

**COMMITTEE AGENDA REFERENCE: 5c**

<b>APPLICATION REF:</b>	<b>RU.21/1167</b>
<b>LOCATION</b>	Padd Farm, Hurst Lane, Egham, TW20 8QJ
<b>PROPOSAL</b>	The erection of 2 new buildings, the retention of 1 x residential dwelling, and the refurbishment of 2 existing buildings to be used as offices, a training centre and fabrication bays as part of the applicant's corporate headquarters following the demolition of all remaining buildings on site. Refurbishment and decontamination of existing site and the creation of open grassed area with an area of landscaped open space.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	06/05/2022
<b>WARD</b>	Thorpe Virginia Water
<b>CASE OFFICER</b>	Adam Jackson
<b>REASON FOR COMMITTEE DETERMINATION</b>	N/A
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>To refuse planning permission for the following reasons</b>	
1.	The proposed development is inappropriate development in the Green Belt and therefore by definition harmful. Furthermore, the proposed development will reduce the openness of the Green Belt. There are no "Very Special Circumstances" to outweigh this harm which is given substantial weight and other harm which is identified in the reasons for refusal set out below. The proposal is contrary to paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework and policy EE19 of the Runnymede 2030 Local Plan.
2.	It has not been demonstrated that noise generated by the proposed use of the site would not harm the amenity of existing and future residents. The proposal fails to comply with paragraph 130 of the National Planning Policy Framework and policies EE1 and EE2 of the Runnymede 2030 Local Plan.
3.	It has not been demonstrated that existing road network can safely accommodate the traffic associated with the development or that the development would not negatively impact on highway safety. The proposal fails to comply with paragraph 111 of the National Planning Policy Framework and policy SD4 of the Runnymede 2030 Local Plan.

4	It has not been demonstrated that the development will provide net-gains in biodiversity in accordance with paragraphs 174 and 180 of the National Planning Policy Framework and policies SD7 and EE9 of the Runnymede 2030 Local Plan.
5.	It has not been demonstrated how the development will be made to be energy efficient in accordance paragraphs 152 and 157 of the National Planning Policy Framework, and specifically in accordance with the energy hierarchy set out in policy SD8 of the Runnymede 2030 Local Plan.

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

- 2.1 The application site is 12.15ha. The northwest corner of the site contains a cluster of buildings mostly made up of agricultural buildings, but also a residential bungalow (building 19) and incidental buildings (Buildings 17, 18, 30 & 32), and two buildings which have lawful use for light industrial purposes (Buildings 8 & 9 which are connected). There is also a second bungalow on site (Building 16), however this building has unlawful extensions, and the residential use of the building is also unlawful. This part of the site also contains the main access which leads from the north corner of the site down to this cluster of buildings. There is a second access within this area off Hurst Lane which is positioned adjacent to the residential bungalow (Building 19). There are areas of lawful hardstanding within this area used for parking and open storage. The northeast corner of the site also includes large areas of hardstanding, although most of this is unlawful. The triangular shape of the northern part of the site means it does not have a distinct north boundary, rather the eastern and western boundaries converge at an apex where the main access is positioned. A 3m tall manmade earth bund separates the north of the site from the rest of the site to the south. The southern part of the site, which covers approximately two thirds of the site, comprises of open agricultural grass land. The western boundary of the site runs parallel with Hurst Lane and is enclosed by trees and shrubs. The eastern boundary is bound by an area of woodland which separates the site from Longside Lake. Apart from the raised bund described above, the topography of the site is generally flat.
- 2.2 The application site lies within the Green Belt, part of the site is within flood zone 2 (between a 1 in 100 and 1 in 1000 annual probability of fluvial flooding), and the site is within the 5km buffer of the Thames Basin Heaths SPA and a SSSI Impact Risk Zone. The site is within a Mineral Safeguarding Area. The site was formerly part of a gravel extraction site.
- 2.3 The surrounding area comprises of a mix of residential properties, which run along the western side of Hurst Lane, and some commercial uses to the north. Immediately to the north is Green Landscape Nursery which has agricultural/horticulture use and Bellbourne Nursery, which is used for storage and distribution, although also has permission for residential use. Further afield, the site is located between Virginia Water to the southwest, Egham to the north and Thorpe to the east. The site is also close to the M25 which runs parallel to the site to the east on the other side of Longside Lake. Virginia Water railway station is 2.3km away and there are two bus stops on Stroude Road approximately 350m from the site. Local services and amenities are available at Virginia Water.

## **3. APPLICATION DETAILS**

- 3.1 The application proposes to redevelop the site for use as a company headquarters for a

scaffolding and access provider. The site will be used for training, industry certification, and apprenticeship courses. It is proposed to demolish the majority of the existing buildings on site, with the exception of buildings 2, 8 and 9, which will be converted for use as a workshop and a metalwork fabrication building (Buildings I and H on the proposed site plan). A new office and training hall are also to be erected (Buildings K & J on the proposed site plan). The industrial buildings are between approximately 7.5m and 7.8m tall. The existing lawful bungalow on site (building 19) is also proposed to be retained for use as an independent dwelling. New/existing areas of hardstanding are proposed to be used for open storage, drop off, and the parking of articulated vehicles. The existing unlawful hardstanding in the northeast part of the site is to be retained and new grasscrete laid for use primarily as a temporary storage area and as an overspill parking area for articulated vehicles. 55 car parking spaces are located across the site for staff and visitors. The existing access in the north corner of the site will be utilised by the scaffolding company and the existing western access will be used for the dwelling. It is proposed to retain the majority of trees on site, including those along the western boundary with Hurst Lane and new soft landscaping will be provided. The southern part of the site is proposed to be remediated and kept as an open grassed area for use by staff and the public.

#### 4. PLANNING HISTORY

4.1 The application site has a complex planning history, which is summarised below:

Reference	Details	Decision and date
EGH.55/3495	Use of land for pig and chicken raising	Granted – 24/11/1955
EGH.60/6405	Erection of deep litter house and rearing house	Granted – 19/07/1960
EGH.63/8664	Poultry house	Granted – 04/10/1963
EGH.65/10608	Development of land as site for agricultural dwelling	Refused – 24/03/1966
EGH.65/10324	Erection of bulk food bin and replacement of poultry house store	Granted – 22/09/1965
RU.73/16289	Use of land for the parking and storage of touring caravans and boats on trailers (maximum 60) for a temporary period of 5 years	Refused – 02/11/1973
RU.75/0075	The extraction of bulk filling materials for use in connection with the construction of the Thorpe-Egham section of the M25 and restoration of agriculture	Granted – 11/08/1975
RU.79/0916	Erection of a bungalow for occupation in connection with management of poultry farm	Refused – 30/11/1979
RU.81/0863	Stationing of a mobile home and siting of a box trailer for storing applicants' furniture (retrospective) for a temporary period of one year	Granted - 08/11/1982

RU.82/0540	Use of part of land and buildings for storage of applicant's personal property and vehicles and re-positioning of garage	Refused – 05/11/1982
RU.82/0705	Change of use of agricultural buildings to private stabling with ancillary storage facilities	Granted – 26/01/1983
RU.83/0467	Renewal of RU.81/0863 for stationing of mobile home and siting of a box trailer to store applicant's furniture for a temporary period of six months	Granted – 15/08/1983
RU.84/0828	Erection of a cattle shed of some 1,350sq.ft. (125.4 sq.m)	Granted – 01/02/1985
RU.84/0846	Improvement of land for agricultural purposes by the tipping of imported overburden and topsoil	Granted 30/01/1987
RU.84/0906	Siting of mobile home for use in connection with agricultural holding	Refused – 09/04/1985
RU.86/0535	Stationing of mobile home for a temporary period of 3 years (revised plans indicating a revised siting) (amended by letter dated 7.7.86 and plan received 8.7.86)	Refused – 04/08/1986
RU.87/0983	Improvement of land for agricultural purposes by the tipping of imported over burden and topsoil (amended by letter dated 5.10.87 received 12.10.87 and revised plan received 12.10.87).	No objection – 24/12/1987
RU.89/0099	Mobile home for agricultural worker	Granted – 09/03/1990
RU.90/0012	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/03/1990
RU.91/0106	Change of use of Building B from agricultural barn to use in connection with the storage, distribution and sale of animal feed (as amplified by letter dated 20.3.91)	Refused – 09/05/1991
RU.91/0107	Proposed bungalow for agricultural occupation, with double garage, replacing existing mobile home	Refused – 09/05/1991
RU.91/0108	Change of use of Building 'A' from agricultural storage for retail sales of craft goods (as amended by Plan No. RBC/91/66/1 received 2.9.91)	Granted – 18/09/1991
RU.91/0109	Renewal of planning permission for mobile home for agricultural worker	Granted – 09/05/1991
RU.91/1028	Retention of land for grading and mixing of top soil and sand, the retention of a storage	Granted – 22/04/1992

	compound and use of mobile screening plant 2 year period	
RU.92/1006	Resting of portacabin for office use of land for planting of trees and shrubs, use of barn for storage of vehicles and equipment, provision of operational land, parking and access	Refused – 11/01/1993
RU.92/0553	Renewal of temporary permission for a mobile home for an agricultural worker and for a further period of 1 year.	Granted – 07/10/1992
RU.92/0554	Construction of detached three bedroom bungalow for agricultural occupation, with double garage to replace the currently used mobile home.	Granted – 28/07/1993
RU.93/0509	Continued use of land for the grading & mixing of soil, retention of storage compound and operation of mobile screening plant. Consultation from Surrey County Council.	Object – 16/08/1993
RU.93/0406	Change of use of farm building for use as retail shop for sale of pet animals and ancillary goods (amplified by letter and plan received 20.7.93, 29.7.93 and 3.8.93).	Refused – 03/09/1993
RU.94/0257	Change of use of redundant farm building to part B1 use (Saddlers workshop & Farriers workshop) with ancillary A1 use	Refused -03/06/1994
RU.94/0428	The erection of an enclosure for swimming pool incorporating approved double garage	Refused – 13/07/1994
RU.94/0805	Single storey extension to house boiler and oil tank.	Granted – 24/11/1994
RU.95/0269	Parking for 5 goods vehicles; storage of hardcore, topsoil and demolition materials; and retention of two portacabin offices, ancillary store and w.c. amounting to 225 sq m all on a site of about 0.8 ha.	Object – 24/05/1995
RU.95/0447	Retention of concrete hardstanding	Refused – 04/09/1995
RU.95/1065	Erection of free-standing poultry house	Refused – 30/04/1997
RU.96/0024	Use of site as a civil engineering contractor's yard for the storage of plant equipment, portacabins and materials for a 12-month period plus retention of security fencing and lighting (retrospective)	Refused – 28/02/1996
RU.97/0222	Continued use of two agricultural buildings for commercial storage of film and stone for a temporary period plus demolition of other	Granted – 30/04/1997

	buildings.	
RU.98/0284	Reuse of building A for storage and light industrial purposes for a temporary 12-month period	Refused – 07/04/1999
RU.98/0285	Continued use of building B for the commercial storage of film	Granted – 07/04/1999
RU.98/0286	Use of building G for storage and light industrial purposes and conversion of lean-to to ancillary office, plus rebuilding of sewage pump housing	Refused – 07/04/1999
RU.98/1232	Temporary use of land for the storage of landscaping materials and stationing of portacabin with B & P landscape contractors operations (2 years)	Refused - 07/04/1999
RU.99/0174	Use of agricultural building for storage of building materials and plant	Refused – 14/09/1999
RU.99/0797	Use of building G for storage with minor fabrication ancillary to the storage use	Granted – 14/09/1999
RU.04/0954	Variation of clause 3 of the legal agreement under RU.92/0554 for the southern part of the site to be sold off as a separate unit	Refused – 13/12/2004
RU.08/1087	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 25/06/2009
RU.09/0194	Lawful use certificate for existing hardstanding and service roads	Granted – 16/10/2009
RU.09/0936	Certificate of existing lawful use for change of use of building to a single self-contained dwelling (Class C3)	Refused – 23/06/2011
RU.09/0547	Application for discharge of obligations contained in S106 legal agreement. dated 28th July 1993 relating to all the land and premises at Padd Farm	Refused – 14/07/2011
RU.10/0016	Certificate of existing lawful use for stationing of caravans in residential use	Refused – 23/06/2011
RU.17/0412	Application to dispose of part of the site with reference to a s106 obligation (planning)	Refused – 08/03/2017
RU.18/1552	EIA SCREENING OPINION RELATING TO THE PROPOSED DEVELOPMENT ON LAND AT PADD FARM, HURST LANE, EGHAM FOR THE BELOW SCHEME: Demolition of existing buildings and site decontamination, the erection of up to 130 new residential dwellings (areas A	Environmental statement required – 16/11/2018

	& B) and provision of public open space on the southern part (area C) of the site under PART 2 (6) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017	
RU.19/0066	EIA Scoping Opinion for proposed development at Padd Farm	Scoping Agreed – 22/02/2019
RU.21/0695	The demolition of existing buildings and structures, and removal of hardstanding; the decontamination of land; the erection of 38 affordable dwellings with associated access, parking, landscaping, and infrastructure works; and the change of use of land to paddocks.	Refused – 15/02/2022

### Enforcement History

- 4.2 It should be noted that there is a separation of control between the ‘use’ of a building and its physical presence/fabric, and a lawful building can have been occupied? by uses that that were unlawful. All existing and historic buildings on the site are labelled between 1 and 32, this ties in with the numbering used in the enforcement history/investigations across the site. The majority of the existing buildings on site are lawful, however have been subject to one of more unlawful uses. All of the physical buildings are considered lawful with the exception of building 16 which has been unlawfully extended. The residential use of the building is also not lawful. All other unlawful buildings have been removed from the site. The lawful use of most of the site is agricultural with commercial uses permitted within buildings 8 and 9 and residential use permitted within building 1, although this is subject to a legal agreement which requires the building to be tied to an agricultural use of the land. Buildings 17, 18, 30 and 32 are considered to be incidental to the use of building 19. As of 15/06/2018 all businesses trading from the site have left as confirmed by The Enforcement Receiver. The site is also now currently vacant, and all buildings are unoccupied.

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

### 5.1 National Planning Policy Framework and Guidance:

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 8 – Promoting health and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land

- Section 14 – Meeting the challenge of climate change, flooding and coastal change
  - Section 15 – Conserving and enhancing the natural environment
- 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 Supplementary Planning Documents and Guidance:
- Runnymede Design Supplementary Planning Document
  - Runnymede Infrastructure Delivery and Prioritisation Supplementary Planning Document
  - Green and Blue Infrastructure Supplementary Planning Document
  - Car Parking Supplementary Planning Guidance
  - Trees, Woodland and Hedgerows Supplementary Planning Guidance

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Environment Agency	Requests that an Ecological Mitigation Plan and Biodiversity Net Gain Assessment is submitted. Also notes that an Ecological Impact Assessment has not been submitted.
Natural England	Advises that they have no objection to the application.
Lead Local Flood Authority	Do not consider that the proposed drainage scheme meets the requirements set out in the National Planning Policy Framework, Planning Practice Guidance, or the Non-Statutory Technical Standards for sustainable drainage systems, however, consider that a condition could applied which secures an updated SuDS scheme prior to commencement of development.
SCC Highways	Initially raised no objections, however once officers raised concerns over the base data used in the transport assessment the following information is requested to clarify matters:  An updated TRICS assessment to understand the difference in trips between the existing use and the proposed.  Where potentially 16.5 m articulated vehicles are to be used this could cause a problem however an agriculture use can also be associated with large vehicles. Could the applicant provide a ratio of vehicle types so that this can be assessed?
SCC Minerals and Waste	Advises that proposals to extract or otherwise work minerals within the Mineral Safeguarding Areas at Milton Park Farm and Whitehall Farm are sufficiently far away to not create any issues. The Padd Farm application site is also unlikely to form part of any future scheme to work minerals within the wider MSA. A mineral resource



	assessment could be undertaken to establish whether prior working of any underlying mineral resource would be viable for export or in use as part of any future non-mineral development undertaken on that land.
SCC Archaeology	Concludes that any archaeological remains that may have been present on the site will have been destroyed by previous quarrying and as such there is no requirement for any further archaeological work.
RBC Tree Officer	Notes that the tree loss is minimal in terms of numbers and is mainly in one area to the centre of the site, however the trees to be removed do include some B category trees/groups and it would be desirable and is possible on this large site to mitigate the loss of these trees by replanting. Advises that it will be possible to protect the retained trees from adverse effects of the development. Suggests conditions securing an Arboricultural Method Statement, including details of tree protection, and a Landscape Strategy. <i>(Officer Note: The AIA has not been updated since the new layout for the development was submitted. The new layout appears to retain additional trees, however should members be minded to grant planning permission, the AIA will need to be updated and Tree Protection details will need to be provided which respond to the new layout. These details can be conditioned)</i>
RBC Drainage	Advises that the internal floor levels of the building will need to be raised to comply with the Runnymede SFRA. Safe access and egress is considered possible from the site.
RBC Contaminated Land	Suggests a condition which requires the applicant to carry out an assessment of the nature and extent of contamination on site and provide and implement a remediation scheme if necessary. The condition also sets out what to do if unexpected contamination is found after the development has been commenced.
Surrey Wildlife Trust	<u>Bats</u> Requests the results of the bat presence/likely absence surveys are provided. Without these results, the presence or likely absence of bats on the site is unknown. These survey results should be provided prior to determination.  <u>Reptiles</u> Requests that further presence/likely absence surveys are submitted. The recommendation in the Preliminary Ecological Appraisal has been updated to no further surveys required without any justification. Clarification is also required on why the recommendation is for a precautionary approach to works rather than translocation of reptiles.  <u>Habitats Regulation Assessment</u> Requests clarification on the potential impacts of the development on the Thursley, Ash, Pirbright & Chobham Special Area of

	Conservation and the Thames Basin Heaths Special Protection Area mentioned in section 5 of the applications Habitat Regulations Assessment.
Surrey Bat Group	Requests that details of the emergence surveys undertaken in 2021 are provided. Without these details it is not possible to determine if the survey work was suitable and if the conclusion that no bats were using the structures on site to roost in can be relied upon.
Surrey Police	Suggests a condition requiring the applicant to demonstrate through accreditation that the development achieves or can achieve 'Secure by Design'.

### Representations and comments from interested parties

- 6.2 82 Neighbouring properties were consulted in addition to being advertised on the Council's website and 19 letters of representation have been received (*16 originally and 3 following the submission of amended plans*). Of the 16 original submissions 14 are in objection and 2 are in support. Of the 3 submitted since amended plans were received, 2 are in objection to the proposal and 1 is in support, although raises concerns still. Representation received can be summarised as follows:

#### Original representations

##### *Objections*

- Concerns over harm to the Green Belt
- Concerns over the impact on neighbouring properties
- Concerns regarding the noise that the operation of the site will generate.
- Concerns with the industrialisation of Hurst Lane
- Concerns that this application will set a precedent for future industrial uses
- Concerns that the development will harm the character of Hurst Lane
- Concerns over the impact on the environment and biodiversity
- Concerns that the development will result in the spread of contaminants
- Concerns over the impact of the development on flooding
- Concerns over the ability of Hurst Lane to accommodate traffic associated with the development and other industrial uses within Hurst Lane.
- Considers that the site is in a poor location for access to local facilities
- Concerns over the legality of existing buildings on the site
- Concerns that there are outstanding enforcement issues on the site
- Considers that the site should be returned to agricultural use
- Considers that the redevelopment of the site needs to be considered as part of a larger masterplan for Hurst Lane

- Considers the application should be determined at a Planning Committee

#### *Support*

- Considers that the proposal to improve the Padd Farm site will be of benefit to the local area and community
- Advises that there is a need for training facilities within this region.
- Considers that the proposal will offer very significant economic gains within the sector

#### Following amended plans

#### *Objections*

- Concerns regarding the noise that the operation of the site will generate.
- Concerns with the industrialisation of Hurst Lane.
- Concerns over the ability of Hurst Lane to accommodate traffic associated with the development and other industrial uses within Hurst Lane.
- Concerns over the legality of existing buildings on the site.
- Concerns that there are outstanding enforcement issues on the site
- Considers that the application should be determined at Planning Committee.
- Considers that the lane should be considered as a singular site

#### *Support*

- Considers that the amended plans have addressed the most objectionable aspects of the scheme
- Considers that the impact of the development will be lower than that of the houses previous proposed

## **7. PLANNING CONSIDERATIONS**

7.1 In the determination of this application regard must be had to the Development Plan and National Policy within the NPPF. The application site is located within the Green Belt where only certain forms of development are considered appropriate. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- Whether the development constitutes appropriate development in the Green Belt
- The impact on the character and appearance of the area
- The impact on residential amenity
- Traffic implications and the impact on highway safety

- The impact on contaminated land
- The impact on biodiversity
- The impact of the development on flood risk
- The impact on archaeology
- The impact on minerals
- Energy and sustainability

***Whether the development constitutes appropriate development in the Green Belt***

- 7.2 The application site is in the Green Belt where the National Planning Policy Framework (NPPF) sets out that the construction of new buildings should be considered as inappropriate unless it falls within one of the exceptions listed in paragraphs 149 and 150. Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 sets out that substantial weight should be given to any harm to the Green Belt and 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.
- 7.3 One exception set out in paragraph 149 is the partial or complete redevelopment of previously developed land. This is on the provision that the new buildings would not have a greater impact on the openness of the Green Belt. Policy EE17 of the Runnymede 2030 Local Plan (The Local Plan) is consistent with paragraph 149. However, the definition of previously developed land within the NPPF specifically excludes land that is or was last occupied by agricultural or forestry buildings. As discussed in paragraph 4.2 above, the lawful use for most of the site and most buildings within the site is for agriculture. Whilst there are some buildings within light industrial use, these make up a small percentage of the built development, and their presence does not make the whole site previously developed. The site cannot therefore be considered previously developed land for the purposes of assessing the development within the Green Belt. In addition, as discussed below in paragraphs 7.5 to 7.9, the proposal also has a greater impact on the openness of the Green Belt and would therefore fail to comply with paragraph 149 in any case.
- 7.4 As the site does not fall within the definition of previously developed land and given that the development does not fall within any other of the exceptions listed in paragraphs 149 or 150, the development must be considered inappropriate and is therefore, by definition, harmful to the Green Belt.
- 7.5 The proposed development is also considered to have a greater impact on the openness of the Green Belt than the existing development on site. The application proposes the demolition of most of the buildings on site apart from buildings 2 and 9 which are to be converted for use as a workshop and a metalwork fabrication building respectively (*Buildings I and H on the proposed site plan*). 2 x new buildings (*buildings K & J on the proposed site plan*) are proposed in place of those being demolished. Building 19, which is the existing agricultural workers dwelling on site, is being retained. The combined volume of the buildings to be demolished is 4,989cbm. The volume of the new buildings (*Buildings K & J*) is 5,084cbm. This is an increase of 1.9%. In terms of built footprint, there is a reduction from 1,388sqm to 680sqm. The square meterage of the hardstanding on site is approximately staying the same, however the layout has been altered.

- 7.6 In terms of volume of building therefore the development would only have a very minor spatial impact on the openness of the Green Belt than the existing buildings to be demolished. However visually the proposed buildings, at 7.5m, would be much taller than the existing low-level buildings they are replacing. The proposed buildings also have flat roofs and as such have taller eaves and a greater mass and bulk at first floor. By comparison the tallest existing building on site is 6.9m tall (*Building 14*) and has a pitched roof with low eaves. The next tallest building is 5.4m tall (*Building 3*) and the rest of the buildings are below this height. The way in which the volume of the new buildings manifest itself compared to the existing buildings would therefore have greater visual impact on the openness of the Green Belt.
- 7.7 Whilst there is a reduction in the footprint of buildings across the site, this is effectively being replaced by the increased height of the new building, which as discussed results in the development having a greater visual impact on the openness of the Green Belt. In addition, the reduction in footprint and the retention of hardstanding has allowed for areas of open storage and parking across the site. These include areas for the storage of materials, machinery and equipment, and the agent has advised that the pallets used for storage could be up to 4m high. In addition, there are areas for unloading and loading of articulated vehicles; an area for temporary storage, parking and loading; and space for 55 car parking spaces across the site. It is considered that due to the nature and scale of the business the amount of associated storage and paraphernalia is likely to be significant. All of these areas will have a visual and spatial impact on the openness of the Green Belt and will result in the development as a whole having a greater impact on openness when compared to the existing lawful use of the site/hardstanding. Whilst there is no increase in the overall amount of hardstanding across the site, the spread of hardstanding has increased. Areas of lawful hardstanding in the northwest of the site are proposed to be removed and this is being used to justify the retention of the unlawful hardstanding within the northeast corner of the site. This is the area proposed to be used for temporary storage and parking and as such will result in a decrease in openness within areas of the site which do not currently lawfully include buildings or hardstanding.
- 7.8 It is accepted that some views of the development and the new buildings from Hurst Lane will be partially obscured by vegetation within the site and along the site boundaries, however views will most likely still be available and in any case many of the existing buildings are also not highly visible or not visible at all from Hurst Lane. In addition, there is a public footpath to the rear of the site, which the development would be visible from, and the development would also likely be visible from the new public open space proposed to the south of the site. There is arguably some benefit because of the reduction in built footprint across the site, however this is offset by the increased height of the proposed buildings and the addition of the storage and parking areas across the site.
- 7.9 Overall, there is an increase in the volume of development, an increased visual impact as a result of the height and scale of the new buildings, an increase in the spread of hardstanding across the site, and a reduction in openness as a result of the new storage and parking areas. There would also be harm to the purposes of the Green Belt, namely to assist in safeguarding the countryside from encroachment because of the spread of development into the northeast corner. Whether the harm to the Green Belt, to which substantial weight is afforded, can be considered acceptable will depend on whether the benefits of the scheme constitute very special circumstances which would clearly outweigh this harm and any other harm arising from the development. This is addressed at the end of section 7.

***The impact on the character and appearance of the area***

- 7.10 Policy EE1 The Local Plan sets out that all development proposals, whether within the Green Belt or within the urban area, 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. Paragraph 126 of the NPPF also places importance on the creation of high quality, beautiful and sustainable places, and paragraph 134 sets out that development that is not well designed should be refused. Paragraph 130 sets out a number of considerations which decision makers should take account of when determining planning applications.
- 7.11 The proposal consists of the erection of 2 x new buildings, the conversion of 2 x existing buildings and the retention of an existing agricultural workers dwelling for use as an independent dwelling. All the remaining existing buildings are to be demolished. The new buildings are 7.5m tall and utilitarian in design, which is considered appropriate for the site which consists of existing agricultural and commercial buildings. The existing buildings to be converted for commercial will be made good and will be similar in design to the proposed new buildings. The proposed buildings are considered to be appropriate, in scale and design in terms of their impact on the character and appearance of the area, and clearly there will be benefits as a result of the removal of existing dilapidated buildings and general site clearance.
- 7.12 Paragraph 131 of the National Planning Policy Framework sets out the importance of trees in contributing to the character and appearance of an area. The application has been supported by an arboricultural report and a tree protection plan which sets out that the majority of the trees within the site, including those along the boundary with Hurst Lane, will be retained. It is stated that where trees are required to be removed they will be replaced. A detailed soft landscaping strategy will be required to be conditioned should members be minded to grant planning permission. The southern part of the site is proposed to be kept as open land and full details of the soft landscaping within this area could also be secured by this condition.

#### ***The impact on residential amenity***

- 7.13 Paragraph 130 of the NPPF sets out that development should create places with a high standard of amenity for all existing and future occupiers, and policy EE1 of the Local Plan sets out that development proposal will be supported where they ensure no adverse impact on the amenities of occupiers. Policy EE2 also sets out that development proposals resulting in external noise impacts will be expected to implement measures to mitigate and reduce noise impacts to a minimum.
- 7.14 In terms of the impact on existing residents, the separation distances between the proposed new buildings and the neighbouring properties are sufficient to ensure existing residents would not experience any material loss of light or privacy. The development has the potential to generate significant noise and as such is supported by a Noise Assessment Statement which assesses the existing and predicted noise levels at the site. The report identifies the existing commercial and agricultural activities, traffic within Hurst Lane, and the M25 as existing sources of noise within the vicinity of the site, with the M25 identified as the most prominent source of noise. However, it is unclear where noise levels were recorded from and therefore what the existing background noise levels are at the residential properties along Hurst Lane. The existing noise levels at the site are then compared to a site operated by PHD in Buckinghamshire to illustrate the potential impacts on noise. The report then concludes that, subject to mitigation measures, noise can be minimised and mitigated so as to not result in an adverse noise impact on residential receptors in the vicinity. However, it is not clear whether the Buckinghamshire site is directly comparable with the proposed site at Padd Farm in terms of existing background noise, the distance between the site and the

residential receptors, the size of the site and level of expected activity, the types of activities, or the number and type of vehicle movements associated with the site. It is also not clear whether the mitigation measures proposed at the Buckinghamshire site would be appropriate at Padd Farm. For example, it appears that acoustic fencing was necessary at the Buckinghamshire site which may be inappropriate at Padd Farm given its Green Belt location and the potential impact on important boundary trees. The report does suggest that a specialist consultant undertakes site measurements at Padd Farm, however given the above it is considered this should be done prior to determination.

- 7.16 It is also proposed to use the existing agricultural workers dwelling as a new independent dwelling, and as such it is necessary to consider the standard of amenity that would be provided for the future residents of this dwelling. Detailed plans have not been provided for this dwelling, however it appears from the basic floor plans provided that the dwelling has an appropriate layout which will provide the future occupiers with a good standard of indoor amenity. A separate access is provided for this dwelling to its own parking area at the front, however no details have been provided for bin or cycle storage. No details of the outdoor amenity space have been provided either, or how this will be separated from the rest of the site. However, it is clear from the proposed site layout that space for these facilities is available, and these details could be secured by condition should members be minded to grant planning permission. As with the existing properties within Hurst Lane, it will need to be demonstrated that this dwelling will not be subject to unacceptable levels of noise and disturbance from the commercial activities on site.

***Traffic implications and the impact on highway safety***

- 7.17 The National Planning Policy Framework sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy SD4 sets out that development proposals which generate significant traffic movements must be accompanied by a Transport Assessment or Transport Statement which considers the impact of the proposal on the highway network. The application is supported by a Transport Statement, which concludes that the development will not have an adverse impact on highway safety, however the Transport Statement appears to have calculated vehicle movements for the development on an incorrect premise. The Transport Statement incorrectly sets out that there is a reduction in Class E light industrial floorspace from 2,163sqm to 1,753sqm. The proposed office floorspace is also stated incorrectly within the Transport Statement to be 984sqm. The only buildings on site currently with a lawful light industrial use are buildings 8 and 9, and these buildings have a combined floorspace of 461sqm. The rest of the buildings on site are either agricultural or residential. From measuring the plans, the proposed area of light industrial floorspace is 1,226sqm and the office space is 610sqm. *The existing and proposed floorspace for each use is set out in the table below.*

	<b>Existing Floorspace</b>	<b>Proposed Floorspace</b>
<b>Agricultural</b>	<b>1, 486</b> ( <i>Buildings 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 16, 21, 22, 23, 24, 26, 27</i> )	<b>0</b>
<b>Light Industrial</b>	<b>461</b> ( <i>Buildings 8 &amp; 9</i> )	<b>1,226</b> ( <i>Buildings H, I, J</i> )
<b>Office</b>	<b>0</b>	<b>610</b> ( <i>Building K</i> )

<b>Residential</b>	<b>420</b> ( <i>Buildings 17, 18, 19, 30, 32</i> )	<b>226</b> ( <i>Building 19</i> )
<b>Total</b>	<b>2,367</b>	<b>2,062</b>

- 7.18 The figures within the Transport Statement have been used to inform the predicted trip generation of the development and as such the predicted number of trips is likely to be incorrect. The number of trips that the proposed use would generate compared to the existing lawful use is not therefore know and as such it has not been demonstrated that Hurst Lane can accommodate the traffic associated with the development.
- 7.19 *It is also not clear from the Transport Statement how many of the predicted vehicle trips will be articulated vehicles. The Planning Statement sets out that there would be 10 return trips for company vehicles throughout the day, however this is not mentioned in the Transport Statement, and it is not clear where this figure has come from. The Planning Statement also sets out that 43 staff will make two movements per day either by car, cycle or public transport, which would appear to be at odds with the figures in the Transport Statement.* It is proposed for the development to utilise the existing access in the northern corner of the site, which will be updated in order to achieve visibility splays of 2.4 x 43m in both directions. The existing secondary access onto Hurst Lane, which is adjacent to the existing bungalow on the western boundary will be closed to main site traffic and used for the residential property only.
- 7.20 It is proposed to provide 55 car parking spaces on site, which is considered sufficient for staff and those attending for training. The Planning Statement also commits to 40% of these being electric vehicle charging points. Within the northeast part of the site an area is labelled as Truck parking, however these are stated to be temporary only. It is not clear whether trucks or articulated vehicles will be kept on site or will only load and unload.

***The impact on contaminated land***

- 7.21 Paragraph 174 of the NPPF sets out that planning decisions should contribute to an enhance the natural environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. A phase 1 geo-environmental assessment has been carried out across the site and the results of this have been submitted in support of the application. This assessment confirms that the site was formerly a gravel pit and that former landfilling and commercial operations have occurred at the site, which may have caused pollution. Given the identified sources of contamination and the likelihood of sensitive receptors at the site the report concludes that a moderate to high risk is present for future and adjacent site users. Further works, including detailed ground investigation, are therefore required to identify the extent of the contamination and in order to establish the necessary remediation works; this can be conditioned to be carried out prior to the commencement of development. The condition would also set out what should be done in the event of unexpected contamination being found during construction.
- 7.22 Discussions have previously been held with the Environment Agency as to whether the site could be remediated outside of planning. They advise that should contamination reach the main river they could use the Water Resources Act to require the site owner to decontaminate the site, however they are not aware of any impacts on nearby water courses. The other way in which the site could be remediated is via Part IIA of the Environment Protection Act, however the site would need to be determined as contaminated land first before the Environment Agency could get involved. The Environment Agency have



advised that as the contamination is likely to be just in the gravel aquifer, the site could not be designated as a special site and passed to Environment Agency control. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.

### ***The impact on biodiversity***

- 7.23 Policy EE9 of the Local Plan sets out that developments on sites including or adjacent to priority habitats and species will not be permitted unless it can be demonstrated that the impact of the proposals will not result in significant adverse effects. This is line with the hierarchy set out in paragraph 180 of the NPPF which sets out that if significant harm to biodiversity cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused. Policy EE9 of the Local Plan also sets out that the Council will seek net gains in biodiversity, through the creation/expansion, restoration and enhancement of habitats and features to improve the status of priority habitats and species. The application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey report (*PEA report*).
- 7.24 The PEA report assesses several of the buildings on site to have low habitat value to support roosting bats, and therefore requiring further surveys to be carried out. Bat emergence/re-entry surveys were carried out in 2018 by Applied Ecology, however these surveys are now out of date. The report states that update surveys were undertaken in 2021 by CSA Environmental on buildings and trees with the potential to support roosting bats, and that these surveys confirm the likely absence of bats roosts, however the results of these surveys do not appear to have been provided. As such it is not clear the extent of the work carried out, or whether the results of the 2018 preliminary roost assessment and emergence/re-entry surveys are still valid. Similar concerns were raised during the previous application on this site (*RU.21/0695*), and it is noted that results of the updated 2021 preliminary roost assessments were submitted with that application. It was therefore agreed, given the results of this assessment, the breadth of work previously undertaken, and therefore the likelihood that bat roosts are not present on the site, that the updated emergence/re-entry surveys could be carried out prior to the commencement of development, to be secured by condition. The current application has not submitted the same level of information, in so far that the results of the 2021 preliminary roost assessments are missing, however the overall breadth of work undertaken across the site in relation to bats remains the same and given that this was recently accepted under *RU.21/0695*, *it is considered reasonable to condition that the outstanding emergence/re-entry surveys be carried out prior to the commencement of development. A suitable worded condition can be suggested should members decide to overturn officer recommendation to refuse this application.*
- 7.25 The most recent version of the PEA report has updated the recommendation with regards to reptiles from further presence/likely absence surveys required to no further surveys required. There does not appear to be any justification for this shift in recommendation, however it is noted that no further surveys were required for the previous application (*RU.21/0695*) and that a condition was instead imposed requiring a construction environmental management plan (*CEMP*) to be submitted prior to the commencement of development. The *CEMP* was required to outline a precautionary approach to the development and site clearance to avoid and reduce impacts on reptiles and other species during construction. It is recommended that this same approach is taken with this application, and wording for the *CEMP* condition can be suggested if members are minded to approve the application. (*Officer Note: This is against the advice given by SWT for this application but in accordance with their advice for*

*the previous application).*

Also, it has not been demonstrated that the development would result in a net gain in biodiversity, and the Ecological Impact Assessment referred to has not been submitted. The application is supported by a Preliminary Ecological Assessment, however this concludes that an Ecological Mitigation and Enhancement Plan, informed by a Biodiversity Net Gain assessment should be produced, which also hasn't been submitted. A net gain in biodiversity is a requirement of policies SD7 and EE9 of the Local Plan,

- 7.27 Lastly, a Habitats Regulation Assessment (*HRA*) has been submitted with regards to the impact on nearby Special Areas of Protection (*SPAs*), Special Areas of Conservation (*SACs*) and Ramsar sites. The report concludes that the risks from the proposed development, alone or in conjunction with other development, to nearby European designated sites can be dismissed. A potential impact pathway was identified for the Thursley, Ash, Pirbright & Chobham SAC and the Thames Basin Heaths SPA, however given the scale and nature of the development and the distance to these sites, it is not considered that the proposed development would have a negative impact either alone or in combination.

### ***The impact of the development on flood risk***

- 7.28 Paragraph 167 of the NPPF sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and where appropriate, applications should be supported by a site-specific flood-risk assessment (*FRA*). Policy EE13 of the Local Plan is consistent with this and sets out that the flood risk assessment should be proportionate to the scale of development and demonstrate that all forms of flood risk have been taken into account. Part of the site within the northwest corner is within flood zone 2, and as such a FRA has been submitted in support of the application which sets out proposed mitigation measures to reduce the risk from flooding for the future users of the site. The Council's Drainage Officer has asked that the finished floor levels are raised further, however given that the new buildings are outside of the flood zone and the rest of the buildings are existing, this is not considered reasonable. There is a safe access/escape route for the existing dwelling on site in the event of a flood, and as such there is no material risk to the future occupiers of this dwelling.
- 7.29 In terms of the risk to flooding elsewhere and to neighbouring properties, there is a reduction in built footprint within the flood zone 2, and as such the development represents a betterment. The development will not therefore reduce the capacity of the flood plain to store water and will not therefore increase the risk of flooding elsewhere.
- 7.30 As the site is over 1 ha it is also necessary for Sustainable Urban Drainage Strategy to be implemented. The strategy for dealing with surface water drainage has been set out in the FRA, however no details have been submitted to establish whether infiltration is feasible, and it is unclear why a pumped solution has been chosen as there appears to be sufficient space to accommodate shallow attenuation that would facilitate a gravity discharge if infiltration is deemed unfeasible. Additionally, consideration has not been given to using complex flow control which would help reduce the attenuation requirements during the larger storm events, and elements such as conveyance swales, bioretention areas, and permeable paving have not been considered. An assessment of the onsite watercourse should also be submitted, detailing flow route and connectivity. The proposed drainage strategy is not considered to comply with the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems, however it is clear that a solution to drainage on the site is possible and as such it is advised that an updated drainage strategy, which takes into account the above points, can be secured by condition,

should members be minded to approve the application.

### ***The impact on archaeology***

- 7.31 Policy EE7 of the Local Plan sets out that an archaeological assessment is required for proposals on sites with exceed 0.4ha. This is consistent with paragraph 194 of the NPPF which sets out that where a site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. No such assessment has been undertaken or submitted with this application, however archaeological potential at the site will have been lost when the site was previously quarried and used for landfill, and the proposal will not therefore have any impact on archaeological remains.

### ***The impact on minerals***

- 7.32 The application site forms part of a Minerals Safeguarding Area (MSA). Paragraph 211 of the NPPF sets out that great weight should be given to the benefit of mineral extraction and policies MC6 and MC7 of the Surrey Minerals Plan Core Strategy Development sets out that where feasible, minerals should be worked before development takes place. However, as the site makes up only a small section of the MSA and is alongside residential dwellings, the site is unlikely to form part of any future scheme to work minerals within the wider MSA. No objections are therefore raised to the development although it is recommended that the applicant undertakes a mineral resource assessment to assess the viability of minerals being extracted prior to development, and should permission be granted this could be included as an informative.

### ***Energy and sustainability***

- 7.33 Paragraph 152 of the NPPF sets out that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, encourage the reuse of existing resources, and support renewable and low carbon energy and associated infrastructure. Paragraph 157 also sets out that development should comply with any development plan policies on decentralised energy supply and minimise energy consumption by taking account of landform, layout, building orientation, massing and landscaping. Policy SD8 of the Local Plan sets out that major development proposals will be required to submit an energy statement demonstrating that the development will follow the following energy hierarchy:

- 1) Be lean; use less energy
- 2) Be clean; supply energy efficiently
- 3) Be green; use renewable energy

The application is supported by an Energy Statement which begins to discuss sustainability, energy consumption, and renewable energy, however the overall strategy for meeting the energy hierarchy and implementing this into the proposed development is lacking. It is not clear from the information provided what measures will be put in place to ensure the development is lean, clean, and green, and that the development therefore complies with policy SD8 and the requirements of the NPPF. The Energy Strategy also refers to out of date policies such as PPS1 and PPS22 and does not refer to the up-to-date policies and aims contained with the Local Plan and the NPPF.

### ***Planning Balance and Conclusions***

7.34 It has been demonstrated that in accordance with national policies this form of development in the Green Belt is inappropriate development which would cause significant harm to the openness of the Green Belt. This harm needs to be afforded substantial weight in accordance with the NPPF. *In addition, it has not been demonstrated that the development will not cause harm to the amenity of existing neighbours as a result of on-site noise, that the development will not negatively impact on highway safety within Hurst Lane, or that the development will provide a net gain in biodiversity and be sustainable in accordance with the energy hierarchy set out in the Local Plan.* This development can therefore only be approved if there is a clear case of very special circumstances which would clearly overcome this identified harm. The weighting for the other harm is summarised as follows:

- **Neighbour amenity** – *Whilst the weight could be significant only limited weight is attributed as further technical information could be submitted to overcome this harm.*
- **Highway Safety** – *Whilst the weight could be significant only limited weight is attributed as further technical information could be submitted to overcome this harm.*
- **Biodiversity Net Gain** *Whilst the weight could be significant only limited weight is attributed as further technical information could be submitted to overcome this harm.*
- **Sustainability & Energy Efficiency** *Whilst the weight could be significant only limited weight is attributed as further technical information could be submitted to overcome this harm.*

7.35 Officers have reviewed the case of very special circumstances put forward by the applicant and consider that the following weight can be attributed to the relevant material considerations.

Benefits	Weight afforded
<p><b>Employment</b> – The application is supported by an economic statement which sets out that the proposal will contribute towards reducing the Council’s industrial floorspace deficit and will provide jobs for over 50 employees and 10 apprenticeships each year. Additionally, temporary jobs would be created during the construction and demolition works, and construction workers as well as future staff and visitors will have a positive impact through direct and indirect expenditure in the local economy.</p>	<p><b>Limited Weight</b> – The Runnymede 2030 Local Plan sets out the Council will aim to encourage new businesses to the Borough. Policy IE3 sets out that the Council will encourage a range of types and sizes of new employment floorspace and will seek the retention/re-use of small warehousing units. Policy IE3 also supports small scale rural offices or other small-scale rural employment development through the conversion or redevelopment of existing buildings, however the policy is clear that this is on the provision they accord with the Council’s Green Belt policies.</p> <p>However, the Local Plan does not set out any specific shortfall in industrial floorspace to be met, and whilst jobs created and money brought into the economy from future staff and visitors would have an economic benefit, for a development of this size, the benefits would be fairly minor. It is also not clear whether alternative sites outside of the Green Belt have been</p>

	<p>considered, and if so why these were discounted. Finally, it is considered that the same economic benefits could be achieved by locating the development elsewhere.</p>
<p><b>Sustainability &amp; Energy Efficiency</b> – The applicant states that the development activities onsite will produce solar panel clean-energy equipment for its own use and develop emerging products for market use which will deliver energy-saving benefits to the local economy and the wider construction industry generally. The Green Belt Statement mentions that a Sustainability Note (May 2022) explains how the proposed new facility will allow for research and development activities, including into a lightweight sectional steel structures using low carbon production methods and the integration of solar panels systems into their scaffolding.</p>	<p><b>No weight</b> – Other than a few bullet points within the Planning Statement, no information has been provided on the solar panel clean-energy equipment. It is also not clear what document the applicant is referring to when they mention the Sustainability Note. Notwithstanding, it is not clear what wider benefits this research would have in terms of energy efficiency. The Energy Statement submitted with the application also fails to demonstrate how the proposed development and the operation of the site will be energy efficient in accordance with the energy hierarchy set out in policy SD8 of the Local Plan, <i>and this is recommended as a reason for refusal</i>. No weight can therefore be given to these benefits.</p>
<p><b>Open Space and Recreation</b> – The southern part of the site is to be remediated and landscaped for use by staff and the public. The application is supported by a management strategy for the proposed area of open space and the applicant suggests creating a maintenance regime.</p>	<p><b>Limited Weight</b> – The NPPF sets out the importance to high quality open spaces in contributing to the health and well-being of communities, and as new open space is normally only a policy requirement for housing developments, the creation of open space in this instance is an added benefit.</p> <p>However, there is no identified need for open space in this specific location and as such any benefit would not outweigh the harm caused to the Green Belt by development elsewhere on the site. The management strategy sets out principles for the maintenance of the open space, however the proposals for the creation open space are not fully realised and the hard and soft landscaping details are limited.</p>
<p><b>Biodiversity</b> - The area to the south of the site is to be provided as an area of natural greenspace. The Green Belt statement refers to an Ecological Impact Assessment and concludes that the proposed development will have a beneficial effect on woodland, trees and hedgerows and provide opportunities for significant ecological enhancement.</p>	<p><b>No weight</b> – It has not been demonstrated that the development would result in a net gain in biodiversity, and the Ecological Impact Assessment referred to has not been submitted. The application is supported by a Preliminary Ecological Assessment, however this concludes that an Ecological Mitigation and Enhancement Plan, informed by a Biodiversity Net Gain assessment should be produced, which</p>

	also hasn't been submitted. A net gain in biodiversity is a requirement of policies SD7 and EE9 of the Local Plan, <i>and as such the failure to demonstrate a net gain biodiversity at this stage is recommended as a reason for refusal.</i>
<b>Remediation and Restoration</b> – The Green Belt statement sets out that the applicant is committed to undertaking full ground conditions investigations and remediating the site where necessary.	<b>Significant weight</b> – The phase 1 geo-environmental assessment submitted with the application identifies contamination on site, which poses a risk to existing and future residents as well as the ground water and surface water environment. The Environment Agency have also confirmed that it would be difficult to enforce the decontamination of the site outside of the planning process. Therefore, redevelopment through the planning regime offers the best chance of remedial works being undertaken.
<b>Flood Risk</b> – The Flood Risk Assessment demonstrates that there will be a reduction of building footprint and hardstanding within flood zone 2.	<b>Significant weight</b> – Several of the existing buildings are within flood zone 2, the removal of which will provide a betterment in flood plain storage and reduce the risk of flooding elsewhere and to existing residents. The proposed buildings are located within flood zone 1.

7.36 The proposal represents inappropriate development in the Green Belt and as such is, by definition, harmful. Any harm to the Green Belt, in accordance with paragraph 148 of the NPPF, should be given substantial weight, and in accordance with paragraph 147, harmful development should not be approved except in very special circumstances. Further harm is caused due to the impact of the development on the spatial and visual openness of the Green Belt and the encroachment of development into the Countryside. *Finally harm has been identified as a result of the developments impact on residential amenity, highway safety and from a failure to demonstrate that the site would have a net gain in biodiversity and that the development is sustainable and energy efficient.* As per the above table, the case for very special circumstances does not clearly outweigh the harm identified.

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

8.1 The office development is CIL liable and attracts a fee of £50 per sqm. Based on the information submitted, the overall tariff is therefore £30,500. *No CIL forms have been submitted with the application and as such, should member be minded to approve the application this should be subject to the relevant forms first being received.*

## 9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

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

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

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

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

## 10. CONCLUSIONS

- 10.1 The application proposes to redevelop the site for use as a company headquarters for a scaffolding and access provider. The site will be used for training, industry certification, and apprenticeship courses. It is proposed to demolish the majority of the existing buildings on site, with the remaining buildings retained for light industrial use apart from building 19 which will be retained as an independent dwelling. A new office and a training hall are also to be erected. The development represents inappropriate development within the Green Belt and would also cause harm to the openness of the Green Belt and result in further encroachment into the countryside. Further harm has been identified with in relation to residential amenity, highway safety, biodiversity, and sustainability and energy efficiency. No very special circumstances are considered to exist which clearly outweigh the harm caused.
- 10.2 The development has been assessed against the following Development Plan policies – SD3, SD4, SD7, SD8, SL1, SL19, SL26, EE1, EE2, EE7, EE9, EE11, EE12, EE13, EE15, EE19 and IE3 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

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

1. The proposed development is inappropriate development in the Green Belt and therefore by definition harmful. Furthermore, the proposed development will reduce the openness of the Green Belt. There are no "Very Special Circumstances" to outweigh this harm which is given substantial weight and other harm which is identified in the reasons for refusal set out below. The proposal is contrary to paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework and policy EE19 of the Runnymede 2030 Local Plan.
2. It has not been demonstrated that noise generated by the proposed use of the site would not harm the amenity of existing and future residents. The proposal fails to comply with paragraph 130 of the National Planning Policy Framework and policies EE1 and EE2 of the Runnymede 2030 Local Plan.
3. It has not been demonstrated that existing road network can safely accommodate the traffic associated with the development or that the development would not negatively impact on highway safety. The proposal fails to comply with paragraph 111 of the National Planning Policy Framework and policy SD4 of the Runnymede 2030 Local Plan.
4. It has not been demonstrated that the development will provide net-gains in biodiversity in accordance with paragraphs 174 and 180 of the National Planning Policy Framework and policies SD7 and EE9 of the Runnymede 2030 Local Plan.
5. It has not been demonstrated how the development will be made to be energy efficient in accordance paragraphs 152 and 157 of the National Planning Policy Framework, and specifically in accordance with the energy hierarchy set out in policy SD8 of the Runnymede 2030 Local Plan.