

Runnymede Borough CouncilPlanning CommitteeWednesday, 24 April 2024 at 6.30 pm

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

Members of the Committee absent: None

In attendance: Councillors M Smith and D Whyte.

75 **Notification of Changes to Committee Membership**

Councillor Mullens substituted for councillor Jenkins. Councillor Michael Cressey substituted for councillor Mann. Councillor Lewis substituted for councillor Cunningham.

76 **Minutes**

A proposal was moved and seconded to include a reference in the minutes of the meeting on 27 March 2024 that it was understood that meeting was being recorded, which was permitted under the Open Local Government Regulations.

The committee **resolved** to include this in the final minutes.

A further proposal was moved and seconded to make the following amendments to the minutes of the meeting held on 27 March 2024:

Paragraph (1) to be replaced with paragraph (2).

- (1) 'A member queried whether more weight could or should be given to the 2015 Written Ministerial Statement'.
- (2) 'A member queried that the demolition and giving up of RU.14/1599 had been listed as a benefit of the scheme, and in addition had been used to mitigate the harm caused by the intentional nature of the unauthorised development; the member suggested that as a consequence this benefit had been counted twice in the weighing of the harms and benefits, so the weighing was erroneous.'

Paragraph (3) to be replaced with paragraph (4)

- (3) 'A member indicated that they considered greater weight should be attributed to the Written Ministerial Statement'
- (4) 'The member also asked that in assessing the magnitude of the harm attributed to the intentional nature of the unauthorised development, account be taken of the expensive and time-consuming action incurred by officers, as referenced in the Written Ministerial Statement.'

The committee **resolved** to include these amendments in the final minutes.

77 **Apologies for Absence**

There were no apologies for absence.

78 **Declarations of Interest**

Cllr Theresa Burton declared a Non Registerable Interest in item 5b – planning application RU.22/0393 – Longcross South, Longcross Road and Kitsmead Lane, Longcross, KT16 0EE – due to being a close neighbour of the application site. Cllr Burton left the chamber whilst the item was discussed and did not take part in the vote.

79 **RU.21/0207 - Land West of Byfleet Road (rear of 98-138 Byfleet Road), New Haw, KT15 3LA**

Proposal: Development of the site to provide industrial, storage and distribution (Class E(g)/B2/B8) floorspace, with ancillary office accommodation, associated parking, landscaping and infrastructure works (Revised plans received 27/05/22)

A member asked questions with regards the details of the environmental impact assessment for the site. They asked about the effect on species such as slow worms, lapwings, common lizards and grass snakes, as well as the accuracy of the reported population numbers. It was advised that extensive effort had gone into securing a reptile mitigation strategy by condition following meetings between and ecologists Surrey Wildlife Trust, who had confirmed the proposal was acceptable to them in environmental terms.

In response to concerns over the potential flood risk, the flood risk assessment had concluded that the site would prove betterment in terms of fluvial flooding, whilst a sustainable urban drainage system would also provide betterment to surface water flooding by holding the water in attenuation areas and releasing it, similar to greenfield rates. The proposal had been considered acceptable by both the lead local flood authority and Environment Agency. Officers confirmed that the condition to maintain surface water drainage was secured for the duration of the development.

There was a query around highways assessment and the impact of the development on New Haw Road, in particular a recent report that suggested that the traffic peaks and lows had shifted since the Covid-19 pandemic. Officers explained that advice was taken from Surrey County Council as highways authority, who had confirmed that the impact would not be severe as a result of the development, which was the relevant planning test set in the NPPF, and even a shift in peak and low hours would not have a material impact on the planning assessment.

Some benefits of the scheme were acknowledged by the committee, notably the toucan crossing, link to and ongoing maintenance of the canal footpath, and height warning sign on the bridge, but a member queried whether having an informative around liaising with the National Grid around power was appropriate and whether that should instead be a condition given the impact this may have on residents.

It was advised that with regards this development this was a matter for the applicant and the power company, but it was in the strong interest of the applicant to ensure there was sufficient power available, and an informative rather than condition was considered appropriate.

Acknowledging concerns raised around the potential for over-shadowing and loss of light, officers considered that appropriate separation distances were in place. There was a significant separation distance available to habitable rooms and primary amenity spaces.

A Member asked about an additional informative around increasing landscaping in the event that a residential property was overlooked. Officers advised that increasing landscaping to prevent overlooking would not be appropriate as the density of landscaping can vary depending on the time of year, however suggested an additional condition could be included specifying that no rear windows could be inserted in the rear elevation of the units facing the residential dwellings. The condition was moved and seconded and

supported by committee.

A ward member highlighted an online residents' petition of some 266 signatures that were against the proposal, stating the main objections being what the residents considered was a valuable local amenity – the claim that that the land was unused was disputed as it was considered valuable territory for dog walkers and runners – and the impact on traffic and flooding, as well as wildlife habitats. The member felt that it would not be possible to move some of the affected wildlife to a different location without causing undue stress to the species' involved.

There was significant debate around the hours of operation, with a strong sense from the committee that 24-7 operating hours would not be appropriate and whilst it was acknowledged that the site had been identified for employment in Runnymede's local plan, the hours of operation should be adjusted to something more acceptable to residents. It was added that existing sites on the other side of the railway line would be accessed by HGVs from the A3 and Seven Hills Road, which was predominantly away from residential dwellings, whereas access to this site was likely to be from junction 11 of the M25 and through Addlestone.

Officers highlighted the noise mitigation strategy, adding that the noise impact assessment had been considered by peer review and deemed appropriate, even during the two busiest hours of 6am – 7am and 10pm – 11pm, subject to the installation of the acoustic fencing. It was added that a reason for refusal about potential impacts upon neighbours at the Weybridge Business Park scheme recently considered by planning committee had recently not been upheld by the planning inspector. However each case must be judged on its own merits.

Officers further advised that 24/7 usage would be highly desirable for the applicant as no end user had been secured and any adjustment in hours of operation would make the site a less attractive prospect.

The committee noted officer advice and there was significant debate about appropriate hours. The applications at Weybridge Business Park was dismissed due to the scale of the development, as the appeal was dismissed no conditions were considered or imposed by the inspector. A second application had been granted permission at Weybridge Business Park with an hours of use restriction.

7am – 7pm Monday to Friday and 7am – 1pm on Saturday was put forward by a member, however officers advised these hours would not be acceptable to the applicant and almost certainly appealed. Furthermore due regard would have to be given to the Weybridge Business Park scheme, which had operating hours of 7am – 9pm seven days a week. The same rationale applied to a further suggestion of limiting night-time operations to 8pm to coincide with children's bedtimes.

A further suggestion of 6am – 11pm was proposed and based on being similar to aircraft noise, which affected other properties in the borough. Members felt that this was more generous than the Weybridge Business Park consent, provided practical options for operators, and took in to account the relationship with nearby properties. As a matter of planning judgement this was considered to strike the right balance at this site given its particular circumstances.

These proposed hours were moved and seconded and approved by committee.

It was **resolved** that –

Part A

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

- The completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:
 1. Travel Plan which shall include measures based on the Framework Travel Plan.
 2. £6150 Travel Plan auditing fee.
 3. Low Emissions Strategy (LES) which shall include a monitoring fee
 4. Off-site Highway works to be completed prior to first being occupied or first opened for trading.
 - VAS (Vehicle Activated Signage) located on Byfleet Road north and south of the Byfleet and New Haw restricted height railway bridge
 - Pedestrian and cycle link from Byfleet Road to the Wey Towpath
 - Toucan crossing on Byfleet Road
- Planning conditions 1-30.
- Additional condition preventing the installation of windows to the rear of each of the commercial buildings.
- Additional condition restricting the hours of operation to 6am – 11pm.
- Informatives 1-19.
- Addendum notes.

Part B

The HoP was authorised to refuse planning permission should the S106 not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the HoP would warrant refusal of the application.

Nigel Carter (on behalf of New Haw Residents Association) and Nick Green (on behalf of the applicant) addressed the committee on this application.

80 **RU.22/0393 - Longcross South, Longcross Road and Kitsmead Lane, Longcross, KT16 0EE**

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

The time and effort to get outline planning permission before committee was acknowledged by members, who commented positively on the additional 1,700 homes being brought into the borough that would otherwise have had to be found elsewhere, and included the provision for 35% affordable housing.

It was noted that the site would be subject to reserved matters applications and these would provide the opportunity for further review as they came in to help shape the finer detail of the Garden village. This would include matters such as promoting self-build opportunities and cycle infrastructure.

It was acknowledged that the development needed to achieve a degree of sustainability, and in that context having its own train station and bus strategy was welcomed, along with the provision of shops and access to education and open spaces. Surrey County Council had been keen to ensure alternative provisions were in place should existing bus services

that would serve the site discontinue, and it was noted that whilst a secondary school provision would be needed in the Borough, a settlement of this size could not sustain one on its own but that had been factored into Surrey County Council highways and education considerations.

A Member raised questions about stewardship arrangements, and officers acknowledged that specialist advice was being undertaken and stewardship would be a high priority for subsequent negotiations as part of how the garden village would function.

The Head of Planning confirmed to a member that approval of the scheme would commit the council to approve the active and sustainable travel infrastructure for the site, with no mechanism to demand more unless there was significant change to what was proposed. It was also clarified that no timescale could be provided at this time for its delivery as a phasing plan was needed for the site that would influence how different aspects were delivered.

Officers advised that the re-location of the pub to be largely away from residential dwellings had been part of the negotiation process, and all parties were keen to see it thrive and avoid matters such as noise complaints in the future. Placing it on the edge of the open space was likely to make it highly attractive particularly in the summer. However, in the event that it failed an alternative provision such as a restaurant would be sought, otherwise the fallback option would be returning the site to open space.

During the debate the committee made it clear that they were keen for health care provision on site, and it was confirmed that the Integrated Care Board had been heavily involved in discussions and would require dedicated floor space for a health provision or a financial contribution to increase capacity elsewhere. This would be monitored/reviewed as the scheme came to fruition over the coming years.

Several members raised the issue of cycling infrastructure, and officers would mention to Surrey County Council about information regarding seasonal harvest occurrence where convoys of tractors occupied nearby roads that could put them into conflict with cyclists. Whilst plans did not yet include a dedicated full length cycle route into Virginia Water, the scheme would bring about wider pedestrian routes and an improved overall cycle connectivity.

A Member raised queries about the impact on the A320, and there was some desire from the member to understand the location of junction improvements. The Head of Planning confirmed that a full assessment on road capacity as part of the local plan had secured £44m in HIF funding and included a developer clawback. The capacity within the local plan had been designed to accommodate the highways burden caused by the introduction of Longcross Garden Village, and Surrey County Council had recently confirmed that the improvements to the A320 remained on track. The County Highway Authority had fully assessed the proposal with regards the local and strategic network.

In response to a member query, it was clarified that a planning condition had capped the total development to a maximum 1,700 dwellings.

It was **resolved** that –

- 1) The Head of Planning was authorised to grant planning permission subject to:
 - The completion of a S106 agreement.
 - Planning conditions 1-57
 - Addendum notes

- 2) The Head of Planning was authorised to refuse planning permission should the S106 not progress to his satisfaction.

Les Durrant (DPDS Consulting Group), an objector and Michael Knott (Stantec), on behalf of the applicant, addressed the committee on this application.

81 **RU.23/1035 - 16 A Beechtree Avenue, Englefield Green, Surrey, TW20 0SR**

Proposal: Change of use from women's refuge (sui-generis) to residential (Class C3), including rooftop and side extensions to provide 8 self-contained units, provision of additional car parking, bin storage and associated landscaping.

Upon confirmation that one tree would be taken down as a result of the scheme, officers advised there would nevertheless be a biodiversity net gain, whilst the planting of potential replacements would form part of the landscaping scheme, so if the council's tree officer agreed there was space then officers could secure it.

The affordable housing element was welcomed by the committee, and it was clarified that affordable housing was secured by a legal agreement and properties could not be sub-let for student accommodation as this would be considered market housing.

It was **resolved** that –

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

- The completion of a S106 agreement
- Planning conditions 1-18

(The meeting ended at 9.50 pm.)

Chair