matters applications an Energy and Sustainability Strategy prepared by AECOM has been submitted in support of this planning application. This strategy is very limited and does not commit to a certain percentage reduction in energy. However, the report does identify that a combination of ground source heat pumps, air source heat pumps or photo voltaic solar panels could be utilised to provide low carbon heating and hot water. The Noise Assessment (as noted further above) considers Air Source Heat Pump, officers assumes that this offers a robust assessment of the worst-case scenario of what operations could take place. A full energy statement which complies with the relevant planning policies in force at the time of the decision will be expected at the reserved matters stage for matters pertaining to scale and appearance. It will be expected that the energy strategy will be updated to respond to the technologies available to the applicant at the time of the consideration of such a planning application.
- 7.37. In addition to the above the Energy and Sustainability Strategy states that in relation to sustainable materials any future building will ensure materials are high quality and resilient, derived from recycled or reused content and are A-rated in the BRE Green Guide. It will be expected that the energy strategy will be updated to provide full details of this as part of any reserved matters application regarding appearance.

Other Considerations

Contaminated Land

- 7.38. 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.
- 7.39. A Geo-environmental Summary Report prepared by WSP was submitted in support of this planning application. The report seeks to assess ground conditions and potential contaminated land issues on this site. Based on the supporting evidence the Contaminated Land Officer has confirmed and potential contaminated land issues have been dealt within the report and that works should take place in accordance with the details provided. This is secured through recommended **condition 5**.

Archaeology

- 7.40. 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 that 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 there are no designated heritage assets on the site itself but there is a moderate to high potential for Bronze Age, Iron Age and Roman remains based on known finds from the general area, although it is unclear whether evidence of activity dated to these periods extends into the site.
- 7.41. The Archaeological Officer has confirmed that further archaeological investigations will be required and that these investigations should take the form of a geophysical survey of the site followed by trial trench evaluation to assess the nature, extent and significance of any buried archaeological deposits that may be present and enable suitable mitigation measures as needed. It is considered that these matters can be secured by way of recommended **condition 14**.

Access for all

- 7.42. Both the Local Planning Authority and the applicant (as DEFRA) are required under s149 of the Equality Act 2010 (as amended to have due regard to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it).
- 7.43. Matters regarding level access would be considered by way of reserved matters application regarding works above ground level associated with the appearance of the buildings hereby approved.

8. Assessment for Very Special Circumstances

- 8.1. The harm identified in the above assessment is that the proposed development constitutes inappropriate development within the Green Belt, (harm by definition) which would also

have a limited to moderate impact on the openness of the Green Belt. This is given substantial weight.

8.2 The other harm identified is summarised as follows:

- Loss of existing high-quality trees and this is attributed moderate harm which is attributed significant weight.

The Green Belt balancing exercise therefore needs to be if 'other considerations' put forward as part of this planning application equate to Very Special Circumstances (VSC) which exists to outweigh the harm and any other harm.

8.3 The applicants Planning Statement also includes their case for VSC. Whilst the statement has suggested 3 factors which form the case they are putting forward, these can all be summarised as the need or requirement for this development associated with the wider operations at APHA. The applicants highlight that the APHA facility is of international importance to the scientific community and provides a centre of excellence for the scientific community in identifying and managing the health of the Country's natural environment. The applicants also highlight that the research and development work undertaken is a fundamental part of the UK's environmental protection and health. The applicants highlight that the building directly supports the specific research and development that occurs at this Site. Given the sensitivity of work undertaken on site there is a need for it to be delivered in a more remote position and this site presents the least sensitive location on the campus. They claim that not delivering this facility would directly impact upon the continued scientific research undertaken on site which, is of national and international significance.

8.4 The concluding remarks of the applicants VSC case are that the development proposed is required in this specific location and needed to perform a specific function which cannot, in combination, be met elsewhere on the wider APHA technical Site.

8.5 The difficulty officers have in readily coming to the same conclusions is that no supporting evidence has been provided regarding what the use all these buildings are nor why they cannot be accommodated within the wider land holdings of APHA, including the main campus in New Haw, accessed via Woodham Lane, which is within the urban area.

8.6 That being said, Officers have observed that the parts of the APHA site which are within the urban area and from the main scientific and research campus is largely already built over with limited space for further buildings. It is also a reasonable assumption that the activities on the main campus are fairly intensive and are subject to a number of activities and comings and goings across the day. Whilst the applicants have not readily set out the specific research use of these buildings Officers also accept that some of the works which are undertaken on the site are sensitive in nature and bespoke requirements are necessary. Taking all of this into consideration Officers also accept that were new buildings are required then in terms of a Green Belt location, the Coombelands Farm, which is already previously developed land in the Green Belt is the preferred location. The buildings would be located in a position whereby they would be read as part of the wider envelope of development on this site, yet do have some separation if necessary for operational requirements.

8.7 In view of the officer's assessment, it is considered that Very Special Circumstances exists to outweigh the harm to the Green Belt and any other harm.

9. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 9.1. In line with the Council's Charging Schedule the proposed development would be CIL liable- the rate for such a development in our adopted charging schedule is however £0.

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 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 In summary, the principle of the development represents inappropriate development in the Green Belt with a limited to moderate harm to openness and the loss of high quality trees which is also considered to result in moderate harm. However, it is considered that very special circumstances exist, in this case the need for the proposal as part of the wider operations of the APHA facility and how the proposal will support the sites continued scientific research in identifying and managing the health of the Country's natural environment. The proposed development will also secure biodiversity net gains. It is considered that Reserved Matters details can ensure that the proposed development is considered to be visually acceptable and will be read as part of the wider farm operations which take place at the Coombelands part of the site and would not have a detrimental impact on the amenities of the occupiers of surrounding properties. The proposed development would not result in an increase in employee numbers and thus is not considered to raise any highways issues. Subject to conditions the proposed development is also not considered to raise any further issues in terms of matters such as contaminated land, access for all or archaeology.
- 11.2 Subject to the submission of additional information that the proposed development will have no adverse effect on the integrity of any potential impacts surrounding habitats (designated or otherwise) it is considered that any harm caused from the proposed development; is

outweighed by the benefits of the scheme. Accordingly, the application is recommended for approval subject to the following set out below.

12. FORMAL OFFICER RECOMMENDATION

The HoP be authorised to grant planning permission subject to the submission of additional ecological information to the satisfaction of the HoP And the subject to the following planning conditions:

Compliance Conditions

1. Time limit

An application for approval of the reserved matters referred to in condition 14 shall be made to the Local Planning Authority before the expiration of two years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of one year 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.

2. Should this planning permission be implemented but reserved matters application(s) not be submitted within the timescales as set out in condition 1 (two years of the date of this planning permission) then within 32 calendar months of the date of this planning permission an updated landscaping plan shall be submitted and approved by the Local Planning Authority. This shall show how the areas for which the buildings 1 and 2 has been granted shall instead be soft landscaped (this will apply on a phased basis or otherwise). The details submitted shall include including full planting specification and a 'schedule of undertaking' The landscaping will then be undertaken and maintained in accordance with the approved details.

Reason: It has been considered that Very Special Circumstance exists for the proposed development given the operations need however were the ground works to commence but the reserved matters not to come forward then the Local Planning Authority will require that the land to be landscaped over to minimise harm to the Green Belt and to ensure high quality design and to comply with Policy EE1 and EE14 of the Runnymede 2030 Local Plan and guidance in the NPPF.

3. Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the approved the drawings as set out in the submitted the document titled "Drawing Schedule for Hybrid Planning Permission" dated 01 June 2023. This includes ground levels.

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

4. Reserved Matters for Appearance and Scale

Notwithstanding the approved plans or any indication given otherwise the Reserve Matters referred to in condition 14 shall come forward in accordance with:

- The Reserve Matters relating to Building 1: Section 4.0- Development Parameters of the Design and Access Statement referenced: S0008855-SRA-XX-XX-RP-A-00001) and dated 17.11.2022
- The Reserve Matters relating to Building 2: Section 05.10 and 0.511 of the Design and Access Statement referenced: S0008920T26C-PWA-XX-XX-RP-A-00001 and dated November 2022

Reason: To ensure a visually acceptable scheme in accordance with policy EE1 of the Runnymede 2030 Local Plan and the National Planning Policy Framework:

5. Contaminated land

The ground works shall be undertaken in accordance with the details set out in the "Geo-Environmental Summary Report" prepared by WSP and dated November 2022.

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 to be agreed with the Local Planning Authority 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 to be agreed with the Local Planning Authority 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.

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.

6. Renewable energy/low carbon technology

Any forthcoming reserved matters application(s) regarding scale for the approved development shall include full details of how the scheme complies with the energy hierarchy and the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that a minimum of 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be provided in line with policies SD8 of the Runnymede 2030 Local Plan (or such updated policies which may enforce at the time the reserved

matters application is made) .

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

7. Noise mitigation

Any forthcoming reserved matters application(s) regarding appearance and/or layout for the approved development shall include full details of noise mitigation measures including sound insulation performance requirements for the facades, windows and ventilators. This should be based on the Noise Impact Assessment revision 02 prepared by Hoare Lea, dated 16 November 2022.

Reason: To protect the occupants of the new development from noise disturbance and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Prior to commencement of development

8. Construction Transport Management Plan

Prior to 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) Measures to prevent the deposit of materials on the highway
- e) 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: This condition has a pre-commencement requirement to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users during the construction phase, and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance within the NPPF

9. Landscaping

Prior to commencement of development full landscaping details shall be submitted to and approved in writing to the Local Planning Authority. This shall include including full planting specification and a 'schedule of undertaking' the proposed works and samples of all hard surfacing, as well as a plan for the long terms management of the landscaped areas.

All approved landscaping details shall be undertaken and completed in accordance with the approved 'schedule of undertaking.'

All approved landscaping works shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub

shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written permission to any variation.

Reason: To ensure the development is adequately landscaped and to comply with Policy EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10. Tree Protection

Prior to the commencement of development and before any equipment, machinery or materials are brought on to the site, a Tree Protection Plan based on the Arboricultural Impact Assessment prepared by WSP, dated November 2022 shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented in accordance with the approved details.

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

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

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

11. Construction Environmental Management Plan

Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details including, but not limited to:

- Map showing the location of all of the ecological features
- Risk assessment of the potentially damaging construction activities
- Practical measures to avoid and reduce impacts during construction including dust and air quality
- Location and timing of works to avoid harm to biodiversity features
- Responsible persons and lines of communication
- Use of protected fences, exclusion barriers and warning signs.

The development shall thereafter be carried out in accordance with the approved measures.

Reason: To reduce/avoid risk of ecological harm resulting from construction activities in accordance with paragraph 174 of the National Planning Policy Framework.

12. Landscape and Ecological Management Plan

Prior to commencement of any development a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority, this includes a sensitive lighting plan. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the section 4.5 of the Technical Note- Ecology prepared by WSP, dated 16 November 2022 and should include, but not be limited to following:

- Description and evaluation of features to be managed
- Ecological trends and constraints on site that might influence management
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives
- Prescriptions for management actions, together with a plan of management compartments
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
- Details of the body or organisation responsible for implementation of the plan
- Ongoing monitoring and remedial measures
- 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.
- 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.
- Sensitive Lighting Plan
- Ecological Enhancement Plan

The development shall be undertaken in accordance with the approved details for construction of the development.

Reason: In the interest of protecting potential ecological value and species in the site as required by policy EE9 of the Local Plan

13. Surface Water Drainage Scheme

Prior to commencement of development details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+25% allowance for climate change) & 1 in 100 (+25% allowance for climate change) storm events, during all stages of the development. The final solution

should follow the principles set out in the approved drainage strategy. The associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.3 l/s.

- 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.).
- c) 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.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) 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.

14. Archaeological work

Prior to the commencement of development a programme of archaeological work shall be implemented in accordance with a Written Scheme of Investigation, in accordance with the approved Archaeological Impact Assessment prepared by the WSP, dated January 2023, and which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure that the development does not harm or destroy and archaeological remains in accordance with policy EE7 of the Runnymede 2030 Local Plan and paragraph 194 of the National Planning Policy Framework.

Prior to any works above the ground floor level

15. Submission of RMA applications

Prior to any works above the ground floor level of the buildings hereby approved (as shown in the approved plan) details of the appearance, scale of the building(s) called "the reserved matters") shall be obtained from the Local Planning Authority in writing on a phased basis or otherwise.

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

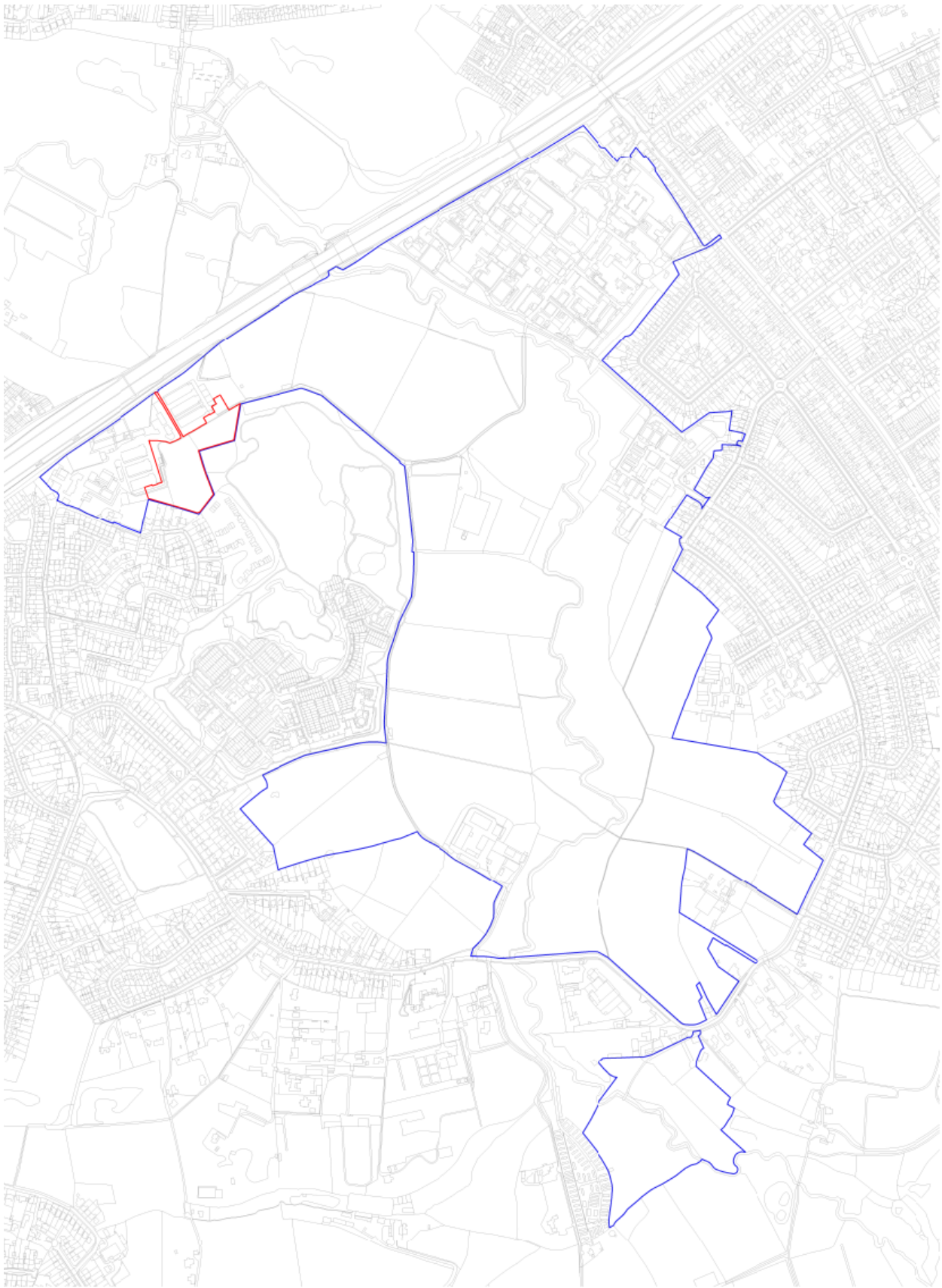
Prior to first occupation

16. Verification report

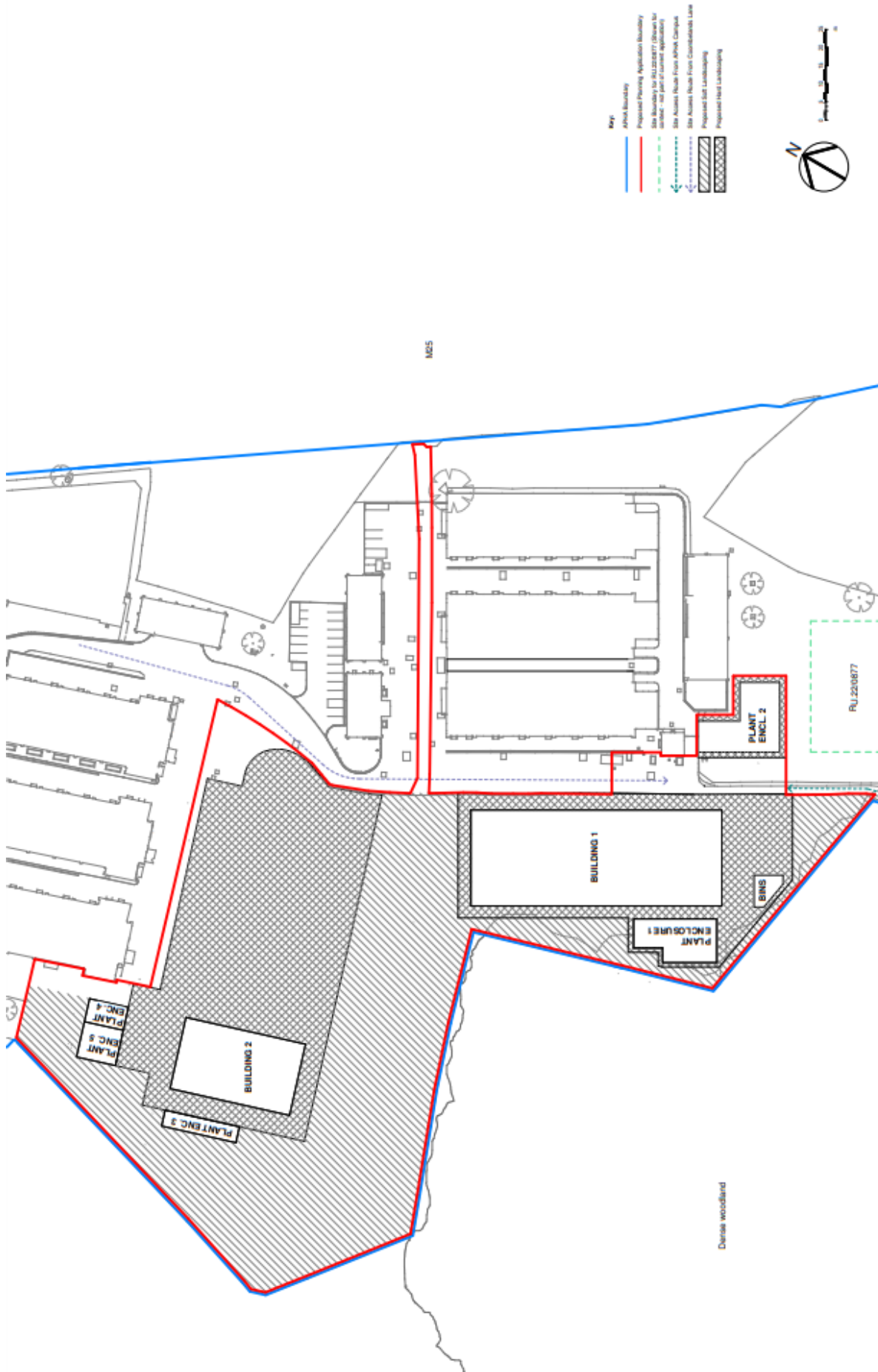
Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid

reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

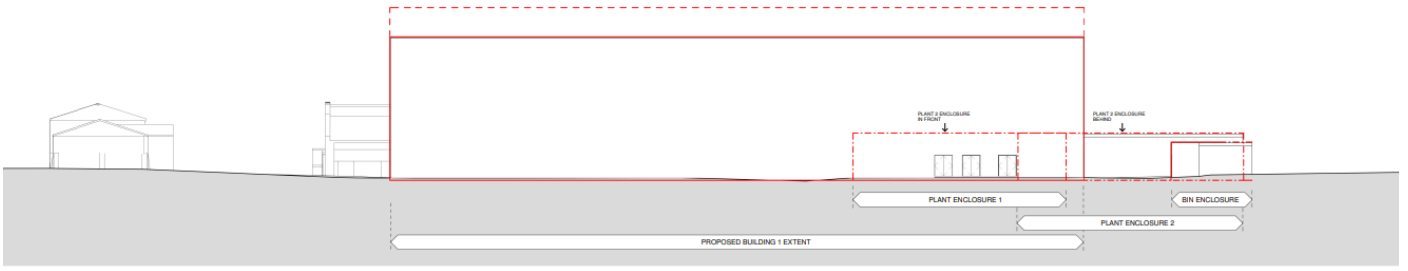
Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.



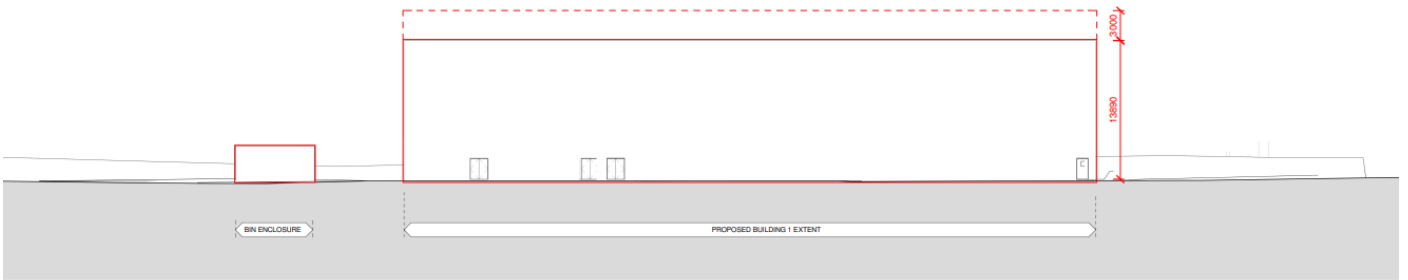
RU.22/1846: Coombelands Animal Sciences Unit (ASU)- Site Location Plan



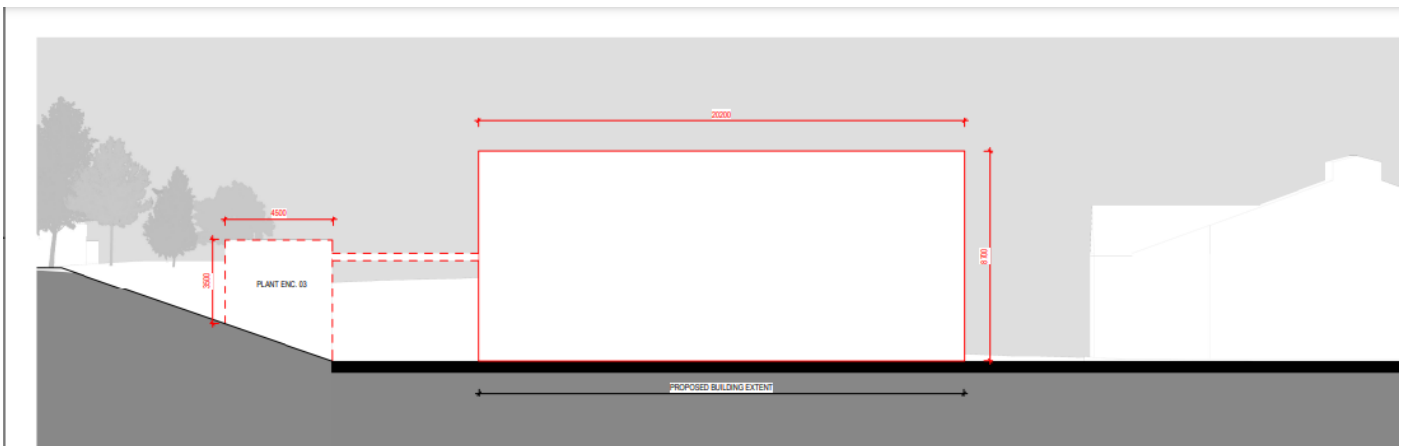
RU.22/1846: Coombelands Animal Sciences Unit (ASU)- Proposed Site Plan



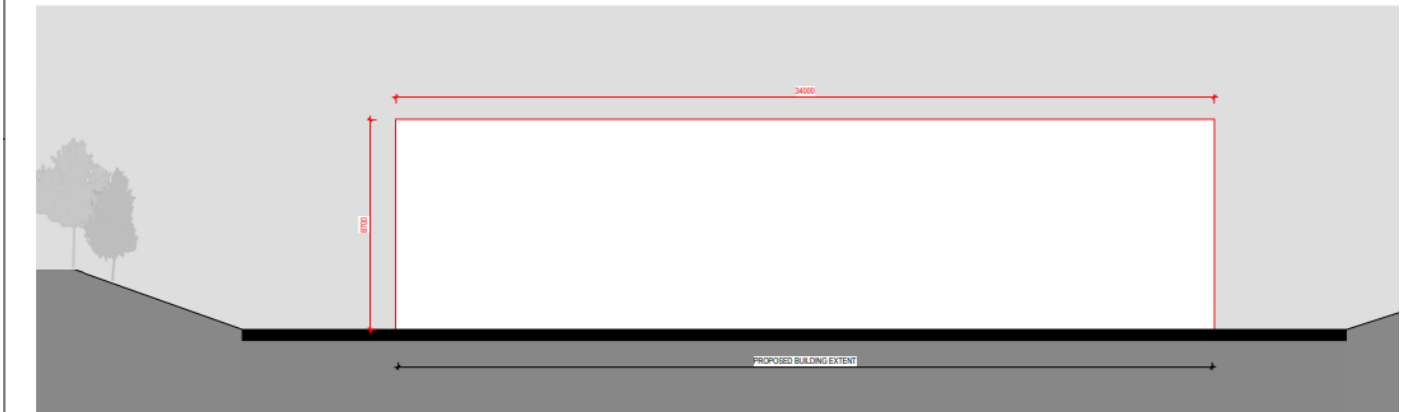
levation



RU.22/1846: Coombelands Animal Sciences Unit (ASU)- Building 1- Maximum parameters elevations



① 01 SOUTH ELEVATION
1:100



② 02 WEST ELEVATION
1:100

RU.22/1846: Building 2- Maximum parameters elevations



FOR LOCATION PURPOSES ONLY

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

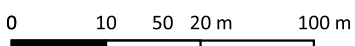
Date: 14/07/2023

Augustine House



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RU.23/0066



COMMITTEE AGENDA REFERENCE: 5D

APPLICATION REF:	RU.23/0066
LOCATION	Augustine House, Gogmore Lane, Chertsey, Surrey, KT16 9AP
PROPOSAL	Demolition of existing buildings and construction of a new mixed use redevelopment including up to 840sqm commercial space (Class E); up to nine residential units; and associated refuse, cycle parking and landscaping.
TYPE	Full Planning Permission
EXPIRY DATE	26/04/2023
WARD	Chertsey St Anns
CASE OFFICER	Jennifer Cade
REASON FOR COMMITTEE DETERMINATION	LISTED BY HoP
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the HoP:	
To refuse planning permission for the following reason	
1.	The Sequential Test has not been passed as it has not been adequately demonstrated that there are no available sites at a lower risk of flooding. As such the proposal does not comply with Policy EE13 of the Runnymede 2030 Local Plan, the Runnymede SFRA and guidance in the NPPF.

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application comprises a two storey office building with single storey commercial building to the southern western part of the site and surface car parking to the rear location to the north west of Gogmore Lane. The site has two existing vehicle access points to the north east and south west of the site. The surrounding area is characterised by a mixture of residential and commercial use. Neighbouring property Nexus (previously Flaxman House) located to the south west of the site has been extended and converted into flats and Hamilton Court to the north east has been converted into flats. To the rear are three storey terraced properties which front onto Riversdell Close and to the front of the site is Aldi and its associated car park.
- 2.2 The site is located within the town centre of Chertsey within the Urban Area and partially within Flood Zone 2.

3. APPLICATION DETAILS

- 3.1 This application seeks permission for the demolition of existing buildings and construction of a three-storey new mixed use development with Commercial space (Class E) and 9 residential units with associated refuse, cycle parking and landscaping.

The proposed new development comprises a three-storey building with a mansard roof with accommodation within the roof space. The upper floors overhang the ground floor parking area. The proposed building would have commercial use at ground and first floor with 9 residential flats at second and third floors. The building would have a maximum size of approximately a width of 35 metres, depth of 20 metres and height of 12.5 metres with mansard roof. The second and third floors are stepped in from the first floor.

3.2

Proposed Flats	Type	GIA
Flat 1	1 bed/ 2 person	50.20 sqm
Flat 2	2 bed/ 4 person	79.35 sqm
Flat 3	1 bed/ 2 person	50.20 sqm
Flat 4	1 bed/ 2 person	50.20 sqm
Flat 5	2 bed/ 4 person	79.35 sqm
Flat 6	1 bed/ 2 person	50.20 sqm
Flat 7	3 bed/ 5 person	88.45 sqm
Flat 8	2 bed/ 3 person	63.60 sqm
Flat 9	3 bed/ 5 person	88.45 sqm

- 3.3 The following supporting documents have been submitted to support the application:

- Cover Letter
- Planning Statement
- Design and Access Statement
- Townscape Character Study
- Notice Letter
- Notice 1
- Flood Risk Assessment
- Sequential Test
- Noise Assessment
- Plant Noise Impact Assessment
- Stage 1 Road Safety Audit
- CLD Desk Study
- Archaeological Desk Based Assessment
- Daylight and Sunlight Assessment
- Sustainability and Energy Statement

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.03/0348	Outline Application for the demolition of existing office building and erection of two storey office building and an ancillary building. Grant Consent- subject to conditions May 2003
RU.02/0798	Outline application for the erection of two storey office building. Refuse September 2002
RU.02/0103	Demolition of existing office building and erection of two storey office building comprising 480 square metres and an ancillary building 45 square metres. Withdrawn April 2002
RU.94/0292	Change of use of site from builders yard to office use. Conversion of ground floor stores to office accommodation with associated car parking & single storey rear extension to create toilet block. Amend car parking & access arrangements. Grant Consent- subject to conditions May 1994
RU.87/0327	Erection of two storey office & storage building following demolition of existing buildings K/as George House, Gogmore Lane. Grant Consent- subject to conditions June 1987
RU.87/0089	Erection of 2 storey building of approx. 3,000 sqft to provide office & storage space and provision of eight parking spaces, following demolition of existing buildings. Withdrawn March 1987
CHE.5193	Builders yard and workshop. Grant Consent- subject to conditions February 1947

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:

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

Consultee	Comments
RBC Drainage Engineer	No objection subject to SUDS condition.
RBC Environmental Health	A full noise and vibration assessment should be carried out prior to commencement and glazing and trickle ventilators should be installed in line with the recommendations in the noise assessment and details of alternative ventilation methods for front bedrooms should be provided to protect the amenity of future occupiers
RBC Contaminated Land	No objection subject to pre-commencement conditions for site characterisation and other matters
RBC Deputy Direct Services Manager	No comments
RBC Conservation Officer	The proposal would preserve the character and appearance of the Conservation Area and would not harm the significance of any listed buildings due to the change in their settings.
SCC Drainage	No objection subject to SUDS and SUDS verification condition.
SCC Archaeology	Due to the site being redeveloped in the past for the existing office building and being outside the Area of High Archaeological Potential there would be no further archaeology requirements.
SCC County Highways Authority	No objection subject to conditions relating to EV charging, cycle parking and vehicle access
Environment Agency	No comments to make

Representations and comments from interested parties

6.2 84 Neighbouring properties were consulted in addition to being advertised on the Council's website and 11 letters of representation have been received in regard to the original scheme and a further 1 letter following the receipt of amended plans, which can be summarised as follows:

- Concerns regarding overlooking, loss of privacy and shadowing of existing properties
- Request a better block plan is provided to show distances to neighbouring properties (*officer note: an additional block plan was requested and submitted*)
- Concerned regarding impact of height and mass being oppressive and imposing from houses on Riversdell Close
- Building is larger than any other building in the immediate area
- Proposal would be out of keeping with the character of the street and location
- Is two storeys higher than existing building

- Overdevelopment of the site
- Four storey part of Nexus building is not directly opposite residential windows in Riversdell Close
- Past rejections RU.02/0798 (demolition of Augustine House and replace with two storey commercial property refused for being overbearing, increased level of overlooking and loss of amenity) and RU.21/1634 (4/ 5 storey building comprising 54 apartments at 2 and 2a Guildford Road Chertsey refused for being out of character with the street scene, overbearing and harm to existing residential amenities) for similar schemes in the area. It would be inconsistent for planning committee to grant current application considering recent decisions.
- Concerns regarding security and antisocial behaviour for local residents with 24/7 gym
- During 'silent hours' site will be unstaffed and unmanned which could have security issues
- If granted should have enhanced boundary wall to rear of site and has secured gated access to parking area
- Lack of parking for residential units provided
- Gogmore Lane has double yellow lines so overspill parking will be on Riversdell Close
- Concerns regarding increased mass with increased floor area and ceiling height
- Concerns regarding proximity to side and rear boundaries
- Will set a precedent for similar development
- Residents have not had time to verify test results (daylight and sunlight assessment) and doesn't take into account sun position at different times of year
- Noise report does not reference effect of the noise produced by the development on existing neighbourhood residents
- Concerns regarding noise from commercial use and gym plant on existing residents
- RBC Environmental Health consultation response raises concerns
- Request condition for controlling noise and vibrations from proposed use
- Trees to be planted along boundary will overhang gardens and could be used for climbing over the wall
- Nuisance from demolition and construction
- First floor is not 22 metres away from rear of houses as per Runnymede Design SPD
- Development will be 5 metres from rear boundary which is closer than any other development on Gogmore Lane
- 2D drawings are misleading in height of surrounding buildings
- Is the proposed gym viable with River Bourne Health Club close by? Would it end up being used as office building?
- Proposed building will block sun from roof solar panels on nearby building
- Amended plans do not address previous concerns or objections

7. PLANNING CONSIDERATIONS

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are as follows:

- The principle of development

- Flooding Considerations
- Design Considerations including character of the area and heritage assets
- Provision of suitable residential environment
- Impact on neighbouring amenity
- Highways
- Archaeology
- Blue and Green Infrastructure
- Contamination
- Other matters

The principle of development

7.2 *Loss of commercial unit*

The site is within the designated Town Centre of Chertsey. The proposal would result in the loss of the existing office building (300sqm) and sui generis workshop (160sqm), however the proposal would provide 836sqm of commercial space (Class E) so would result in an increase in commercial floor area in addition to residential units. The site is not designated for employment land but is within the defined town centre of Chertsey where commercial (Class E) on lower floors with residential use on upper floors is encouraged. The lower floors are proposed to be used as a gym which would create a new leisure facility. Providing additional housing in such areas supports local services and facilities and would also help to maintain the vitality and viability of the local centre in accordance with Policy IE6. The surrounding area is mixed use with both commercial and residential uses.

7.3 *Suitability of the site for the proposed use*

The site is located in the urban area in a sustainable location within Chertsey town centre. Given its proximity to the primary shopping area, other local centre services and public transport services the location is considered to be suitable for both commercial (Class E) and residential use. It is recognised that Policy SD1 seeks to encourage new development within the larger settlements of Runnymede of which Chertsey is one, as such the proposal is consistent with Policy SD1. Therefore, the redevelopment of the site for mixed use commercial and residential use is considered acceptable. However, this is subject to other considerations as set out below.

Flooding Considerations

7.4 The application site is located partially within Flood Zone 2 and a Flood Risk Assessment and Sequential Test has been submitted with the application. The proposal is a mixed use scheme and will introduce More Vulnerable (residential) development such that the development will need to pass the Sequential Test. However, no evidence has been provided that land owners of sequentially preferable sites have been contacted to adequately assess whether they are reasonably available and therefore more suitable than the application site. Therefore, the development has failed to pass the Sequential Test in line with guidance in the NPPF and the Runnymede SFRA.

7.5 As the development has not passed the Sequential Test, there is no need to consider the exceptions test, nor flood risk of the proposed development further and the development fails to comply with Policy EE13 and paragraphs 159 and 161 of the NPPF.

Design Considerations including character of the area and heritage assets

- 7.6 Government policy contained within the NPPF attaches great importance to the design of the built environment. Proposed new development should respond to local character, be of a high standard of design and seek to improve the character of the area. Paragraph 134 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area which is also reflected in Policy EE1.
- 7.7 In terms of the design and appearance of the proposed building, the proposed block would be readily visible from Gogmore Lane and also from properties to the rear. The surrounding area is characterised by mainly two and three storey residential buildings (both flats and terraced properties) as well as a flat roof single storey commercial building (Aldi) to the front of the site. The surrounding buildings are mostly brick built with some render also present. The proposed building would be a three-storey building with a mansard roof with accommodation within the roof. The building would be constructed of red brick with elements of off-white render and brown brick detailing with grey roof tiles. There are several examples of mansard roofs within the surrounding area such as Nexus and Coronation House and the materials are similar in style to the surrounding buildings. Therefore, the overall design and appearance is not considered to be out of keeping with the surrounding area.
- 7.8 The proposed building would have a large footprint, but would not be set further forwards than either neighbouring building (Nexus or Hamilton Court). The building would be set off the side boundary by 1.7 metres on the southwestern side and 2.7 metres (at first floor and above) on the north eastern side boundary. The stepped in first floor element would extend further to the rear with a separation distance of 4.8 metres from the rear boundary. It is noted that the building would be higher than both neighbouring properties with the eaves height higher than the closest ridge height on both Nexus and Hamilton Court. This would result in a higher more prominent building compared to the neighbouring properties, which is a negative of the scheme, however it is noted that the proposed building would not be a dissimilar height to the terraced properties fronting Riversdell Close to the rear of the site or the southern part of Nexus building. Therefore, although the proposal would result in an increased height and scale of development on the site it is not considered to harmfully dominate the street scene or be out of character with the surrounding area and given its town centre location is considered to comply with Policy EE1.
- 7.9 The site is located close to the Chertsey Conservation Area. The Councils Heritage Advisor has reviewed the application and advised that the existing 20th century building has no heritage significance and so its demolition is considered acceptable. Whilst the height and size of the proposed building would be greater than the existing, the distance between the site and the heritage assets as well as intervening forms of other buildings, would mean that there would be no harmful impact on significant views of either the listed buildings or from within the Conservation Area. The proposed building may be seen from the rear of some buildings along Guildford Street, including the listed buildings, but would be seen within the context of similar size residential buildings. This intervisibility would not result in harm to either the significance of the Conservation Area or the listed buildings. Overall, as part of the setting of the Conservation Area and the listed buildings the proposed buildings would have a neutral effect on the significance of the heritage assets. Therefore, the proposal would preserve the character and appearance of the Conservation Area and would not harm the significance of any listed buildings due to the change in their settings in accordance with Policy EE4 and EE5.

Provision of suitable residential environment

- 7.10 All proposals are expected to provide high quality homes. Policy EE1 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 which has been complied with (detailed in Section 3.2). Each flat is provided with a private terrace/ balcony and the site is also within walking distance of a public green space (Gogmore Farm Park). Several of the flats are single aspect, however none are north facing. A Daylight and Sunlight Assessment has been submitted with the application which confirms that all the proposed flats would benefit from daylight levels in excess of the relevant requirements. Bin and bike stores have been provided for the proposed flats. Therefore, the proposed flats are considered to have suitable internal and external amenity areas in accordance with Policy EE1.
- 7.11 The site is located in close proximity to Aldi and the proposal includes commercial use (gym) at ground and first floor. A noise impact assessment has been submitted with the application. The Noise Assessment confirms that all internal habitable rooms will meet the required noise levels when fitted with suitable double glazed windows and acoustic trickle ventilators. Bedrooms on the front elevation would need to be provided with alternative ventilation measures. The Councils Environmental Health Officer has reviewed the application and the noise impact assessment and commented that a full noise and vibration assessment should be carried out prior to commencement and glazing and trickle ventilators should be installed in line with the recommendations in the noise assessment and details of alternative ventilation methods for front bedrooms should be provided to protect the amenity of future occupiers. These can be secured by way of condition.
- 7.12 It is noted that several of the balconies, particularly those on the front elevation, will have higher noise levels given the road traffic and proximity to Aldi, however the noise report states that given the front balconies are set slightly in from the outer edge the expected daytime noise levels are considered to be below the 55dB guidance value. Whilst the balconies may suffer from higher noise levels, the site is within a town centre location and the site is within walking distance of a Gogmore Farm Park so future occupiers would be able to access suitable external amenity areas. Therefore, the proposal is considered to provide suitable levels of amenity of future occupiers in accordance with Policy EE1 and EE2.

Impact on neighbouring amenity

- 7.13 Turning to existing residents, the closest neighbouring properties are those within Nexus Building, Hamilton Court, and 18-27 Riversdell Close. The first floor (which overhangs the ground floor car parking area) of the proposed building extends further to the rear than the rest of the building which is 4.8 metres from the rear boundary and 17 metres from the rearmost elevation at No. 23 Riversdell Close. The first floor serves the gym and has no windows in the rear elevation; however, it will bring first floor built form closer to the rear boundary with a height of approximately 7.5 metres. The upper floors of the building are set further back from the rear boundary. A daylight sunlight report has been submitted with the application which assessed all windows in the rear elevations of 18-27 Riversdell Close as well as their gardens and the nearest side and rear windows at Hamilton Court. The report concluded that taking into account the proposed development, all windows and rear gardens at 18-27 Riversdell Close meet the required guidelines. One window in Hamilton Court failed to meet the required standards, however a further assessment was undertaken and this window is a secondary window with 2 other windows in the front elevation. Nexus is located to the south west of the proposed development so will not be overshadowed by the proposal. Notwithstanding this, although the first floor is close to the rear boundary it is set off by almost

5 metres and the upper floors are set further back. The proposal would not break a 45 degree line from the closest rear windows at Nexus or Hamilton Court and the second storey is stepped in significantly compared to the first floor. There are 3 windows in the side elevation of Hamilton Court and 2 windows in the side elevation of Nexus facing the application site. Both side windows in Nexus are obscurely glazed and the side windows on Hamilton Court are all either secondary or serve non habitable rooms. It is acknowledged that the proposed development will result in some harm to properties along Riversdell Close due to the height and massing closer to the boundary, however given the stepping back of the building with mansard roof and results of the daylight and sunlight report the proposal is not considered to have an unduly harmful impact on neighbouring properties along Riversdell Road such to warrant refusal with regard to amenity.

- 7.14 There is a minimum separation distance between the nearest rear window of the proposed development and the rear boundary of 10 metres and a distance of 22.5 metres to the rear extension at No. 23 Riversdell Close. The Runnymede Design Guide states that a distance of 22 metres between habitable rooms is an acceptable distance which has been met. Therefore, is not considered to be any harmful overlooking towards properties along Riversdell Close. There are two windows in both side elevations at first floor. These windows serve the gym and are set in from the side boundary by a minimum of 4.7 metres and would overlook the parking areas of both Nexus and Hamilton Court. No other windows are proposed to be inserted in either side elevation. Flats 2 and 5 have a terrace close to the side boundary. To prevent any overlooking from these terraces a condition is recommended to secure screening to the side of these terraces. There are no neighbouring properties directly to the front of the site. Therefore, subject to conditions it is considered that the proposal would not have an unduly harmful impact on the residential amenity of neighbouring properties in accordance with Policy EE1.
- 7.15 A second noise assessment has been submitted in relation to the plant equipment as requested by the Councils Environmental Health Officer. The Councils Environmental Health Officer has reviewed the report and states that the plant equipment would meet the noise rating levels required and there should be no adverse impact on residential amenity through the plant installed on the proposed development and had the scheme otherwise been considered acceptable this could have been secured by way of condition.
- 7.16 It is noted that several letters of representation have raised concerns regarding anti-social behaviour and security concerns. The commercial use (gym) is proposed to be used 24/7 and there will be an element of natural surveillance from the residential units above.

Highways

- 7.17 The site will modify one of the existing vehicle access points (access point to south west of site) with the access to the north east to be removed with footpath reinstated. 26 parking spaces are proposed to be provided (20 for commercial and 6 for residential). There will also be 18 cycle spaces for residents and 4 cycle spaces for the commercial use. It is noted that 6 parking spaces for 9 residential flats is below the guidance in the Runnymede parking SPD, however the site is in a sustainable town centre location in close walking distance to Chertsey Railway Station, other public transport links and local services. Similarly with the commercial use, given the sites sustainable town centre location the lower parking numbers are considered to be acceptable. All residential spaces will have EV charging and 20% of commercial spaces will have EV charging and a further 20% will have passive capacity. The County Highways Authority have assessed the application on safety, capacity and policy grounds and has not raised any objections and recommends conditions in relation to securing

EV charging, cycle parking and the modified access points. Therefore, subject to conditions the proposal is considered to comply with Policy SD4.

- 7.18 The disabled spaces are shown on the plans in usable places with support columns blocking access, however there would be space within the site for these spaces to be relocated taking into account the building support columns. Had the application otherwise been recommended for approval a revised more suitable parking layout could have been subject to condition.

Archaeology

- 7.19 The site lies close to an area of High Archaeological Potential and an Archaeological Desk Based Assessment has been submitted with the application. Surrey Archaeology have reviewed the Desk Based Assessment and have commented that the report has consulted with all appropriate available sources and has produced a comprehensive overview of the site and surrounding area. The report concludes that the site has a low to moderate potential for the Roman and Early Medieval periods with a low potential for the Prehistoric and Medieval. However, redevelopment of the site for the current building will have caused widespread truncation and of any archaeological horizons that may have been present.
- 7.20 Surrey Archaeology agrees that the redevelopment works, particularly the construction of the current building, will have had a destructive impact on below ground deposits and this, together with the low potential and the fact that the site is outside of the area identified as being of high archaeological potential means that it is unlikely that significant archaeological remains will be present so does not consider that it would be reasonable or proportionate to require any further archaeological works on the site. Therefore, the proposal is considered to comply with Policy EE7.

Biodiversity and Blue and Green Infrastructure

- 7.21 The applicant has provided information on blue and green infrastructure within the Planning Statement. The document states that the site is currently entirely hardstanding and given the small size and urban location there is limited opportunity to significantly improve Blue and Green Infrastructure. However, the proposals include permeable pavement for SUDS and a minimum of two small areas of landscaping. The flat roof of the first floor is also proposed to be a green roof (which is shown on the proposed plans) and bird and bat boxes can be provided at points around the building. These measures can be secured by way of condition. Therefore, the proposal is considered to accord with Policy EE9 and EE11 and guidance within the NPPF.

Contamination

- 7.22 With respect to contaminated land, a CLD Desk Study has been submitted with the application which concludes that there is little risk for contamination affecting the site, however previous use and works associated with the garage has potential for some contamination in the made ground. It is noted that this area of made ground will be removed as part of the redevelopment and therefore any contaminated material can be addressed at this stage. The Councils Land Contamination Officer has reviewed the submitted information and has recommended pre-commencement conditions for site characterisation and other matters. Subject to suitable conditions the application complies with Policy EE2 (in respect of contamination).

Other Matters

- 7.23 A Sustainability and Energy Statement has been submitted with the application. According to the Sustainability and Energy Statement submitted the low carbon and renewable energy proposed will provide carbon emission savings of 66% for the residential element and 7% for the commercial unit as part of the detailed design. In addition, the residential units will be provided with ASHP and solar panels will supply 10% of the sites energy demand in in line with the requirements of Policy SD8. In addition, the statement specifies that the water consumption will be less than 105L/pp/day. Had the scheme otherwise been considered acceptable, the renewable energy and water efficiency measures proposed could have been secured by condition.
- 7.24 Concerns have been raised regarding the impact on the proposed building on existing solar panels on neighbouring properties. It is noted that there are solar panels on the southern roof slope of Hamilton Court. It is acknowledged that the proposal will bring development closer and higher in relation to Hamilton Court which may have a negative impact on these existing solar panels. However, the limited contribution of single dwelling panels to climate change objectives does not outweigh the benefits of the proposed development to warrant refusal in its own right.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposal would be CIL liable.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The application has not demonstrated that there would be no alternative sites which are at a lower risk of flooding. The development is considered acceptable in terms of appearance and with no harmful impacts on residential amenities, highways safety, archaeology or contamination.

- 10.2 With regard to the planning balance whilst the proposal would provide economic benefits and contribute towards the Council's housing supply these benefits do not outweigh the flooding considerations and failure to pass the sequential test.
- 10.3 The development has been assessed against the following Development Plan policies – SD1, SD4, SD7, SD8, SL19, EE1, EE2, EE4, EE5, EE9, EE11, IE6 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.

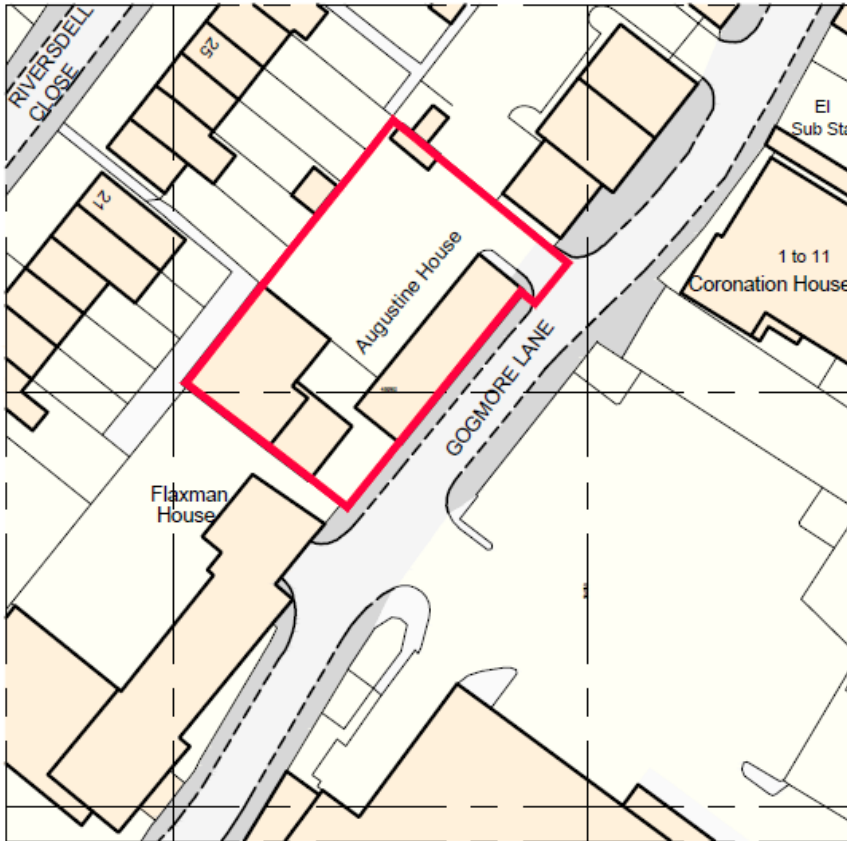
11. FORMAL OFFICER RECOMMENDATION

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

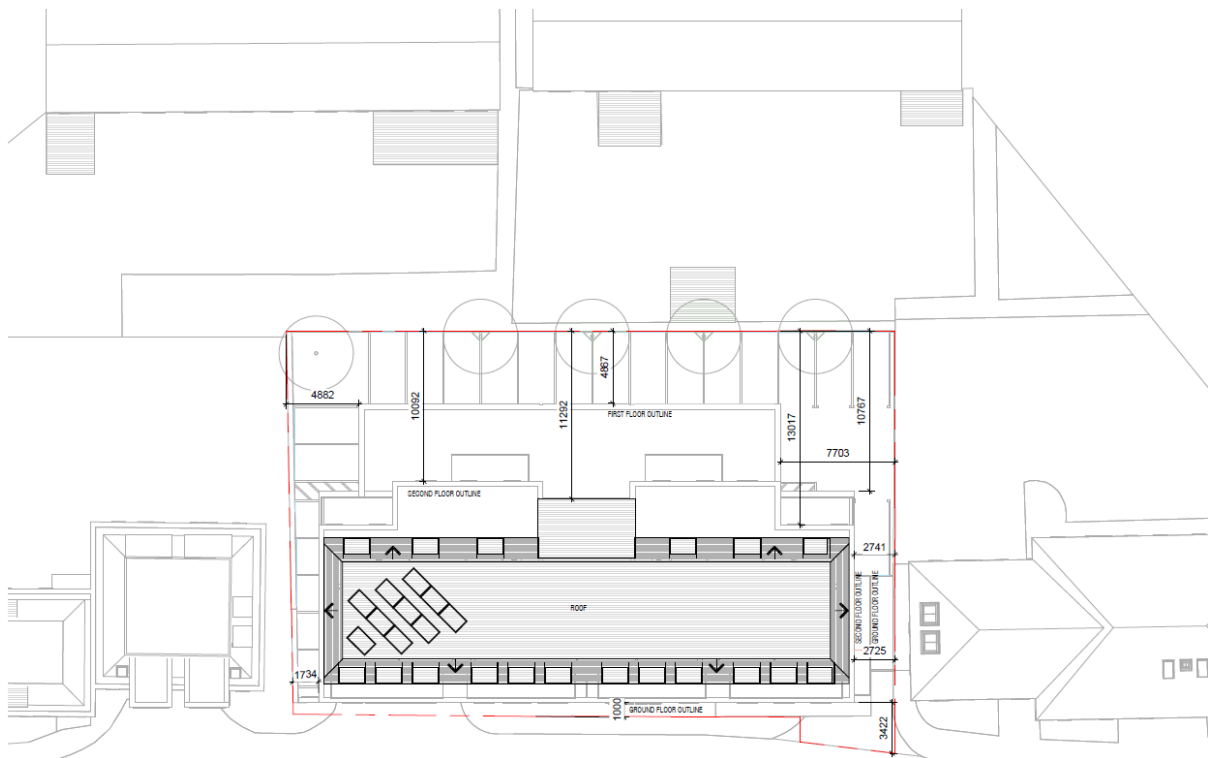
1. The Sequential Test has not been passed as it has not been adequately demonstrated that there are no available sites at a lower risk of flooding. As such the proposal does not comply with Policy EE13 of the Runnymede 2030 Local Plan, the Runnymede SFRA and guidance in the NPPF.

RU.23/0066 - Augustine House, Gogmore Lane, Chertsey

Location Plan



Proposed Block Plan

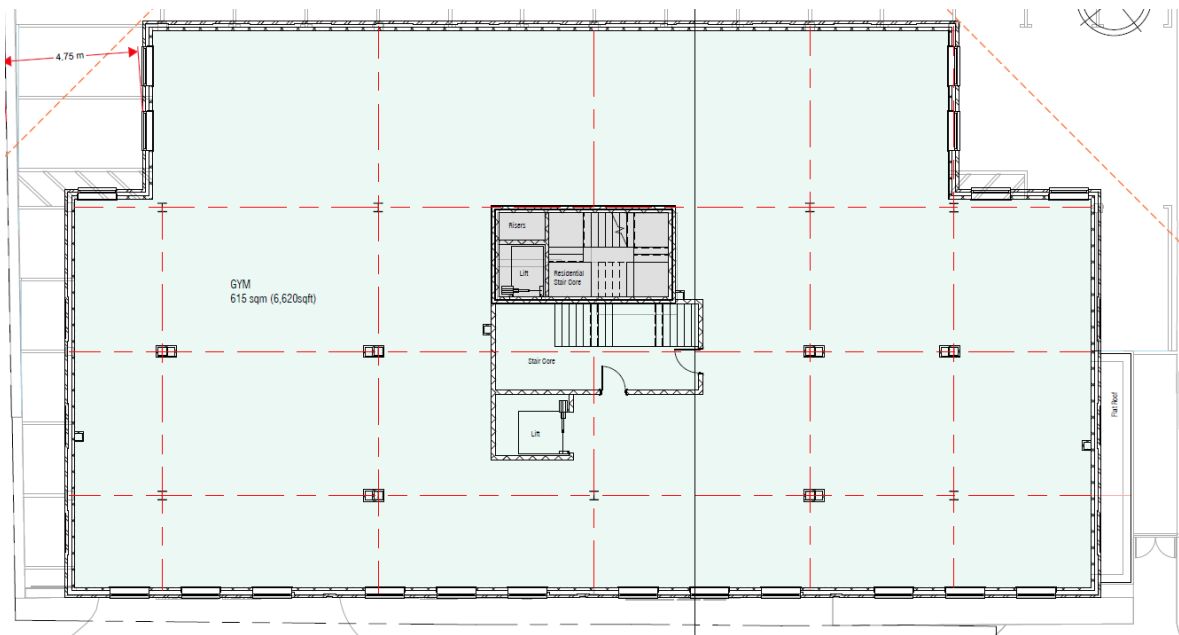
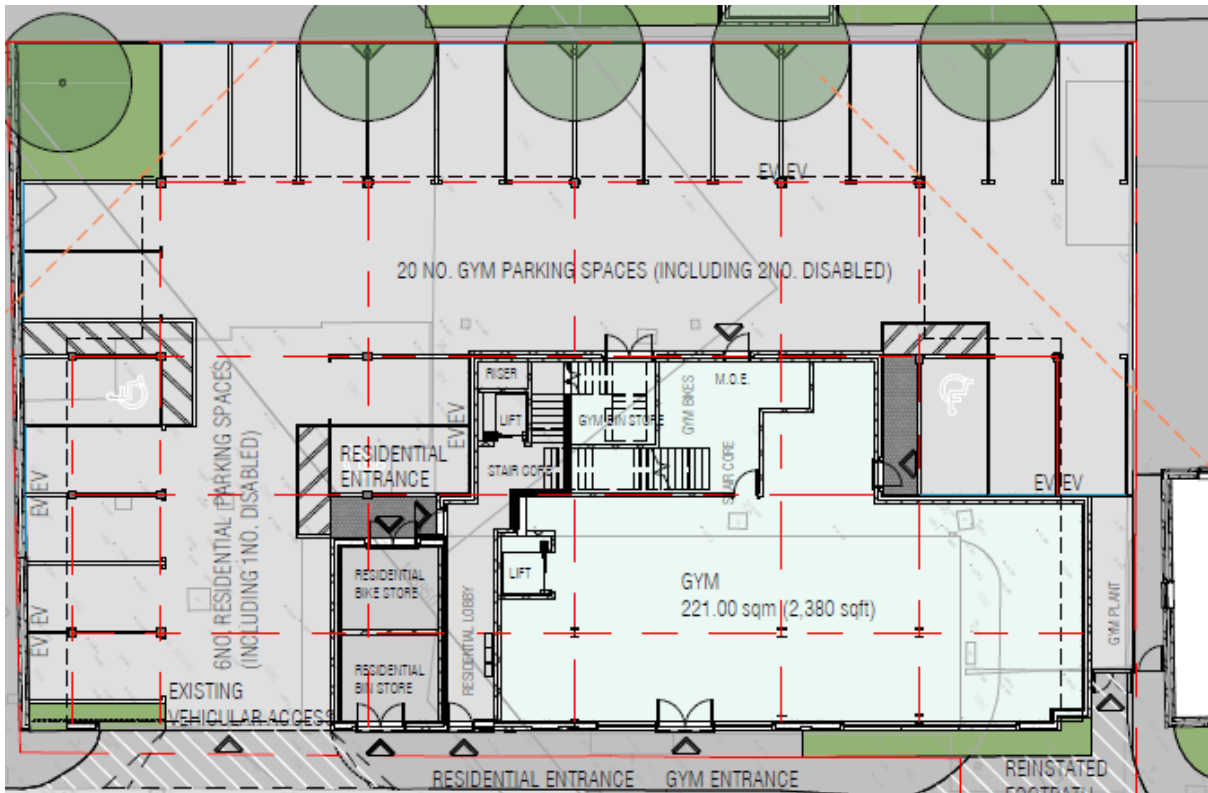


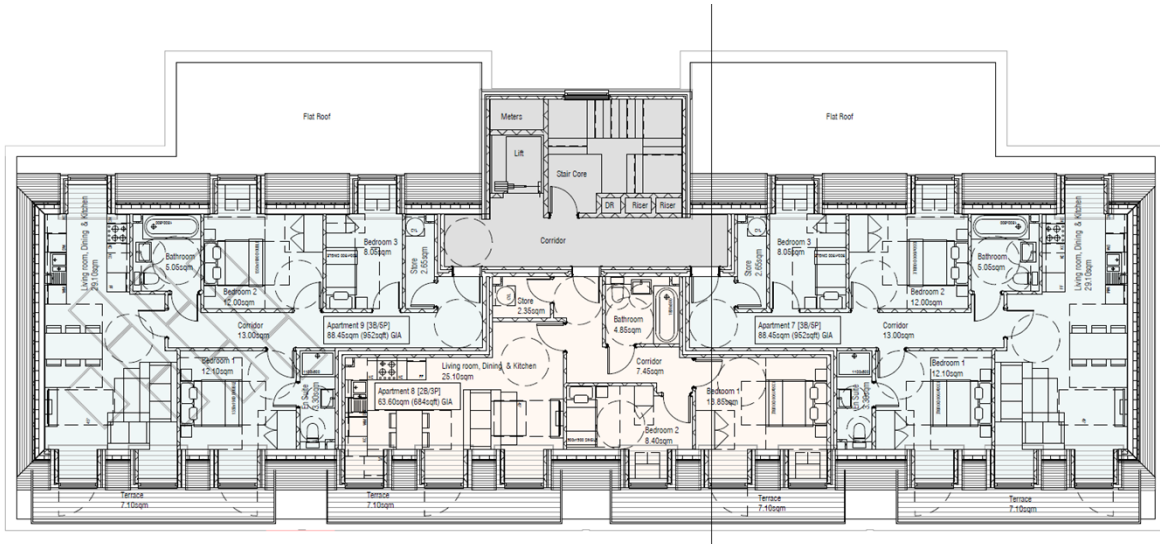
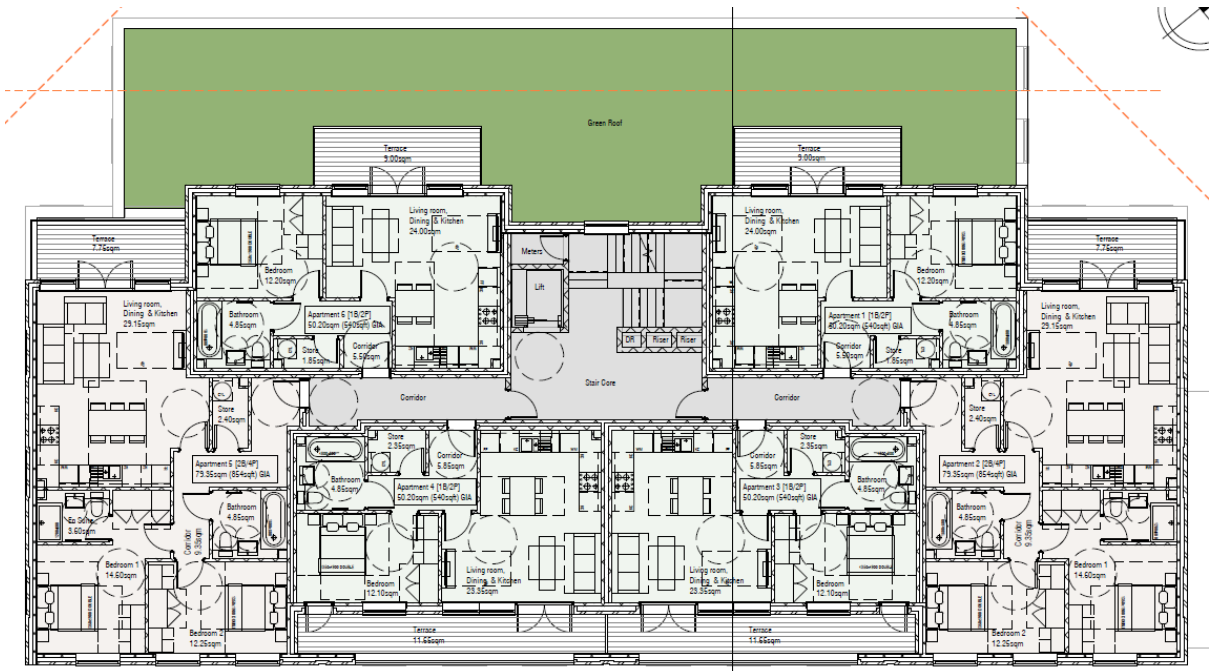
Proposed Elevations and Street Scene





Floor Plans







FOR LOCATION PURPOSES ONLY

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

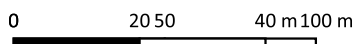
Date: 14/07/2023

Willow Farm



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Scale: 1:2,800



RU.22/0109



COMMITTEE AGENDA REFERENCE: 5E

APPLICATION REF:	RU.22/0109
LOCATION	Willow Farm, Chobham Road, Ottershaw, KT16 0QE
PROPOSAL	Change of use of the land to create 4 pitches for an extended Traveller family
TYPE	Full Planning Permission
EXPIRY DATE	21/07/2022
WARD	Ottershaw
CASE OFFICER	Adam Jackson
REASON FOR COMMITTEE DETERMINATION	Number of letters of representation
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the HoP:

- | | |
|----|---|
| 1. | Grant temporary consent subject to the conditions set out in Section 11 of this report. |
|----|---|

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 Willow Farm is a site of 0.45ha located on the northern side of Chobham Road (A319), approximately 75 metres to the southwest of the settlement of Ottershaw. The site is adjoined to the north and east by woodland and the west by South Lodge, which is a residential property. Vehicular access to the site is from Chobham Road.
- 2.2 The application site is located within the Green Belt. The band of trees along the site frontage is covered by Tree Preservation Order 7. The application site is within 5km of the Thames Basin Heaths Special Protection Area.
- 2.3 The application site currently comprises of Gypsy/Traveller pitches, granted temporary consent under application RU.16/1747. This permission, which expired in August 2020, restricted the use to 4 pitches, 2 caravans per pitch, and for use by the applicant and their family only.

3. APPLICATION DETAILS

- 3.1 The application seeks the change of use of the site to provide 4 gypsy/traveller pitches. It has not been specifically stated in the application how many mobile homes are proposed, however the Site Survey Plan (RSPR2100115/01) submitted in support of the application shows 7 x mobile homes (2 per pitch apart from pitch 3), 8 x sheds/outbuildings (2 per pitch) and an area of hardstanding on each pitch which at the time of the site visit were occupied by 3 x touring caravans.
- 3.2 The site is currently in use, following the grant of temporary permission in 2017 under application RU.16/1747, however that permission has since expired and was restricted to just 2 caravans per pitch and the officer report for that application sets out that each pitch includes 1 mobile home, 1 no. touring caravan, 1 no. shed and 2 parking spaces. The application therefore proposes an intensification of the use in terms of the scale of the development.

4. RELEVANT PLANNING HISTORY

- 4.1 The site has an extensive planning and enforcement history.
- 4.2 An Article IV exists for the Urban Area of Chertsey, including the application site, which restricts permitted development rights with respect to temporary buildings. In December 1970, the Secretary of State confirmed an Article IV Direction on an extensive area of land on the north side of Chobham Road, including the application site, removing permitted development rights in respect of enclosure and agricultural and forestry buildings.
- 4.3 In early 2003, three touring caravans were brought onto the site and hardcore deposited on the land. The occupiers advised of their intention to locate 5 mobile homes/chalets on the site. A Stop Notice and an Enforcement Notice were issued which required the owners to stop laying the hardcore and reinstate the land. The landowner did not stop the works and more caravans were brought onto the land. An emergency injunction was obtained to prevent any further works and any further increase in caravans on the site in April 2003. A further Enforcement Notice was issued in April 2003 requiring the removal of the caravans occupying the site. An appeal was made against the Enforcement Notices and a Public Inquiry was held in January 2004. The appeal was dismissed and the Enforcement Notice upheld in April 2004. The occupiers of the site were given one year to vacate the site. The landowners complied with the Enforcement Notice and the site was vacated between late 2005 and mid 2006, but caravans were subsequently brought back onto the land.
- 4.4 Subsequently there have been a number of planning applications, summarised as follows:

Reference	Details
RU.08/1220	Sought permission for the change of use of the site to include the stationing of caravans for 4 no. gypsy/traveller pitches with utility/day room building and hardstanding ancillary to the use. The application was REFUSED in April 2009 and a public Inquiry was held in October 2009. The appeal was DISMISSED in November 2009. Subsequent appeals to the High Court and Supreme Court were also dismissed.
RU.13/0416	Sought permission for the temporary use of land for 3 years to create 4 pitches for an extended traveller family and associated works including 2 parking spaces per pitch and septic tank. Temporary planning permission

	was GRANTED on 26 October 2013 for a period of 3 years, personal to the occupiers of the site: Kelly Rooney, Freddie and Rosemary Loveridge, Margaret Rooney and their respective children and Eileen and Martin Rooney. The permission was subject to conditions limiting the number of pitches and caravan on the site, the removal of corrugated iron sheds, and further investigation, assessment and remediation of contamination on the site.
RU.14/0179	Provided details pursuant to condition 9 (Site investigation and detailed quantitative risk assessment) and 10 (Detailed remediation scheme) of planning permission RU.13/0416. APPROVED February 2014.
RU.15/1565	Details pursuant to condition 11 (Validation report) of RU.13/0416. APPROVED October 2015.
RU.16/1746	Sought the permanent change of use of the site to create 4 pitches for an extend traveller family. Essentially, it sought to continue the use of the site as temporarily approved under RU.13/0416 on a permanent basis. This application was for 4 pitches including 1 mobile home, 1 touring caravan, 1 shed and 2 parking spaces per pitch. This application was REFUSED August 2017 as the proposal represented inappropriate development in the Green Belt, the harm of which was not outweighed by very special circumstances or the personal circumstances of the applicant's family.
RU.16/1747	Sought the retention of four pitches for an extended traveller for a further temporary period following the previous temporary permission RU.13/0416. Each pitch included 1 mobile home, 1 touring caravan, 1 shed and 2 parking spaces per pitch. Temporary planning permission was GRANTED August 2017 for a period of 3 years, personal to the occupiers of the site: Kelly Rooney, John Rooney Margaret Rooney and their respective children, and Eileen and Martin Rooney.

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

5.1 National Planning Policy:

- National Planning Policy Framework and Guidance (2021)
- Planning Policy for Traveller Sites (2015)

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 Any other supplementary planning documents and guidance that may be of relevance:

- Runnymede Parking Guidance SPD (2022)
- Runnymede Design SPD (2021)
- Green and Blue Infrastructure SPD (2021)
- Thames Basin Heaths Special Protection Area SPD (2021)

- Infrastructure Delivery and Prioritisation SPD (2020)
- Trees, Woodland and Hedgerows SPG (2003)

6. CONSULTATIONS CARRIED OUT

6.1 19 letters of representation have been received from individual addresses. **1 LETTER IS IN SUPPORT** of the application, **18 LETTERS HAVE BEEN RECEIVED IN OBJECTION**. Representations can be summarised as follows:

Support

- There are very special circumstances for allowing the development within the Green Belt
- The development will have little to no harm on openness on the Green Belt
- The mobile homes will have no negative visual impact or impact on amenity
- There is currently a huge amount need for traveller sites
- There is currently a lack of alternative sites
- The site is already established as a traveller site
- There are children and elderly living on the site
- Returning the site to its former state would be a waste of materials

Objections

- The site has been occupied contrary to planning for nearly 20 years
- The occupants have made no attempt to find an alternative site
- Runnymede has made changes allowing pitches to be provided in new developments
- The occupants have felled protected trees
- The siting of mobile homes has resulted in damage to the woodland screening
- The development encroaches on and harm the Green Belt
- The development encroaches into the countryside
- The development contributes to the coalescence of Ottershaw and Chobham
- The development has an adverse effect on wildlife
- The development harms the character and appearance of the area
- Complaints have been lodged with regards to noise nuisance
- Complaints have been lodged with regards to highway safety

6.2 Consultees responses

Consultee	Comments
County Highway Authority	<ul style="list-style-type: none"> Is the access wide enough for two-way vehicular movements? Please can a detailed plan of the access onto Chobham Road be provided
Natural England	<ul style="list-style-type: none"> Natural England would agree that mitigation is not required for this COU application given that the site was occupied prior to the designation of the Thames Basin Heaths Special Protection Area and that contributions were not requested in 2013.
RBC Planning Policy	<ul style="list-style-type: none"> There is a need over the next 5 years for 83 new pitches (16.6 pitches per year) At the time of writing, I am of the opinion that, the Council are unable to demonstrate a 5-year supply for pitches.
RBC Contaminated Land	<ul style="list-style-type: none"> There are still outstanding conditions relating to former planning applications at the site, namely RU.14/0719. To fully discharge conditions relating to contaminated land, a validation report showing remedial works have been completed successfully.
Surrey Police	<ul style="list-style-type: none"> This is a small compact residential development within a rural landscape which has been in existence for some years. There are no incidents within the last five years that could constitute material considerations for planning purposes.
Surrey Gypsy Traveller Communities Forum	<ul style="list-style-type: none"> We would like to support the provision of new pitches for Gypsies and Travellers as there is a serious shortage of sites and pitches.

7. PLANNING CONSIDERATIONS

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the National Planning Policy Framework (NPPF). Regard must also be had for the Planning Policy for Traveller Sites (PPTS). The application site is located within the Green Belt where there is a presumption against inappropriate development. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- the effect of the proposal on the openness and purposes of the Green Belt
- the impact the proposal has on the character and appearance of the area
- the impact on the residential amenity
- the impact on highway safety
- the impact on wildlife and biodiversity and the impact on the Thames Basin Heaths Special Protection Area,
- whether there are any very special circumstances to outweigh any identified harms.

7.2 Policy SL22 of the Runnymede 2023 Local Plan sets out that there is a need for 83 Gypsy/Traveller pitches in the Borough over the Local Plan period and that Gypsy and Traveller and Travelling Showpeople accommodation will be granted provided that the following criteria are met:

- (i) the site is suitably connected by sustainable and active modes of transport to a settlement with existing health care, retail and school facilities.
- (ii) The impact of the development would not harm landscape character
- (iii) The site can be safely accessed by pedestrians, vehicles and caravans to and from the highway
- (iv) The site is located in flood zone 1 as shown on the Policies Map or in flood zone 2 if it can be demonstrated that both the sequential and exceptions tests can be passed.
- (v) The site can be suitably connected to clean and foul water utilities.
- (vi) All pitches/plots would be able to accommodate the reasonable amenities of the occupiers.

Para 11 of the Planning Policy for Traveller Sites also sets out that Local Planning Authorities should ensure that Traveller sites should be sustainable economically, socially and environmentally.

With regards to point (i) the site is c. 0.5 miles from the outskirts of Ottershaw, where education, healthcare, retail, and other services and facilities are available. Public transport is not available from the site to Ottershaw, however it should be noted that the applicants have been on site for a number of years and are well integrated within the community in terms of their use of local education and health facilities.

With regards to point (iv), the application site is not within an area liable to flooding.

With regards to point (v), the application site already benefits from clean and foul water facilities.

All other points have been considered in more detail below.

Whether the proposal is an appropriate form of development in the Green Belt

7.3 Paragraph 137 of the National Planning Policy Framework (NPPF) states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and permanence. There is a presumption against new development in the Green Belt, however paragraph 150 (e) sets out that material changes in the use of land are not inappropriate in the Green Belt provided the change of use preserves its openness and does not conflict within the purposes of including land within it. This is consistent with policy EE19 of the Runnymede 2030 Local Plan which seeks to exercise strict control over development involving a change of use within the Green Belt.

7.4 Furthermore, policy EE19 goes onto say that proposals for independent residential use of land are considered to be inappropriate development and harmful to the Green Belt in principle. Paragraph 16 of Policy E of the Planning Policy for Traveller Sites (PPTS) sets out that Traveller Sites in the Green Belt, whether temporary or permanent, are inappropriate development.

- 7.5 Whilst temporary permission has been granted previously, this permission expired in August 2020. The site has formerly been used for agriculture and was occupied by agricultural buildings; however the site is understood to have been vacant when mobile homes were first brought onto the site in 2003; the proposal therefore constitutes a material change in use of the land. Given paragraph 16 of the PPTS and policy EE19 of the Local Plan above, the proposed development is inappropriate development in the Green Belt and should not therefore be approved except in very special circumstances, however for completeness and in accordance with paragraph 150 of the NPPF, an assessment of the impact of the development on the openness of the Green Belt and on the purposes of the Green Belt has been carried out below.
- 7.6 The openness of the Green Belt has a spatial as well as a visual aspect. In terms of the spatial impact of the development on the openness of the Green Belt, the proposed plans show 7 x mobile homes occupying an area of approximately 325sqm, 8 x sheds/outbuildings with a combined floor area of approximately 50sqm, areas of hardstanding on each pitch large enough to accommodate a touring caravan, and an area of stone/gravel to the rear of the site for car parking, all of which will have a spatial impact on the openness of the Green Belt. The lawful use of the site is agricultural and there have previously been low level agricultural buildings on site, however according to aerial imagery and photographs of the site available to the Council, these buildings have not existed on site since at least 2016, and given the grant of temporary permission in 2013, likely longer.
- 7.7 In terms of the visual impact, views of the development from outside of the site would be limited by the trees and vegetation along the front boundary which restrict views into the site, however the proposed use is significant, and the number of caravans and structures associated with it would result in a visual impact on the openness of the Green Belt.
- 7.8 Paragraph 150 of the NPPF also sets out that the development should not conflict with the purposes of including land within the Green Belt. These are:
1. the checking of unrestricted sprawl;
 2. the prevention of neighbouring towns merging into one another;
 3. to assist in safeguarding the countryside from encroachment;
 4. to preserve the setting and special character of historic towns;
 5. and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Whilst the site is set between Chobham and Ottershaw, it is not considered that the development would have any material conflict with the first two purposes given its scale and location adjoining an existing residential site and the fact that there are other residential properties located sporadically along this part of Chobham Road. The development would result in additional encroachment into the Countryside, although this would be limited. The proposal is not considered to conflict with purposes 4 & 5.

- 7.9 Overall, the development, when compared to the existing lawful agricultural use of the site would have a clear spatial and visual impact on the openness of the Green Belt. Whilst the visual impact is reduced as a result of the front boundary trees, the amount of development, including new hardstanding, gravel for car parking, the siting of both mobile homes and caravans (10 in total at the time of the site visit), and sheds/outbuildings associated with the use of the site, there would be a clear significant impact on the openness of the development as a result of the development. Furthermore, the development would also result in further

harm, although limited, due to conflict with the purposes of the Green Belt. In any case, as set out above, the proposal is inappropriate development in principle under policy EE19 and paragraph 16 of the PPTS. In accordance with 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. Whether very special circumstances exist which outweigh the harm to the Green Belt and any other harm is considered in the planning balance section at the end of this report. It is noted that the applicant acknowledges in paragraph 26 of their Planning Statement that the development is inappropriate development.

The impact the proposal has on the character and appearance of the area

- 7.10 In terms of whether the proposal has an acceptable impact on the character and appearance of the area, policy EE1 of the Local Plan and paragraph 130 of the NPPF are relevant. Policy EE1 sets out that all development proposals will be expected to achieve high quality design which responds to the local context including the built, natural and historic character of the area whilst making efficient use of the land.
- 7.11 The proposed development provides 7 x mobile homes, 8 x sheds/outbuildings, and space for touring caravans and parking. The latest permission on site gave consent in 2017 for 4 x traveller pitches on a temporary basis. The Officer Report accompanying that decision sets out that there was no harm to the visual amenities of the street scene as the caravans were set back from the road and would be viewed in the context of buildings on neighbouring land. The previous application was not supported by a site layout, however the description of development stated that the application was for 4 x pitches and that each pitch would include 1 x mobile home, 1 x touring caravan, 1 x shed, and 2 x parking spaces. The number of proposed caravans/mobile homes and sheds/outbuildings is therefore greater than in 2017, however, they are still largely set back from the front boundary and are well screened by the boundary trees and vegetation.
- 7.12 The front of the application site is covered by an area Tree Preservation Order (No. 7). It is understood that many of the trees within the TPO area have already been removed, both from the front of the site and adjacent to the access track/driveway which, as set out below, has been widened without planning permission. No details have been provided surveying the trees remaining on site and therefore it is not clear what harm has already been caused, however this is a separate enforcement matter. It is not considered that the retention of the Traveller pitches on site would have a material impact on trees.

The impact on the residential amenity

- 7.13 In terms of the impact on the amenity of existing adjoining neighbours, the application site is adjacent to South Lodge, however the property on that site is in the southwest corner, set away from the shared boundary. The mobile homes are also not of a scale that would result in any harm to this neighbour's amenity in terms of light, overbearingness, or privacy. It is noted that some neighbours have raised concerns with noise from the site, however it is considered unlikely that the proposed use of the site would have a materially harmful impact on noise or generate materially more noise than any other residential use. If noise is an issue on the site, this would be a matter for Environmental Health. There is nothing inherently noisy about the proposed use itself.
- 7.14 In terms of the amenity that would be afforded to the occupiers of the Traveller site, the site is large enough to accommodate 4 pitches as per the standards set out in Appendix 5 of the Runnymede Design Supplementary Planning Document, and it is considered that the proposal complies with the criteria set out within this appendix with regards to site layout and facilities. An individual amenity block is not provided, however each mobile home is provided

with its own amenities including electricity and water supply.

The impact on highway safety

- 7.15 The site is accessed via a track/driveway in the southeast corner of the site. This track is approximately 4m wide, and the widening of the track along with other improvement works, including the placement of gabion baskets containing stone to act as a retaining wall, appear to have been carried out without planning permission at some point near the end of 2021. However, the access has not been applied for under this application and the works carried out are therefore a separate matter for Planning Enforcement. The County Highway Authority have raised concerns over whether the track is wide enough to accommodate two-way traffic, however it should be noted that this track has been used as the access for the site since at least 2013. The track was also used to access the site when it was still in agricultural use which could generate significantly more traffic and larger vehicles. The proposed development would not therefore have an unacceptable impact on highway safety or a severe impact on the road network as per the tests set out in paragraph 111 of the National Planning Policy Framework.

The impact on wildlife and biodiversity and the impact on the Thames Basin Heaths Special Protection Area

- 7.16 Policy EE9 of the Runnymede 2030 Local Plan sets out that the Council will seek net gains in biodiversity, through creation/expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. No information has been submitted with the application which demonstrates how the development will comply with this policy. Furthermore, it is understood that existing protected trees on the site have been removed which will have had a net negative impact on site biodiversity. Notwithstanding the above, given the size and nature of the site, it is considered that a net gain in biodiversity is achievable and that these details could be secured by condition should permission be granted.
- 7.17 The application site is within 5km of the Thames Basin Heaths Special Protection Area (SPA). The SPA is protected under European and UK law and is designated due to the presence of breeding populations of birds which are vulnerable to disturbance from informal recreation use such as walking and dog walking. Policy EE10 of the Local Plan sets out that all additional residential development beyond the 400m exclusion zone but within 5km of the SPA, will need to put in place adequate measures to avoid and mitigate potential effects on the SPA. The identified avoidance strategy to ensure no adverse effect on the integrity of the SPA from new residential development is mitigation in the form of SANG (Suitable Alternative Natural Greenspace), the purpose of which is to attract potential users away from the SPA. Mitigation is usually in the form of financial contributions towards Council SANG as well as SAMM (Strategic Access Management and Monitoring).
- 7.18 However, in this case the applicants have occupied the site prior to the designation of the Thames Basin Heaths Special Protection Area and mitigation was not requested in 2013 when the first temporary permission for Traveller pitches was granted, nor in 2017 when the most recent temporary permission was granted. Natural England have confirmed therefore that mitigation is not required in this instance. The number of mobile homes / caravans shown has increased from that approved in 2016, however the application is still for 4 pitches as it was in 2013 and the site is occupied by the same family as in 2013 and 2016.

Other considerations

- 7.19 The Contaminated Land Officer has commented that there are still outstanding conditions

relating to former planning applications at the site, and that a validation report showing remedial works have been completed successfully is required to fully discharge conditions relating to contaminated land, however this is not actually the case as the validation report was approved in 2015.

- 7.20 The application is for a change of use only. The mobile homes/caravans on site do not constitute operational development and as such there is no new residential floorspace requiring a Community Infrastructure Levy (CIL) to be paid.

Planning Balance/Whether there are any very special circumstances to outweigh any identified harms.

- 7.21 The Local Plan adheres to the NPPF by establishing that inappropriate development is harmful to the Green Belt and should not be approved unless very special circumstances exist which clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal.
- 7.22 The proposal would constitute inappropriate development within the Green Belt, which would, by definition, be harmful. There would be a further harm due to a conflict with maintaining the openness of the Green Belt and supporting the purposes of including land within it. As per paragraph 148 of the NPPF, this combined harm is given substantial weight.

Need for Gypsy/Traveller pitches in the Borough

- 7.23 The PPTS states that Local Planning Authorities should prepare and maintain an up-to-date understanding of the likely accommodation needs of their area over the lifespan of the development plan. The PPTS also states that Local Planning Authorities should identify a 5-year supply of specific deliverable sites.
- 7.24 Policy SL22 of the Local Plan seeks to address the need for a supply of Gypsy and Traveller pitches in the Borough, pursuant to the Council's latest 2018 Gypsy and Traveller Accommodation Assessment (GTAA). The policy identifies a need for 83 Gypsy and Traveller pitches to be delivered over the plan period. 35 of these are allocated as part of the Local Plans major housing allocations. Beyond the allocations, sites are to be delivered in other ways listed in the policy, including bringing back into use 48 existing pitches which are authorised for Gypsy/Traveller pitches but are not currently being used for such. The policy also sets out that planning permission for Gypsy and Traveller pitches outside of the site allocations will be granted provided certain criteria is met, which as set out in paragraph 7.2 this site complies with.
- 7.25 It was set out and agreed at the recent appeal hearing for the extension of an existing Gypsy/Traveller site within the Borough at New Oak Farm, Chertsey, that although the GTAA counts Gypsies and Travellers living on certain unauthorised sites, the people on these sites were not carried forward into the need figure of 83 pitches set out in policy SL22. The Inspector considered that this indicates a degree of need in the Borough which is not being directly met by policy SL22. Furthermore, the Inspector noted that whilst the policy sought to have delivered 71 pitches by now, a significantly lower amount (22 at the time of appeal) have been delivered or granted permission, and none of the 48 pitches which the Local Plan seeks to bring back into their authorised Gypsy and Traveller pitch use have been returned to Gypsy/Traveller use to date.
- 7.26 There is therefore currently an unmet need for Gypsy and Traveller pitches in the Borough, and although there has been progress made in implementing the strategy contained in the Local Plan, it is accepted that at the time of writing the Council is unable to demonstrate a 5-year supply. It is also accepted that there is a lack of alternative sites for the occupiers of

Willow Farm, with long waiting lists at the Local Authority sites within Runnymede. A recent decision from the Lisa Smith v SSLUHC & Ors case has also found the definition of Gypsies and Travellers within the PPTS to be unlawfully discriminatory to those who have permanently ceased to pursue nomadic lifestyles. The New Oak Farm Inspector considered that the Lisa Smith judgement therefore calls into question the integrity of the Local Plans strategy for the allocation of pitches which is largely built upon the definition of Gypsies and Travellers set out in the PPTS. There is therefore potentially further unmet need not addressed within policy SL22.

- 7.27 The lack of alternative available sites for the applicant and the provision this application would make towards meeting unmet need for Gypsy and Traveller pitches within the Borough is given substantial weight. Further moderate weight is given to the failure of the policy to consider those that do not fall within the definition of Gypsies and Travellers set out in the PPTS. However, paragraph 16 of the PPTS sets out that subject to the best interests of the child, personal circumstances and unmet need, are unlikely to clearly outweigh harm to the Green Belt.

Personal Circumstances

- 7.28 In addition, the applicant sets their and the need of others on the site to access consistent medical facilities as well as the need for a settled base and consistent electricity supply for their medical equipment. This is supported by hospital and GP letters. This is given significant weight.
- 7.29 Regarding the best interest of the children, there are currently 8 children under 18 on site in total, 4 of which attend local schools. At the time of the statement being written, one of the occupants is also expecting another child. Outside of the above, very little information has been provided with regards to the children on site or what the anticipated impacts refusing planning permission would be. Notwithstanding, the best interest of the children applies and forms a critical part of the personal need case put forward by the applicant. There are obvious benefits to children having a stable and consistent education, and the lack of alternative sites for Travellers in the Borough could result in disruption to the children's education should planning permission not be granted. This consideration is given substantial weight.

Planning Balance Summary

- 7.31 There is a current unmet need for Traveller pitches within the borough, and refusing the application would have an adverse effect on the applicant and their family, including children by making settled education and medical care more difficult. Significant weight is given to the personal circumstances of the applicant and substantial weight is given to both the best interests of the children and to the contribution these pitches would make to the unmet need in the borough. Furthermore, there is a potential further unmet need not identified by the policy, however as weight is already given to unmet need this attracts only moderate weight.
- 7.32 Conversely, whilst not as much progress has been made in addressing the need as anticipated and a five-year supply of pitches cannot be demonstrated, the Local Plan does set out a strategy for addressing need and good progress has been made in providing sites, specifically:
- 5 pitches have been granted planning permission at Chertsey Bittams A (RU.21/0272) subject to the signing of the legal agreement.
 - 5 pitches have been granted planning permission at Pycroft Road, Chertsey

(RU.21/0893) subject to the signing of the legal agreement.

- 1 pitch has been granted outline planning permission at Virginia Water South (RU.22/0278) subject to the signing of the legal agreement.
- 1 pitch has been granted outline planning permission at Thorpe Lea Road West (RU.21/1324) subject to the signing of the legal agreement.
- 2 pitches are proposed as part of the application at Ottershaw East which is currently being considered by the Council (RU.22/0479)
- 10 plots for showmen are proposed as part of the application at Longcross South which is currently being considered by the Council.

This demonstrates that there has been real progress made in implementing the strategy contained in the Local Plan to bring forward new permanent pitches for Gypsies and Travellers in the Borough.

- 7.33 Furthermore, the harm that would be caused to the Green Belt, which must be given substantial weight, would be significant due to the inappropriate nature of the development; the impact on the openness from new hardstanding, gravel/parking, mobile homes, touring caravans and sheds/outbuilding associated with the residential use; and the conflict of the development with the purposes of including land within the Green Belt. It is considered therefore, that the other considerations, even when taken together, do not clearly outweigh the harm identified.
- 7.34 Paragraph 28 of the Planning Policy for Traveller Sites sets out that Local Planning Authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations which could include a condition restricting the time period for the use to be carried out (temporary permission). Circumstances where a temporary permission may be appropriate include where it is expected that the planning circumstances will change in a particular way at the end of that period. Given that the Council are making good progress towards meeting their unmet need for Traveller pitches it is considered that a temporary permission would be appropriate in this case. A temporary permission would reduce the harm to the Green Belt by reducing the time period in which mobile homes and associated buildings and development would be on site, and would also allow the children to continue to attend the same school and ensure consistent medical care for the rest of the family.
- 7.35 Therefore, whilst the benefits do not outweigh the harm to the Green Belt or indicate that a permanent permission should be granted, the unmet need; lack of a deliverable five-year supply; lack of alternative sites; and the personal circumstances of the applicant and their family, including the best interests of the children, do clearly outweigh the identified harm so as to justify the development on a temporary basis.
- 7.36 Furthermore, it is considered necessary to limit the number of caravans on site to 1 x static caravan and 1 x touring caravan per pitch. This is in line with what was given temporary consent previously under RU.16/1747 in 2017.
- 7.37 Whilst there would be interference with the applicants' rights under Article 8 of the Human Rights Act in future, the protection of the public interest cannot be achieved by means which are less interfering. The measures proposed are proportionate and necessary in the circumstances and would not result in a violation of said rights.

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 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.

9. CONCLUSIONS

- 9.1 In accordance with the tests set out in policy EE19 of the Runnymede 2030 Local Plan and paragraph 150 (e) of the National Planning Policy Framework, the proposed change of use of the site is inappropriate development within the Green Belt. As per 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. Furthermore, significant harm would result due to the impact the proposed development on the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. Paragraph 148 sets out that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 9.2 Other considerations in favour of approving the application are not considered to clearly outweigh the harm and therefore justify approving the development on a permanent basis, however it is considered that they do justify approving the development on a temporary basis.
- 9.3 It is recommended that the committee approve the application subject to the conditions set out in section 11 below.
- 9.4 The development has been assessed against the following Development Plan policies – SD4, SD7, EE1, EE9, EE11 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.

10. FORMAL OFFICER RECOMMENDATION

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

1. Time Limit and Personal Permission

The use hereby permitted shall be carried on only by Michael Rooney, Michael Rooney Jr, John Rooney, Jacqueline, Martin Rooney, Bridget Rooney, Kelly Rooney, Danny Rooney and their respective dependants for a period of 3 years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter.

When the caravans cease to be occupied by the persons named above and children etc. or at the end of 3 years, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use (including the sheds hereby approved) shall be removed and the land restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the local planning authority.

Reason: In order to comply with the terms of the application and to comply with Policy EE19 of the Runnymede 2030 Local Plan, and guidance in the National Planning Policy Framework and Planning Policy for Traveller Sites.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Unnumbered Location Plan
- Site Survey (RSPR2100115/01)

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

3. Use of the Site

Notwithstanding what is shown on the approved site survey (RSPR2100115/01), there shall be no more than 4 pitches occupied at the site and no more than 2 caravans per pitch, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 1 shall be a static caravan or mobile home per pitch) shall be stationed on each pitch on the site at any one time.

Reason: To ensure that the change of use has an acceptable impact on the openness of the Green Belt and to comply with policy EE19 of the Runnymede 2030 Local Plan and paragraph 150 (e) of the National Planning Policy Framework.

4. Boundary treatment

The boundaries of each pitch shall be denoted by 1-metre-high post and rail fencing only and no other walls, fences or gates shall be erected.

Reason: In the interest of the openness of the Green Belt and to comply with policy EE19 of the Runnymede 2030 Local Plan and paragraph 150 (e) of the National Planning Policy Framework.

5. Sheds/Outbuildings

The sheds on the site shall be used solely in connection with the residential use of the site and for no other purposes. No further buildings, sheds or utility blocks shall be erected without the prior written approval by the Local Planning Authority.

Reason: In the interest of the openness of the Green Belt and to comply with policy EE19 of the Runnymede 2030 Local Plan and paragraph 150 (e) of the National Planning Policy Framework.

6. Commercial Vehicles

No more than one commercial vehicle per plot shall be kept on the land for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight.

Reason: In the interests of the visual amenity of the area and to accord with guidance in the NPPF and Planning Policy for Traveller Sites.

7. Commercial Activities

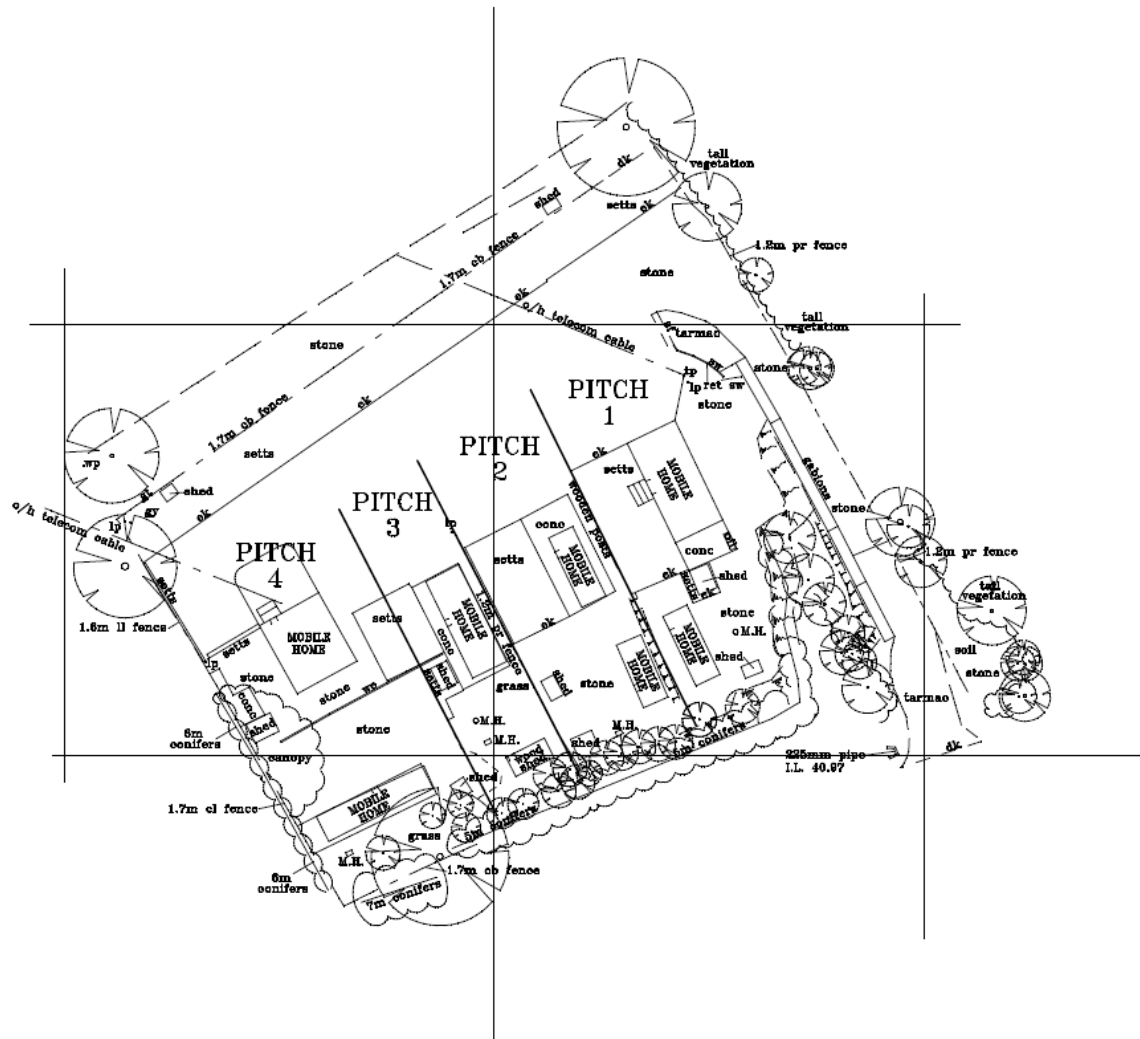
No commercial activities shall take place on the land, including the storage of materials and no burning of materials shall take place within any pitch.

Reason: In the interests of the visual amenity of the area and to accord with guidance in the NPPF and Planning Policy for Traveller Sites.

Site Location Plan



Site Survey/Proposed Site Layout



Caxton Avenue Conservation Area Appraisal (Planning Policy, Mike Corbett)

Synopsis of report:

Members will recall that, at the Planning Committee meeting on the 9th November 2022, approval was given to go out to public consultation on the draft Caxton Avenue Conservation Area Appraisal for a period of four weeks. This public consultation occurred from Friday 18th November until Friday 16th December 2022.

This consultation included contacting individual property owners located within, and surrounding the proposed Conservation Area, and emailing all of those on the Council's Planning Policy consultation database.

In addition, a public meeting was held on 1st February 2023 as required by section 71 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. This was to allow the opportunity for members of the public to discuss their views on the proposed designation in person with officers.

A total of six written responses were received during the period of public consultation – three from statutory consultees and three from local residents (see the first part of Appendix 2). No changes were required to be made as a result of these responses.

There were eight attendees at the public meeting held on 1st February, where a range of issues and concerns about the potential designation were discussed.

Due to the concerns raised at this meeting, it was agreed that officers would provide local residents with further information about the potential impacts of the designation and also, that a further period of public consultation would take place between the 10th and 28th February 2023. This additional consultation resulted in a further 13 responses being received (see the second part of Appendix 2). These responses set out a variety of views, with seven opposing and six supporting the designation.

After considering all the responses received overall, it is still the view of officers that the area in question (and as shown on the map at Appendix 1) is worthy of designation as a Conservation Area. The Council has a duty under section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve and enhance and designate as Conservation Areas. Officers are of the opinion that the proposed Caxton Avenue Conservation Area merits this designation.

As such, the Planning Committee is asked to approve the designation of the Caxton Avenue Conservation Area and to adopt the associated Caxton Area Conservation Area Appraisal.

Recommendation (s): The Planning Committee is recommended to APPROVE:

1. The designation of a new Conservation Area at Caxton Avenue and adoption of the Caxton Avenue Conservation Area Appraisal as technical planning guidance. This is subject to the Local Planning Authority giving notice to the Secretary of State, the Commission (Historic England) and publishing particulars of its effect in the London Gazette and in at least one newspaper

circulating in the area of the local planning authority, as required by section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

1. Context of report

- 1.1 The provisions for Conservation Area designation and management are set out in the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as the Planning Act). The legislation requires local planning authorities to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve and enhance and designate as Conservation Areas.
- 1.2 Understanding the character and significance of Conservation Areas is essential for managing change within them. It is a requirement, under the Planning Act, that all Local Planning Authorities formulate and publish proposals for the preservation and enhancement of Conservation Areas within their area and that these are periodically reviewed.
- 1.3 The potential for a new Conservation Area at Caxton Avenue was discussed informally with Members at a meeting of the Infrastructure and Economic Development Working Party on 20th October 2021 and then Members were updated on the background work that had been undertaken to underpin this potential designation at a Planning Policy Briefing on 5th October 2022.
- 1.4 At the Planning Committee meeting on 9th November 2022, Members approved the draft Conservation Area Appraisal for public consultation for a period of four weeks from Friday 18th November until Friday 16th December 2022.

2. Report and, where applicable, options considered

- 2.1 One of the purposes of this report is to inform Members of the representations received during the two consultation periods on the Caxton Avenue Conservation Area designation proposal and the supporting Appraisal document (see Appendix 1).
- 2.2 The draft Conservation Area Appraisal underwent public consultation between 18th November and 16th December 2022 and further consultation took place between 18th and 28th February 2023. This included consulting individual property owners located within and surrounding the proposed Conservation Area and emailing all of those on the Council's Planning Policy consultation database.
- 2.3 A public meeting was held on 1st February 2023, as required by section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This was to allow members of the public to express their views in person on the proposed designation. Eight people attended and a variety of views were expressed, including support and opposition to the proposed designation.
- 2.4 The six responses received during the first round of public consultation have been fully considered by officers. See Appendix 2 for a summary of the consultation responses received and the officer responses to these.
- 2.5 In summary, the responses from the first consultation period stated:

- Support the proposed Conservation Area designation;
- That the proposed boundaries of the Conservation Area have been correctly drawn;
- That the information in the Appraisal document is relevant;
- That it would be beneficial for the conservation of all the aspects of the character and appearance of the area including trees, landscape and public spaces be put on a statutory basis as the trees, frontages and verges require careful and sympathetic management;
- That the Garden Village movement is back on the agenda for helping solve the housing shortage. This makes the preservation of the remaining original examples relevant and locally important.

2.6 Following on from the initial round of public consultation, and the public meeting that was held on 1st February 2023, additional information was provided to residents in relation to what restrictions would result from the potential designation of a Conservation Area. This related to the Permitted Development Rights that would be removed from the area following its designation as a Conservation Area. This information was sent to residents and was intended to assist them when making their submissions during the second period of consultation.

2.7 There were 13 responses received during the second period of public consultation. Again, Appendix 2 provides a summary of the comments made and the officer responses to them. During this second period of consultation, residents were split in their views on the designation, with six expressions of support for the designation and seven objections. The objections covered the following grounds:

- Lack of / insufficient consultation with residents and information on the impact of the Conservation Area designation;
- No consensus in favour of the designation amongst residents;
- Concern about the potential negative impact on property prices;
- Loss of Permitted Development Rights and the ability to make beneficial changes to properties resulting in a restriction of the enjoyment of the property, particularly in relation to those with restricted characteristics under the Equalities Act 2010.
- Restrictions and additional costs associated with tree management;
- The Council already has sufficient powers to protect the existing aesthetic of the area;

2.8 Across the two periods of consultation there were three responses of no comment / no objection to the proposed designation, nine representations in support (including from Historic England) and seven against, including from the local Caxton Avenue 2001 Ltd Residents Association on the basis that there was no consensus in favour of the designation between residents.

2.9 There was one change made to the Conservation Area Appraisal because of these responses- specifically, the note that discusses the redevelopment of number 23 Caxton Avenue has had the date of the fire amended from January 2019 to January 2020 based on feedback from a resident. This was done to ensure accuracy in the document.

2.10 Although during the second period of consultation there have been a number of objections to the proposed designation received, officers are of the view that the Council should proceed to designate the proposed Conservation Area. This is because:

- There is no requirement for a consensus amongst residents for the designation to go ahead, instead the decision should be based upon whether the area in question is considered to have special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (in line with regulation 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990).
- The potential impact on property prices is not a material consideration when making planning decisions.
- Although there would be some restrictions / loss of Permitted Development Rights if the area were designated as a Conservation Area, this would not result in a ban on certain types of development taking place, it would mean that planning permission would need to be applied for instead so a proposal could be considered against the Council's adopted policies.
- There would be some restrictions in relation to tree management as an application would be required for tree works, and the Council would then have 6 weeks to determine whether the tree(s) in question were worthy of protection by a Tree Preservation Order). However, the aim of a Conservation Area designation is to protect the special architectural or historic interest of the area, which includes trees in the area. This potential restriction is (in the opinion of officers) outweighed by the benefits of protecting the special historic interest of the area.
- Whilst it has been argued that the Council already has sufficient powers to protect the existing aesthetic of the area, designation of the area as a Conservation Area would allow proposals requiring planning permission to be assessed against Local Plan Policies EE3: Strategic Heritage Policy and EE5: Conservation Areas. This enhances the Council's ability to protect the special architectural or historic interest of Caxton Avenue.

2.11 In considering the above, the Planning Committee will need to decide whether the proposed Caxton Avenue Conservation Area meets the requirements of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. In this case, a decision is required as to whether Councillors take the view that the proposed Conservation Area is of sufficient special architectural or historic interest to merit protection via formal designation as a Conservation Area. Officers recommend that this designation is made, as they take the view that the area meets the legislative requirements in this regard.

3. Policy framework implications

- 3.1 The designation of this proposed additional Conservation Area and adoption of its associated Appraisal will support objective 8 of the adopted Runnymede 2030 Local Plan which is, 'To protect and enhance the Borough's heritage assets, both designated and non-designated...'. The proposal is also in line with Policy EE5: Conservation Area of said Plan, which states that the Council will consider other areas of the Borough for Conservation Area designation if, and when, appropriate. Once designated, EE5 will be a key policy which will be relevant when determining planning applications in this part of the Borough.
- 3.2 The Caxton Avenue Conservation Area Appraisal document will help to support and provide technical guidance to those seeking to make changes to properties within the Conservation Area.

4. Resource implications

- 4.1 No additional resource has been required within the Planning Policy team to progress this project, and no additional resource is envisaged to be required to complete it. All activities associated with the project are covered by the existing Planning Policy budget.

5. Legal implications

- 5.1 The Planning Act sets out under Part 2, Regulation 69 that
*(1) Every local planning authority—
(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
(b) shall designate those areas as conservation areas.
(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.*
- 5.2 This report shows how the Council remains committed to satisfying this legislative requirement.
- 5.3 There is the potential for the designation of a Conservation Area to be challenged through the courts. However, officers have sought to ensure compliance with the legislative requirements for the designation process, as set out in the Planning Act, to minimise this risk.

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the need to:
- Eliminate unlawful discrimination, harassment or victimisation;
 - Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
 - Foster good relations between those who share a relevant characteristic and persons who do not share those characteristics.
- in relation to the 9 'Protected Characteristics' stated within the Act.
- 6.2 An EqlA screening was carried out by officers when this proposal was brought before the Planning Committee in November 2022. This EqlA can be viewed at Appendix 3. No changes have been made to the EqlA based on the representations received. The EqlA screening has picked up potential negative impacts on those with the protected characteristics of age and disability, however, it is not considered that a full EqlA is required as the Government requires Local Authorities to designate Conservation Areas through primary legislation where they have been identified to have special architectural or historic interest, and the Council is following this process. Also, personal circumstances can be weighed in the planning balance when determining planning applications.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 A Conservation Area designation, if made, would help to preserve and enhance the Borough's heritage assets in line with objective 8 of the adopted Runnymede 2030 Local Plan.

8. Other implications

- 8.1 There are no known other implications because of the designation of the proposed Conservation Area.

9. Conclusions

- 9.1 The area shown in the map in Appendix 1 is considered to have special architectural and historic interest which warrants the area being designated as a Conservation Area. Officers recommend that Caxton Avenue is designated as a Conservation Area and that the accompanying Caxton Area Conservation Area Appraisal is adopted by the Council.

(To resolve)

Background papers

Appendix 1 – Draft Conservation Area Appraisal and map of the proposed boundary of for the Caxton Avenue Conservation Area;

Appendix 2 – Summary of the consultation responses received and responses to the proposed designation of Caxton Avenue Conservation Area.

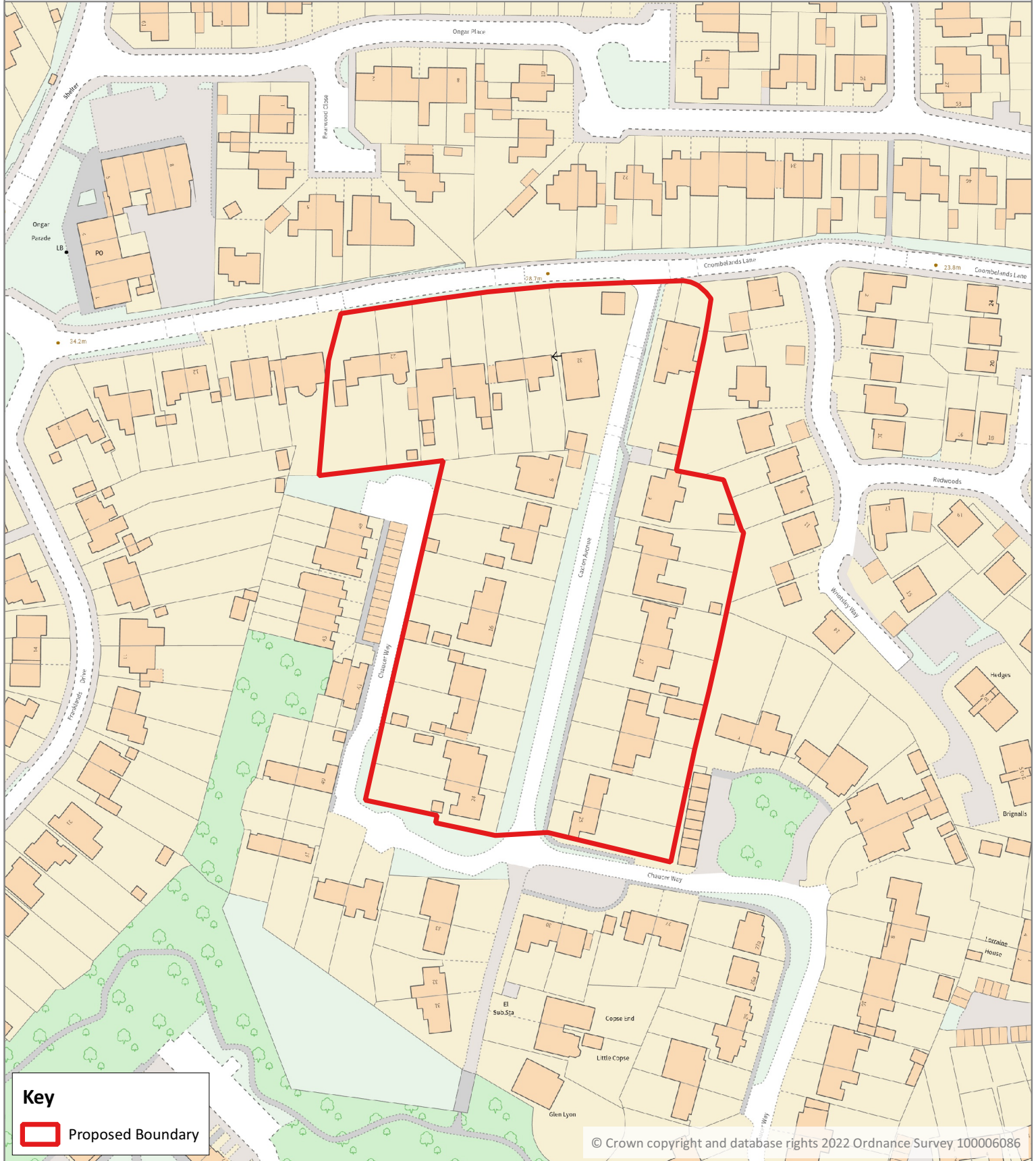
Appendix 3 - EQIA




Proposed Caxton Avenue Conservation Area Boundary

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 10/10/2022

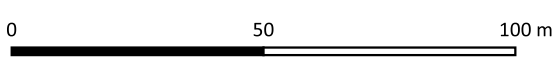


Key

 Proposed Boundary

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Scale: 1:1,500



Appendix 2 – summary of the responses received to the consultation (between 18th November and 16th December 2022) and from the second round of consultation between 10th and 28th February 2023 on the potential designation of the Caxton Avenue Conservation Area and associated Conservation Area Appraisal.

Response number	Name	Type	Summary of response	Officer response
Responses received during the public consultation period 18th November and 16th December 2022.				
1	Surrey County Council Planning Policy	Statutory consultee	No objection.	N/A
2	National Highways	Statutory Consultee	No comments.	N/A
3	Natural England	Statutory Consultee	No comments.	N/A
4	Private Individual	Local resident	Support the designation of the Conservation Area. The boundaries are correctly drawn and the information [in the Conservation Area Appraisal] is relevant.	Noted as a comment of support for the designation of the Conservation Area.
5	Private Individual	Local resident	Strongly support the designation of Caxton Avenue together with associated properties in Coombelands Lane, as outlined on the map in the Conservation Area Appraisal. It would be highly beneficial, however, for the conservation of all the aspects of the character and appearance of the area including trees, landscape and public spaces be put on a statutory basis as the trees, frontages and verges require careful and sympathetic management.	Noted as a comment of support for the designation of the Conservation Area. Officers would highlight that all trees in Conservation Areas are automatically afforded protection in line with Policy EE5 of the adopted Runnymede 2030 Local Plan as proposals for development will be required to: <i>Preserve and where possible enhance the existing historic fabric and features of the Conservation Area that contribute to its special interest, character and appearance.</i> <i>Respect the existing local context and established character, with reference to existing... landscape features including historically significant boundaries and</i>

Response number	Name	Type	Summary of response	Officer response
				<p><i>building lines and be in keeping with the character and appearance of the conservation area.</i></p> <p>In addition, the Policy also states that: <i>'The Council will seek to protect existing trees which make a positive contribution to the character and local distinctiveness of the Conservation Area. New development proposals will be required to provide high quality landscaping schemes which protect and enhance the character and appearance of the Conservation Area. In considering applications for work on existing trees within Conservation Areas, the Council will require good arboricultural management to ensure that the impact of the proposed works on tree health and amenity value is reasonable and justified. Tree Preservation Orders will be created to protect trees or groups of trees of significance, where inappropriate and damaging works are proposed.'</i></p>
6	Private Individual	Local resident	Fully support the proposal for the Conservation Area. The Garden Village movement is once again (in an updated format) back on the agenda for helping solve the housing shortage. This makes the preservation of the remaining original examples relevant and locally important.	Noted as a comment of support for the designation of the Conservation Area.

Response number	Name	Type	Summary of response	Officer response
Responses received prior to / as part of the second round of public consultation - February 2023.				
7	Historic England	Statutory consultee	<p>HE welcomes and supports the proposed designation of the conservation area and the associated appraisal of its history and character.</p> <p>Directed the Council to the Historic England guidance for producing Conservation Area Appraisals.</p> <p>Suggested the Council consider if a Management Plan is required to help look after the area, and if site specific design guidance would also be useful.</p>	<p>Noted as a comment of support for the designation of the Conservation Area.</p> <p>Further points in relation to a Management Plan and site-specific design guidance would need to be discussed with the Council's heritage advisors and the Council's Development Management Team as to if / how this might be useful / appropriate.</p>
8	Private individual	Local resident	<p>States that most residents in Caxton Avenue and the relevant houses in Coombelands Lane are in favour of the designation of the area as a Conservation Area.</p> <p>Asserts that the properties concerned are worthy of additional protection that can prevent inappropriate rebuilds or any similar alterations.</p>	Support for the designation noted.
9	Private individuals	Local residents	<p>Full support for the proposed Caxton Avenue Conservation Area.</p> <p>As far as we are aware Addlestone does not have any Conservation Areas at the moment, and this would be the first. It would</p>	<p>Support for the designation noted.</p> <p>If this area were to be designated, it would be the first Conservation Area fully within Addlestone, although the Wey Navigation</p>

Response number	Name	Type	Summary of response	Officer response
			<p>show that all areas within the Borough have areas of merit.</p> <p>The area is nearly a hundred years old. We would like to think that if the originators of the estate could visit, they would still recognise it as the area they intended to create. We are only the current owners so to some extent the [Planning] committee must look beyond the present occupants and think of the longer term / bigger picture without being overly bound by the opinions (either for or against) of those currently in residence.</p>	Conservation Area runs along its eastern boundary.
10	Private individual	Local resident	Very much in favour of the designation.	Support for the designation noted.
11	Private individuals	Local residents	<p>Full support for the designation of the proposed Conservation Area for the following reasons:</p> <ul style="list-style-type: none"> • The area is of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance. • Prevention of future major developments such as Franklands Drive which are not in keeping with the look or feel of the area. • The vast majority of residents in the Caxton Avenue Area supports the proposed designation. • Maintain the historical importance of our area which has been in place for almost 100 years. 	Support for the designation noted.

Response number	Name	Type	Summary of response	Officer response
			<ul style="list-style-type: none"> To ensure that all future building works such as extensions / alterations carried out in the Conservation Area are to a quality and specification befitting the existing properties. Supporting the preservation of our area for future generations. 	
12	Private individuals	Local residents	Object to this area becoming a Conservation Area as it places too many restrictions on our rights as property owners.	<p>The Council has a duty under section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve and enhance and designate as Conservation Areas.</p> <p>Upon review, the proposed Caxton Avenue Conservation Area is an area the Council considers suitable for designation as a Conservation Area.</p> <p>It should, however, be noted that the designation of an area as a Conservation Area is not an outright ban on development / amendments / extensions to properties, but sets a higher standard for that, to ensure that the area covered has its special architectural or historic interest conserved.</p>
13	Private individuals	Local residents	Oppose the Conservation Area proposal on Caxton Avenue and do not agree to this going ahead based on the limitations to extend properties.	Please see the officer response to response 12 above.
14	Private individuals	Local residents	Not in favour of the proposed conservation area and are against the proposal.	Please see the officer response to response 12 above.

Response number	Name	Type	Summary of response	Officer response
15	Private individuals	Local residents	Oppose the Conservation Area proposal on Caxton Avenue and do not agree to this going ahead based on the limitations to extend properties.	Please see the officer response to response 12 above.
16	Private individual	Local resident	<p>Unhappy with the 'lack' of consultation from the Council with residents in relation to something that would affect their enjoyment of the property, although it was acknowledged that what the Council has done meets the requirements of the relevant planning Act.</p> <p>Concerns about additional costs, legal implications of limitations on tree maintenance due to the automatic protection of all trees in a Conservation Area. This is due to concerns that the Conservation Area designation will stop / delay the required tree maintenance which could lead to damage / injury to people / property.</p>	<p>The Council has undertaken the required consultation steps as per the Planning (Listed Buildings and Conservation Areas) Act 1990. An additional round of consultation was also undertaken to allow residents more time to consider their position following the issue of further guidance information from the Council on 9th February 2023. This covered the restrictions on Permitted Development Rights that would apply to the properties in the potential Caxton Avenue Conservation Area if it were to be designated.</p> <p>The Council's Tree Officer advised that restrictions on tree work within a Conservation Area are less onerous than for trees protected by a Tree Preservation Order. What is required is to give the Council six weeks' notice of the work a landowner or occupier wants to do to any tree over 75mm in stem diameter at 1.5m above ground level. There is no charge involved. If an applicant has not received information to the contrary, they can undertake the works after the six weeks expires, sooner if the Council confirms they have no objection.</p> <p>There is no difference to the legal responsibilities of tree owners whether inside</p>

Response number	Name	Type	Summary of response	Officer response
			<p>Whilst the properties are similar there has been numerous developments over the years, so they are actually quite varied and have been changed a lot from the original buildings in look, style, materials etc.</p> <p>Runnymede Borough Council has sufficient powers under the existing planning system to be able to maintain the overall aesthetic of Caxton Avenue should it wish to do so.</p>	<p>or outside a Conservation Area. It is already required by various laws that all landowners and occupiers of land have a duty of care that requires them to maintain their trees, so it would be unusual for work to be needed before the six-week notice period has expired. However, if work is required urgently to make a tree safe, the regulations allow that this work would exempt from the need to give six weeks' notice before the work is undertaken. After the tree has been made safe the details of the work undertaken as required to give six weeks' notice must be given to the Council. This exemption of course is limited to allow only the work required to make the tree safe.</p> <p>Although there may have been changes made to properties over the years, they are not required to be entirely original or identical for a Conservation Area designation to be appropriate. They are required to have 'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance', as per s.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>There have been concerns about the redevelopment of number 23 Caxton Avenue raised as part of its application and build-out process. The potential Conservation Area designation would grant further protection for</p>

Response number	Name	Type	Summary of response	Officer response
			<p>The current re-development at No. 23 Caxton Avenue is an example of this.</p> <p>Concerned about the 'unintended' consequences which the possible designation could bring by the removal of various 'Permitted Development Rights'. Particularly in relation to protected characteristics as laid out in the Equalities Act 2010 and the ability to make energy efficiency upgrades to homes which will impact ability to reduce Carbon Emissions, mitigate the impacts of Climate Change and ultimately improve their value.</p> <p>Concerned that if someone became disabled then permission would be required to install a ramp to the property making it impossible to stay there.</p> <p>Unhappy that letters were addressed to 'The Occupier' instead of the owner's names. This caused people to miss the letters.</p>	<p>the area in relation to potential future development proposals.</p> <p>As set out in the supplementary information provided to residents as part of the second consultation, there are some restrictions on Permitted Development Rights, but this does not mean these types of development are banned. A planning application would need to be submitted to the Council and its merits would be judged on an individual case by case basis against the Council's adopted policies. Improvements in relation to energy efficiency, carbon emissions, climate enhance etc are all material considerations which can be taken account of as part of the planning balance when the Council is making a decision on a planning application.</p> <p>There are no additional restrictions relating to ramps under the permitted development regime because of a Conservation Area designation.</p> <p>The Planning Department does not hold information on property ownership. All letters sent during the consultation were in envelopes which confirmed on the rear that the sender is Runnymede Borough Council to help reassure residents that the letters are genuine correspondence from the Council.</p>

Response number	Name	Type	Summary of response	Officer response
			As the process was mainly undertaken in communication with one resident the preparation of this proposal is not fully democratic.	Disagree. The public consultations carried out by the Council have included contacting all individual property owners located within, and surrounding the proposed Conservation Area, and emailing all of those on the Council's Planning Policy consultation database so that the views from all interested parties can be considered.
17	Chair of Caxton Avenue 2001 Ltd	Residents Association	<p>Prior to contacting the Council the residents who approached the Council:</p> <ul style="list-style-type: none"> • Did not discuss this with the owners of properties on Caxton Avenue. • Did not seek consent from the owners of properties which would be impacted by a Conservation Area designation prior to making this approach. • No meeting was held, then or since, to seek the views of other residents. <p>Since the approach to the Council was made in 2020 the matter has been discussed during the subsequent Caxton Avenue 2001 AGMs in November 2021 and November 2022 to give updates on the process to the point of the first consultation.</p> <p>There is no consensus between residents on this issue. Some residents are heavily in favour and others are not. Given the split views already noted by the residents of Caxton Avenue, I hope</p>	There is no requirement for there to be a consensus amongst residents / property owners for the Conservation Area designation to be made. A Conservation Area is designated where (as per the Planning (Listed Buildings and Conservation Areas) Act 1990) there are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Therefore, it will be for the Council to decide whether this designation should be made.

Response number	Name	Type	Summary of response	Officer response
			that the Council considers their proposal to continue this designation. As an Association, we are not in consensus as to the value of this proposed designation and therefore it would be appropriate to pause until a time when residents agree.	
18	Private individual	Local resident	<p>In the keynote of the Conservation Area Appraisal Draft, it is stated that 23 was severely damaged by fire in January 2019, whereas the actual date was January 2020.</p> <p>Support for the conservation area status. Restrictions on Permitted Development Rights strike an appropriate balance in preventing development that would harm the street scene of the area</p>	<p>Noted. The relevant correction has been made.</p> <p>Support for the designation noted.</p>
19	Private individuals	Local residents	<p>It is highly unreasonable to have to seek permission to maintain their garden which includes a large conifer hedge, a shrub hedge and several trees.</p> <p>Very concerned with the potential restrictions placed on the property in the future as they are looking to have a two story, front facing extension (a second storey that would be built upon an existing single-story extension).</p>	<p>Having checked with the Council's Tree Officer, permission is not required to undertake maintenance to hedges and bushes, as only trees are automatically protected by the Conservation Area designation. This protection for trees also only applies to those that have a stem above 75mm in diameter at 1.5m above the ground.</p> <p>Conservation Area status does not automatically remove the ability to extend a property. Each application is assessed on its own merits when assessed against the Council's adopted policies in its Local Plan and thus appropriate proposals would still be granted planning permission.</p>

Response number	Name	Type	Summary of response	Officer response
			<p>Concerned that the Conservation Area designation would add even greater protection onto three neighbouring oak trees that greatly impact our property. These trees had Tree Preservation Orders placed on them incorrectly, as we were not informed prior to their issuing.</p> <p>If it is believed our properties hold such historical value to the community that a Conservation Area needs to be placed on it, shouldn't trees that have been aged to be younger than our property and are causing damage to it, be re-evaluated for their TPO status?</p>	<p>Being adjacent to a Conservation Area would not add any additional protections onto existing trees protected by a Tree Preservation Order as a Tree Preservation Order designation is a higher level of protection than forming part of the setting of a Conservation Area. Additionally, neighbours are not required to be notified in the process of designating a Tree Preservation Order as they are not considered to be "persons interested in the land affected by the [Tree Preservation] Order' as per Part 1, Section of The Town and Country Planning (Tree Preservation)(England) Regulations 2012.</p> <p>When it comes to the reasons for designating a Tree Preservation Order, this is done on the basis that 'If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.' (See section 198(1) of the Town and Country Planning Act 1990). Therefore, this is done on amenity grounds. Generally, the grounds for revoking a Tree Preservation Order are as follows:</p> <ul style="list-style-type: none"> • The land has been developed; • trees standing when the Order was made have been removed (lawfully or otherwise);

Response number	Name	Type	Summary of response	Officer response
			<p>Despite neighbours expressing their belief the Conservation Area could increase the value of properties in the Conservation Area, this has not been proven by an external party. The attraction of a Conservation Area is subjective and arguably particularly appealing to an older generation. Living in a family home, this</p>	<ul style="list-style-type: none"> • replacement trees have been planted; • trees, for whatever reason, no longer merit protection by an Order; • new trees meriting protection by an Order have been planted; • the map included in the original Order is now unreliable; • the Order includes classifications that no longer provide appropriate or effective tree protection; or • errors in the Order's Schedule or map have come to light. <p>Further to the above, the resident's assertion that the Tree Preservation Order was served incorrectly has been dealt with previously, with them being written to by the Trees Team in July 2016 in relation to the Tree Preservation Orders being issued in 2014. In said letter the Council's Legal Team stated that they took the view that the Tree Preservation Orders had been served correctly.</p> <p>The value of properties, their market attractiveness etc. are not material considerations in the planning system and thus are not something to be taken account of when determine whether to designate a Conservation Area or not.</p>

Response number	Name	Type	Summary of response	Officer response
			<p>could have a negative effect on the resale value of our home and especially if future building permissions are restricted.</p> <p>Due to the points above, we would like to withdraw consent for a photo that was submitted by a neighbour, including our founding stone to be used.</p> <p>If the Conservation Area is to continue, our preference would be our home, [Redacted], be removed from the proposal.</p>	<p>The photo referred to has not been used in the draft version of the proposed Conservation Area Appraisal and will not be used in the final version if the Conservation Area is designated and Conservation Area Appraisal approved by the Council.</p> <p>If the Conservation Area were to be designated, this property would not be removed from the proposed boundary as it still forms part of the same group of homes that were built in a similar style, at the same, with similar techniques and materials. Removing it from the boundary due to the preference of a current owner is not seen as a sufficient justification for this, when balanced against drawing a logical boundary that would encompass all the relevant properties that the proposed Conservation Area designation is based upon.</p>

EQUALITY SCREENING

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

POLICY/FUNCTION/ACTIVITY	LEAD OFFICER
Caxton Avenue Conservation Area	Michael Corbett (Senior Planning Policy Officer)

A. What is the aim of this policy, function or activity? Why is it needed? What is it hoped to achieve and how will it be ensured it works as intended? Does it affect service users, employees or the wider community?
<p>The aim of designating the Caxton Avenue Conservation Area (CA), which would cover properties on Caxton Avenue and a small number on Coombelands Lane in the Rowtown area of Addlestone, is to protect the special architectural and historic interest of the area. It will provide additional protections for the properties and their setting and require compliance with policies in the Council's adopted Runnymede 2030 Local Plan which relate to CA designations.</p> <p>Under section 69(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 it states that:</p> <p>Every local planning authority— (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas.</p> <p>Therefore, the Council is required, from time to time, to review the Borough and designate (where appropriate) new CAs where this is merited. As the officers have consulted both Runnymede's and Surrey County Council's heritage specialists, who have agreed the proposed area meets the threshold to be designated as a CA, proceeding with the designation would be supported by primary legislation.</p> <p>Runnymede Borough Council recognises that a quality-built environment is an essential element in creating distinctive, enjoyable and successful places in which to live. The CA designation would build upon principles set out in the Runnymede 2030 Local Plan (particularly Policy EE5: Conservation Areas) and, as such, is a fundamental part of the planning policy 'toolkit'.</p> <p>The Conservation Area Appraisal (CAA), which has been prepared sets out why the area is considered to have special architectural and historic interest, the local and national context related to the development along Caxton Avenue and Coombelands Lane, including its history and details of the original design of the houses. If the area is ultimately designated, this will help inform applicants and decision makers as to why the area is significant when planning applications in the area are under consideration.</p> <p>Local consultation (in line with the relevant legislation) has taken place on the proposed designation and introduction of the CAA, initially for a four-week period, and then for a further period of just less than 3 weeks. Consultation has given local residents the opportunity to be more involved in the CA designation and appraisal process and informed them of the decision-making process if the designation is formally made.</p> <p>The CA designation, if made, is not expected to affect any RBC employees. However, in terms of service users/members of the wider community, it has been identified that that the designation has the potential to impact on those who live in or visit the proposed Conservation Area who have the protected characteristic(s) of age or disability given the additional policy requirements which would apply and which would add additional controls in terms of the changes that can be made to the external appearance of a buildings within the designated area. Whilst CA designation does impact on the planning process, any proposal that requires planning permission within the designated area will be judged on its planning merits (including any personal circumstances / equalities issues raised by the applicant which could be material considerations weighed in the planning balance).</p>

B. Is this policy, function or activity relevant to equality? Does the policy, function or activity relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential based on adverse impacts or unlawful discrimination.

The Protected Characteristics are; Sex, Age, Disability, Race, Religion and Beliefs, Sexual Orientation, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity.

There is the potential for there to be inadvertent negative impacts upon those residents who live in / visit the area if they were to have protected characteristics, such as being elderly or disabled, as the higher design standards / limitations that CA status can impose on an area could result in it being harder for adaptations to be made to buildings, e.g., the installation of ramps to access a property.

A review of the comments received following the public consultation has been undertaken and the implications in terms of equalities have been discussed with the Council's Equality Group (see more information on this point in section C below).

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

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

Public consultation on the proposed Conservation Area designation at Caxton Avenue has provided the opportunity for relevant consultees to provide comments. All comments made, including those which have related to equalities matters have been carefully considered and discussed with the Council's Equalities Group. In particular, this relates to the comment made that Loss of Permitted Development Rights and the ability to make beneficial changes to properties resulting in a restriction of the enjoyment of the property, particularly in relation to those with restricted characteristics under the Equalities Act 2010. However, the Government requires Local Authorities to designate Conservation Areas through primary legislation where they have been identified to have special architectural or historic interest, and the Council is following this process. Furthermore, although there would be some restrictions / loss of Permitted Development Rights if the area were designated as a Conservation Area, this would not result in a ban on certain types of development taking place, it would mean that planning permission would need to be applied for instead so a proposal could be considered against the Council's adopted policies. Through this process, personal circumstances can be weighed in the planning balance before an application is determined.

If designated, the Caxton Avenue CA will benefit most elements of the community who live and/or visit this part of the Borough. This includes benefits which result from the protection and enhancement of the area covered by the designation.

Whilst this EqIA screening has picked up potential negative impacts on those with the protected characteristics of age and disability, it is not considered that a full EqIA is required as the Government requires Local Authorities to designate Conservation Areas through primary legislation where they have been identified to have special architectural or historic interest, and the Council is following this process. Also, as set out above, personal circumstances can be weighed in the planning balance when determining planning applications.

Date completed: 7th July 2023

Sign-off by senior manager: Georgina Pacey