

COMMITTEE AGENDA REFERENCE: 5A

APPLICATION REF:	RU.23/1342
LOCATION	Bellbourne Nursery, Hurst Lane, Egham, Surrey, TW20 8QJ
PROPOSAL	Demolition of existing buildings and construction of a two-storey building comprising of 3 warehouses for storage & distribution (B8) with ancillary first floor offices and associated parking and ancillary service yard (amended plans received 18.11.24 amending the red line of the application to include the wider site of Bellbourne Nursery and the creation of an Ecological Enhancement Area and area for Sustainable Urban Drainage (SuDs) to the north)
TYPE	Full Planning Permission
EXPIRY DATE	20.12.2024
WARD	Thorpe
CASE OFFICER	Louise Waters
REASON FOR COMMITTEE DETERMINATION	Delegated authority not available as a major planning application.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the HoP:	
A.	Grant permission subject to the referral to the Secretary of State and the prior completion of a S106 Legal Agreement to secure and relevant conditions:
	i) The removal of the existing buildings and structures across the wider Bellbourne Nursery site.
	ii) The creation of a new Ecological Area to the north of the wider Bellbourne Nursery site.
	iii) To secure a Travel Plan and monitoring fee.
	iv) To rescind any previous approvals if necessary.
B	Or to refuse planning permission at the discretion of the Head of Planning should the s106 Agreement not progress to their satisfaction

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises the entire parcel of land of Bellbourne Nursery. The site falls within the Green Belt and is a Mineral Safeguarding Area. Existing residential properties are positioned to the west comprising Hogsters Farm and Hogsters Cottages (1 and 2). An existing landscape nursery exists to the south with open land to the north and east. The existing vehicular access to the site is from Hurst Lane to the south west.
- 2.2 The northern most part of the site has an authorised use for agriculture (Greenhouse 2). The southern part of the site has a lawful use for B8 (Storage and distribution) which includes an existing detached building and open areas for parking (including lorry parking). An existing glasshouse immediately to the north of this established B8 use (Greenhouse 1) has a mixed use for both agriculture and B8 (storage and distribution)

3. APPLICATION DETAILS

- 3.1 This application is seeking Full Planning Permission for the demolition of existing buildings across the Bellbourne Nursery site and the construction of a two storey building comprising 3 warehouses for storage & distribution (B8) with ancillary first floor offices and associated parking and an ancillary service yard. Amended plans received 18.11.24 have amended the red line of the application to include the wider site of Bellbourne Nursery and the creation of an Ecological Enhancement Area and area for Sustainable Urban Drainage (SuDs) to the north.
- 3.2 The building would be clad in metal comprising a mixture of Kingspan flat metal cladding panels (Colour Greenrock RAL 6002) and a metallic profile steel sheeting system in RAL 6002. The curved roof would comprise a composite metal roof in Goosewing Grey. All glazed windows and doors would comprise clear double glazed panels with aluminium glazed frames. The new warehouse building would be designed with a shallow curved roof extending to a maximum height of some 7.78 metres and a footprint of some 1258 square metres.

4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.21/1162	Application seeking approval of details reserved by planning condition 3 (land contamination) and 4 (noise) under planning application RU.19/0575 for prior approval for a proposed change of use of an agricultural building to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Approved (Glasshouse1)
RU.21/0886	Certificate of Proposed Lawful Development for the laying of replacement hardstanding within the site. Approved.
RU.20/1093	Application seeking approval of details reserved by planning conditions 3 (Land Contamination) and 6 (Construction Transport Management Plan) of planning approval RU.20/0237 for the proposed conversion of glasshouse 1 No 4 terraced dwellings and 1 No detached dwelling. Approved. (Glasshouse 1)

RU.20/0976	Application for a proposed non-material amendment to planning application RU.20/0169 to allow for the internal remodelling of the 5 dwellings to provide a staircase and habitable accommodation within the roof, and the insertion of rooflights within the proposed roof areas of the dwellings. Approved. (Southern Part of Site)
RU.20/0818	Application seeking approval of details reserved by planning condition 5 (land contamination) under application RU.20/0331 for proposed alterations to the existing glasshouse to facilitate the recent approval for Prior Approval under application RU.19/1822 to allow the building to be utilised as an Aparthotel. Approved. (Glasshouse 2)
RU.20/0808	Application seeking a proposed non-material amendment to planning approval RU.20/0331 to provide revisions to the internal layout of the aparthotels and revisions to the design and positioning of the external doors and windows. Approved. (Glasshouse 2)
RU.20/0601	Application seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 5 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane. Approved
RU.20/0600	Application seeking Full Planning Permission for the proposed conversion, partial demolition and internal/external alterations to the existing glasshouse (glasshouse 1) to provide 7 two storey dwellings (including the partial demolition of glasshouse 2) associated parking and reconfiguration of the existing access to Hurst Lane. Approved
RU.20/0385	Application seeking approval of details reserved by planning condition 4 (noise) under RU.19/1822 for prior approval for a proposed change of use of an agricultural building to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Approved. (Glass House 2)
RU.20/0331	Proposed alterations to glasshouse 2 to facilitate the recent approval for Prior Approval under application RU.19/1822 to allow the building to be utilised as an Aparthotel. Approved.
RU.20/0237	Prior approval for the conversion of Glasshouse 1 to 4 terraced dwellings and 1 no detached dwelling. Approved.
RU.20/0169	Proposed demolition of the existing warehouse and the removal of all structures and bunds and the erection of 5 detached dwellings with attached single garages, associated parking and reconfiguration of the existing access to Hurst Lane. Approved.
RU.19/1822	Prior approval for the proposed change of use of Glasshouse 2 to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Approved.
RU.19/1534	Certificate of Proposed Lawfulness for the erection of a detached building - B8 storage and distribution use. Approved.

RU.19/1198	Conversion of Glasshouse 1 to 4 no 2 bed single storey dwellings and 1 no 4 bed single storey dwelling. Refused.
RU.19/0861	Application to confirm the lawful B8 use and retention of 10 structures on the site, consisting of storage containers & office cabins for a period in excess of 4 years. Split decision
RU.19/0575	Prior approval for a proposed change of use of an agricultural building (glasshouse 1) to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Approved.
RU.19/0470	Proposed Lawful Development Certificate for an unrestricted B8 use (storage and distribution) Refused.
RU.19/0015	Prior approval for a proposed change of use of an agricultural building (glasshouse 2) to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. Approved.
RU.18/1658	Demolition of existing glasshouses and erection of 2 single storey buildings for B1 use with associated parking and turning areas, revisions to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused.
RU.18/1371	Outline application for the demolition of the existing warehouse building and the erection of up to 5 detached dwellings with maximum ridge heights of 5.5m with associated residential curtilages, car parking spaces and amendments to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused.
RU.18/0108	Outline application for the proposed erection of up to 14 dwellings with associated residential curtilages, parking and turning areas and amendments to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused. Appeal dismissed.
RU.18/0017	Application for prior notification of the proposed demolition of existing glasshouses. Prior approval required.
RU.18/0014	Demolition of existing glasshouses and erection of 2 single storey buildings for B1 use with associated parking and turning areas, revisions to the existing access onto Hurst Lane and associated highway works along Hurst Lane and revisions to the design of the existing internal access road. Refused.
RU.15/0701	Prior Approval of Proposed Change of Use of Part of an Agricultural Building (500 sqm) to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure. Refused.
RU.13/0156	Certificate of Existing Lawful Use for the use of the northern part of the site for storage and distribution within Use Class B8. Refused.

RU.11/0275	<p>Certificate of existing lawfulness for the use of the building and land to the south of the glasshouses as a use falling within Class B8 of the Town and Country Planning (Use Classes) Order 2008 independent of the main site contrary to condition 1 attached to planning permission RU.95/0806 and conditions 2 and 3 of planning permission RU.95/0807. Approved.</p> <p>This permission comprised a maximum of 102 no. HGV movements per week (Mondays to Saturdays only) comprising a total of 12 no. HGV movements between 06:00 hours and 20:00 hours Mondays and 18 no. daily HGV movements between 00:00 hours and 20:00 hours Tuesdays – Saturdays plus a maximum of 30 no. HGV movements per week (Mondays to Saturdays only) between 06:00 hours and 17:00 hours.</p>
	<p>An appeal was also lodged following the serving of an Enforcement Notice on the northern section of the site for the unauthorised change of use of the land from horticultural use to a use for the sale and storage of motor vehicles and trailers. The appeal was part allowed/part dismissed in December 2013 but the Enforcement Notice was upheld (11E00044).</p>
	<p>An Enforcement Notice was also served on the northern part of Bellbourne Nurseries in August 2009 for the unauthorised change of use of the land for the storage of containers/secure site offices. The Enforcement Notice was subsequently complied with.</p>

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

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.3 SPDs which might be a material consideration in determination:
 - Design SPD
 - Green & Blue Infrastructure SPD
 - Parking Guidance SPD
 - Energy & Climate Change Mitigation SPD
- 5.4 This site falls within the designated Virginia Water Neighbourhood Area. However a Neighbourhood Plan has not been developed yet for this area.

6. CONSULTATIONS CARRIED OUT

Consultees responses

Consultee	Comments
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Natural England	No objections
Surrey County Archaeology	No objections subject to conditions
Lead Flood Authority	No objections subject to conditions
Surrey Wildlife Trust	No objections subject to conditions
Thames Water	No objections
Affinity Water	No requirements
Minerals Planning Authority	No objections subject to conditions
County Highway Authority	No objections subject to the submission of further details.
Councils Drainage Section	No objections subject to conditions
Councils Tree Officer	No objections subject to conditions
Councils Refuse and Recycling Officer	Comments received
Councils Environmental Health Officer	No objections subject to conditions
Councils Land Contamination Officer	No objections subject to conditions
Virginia Water Neighbourhood Forum	No comments have been received.
Energy Officer	Further information requested (Officers comments: The applicant has now submitted a Sustainability and Energy Statement)

Representations and comments from interested parties

6.2 5 Neighbouring properties were consulted in addition to site notices being displayed near the application site. The application was also advertised in the local paper and on the Council's website. 21 letters of representation have been received in regard to the original scheme which can be summarised as follows:

- Several years ago the Council rejected plans on the site on numerous occasions as being inappropriate. This is yet another attempt for commercial usage despite the findings of the BORE Report.
- The application includes the whole of glasshouse 1 which cannot be considered as 'previously developed land'.

- The proposed warehouses are taller than glasshouse 1 resulting in an overbearing impact on neighbouring dwellings causing loss of privacy and visual amenity.
- The warehouses are taller than the existing glasshouses and their design, bulk and scale will damage the existing character and appearance of Hurst Lane and negatively impact the Green Belt.
- The development is totally inappropriate in the Green Belt.
- The development will cause extreme distress, loss of privacy overlooking and noise/disruption to existing residential properties affecting their quality of life.
- The development will cause significant desecration to this quiet country lane.
- The plans are a total overdevelopment of the site and are unwarranted for all of the reasons that the council previously rejected similar plans.
- The character of Hurst Lane is that of a quiet residential country lane within the Green Belt with some small businesses.
- The development will have a significantly detrimental effect on the lives of all residents in this lane.
- The size of the development will also significantly degrade the visual aspects of the Green Belt along with issues of fork lift truck operations; noise; smell; hours of operation etc.
- Harmful impacts on existing surrounding residential properties.
- The area at the entrance and the entrance gates do not have planning permission.
- The site was originally in agricultural use until the council allowed a B8 use under a Certificate.
- The glasshouses on the northern part of the site are in keeping with the agricultural purpose of the land.
- A similar development at Padd Farm was only agreed due to 'exceptional circumstances'. This site has no exceptional circumstances.
- This current application will result in an intensification.
- This application is purely for financial greed.
- The development should not be taller than the tallest building on site. The height of the development should be considered as a significant form of development. Neighbouring buildings are small in comparison.
- The proposed development would be overbearing and out of scale with existing surrounding buildings.
- The existing glasshouses are also made of glass which makes them see through which blends into the environment. The new warehouses will be very tall and opposing structures which will change the character of the landscape and the openness of the Green Belt.
- Introduction of HGV's along the boundary fence next to residential properties resulting in noise and pollution. This should be redesigned and any doors should be positioned away from residential dwellings.
- The supporting statement advises that the council has accepted further intensification of the site by granting a Certificate of Lawfulness in 2019 for outbuildings. However in 2021 the council granted planning for new residential development which demonstrates that the council does not want any further intensification.
- The application is seeking intensification of the site with three warehouses. It will become an operating centre as it states the hours of use and noise from HGV's and forklift truck movements and potential 24 hours for maintenance. The quality of life for residents will be affected by noise disturbance.
- The site has always been agricultural comprising 2 distinct planning entities.

- The demolition of the much smaller storage and distribution building on B8 land will remain in B8 and will not offset the erosion of agricultural land.
- The development will be a substantial blot on the landscape.
- The site already represents a significant erosion of the Green Belt and is inconsistent with green belt policies.
- The council have actively enabled the owners to develop this site despite its Green Belt credentials and have turned a blind eye to developments.
- Impact on highway safety. The main entrance to Hurst Lane is a dangerous death trap. To further add development to this site is inconceivable unless it forms part of a plan by the council to develop this site for other reasons.
- Residents have always warned that this type of inconsiderate and commercially led sprawl would follow.
- This application is not consistent with the fall back plan for this area which was residential.
- The image showing that the glasshouse is being used for storage and distribution is laughable.
- There are discrepancies relating to vehicle numbers and numbers of people working on site.
- The impact of the development upon highway safety has not been considered properly and the proposal will result in a real danger to life and wellbeing of local residents.
- The application should be refused and the applicant should work within the planning laws and consider local residents.
- The B8 use only relates to the southern part of the site with the northern section being in agriculture. This application would represent a material change in the use of the land which is an inappropriate development.
- The Thorpe Industrial Estate caters for local demands of commercial/industrial uses so there is no special circumstance to justify this development.
- The development includes 45 parking spaces which combined with the retail cash and carry facility will result in even higher movements of HGV's (Officers comments: There is no proposal for a 'cash and carry facility')
- The HGV and vehicles associated with the planning permission at Padd Farm will already result in a considerable increase in traffic. The additional vehicular movements for this development will have a critical negative impact on the local highway network and result in an increased risk of accidents.
- The development should include a new footpath along Hurst Lane.
- Hurst Lane was selected by Surrey County Council as a safe National Cycling Path to give health benefits to the wider public.
- The council should consider a holistic plan to protect the local community.
- Hurst Lane is not fit for an industrial estate given its nature, location and access.
- Hurst Lane is mainly a single track which cannot cope with the increase in traffic including large commercial vehicles.
- This application which be expanding the B8 operations to create an operating centre for HGV's which is against the Green Belt.
- There are many errors in the Design & Access Statement.
- The Transport Statement is not correct and it is not considered that this development can ensure that a safe and suitable access can be achieved.
- Industrial activity in a domestic environment such as Hurst Lane of this nature is clearly inappropriate.
- There is no demand for this development.

- The development would be contrary to Green Belt policy within the NPPF and the Local Plan.
- The application would further expand an inappropriate B8 use within the Green Belt.
- This application would increase vehicular movements and increase the risk of accidents.
- The development would increase noise and light pollution.
- The development would increase flood risk.
- There would be no benefit to the local community.
- This scheme would detract from the existing vacant units at the Thorpe Industrial Estate.
- The Transport Statement is misleading.
- Currently there is very low traffic movement from the site and this has been the case for the last three years. There are no vehicle movements from the glasshouse on the north parcel as it is not in use. The approval of this application would change the traffic flow hugely.
- The southern parcel currently has planning for residential houses. This was given as a solution to this problem site. This 'fall back' is a much better option.
- The site owner has generally flouted planning protocol.
- The proposed buildings are out of keeping with the local character and the environment.
- The site for the warehouses falls outside of the present site of B8 operations and permissions. The prior owners had split the site in two for planning purposes and the northern side has been out of use for over 10 years. This is an expansion of commercial usage.
- Harm to ecology.
- Preserving the integrity of our designated Green Belt is paramount to maintaining the quality of life for our community.
- Devastating impact on property values.
- The application conflicts with existing surrounding land uses.
- Errors in the application and the Design & Access Statement.
- This application needs to be looked at together with RU.23/1202 in Hurst Lane, which is for 60 houses.
- The site is not an appropriate location for a distribution/operating centre for HGV's.
- Inaccurate representation on current parking and vehicle movements.
- An independent vehicle evaluation of the access through the single lane to gain access to the entrance of the site should be undertaken.
- The site sits within a groundwater source protection zone.

A further 6 letters of representation have been received in respect of the amended scheme which are summarised below:

- Earlier objections still stand.
- Concerns over the accuracy of the floor area and volume calculations.
- Objections that the warehouse building will be 1.35m higher than the existing glasshouse. The building exceeds any building on the site or in the surrounding area.
- The building is not in character with the agricultural nature of the environment. There are very good views into the site from the surrounding area and the footpath.

- The development represents a significant change which is not in compliance with Green Belt policy in the NPPG or the Local Plan and would have a visual impact on the Green belt.
- The development would fail to maintain openness and would detract from the visual amenity of the surrounding rural landscape.
- Why would this intensification be needed in this area. There is hardly any public transport around. This is definitely a car dependable area.
- This does not help the environment and would create more damage with pollution from the HGV's extra cars and vans using this area.
- There are no advantages to having this building which is for an operating centre in a residential area.
- Impact on the Landscape Problem Area (Officers comments: The 2030 Local Plan no longer has this designation)
- The proposal, when combined with all legal and uncertified structures, would exceed the size of the footprint of the largest structure on the site (Glasshouse 1).
- The proposed materials are materially different from the existing glasshouse, which is in keeping with the agricultural nature of the site.
- The application seeks to extensively expand the light commercial use of the Southern Site through expansion into the Northern Site via demolition of unused Glasshouse 1 which has never been part of the Southern Site.
- This is an abuse of the planning system to incrementally develop the site entirely for commercial gain.
- This major development would further expand an inappropriate B8 use.
- Increased vehicular movements from office workers and visiting HGV/LGV's
- Increased noise pollution through vehicles and forklift trucks loading and unloading HGV's .
- Increased light pollution through illumination of the trailer storage yard and industrial units
- Increased flood risk.
- Increased risk of accident / injury on Hurst Lane, which is a single-track lane with insufficient space for vehicles to pass and without sufficient street lighting or pedestrian pathway.
- Inappropriate development without benefit to the local community which will detract from existing vacant industrial units at the Thorpe Industrial Estate.
- The applicants proposed plans and elevation drawings are incomplete and misleading with no dimensional data of the existing or proposed structures and no tabular comparative against the existing structures that are supported by planning approval and or the certificate of lawfulness.
- Concerns over the accuracy of the Transport Statement. The summary statement of

a net reduction in vehicle movements is clearly false.

- The trailer park covers over 50% of the site which would commercially be used for other haulage companies to use the facility as “lay-over space. (Officers comments: The description of the application confirms that the service yard would be an ancillary use to the 3 warehouses)
- The closeness of the large warehouses to residential homes should mean that this is not approved.
- The Council should have an overall vision of how Hurst Lane can be restored to its original situation as a country residential lane, where the environment is enhanced rather than further damaged.
- Disagree with all of the supporting documents.
- All the area in the glasshouse should not be assumed as PDL.
- The development will be huge and unsightly.
- Can a plan be provided comparing the new height of the warehouses, against the height of the glasshouse currently there (Officers comments: This has been requested and has been received by the applicant)
- This application is extending development within a Greenbelt area, increasing the area of the footings, the volume of space and increasing the visual impact of the openness of the green belt.
- This site has planning for residential housing on both the south side and the north part of Bellbourne. Residential housing is more appropriate in this area.

In addition, a letter of representation has been received from the Stroude Residents Association raising the following objections to the development

- This site lies within the Green Belt and forms part of an important undeveloped break between Virginia Water and Egham.
- The site has a very chequered history with multiple applications and evidence of planning abuse over many years.
- The existing glasshouse they use for justifying the development is located on the northern part of the site and is not in commercial use.
- The permission of this application will see an increase in commercial use on the site.
- The height of the proposed buildings would be significantly higher than the existing glasshouses and would dramatically affect the openness of the Green Belt.
- The application also implies there will be a retail element to the development referencing ‘cash and carry’ facilities in the Transport Statement (Officers comments: There is no intention for a ‘cash and carry’ facility)
- The proposal will function as a mini retail park/trade centre similar to the Thorpe Industrial Estate. The number of empty units at the Thorpe Industrial Estate

illustrates there is no need for these units in the area.

- The Transport Statement suggests that the glasshouses would generate 24 vehicle trips per day yet they talk of providing 43 parking spaces which is more than is needed. The number of trips will be greater. This will further increase with any retail uses. There is also a likelihood that the site will operate 7 days a week.
- The application fails to mention that Hurst Lane becomes a single track at Padd Farm. The traffic resulting from both Padd Farm and Bellbourne Nurseries clearly demonstrates the existing limitations of Hurst Lane. Hurst Lane has no footpaths. Allowing an increase in traffic would be highly dangerous for existing road users. The local highway is unable to accommodate the proposed traffic types and volumes.
- Cemex may also obtain planning permission which will significantly increase the volume of HGC traffic along Stroude Road and this application would add to that already excessive proposed increase making Stroude Road a much more dangerous place for all road, cycle and pedestrian users.
- The development also has the potential to impact on the Grade II Listed Great Fosters Hotel.
- The council needs to work with all interested parties to develop a single, cohesive and appropriate plan for the whole of Hurst Lane.
- There is no overriding need for development in the Green Belt.
- The proposed building is out of character and excessive in size.
- There is no demand for the proposed commercial units in the area.
- The impact of this development combined with the other approved and proposed developments in Hurst Lane (Padd Farm, Green Landscapes) and the potential vehicle movements from gravel extraction on Whitehall Farm, will have a massive and negative impact on Stroude Road.

In addition, a letter has been received from the Thorpe Ward Residents Association raising the following concerns

- There are errors in the Transport Statement.
- This application for development in the Green Belt does not comply with the National Planning Policy Framework (Paragraphs 137 – 151)
- This application would represent an inappropriate development which would have a greater impact on the openness of the Green Belt than the existing development.

7. PLANNING CONSIDERATIONS

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are considered to be the principle of the development within the Green Belt and the impact upon

the Green Belt; the impact upon the character of the area and whether the development represents high quality design; the impact upon neighbouring residential amenities; the impact upon existing trees and biodiversity (including Biodiversity Net Gain) noise impacts, highway safety and parking; flood risk and drainage, sustainable design and archaeology.

The principal of the development within the Green Belt and the impacts upon the Green Belt.

- 7.2 The NPPF confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 152 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.3 The NPPF states that when considering any planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (paragraph 153)

Inappropriate development

- 7.4 Paragraph 154 of the NPPF stresses that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but highlights some exceptions to this which includes:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.5 Clearly the proposed development cannot be considered to fall within criteria a), b), c), e), or f). Regarding criteria d), the development would result in the replacement of an existing B8

storage building, but its replacement would be materially larger than the building it replaces. Lastly with regard to criteria g), given the current authorised horticultural use of the northern part of the application site which in planning terms counts as an agricultural use (section 336 Town and Country Planning Act 1990), the application site does not constitute previously developed land (annex 2, NPPF). Therefore, taken as a whole would not comprise the limited infilling or the partial or complete redevelopment of previously developed land. The proposed development would therefore be an inappropriate form of development which is harmful by definition.

Openness

7.6 The table below sets out the buildings to be demolished.

Building	Volume and Area	History	Full weight to demolition
Warehouse	1,730 m3	Lawful Commercial Use	1,730 m3
Ancillary Structures Warehouse	247 m3	Lawful Commercial Use	247m3
Glass House 1	988m2 footprint and 5,590m3 volume	Permission to convert 500m2 to commercial use ru.19/0575 implemented.	2,828 m3
Glass House 2	905 m2 footprint and 3,188 m3 volume	Currently vacant agricultural building	No weight as a currently an agricultural building

*Please note all measurements are an approximation

- 7.7 The proposed building would have a volume of 9,130m2. Full weight can be given to the demolition of approximately 4,805 m3 comprising existing buildings in commercial use.
- 7.8 Under this initial assessment there would be a clear impact on the spatial openness of the Green Belt. There would also be a small increase in the overall height of building on site by approx. 1.5m. However, given the consolidation of buildings on and the introduction of the ecological area which would result in approximately a third of the site from appearing undeveloped it can be argued that the development has a much more limited impact upon the visual openness of the Green Belt. Overall, therefore the overall harm to the openness of the Green Belt is considered to be moderate.
- 7.9 Given the existing development on site and its spread, the proposal is not considered to be contrary to any of the purposes of the Green Belt.
- 7.10 As confirmed above the development constitutes inappropriate development to which there is harm by definition, along with a moderate harm to the openness of the Green Belt. This harm must be attributed substantial weight against the proposal as set out in the NPPF and will need to be taken into account when considering whether any 'very special circumstances' exist which would clearly outweigh the harm to the Green Belt and any other harm. It is therefore necessary to consider whether any other harm would arise from the proposed development.

The impact of the development upon the character of the area.

- 7.11 The NPPF seeks to secure high quality development which will function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and sympathetic to local character and history including the surrounding built environment and landscape setting. Policy EE1 of the Runnymede 2030 Local Plan confirms that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area. The council has also published its Design Guide which provides design guidance to supplement policies within the Local Plan so that applicants are clear about the Council's expectations for development and high-quality design.
- 7.12 This application seeks to remove all existing authorised development across the Bellbourne Nursery site and replace with a single building comprising 3 warehouses (Use Class B8) with ancillary office accommodation at first floor level. The new warehouse building would be designed with a shallow curved roof extending to a maximum height of some 7.78 metres and a footprint of some 1258 square metres. Amended plans received have reduced the height and massing of the new warehouse building by reducing the height by some 600mm to better reflect the scale and massing of the existing greenhouse (greenhouse 1) to be demolished. This existing greenhouse extends to a maximum height of some 6.3 metres.
- 7.13 The replacement warehouse building would be set back further from Hurst Lane when compared with the existing B8 warehouse building positioned some 20 metres from Hurst Lane at its closest point. The building would also be located to the east of existing residential properties known as 1 and 2 Hogsters Cottages when viewed from Hurst Lane which would further reduce the visual impact of the building when viewed within the street scene.
- 7.14 The applicant seeks to externally clad the building in metal comprising a mixture of Kingspan flat metal cladding panels (Colour Greenrock RAL 6002) and a metallic profile steel sheeting system in RAL 6002. The curved roof would comprise a composite metal roof in Goosewing Grey. All glazed windows and doors would comprise clear double glazed panels with aluminium glazed frames. A planning condition could be imposed as part of any permission to secure submission of additional details for the chosen external materials (including the submission of samples) to ensure that the chosen external materials represent a high quality of design which would be in character with the local area.
- 7.15 The applicant advises that this development seeks to rationalise the existing authorised B8 uses across the site and improve the appearance of the site by providing an improved form and layout of development by concentrating the existing B8 uses within a single building. This development will allow for the demolition of the existing lawful development across the site and its replacement with a new high quality purpose built building for B8 purposes (storage and distribution). The existing greenhouses are considered to be in a poor state of repair. The applicant advises that this replacement building will be better designed and 'fit for purpose' when compared to the existing development.
- 7.16 The demolition of the existing development across the wider Bellbourne site also results in greater space across the site for improved parking and landscaping. This development will result in the removal of existing lawful buildings and structures with a volume of some 10,755 cubic metres. The existing footprint to be demolished is some 2,430 sqm. In comparison this development provides for a replacement B8 building of some 9,130 cubic metres with a footprint of some 1,254 sqm. This reduction in built development across the site will improve the parking layout across the site to provide properly laid out demarcated parking spaces for

both cars and HGV's.

- 7.17 This application also provides for improved hard and soft landscaping across the Bellbourne site including the creation of new areas of planting along the existing site boundaries and the creation of a new ecological area to the north of the site of some 550 square metres. This application also seeks to break up the existing large areas of tarmac across the site by utilising a variety of hardsurfacing materials including asphalt for the car park aisles and internal road construction and concrete block pavements for the individual car parking bays and footpaths. A planning condition could be imposed as part of any planning permission to secure the submission of a detailed hard and soft landscaping scheme and an ecology enhancement plan prior to the commencement of the development to ensure that the development is supported with a high quality hard and soft landscaping scheme.
- 7.18 It is considered that the design of the development will represent a high-quality scheme which will result in improvements to the design and layout of the existing development across the Bellbourne Nursery site which will protect and enhance the established character of the area and will comply with design policy within the NPPF, policy EE1 of the Runnymede 2030 Local Plan and the councils Design SPD.

The impact upon the amenities of existing surrounding residential properties

- 7.19 Existing residential properties are located to the west of Bellbourne Nursery including Hogsters Farm and 1 and 2 Hogsters Cottages. The redevelopment of the site provides the opportunity to improve the design and layout of the development and protect the amenities of these existing neighbouring properties. The rationalisation of the site results in the concentration of the existing B8 uses within a single building. The new building will be positioned in a similar position to glasshouse 1. The new building has also been designed with no windows in its side (flank) elevation to protect these existing neighbouring properties and their garden areas from overlooking and loss of privacy.
- 7.20 This application also seeks to provide a new planted buffer along the western boundary adjacent to these existing residential properties and their garden areas. This will provide an additional planted buffer between the development and these neighbouring residential uses. The improved parking layout will also ensure that the proposed parking and turning areas are positioned further away from the western boundary of the site to further protect residential amenities. The proposed new site layout retains a distance of some 13 metres between the western boundary of the site and the new parking and turning areas. This application also includes the provision of a dedicated area for lorry parking ancillary to the new B8 warehouses which will be positioned to the south of the site away from existing residential properties and their garden areas.
- 7.21 The replacement warehouse building is also considered to result in a more solid design and construction when compared with the existing glasshouse building (glasshouse 1) which has a lawful use in part for B8 use. This solid design coupled with the retention of the existing acoustic fence along the western side boundary and the revised layout of the development is considered to further protect existing residential properties from associated noise and disturbance from associated vehicle movements. The new warehouse building would be positioned some 31 metres to the east of 1 & 2 Hogsters Cottages and would be located within a similar position to the existing glasshouse (glasshouse 1) to be demolished. This positioning coupled with the design of the building is considered to protect the amenities of these existing neighbouring dwellings and their garden areas and is not considered to result in any overbearing impact, loss of privacy or overlooking to these existing properties.

- 7.22 This application also allows the council to impose planning conditions to restrict the hours of operation. Following discussions with the Councils Environmental Health Officer and the applicant, the hours of operation will be restricted to 08.00 –18.00 Monday to Saturday with no working on Sundays or bank holidays. This is considered to further represent an improvement over the current operation of the authorised B8 uses across the site. Further controls over proposed external lighting can also be secured as part of this application to ensure that any new lighting is sensitively designed to protect the amenities of existing surrounding residential properties. This could be secured through a planning condition should planning permission be recommended for the development.
- 7.23 This application also proposes the demolition of an existing glasshouse to the north of the application site which has an authorised use for horticulture. The applicant will remove this existing building and any hardsurfacing and will turn this parcel of land into a new ecological area comprising an open planted area of some 550 square metres. This aspect of the development proposals is considered to further protect the amenities of neighbouring properties by removing the authorised agricultural use of this parcel of land and any associated vehicular movements including the potential for larger agricultural vehicles and machinery.
- 7.24 On this basis the application is considered to protect the amenities of the existing residential properties located to the west of the site and will comply with policy EE1 of the Runnymede 2030 Local Plan.

The impact upon existing trees and biodiversity

- 7.25 Policy EE11 (Green Infrastructure) of the Runnymede 2030 Local Plan seeks to avoid further habitat fragmentation of Green Infrastructure by encouraging development proposals to restore, maintain and enhance green infrastructure and habitat connectivity. This application is supported by an Arboricultural Implications Assessment and Method Statement (including a Tree Protection Plan). This assessment advises that the site has sporadic vegetation in the form of trees, shrubs and hedges located around its periphery on its northern, southern and western boundaries. No category A and B trees were recorded during the assessment. The proposed development seeks to remove 3 tree groups (Category C – low quality). The assessment advises that these existing trees are considered to be of low quality and small in size which make no contribution to local amenity.
- 7.26 The councils Tree Officer considers that the proposed development will have minimal impact on the trees on this site. No objections are raised to the proposed removal of the Category C trees and the proposed tree protection is considered to be adequate. Existing trees to the west of the site are sufficiently distant from the proposed development and are not considered to be impacted by the development. The councils Tree Officer advises that the proposed development should be subject to a condition that all works are to be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan. This recommendation will be secured by condition should planning permission be granted for this development. This development is therefore considered to comply with policy EE11 of the Runnymede 2030 Local Plan and policy within the NPPF.
- 7.27 Policy EE9 of the Runnymede 2030 Local Plan seeks to protect and enhance biodiversity. This application is supported by a Preliminary Ecological Appraisal. This appraisal confirms that given the nature of the development it is not considered that there will be any detrimental impacts upon any statutory designated sites. The Ecological Appraisal found no evidence of protected species within the site. However, the appraisal confirms that existing trees provide suitable foraging and commuting habitat for bats which are proposed to be

retained as part of the redevelopment of the site. The development will also provide ecological enhancements through the retention and management of existing trees and the provision of new planting across the site and the provision of a new ecological area to the north.

- 7.28 The appraisal highlights that the existing tree lines, scrub and buildings are also considered to provide habitat for nesting birds. On this basis any vegetation clearance or building demolition should be undertaken to avoid the bird nesting season (1 March to 31 August) unless the buildings are inspected by an ecologist immediately prior to the commencement of works to confirm no nesting birds are present. If the presence of nesting birds is confirmed, a 5-metre buffer will need to be implemented, and no works will be permitted within this buffer. Works will be able to proceed once the young birds have fledged the nest of their own accord. It is therefore considered that subject to conditions the proposed development will not have any adverse impacts on protected species or statutory sites. An additional survey was also undertaken for Great Crested Newts which confirms that Great Crested Newts are not considered to be present on site and will not be impacted by the proposed development.
- 7.29 The Surrey Wildlife Trust (SWT) raise no objections to the development subject to planning conditions to secure the submission of a Sensitive Lighting Management Plan and a Landscape and Ecological Management Plan (LEMP) to secure biodiversity enhancements. The SWT also recommend that site clearance should be undertaken outside of the bird breeding season or following nesting bird checks. It is considered that these recommendations can be secured by planning condition should planning permission be recommended for the development. Natural England have also been consulted as part of this application and raise no objections to the development.
- 7.30 The application is also supported by a Biodiversity Net Gain (BNG) Assessment using the Defra 3.1 Metric. This assessment confirms that the development will provide a net gain of 13.85% in habitat units and a 129.05% net gain in hedgerow units. This includes the enhancement of 0.016 hectares of ruderal vegetation in the northern parcel of Bellbourne Nursery to mixed scrub and the creation of 0.1 kilometres of native tree line in the southwest corner. It is acknowledged that the mandatory 10% increase in Biodiversity Net Gain for new developments only came into force for major applications submitted on or after the 12th of February 2024. The council therefore cannot insist that the development in this instance provide the 10% BNG. The applicant however has provided a scheme which is considered to exceed this 10% requirement. On this basis this application is considered to represent significant improvements in biodiversity across the wider Bellbourne Nursery site.
- 7.31 In addition, the applicant also proposes ecological enhancements to include bat and bird boxes and the provision of a log pile in the southeastern corner of the site to provide habitats for small mammals, reptiles and invertebrates including stag beetles. The SWT support the BNG proposals and recommend that they be secured through the submission of a Landscape and Ecology Management Plan (LEMP). This will be secured through a planning condition should planning permission be recommended for the development. This development is therefore considered to comply with policy EE9 of the Runnymede 2030 Local Plan and policy within the NPPF.

Noise impacts

- 7.32 The application is supported with an Acoustic Assessment. This assessment confirms that the proposed hours of operation will be 08:00-18:00 Mondays to Saturdays only. On this basis the assessment focuses upon the potential for noise associated with daytime

operations (08:00-18:00 Mondays to Saturdays only for servicing and deliveries) and the potential for 24-hour operations of fixed plant and equipment serving the development. This assessment also acknowledges that an existing 3.1m acoustic fence has been erected along the western boundary of Bellbourne Nursery to protect existing neighbouring properties from noise relating to the existing on-site operations. This will be retained as part of this development.

- 7.33 The assessment concludes that the proposed redevelopment of the site (including deliveries) will result in an increase in the residual sound level of no greater than 1 dB, which is not considered to be significant. Details of fixed mechanical plant has not been provided at this stage so the assessment recommends that further consideration be given to the design and location of fixed plant and equipment to ensure that there will be no harmful noise impacts upon existing surrounding properties. It is considered that this requirement could be secured through a planning condition should planning permission be granted for the development. The assessment concludes that the proposed development is considered to be acceptable and will not result in any adverse noise on existing surrounding residential properties.
- 7.34 It is also recommended that should planning permission be granted for the development a planning condition should be imposed to ensure that the existing acoustic fence which has been erected along the western boundary (adjacent to the existing neighbouring residential properties) be retained in perpetuity. This acoustic fence was erected as part of the approved noise mitigation measures under planning application RU.21/1162 which approved details reserved by planning condition 4 (noise) under RU.19/0575 for prior approval for a proposed change of use of an agricultural building (glasshouse 2) to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly or leisure. As this existing glasshouse is proposed to be demolished as part of this current application a planning condition will be required to ensure that this existing acoustic fence is retained and maintained in perpetuity to protect existing neighbouring residential properties.
- 7.35 The Councils Environmental Health Officer raise no objections to the development subject to planning conditions to control noise impacts on the existing residential properties located to the west. This includes a planning condition restricting the hours of operation (including vehicle movements and deliveries) to between the hours of 08:00 – 18:00 Monday to Saturday with no operations on a Sunday. A planning condition is also recommended with respect to noise from plant and equipment to ensure that any associated plant and equipment is designed to protect residential amenities. These requirements could be secured through planning condition should planning permission be granted for the development. It is also considered that the planning condition relating to hours of operation should also restrict hours of operation on Bank Holidays. It is therefore considered that subject to conditions the development will have no adverse noise impacts on existing surrounding residential properties and the development will comply with policy EE2 of the Runnymede Borough Local Plan.
- 7.36 The Certificate of Existing Lawful Use granted under planning application RU.11/0275 established HGV movements into and out of the site in the morning and evenings comprising a maximum of 102 no. HGV movements per week (Mondays to Saturdays only) comprising a total of 12 no. HGV movements between 06:00 hours and 20:00 hours Mondays and 18 no. daily HGV movements between 00:00 hours and 20:00 hours Tuesdays – Saturdays plus a maximum of 30 no. HGV movements per week (Mondays to Saturdays only) between 06:00 hours and 17:00 hours. This was granted under this Certificate on the basis that these

hours of operation and level of vehicle movements were considered to be lawful at that time.

- 7.37 The ownership of the site has changed since this 2011 application. This application has been submitted on the basis that site operations will be restricted to the following hours (including associated vehicular movements) 08:00-18:00 Mondays to Saturdays only. These proposed reduced working hours will provide significant benefits to existing surrounding residential properties reducing early morning and evening operations. These proposed revised hours of operation can be conditioned and secured as part of this planning application.

Highway safety and parking

- 7.38 Policy SD4 (Highway Design Considerations) of the Runnymede 2030 Local Plan confirms that the Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of the needs of all highway users for safe access, egress and servicing arrangements. Development proposals which generate significant traffic movements must be accompanied by a Transport Statement which considers the impact of the proposal on the highway network and identifies the measures to mitigate impacts to acceptable levels. This policy states that development proposals will be supported where suitable mitigation measures identified in Transport Statements can be secured and implemented. This policy also states that design and parking standards for vehicle and cycle parking within development proposals will be assessed against the Council's adopted guidance. The council adopted its Parking Guidance SPD in November 2022
- 7.39 This application is supported with a Transport Statement. This statement confirms the development will provide a safe and suitable access from Hurst Lane and traffic generation will not harm highway safety. The development provides 43 car parking spaces for the new warehouse building and 3 loading/turning areas for lorries to access the new building to the south. No car parking is proposed for the lorry parking facility as this area is purely related to the lorries servicing the new 3 warehouses. The Council's Parking Guidance SPD provides guidance for parking for B8 (storage and distribution) uses. This equates to 22 car parking spaces and 8 lorry spaces. It is however acknowledged that there is an existing lawful B8 use within the application site with associated areas of open storage and unrestricted parking. This fall-back position has to be given weight
- 7.40 Furthermore, the Council's Parking Guidance SPD acknowledges that some larger scale non-residential developments may benefit from a bespoke car parking scheme, appropriate to the use and/or its location. Given that this site is not in a sustainable location and that overspill car parking along Hurst Lane would be both harmful to its character and could hinder vehicular movements along the lane detrimental to highway safety it is considered that the proposed parking layout for vehicles and lorries is considered to be acceptable in this instance.
- 7.41 This application also provides for a much-improved layout of parking (including lorry parking) when compared to the existing situation. The parking areas will be laid out and demarcated across the site and the area for lorry parking will be positioned in a dedicated enclosed area to the south of the site.
- 7.42 The Transport Statement advises that the trip rates for the existing warehouse use to the south of the site have been derived from a first principles assessment based on trips recorded by the Traffic Commissioner. This assessment advises that existing B8 use has approximately 48 individual vehicle trips per day. The Transport Statement advises that the existing glasshouse 1 has the potential to generate 24 vehicle trips per day. Combined, the

site (including the existing B8 use and glasshouse 1) has the potential to generate up to 72 vehicular movements each day. The Transport Statement has excluded Glasshouse 2 from this assessment as this building is currently vacant. However, it is acknowledged that this existing glasshouse has an authorised independent horticultural use which has the potential to generate further additional traffic movements across the site and on the local highway network.

- 7.43 The estimated trip rates for the new development have been calculated using the TRICS database. The statement advises that the proposed warehouse units would generate up to 68 vehicular trips per day. 36 will be Ordinary Goods Vehicle (OGV) trips. This includes goods vehicles over 3.5T including lorries and articulated vehicles. 8 will be Light Goods vehicle (LGV) trips and 24 will be cars. During the morning peak hour (08:00-09:00) the development will generate 7 vehicular trips. In the evening peak hour (17:00 – 18:00) the development will generate 2 vehicular trips.
- 7.44 The Transport Statement concludes that the proposed development would be likely to generate a similar number of vehicle movements as the existing B8 use to the south and for greenhouse 1. As the development results in the demolition of the existing glasshouse (glasshouse 1) this would lead to a net decrease in 4 vehicular movements each day. It is also acknowledged that the applicant proposes to demolish the existing glasshouse on the northern part of Bellbourne Nursery which has an authorised use for horticulture. The demolition of this building of some 905 square metres would further lead to a reduction in vehicular movements associated with the Bellbourne Nursery site.
- 7.45 The proposal provides for 43 individual parking spaces for the 3 warehouse units which provides a total of 14 spaces for each warehouse unit and visitor parking. The letters of representation raise concerns that the development will provide a 'cash and carry facility' which could result in additional vehicular movements to and from the site. This is not proposed as part of this application and there is no intention for a 'cash and carry' facility.
- 7.46 The County Highway Authority (CHA) raise no objections to the development subject to conditions. The CHA is content with the contents and conclusion of the Transport Statement which advises that there will be an overall reduction in vehicle movements when compared with the existing operations within the application site. The CHA advise that the proposed development is not considered to prejudice highway safety. The CHA are also content that the use of the existing access for the development will be safe and there are no requirements for any highway improvements associated with the development.
- 7.47 On the basis of the above it is considered that the proposed development will be safe and will not prejudice highway safety. Subject to planning conditions the development is considered to comply with policy SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.
- 7.48 Policy SD3 (Active & Sustainable Travel) of the Runnymede 2030 Local Plan confirms that the Council will support developments which enhance the accessibility and connectivity between people and places by active and sustainable forms of travel. This development will provide EV charging points for the proposed new parking areas. In addition, dedicated covered cycle parking for 6 cycles (including an ebike charging point) will be provided to the east of the site.
- 7.49 Whilst there are no dedicated cycle routes along Hurst Lane the Transport Statement confirms that north of the junction between Hurst Lane and Stroude Road, a shared foot and cycleway is provided which directly links to Egham. The application site is also accessible for pedestrians along Stroude Road. Although it is acknowledged there are no footpaths along

Hurst Lane. An existing footpath is 100m distance between the site access and the footways provided along Stroude Road. There is a footway provided along the eastern edge and western edge of Stroude Road. A pedestrian crossing point, equipped with a pedestrian island is located 130m further south along the road. The footways continue all the way into Virginia Water and Egham Town Centres. Existing bus stops along Stroude Road (220m south of the site and 400m north of the site) serve the 567 bus route. The closest train station to the site is located 2.1km south of the site (approx. 30 minute walk or 10 minute cycle).

- 7.50 The application is also supported with a Travel Plan which seeks to promote sustainable forms of transport. It is recommended that a Travel Plan (including a monitoring fee for Surrey County Council) be secured through a S106 legal agreement should planning permission be recommended. It is therefore considered that the proposal (subject to conditions) would comply with policy SD3 of the Runnymede 2030 Local Plan and policy within the NPPF.

Flood risk and drainage

- 7.51 Policy EE13 (Managing Flood Risk) of the Runnymede 2030 Local Plan confirms that new development will be guided to areas of lowest flood risk. The application site is located within Flood Zone 1. The development is therefore positioned within an area of lowest flood risk within the borough. This policy also requires development to satisfactorily attenuate surface water run-off and provide sustainable drainage systems (SuDS) for the management of surface water unless demonstrated to be inappropriate.
- 7.52 The drainage scheme provides a SuDS scheme for the Bellbourne Nursery site including the creation of a new landscaped zone to the north of the site following the demolition of the existing northern glasshouse (Glasshouse 2). This area will be grassed and landscaped and lowered to provide shallow open dry grassed infiltration basins (SuDS). The surface water drainage design also provides swales on the western and eastern boundaries which will take all rainfall into the infiltration basins. Two infiltration tanks are also proposed near the entrance of the site (adjacent to Hurst Lane) and associated new gullies.
- 7.53 The drainage strategy confirms that the drainage design will ensure that all rainfall will be contained within the Bellbourne Nursery site. The Lead Flood Authority fully supports the drainage proposals and recommends planning conditions to secure the final design and implementation of the scheme. A number of existing boundary trees are proposed to be retained in the northern part of the site so further consideration will need to be given to the positioning of the infiltration basins to ensure that these trees are protected during the proposed drainage works. The development is therefore considered to comply with policy EE13 of the Runnymede 2030 Local Plan and policy within the NPPF and will provide a high-quality SuDs drainage scheme for the entire site.

Sustainable design

- 7.54 The Council has recently adopted its Energy & Climate Change Mitigation SPD. The application is supported by a Sustainability and Energy Statement which considers policies SD7 and SD8 of the Runnymede 2030 Local Plan and the new SPD. The Statement includes an energy strategy showing how selected energy efficiency, low carbon and renewable energy measures have been considered and those, which have been recommended into the scheme. BRUKL calculations have been prepared for the building based upon the construction specification set out within the report and the detailed planning

drawings. These provide an accurate assessment of the energy demand and carbon emissions from the building.

- 7.55 The building has been designed and will be constructed to reduce energy demand and carbon dioxide emissions. The following hierarchy has been followed:
- Lean reduce demand and consumption
 - Clean increase energy efficiency
 - Green provide low carbon renewable energy sources
- 7.56 Passive measures include allowing for natural ventilation coupled with high levels of insulation, air tightness and the control of solar gain. The proposed design includes glazed openings only on the south elevation. This provides natural daylight to the building whilst providing for high levels of insulation across the other parts of the building. It is proposed to enhance the fabric insulation standards of the building above the minimum required by Building Regulations. In addition, it is proposed to target a 38% improvement in the air tightness standard of the building compared with the maximum permissible by the Building Regulations. The orientation and the size of the windows have also been optimised to maximise the amount of natural daylight and therefore reduce the demand for artificial lighting. All internal lighting will be energy efficient. The building will also benefit from efficient water appliances, with all WCs being dual flush and low volume.
- 7.57 This statement also recommends that an air source heat pump be considered, which will provide space heating to the building from renewable technologies and photovoltaic panels be provided on the roof of the building. The applicant has confirmed that these will be positioned flush with the roof. This will comprise of 35 x 400W panels which will be orientated towards due south on the roof. The statement concludes that the total energy provided by renewable technologies is 14,692 kWh per year which equates to 65.16% of the total energy demand of the building. Preference will also be given to the use of local materials & suppliers where viable to reduce the transport distances. A full evaluation of these suppliers will be undertaken at the next stage of design. In addition, timber would be sourced, where practical, certified by PEFC or an equivalent approved certification body.
- 7.58 The statement also considers waste confirming that any materials that cannot be reused on site will be sorted and recycled where appropriate. Following consultation with the Surrey County Minerals Authority they raise no objections to the development subject to the submission of a Site Waste Management Plan. It is recommended that this requirement can be adequately secured through a planning condition. In addition, a further condition is recommended, should planning permission be granted for the development to secure further details of the design and location of refuse and recycling stores. A planning condition is also recommended to secure the submission of a final Sustainability and Energy Statement which confirms the final proposed scheme including the submission of a noise assessment should air source heat pumps be proposed in the final scheme to ensure that there will be no harmful noise impacts on neighbouring residential properties. The development is therefore considered to comply with policies SD7 and SD8 of the Runnymede 2030 Local Plan and the councils SPD.

Archaeology

- 7.59 The applicant has supplied a desk based archaeological assessment which concludes that the site has a moderate potential for archaeological remains from the later

prehistoric through to the medieval period. The assessment recommends that further work is required in order to clarify the archaeological potential of the site. Surrey County Archaeology raises no objection to the development subject to a planning condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation. It is recommended that this requirement be secured through a planning condition should planning permission be granted for the development. On this basis the development is considered to comply with policy EE7 of the Runnymede 2030 Local Plan and policy within the NPPF.

Green Belt (Very Special Circumstances) and Planning Balance

- 7.60 As outlined earlier in the report, the development is considered to represent an inappropriate form of development in the Green Belt and there is harm by definition. The development is also considered to have moderate harmful impacts on the openness of the Green Belt. In accordance with paragraph 152 of the NPPF, the harm to the Green Belt by reason of appropriateness and other harm to the Green Belt is given substantial weight.
- 7.61 Paragraph 153 of the NPPF sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The relevant material considerations have been carefully assessed by Officers to consider whether very special circumstances exist in this case.

Rationalisation and landscape improvements of the existing site

- 7.62 The applicant proposes to demolish and remove all existing lawful buildings and structures across the Bellbourne Nursery site and create one planning unit with properly laid out parking and landscaping. This will significantly visually improve the site and overall, there would be a consolidation of buildings and land uses.
- 7.63 Additionally, the B8 use to the south of the site which is authorised under a Certificate of Existing Lawfulness Application under application RU.11/0275 allows the use of the existing building and land to the south of the existing glasshouses to be used for a Class B8 use (storage and distribution) independent of the wider site. As part of this application the Council was unable to control the layout of parking (including lorry parking) across the southern site. This has resulted in large areas of uncontrolled parking including lorry parking.
- 7.64 This application will provide for a much-improved layout with designated parking and service areas which will be positioned further away from neighbouring residential properties. This includes the provision of a dedicated ancillary service yard for lorry parking to the south of the site away from existing neighbouring residential properties. This application also introduces new areas of planting across the site including a new planted buffer along the western boundary adjacent to existing neighbouring residential properties. This new layout of development will encourage occupants and visitors to the site to utilise these allocated areas resulting in visual improvements to the existing character of the site and improvements to neighbouring residential amenities.
- 7.65 The area to the north of the site (which has an independent horticultural use) is proposed to be utilised as a new planted area to provide ecological enhancements and a new sustainable drainage scheme. This aspect of the proposals will secure the removal of glasshouse 2 and the removal of the existing horticultural use. This will result in the provision of additional open space towards the north of the site and the removal of the authorised

horticultural use which will result in a reduction in operations to the north of the site and a reduction in potential vehicular movements across the site which will result in improvements to both the Green Belt and improvements to neighbouring residential amenities.

Ecological enhancements

7.66 This application is not required to provide a 10% Mandatory Biodiversity Net Gain. On this basis to be policy compliant this development is only expected to provide a minimal uplift in BNG. This application will provide a net gain of 13.85% in habitat units and a 129.05% net gain in hedgerow units. This includes the creation of a new ecological area to the north of Bellbourne Nurseries following the demolition of the existing glasshouse 2. This area will be planted and will also provide a natural area for SuDs which will be retained in perpetuity. It is recommended that this be secured through a S106 legal agreement. The applicant also proposes additional ecological enhancements to include bat and bird boxes and the provision of a log pile in the southeastern corner of the site to provide habitats for small mammals, reptiles and invertebrates including stag beetles.

Fall Back Position

7.67 The attributing of weight to the demolition of the buildings as a fallback position is a matter of judgement for the decision maker, as established by case law The Court of Appeal in *Mansell v Tonbridge And Malling Borough Council* [2017] EWCA Civ 1314..... Here it was concluded that there is no rule of law that, in every case the “real prospect” will depend, for example, on the site having been allocated for the alternative development or planning permission having been granted, or the developer having said previously how he would make use of any permitted development rights available to him under the GPDO. In some cases that degree of clarity and commitment may be necessary in others not.

7.68

	Most Relevant Prior Approvals	Fall Back Position
Glass House 1	Permission to convert 500m2 to commercial use ru.19/0575 implemented. Also had permission to convert the existing building into 5 dwellings ru.20/0237. Not implemented now expired but could reapply.	Under the updated legislation 21 st May 2024 Class Q – Now could convert up to 10 dwellings, maximum floor area 1000m2 subject to certain criteria. (Previously 5 dwellings maximum floor area 865m2) and: Under the updated legislation 21 st May 2024 Class R - Now could convert up to 1000m2 (previously 500m2) subject to certain criteria. The Town and Country Planning (General Permitted Development) (England) Order 2015
Glass House 2	Permission to convert max 500m2 to commercial use ru.19/1822. Not implemented now expired but could reapply.	Under the updated legislation 21 st May 2024 Class R - Now could convert up to 1000m2 (previously 500m2) subject to certain criteria. *The 1000m2 can't be used under Class R for both of the buildings as the maximum 1000m2 is per agricultural unit

		not building. The Town and Country Planning (General Permitted Development) (England) Order 2015
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- 7.69 Given the sites history it is reasonable to assume that should this permission be refused; the landowner would look to develop the sites potential through permitted development rights. Also importantly given the approval of the previous prior approvals it has been demonstrated that it is highly likely the prior approval criteria can be met which allows the fallback position to be given weight.
- 7.70 The proposed building would have a volume of 9,130m². If weight is given to the maximised fallback position the total volume of buildings that could be given weight would be 10,755m³ which would result in an improvement to the spatial and visual openness of the Green Belt.
- 7.71 Any very special circumstances are required to be assessed against the specific circumstances of the application site in question and the specific development proposals under consideration. These must be fully balanced against any harm identified. It is concluded the rationalisation of the site, landscape improvements, and ecological enhancements would cumulatively represent a significant benefit which would justify the development and clearly outweigh the harm that has been identified to the Green Belt, and would represent very special circumstances. Furthermore, the realistic fall-back position would represent further benefits which in combination would clearly amount to very special circumstances.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 Only development proposing residential and/or offices (Class E(g)(i) where net additional floorspace is 100 square metres (sqm) or more or proposing 1 or more dwellings is affected by the CIL charge. All other development will not be liable for CIL in Runnymede. On this basis the development is not considered to be CIL liable.
- 8.2 It is considered that should planning permission be recommended for this development this should be subject to the prior completion of a S106 Legal Agreement to secure:
- The removal of the existing buildings and structures across the Bellbourne Nursery site.
 - The creation of a new Ecological Area to the north of the wider Bellbourne Nursery site in perpetuity.
 - To secure a Travel Plan and monitoring fee.

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 It has been demonstrated that there is a case of very special circumstance which would clearly outweigh the moderate harm to the openness of the Green Belt along with the harm. As such the development can be considered to comply with Green Belt policy.
- 10.2 The design of the development will represent a high-quality scheme which will result in improvements to the design and layout of the existing development across the Bellbourne Nursery site which will protect and enhance the established character of the area and neighbouring residential amenities. The development will protect existing higher category trees across the site and will provide for a high-quality new landscaping scheme. The development will protect and enhance existing biodiversity and will provide a net gain of 13.85% in habitat units and a 129.05% net gain in hedgerow units. The council's Environmental Health Officer raises no objections to the development subject to planning conditions to control noise impacts on the existing residential properties located to the west.
- 10.3 The County Highway Authority (CHA) raises no objections to the development subject to conditions. The CHA is content with the contents and conclusion of the Transport Statement which advises that there will be an overall reduction in vehicle movements when compared with the existing operations within the application site. The CHA advise that the proposed development is not considered to prejudice highway safety. The CHA are also content that the use of the existing access for the development will be safe and there are no requirements for any highway improvements associated with the development. The development also provides for sustainable modes of transport including facilities for cycle parking and EV charging points. The development will also be supported by a Travel Plan.
- 10.4 The development is positioned within an area of lowest flood risk within the borough (Flood Zone 1) and will satisfactorily attenuate surface water run-off and provide sustainable drainage systems (SuDS) for the management of surface water across the site. The development has been designed to comply with the council's recently adopted Energy & Climate Change Mitigation SPD. Subject to a planning condition there are not considered to be any impacts upon archaeology.
- 10.5 The development has been assessed against the following Development Plan policies – SD3, SD4, SD7, SD8, EE1, EE2, EE7, EE9, EE11, EE12, and EE13 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material

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

- 10.6 Under 'The Town and Country Planning (Consultation) (England) Direction 2024 the local planning authority is required to consult the Secretary of State in respect of developments comprising new floor areas of 1,000 square metres or more of building within the Green Belt. Therefore, subject to a resolution by the Committee to grant planning permission, the application will need to be referred to the Secretary of State to determine whether he wishes to call-in the application and make the decision himself. If he decides not to call in the application, the permission can be issued by the Council.

11. FORMAL OFFICER RECOMMENDATION

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

- 1) **The removal of the existing buildings and structures across the wider Bellbourne Nursery site.**
- 2) **The creation of a new Ecological Area to the north of the wider Bellbourne Nursery site.**
- 3) **To secure a Travel Plan and monitoring fee.**

And the subject to the following planning conditions:

1) Full application (standard time limit)

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

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

2) List of approved plans

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

Location Plan (2687-PL210 Rev A) received 18.11.2024

Proposed Site Plan (2687-PL201 Rev D) received 18.11.2024.

Proposed front and rear elevations (2687 -PL203 Rev B) received 25.10.2024.

Proposed side elevations and section (2687-PL204 Rev C) received 25.10.2024.

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

3) Demolition of buildings

Prior to the commencement of the development hereby permitted the existing buildings shown for demolition as identified upon the proposed approved plan shall be completely demolished and all materials removed from the site.

Reason: In order to accord with the terms of the application and the applicants package of 'very special circumstances' and to protect the Green Belt to comply policy within the NPPF

4) External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details and samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details.

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

5) Hours of operation

No operations (including vehicular movements) shall take place within the application site outside the hours of 08:00-18:00 Mondays to Saturdays with no operations on Sundays or Bank Holidays.

Reason: To accord with the terms of the application (as a very special circumstance that is required (in part) to outweigh the harm to the Green Belt) and in the interests of the amenities of neighbouring residential properties to comply with Policies EE1 and EE2 of the 2030 Runnymede Local Plan and policy within the NPPF.

6) Electric vehicle (EV) charging points

The development hereby approved shall not be occupied until at least 50% of all parking spaces are provided with a fast-charge E V charging point (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 to and approved in writing by the Local Planning Authority. Once approved the development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: To secure active & sustainable travel in line with policy SD3 of the Runnymede 2030 Local Plan and policies within the NPPF.

7) Parking, loading/unloading and turning of vehicles.

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

Reason: To accord with the terms of the application (as a very special circumstance that is required (in part) to outweigh the harm to the Green Belt) and to ensure that the development should not prejudice highway safety or cause inconvenience to other highway users to comply with policy SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

8) Bicycle parking and charging for e-bikes.

The development hereby approved shall not be first occupied until facilities for the secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be undertaken in accordance with the approved details and thereafter retained and maintained.

Reason: To secure active & sustainable travel in line with policy SD3 of the Runnymede 2030 Local Plan and policies within the NPPF.

9) Construction Transport Management Plan.

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

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

has been submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be undertaken in accordance with the approved details during the construction of the development.

Reason: In order that the development should not prejudice highway safety or cause inconvenience to other highway users to comply with policy SD4 of the Runnymede 2030 Local Plan and policy within the NPPF.

10) Sustainable Drainage Scheme

The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The final solution should follow the principles set out in the submitted drainage strategy. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels. Where infiltration is proposed 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.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+25% allowance for climate change) & 1 in 100 (+25% allowance for climate change) storm events during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off including multifunctional sustainable drainage systems.
- c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.

- d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
- e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
- f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational.

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

11) Drainage verification Report

Prior to the first occupation of the development hereby permitted, a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the surface water drainage system has been constructed in accordance with the approved scheme (or detail any minor variations), confirming any defects have been rectified. The report shall provide the details of any management company and provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS and to comply with policy EE13 of the Runnymede 2030 Local Plan and policy within the NPPF.

12) Renewable energy (details required)

Prior to the commencement of above ground development a Sustainability and Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement should provide further details of sustainable design and the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies. Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the Local Planning Authority.

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

Reason: To secure sustainable design and the provision of a minimum of 10% of the energy requirement of the development to be produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of existing surrounding residential properties to comply with Policies SD7, SD8 and EE2 of the Runnymede 2030 Local Plan, the councils Climate Change Mitigation SPD and guidance within the NPPF.

13) Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of the development a LEMP linked to the submitted Ecological Impact Assessment and Biodiversity Net Gain Assessment shall be submitted

to and approved in writing by the Local Planning Authority. The LEMP should include details of the following;

- i) Description and evaluation of features to be managed and created.
- ii) Aims and objectives of management.
- iii) Appropriate management options to achieve aims and objectives.
- iv) Prescriptions for management actions
- v) A scheme for biodiversity enhancements within the site including preparation of a work schedule for securing biodiversity enhancements in perpetuity.
- vi) Details of the body or organisation responsible for implementation of the LEMP
- vii) Ongoing monitoring and remedial measures.
- viii) Details of legal / funding mechanisms.
- ix) Proposals for net gain should be clearly recorded and reported through use of an appropriate metric such as the DEFRA Biodiversity Metric 2.0. Any net gain should be fully secured and funded for the lifetime of the development.

Reason: To accord with the terms of the application (as a very special circumstance that is required (in part) to outweigh the harm to the Green Belt) and to secure the protection and enhancement of biodiversity and nature conservation within the site to comply with policy EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and policy within the NPPF.

14) Vegetation and bird survey

Any scrub, hedgerow and tree clearance must be undertaken outside the breeding season (March to July inclusive). If this is not possible the site should be inspected for active nests by an ecologist immediately prior to clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

Reason: To protect birds during site clearance works and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance within the NPPF.

15) External Lighting

Prior to installation, details of any external lighting (including their design, positioning within the application site and a proposed lux levels plan) shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and be retained as such thereafter.

Reason: In order to protect the character of the area, neighbouring residential amenities and biodiversity in accordance with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

16) 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, tree protective measures shall be installed in accordance with the approved Arboricultural and Implications Assessment and Method Statement received 28.09.2024. The works shall be carried out in accordance with the approved Tree Protection Plan and Arboricultural Report and the tree protective measures shall remain in place until all works are complete and all machinery and materials have finally left the 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 Local Planning Authority.

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

17) Bin store provision

Prior to the commencement of the above ground construction of the development hereby permitted further details of the siting, size and design of the refuse and recycling bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling bin stores and facilities shall be provided in accordance with the approved details prior to the first occupation of the development and retained thereafter.

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

18) Site Waste Management Plan

Prior to the commencement of the development (including demolition works) further details of a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be undertaken in accordance with the approved details.

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

19) Programme of 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 EE3 and EE7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

20) Mechanical plant

Prior to installation further details of the proposed mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. Details shall include acoustic data to demonstrate that there will be no harmful noise impacts, as well as details of the location of the unit(s) and the distance to the closest residential property. Once approved the development shall be undertaken in accordance with the approved details and thereafter retained.

Reason: To protect the amenities of occupiers of existing surrounding residential properties to comply with Policy EE2 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) Hard and soft landscaping

Prior to above ground development, further details of the proposed design of the hard landscaping including surfacing materials and proposed soft landscaping (including tree planting) within the application site and times of planting shall be submitted to and approved in writing by the Local Planning authority.

When approved the development shall be undertaken in complete accordance with the approved plans. The proposed soft landscaping details shall include species, size and height at time of planting and the proposed time of planting.

All tree planting shall be carried out in accordance with the approved details and by the approved times. Any new planting, 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 suitable size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

Reason: In accordance with the terms of the application (as a very special circumstance that is required (in part) to outweigh the harm to the Green Belt) and to ensure that the development proposals seek to provide a high quality landscaping scheme in order to enhance the appearance and biodiversity of the area to comply with policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

23) Acoustic Assessment

The development hereby permitted shall be undertaken in accordance with the Acoustic Assessment Report received 28.09.2024 and the existing 3.1m acoustic fence positioned along the western boundary of the site adjacent to existing neighbouring residential properties shall be thereafter retained.

Reason: To protect the amenities of occupiers of existing surrounding residential properties to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF

Informatives

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

2)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 2023. 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.

3) It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in non-domestic buildings the premises should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-1 of the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

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

5)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.

6)The applicant is advised that with respect to planning condition 17 the councils Environmental Health Officer has advised that the cumulative noise from the mechanical plant should not exceed a rating level at the nearest residential properties of 43 dB LAr, Tr daytime and 41 dB LAr, night time.

7)The applicant is advised of the comments from Thames Water in their consultation response dated 13.11.23.