

Committee Agenda Reference 5A

APPLICATION REF:	RU.21/1634
LOCATION	2 & 2a Guildford Road Chertsey KT16 9BJ
PROPOSAL	Outline application for the erection of a 4 to 5 storey building comprising 54 one and 2 bed apartments following demolition of existing vacant office building and residential home (Matters reserved: Landscaping)
TYPE	Outline
EXPIRY DATE	30/09/22
WARD	Chertsey Riverside
CASE OFFICER	Katherine Appleby
REASON FOR COMMITTEE DETERMINATION	Major Development
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	To approve the application subject to the completion of a S106 agreement and planning conditions
2.	To refuse planning permission at the discretion of the CHDMBC should the S106 not progress to his satisfaction or if any other material planning matters arise prior to the issuing of the decision that in the opinion of the CHDMBC would warrant the refusal of planning permission.

- 1.1** ***This application was deferred by the Planning Committee on 13th July 2022 for one committee cycle to amend the plans in order to reduce the bulk, scale and mass of the proposals, amend the location of the proposed play area and provide verified views of the proposals.***

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1** The site is roughly rectangular in shape, measuring 0.23ha and consists of two vacant properties, 2 Guildford Road known as Byfleet House - a self-contained 2-storey office building with a large rear car park and 2a Guildford Road, a 2-storey former 12 bed care home with a deep rearward 2 storey projection and an enclosed rear garden. The site has an irregular shape, with residential properties to the northwest, which include the Cowley's Almshouses (Grade II Listed) as well as the 2-4 storey high sheltered residential scheme known as Floral House and to the south and west the 2-4 storey high residential scheme known as Highcross Place including new terraced houses whose rear elevations and gardens face towards the site. Abutting the site to the south-west is Galleon House at 4-10 Guildford Road which comprises a recent office to residential conversion with extensions to the roof providing a total of 12 flats, the railway line running along the northeast boundary of the site and close to a level crossing and the Grade II Listed Chertsey railway station building further

north. On the opposite side of the railway line immediate development is predominantly commercial units leading towards the town centre. Entrance to the parking for both properties is gained via a small access road between the two buildings off Guildford Road.

- 2.2 The site is relatively flat with some mature trees and greenery along the boundaries and is in the urban area and lies in Flood Zone 1. The site also lies within 5km of the Thames Basin Heaths Special Protection Area (TBHSPA), is within an Area of High Archaeological Potential. It is also a site identified in the Councils Strategic Land Availability Assessment (SLAA-Feb 2022 -ID 417) with a total (net) site capacity of 48.

3. APPLICATION DETAILS

- 3.1 The proposed development seeks outline planning permission for the erection of a 4 to 5 storey high building comprising 54 apartments (made up of 27 one bed and 27 bed apartments) following the demolition of the existing vacant office building and residential home. The principle of access to the highway, appearance, layout, and scale are the matters for the determination with landscaping the only matter being reserved for future determination. The application has been amended following comments and feedback received from planning officers to comprise the following changes.

- 27 X 1-bed units (previously 25)
- 27 X 2-bed units (previously 29)
- 900 sqm communal external amenity area (previously 842 sqm)
- 4,013 sqm total floorspace (previously 4,046 sqm)
- 6 parking spaces (previously 4 spaces)

Since the 13th July planning committee the proposals have been amended which comprise the following changes.

- **Building footprint set back 1m further from Guildford Road frontage allowing more soft landscaping along site perimeter on this side.**
 - **Car parking adjusted**
 - **Play Area relocated to central area on site due to previous position being too close to railway line**
 - **Building 1 mansard set back 2m further on Guildford Road side whilst still accommodating the overall apartment mix.**
 - **Building 2 mansard set back 2.55m further on Guildford Road side with overall apartment mix maintained.**
 - **Design of Fourth Floor Plan amended to improve apartment layouts.**
 - **Section on mansard adjusted whilst still maintaining the same top roof level.**
 - **Individual dormers set back 200mm to reduce their prominence.**
- 3.2 The building would contain a maximum of 5 storeys with the roof level comprising a mansard design set in from the floor below. The building would comprise 2 main parts built either side of the existing reconfigured access road. The 2 parts would be linked by a connecting wing that would bridge over the access road allowing vehicular access to 6 car parking spaces to the rear. That part of the building to the south of the access road (Building 1) would be 4 storeys as would the rear element of the northern building (Building 2). Other details would include full height windows for daylighting and a contemporary feel, inset and projecting

balconies and ground floor private guarded terraces predominantly with glazed balustrades. The heights of the two buildings would range between approximately 8.5 metres - 14.4 metres. The main materials proposed would comprise zinc roofs, bricks, and reconstituted stone with brick predominating (to reflect the main local building material). These materials are proposed with the stone generally on the bulk of ground floor walls, with brick on the 2 levels above and, on building 2, a further level of stone. The recessed link element would be all stone and there would be some zinc vertical cladding between several smaller windows to add additional visual interest.

- 3.3 The existing street access onto the site is to be reconfigured and a new access to be moved further away from the railway to reduce highway implications. The entrance has been located in the middle of the site, allowing for various green borders and vegetation to enhance the current entrance onto the site. A total of 6 car parking spaces are proposed adjacent to the access road to the rear comprising 2 -car club, 2-disabled use and 2 visitors as well as electric vehicle charging points. Enclosed and covered cycle stores on the ground floor which would provide 60 spaces as well as internal bin stores with space for storage of separate waste and recycling containers has been proposed within each building both which would be located adjacent to the main entrance and lobby to the buildings which would be situated either side of the link bridge.
- 3.4 There are only a few significant trees on the site with a number of large trees within the land owned by the railway that will not affect the scheme due to the separation distance. Even though landscaping is reserved for future determination, an Arboricultural Report has been submitted which details the tree protection measures, with the main communal garden areas located close to the rear of the two blocks. More open amenity space and landscaping is proposed than is currently on site and no significant trees require removal.
- 3.5 The applicant has submitted several other documents and plans including a Design and Access Statement, an Environmental Noise Assessment, Archaeological Desk-Based Assessment, Planning Statement, Energy Statement, Affordable Housing Statement, Flood Risk and Drainage Assessment, Transport Assessment, Travel Plan and a Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment.
- 3.6 According to the applicant the development is currently proposed to be an 100% affordable scheme, although this element is still subject to negotiations with a Registered Provider. The intention is to deliver the entire site as affordable housing, specifically at much needed Social Rent levels. The applicant has submitted a draft s106 agreement securing contributions to SAMM/SANG.
- 3.7 According to the applicant the layout was developed directly from the constraints and opportunities the site offers to create an integrated design that sits within the existing context. Due to its town centre location the design compares favourably with the density of many of the developments of a similar scale within the vicinity of the site and in similar locations (e.g., apartments at Victory Park Road and at Addestone One development). The applicant considers that the proposals will upgrade the area immediately facing the railway with a landmark development which is visible upon arrival into Chertsey. This application seeks to provide much needed accommodation in a sustainable location.

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

Reference	Details
RU.20/0046	Erection of a 3 to 6 storey high building comprising 70 apartments in a mixture of studios, 1 and 2 bed apartments following demolition of an existing office building and residential home with associated car parking, refuse, cycle stores and communal amenity area. Refused 14 th July 2020
RU.94/0522	Erection of a two storey (12 bed) registered care home and associated two storey office building. Granted 31/01/95
RU.92/0034	Erection of 3 storey building for Business Use (Class B1) with associated parking following demolition of existing public house (revised plans received 14.2.92) refused 07/01/92- appeal dismissed

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 Runnymede Design SPD 2021
- 5.4 SPDs including but not limited to Thames Basin Heaths Special Protection Area 2008, Affordable Housing, S106 Contributions, Green and Blue Infrastructure (GBI).

6. CONSULTATIONS CARRIED OUT

Consultee	Comments
Environment Agency	No objection
RBC Arboricultural Officer	No objection subject to conditions
Natural England	No objection
RBC Contaminated Land Officer	No objection subject to conditions
SCC County Highway Authority	No objection subject to conditions
SCC Lead Local Flood Authority	No objection subject to conditions
SCC Archaeology	No objection subject to conditions

RBC Drainage Engineer	No objection subject to conditions
RBC Housing Manager	No objection
Surrey Wildlife Trust	No objection subject to conditions
RBC Planning Policy	No objection
Network Rail	No objection
RBC Environment Health Officer	No objection subject to conditions
RBC Conservation Officer	No objection

6.1 Representations and comments from interested parties

6.2 148 Neighbouring properties were consulted in addition to being advertised on the Council's website and 11 letters of representation have been received from neighbouring properties expressing the following concerns:

- Not enough parking is proposed -will there be a condition of rent/sale that these people don't have cars?
- Noise nuisance from the additional flats being located so close to other residential properties
- The area will become gridlocked when the barriers are down for the trains.
- Overdevelopment
- Out of character, out of proportion and out of place in the area and will create an eyesore
- Overlooking
- Loss of privacy
- Public transport services in Chertsey (Rail and Bus) are not good enough to eliminate the need for cars
- All local schools are significantly oversubscribed
- Local doctors do not have capacity
- Building of such a height could set a precedent in the area
- The proposal is very close to the railway line and level crossing and would be very noisy for some of the apartments
- The roads are already highly congested and pollution in the area is on the increase
- Devaluation of property
- Overbearing and will cause overshadowing
- The site would be better placed to be developed for a care home
- Employees from surrounding businesses already use the nearby streets to park

7. PLANNING CONSIDERATIONS

Principle and Quantum of Development

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is also included in the SLAA (Feb 2022) which identifies that this site could accommodate 54 units (net 48 due to the loss of 12 care home units which would equate to 6 residential units). The application site is located within the urban area where the principle of such development is acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning considerations are the acceptability of development in this location, the acceptability of the access proposed, the impact of the development on the character and visual amenities of the area, including trees, the impact on residential amenity, including noise impacts, affordable housing and infrastructure contributions, issues of traffic, highway safety and parking, contamination, flood risk and drainage, archaeology, and ecology including species protection and biodiversity of the area.
- 7.2 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development which consists of three roles; An economic role, social role and environmental role and confirms that the planning system should do everything it can to support sustainable economic growth and that planning should operate to encourage and not act as a pediment to sustainable growth. The application site (no. 2 only) formed part of a wider ELR site (C7), which covered a number of buildings, however The Runnymede 2030 Local Plan has since been adopted and Policy IE3: Catering for modern business needs is relevant. However, it does not appear that the vacant office falls under any of the categories set out under the bullet points of this policy.
- 7.3 The site is predominantly surrounded by residential uses and is located within a reasonable walking and cycling distance of key facilities in Chertsey Town Centre as well as other leisure, employment and education facilities close to the site. Bus stops providing access to Chertsey Town centre as well as to the nearby larger towns of Staines-upon-Thames and Woking are located just a short distance away, and Chertsey Rail Station provides access to the rail network for longer distance trips with the M25 close by. As such the site is in a settlement location and has reasonable access to local facilities and is in a sustainable location. The site has been vacant and under used for some time and is close to local facilities. Also relevant is to help meet employment needs Policy IE1 of the Runnymede 2030 Local Plan proposes to allocate Byfleet Road for some 20,000 sqm net additional employment floorspace (a planning application for this site has been submitted under RU.21/0207-yet to be determined). In terms of acceptability of a residential use compared with a commercial or mixed use, Policy SD1 of the Local Plan advises that Chertsey including Chertsey South will require 2,212 net additional dwellings during the period of the Local Plan (2015-2030). Therefore, it is considered that the use of the site for residential use would be acceptable in principle.

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

- 7.4 A core principle of the NPPF is the provision of high-quality design and that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions. Local Plan Policy EE1 provides a range of requirements for new residential development and the supporting text refers to the careful planning required for such development to meet the objectives of the policy.
- 7.5 The proposed development is on a prominent site, close to the railway crossing and station and it is considered a development in this location could have a positive impact. The predominant character of the immediate area is two storeys, max 2 ½ stories including some Victorian properties, the modern development to the rear is predominantly two storeys with some three storey town houses, (although opposite the site there is some 4-storey set back

from the road frontage) and the adjacent former 2 storey high office building to the west has recently been converted to residential use which included an additional floor and a rear extension. Offices/warehouse are located to the east with the railway line in between and this south side of the railway tracks feels much lower and residential, compared with the opposite side around the station and towards the centre of town.

	Previous RU.20/0046	Current RU.21/1634
Storeys	3-6	3-5
Height	9.5-18.9 metres	8.5 - 14.4 metres
No. of units	70	54
Back to back separation distances	12.3m (at three storeys) to 21.8m (at six storeys)	11.3m (at three storeys) to 20.9m (at five storeys)
Communal amenity Space (approx.)	585sqm	900sqm and play space

The previous application RU.20/0046 was refused on design and amenity grounds and comprised one building up to 6 storeys high. The current proposal, although it would be up to 5 storeys high, it would effectively be two separate buildings with a 5th floor on building 2 only which would be inset. Building 1 would be 3 storeys high with a further inset floor above this. The elevations of both top floors facing towards residential properties would either have rooflights or secondary obscurely glazed windows.

The proposals reflect the shape of the overall site with two buildings connected by a recessive pend forming a building linked in plan, but visually separated when viewed down Guildford Road. The building footprint steps purposefully back to help break down the overall mass and a recessed top storey has been introduced reducing the overall impact of the building on the streetscape with the taller building closer to the non-residential element of the railway line. The railway provides a natural buffer between the site and the neighbouring buildings to the north, meaning the boundary is less sensitive in terms of separation distance and building heights, therefore, the highest elements of the building are located on this boundary. The development would front directly onto Guildford Road with access into the building through the centre pend. There would be scope for some landscaping across the frontage but as this aspect is a reserved matter to be considered at a later time and as the siting is similar to the existing nearby it is considered that the development would not adversely affect the appearance of the surrounding residential streets. As such, it is considered that the current proposals fit in with the scale and grain of the general pattern of development in the vicinity of the area. As such the layout and design would respect and enhance the townscape and would not be harmful to the established character and appearance of the surrounding area in accordance with Policy EE1.

Following the receipt of amended plans the building footprint has been set back a further metre from the Guildford Road frontage with a width at its narrowest point of approx. 2.2m, increasing to over 3m in places so to afford a planting bed for shrubs. The amended proposals have also moved the building very slightly further north. The 3rd floor Mansard roof of building 1 has been set back 2.0m and the 4th floor mansard roof of building 2 has been set back 2.2m and still accommodates the overall apartment

mix. The dormers have been set back 200mm to reduce their prominence. The overall plan at 4th floor level has had to be changed, but the layout is improved.

- 7.6 Regarding the suitability of the living accommodation being provided for future occupants, the current proposal provides more dual aspect accommodation than the previous scheme. 44 flats (81%) would have an enclosed private patio or balcony all exceeding the minimum standard set out in the Council's Adopted Design SPD. The design of the proposed scheme, with enclosed balconies would mean none would overlook each other or directly face onto neighbouring residential properties. In addition to the private amenity space, the layout also includes areas of communal spaces and a play area serving the flatted development which would add interest to the development and create opportunities for communal activities. The larger areas of communal amenity space are at the rear of the proposed buildings where there is less road noise. All of the homes would meet the required Nationally Described Space Standards with the one-bedroom flats all exceeding 50m² and the two-bedroom flats exceeding 70m² and thus meet the minimum floor space requirements set out in Policy SL19. There is level access to all areas and 2 residents lifts are proposed. All dwellings are designed to comply with Building Regulations Part M4(2) for future adaptation, whilst 5% are designed to Part M4(3) as fully accessible for wheelchair users in compliance with Policy SD7. The design complies with the principles of secured by design and allows for natural surveillance of all the communal areas and the single vehicular access. There will be controlled access doors into the buildings 1 and 2 which will aid security measures at the building.

An updated accommodation schedule has been submitted which shows that all the flats would still comply with the national minimum space requirements set out in Policy SL19.

- 7.7 The Runnymede 2030 Local Plan promotes creating attractive places which make a positive contribution to the Borough's townscape, paying regard to layout and landscape character. It is considered that the development displays evidence of exploring place and context and has some relation to the local character. Furthermore, the design has incorporated the various guidelines and principles set out in the recently adopted Design Guide SPD. Considering the above, it is considered that the proposed development would make a positive contribution and the layout and design would respect and enhance the townscape and the established character and appearance of the surrounding area and would be appropriate for its setting given the local context in compliance with Policies EE1, EE9, and EE11 and the NPPF.

Heritage

- 7.8 Special regard has to be given to the protection of heritage assets, both above and below ground. The NPPF requires local planning authorities to assess the particular significance of any heritage asset that may be affected by a proposal and consider the balance between the potential harm to a heritage asset and the public benefits of the proposal. Policy EE3 Strategic Heritage Policy states that 'Development that affects Runnymede's heritage assets should be designed to protect, conserve and enhance the significance and value of these assets and their settings'. As the proposed development is in proximity to a number of statutory listed buildings (Chertsey Railway Station and Cowley's Almshouses, 33-41 Guildford Road), the impact of the proposed development on these heritage assets needs to be carefully considered.

Policy EE4 (Listed Buildings) requires that proposals should not adversely affect the Listed Building or its setting by virtue of design, scale, materials, or proximity or impact on views or other relevant aspects of the historic building fabric. The proposal site lies within the setting of two listed buildings, however due to their siting being located obliquely and with other tall buildings located within the vicinity, it is considered that the proposed development would not

cause harm to their setting. It is also important to note that the Council's Conservation Officer has raised no objections to the proposals and particularly likes the upper floor solution where the fifth level is inset which minimises the bulk of the highest block. As such, it is considered that the proposal would therefore comply with Policies EE1 and EE4 of the LP and the NPPF.

Connectively and Highway Considerations

- 7.9 There would be additional traffic movements in and out of the site and letters of objection have raised concerns about impacts on highway safety and parking in the area, and although the CHA notes the various objections to the proposals considers the site to be relatively sustainable in transport terms, and it is not considered a necessity for future occupiers to own their own vehicle. The provision of car club vehicles on site will have the effect of reducing the need for car ownership for future occupiers and the submitted Travel Plan will offer opportunities to encourage sustainable modes of transport. Therefore, the CHA considers that a "no car" development at this location is acceptable (as per Surrey County Council Car Parking Guidance Policy) in the context of the impact on highway safety and capacity. The Developer cannot be required to "fix" existing issues, but there could be opportunities to introduce parking restrictions or Controlled Parking Zones, however this would be outside of the Planning System. The County Highway Authority have undertaken a site visit and an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and raises no objection and as such no objections are raised subject to conditions requiring the access to be provided with visibility zones as shown, and also a Construction Transport Management Plan. It is therefore considered that no additional traffic or highway issues have arisen from this current proposal and the scheme satisfies Policy SD4.

Affordable Housing

- 7.10 Under Policy SL20 35% of the units should be secured as Affordable Housing. Although still subject to negotiations with a Registered Provider the intention is to deliver the entire site as affordable housing, specifically at much needed Social Rent levels. Under the National Planning Policy Framework (Paragraph 65) 10% of the homes on site should be made available for affordable home ownership. It states that "Exemptions to this 10% requirement should also be made where the site or proposed development...

d) is exclusively for affordable housing..."

Policy SL20 sets the target that "Over the period of the Local Plan the Council will seek to deliver 30% of all net additional dwellings as affordable units of which about 70% will be provided as Affordable/Social Rent and 30% provided as other forms of affordable housing." Since 2013 just 2% of rented affordable housing completions in Runnymede have been let at Social Rent levels. The remaining 98% were at Affordable Rents and it is understood that most would be at the maximum 80% of market or Local Housing Allowance level. Social Rents are typically nearer to 50% of a market rate. The cost of accommodation in Runnymede Borough is exceptionally high. For some applicants on the Council's Housing Register the cost of an Affordable Rent can be prohibitive, especially for working households with a low income. Considering recent increases in the cost of living, Social Rents can provide households with security and peace of mind. The Levelling Up the United Kingdom white paper states that, "The UK Government will also increase the amount of social housing available over time to provide the most affordable housing to those who need it. This will include reviewing how to support councils to deliver greater numbers of council homes, alongside Housing Associations. The UK Government will also ask Homes England to play a wider role in supporting mayors and local authorities to realise their ambitions for new affordable housing and regeneration in their areas".

This application seeks approval for 27 one-bedroom and 27 two-bedroom flats. Policy SL19: Housing Mix and Size Requirements of The Runnymede 2030 Local Plan requires the mix of units to reflect the identified housing needs of the area. Recent figures provided by the Housing Department at Runnymede Borough Council show the breakdown of applications on the Housing Register by the number of bedrooms each household requires:

Bedrooms Required	Number of Applicants	Percentage of Total
One bedroom	616	50.6%
Two bedrooms	342	28.1%
Three bedrooms	206	17.0%
Four (+) bedrooms	53	4.3%
Total	1217	

Runnymede Council's Allocation Scheme prioritises transfers for tenants who are under occupying family size homes, however the difference in rent on new affordable housing at Affordable Rent (up to twice that of existing social rent tenancies) means that it is difficult to encourage tenants to move unless they are not able to manage in the larger home or are subjected to the Social Sector Size Criteria. Provision of good quality smaller properties at social rent should facilitate the availability of larger homes to people on the Housing Register. The proposed mix of one-bedroom and two-bedroom flats strikes a balance between the needs identified by these figures and a manageable and sustainable development. This application seeks to provide much needed accommodation in a sustainable location. The intended Registered Provider has a local management presence with a proven track record of working with other local services to benefit not just residents of their own accommodation but those of the wider community.

The proposed scheme is for 100% affordable housing, with the exact tenure mix still to be agreed with the CHDMBC. Once agreed the tenure mix would be secured through the s106 agreement. Secondly, given that the provision of 100% affordable has been attributed weight in the planning balance; a planning condition is recommended to secure this and to ensure that any change to this level of provision would require the submission of a section 73 application to vary this condition. Lastly given that the scheme would be 100% affordable, in accordance with the Council's First Homes - Interim Policy Statement (January 2022) it would fall within one of the listed exceptions and would not be required to provide First Homes.

The current affordable mixes being considered or something similar are as follows:

- i) 100% social rent; if not viable then
- ii) A mixed scheme of shared ownership and social rent i.e., Building 1 shared Ownership and Building 2 Social Rent or
- iii) 100% affordable rent with the intention to charge the rent at maximum 70% or lower of market rent rather than that 80% that most Housing Associations would charge.

Whilst proposals i) and iii) technically fall short of the requirement in the NPPF (paragraph 64) which requires major development involving the provision of housing to provide at least 10% of the total number of homes to be available for affordable home ownership". However, given the over provision of affordable housing being provided and the Borough's need this is considered in the instance to outweigh this requirement.

Impact on Trees

- 7.11 An Arboricultural and Planning Integration Report has been submitted which surveyed 9 category C (various) and 1 category B (oak) trees which are predominantly located on the boundaries of the site and concludes that to implement the proposal it will be necessary to remove 3 category C trees.
- 7.12 All the vegetation to be removed is of low quality and its loss to public amenity is negligible due to its overall condition and lack of visual presence. All vegetation of high and moderate quality and mostly growing around the boundaries of the site will be retained and can be adequately protected throughout the development process.
- 7.13 As landscaping is a reserved matter it will be determined at a future date, however the indicative plans indicate the retention of the more mature trees on the site and the introduction of additional landscaping around the site including the main communal areas to the rear which will provide outdoor amenity space for residents.

As the revised plans have resulted in the further set back of the building additional landscaping can also be provided along the frontage which is welcomed.

- 7.14 The retained trees can be adequately protected during construction activities to sustain their health and longevity. Elsewhere there are opportunities for tree, shrub and hedge planting across the site. Precautions to ensure that the trees are protected and preserved for the future are proposed which includes tree protection measures implemented in conjunction with the proposals. Consequently, there will be an acceptable impact upon the local trees, subject to adhering to normal tree protection and construction techniques.
- 7.15 The Councils Tree Officer does not object to the works but recommends a condition requiring the tree protection measures are carried out as set out in the Arboricultural and Planning Integration Report by GHA dated 06/09/2021 Ref GHA/DS/122360:21. The proposal therefore complies with policies EE1, EE9 and EE11.

Ecology

- 7.16 Any development should not adversely affect the ecological interests of the site, indeed any future application could be an opportunity to improve the biodiversity of the area. A Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and a Bat Presence/Likely Absence Report (TSA Ecology June 2022) have been submitted with the application which considers the ecology of the site. A bat survey has recently been carried out during which no bats were seen to emerge from Buildings 1 and 2 within the site which were assessed as having low potential to support roosting bats and the new building works will include opportunities for nesting and roosting for bats. Surrey Wildlife Trust raises no objections subject to compliance with the submission of a Landscape and Ecological Management Plan (LEMP) and biodiversity enhancement to include bat boxes. With the landscaping on the site being a future reserved matter for determination and in combination with successful implementation of the avoidance, mitigation and enhancement measures set out in the above-mentioned submission documents and subject to safeguarding conditions, it is considered that the proposed development can be carried out without any harmful impacts on protected species or habitats and the scheme complies with Policies EE9 and EE11.

Public Open Space

- 7.17 In terms of recreation, Local Plan Policy SL26 requires the provision of play spaces in new housing developments of 20 dwellings (net) or more. The revised scheme has resulted in a slightly greater communal space which would amount to 900sqm and a (toddler) play area has been indicated on the site layout plan. It is considered that the provision can be secured via a condition or legal agreement as can its future maintenance. On this basis it is considered that

the proposal would comply with Policy SL26 and that the quantum of development could be achieved whilst providing space for recreation. A management company will be set up to maintain all the communal areas within the site, including landscaping, open space and non-adopted roads.

Following concerns regarding the location of the play area this has been relocated to be more in the centre of the site and away from the boundary with the railway line.

Land Contamination

- 7.18 No objections have been raised by the Council's Contaminated Land Officer subject to conditions securing the installation of a ground gas or vapour protective membrane in compliance with Policy EE2 of the Runnymede 2030 Local Plan.

Noise and Air Quality Management

- 7.19 The noise environment at the site is influenced by railway noise which lies to the northeast of the site. A Noise Assessment has been undertaken to assess the baseline situation, the suitability of the site for residential development and identify any mitigation measures. The most likely units to be affected are those along the north eastern flank of building 2 which includes balconies, although these would be predominantly enclosed. It is considered that providing an element of private amenity space weighs in favour of some inevitable noise impacts and it is considered that by specifying appropriate glazing and facade construction along with acoustically treated means of ventilation, it will be possible to ensure that an acceptable internal environment within the proposed buildings will be met.
- 7.20 Overall, it is concluded that, with the recommended measures in place, the occupants of the new properties can be provided with an acceptable acoustic environment. It is for these reasons and subject to conditions the proposed development is in accordance with Policy EE2 of the Local Plan and relevant policies in the NPPF in relation to noise.

Flood Risk and Drainage

- 7.21 The site is within Flood Zone 1 and a Groundwater Source Protection Zone and there is a risk of surface water flooding which coincides with an overland flow route, however, proposed buildings are outside of the footprint of the route. A Flood Risk Assessment was submitted in accordance with the requirements of the NPPF including details of Sustainable Urban Drainage.
- 7.22 Surrey County Council as Lead Local Flood Authority (LLFA) is satisfied the proposals meet the requirements set out in the technical Standard and Planning Policy Guidance. It is therefore considered that the site can deal with surface water drainage for the development in a sustainable manner which complies with the NPPF. The details of the drainage scheme can be secured by conditions as recommended by the LLFA.

Impact on Neighbouring Amenity

- 7.23 Regarding the effect of the proposals on the living conditions of neighbouring properties, Galleon House (4-10 Guildford Road) to the west comprises a recent office to residential conversion with extensions to the roof providing a total of 12 flats. Building 1 would be located close to the side boundary with this property and would extend further to the rear, however the existing no. 2a extends significantly to the rear and has several first-floor side windows facing directly into the rear parking and garden area. Although the proposed development would be 2 storeys higher, the building would be staggered, the 4th floor would be inset and the side windows would all be secondary and obscurely glazed with no balconies facing directly into the rear parking and garden area.

- 7.24 Nos, 53-57 Highcross Place to the rear of the site comprise 2 storey high modern terraces with no.57 having a short rear garden. The proposals have been amended which has resulted in a reduction in the depth of building 2 as well as the removal of angled windows, it is not considered that there would be any direct overlooking in view of the position and location of windows, balconies and separation distances. Greater separation distances would be maintained as well as a significant reduction in mass and bulk when compared to the earlier refused scheme (RU.20/0046). The building has been designed with articulation and setbacks to maintain appropriate relationships to surrounding residential properties. This articulation and stepping back of the footprint on the upper floors also responds positively to the existing properties, with increasing separation distances as the heights of the building increase. At least a 22m separation distance from windows in the development to rear gardens to properties to the southwest of the site would be maintained.

As the amended proposals have resulted in a further set back of the building, as a consequence of this the building is now closer to the rear boundary by around 1 metre, however as it has also been slightly repositioned further north it is considered that the changes to outlook when comparing with the previous proposals would be minimal.

- 7.25 It is considered that these separation distances, coupled with the orientation and form of the proposed development, the position of windows and balconies, retention of trees and future landscape enhancement which will also act as a landscape screen would avoid harmful overlooking and would provide an acceptable relationship between the existing and proposed dwellings and would not have a significant impact upon the residential amenities of all these properties and as such the proposal complies with Policy EE1.

It is noted that whilst the amended proposals have been improved predominantly in terms of setbacks and it is considered that they should help to address some concerns of the scheme, it is understood that they may not overcome all previous reservations, however this must be balanced with the other benefits which outweigh the borderline issues.

Other Matters

- 7.26 As the site is within an Area of High Archaeological Potential, Policy EE7 of the Local Plan requires the applicant to carry out an archaeological review of the site. A desk study has been carried out which concludes that the site has potential to contain evidence of medieval and post medieval development and recommends that further work may be required to clarify the archaeological potential of the site. The County Archaeologist has reviewed the study and agrees with the recommendations of the assessment and considers that it would be reasonable and proportionate to secure the evaluation and any further works by condition in compliance with the requirements of Policy EE7.
- 7.27 The proposed development will have impacts on local infrastructure including education, health and Police which will all now be delivered through CIL in compliance with Policy SD7.
- 7.28 Policy EE10 states that additional residential development (including strategic allocations) beyond the 400m Special Protection Area exclusion zone, but within 5km of the Special Protection Area boundary, will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area. These must be delivered prior to occupation and in perpetuity and agreed with Natural England (NE). NE agrees with the position that the Council has taken in relation to the provision of strategic SANGS and securing SAMM payments. Following assessment by the Council as a competent authority, the Council is satisfied that subject to the completion of a legal agreement towards mitigation at these areas the risk of adverse effects on the integrity of the habitats site will be avoided. The applicant has submitted a draft S106 with the application and as competent authority the Council's

appropriate assessment requires a contribution of £79,282.13 toward the provision of SANG and £31,590.00 towards the provision of SAMM in accordance with the Council's Adopted SPG. Subject to securing the SANG and the relevant SAMM contributions by way of a s106 agreement, it is considered that the proposal would address the impacts of the development the impact arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF in compliance with Policy EE10.

- 7.29 Policy SD8 requires development of 1,000sqm or more to meet 10% of that development's energy requirements from renewable and/or low carbon technologies and new policy SD7 promotes sustainable design. As the proposal is for approx. 4,047sqm (GIA) of residential floorspace Policy SD8 requires development of this scale to consider whether connection to existing renewable/low carbon or decentralised networks is possible. The Energy Statement sets out that the proposed development will produce 11.60% less CO2 and use 12.14% less energy than the baseline scenario, which would surpass the on-site target reduction of 10%, as required by the policy. The applicant has submitted an Energy Assessment which indicates that this will be achieved through the provision of solar power (PV) generated electricity. However, no further details of measures have been provided and therefore conditions are recommended to secure this and in respect of water efficiency, and the proposal complies with the policies SD7 and SD8 and the NPPF.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 In line with the Council's Charging Schedule the proposed development would be CIL liable.

9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

10. CONCLUSIONS

- 10.1 The site is in the urban area and is included the Council's SLAA (Feb 2022). The proposal would provide a net addition of 48 dwellings which will contribute to housing supply particularly for affordable homes in the borough. This has to be given significant weight in favour of the application. The application site is not a proposed Strategic Employment Area (SEA) and it is in the urban area so the presumption is in favour of development. The design and quantum of development proposed makes an efficient use of an appropriate site and is not considered to be harmful to the character of the area or on future occupiers. The traffic and highway safety aspects of the application have been reviewed by the County Highway Authority who

raises no objections and conclude that the proposed access is safe, and no harmful impacts would arise in respect of the highway network in the area. No other technical planning issues have been identified that would prevent planning permission being granted in accordance with the development plan and the NPPF.

- 10.2 The development has been assessed against the following Development Plan policies – SD1, SD2, SD3, SD4, SD5, SD7, SD8, SL19, SL20, SL26, EE1, EE2, EE3, EE4, EE7, EE9, EE10, EE11, EE12, EE13, IE2 and IE3 of the Runnymede 2030 Local Plan of the Runnymede Borough Local Plan Second Alteration April 2001, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

11. FORMAL OFFICER RECOMMENDATION

Recommendation Part A:

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

- 1. SAMM (TBHSPA) financial contribution of £31,590.00**
- 2. SANG(TBHSPA) financial contribution of £79,282.13**
- 3. The provision and deliverability of 100% Affordable Housing details of which will be subject to approval of the Council's Housing Officers**
- 4. Secure management arrangements for the maintenance of the open space**

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

And the following conditions:

1 Time

(a)

Application for approval of the reserved matters shall be made to the Planning Authority before the expiration of three years from the date of this permission.

(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the reserved matters to be approved, whichever is the later.

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

2 Reserved Matters

Approval of the details of the landscaping of the site within (hereinafter called "the reserved matters") shall be obtained from the Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

3 List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the approved Schedule of Plans as set out in 183_L(10)-102-P1 - Location Plan, 183_L(10)-200-P2 - Existing Site Plan, D00-00W_011-001 01 - Bauder Solar Panels received 17/09/21, **183_L(20)-200-P8 Proposed Site Plan, 183_L(20)-201-P5 Separation Distances Second Level, 183_L(20)-300-P7 Proposed Ground Floor Plan, 183_L(20)-301-P7 Proposed First Floor Plan, 183_L(20)-302-P5 Proposed Second Floor Plan, 183_L(20)-305-P6 Proposed Roof Plan, 183_L(20)-400-P5 Sections, 183_L(20)-500-P5 Elevations Building 1, 183_L(20)-501-P4 Elevations Building 2, 183-View Sheet 01-P3, 183-View Sheet 02-P3, 183_L(20)-502-P5 Context Elevations, 183-Chertsey Schedule, 183_L(20)-303-P7 Proposed Third Floor Plan and 183_L(20)-304-P7 Proposed Fourth Floor received 02/08/22**

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

4 External Materials

No development above slab level shall commence until details of the materials to be used on the external surfaces of the dwellings have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

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

5 Finishing Materials

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

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

6 Hard and Soft Landscaping

a) Full details of both hard and soft landscaping works including tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground construction of the buildings hereby permitted in detail and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, or other means of enclosure within or around the site, access features, minor

structures, the existing trees and hedges to be retained, the new planting to be carried out, measures to be taken to ensure that retained trees and their roots are not damaged and details of the measures to be taken to protect existing features during the construction of the development.

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

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

7 Tree Protection

The construction of the development shall take place fully in compliance with the measures set out in the Arboricultural and Planning Integration Report by GHA dated 06/09/2021 Ref GHA/DS/122360:21. Such measures and enhancements as provided shall be retained and maintained thereafter.

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

8 Tree retention

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

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

9 Tree replacement

If within a period of five years from the date of the planting of any tree, shrub or plant, that tree, shrub or plant or any tree, shrub or plant planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another

tree, shrub or plant of the same species and size as that originally planted, shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

10 Landscape Management Plan

An Arboricultural Maintenance Plan and Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before occupation of the development. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan.

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

11 Surface Water Drainage

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

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) A plan showing exceedance flows (i.e., during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- g) Confirmation that proposed infiltration does not occur in made ground
- h) Confirmation that surface water has received adequate treatment prior to discharge into ground.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and that the final drainage design does not increase flood risk on or off site and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

12 Verification Report SUDS

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

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

13 Electric vehicle charging and car club bays

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:

- (a) The provision of two on site car club bays and car club vehicles
- (b) The provision of electric vehicle charging points provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32- **a m p** single phase dedicated supply)

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

14 Closure of existing access

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

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

15 New Access

No part of the development shall be first occupied unless and until the proposed vehicular access to Guildford Road has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

16 Parking

The development hereby approved shall not be first occupied unless and until space has been

laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and 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 & unloading and turning areas shall be retained and maintained for their designated purposes.

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

17 Construction 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) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (h) on-site turning for construction vehicles

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

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

18 Sustainable development

In the event any gas-fired boilers are installed as part of any of the development hereby approved, they shall meet a minimum emissions standard of 40 mg NO_x/kWh.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas in accordance with guidance within the NPPF.

19 Ground gas or vapour protective membrane

Before the commencement of the above ground construction of the development hereby permitted, details of the ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways) which is to be laid under the floor of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Details should include a detailed plan of where the membrane is to be installed, the name and model number of the membrane to be deployed and details as to how the membrane is to be installed and who by. Following approval of the plan, the membrane shall be laid in accordance with the approved plan. The membrane is to be retained for the life of the development.

Within two weeks of installation of the approved ground gas or vapour protective membrane (regarding ground gas or vapour migration pathways), details of how the approved membrane was installed including proof of purchase and photographic evidence of installation shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the 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 Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF

20 Noise (Acoustic insulation and ventilation)

No above ground development shall commence until a noise mitigation scheme has been submitted to and approved in writing by the local planning authority. The submitted scheme shall demonstrate that noise levels within all dwellings will not exceed 35 dB(A) LAeq 0700 – 2300 within living rooms and bedrooms and will not exceed 30 dB(A) LAeq 2300 – 0700. Also, typical peak noise levels shall not exceed 45 dB(A) LAmax, 2300 - 0700 in bedrooms. The mitigation scheme should include details of any mechanical ventilation scheme proposed, to facilitate reasonable levels of comfort cooling when windows are closed. Development shall be carried out in accordance with the approved details prior to occupation of any part of the development, or in accordance with an alternative timetable to be agreed in writing with the local planning authority.

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

21 Ecology

The construction of the development hereby approved in detail shall take place fully in compliance with the measures set out in The Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and The Bat Presence/Likely Absence Report (TSA Ecology June 2022) and the final development shall include the mitigation and enhancement measures as recommended in The Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and the Bat Presence/Likely Absence Report (TSA Ecology June 2022) including the provision of bat boxes. Such measures and enhancements as provided shall be retained and maintained thereafter.

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

22 Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the LPA prior to the occupation of development. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Ecological Appraisal and Biodiversity Net Gain report (TSA Ecology April 2022) and should include, but not be limited to following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management

- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

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

23 Sensitive Lighting Scheme

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

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

24 Renewable Energy

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

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

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

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

25 Archaeological Work

No development shall take place until the applicant 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 by the Planning Authority.

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

26 Provision of Play Areas

Prior to the commencement of above ground works of development hereby approved details of the siting, size and design of the children's equipped play area shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include measures for management and maintenance, and the scheme shall be implemented fully in accordance with the approved details and retained for the lifetime of the development. **The details shall be in accordance with approved drawing 183_L (20)-200-P8 Proposed Site Plan.**

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

27 Water Efficiency

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

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

28 Gates and accessibility

No gates shall be provided across the vehicular entrance to the development. There shall also be no lockable gate to pedestrian access points.

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

29 Affordable Housing

The proposed scheme shall provide 100% affordable housing in line with the mix and requirements set out in the legal agreement to be read in conjunction with this decision notice.

Reason: To accord with the terms of the planning application and because the level of affordable housing proposed which exceeds policy requirements has been attributed weight in the planning balance.

30 Travel Plan

Three months prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide" and in general accordance with the Framework Travel Plan dated January 2018. And then the approved Travel Plan shall be implemented on occupation and for each and every subsequent occupation of the development, and thereafter maintained and developed to the satisfaction of the Local Planning Authority.

Reason: To encourage active and sustainable travel and to avoid harmful impacts on air quality and to comply with Policies SD3 and EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

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

2 New Vehicle Crossovers and Dropped Kerbs

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

3 Other Works to the Highway

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

4 Closure of existing access

When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways

Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

5 Mud/debris on the highway

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

6 Accommodation works

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

7 Damage to the highway

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

8 Utility works liaison

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

9 Electric vehicle charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

10 Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to www.naturalengland.gov.uk .

11 Unless it can be demonstrated that it is unfeasible to do so the applicant shall achieve compliance with Part M4(2) of the Building Regulations with 5% of dwellings achieving Part M4 (3).

12 The applicant is advised to incorporate into the development the principles and practices of the 'Secured by Design' scheme in consultation with the Designing Out Crime Officer.

- 13 The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours: -
- 8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.
- 14 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- 15 If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk . Please use our reference number in any future correspondence.
- 16 The applicant / developer is advised to contact Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionWessex@networkrail.co.uk prior to works commencing. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

Recommendation Part B:

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