

**COMMITTEE AGENDA REFERENCE: 5B**

<b>APPLICATION REF:</b>	<b>RU.23/0356</b>
<b>LOCATION</b>	Land at Syward Place 40-48 Pyrcroft Road Chertsey KT16 9JT
<b>PROPOSAL</b>	Removal of existing car park ramp off Bell Bridge Road and erection of a residential apartment building (Use Class C3) comprising 46 no. flats with associated site layout amendments, as well as the provision of parking; refuse and recycling storage; substation; landscaping; tree works; public open and informal play space; and alterations to access from Fox Lane North.
<b>TYPE</b>	Full
<b>EXPIRY DATE</b>	Extension of time agreed to 01/05/24
<b>WARD</b>	Chertsey Riverside
<b>CASE OFFICER</b>	Katherine Appleby
<b>REASON FOR COMMITTEE DETERMINATION</b>	Major Development
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the HoP:</b>	
<b>A</b>	<b>To approve the application subject to the completion of a S106 agreement and relevant planning conditions to his satisfaction AND</b>
<b>B</b>	<b>To refuse planning permission at the discretion of the HoP should the S106 not progress to his satisfaction or if any other material planning matters arise prior to the issuing of the decision that in the opinion of the HoP would warrant the refusal of planning permission.</b>

- 1.1** *This application was deferred by the Planning Committee on 28<sup>th</sup> February 2024 to see if the developer would be willing to make further improvements to the scheme, to resolve any of the matters of member concern, to consider further any advice such as the design review panel conclusions or viability assessment and to visit the site and gain further understanding of its context. However, the applicant has decided not to negotiate and make any changes to the scheme put forward at the meeting. The application is as below and has been updated to include previous items on the addendum.*

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

- 2.1** The site is located on the corner of Pyrcroft Road and Bell Bridge Road and until recently comprised a 3 storey detached office building with basement parking area beneath and was known as ADP House. The building fronts onto both roads with the main pedestrian access achieved opposite the roundabout junction between the 2 roads. Further vehicular accesses include a ramped access off Bell Bridge Road which rises above the site to the west and a secondary access is provided at the southeast of the site and is linked to Fox Lane North, leading out onto private land owned by South Western Railway.
- 2.2** The car parking and circular turning area to the rear of the Syward Place building comprises

a hard-surface ground level structural slab with associated ventilation shaft. This is set above a basement car park, accessible by a ramp located centrally within the site. 14 & 16 Fox Lane North (whose curtilages back onto the eastern site boundary) as well as 20 Pycroft Road adjacent to these properties and Chertsey Railway Station comprise Grade II Listed Buildings. In terms of immediate neighbours, Global House is a 3 storey office building set below the site level and situated along the eastern site boundary (which was granted approval to convert from office to residential use in 2020).

- 2.3 Chertsey Railway Station is immediately located to the east of the site, with a line of trees and fencing forming the site's southern boundary and separation to the railway tracks. The Station provides rail services to London Waterloo, via Staines, and Weybridge.
- 2.4 The Chertsey Conservation Area boundary lies approximately 70m northeast of the site. The application site is situated within the Chertsey Town Centre boundary and is approximately 300m southwest from its Primary Shopping Area. The site is relatively flat and predominantly hard surfaced with some trees and greenery along the south and western boundaries, it is located in the urban area and the majority is in flood zone 2 with a west section of the building, including the pedestrian entrance falling in flood zone 1.
- 2.5 Syward Place is currently in the process of being converted (under Prior Approval RU.21/0704) to provide 95 apartments, as well as an upward extension by 2 storeys to provide 32 apartments (under Prior Approval RU.21/0944). In combination, these Prior Approvals will provide 127 apartments on the site, to be served by 210 car parking spaces across basement and ground floor levels.
- 2.6 However, the recent approval of variations to the above applications has reduced the quantum of parking spaces from 210 spaces to 85 spaces (51 at basement level and 34 at ground floor which are to be EV charging spaces). These 85 spaces would serve the 127no. apartments approved through both Prior Approvals RU.21/0704 and RU.21/0944, resulting in a site wide car parking ratio of 0.67 spaces per apartment. The variations were submitted to facilitate the current proposals.
- 2.7 It is also a site identified in the Councils Strategic Land Availability Assessment (SLAA-Feb 2022 -ID 352) with a total (net) site capacity of 127 (based on the conversion of the existing building under the prior approvals).

### 3. APPLICATION DETAILS

- 3.1 This application is for full planning permission which was originally submitted in conjunction with concurrent applications RU.23/0465 and RU.23/0466 (as set out above) which have been granted. The proposal comprises the removal of the existing vehicular ramp, blocking up of the Bell Bridge Road site access and the erection of an irregular shaped 6 storey apartment building where the existing ramp is, in the southwest corner of the site comprising 46 flats (made up of 15 one bed, 21 two bed and 10 three bed flats) and works to the Fox Lane North vehicular access and Chertsey Railway Station car park.
- 3.2 The 46no. (Use Class C3) flats comprise a range of dwelling sizes as set out in the following table.

Bedrooms & Occupancy	Quantity	
1B1P (Studios)	4 ( 9%)	15 (33%)
1B2P	11 (24%)	
2B3P	21 (45%)	21 (45%)
3B4P	6 (13%)	10 (22%)
3B5P	3 ( 7%)	
3B6P	1 ( 2%)	
TOTAL	46 (100%)	

- 3.3 The proposed building would have an irregular shape with flat roofs, set-backs and projections and would be served by two cores located close to entrances facing the Fox Lane North access and the existing Syward Place building. The building includes a fourth floor green roof as well as a fifth floor roof for the location of plant and machinery, including photovoltaic solar panels and/or air source heat pumps. The proposed material treatment of the building has taken references from the local vernacular and incorporates rows of tall windows to break-up the blank façade.
- 3.4 All flats also benefit from at least 5 sqm of external private terraces on the ground floor which would be landscaped and enclosed with evergreen shrubs and hedgerows, enclosed Winter gardens (on floors 1 - 3, overlooking Bell Bridge Road to the west and the railway platform to the south) due to their orientation towards noise generating sources (i.e. Bell Bridge Road and the railway line) and amenity spaces on the fourth and fifth floors are partially screened by 1m high balustrades with balconies facing east being open. In view of the noise generating sources, 1.5-1.8 metre high timber acoustic barriers are proposed to be installed along the southern site boundary and at Bell Bridge Road level along the western site boundary (similar to the existing fence on the northbound side of Bell Bridge Road) and extend the depth and width of the proposed apartment building. Climbers along the façade of the adjacent bridge structure are also proposed to provide screening and physical separation.
- 3.5 The proposed site layout works include the replacement of the existing tarmac with a combination of shared surface material, landscaping, informal play space and overall public realm enhancements. The relocation and reorientation of the car parking allows for the creation of the informal play space area to the rear of the existing Syward Place building (for use of both residents of the proposed block and Syward Place building currently being converted).
- 3.6 The proposed apartment block will be effectively "car free" with the exception of 3no. disabled spaces and 2no. car club spaces (all 5no. will cater for EV charging), as well as a delivery bay for the use of refuse and delivery vehicles which would be located adjacent to the pedestrian path along the south western boundary. Bin and bicycle storage is located between the new and existing buildings on site including 57no. cycle parking spaces which would be located to the north of the proposed block and adjacent to the existing and enclosed in a single storey flat roofed building.
- 3.7 The proposal will result in the removal of some existing unmanaged hedgerow and approx. 9 no. trees within the south of the site. However, the trees / fence line forming the southern boundary are to be retained, and landscaping proposals show new tree and shrub planting that will lead to a net increase in tree numbers and species diversity at the site. A dedicated footpath to provide safe and separate pedestrian access to Fox Lane North and Chertsey Railway Station as well as its extension to the Station and junction widening together with the installation of a Copenhagen style crossing and new gated entrance are also proposed.
- 3.8 The proposals also include works within South Western Railway land at the direct request of South Western Railway. Specifically, works to Fox Lane North which would disconnect the Guildford Street / Fox Lane North traffic link and create a turning area within the Station car park by using raised kerbs, moveable planters, raised entrance crossing and tactile paving.
- 3.9 The renewable strategy for this site will include both Air Source Heat Pumps (ASHPs) and PV panels. The PV panels will be placed on the top floor roof, while the fourth floor will have a green roof. The PV panels will be used alongside gas boilers, that will be connected to the flats. They will be positioned on the roof facing south.
- 3.10 The application has been subject to pre-application discussion with Officers and following this the applicant engaged with the South East Design Review Panel (DRP). The applicant's team met members of the DRP on site and, following a walk-over of the site and surrounding area, held in-person discussions and received verbal feedback, followed by a written feedback. Public consultation has also been undertaken with the local community, residents

and stakeholders. According to the applicant the development proposals forming this application submission have been refined to address the feedback which was received.

- 3.11 A Viability Report has been submitted to demonstrate that the development would be unviable if it included any on site affordable housing or made financial contributions towards the delivery of off-site affordable housing which has been reviewed by the Council's Viability Consultants. As a result, the applicant has agreed make a financial contribution of £346,755 towards the delivery of affordable housing.
- 3.12 The applicant has submitted several other documents and plans including a Design and Access Statement, Noise and Vibration Assessment, Air Quality Assessment, Contaminated Land Assessment, Daylight & Sunlight Assessment, Lighting Impact Assessment, Travel Plan, Heritage, Townscape and Visual Impact Assessment, A Shadow Habitat Regulations Assessment, a Flood Risk Assessment and Drainage Strategy, an Ecological Appraisal, Biodiversity Net Gain Report and a Flood Risk Sequential Test.

#### 4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.23/0466	Variation of Condition 5 (List of approved plans) approved under NMA RU.23/0223 which added a condition to Prior Approval RU.21/0944 (proposed upward extension to the existing building to provide an additional two storeys for Class C3 (Dwellinghouses) providing 32 apartments) - Prior Approval Grant 28/09/23
RU.23/0465	Variation of Condition 1 (List of approved plans) approved under NMA RU.23/0222 which added a condition to Prior Approval RU.21/0704 (proposed change of use from offices (Class B1(a)) to 95no. net additional dwellinghouses (Class C3) - 28/09/23
RU.21/0944	Prior Approval for the proposed upward extension to the existing building to provide an additional two storeys for Class C3 (Dwellinghouses) providing 32 apartments. Prior Approval required and given 27/08/21
RU.21/0704	Application to determine if prior approval is required for the proposed change of use from offices (Class B1(a)) to 95no. net additional dwellinghouses (Class C3). Prior Approval required and given 21/07/21
RU.21/0251	Application to determine if prior approval is required for the proposed change of use from offices (Class B1(a)) to 93no. net additional dwellinghouses (Class C3). Prior Approval required and Given 09/04/2021
RU.18/0963	Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to residential (Class C3) comprising the creation of 91 units. Granted 14/08/2018
RU.99/0686	Condition 5 relating to external materials of planning permission RU.98/0464 in respect of Phase 2 (Syward Place) of the Chertsey Revitalisation Scheme. k/as Syward Place. Granted 14/12/1999.
RU.98/0464	Construction of a 2- and 3-storey office building with associated parking at ground and lower ground level. Granted 16/09/1998.

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

- 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 Parking Guidance SPD- November 2022
  - Affordable Housing SPD- April 2022
  - First Homes Interim Policy Statement- January 2022
  - Green and Blue Infrastructure SPD- December 2021
  - Runnymede Design SPD- July 2021
  - Thames Basin Heath SPD- April 2021
  - Infrastructure Delivery and Prioritisation SPD - November 2020

## 6. CONSULTATIONS CARRIED OUT

<b>Consultee</b>	<b>Comments</b>
<b>Environment Agency</b>	No objection
<b>RBC Arboricultural Officer</b>	No objection subject to conditions
<b>Natural England</b>	No objection subject to conditions
<b>RBC Contaminated Land Officer</b>	No objection subject to conditions
<b>SCC County Highway Authority</b>	No objection subject to conditions
<b>SCC Lead Local Flood Authority</b>	No objection subject to conditions
<b>RBC Drainage Engineer</b>	No objection
<b>RBC Housing Manager</b>	No objection
<b>RBC Green Spaces</b>	No objection
<b>Surrey Wildlife Trust</b>	No objection subject to conditions
<b>RBC Planning Policy</b>	No objection
<b>Network Rail</b>	No objection
<b>RBC Environment Health Officer</b>	No objection subject to conditions
<b>RBC Conservation Officer</b>	No objection subject to conditions
<b>RBC Recycling Officer</b>	No objection
<b>SCC Archaeology</b>	No objection

### 6.1 Representations and comments from interested parties

- 6.2 139 Neighbouring properties were consulted in addition to being advertised on the Council's website, in the local press, and by a notice displayed at the site.

2 letters of representation have been received which are summarised as follows:

- Fox Lane North is rather narrow and not exactly a long road. The additional use of this road will have a negative impact on the road network making it harder for any vehicle, particularly emergency vehicles to go through easily
- Concerned of the noise and disturbance it will bring as a result to a peaceful road
- The size and mass of the development being out of keeping with nearby properties especially listed buildings.
- Overdevelopment of this site taking into account the previously approved change of use of the other building on this site.
- Inadequate parking facilities with 2 car pool places and 3 disabled spaces only. There is no nearby on-street parking available.
- The ongoing cost of a travel plan once the site is occupied will be borne by the owners/tenants - is this practicable or sustainable
- The application claims that this site is sustainable and refers to local bus services and proximity to the train station. However the table only shows regularity at peak times and no mention is made of Sundays. Sunday is still the day when most people get out and about. Local places that attract visitors are RHS Wisley, Windsor Great Park and Virginia Water Lake, Legoland and Egham Leisure Centre. Access to these from Chertsey can only be by motor car.
- Blocking off the Fox Lane access will mean that traffic for the station has to negotiate congested roads such as Station Road, King Street etc. There will be a loss of spaces at the station when for sustainability we should be providing additional spaces to encourage travel by train.
- The application does not meet Surrey CC's requirement for one charging point per flat. There needs to be 46 charging points on site.
- The proposal to reduce the parking in Fox Lane North to just three spaces will displace traffic elsewhere.
- Flats such as these will often be occupied by artisans and trades people who use a van for business but there is no provision to accommodate them

## 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 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 and Quantum of Development
- Design, Layout and Impact on Character and Appearance of the area
- Heritage
- Connectivity and Highways Considerations
- Housing Mix and Affordable Housing
- Impact on Trees
- Ecology and Biodiversity
- Public Open Space
- Land Contamination
- Noise Management and Air Quality
- Flooding and Surface Water Drainage
- Archaeology
- TBHSPA
- Renewable and Low Carbon Energy

## Principle and Quantum of Development

- 7.2 Whilst the site is not allocated within the Development Plan for development, Runnymede 2030 Local Plan Policy SD1 makes it clear that windfall sites located within the settlements will be supported for residential development, even if the delivery of these would exceed the amount of net homes sought to be delivered over the plan period. Policy SD1 of the Local Plan advises that Chertsey including Chertsey South will require 2,212 net additional dwellings during the period of the Local Plan (2015-2030). This policy specifies that the housing targets for the Borough and Chertsey are a minimum.
- 7.3 The site comprises previously developed/brownfield land within the built-up area of Chertsey. Whilst the delivery of the proposals would exceed the cumulative number of dwellings specified within the SLAA 2021 for the Syward Place site (ID: 352), the NPPF strongly encourages the most efficient use of brownfield land. The site is predominantly surrounded by residential uses and the character site and surrounding area is becoming more residential in view of recent planning history. The site is located within a reasonable walking and cycling distance of key facilities in Chertsey Town Centre as well as other leisure, employment and education facilities close to the site. Bus stops providing access to Chertsey Town centre as well as to the nearby larger towns of Staines-upon-Thames and Woking are located just a short distance away, and Chertsey Rail Station provides access to the rail network for longer distance trips with the M25 close by. As such the site is in a settlement location and has reasonable access to local facilities and is in a sustainable location. Therefore, it is considered that the use of the site for residential use would be acceptable in principle.

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

- 7.4 The NPPF requires the provision of high-quality places 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 provide places that are safe, inclusive and assessable. This is reinforced in Policy EE1 of the Local Plan.
- 7.5 The location of the proposed development is on a prominent site, close to the railway station and it is considered a development in this location could have a positive impact. The jagged building appearance and break-up of the built-form through the use of projections and set-backs creates visual interest and reduces the building's mass. The orientation and size of the fourth and fifth floors reduce the building's large singular mass and the building's bulk is situated towards its southern side to improve its relationship with the neighbouring Syward Place building to the north. The building's facades would be predominantly treated by dark brick on the ground floor and yellow brick on the upper floors. Large vertical windows are situated in a uniform pattern along the facades and framed by a combination of aluminium and zinc panelling. Different coloured brickwork and metal panelling helps distinguish the building's tiers and breaks-up its height. The materiality of the proposed scheme has been taken from the surrounding area with a varied pallet of materials and are considered to be sympathetic to the local character and appearance of Chertsey and would comply with Policy EE1. Exact details of proposed materials will be subject to condition.
- 7.6 The surrounding built form close to the proposed development is predominantly in residential and commercial uses of 3-4 storeys in height with various roof forms, with the exception of the nearby Grade II listed buildings including the Station building. The proposed building retains the existing building lines set by the Syward Place and Global House buildings. Verified Views have been submitted which incorporate the approved 2 storey roof extension of Syward Place (ref. RU.21/0944) currently being implemented. This helps demonstrate the cumulative impact of the proposed development in conjunction with this previous approval. It is considered that the Verified Views demonstrate that the new building will be visible from the surroundings, but that this would not equate to any notable negative impacts on identified receptors and in fact

could result in a betterment by bringing the whole of the site together in a comprehensive development.

- 7.7 All flats would benefit from private amenity areas in the form of external private terraces on the ground floor, enclosed Winter gardens or open balconies. No living areas would face directly north and in the cases where units are single aspect they are southeast or southwest facing, although the jagged building form allows the majority of flats to be dual aspect and maximises the amount of west facing single aspect units to ensure good levels of daylight and sunlight. All of the homes would meet the required Nationally Described Space Standards and thus meet the minimum floor space requirements set out in Policy SL19. All flats are wheelchair accessible (M4(2)) and 10 (11%) units spread across the ground to fourth floors can be adapted for wheelchair users (M4(3)). The location of plant and equipment (including renewable features) at the fifth floor roof will ensure these features are not readily visible from the public realm. Consideration has been given to the orientation and positioning of the building in order to enhance the site's sense of welcoming. This is enhanced by the proposed works to the Fox Lane North access, including introduction of an entrance gate and widening of this access to incorporate the pedestrianisation and connectivity between the site and Chertsey Railway Station.
- 7.8 The proposed layout incorporates public realm enhancements in the form of resurfacing and planting to break-up the amount of existing hardsurfacing on site. A formal and well-overlooked footpath connects both access points and ensures pedestrian movement does not impede with the free flow of bicycles and vehicles within the site. The bin and bicycle stores as well as the informal play space to the rear of the existing Syward Place building are well overlooked and easily accessible by residents of the complete Syward Place development. The substation is discreetly located along the western site boundary so as not to be visually prominent within the site. The design complies with the principles of secured by design and allows for natural surveillance of all the communal areas and the single vehicular access. The proposed development is considered of high-quality design.
- 7.9 The proposal would retain reasonable separation distances to side boundaries with a distance of at least 4 metres on the south western corner and approximately 4 metres from the western boundary with Bell Bridge Road. Separation distances to the existing Syward Place building (which is currently being converted into flats) from the northern face of the proposed building would only be approx.11 metres, however this would only be at ground and first floor levels due to the existing and proposed buildings' irregular shape, orientation and set-backs. Therefore, it is considered that overall the proposed scheme would maintain sufficient separation distances between flats of the apartment building that would face those of the existing Syward Place building to avoid overlooking. This is also the case with Global House to the east, despite this building not having many facing windows and still being in a commercial use.
- 7.10 Internal and Neighbouring Daylight & Sunlight Assessments have been carried out which conclude that each proposed unit will have at least one room that meets the sunlight requirement which is in compliance with recommendations. Given the style of site and development it is inevitable that some of the main window walls will not face south and naturally this will mean that some of the rooms will not meet their sunlight targets. That being said, all units that do face south pass the recommendations. With regard to the external amenity areas, the results show that all main amenity spaces surpass the recommendations. Many of the balcony spaces achieve good levels of sunlight and these spaces do not have a sunlight requirement as per the guidance, so the achievement in these spaces is better than is expected and should be viewed positively. The results of this assessment are positive and whilst there are some shortfalls identified, a level of compliance of 86% is not unusual for this type of development. The high compliance for this assessment, coupled with the high compliance rate of the Daylight & Sunlight (Neighbouring) Study (98%), proves this design



adheres well to the recommendations of the BRE Guide. The neighbours and future occupants of the proposed development will have good access to Daylight and Sunlight on a whole.

- 7.11 Therefore, the proposal is not considered to be an overbearing or un-neighbourly form of development to the detriment of the existing and future occupiers of the adjacent properties and within the site. This would comply with Policy EE1, the Design SPD and the NPPF.

#### Heritage

- 7.12 Special regard has to be given to the protection of heritage assets, both above and below ground. The NPPF requires local planning authorities to assess the particular significance of any heritage asset that may be affected by a proposal and consider the balance between the potential harm to a heritage asset and the public benefits of the proposal. Policy EE3 Strategic Heritage Policy states that 'Development that affects Runnymede's heritage assets should be designed to protect, conserve and enhance the significance and value of these assets and their settings'. As the proposed development is in proximity to a number of statutory listed buildings (Chertsey Railway Station, 14 & 16 Fox Lane North (whose curtilages back onto the eastern site boundary) as well as 20 Pyrcroft Road adjacent to these properties), the impact of the proposed development on these heritage assets needs to be carefully considered.
- 7.13 Policy EE4 (Listed Buildings) requires that proposals should not adversely affect the Listed Building or its setting by virtue of design, scale, materials, or proximity or impact on views or other relevant aspects of the historic building fabric. A Heritage, Townscape and Visual Impact Assessment (HTVIA) as well as Verified Views of the proposed building have been submitted which concludes that due to the design and location of the proposed building, it is considered that the proposed development would not cause harm to the setting of the identified designated heritage assets, or the ability to appreciate their significance. It is also important to note that the Council's Conservation Officer has raised no objections to the proposals subject to conditions. As such, it is considered that the proposal would therefore comply with Policies EE1 and EE4 and the NPPF.

#### Connectively and Highway Considerations

- 7.14 3no. disabled spaces and 2no. car club spaces (all 5 no. will cater for EV charging) as well as a delivery bay for the use of refuse and delivery vehicles which would be located adjacent to the pedestrian path along the south western boundary of the site (this is in addition to the 51 car parking spaces at basement level and 34 at ground floor which are to be EV charging spaces to serve the adjacent 127 no. apartments approved through both Prior Approvals RU.21/0704 and RU.21/0944). There would be additional traffic movements in and out of the site and letters of objection have raised concerns about impacts on parking in the area, and although the CHA notes the various objections to the proposals considers the site to be relatively sustainable in transport terms, and it is not considered a necessity for future occupiers to own their own vehicle. The Developer cannot be required to "fix" existing issues, but there could be opportunities to introduce parking restrictions or Controlled Parking Zones, however this would be outside of the Planning System.
- 7.15 The applicant, Network Rail/South Western Railway and SCC have agreed to close off the end of Fox Lane North to vehicular traffic. This will stop vehicles associated with the site accessing/egressing the site from Guildford Road and driving past Chertsey Station. It will also prevent drivers using the Fox Lane North – Guildford Road route as a cut through route. All development traffic will have to access/egress the site via Fox Lane North. A turning head will be provided in the Chertsey Station car park so vehicles in the station car park can turn around to exit onto Guildford Road in forward gear. Removable planters will be placed at the end of Fox Lane North, which will allow large essential maintenance vehicles to drive between Guildford Road and Fox Lane North for railway maintenance if required, however this would be exceptional circumstances. To assess the development's impact on the operation of the Fox Lane North/Pyrcroft Road/Abbots Way signalised junction an assessment of the junction has been undertaken and the County Highway Authority has approved the results of this. The County Highway Authority have undertaken a site visit and an assessment in terms of 35

likely net additional traffic generation, access arrangements and parking provision and raises no objection and as such no objections are raised subject to securing the provision of two car club vehicles for a minimum of two years, the provision of three year's free membership of the car club for all initial occupants of the residential units and £50 worth of free travel for car club vehicles for each residential unit and the provision of secure management arrangements for the maintenance of the car club vehicles through the s106 agreement. The provision of car club vehicles on site will have the effect of reducing the need for car ownership for future occupiers and the CHA considers that a "no car" development at this location is acceptable (as per Surrey County Council Car Parking Guidance Policy) in the context of the impact on highway safety and capacity.

- 7.16 Conditions requiring the access to be provided with visibility zones as shown, extending the double yellow lines along the western side of Fox Lane North, the provision of secure parking of a minimum of 57 bicycles and 20% e-bike charging points, the improvement of the two bus stops located at Guildford Street and the submission of a Construction Transport Management Plan are also requested. It is therefore considered that no additional traffic or highway issues have arisen from this current proposal and the scheme satisfies Policy SD4.

#### Housing Mix and Affordable Housing

- 7.17 Policy SL20 of the Local Plan states that the Council will seek to deliver 30% of all net additional dwellings as affordable units of which about 22% will be provided as First Homes, 53% as Affordable/Social Rent and 22% provided as other forms of affordable housing. Development proposals of 10 or more (net) additional dwellings will be expected to provide 35% of dwellings as affordable units with a tenure split as above which includes 10% of homes for affordable home ownership. However, the applicant considers that to provide on-site affordable housing within the proposed scheme would be unviable and has undertaken a Viability Report which has been independently reviewed. The outcome of the review concluded disagreements in respect of both cost assumptions and method of calculating viability. However, in order to reach agreement, the applicant has agreed to make a financial contribution towards the delivery of affordable housing of £346,755 which is equivalent to the surplus suggested by the Council's consultants which would be subject to the inclusion of a review mechanism within the s106. The Council's Housing Dept. has confirmed that they would accept this in lieu of providing affordable housing as it has schemes that such money could go towards.
- 7.18 Policy SL19 (Housing Mix and Size Requirements) requires development proposals of 10 or more (net) additional dwellings to contribute to meeting the Housing Market Area's identified housing needs by generally providing a housing mix as set out in the Strategic Housing Market Assessment or any similar evidence for market and affordable units. The Strategic Housing Market Assessment identifies the need being largely 2 and 3 bedroom units. However, the Council's Local Planning Section have confirmed that the Council's latest monitoring suggests an overall plan wide oversupply of 1 & 2 bedroom market units within the borough and an undersupply of 3-4+ units.
- 7.19 It is therefore considered that the proposed housing mix of one, two and three bedroom apartments (as set out in paragraph 3.2 of the committee report) strikes a balance between the needs identified by these figures and a manageable and sustainable development and meets the requirements of Policy SL19.

#### Impact on Trees

- 7.20 An Arboricultural Impact Assessment (AIA), and a brief Arboricultural Method Statement (AMS) which refers to a tree protection plan (TPP) has been submitted. It is evident that the site has few trees within it and those that are present are relatively young. The proposal will result in the removal of some existing unmanaged hedgerow and approx. 9 no. trees within the south of the site. However, the existing Hornbeam trees / fence line forming the southern boundary are to be retained and the Illustrative landscape plan shows new tree and shrub planting that will lead to a net increase in tree numbers and species diversity at the site. 30

the vegetation to be removed is of low quality and its loss to public amenity is negligible due to its overall condition and lack of visual presence.

- 7.21 The submitted illustrative landscape masterplan also indicates the introduction of additional landscaping around the site including shrub planting and planters along the frontages of the existing and proposed building and a communal garden within the main central courtyard which is currently hard surfaced as well as climbers along the façade of the Bell Bridge Road structure.
- 7.22 The retained trees can be adequately protected during construction activities to sustain their health and longevity. Precautions to ensure that the trees are protected and preserved for the future are proposed which includes tree protection measures implemented in conjunction with the proposals. Consequently, there will be an acceptable impact upon the local trees, subject to adhering to normal tree protection and construction techniques.
- 7.23 The Councils Tree Officer does not object to the works but recommends conditions requiring the submission of a detailed site specific Arboricultural Method Statement, and a detailed landscape plan and schedule. The proposal therefore complies with policies EE1, EE9 and EE11.

#### Ecology and Biodiversity

- 7.24 Policy SD7 refers to Sustainable Design and that development proposals will be supported where they protect existing biodiversity and include opportunities to achieve net gains in biodiversity as well as greening of the urban environment. Policy EE9 of the Local Plan (Biodiversity, Geodiversity and Nature Conservation) confirms that the Councils will seek net gains in biodiversity through the creation, expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. The Council have prepared further guidance on this, contained within the Green and Blue Infrastructure SPD.
- 7.25 The application is supported by an Ecological Appraisal and a Biodiversity Net Gain Matrix and Report. The surveys concluded that due to the urban location of the site no Badger setts or evidence of Badger activity was recorded during the survey and the existing building, site and trees were assessed as having negligible potential to support roosting bats. The Ecological Appraisal recommends a range of ecological enhancements, including bird boxes on trees, hedgehog highways and native species planting, and the use of green roofs to promote ecological activity on the proposed buildings which can be secured by suitably worded planning conditions. The Lighting Impact Assessment identifies a mix of lighting (including low-level lighting) can be achieved on site without harming ecological assets.
- 7.26 The surveys conclude that the proposed development is unlikely to result in any significant adverse effects on the ecology or protected species of the local area and that the development at the site provides an opportunity to enhance its nature conservation interest through its landscape and ecology proposals in accordance with Policies EE9.
- 7.27 A Biodiversity Net Gain Matrix and Technical Note have been submitted with the application. The results of the assessment demonstrate that the proposal will lead to an overall gain of 0.64 habitat units, an increase of 173.85% and 0.15 hedgerow units, an increase of 79.19% and is therefore considered to comply with Policy EE9. Surrey Wildlife Trust (SWT) has reviewed the submitted surveys and reports. They have not raised any objections to the scheme and have recommended conditions to secure the biodiversity net gain identified and a Landscape and Ecological management Plan (LEMP). Therefore, subject to conditions the proposal is not considered to result in harm to ecology or protected species and would comply with Policies SD7 and EE9.

### Public Open Space

- 7.28 The NPPF and Policy EE1 of the Local Plan refers to creating places that are safe, which promote health and wellbeing and with a high standard of amenity for existing and future users. All of the proposed flats would benefit from either at least 5 sqm of external private terraces on the ground floor which would be landscaped and enclosed with evergreen shrubs and hedgerows, enclosed Winter gardens or open balconies.
- 7.29 The scheme would also provide a communal garden and play area and a number of other areas of unallocated open green spaces would be introduced within the existing hard surfaced central courtyard. The central green space will be overlooked by adjacent neighbouring properties and would benefit from natural surveillance. It is considered that the provision can be secured via a condition and its maintenance via legal agreement as can its future maintenance. On this basis it is considered that the proposal would comply with Policy SL26 and that the quantum of development could be achieved whilst providing space for recreation. A management company will be set up to maintain all the communal areas within the site, including landscaping, open space and non-adopted roads.

### Land Contamination

- 7.30 The applicant has submitted a Phase 1 Contaminated Land Assessment. This did identify low/moderate risk of contamination on or near the site and recommends further works are required. The Council's Contaminated Land Officer raises no objections to the application subject to a condition requiring reporting of unexpected contamination. Therefore, the application would comply with Policy EE2 in this respect.

### Noise Management and Air Quality

- 7.31 The noise environment at the site is influenced by railway noise which lies to the south of the site and Bell Bridge Road which is immediately to the west. A Noise Assessment has been undertaken to assess the baseline situation, the suitability of the site for residential development and identify any mitigation measures.
- 7.32 Based on the survey data, internal noise levels can be achieved with windows closed using standard construction techniques and double glazing with trickle vents. However, all properties could be provided with openable windows regardless of the proposed ventilation solution adopted so future residents will have choice as to whether they open windows and be subject to noise or use mechanical ventilation. External amenity areas have been preliminarily assessed and shown to be above the upper threshold of the design targets in most areas without mitigation. Winter gardens have therefore been designed into the scheme for the external amenity spaces, on floors 1 through to 3, overlooking Bell Bridge Road to the west and the railway platform to the south.
- 7.33 The Council's Environmental Health Officer has not raised objection to the scheme subject to conditions requiring details of mitigation and proposed plant and equipment to be installed to be submitted. Therefore, although the impact from noise is a shortcoming of the scheme, the proposal provides additional housing and does provide residents with suitable external amenity space and the option of suitable internal areas with respect to noise, which on balance is considered to be acceptable. Subject to suitable mitigation, future residents will be provided with suitable living environments with respect to noise in accordance with Policy EE2.
- 7.34 The application site is not within any of the two Air Quality Management Areas (AQMAs) within the Borough. The accompanying Air Quality Assessment has assessed the air quality at the building facades, acknowledging a reduction in car parking on the site. The report concludes the air quality impacts associated with the development are 'insignificant' and no residents of the development will be exposed to air quality exceedances. Consequently, no mitigation is required from an air quality perspective. The Council's Environmental Health team raises no objection in this respect and the proposal would comply with Policy EE2.

### Flooding and Surface Water Drainage

- 7.35 The majority of the site comprises Flood Zone 2 land and the proposal involves a 'more vulnerable' use. Therefore, the application is accompanied by a Flood Risk Assessment and Drainage Strategy and the applicant has undertaken a Sequential Test in accordance with the NPPF and PPG. A total of 3 landowners expressed interest in selling their land to the applicant taking the total number of units on more sequentially preferable sites to 20, leaving a residual requirement for 26 units. Therefore, the application site remains the best site to deliver the proposed 46no. dwellings, since it is within the defined search area and has the capacity to deliver all units within the applicant's timescale. Therefore, the Sequential Test is considered to be passed in line with guidance in the NPPF and the Runnymede SFRA. The proposal introduces More Vulnerable development into Flood Zone 2 and therefore the exceptions test is not required. A Flood Risk Emergency Plan has been submitted which demonstrates that a safe access and egress route can be provided.

An assessment of flood levels in line with the above shows none of the three events encroach onto the site red line boundary, the 1 in 30 year event does not come near the site but the other events maximum flood levels are summarised below:

- 1 in 100 year plus 35% climate change event – 13.55 mAOD
- 1 in 1000 year event – 13.50 mAOD

Minimum ground levels on the site are 14.01 mAOD and in the location where the residential development is proposed, these levels rise to 14.9 mAOD. Therefore, a significant freeboard exists between all modelled flood levels and the proposed development. On this basis the risk of fluvial flooding is deemed to be low. Flood resistant devices are also proposed which are detailed in Section 7 of the submitted Flood Risk Assessment and subject to a flood proofing condition it is considered that the proposal is in compliance with Policy EE13.

- 7.36 The accompanying Drainage Strategy identifies SUDS which have been incorporated onto site, in accordance with the drainage hierarchy. This primarily involves the southern portion of the site, as the northern part of the site is constrained by the existing depth and structural integrity of the podium slab (above basement). Instead, the proposal seeks to reuse the existing gullies that connect to the mains sewer in order to drain surface water in this part of the site. Surrey County Council as Lead Local Flood Authority (LLFA) is satisfied the proposals meet the requirements set out in the technical standard and Planning Policy Guidance. It is therefore considered that the site can deal with surface water drainage for the development in a sustainable manner which complies with the NPPF. The details of the drainage scheme can be secured by conditions as recommended by the LLFA.

### Archaeology

- 7.37 As the site covers an area greater than 0.4ha Policy EE7 of the Local Plan requires the applicant to carry out an archaeological review of the site. Although it does appear that the site will have been disturbed by previous and existing development, as there is some potential for archaeological remains in the area it is considered that a desk based archaeological assessment should be submitted. This can then examine past impacts on the site against the archaeological potential of the area and review whether further work in the form of a watching brief or evaluation is appropriate. It is considered that it would be reasonable and proportionate to secure the evaluation and any further works by condition in compliance with the requirements of Policy EE7.

### TBHSPA

- 7.38 Policy EE10 states that additional residential development (including strategic allocations) beyond the 400m Special Protection Area exclusion zone, but within 5km of the Special Protection Area boundary, will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area. These must be delivered prior to occupation and in perpetuity and agreed with Natural England (NE). NE agrees with the position that the

Council has taken in relation to the provision of strategic SANGS and securing SAMP payments. Following assessment by the Council as a competent authority, the Council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided. The applicant has submitted Habitat Regulations Assessment with the application and as competent authority the Council's appropriate assessment requires a contribution of £76,661.96 toward the provision of SANG and £34,862.32 towards the provision of SAMP in accordance with the Council's Adopted SPG. Subject to securing the SANG and the relevant SAMP contributions by way of a s106 agreement, it is considered that the proposal would address the impacts of the development the impact arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF in compliance with Policy EE10.

#### Renewable and Low Carbon Energy

- 7.39 New Development is expected to demonstrate how it has incorporated sustainable principles into the development including construction techniques, renewable energy, green infrastructure and carbon reducing technologies.
- 7.40 Policy SD8 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.
- 7.41 The applicant has submitted an Energy and Sustainability Statement which demonstrates how the energy hierarchy has been applied. The Energy Statement demonstrates that a 10.74% reduction in the development's energy needs could be met through the installation of solar PV. If Air Source Heat Pumps were installed, this reduction would be 64.04%. The Design and Access Statement sets out that both PV panels and ASHPs could be used in the development. The Council's Energy Officer has reviewed the proposal and confirms that they are satisfied with the proposals subject to conditions requiring details of the renewable and low carbon energy including plans and acoustic data to allow for any noise impacts associated with any proposed ASHP to be assessed. Therefore, subject to conditions the proposal is considered to comply with Policy SD8.
- 7.42 The proposal also includes other additional measures to promote sustainability at the site which includes recycling provision and installation of water efficiency fittings in accordance with Policy SD7 which will be secured by way of condition.

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

- 8.1 In line with the Council's Charging Schedule the proposed development would be CIL Liable however exceptions may apply.

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

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

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

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

- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

## **10. CONCLUSIONS**

- 10.1 The site is in the urban area and is included the Council's SLAA (Feb 2022). The proposal would provide an addition of 46 dwellings which will contribute to housing supply in a sustainable location with good access to facilities and services. This has to be given significant weight in favour of the application. The proposal proposes a contribution to the provision of affordable homes in the borough. The application site is not a proposed Strategic Employment Area (SEA) and it is in the urban area so the presumption is in favour of development. The design and quantum of development proposed makes an efficient use of an appropriate site and is not considered to be harmful to the character of the area or on future occupiers. The traffic and highway safety aspects of the application have been reviewed by the County Highway Authority who raises no objections and conclude that the proposed access is safe, and no harmful impacts would arise in respect of the highway network in the area. No other technical planning issues have been identified that would prevent planning permission being granted in accordance with the development plan and the NPPF.
- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD3, SD4, SD5, SD7, SD8, SL19, SL20, SL26, EE1, EE2, EE3, EE4, EE7, EE9, EE10, EE11, EE12 and EE13 of the Runnymede 2030 Local Plan of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## **11. FORMAL OFFICER RECOMMENDATION**

### **Recommendation Part A:**

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

- 1. SAMM (TBHSPA) financial contribution of £34,862.32**
- 2. SANG (TBHSPA) financial contribution of £76,661.96**
- 3. Affordable Housing financial contribution of £346,755.00**
- 4. The provision of the following entirely at the applicant's expense, including the costs of on street adjustments and traffic orders:**
  - a) A minimum of two car club vehicles for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space either within a publicly accessible location on the development or on the public highway and pump priming being met by the developer.**
  - (b) £50 worth of free travel for car club vehicles for each residential unit.**
  - (c) Three year's free membership of the car club for all initial occupants of the residential units.**

5. **Secure management arrangements for the maintenance of the car club vehicles, bays and electric vehicle charging facilities.**
6. **Secure management arrangements for the maintenance of the open space.**

All figures and contributions will also need to be finalised in negotiation with the applicant and relevant consultees and final authority in these negotiations is given to the **HoP**.

And the following conditions:

1 Full application (standard time limit)

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

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

2 List of approved plans

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

0565-D-101 - Proposed Ground Floor Plan  
 0565-D-102 - Proposed Floors 1-3  
 0565-D-103 - Proposed Fourth Floor  
 0565-D-104 - Proposed Fifth Floor  
 0565-D-105 - Proposed Roof Plan  
 0565-D-200 - Proposed North Elevation  
 0565-D-201 - Proposed East Elevation  
 0565-D-202 - Proposed South Elevation  
 0565-D-203 - Proposed West Elevation  
 0565-D-300 - Section A  
 0565-D-301 – Section B  
 0565-D-400 - Proposed Cycle Storage and Refuse Area  
 0565-D-100 - Proposed Site Plan  
 0565-F-001 - Site Location Plan  
 0565-F-002 - Block Plan  
 P22-1434\_EN\_0001-D-0001 Illustrative Landscape Masterplan  
 100 Rev 00 Proposed Site Plan  
 Flood Risk Emergency Plan JE/VL/P22-2616/06 July 2023

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

3 External Materials

Prior to their first use on site a schedule of all external finish materials including wall, fencing and roof materials, lintels, fascias, and rainwater goods, including finish colour, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.

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

4 Finishing Materials



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

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

## 5 Landscaping

a. No above ground development shall take place until full details of all hard and soft landscaping works and boundary treatments have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out and details of the measures to be taken to protect existing features during the construction of the development.

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

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

## 6 Tree Works

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, a detailed site specific Arboricultural Method Statement and a detailed Landscape Plan and Schedule shall be submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.

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

## 7 L055 - Tree protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, a Tree Protection Plan shall be submitted to the Local Planning Authority for approval and then subsequently approved tree protective measures shall be installed in accordance with the approved Tree Protection Plan. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

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, 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.

#### 8 Tree retention

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

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

#### 9 Surface Water Drainage Above The Existing Basement Slab

The proposals above the existing basement slab 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 Create Consulting Flood Risk Assessment and Drainage Strategy Vol 1 & 2, GB/CS/P22-2616/04, March 2023 The required drainage details shall include:

- a) Evidence that the existing on-site drainage is fit for purpose.
- b) 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.
- c) Details of drainage management responsibilities and maintenance regimes for the drainage system.

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

#### 10 Surface Water Drainage

The new development (*excluding above the existing basement slab subject of Condition 9 above*) 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:

d) 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 during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2.0l/s.

e) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

f) 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.

g) Details of drainage management responsibilities and maintenance regimes for the drainage system.

h) 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 that the final drainage design does not increase flood risk on or off site and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 11 Verification Report SUDS

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

#### 12 Floor levels and flood proofing

The floor level within the proposed development shall be set no lower than existing levels and flood proofing of the proposed development shall be incorporated where appropriate.

Reason: In the interests of the safety of the future occupiers and to improve flood resilience in the property and to comply with Policy EE13 of the Runnymede 2030 Local Plan, guidance within the NPPF and the Environment Agency's Standing Advice on Development and Flood Risk.

#### 13 New Access

No part of the development shall be first occupied unless and until the proposed modified vehicular access to Fox Lane North has been constructed and provided with visibility zones in accordance with 31345/AC/012 Rev A (Transport Assessment August 2023) and 45

thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

14 Double Yellow Lines

The development hereby approved shall not be first occupied unless and until the proposed alterations to the double yellow lines on Fox Lane North and the associated Traffic Regulation Orders have been designed and implemented at the applicant's expense, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

15 Existing Access

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

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

16 Cycle Parking

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for the secure parking of a minimum of 57 bicycles ( to include 20% e-bike charging points) within the residential development site.

Reason: In order to be in accordance with the recent SCC Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (February 2023).

17 Parking & Turning

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

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

18 Fast Charge Socket

The development hereby approved shall not be occupied unless and until each of the proposed parking bays are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing

by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure sustainable design and travel and to comply with policies SD3 and SD7 of the Runnymede 2030 Local Plan and the NPPF.

19 Construction Transport Management Plan (CTMP)

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

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

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

20 Fox Lane North Closure

The development hereby approved shall not be first occupied unless and until the end of Fox Lane North is closed to all vehicular traffic, in general accordance with 31345/AC/012 Rev A (Transport Assessment August 2023).

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

21 Land Affected by Potential Contamination

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

(i) Site Characterisation

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - ground waters and surface waters
  - ecological systems

- archaeological sites and ancient monuments

(ii) Submission of Remediation Scheme

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

(iii) Implementation of Approved Remediation Scheme

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

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

(iv) Reporting of Unexpected Contamination

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

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

22 Noise (Acoustic insulation)

Prior to commencement of the development full details of acoustic attenuation provided by the building structure (both the façade and windows) shall be provided to and approved by the Local Planning Authority (LPA); Full details of mitigation measures to protect the external amenity spaces including the specification for any acoustic barriers and Winter Gardens shall be provided to and approved by the LPA. External amenity areas must achieve 50dB and must not exceed 60dB. Post completion testing shall be carried out prior to first occupation to ensure that the mitigation measures have achieved the relevant noise levels in habitable rooms and in the external amenity areas. Development shall be carried out in accordance with the approved details prior to occupation of any part of the

development, or in accordance with an alternative timetable to be agreed in writing with the local planning authority.

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

23 Noise (Ventilation)

Prior to commencement of the development full details of the proposed alternative means of ventilation method shall be provided to and approved by the LPA. Internal noise levels shall meet that within table 4 of BS8233. Development shall be carried out in accordance with the approved details prior to occupation of any part of the development, or in accordance with an alternative timetable to be agreed in writing with the local planning authority.

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

24 Biodiversity Enhancements

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

This should be in accordance with Section 7.0 of the Ecological Appraisal and 4.0 of the Biodiversity Net Gain Report (prepared by FPCR Environment and Design Ltd March 2023) and incorporate (but not be limited to) the following:

- Providing bird boxes erected on or integral within the new buildings and retained trees.
- Enhancements for hedgehogs
- Using native species or species of known biodiversity benefit when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife.

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

25 Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of above ground works, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should include, but not be limited to the following:

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

- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

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.

#### 26 Sensitive Lighting Scheme

Before any external lighting is installed at the site, details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

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

#### 27 Renewable Energy

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

Details of any external plant shall be provided to and approved by the LPA alongside an appropriate noise assessment to ensure that the plant does not provide likely noise disturbance at the proposed or existing nearby premises.

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

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

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

#### 28 Archaeological Work

No works below current ground levels shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.



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

29 Provision of Play Areas

Prior to the commencement of above ground works of development hereby approved details of the siting, size and design of the children's equipped play area shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include measures for management and maintenance, and the scheme shall be implemented fully in accordance with the approved details and retained for the lifetime of the development. The details shall be in accordance with approved drawing 100 Rev 00 Proposed Site Plan.

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

30 Water Efficiency

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

Reason: In order to achieve water efficiency and sustainable development and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance within the NPPF.

31 The development hereby approved shall incorporate the sustainable construction and demolition techniques as set out in the Sustainability Statement dated March 2023.

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

32 Site Waste Management Plan

Prior to commencement of development, including demolition, a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place fully in accordance with the approved details.

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 Draft Local Plan and guidance within the NPPF.

**Informatives:**

1 Summary of Reasons to Grant Consent

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

2 The scheme to implement waiting restrictions or other relevant works to regulate or restrict the operation of the highway shall first require a Traffic Regulation Order or Notice prior to use. The alteration of the Traffic Regulation Order or creation of a new Order or Notice is a separate statutory procedure which must be processed at the applicant's expense prior to any

alterations being made. In the event that the implementation of waiting restrictions or other works requiring an Order or Notice is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to first occupation of the development. Any alternative scheme or works shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.

- 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. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
- 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](http://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 permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
- 6 In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
- 7 The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme> . The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)
- 8 As opening windows other than for purge ventilation will generally not be suitable due to the noise climate, the applicants attention is drawn to the statutory building control guidance 'Approved Document O' which states that 'In locations where external noise may be an issue, the overheating mitigation strategy should take account of the likelihood that windows will be closed during sleeping hours (11pm to 7am).'

- 9 Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to [www.naturalengland.gov.uk](http://www.naturalengland.gov.uk) .
- 10 Unless it can be demonstrated that it is unfeasible to do so the applicant shall achieve compliance with Part M4(2) of the Building Regulations with 5% of dwellings achieving Part M4 (3).
- 11 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.
- 12 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.
- 13 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.
- 14 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
- 15 If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk) . Please use our reference number in any future correspondence.
- 16 The applicant / developer is advised to contact Network Rail’s Asset Protection and Optimisation (ASPRO) team via [AssetProtectionWessex@networkrail.co.uk](mailto:AssetProtectionWessex@networkrail.co.uk) prior to works commencing. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

**Recommendation Part B:**

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