

## COMMITTEE AGENDA REFERENCE: 5B

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| <b>APPLICATION REF:</b>  | <b>RU.21/1766</b>  |
| <b>LOCATION</b>  | Wheelers Green, Bittams Lane, Chertsey, KT16 9RG   |
| <b>PROPOSAL</b>  | Construction of 6 apartments within two separate blocks, with revised vehicular access from Bittams Lane, landscaping and sustainable drainage systems |
| <b>TYPE</b>  | Full Planning Permission   |
| <b>EXPIRY DATE</b>   | 06/12/2021   |
| <b>WARD</b>  | Longcross, Lyne and Chertsey South   |
| <b>CASE OFFICER</b>  | Marie Clarke   |
| <b>REASON FOR COMMITTEE DETERMINATION</b>  | Net increase of 5 or more dwellings  |
| <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> |  |
| 1.   | <b>To approve the application subject to the completion of a S106 agreement and planning conditions.</b>   |
| 2.   | <b>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.</b> |

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

- 2.1 The site is located on the south side of Bittams Lane on a bend in the road. The site comprises a Grade II Listed detached 2 storey dwelling located to the east of a generous sized plot. The site is bounded by the A320 to the south with wooded area to the east and open land to the west. It forms part of an allocated site under Policy SL18 of the Local Plan. TPO16 runs along the west of the site and the site is in the Urban Area.

### 3. APPLICATION DETAILS

- 3.1 The application seeks permission for the construction of 2 x 1.5 storey buildings to provide 6 dwellings alongside the construction of a new access from Bittams Lane. Both buildings would be located to the east of the site with Block A located close to the new access on the northern boundary and Block B located towards the southern boundary. Both buildings would have a similar design with barn-hipped roofs and windows set in the eaves. Proposed materials are black timber weather boarded elevations and plain clay roof tiling.
- 3.2 Each building would contain 2 flats on the ground floor with a third in the roof space above. The ground floor flats would have access to separate rear gardens whereas the first floor flats would be provided with a private terrace area. A further communal garden area is also proposed. Flats 1 and 2 would be studio apartments with the remaining flats to be 1 bed 2 person apartments. Each flat would be provided with 1 car parking space with further space laid out for each dwelling to have its own bin and bike storage

#### 4. RELEVANT PLANNING HISTORY

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

| Reference  | Details  |
|------------|--|
| RU.21/1715 | Listed building consent for the demolition of garage and attic over and erection of two-storey side extension to form annex, provision of new vehicular access from Bittams Lane. Grant – 03/12/2021 |
| RU.21/1700 | Demolition of garage and attic over and erection of two-storey side extension to form annex, provision of new vehicular access from Bittams Lane. Grant – 17/12/2021                                 |
| RU.00/0389 | Demolition of existing garage and attic over and erection of two storey side extension. Grant- 23/05/2000.   |
| RU.00/0390 | Demolition of garage and attic over and erection of two storey side extension. Listed Building Consent – Grant. 23/05/2000.  |
| RU.98/0376 | Erection of entrance gates with brick piers. Grant – 09/06/1998.   |

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

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.3 SPDs which might be a material consideration in determination:
- Runnymede Design SPD (July 2021)
  - Thames Basin Heaths SPA SPD (April 2021)
  - Affordable Housing SPD (April 2022)
  - Runnymede Parking Guidance SPD (November 2022)
- 5.4 Planning (Listed Buildings and Conservation Area) Act 1990

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

| Consultee   | Comments  |
|---|---|
| Natural England   | No objection subject to securing appropriate mitigation   |
| SCC Highway Authority                                       | Further information originally requested and provided by the applicant. No further objection raised subject to conditions |
| RBC Conservation Officer                                    | No objection  |
| Surrey Wildlife Trust (in their role as our ecology advice) | Further information originally requested and provided by the applicant. No further objection raised subject to conditions |
| RBC Tree Officer  | No objections subject to conditions   |
| SCC Archaeology   | No objection subject to condition   |
| RBC Drainage Engineer                                       | No objection subject to condition   |
| RBC Deputy Direct Services Manager                          | No objection  |
| RBC Environmental Health Manager                            | No comments received  |
| Surrey Bat Group  | No objection  |

### Representations and comments from interested parties

6.2 1x neighbouring property was consulted in addition to the application being advertised and a site notice erected. 4x letters of representation have been received, which can be summarised as follows:

- RBC state gardens should have minimum depth of 10.6m and this is often overlooked on the larger sites but these rear gardens fall considerably below.
- 4 units have floor area of 40msqm. These units shown as having double beds implying 2 person use and national standards states 2-person 1 bed units should have 50sqm floor area.
- The tranquillity and quietness of this location made a powerful contribution to my condition. Other residents have had a similar experience.
- Building a number of houses with associated roads very close will shatter our silence at all hours. There will be an increase in atmospheric pollution.
- Some apartments will be closely overlooked. Major concern to those with age related breathing problems.
- Some apartments will find themselves in close visual proximity to new houses, accentuated by rising grounds, leading to a loss of privacy.

- The proposed development would be completely out of character.
- The area has an open structure and feel from presence of St Peter's Hospital and Business Park and should remain so.
- Bittams Lane is very narrow and in places 2 medium sized vehicles cannot pass each other without slowing down and in places mounting the curb. Also used as rat run from M25 to Addlestone. Several collisions along the lane.
- Already another application for 200 dwellings next to Parklands which if approved will also greatly increase the number of vehicles accessing Bittams Lane.
- The apartments will create at least 6 more vehicles and considerations should be made for visitors, thus increasing possibility of even more traffic.
- That end of Bittams Lane is subject to flooding and was badly flooded last year.
- Increase in noise and vehicle emission pollution to be considered.
- Health and education facilities in area already stretched to capacity and beyond and with impact of proposed Green lane development, proposed Parklands development will be come more overloaded.
- Travel plan was interesting to read by human nature predicts people will have at least 1 vehicle. It takes 30-40 minutes to walk into Chertsey town centre. Managing travel demand by reducing impact of car travel and reducing need to travel will not help already overloaded facilities in the area.
- Narrow lane with lack of visibility. Survey should be carried out and 20mph speed limit considered.

## **7. PLANNING CONSIDERATIONS**

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are:

- Principle of Development
- Affordable Housing
- Heritage Considerations
- Wider Design Considerations
- Highways
- Trees
- Ecology
- Flooding and Drainage
- Provision of a Suitable Residential Environment
- Sustainability
- Impact on Neighbouring Amenity
- Planning obligations

### **Principle of Development**

7.2 Wheelers Green falls within an allocated housing site (Parcel E - Chertsey Bittams). Local Plan Policy SD2 states that the wider site should deliver residential development of between 75-105 net units, with timing set out as 2023-2026 subject to the delivery of necessary mitigation on the A320.

- 7.3 Local Plan Policy SL18 confirms that the site will a) deliver a high quality development that will make provision for a minimum of 75 net additional C3 dwellings. As such, it must be demonstrated that this piecemeal development is acceptable in policy terms and that the remainder of the allocated site could still come forward for development in the future.

Policy SL18 also requires the following:

- b) Take account of TPO16 and site boundary vegetation
- c) Net gains in biodiversity
- d) Financial contribution towards provision of a community hub building and associated infrastructure at Parcel A, Chertsey Bittams. Open space for children and teenagers should be provided on site where possible.
- e) Include measures to mitigate impact on the highway
- f) Ensure the Listed Building and its setting is maintained and enhanced
- g) Make a financial contribution towards schools through S106 or CIL
- h) Avoid impact to the Thames Basin Heaths SPA
- i) Contribute towards and maximise opportunities for public rights of way
- j) Provide or contribute towards any other identified infrastructure
- k) A Flood Risk Assessment which, in particular, addresses surface water flooding from the A320

These requirements will be addressed in the relevant sections below.

### **Affordable Housing**

- 7.3 Policy SL20 of the Local Plan states that the Council will seek to deliver 30% of all net additional dwellings as affordable units of which about 70% will be provided as Affordable/Social Rent and 30% provided as other forms of affordable housing. Development proposals of 10 or more (net) additional dwellings will be expected to provide 35% of dwellings as affordable units with a tenure split as above which includes 10% of homes for affordable home ownership.
- 7.4 Whilst the proposal is for less than 10 units, given that the application site relates to a wider allocated site within the Local Plan and as Policy SL20 goes on to state that where a site has been sub-divided or is not being developed to its full potential so as to fall under the affordable housing threshold the Council will seek a level of affordable housing to reflect the provision that would have been achieved on the site as a whole had it come forward as a single scheme for the allocated or identified site, it was initially considered that the provision of affordable housing should be sought as part of this proposed development.
- 7.5 However, it is not considered that the site has been artificially subdivided and in view of the quantum of development proposed on the site as set out in paragraph 7.5 above, it is considered that the site is being developed to its full potential. It is considered for these reasons that no affordable housing units or a contribution to affordable housing can be requested in this instance. On this basis it is considered that the proposal meets the requirements of Policy SL20 and the Affordable Housing SPD.

### **Heritage Considerations**

- 7.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that the Local Planning Authority shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Policy EE4 of the Local Plan sets out that the Council will support appropriate development which seeks to maintain, sustain and enhance the significance and special

architectural and historic interest of Listed Buildings in the Borough. Considerable weight will be given to the protection of a Listed Building and its setting. Development of a Listed Building, or development within the curtilage or within the vicinity of a Listed Building or structure, should preserve and/or enhance its setting and any features of special architectural or historical interest which it possesses.

- 7.7 Wheelers Green is a Grade II Listed Building. The significance of Wheelers Green is considered to be the historic and architectural interest of the Listed Building and its spacious setting. The Council's Conservation Officer was consulted on the application and has previously been involved throughout pre-application discussions for the development. The Officer raised no objection, noting the development has a low key cottage style aesthetic and is considered to be of a subservient scale to the adjacent Listed Building such that the development would not harm in any way the setting of the Listed Building.
- 7.8 Surrey County Council Archaeology were also consulted on the application and provided comments on the desk based archaeological report submitted. The report confirmed the application site has High Archaeological Potential due to its proximity to the Listed Building and further work may be required to clarify the potential of the site. The Archaeology Team have confirmed further work would be required through a trial trench, but does not consider it necessary for the archaeological work to be carried out in advance of planning permission with the report suggesting remains of national importance are not present. A condition to secure the required archaeological work was recommended, subject to which the development is considered to avoid harm to archaeological potential of the site.
- 7.9 Therefore, as a whole, the development is considered to protect and preserve the significance of the designated heritage assets identified on site, in compliance with Policies SL18, EE3, EE4 and EE7 of the Local Plan.

### **Wider Design Considerations**

- 7.10 Policy EE1 requires development proposals to achieve a high quality and inclusive design which responds to the local context including the built, natural and historic character of the area. The Runnymede Design SPD also seeks to provide applicants and their agents with more detailed design advice for new developments. Development should be designed to take into consideration the existing site and its local context.
- 7.12 The current proposal is considered to be acceptable in layout, scale and overall design, with the built development 'broken up' and set away from the site boundaries. The buildings have a barn like appearance which is in keeping with the semi-rural nature of the area. They would essentially face into a courtyard area, with views of the Listed Building maintained to the west. They have been designed to be low-key 1.5 storey buildings to ensure that they are visually subservient to the Listed Building. Materials are considered to be sympathetic and appropriate.

### **Highways**

- 7.13 Policy SD4 of the Local Plan states that the Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network.
- 7.14 Surrey County Highways Authority (CHA) were consulted on the application and requested a further speed survey be carried out alongside providing additional information regarding visibility splays. The applicant subsequently submitted the requested information which was reviewed by the CHA who raised no objection to the development subject to conditions to secure closure of the existing access, construction of the new access, parking and turning,

electric vehicle charging and further details of a construction transport management plan prior to commencement of development. Subject to these conditions it is considered to development will have an acceptable impact on the safety and capacity of the local highway, in compliance with Policies SD3, SD4 and SD7 of the Local Plan.

- 7.15 The proposal would comply with the car parking guidelines in the adopted Runnymede Parking Guidance SPD which requires one car parking space per dwelling for units of this size. Adequate cycle parking would also be provided.
- 7.16 Individual bin stores would be provided and the DSO Recycling Officer has commented that this is ideal, as it is anticipated that the waste collection vehicles would stop on the main highway and pull the bins to the truck.

### **Trees**

- 7.17 Policy EE9 seeks to protect sites covered by TPOs and Policy EE11 relates to Green Infrastructure. The impact of the proposal upon existing trees and landscaping is an important consideration for this site. Policy SL18 confirms that any development will need to take account of TPO16 to the west of the site, as well as other existing site boundary vegetation.
- 7.18 The application is accompanied by an Arboricultural and Planning Integration Report carried out by GHA Trees and a Tree Protection Plan. This confirms that subject to adequate protection, the proposal would be acceptable. The TPO'd trees are away from the proposed units, sited behind the Listed Building. The mature weeping willow to the centre of site is to be retained as a focal feature, as would the boundary vegetation which would ensure some screening of the development. The three trees to be removed to facilitate the development are of poor quality, having either a C or U category, therefore no objection is raised in this regard. In addition the relationship between the buildings and retained trees is sustainable and is not likely to result in any pressure to for pruning from future occupants.

### **Ecology**

- 7.19 Policy EE11 seeks to avoid habitat fragmentation of Green Infrastructure by encouraging development proposals which restore, maintain and enhance habitat connectivity. The submitted Preliminary Ecology Appraisal Report (amended) includes a buffer zone to the east of the site and protection of woodland. The Biodiversity Net Gain Assessment (amended) sets out a biodiversity net gain of 24.45% for habitats and 39.12% for linear features. The assessment outlines a measurable net gain, in line with the NPPF. Surrey Wildlife Trust have recommended a condition to secure a Biodiversity Management Plan to detail how each habitat will be managed to achieve its target score.
- 7.20 The site falls within 5km of the Thames Basin Heaths SPA, therefore Policies EE9 and EE10 apply. All new net residential developments within this zone of influence are considered likely to have a significant effect on the SPA in terms of recreational impacts from new residents and should therefore contribute to the provision of avoidance measures. One option is a contribution from developers to go towards mitigation in the form of the provision of Suitable Accessible Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). The applicant has agreed to pay this (see section below regarding financial contributions) and has submitted a draft S106.

### **Flooding and Drainage**

7.21 The Council's Drainage Engineers were consulted on the application and note the site is in flood Zone 1 and at a low risk of surface water flooding. Ground investigation has been undertaken for the site with surface water attenuation measures proposed. No objection is raised subject to a condition to ensure that a scheme for the disposal of surface water, in line with principles set out in the submitted Drainage Strategy and Flood Risk Statement, is submitted and agreed. Therefore, the development is considered to comply with the requirements of Policies EE13 and SL18.

#### **Provision of a suitable residential environment**

7.22 Policy EE1 states that development proposals should have no adverse impact on neighbouring properties or the amenities of future occupiers, and should provide an appropriate standard of amenity space. Policy SL19 requires development to comply with minimum internal space standards.

7.23 Each dwelling would have a suitable area of private amenity space, as well as an attractive communal amenity area within the courtyard. The flats would comply with the minimum internal space standards set out in Policy SL19. It is therefore considered that the proposal would be of a high-quality design and would provide attractive living spaces.

7.24 In regards of noise, Policy EE2 relates to environmental protection and states that pollution, including noise, can lead to adverse impacts on the natural environment and the health and well-being of individuals and communities. Proposals which have or would be subject to unacceptable adverse effects will not be supported.

7.25 Noise from the adjacent A320 is a material consideration. The submitted Noise Impact Assessment Report by dBA Acoustics indicates that, unmitigated, at the most exposed facades of the proposed dwellings there is a medium to high risk of significant adverse noise impact. Thus mitigation would be required. The report recommends:

- An enhanced building envelope through the application of appropriate external fabric elements and materials to achieve suitable internal noise levels.
- Alternative means of ventilation using an MVHR system to provide continuous mechanical ventilation and cooling, so that, if desired, windows can be kept closed for acoustic reasons.
- Acoustically enclosed first floor balconies, using 1.7m high acoustic glazed screens and hedges.

7.26 As such, subject to conditions, the proposals would achieve the internal noise guideline limits of BS8233:2014 and would be acceptable. Whilst external amenity is generally not expected to be compliant with the upper limit of the guidelines (55dB LAeq 16 hours daytime noise levels), particularly the rear gardens of the units in Block B, a relatively quieter communal amenity area would be available to all residents.

7.27 It should be noted that, in reference to the guideline levels, section 7.7.3.2 of BS8233:2014 states:

*'it is also recognised that these guideline levels are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as convenience of living in these locations or making effective use of land resources to ensure development needs can be met might be warranted. In such a situation, development should be*

*designed to achieve the lowest practicable levels in external amenity spaces, but should not be prohibited.'*

- 7.28 Overall, subject to conditions, the proposal is considered acceptable in relation to providing a suitable residential environment.

### **Sustainability**

- 7.29 Policies SD7 and SD8 of the Local Plan relate to sustainable design and renewable energy. It is noted that the Design and Access Statement makes reference to the possibility of incorporating PV panels to the southern roofslopes (essentially Block B) and / or Air Source Heat Pumps. These renewables measures are encouraged although would need to be considered in the context of the site, particularly with regard to the setting of the Listed Building and potential impact on ambient noise levels. A condition is recommended, as well as a condition to secure electric vehicle charging points for all the dwellings and measures for water conservation.

### **Impact on Neighbouring Amenity**

- 7.30 Given the relatively isolated location of the site, there would be no impact on neighbouring amenity. The buildings would be sited a sufficient distance from the existing dwelling to ensure that there would be no loss of light or privacy to its occupiers.

### **Planning Obligations**

- 7.31 Agreed contributions to meet policy requirements are as follows:

|               |         |
|---------------|---------|
| SANG          | £7,589  |
| SAMM          | £3,024  |
| Community Hub | £9,089  |
| A320 Highways | £71,340 |

## **8. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 8.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution.

## **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 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 development is considered acceptable in terms of impact on heritage assets, the character and appearance of the area, residential amenity, trees, ecology and other policy requirements.
- 10.2 The development has been assessed against the following Development Plan policies – Policies EE1, EE2, EE3, EE4m, EE7, EE9, EE10, EE11, EE13, SL18, SL19, SD2, SD3, SD4, SD7 and SD8 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 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. SANG          | £7,589  |
| 2. SAMM          | £3,024  |
| 3. Community Hub | £9,089  |
| 4. A320 Highways | £71,340 |

***And the subject to the following planning conditions:***

1. Full application (standard time limit)

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

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

2. List of approved plans

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

1620/201 Rev B – Proposed Site Plan;

1620/202 Rev B – Proposed Floor & Roof Plans – Block A  
1620/203 Rev B – Proposed Floor & Roof Plans – Block B  
1620/204 Rev A – Street Elevations and Site Sections  
1620/205 – Block Plan.  
020.0595.005 Rev A – Visibility Splays from Existing Access  
Tree Protection Plan – Dec 2021.

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

3. Ecology

The development hereby approved shall be implemented fully in accordance with the recommendations in the Ecological Appraisal by Darwin Ecology (Updated December 2021) hereby approved. Prior to the commencement of development a Habitat Management Plan, to include biodiversity net gain including details of how these habitats will be managed, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved Habitat Management Plan.

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

4. Archaeology

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 Local Plan and guidance within the NPPF.

5. Construction transport management plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) 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 Local Plan and guidance within the NPPF.

6. Tree protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, tree protective measures shall be installed in accordance with the approved Tree Protection Plan (Dec 2021). The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

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

7. Surface water drainage

Prior to the commencement of development a scheme for the disposal of surface water based on the principles within the agreed Drainage Strategy and Flood Risk Statement Ref 21074 dated 27/9/2021 shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.

Reason: To ensure there is adequate surface water drainage in accordance with Policies EE13 and SL18 of the Local Plan.

8. External materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved. Development shall be carried out in accordance with the approved details.

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

9. Landscaping details

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

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 to the timetable agreed with the LPA. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

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

10. Closure of existing vehicular access

The development hereby approved shall not be first occupied unless and until the existing access from the site to Bittams Lane 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 Local Plan and guidance within the NPPF.

11. New access

No part of the development shall be first occupied unless and until the proposed new vehicular access to Bittams Lane has been constructed and provided with visibility zones in accordance with the approved plan, 020.0595.005 Rev A, 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 Local Plan and guidance within the NPPF.

12. Parking and turning

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

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

13. Electric vehicle charging

The development hereby approved shall not be occupied unless and until each of the proposed flats are provided with a fast charge socket (current minimum requirements - 7 kw

Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter 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 guidance in the NPPF.

14. Noise mitigation

The development hereby approved shall not be occupied until internal and external noise mitigation measures have been implemented in accordance with a scheme to firstly be submitted to and approved in writing by the Local Planning Authority. This shall incorporate the recommendations in the approved Noise Impact Assessment Report by dBA Acoustics (10<sup>th</sup> August 2021) which include:

- Enhanced building envelope through the application of appropriate external fabric elements and materials
- Alternative means of ventilation using an MVHR system to provide continuous mechanical ventilation and cooling
- Acoustically enclosed first floor balconies with 1.7m high acoustic glazed screens and hedges

Reason: In the interest of the health and wellbeing of future occupiers, in accordance with Policy EE2 of the Local Plan.

15. Renewable Energy

Prior to the occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure at least part of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology in accordance with Policy SD8 of the Local Plan.

16. Water efficiency

Prior to the first occupation of the development hereby permitted, details of the water efficiency measures and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. 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 Local Plan and guidance within the NPPF.

17. External lighting

Before any external lighting is installed at the site, a Sensitive Lighting Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To protect wildlife and to comply with Policies EE9 and EE11 of the 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 Closure of an 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.

### 3 Works to the highway

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

<https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>.

### 4 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 street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

### 5 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/permits-and-licences/traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

### 6 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 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.

#### 7 Statutory utility works

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.

#### 8 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.

#### 9 Numbering and Naming

The applicant is advised that Runnymede Borough Council is the authority responsible for numbering and naming of properties and new streets in accordance with the Public Health Act 1925. Application forms may be obtained from the Engineering Division. Applications should be made at least two months in advance of the property being occupied.

#### 10 Hours of Construction Works

The applicant is advised that the council has established the following guideline hours for noisy works:

8am to 6pm Monday to Friday; and  
8am to 1pm on Saturday.

There should be no noisy work on Sundays or Public Holidays.

Further information is available from the Council's Environmental Health Department.

#### **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.

