

COMMITTEE AGENDA REFERENCE: 5D

APPLICATION REF:	RU.23/0568
LOCATION	Lilypond Farm, Longcross Road, Chertsey, Surrey, KT16 0DT
PROPOSAL	Demolition of existing lawnmower storage building and erection of 2 no. single storey storage buildings (as permission RU.20/1465) but with basements added.
TYPE	Full Planning Permission
EXPIRY DATE	13/07/2023
WARD	Longcross, Lyne and Chertsey South
CASE OFFICER	Adam Jackson
REASON FOR COMMITTEE DETERMINATION	The application is a major by virtue of the proposed floor area. In addition, should the application be approved, the development is required to be referred to the Secretary of State and as such is required by the Council's constitution to be considered at committee.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the HoP:	
1.	Grant consent subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to ensure that the storage buildings approved under the 1992 permission cannot be constructed should this permission be implemented and vice versa, subject to no call in from the Secretary of State to whom the application needs to be referred under the Town and Country Planning (Consultation)(England) Direction 2021 and subject to the conditions set out in section 11 of this report.

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 Lilypond Farm is situated within the Longcross Estate to the south of Longcross Road. It forms part of the 96-hectare 236-acre Longcross Estate (including Longcross House) which is surrounded by Chobham Common to the south, with Longcross Road forming the northern boundary. The estate consists mainly of grassland. Lilypond Farm is situated at the centre of the estate and is responsible for the maintenance of the whole estate. The entire site is within the Green Belt.

3. APPLICATION DETAILS

- 3.1 The proposal is for the demolition of the existing lawnmower storage building and erection of 2 no. single storey storage buildings. The existing lawnmower building is 170sqm and 4.5m tall. The proposed buildings are approximately 895sqm each and 5.5m tall, the same as approved under RU.20/1465, which was approved in 2021 and is still extant. The main difference between the approved and proposed storage buildings is the addition of 2 x new basement levels beneath the two storage buildings. Each basement level is approximately 2000sqm and will be built to a depth of 7.8m. There are also changes to the position of the doors, however the buildings are otherwise unchanged. The buildings are to be constructed in steel and pointed blockwork to match the existing adjacent buildings. The buildings will be located on an area of existing hardstanding close to a group of existing buildings.

4. RELEVANT PLANNING HISTORY

- 4.1 In 1992 (ref. RU.92/0970) planning permission was granted for extensive and substantial works within the site comprising *“the demolition and replacement of main Longcross House and adj. guest accommodation, kitchen, gatehouse, barns and stores, new covered tennis court and swimming pool on site of existing parking, refurbishment of existing stud farm and erection of ancillary equestrian facilities at Pipers Green Farm, erection of three agricultural buildings and a comprehensive landscape strategy”* This permission, which was subject to a Section 106 agreement, has been substantially completed.
- 4.2 In 1998 the above permission was modified to allow for the erection of two single storey storage buildings instead of the three agricultural buildings approved under the 1992 consent. The S106 agreement was modified to ensure that the three agricultural buildings would not be erected should the 1998 permission be implemented.
- 4.3 In 2004 an application was made under RU.04/1100 to effectively renew planning permission RU.98/0354 and was agreed by Planning Committee on 30th March 2005, however the modification to the S106 agreement was not completed and the application was subsequently treated by the Council as withdrawn.
- 4.4 An application (RU.20/1465) was approved by the committee at the end of 2021 for 2 storage buildings which are the same as those proposed under the current application, minus the now proposed basement and the with some changes to the position of the doors. The previous proposal is still extant and does not expire until December 2024. This current application has been submitted to add the basements and make some changes to the positions of the doors, otherwise the application is unchanged from the extant permission.

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

- 5.1 The main strategies and policies relevant to the decision are:
- The Runnymede 2020 Local Plan – Specific policies will be referred to in the planning considerations below

- The National Planning Policy Framework and Guidance

6. CONSULTATIONS CARRIED OUT

6.1 No responses have been received from any of the neighbours consulted or in response to the site notice posted at the entrance to the site.

Consultees responses

Consultee	Comments
Lead Local Flood Authority (Surrey County Council)	Objects to the proposed development as the surface water drainage scheme does not meet the requirements sets out in the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. However, acknowledges that an update drainage strategy could be secured via condition.
Surrey Wildlife Trust	<p>Recommends prior to determination:</p> <ul style="list-style-type: none"> • Assessment of the site for likelihood of the presence of roosting bats. • Clarification regarding the presence of woodland HPI within the site. • Natural England are consulted regarding possible impacts on nearby statutory sites of nature conservation importance. <p>Recommends prior to commencement:</p> <ul style="list-style-type: none"> • Tree protection plan. • Sensitive lighting management plan. • Protection measures for woodland HPI. • Ecological enhancement plan. • Construction environmental management plan. <p>Other recommendations:</p> <ul style="list-style-type: none"> • Demolition and vegetation clearance to take place outside of breeding bird season or following nesting bird checks. • Precautionary approach during construction to ensure that terrestrial mammals are protected. • Biodiversity enhancements to be provided in final design.
RBC Tree Officer	No objections subject to a condition securing an Arboricultural method statement and a tree protection plan.

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 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 is appropriate within the Green Belt
- The impact on the character and appearance of the area and residential amenity
- Intensification of the use and impact on traffic.
- Drainage impacts
- Whether there would be any adverse ecological impacts

Whether the development is appropriate within the Green Belt

7.2 Paragraph 149 of the National Planning Policy Framework (NPPF) sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Paragraph 147 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 states that when considering any planning application, local planning authorities, should ensure that substantial weight is given to any harm to the Green Belt, and that 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 The proposed development would not fall within any of the exceptions set out in paragraphs 149 and 150 of the NPPF and as such the proposed development is inappropriate, and thereby harmful to the Green Belt by definition. In addition, the development would cause actual physical harm as a result of its impact on the openness of the Green Belt. The location of the development, away from any public vantage points and adjacent to a cluster of existing buildings, would reduce the visual impact of the development, however the development would have a significant spatial impact due to the increased floor area, height and volume when compared to the existing storage building. 2 new basement sub levels are now proposed which weren't proposed under the previous application (RU.20/1465), however these have no impact on the openness of the Green Belt. Whether there are any very special circumstances which outweigh the harm is considered in paragraph 7.11 below. No trees are proposed to be removed as part of the proposal and the proposed buildings will be on an area mostly existing hardstanding and are therefore unlikely to harm tree roots. Any minor incursions are unlikely to result in material harm to the trees, and the Council's Tree Officer has raised no concerns in this regard.

The impact on the character and appearance of the area and residential amenity

7.4 The proposed building would be located on an area of mostly existing hardstanding and adjacent to a cluster of 4 existing buildings which are used in association with the management of Longcross Estate, including storage buildings, garaging and the estate office. The proposed storage buildings are 895sqm each (above ground) and 5.5m tall, constructed using steel and pointed blockwork. The above ground portion of the buildings is the same as that approved under RU.20/1465 and the proposed buildings are considered to be of a scale and design which is considered appropriate for the use and in keeping with the existing buildings in this area. There are no nearby neighbouring buildings or properties which could be negatively impacted by the development. The proposed development is

therefore considered comply with policy EE1 of the Runnymede 2030 Local Plan.

Intensification of the use and impact on traffic

- 7.5 The proposed buildings are required for storage in association with the existing use of the Longcross Estate and other properties within the applicant's ownership. The Planning Statement with the application sets out that there are 220 permanent and 75 seasonal staff involved in the maintenance and management of the Longcross Estate and that the buildings are required to store equipment associated with this, including:
- Large mechanical equipment of an agricultural nature used for maintaining grassed area, internal roads, trees and hedges.
 - Materials used in connection with treatment of grassed area and borders.
 - Lighter machinery, used for maintenance around the estate, including space parts.
 - Garaging for the security departments vehicles.
 - Mechanical handlers for transporting goods, and items of furniture.
 - Storage of furniture on a permanent and temporary basis for estate properties during decoration/upgrading.
- 7.6 The Planning Statement sets out that at present, a large amount of machinery is stored in the open resulting in deterioration of the equipment. Since the previous application was submitted, the applicant has apparently purchased further substantial properties in the Surrey area thereby requiring the basements to provide additional storage. Notwithstanding the above, it is not considered that the storage buildings and the additional basements would materially change or increase the intensity of the existing use. The development would not therefore materially increase vehicle movements to and from the site.

Drainage impacts

- 7.7 The proposed development results in a net increase in built form across the site of 1,790sqm and as such the Lead Local Flood Authority are a statutory consultee. The applicant has submitted a surface water drainage modelling, a surface water drainage maintenance plan, and a drainage layout plan with the application. The applicant also submitted a letter in response to the LLFA's initial comments on the application. It is explained that the drainage strategy is to use an attenuation tank and to control discharge into the watercourse using a flow control device. This is similar to the existing drainage strategy which uses a series of pipes to drain surface water into the watercourse. However, whilst the LLFA state that the calculations appear acceptable, they do not relate to the proposed drainage plan which does not make clear the location of the flow control or the existing watercourse. Notwithstanding, it is considered that an acceptable drainage strategy can be secured and therefore it is recommended that, should the application be approved, a final drainage strategy is secure via condition.

Whether there would be any adverse ecological impacts

- 7.8 The application proposes the removal of an existing building on site. The Surrey Wildlife Trust (SWT), in their role as ecological advisors to the Council, have raised concerns in terms of potential impact on bats which could be roosting within the building, however having visited the site, it is clear that the building to be removed is a steel warehouse without any roof space/gaps that could be used by roosting bats. SWT have suggested that existing trees on site could be suitable for roosting bats, however the application has been supported

by an Arboricultural Survey which does not propose any tree removal, and as set out above it is not considered that the proposal will harm the retained trees. The trees to the west and southwest of the proposed buildings are also classed as deciduous woodland which is a priority habitat, and a site of nature conservation importance, however as set out above, the proposed development will not have a material impact on this. An Arboricultural Method Statement and Tree Protection Plan has been conditioned to ensure there would be no harm during construction. A sensitive lighting strategy condition has been added to ensure there would be no harm to commuting or foraging bats.

- 7.9 SWT have also suggested that Natural England should be consulted due to potential impacts on statutory designated sites due to falling within the impact zones of Chobham Common – SSSI, Thursley, Ash, Pirbright & Chobham – SAC, and Thames Basin Heaths – SPA, however Chobham Common is approximately 300m from the site and the proposal would not therefore have any direct impacts. As set out above, there would also be no material intensification in the use of the site and as such it is not considered that there would be any indirect impacts either. It is not therefore considered that the development has potential to impact upon any of these designated sites and therefore it is not necessary for Natural England to be consulted.
- 7.10 Other recommendations made by SWT such as precautionary approaches to working and details of biodiversity net gain can be secured via condition.

Planning Balance/Very Special Circumstances

- 7.11 The proposed development is considered to be harmful to the Green Belt, however a planning justification has been provided within the Cover Letter submitted with the application. This sets out that, at present, there are 220 permanent staff and some 75 seasonal staff involved in the maintenance and management of the Longcross Estate, a large portion of whom are based in the various buildings of the Setate, and that Lilypond Farm is responsible for the maintenance/management of the whole estate. There is a requirement for storage amongst other things for the following items:
- Large mechanical equipment of an agricultural nature.
 - Materials used in connection with the treatment of grass areas.
 - Lighter machinery, used for maintenance around the estate.
 - Mechanical handlers for transporting goods.
 - Furniture on a permanent and temporary basis for estate properties undergoing decoration and upgrading.

At present a large amount of machinery is stored in the open, and deterioration of the equipment is rapid under these conditions. The Letter also clarifies that the basements are now needed due to the purchasing of additional large properties since the previous application and the storage needs associated with this.

- 7.12 RU.98/0354 was granted consent on the basis that the floor area of the proposed buildings could be constructed at anytime as part of planning permission RU.92/0970 which had been implemented and substantially completed. This permission sought to modify the 1992 permission to not build the three buildings and construct only two buildings in a different location adjoining the existing complex of buildings serving the estate (the current application site). That 1998 permission was considered to have a lesser impact on the openness of the Green Belt than that approved in 1992, and permission was granted subject to a modification

order which ensured the three buildings approved under 1992 permission would not be implemented. The 1998 permission has not been implemented and as such three buildings approved under RU.92/0970 could still be constructed given the implementation of the 1992 consent.

7.13 A further application was reported to committee under ref RU.04/1100 with a recommendation of approval, however this was eventually withdrawn as the legal agreement was not completed. The development proposed under RU.04/1100 was identical to that approved at committee in 2021 under RU.20/1465, and it was considered under both applications that the development was acceptable due to having a similar floor area compared to the three buildings that can be constructed under the 1992 permission, and in fact lower including the existing storage building to be removed, and a lower height of 1.5m. The proposed buildings, which are near an existing cluster of buildings on site, would also consolidate the mass to one area. The below table sets out a full comparison between the different permissions/developments.

	Three buildings approved in paddock (RU.92/0970)	Two buildings at Lilypond Farm (RU.98/0354)	RU.04/1100 & RU.20/1465	Current application
Floor area (sqm)	36 x 22.2 = 799.2 36 x 10.8 = 388.8 30 x 18 = 540	30 x 24 = 720 24 x 23 = 552	895sqm 895sqm	895sqm (above ground) 895sqm (above ground)
Height to eaves	3.8m	3.6m & 4.2m	4.2m	4.5m
Height to ridge	7m	4.9m & 5.5m	5.5m	5.5m
Total floor area	1728sqm	1272sqm	1790sqm	1790sqm (above ground)
Area to be removed	N/A	N/A	200sqm	200sqm

7.14 In conclusion, it is considered that the proposal would have lesser impact on the openness of the Green Belt compared to the buildings which can be constructed under the 1992 permission, and a S106 is being drafted to ensure that the three buildings approved under the 1992 permission cannot be constructed should the proposed development be implemented and vice versa. Given that no other harm has been identified, it is considered that very special circumstances exist which outweigh the harm caused by the proposed development.

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

- 10.2 The development has been assessed against the following Development Plan policies – SD4, SD7, EE1, EE9, EE11, EE13 and EE17 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

The HOP be authorised to grant planning permission subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to ensure that the storage buildings approved under the 1992 permission cannot be constructed should this permission be implemented and vice versa, subject to no call in from the Secretary of State to whom the application needs to be referred under the Town and Country Planning (Consultation)(England) Direction 2021 and subject to the following conditions:

1. Full application (standard time limit)

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

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

2. List of approved plans

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

- Location Plan (22/0258/100, Rev P1)

- Longcross Estate Plan (Unnumbered)
- The Estate Office, Lilypond Farm Plan (Unnumbered)
- Proposed Drainage (22/0258/103, Rev P2)
- Ground Floor Layout Sketch Proposals (22/0258/104, Rev P6)
- Basement Layout Sketch Proposals (22/0258/105, Rev P5)
- Proposed Elevations (22/0258/106, Rev P4)
- Lower Basement Layout Sketch Proposals (22/0258/108, Rev P2)
- Proposed Section (22/0258/109, Rev P1)
- Top Down Basement Construction Anticipated Sequence of Work (22/0258/110, Rev P1)

3. Materials

The development hereby permitted shall be constructed entirely of the materials as stated in the submitted valid planning application form.

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

4. Biodiversity

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

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

5. Construction Environmental Management Plan

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

Reason: To achieve sustainable development and protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

6. Arboricultural Method Statement

Prior to the commencement of the development hereby approved, including bringing of equipment, machinery or materials on to the site, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to any approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be

stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

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

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

7. Drainage Strategy

Notwithstanding the drainage details on the Proposed Drainage plan (22/0258/103, Rev P2) the development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1l/s
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Additionally, details of the on-site watercourses should be submitted including condition, capacity and connectivity.
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

8. Drainage verification

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

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

9. Sensitive Lighting Strategy

Prior to the occupation of the development hereby approved, a Sensitive Lighting Management Plan, which demonstrates that there would be no material increase of light at primary bat foraging and commuting routes, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the environment and ensure no loss of or harm of habitats and to comply with policies EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.