

COMMITTEE AGENDA REFERENCE: 5B

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| APPLICATION REF: | RU.23/1240 |
| LOCATION | Augustine House, Gogmore Lane, Chertsey, Surrey, KT16 9AP |
| PROPOSAL | Demolition of existing buildings and construction of a new mixed use redevelopment including up to 840sqm commercial space (Class E); 9 residential units; and associated refuse, cycle parking and landscaping. |
| TYPE | Full Planning Permission |
| EXPIRY DATE | 03/11/2023 |
| WARD | Chertsey St Anns |
| CASE OFFICER | Jennifer Cade |
| REASON FOR COMMITTEE DETERMINATION | Net increase in residential units and number of letters of representation. |
| <i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i> | |

1. SUMMARY OF RECOMMENDATION

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| It is recommended the Planning Committee authorises the HoP: | |
| 1. | To grant planning permission subject to conditions |

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application comprises a two storey office building with single storey commercial building to the southern western part of the site and surface car parking to the rear location to the north west of Gogmore Lane. The site has two existing vehicle access points to the north east and south west of the site. The surrounding area is characterised by a mixture of residential and commercial use. Neighbouring property Nexus (previously Flaxman House) located to the south west of the site has been extended and converted into flats and Hamilton Court to the north east has been converted into flats. To the rear are three storey terraced properties which front onto Riversdell Close and to the front of the site is Aldi and its associated car park.
- 2.2 The site is located within the town centre of Chertsey within the Urban Area and partially within Flood Zone 2.

3. APPLICATION DETAILS

- 3.1 This application seeks permission for the demolition of existing buildings and construction of a three storey new mixed use development with Commercial space (Class E) and 9 residential units with associated refuse, cycle parking and landscaping.
- 3.2 The proposed new development comprises a three storey building with a mansard roof with accommodation within the roof space. The upper floors overhang the ground floor parking

area. The proposed building would have commercial use at ground (with associated plant equipment) and first floor with 9 residential flats at second and third floors. The building would have a maximum size of approximately 36 metres width, depth of 20 metres and height of 12.8 metres with mansard roof. The second and third floors are stepped in from the first floor.

3.3 The proposed mix is as follows:

| Proposed Flats | Type | GIA |
|-----------------------|-----------------|------------|
| Flat 1 | 1 bed/ 2 person | 50.20 sqm |
| Flat 2 | 2 bed/ 4 person | 79.35 sqm |
| Flat 3 | 1 bed/ 2 person | 50.20 sqm |
| Flat 4 | 1 bed/ 2 person | 50.20 sqm |
| Flat 5 | 2 bed/ 4 person | 79.35 sqm |
| Flat 6 | 1 bed/ 2 person | 50.20 sqm |
| Flat 7 | 3 bed/ 5 person | 88.45 sqm |
| Flat 8 | 2 bed/ 3 person | 63.60 sqm |
| Flat 9 | 3 bed/ 5 person | 88.45 sqm |

Commercial (Class E) floor space: 840sqm

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered relevant to this application:

| Reference | Details |
|------------------|---|
| RU.23/0066 | Demolition of existing buildings and construction of a new mixed use redevelopment including up to 840sqm commercial space (Class E); up to nine residential units; and associated refuse, cycle parking and landscaping. Withdrawn July 2023 |
| RU.03/0348 | Outline Application for the demolition of existing office building and erection of two storey office building and an ancillary building. Grant Consent- subject to conditions May 2003 |
| RU.02/0798 | Outline application for the erection of two storey office building. Refuse September 2002 |
| RU.02/0103 | Demolition of existing office building and erection of two storey office building comprising 480 square metres and an ancillary building 45 square metres. Withdrawn April 2002 |
| RU.94/0292 | Change of use of site from builders yard to office use. Conversion of ground floor stores to office accommodation with associated car parking & single storey rear extension to create toilet block. Amend car parking & access arrangements. Grant Consent- subject to conditions May 1994 |
| RU.87/0327 | Erection of two storey office & storage building following demolition of existing buildings K/as George House, Gogmore Lane. Grant Consent- subject to conditions June 1987 |

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| RU.87/0089 | Erection of 2 storey building of approx. 3,000 sqft to provide office & storage space and provision of eight parking spaces, following demolition of existing buildings. Withdrawn March 1987 |
| CHE.5193 | Builders yard and workshop. Grant Consent- subject to conditions February 1947 |

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 Borough Parking Guidance (2022)
 - Runnymede Design Supplementary Planning Document (2021)
 - Green and Blue Infrastructure Supplementary Planning Document (2021)
 - Infrastructure Delivery and Prioritisation (2020)
 - Parking Strategy: Surrey Transport Plan (2020)

6. CONSULTATIONS CARRIED OUT

Consultees responses

| Consultee | Comments |
|--|---|
| Environment Agency | No comments received |
| SCC County Highways Authority | No objection subject to conditions relating to EV charging, cycle parking and vehicle access |
| SCC Drainage (Lead Local Flood Authority) | No objection subject to SUDS and SUDS verification condition. |
| RBC Drainage Engineer | No objection subject to conditions relating to a Flood Risk Management Plan |
| RBC Environmental Health | A full noise and vibration assessment should be carried out prior to commencement and glazing, and trickle ventilators should be installed in line with the recommendations in the noise assessment and details of alternative ventilation methods for front bedrooms should be provided to protect the amenity of future occupiers. Plant equipment must meet noise levels in submitted Plant Noise Impact Assessment. |

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| RBC Contaminated Land | No objection subject to pre-commencement conditions for site characterisation and other matters |
| RBC Deputy Direct Services | No comments received |
| RBC Conservation Officer | The existing structures are not considered to be of any special architectural or historic interest and the proposal would not result in any adverse impact on the significance of nearby heritage assets |
| SCC Archaeology | Due to the site being redeveloped in the past for the existing office building and being outside the Area of High Archaeological Potential there would be no further archaeology requirements. |

Representations and comments from interested parties

6.2 88 Neighbouring properties were consulted in addition to being advertised on the Council's website and a site notice was displayed and 14 letters of representation from 12 separate properties have been received which can be summarised as follows:

- Size, scale and design of proposal would be out of keeping with the character of the area
- Overdevelopment of the site
- Concerns regarding increased height in comparison with surrounding buildings
- Setting a precedent for similar schemes in the area
- Planning application RU.02/0798 for a replacement two storey commercial property was refused at the site for being overbearing, increasing level of overlooking and loss of amenity
- Other applications for 4/5 storey buildings have been refused in the local area such as RU.21/1634
- Height, scale and proximity to boundaries would have overshadowing and overbearing impact
- Concerns regarding overlooking and loss of privacy to properties along Riversdell Close to the rear
- Drawings showing comparative heights with neighbouring buildings are inaccurate
- Daylight sunlight assessment has not been verified/ audited
- Concerns regarding noise, disturbance and security from 24/7 gym
- Proposed planting will overhang boundaries causing overshadowing and damage to existing planting
- Have been advised that the minimum distance between buildings should be 30 metres where right to light has been established
- Proposal would exceed 25 degrees from windows to rear of site
- Concerns regarding lack of parking and use of local roads for overspill parking
- Concerns regarding increased traffic from gym use
- Concerns regarding highways safety
- Impact from construction process
- Concerns regarding Sequential Test
- Concerns that proposal would increase flood risk elsewhere
- Discrepancies in supporting documents

- Questions increase in employment of gym from existing office
- Questions whether gym will survive with other gyms in local area
- Concerns regarding impact on other existing gyms within local area

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 as follows:

- The principle of development
- Flooding considerations
- Design considerations including character of the area and heritage assets
- Provision of suitable residential environment
- Impact on neighbouring amenity
- Highways
- Archaeology
- Blue and Green Infrastructure
- Contamination
- Other matters

The Principle of Development

7.2 *Loss of commercial unit*

The site is within the designated Town Centre of Chertsey. The proposal would result in the loss of the existing office building (300sqm) and sui generis workshop (160sqm), however the proposal would provide 836sqm of Commercial, Business and Services space (Class E) so would result in an increase in commercial floor area in addition to residential units. The site is within the defined town centre of Chertsey where commercial (Class E) on lower floors with residential use on upper floors is encouraged both by Local and National planning policy. The lower floors are proposed to be used as a gym which would create a new leisure facility, but could be occupied by other Class E uses, and providing additional housing in such areas supports local services and facilities and would also help to maintain the vitality and viability of the local centre in accordance with Policy IE6. The surrounding area is mixed use with both commercial and residential uses.

7.3 *Suitability of the site for the proposed use*

The site is located in the urban area in a sustainable location within Chertsey Town Centre. Given its proximity to the primary shopping area, other local centre services and public transport services the location is considered to be suitable for both Commercial, Business and Services (Class E) and residential use. It is recognised that Policy SD1 seeks to encourage new development within the larger settlements of Runnymede of which Chertsey is one, as such the proposal is consistent with Policy SD1. Therefore, the redevelopment of the site for mixed use commercial and residential use is considered acceptable. However, this is subject to other considerations as set out below.

Flooding Considerations

- 7.4 The application site is located partially within Flood Zone 2 and a Flood Risk Assessment and Sequential Test has been submitted with the application. The proposal is a mixed use scheme and will introduce More Vulnerable (residential) development such that the development will need to pass the Sequential Test. A Sequential Test has been submitted with the application which concludes that there are no other reasonably available sites in areas with lower probability of flooding that would be appropriate to the type of development proposed. Therefore, the Sequential Test is considered to be passed in line with guidance in the NPPF and the Runnymede SFRA. The proposal introduces More Vulnerable development into Flood Zone 2 and therefore the exceptions test is not required.
- 7.5 Finished floor level of the proposed building will be set at 13.65AOD which is 0.1m above the modelled flood event (1 in 100 year +35% for climate change) of 13.55AOD. The proposal consists of 'less vulnerable' use on the ground and first floor (i.e. the proposed commercial use) , and the likely maximum flood depth at the site is less than 150mm and the finished floor level of the proposed building is above the flood level for the modelled flood event. Flood resistant devices are also proposed which are detailed in Section 5 of the submitted Flood Risk Assessment and will be subject to condition.
- 7.6 The Councils Drainage Engineer has reviewed the application and has not raised any objections to the scheme subject to safe access and egress being provided. They have also advised that there is an established safe route out of the Chertsey dry island. Details of a flood risk management plan will be subject to condition. The Lead Local Flood Authority (LLFA) in their role as the statutory consultee on Sustainable Urban Drainage have also reviewed the application and are satisfied that the proposed drainage scheme meets the requirements set out in the submitted Flood Risk Assessment. They have advised that infiltration should not be discounted until proven to be unfeasible. Shallow infiltration from the permeable paving may be possible within the site constraints and should be considered at detailed design. Therefore, the LLFA raises no objection subject to a SUDS and SUDS verification condition. The scheme is considered to comply with Policy EE13.

Design Considerations Including Character of the Area and Heritage Assets

- 7.7 The NPPF attaches great importance to the design of the built environment. Proposed new development should respond to local character, be of a high standard of design and seek to improve the character of the area. Paragraph 134 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area which is also reflected in Policy EE1.
- 7.8 In terms of the design and appearance of the proposed building, the proposed block would be readily visible from Gogmore Lane and also from properties to the rear. The surrounding area is characterised by mainly two and three storey residential buildings (both flats and terraced properties) as well as a flat roof single storey commercial building (Aldi) to the front of the site. The surrounding buildings are mostly brick built with some render also present. The proposed building would be a three storey building with a mansard roof with accommodation within the roof. The building would be constructed of red brick with elements of off white render and brown brick detailing with grey roof tiles. There are several examples of mansard roofs within the surrounding area, such as; Nexus and Coronation House. The materials are similar in style to the surrounding buildings. Therefore, the overall design and appearance is considered to be in keeping with the surrounding area.

- 7.9 The proposed building would have a large footprint, but would not be set further forwards than either neighbouring building (Nexus or Hamilton Court). The building would be set off the side boundary by 1.7 metres on the south western side and 2.7 metres (at first floor and above) on the north eastern side boundary. The stepped in first floor element would extend further to the rear with a separation distance of 4.8 metres from the rear boundary. It is noted that the building would be higher than both neighbouring properties with the eaves height higher than the closest ridge height on both Nexus and Hamilton Court. This would result in a higher more prominent building compared to the neighbouring properties, which is a negative of the scheme, however it is noted that the proposed building would not be a dissimilar height to the terraced properties fronting Riversdell Close to the rear of the site or the southern part of Nexus building. Therefore, although the proposal would result in an increased height and scale of development on the site it is not considered to harmfully dominate the street scene or be out of character with the surrounding area and given its town centre location is considered to comply with Policy EE1.
- 7.10 The site is located close to the Chertsey Conservation Area and can be viewed from various locations within the conservation area. It is also located in proximity to several listed buildings including the Grade II Listed 63-67 Guildford Street and Grade II Listed Kings Head Hotel which have the potential to be impacted through change within their setting. The Council's Heritage Advisor has reviewed the application and advised that the existing structures are not considered to be of any special architectural and historic interest and so the principle of demolition is acceptable. Equally, the proposed structures are not considered to result in any adverse impact on the significance of nearby heritage assets or the ability to appreciate that significance. Therefore, there is no objection to the proposal on heritage grounds in accordance with Policy EE4 and EE5.

Provision of Suitable Residential Environment

- 7.11 All proposals are expected to provide high quality homes. Policy EE1 states that development proposals should ensure no adverse impact on the amenities of occupiers of the development proposed. In addition, Policy SL19 of the Local Plan sets out the minimum floor space standards expected for new developments to accord with which has been complied with (detailed in Section 3.2). Each flat is provided with a private terrace/ balcony and the site is also within walking distance of a public green space (Gogmore Farm Park). Several of the flats are single aspect, however none are north facing. A Daylight and Sunlight Assessment has been submitted with the application which confirms that all the proposed flats would benefit from daylight levels in excess of the relevant requirements. Bin and bike stores have been provided for the proposed flats. Therefore, the proposed flats are considered to have suitable internal and external amenity areas in accordance with Policy EE1.
- 7.12 The site is located in proximity to Aldi and the proposal includes commercial use (gym) at ground and first floor. A noise impact assessment and plant noise assessment has been submitted with the application. The Noise Assessment confirms that all internal habitable rooms will meet the required noise levels when fitted with suitable double glazed windows and acoustic trickle ventilation. Bedrooms on the front elevation would need to be provided with alternative ventilation measures. The Councils Environmental Health Officer has reviewed the application and the noise impact assessment and recommends that a full noise and vibration assessment should be carried out prior to commencement, glazing and trickle ventilators should be installed in line with the recommendations in the noise assessment and details of alternative ventilation methods for front bedrooms should be provided to protect the amenity of future occupiers. These can be secured by way of condition.

- 7.13 It would not be considered reasonable to restrict the use of the proposed commercial space to a gym within Class E as the gym use would likely be one of the most disruptive uses within Class E which the scheme has been assessed to be acceptable.
- 7.14 It is noted that several of the balconies, particularly those on the front elevation, will have higher noise levels given the road traffic and proximity to Aldi. However, the noise report states that as the front balconies are set slightly in from the outer edge the expected daytime noise levels are considered to be below the 55dB guidance value. Whilst the balconies may suffer from higher noise levels, the site is within a town centre location where a higher level of noise can be expected. In addition, the site is within walking distance of a Gogmore Farm Park, so future occupiers would be able to access suitable further external amenity areas. Therefore, the proposal is considered to provide suitable levels of amenity of future occupiers in accordance with Policy EE1 and EE2.

Impact on Neighbouring Amenity

- 7.15 Turning to existing residents, the closest neighbouring properties are those within Nexus Building, Hamilton Court, and 18-27 Riversdell Close. The first floor (which overhangs the ground floor car parking area) of the proposed building extends further to the rear than the rest of the building which is 4.8 metres from the rear boundary and 16 metres from the rearmost elevation at Nos 20 and 21 Riversdell Close. The first floor serves the gym and has no windows in the rear elevation; however, it will bring first floor built form closer to the rear boundary with a height of approximately 7.9 metres. The upper floors of the building are set further back from the rear boundary. A daylight sunlight report has been submitted with the application which assessed all windows in the rear elevations of 18-27 Riversdell Close as well as their gardens and the nearest side and rear windows at Hamilton Court. The report concluded that taking into account the proposed development, all windows and rear gardens at 18-27 Riversdell Close meet the required guidelines. One window in Hamilton Court failed to meet the required standards, however a further assessment was undertaken, and this window is a secondary window with 2 other windows in the front elevation. Nexus is located to the south west of the proposed development so will not be overshadowed by the proposal.
- 7.16 Notwithstanding this, although the first floor is close to the rear boundary it is set off by almost 5 metres and the upper floors are set further back. The proposal would not break a 45 degree line from the closest rear windows at Nexus or Hamilton Court and the second storey is stepped in significantly compared to the first floor. There are 3 windows in the side elevation of Hamilton Court and 2 windows in the side elevation of Nexus facing the application site. Both side windows in Nexus are obscurely glazed and the side windows on Hamilton Court are all either secondary or serve non habitable rooms. It is acknowledged that the proposed development will result in some harm to properties along Riversdell Close due to the height and massing closer to the boundary, however given the stepping back of the building with mansard roof and the results of the daylight and sunlight report the proposal is not considered to have an unduly harmful impact on neighbouring properties along Riversdell Road such to warrant refusal with regard to amenity.
- 7.17 There is a minimum separation distance between the nearest rear window of the proposed development and the rear boundary of 10 metres and a distance of 21.2 metres to the rear ground floor extension at No. 20 and 21 Riversdell Close and approximately 24.8 metres at first floor. The Runnymede Design Guide states that a distance of 22 metres between habitable rooms is an acceptable distance which the proposal is only marginally below.

Given the separation distances and first floor flat roof with parapet there is not considered to be any unduly harmful overlooking towards properties along Riversdell Close. There are two windows proposed in both side elevations at first floor. These windows serve the gym and are set in from the side boundary by a minimum of approximately 4.7 metres and would overlook the parking areas of both Nexus and Hamilton Court. No other windows are proposed to be inserted in either side elevation. The proposal has been amended since its original submission to bring the balconies for flats 1 and 6 in closer to the building and therefore further from properties to the rear. Flats 2 and 5 have terraces close to the side boundary. To prevent any overlooking or loss of privacy from these terraces a condition is recommended to secure screening to the side of terraces. There are no neighbouring properties directly to the front of the site. Therefore, subject to conditions it is considered that the proposal would not have an unduly harmful impact on the residential amenity of neighbouring properties in accordance with Policy EE1.

- 7.18 It is noted that several letters of representation have raised concerns regarding anti-social behaviour and security concerns. The commercial use (gym) is proposed to be open 24 hours a day. There is nothing to indicate that such a use would specifically result in increased anti-social use and in any case there will be an element of natural surveillance from the residential units above.

Highways

- 7.19 The site will modify one of the existing vehicle access points (access point to south west of the site) with the access to the north east to be removed and the footpath reinstated. 26 parking spaces are proposed to be provided (20 for commercial and 6 for residential). It is noted that 6 parking spaces for 9 residential flats is below the guidance in the Runnymede parking SPD, however the site is in a sustainable town centre location in close walking distance to Chertsey Railway Station, other public transport links and local services. Similarly with the commercial use, given the sites sustainable town centre location the lower parking numbers are considered to be acceptable. All residential spaces will have EV charging and 20% of commercial spaces will have EV charging and a further 20% will have passive capacity to meet future demand. The County Highways Authority have assessed the application on safety, capacity and policy grounds and has not raised any objections and recommends conditions in relation to securing EV charging, cycle parking and the modified access points. In addition there will also be 18 cycle spaces for residents and 12 cycle spaces for the commercial use (total of 30), which complies with the relevant standards. Therefore, subject to conditions the proposal is considered to comply with Policy SD4.
- 7.20 The disabled spaces are shown on the plans in unusable places with support columns blocking access. However it is considered there would be space within the site for these spaces to be relocated taking into account the building support columns. A revised more suitable parking layout can be secured by way of condition 18.

Archaeology

- 7.21 The site lies close to an area of High Archaeological Potential and an Archaeological Desk Based Assessment has been submitted with the application. Surrey Archaeology have reviewed the Desk Based Assessment and have commented that the report has consulted with all appropriate available sources and has produces a comprehensive overview of the site and surrounding area. The report concludes that the site has a low to moderate potential for the Roman and Early Medieval periods with a low potential for the Prehistoric and

Medieval. However, redevelopment of the site for the existing building will have caused widespread truncation and of any archaeological horizons that may have been present.

- 7.22 Surrey County Council Archaeology agrees that the redevelopment works, particularly the construction of the existing building, will have had a destructive impact on below ground deposits and this, together with the low potential and the fact that the site is outside of the area identified as being of high archaeological potential means that it is unlikely that significant archaeological remains will be present so does not consider that it would be reasonable or proportionate to require any further archaeological works on the site. Therefore, the proposal is considered to comply with Policy EE7.

Biodiversity and Blue and Green Infrastructure

- 7.23 The applicant has provided information on blue and green infrastructure within the Planning Statement. The document states that the site is currently entirely hardstanding and given the small size and urban location there is limited opportunity to significantly improve Blue and Green Infrastructure. However, the proposals include permeable pavement for SUDS and a minimum of two small areas of landscaping. The flat roof of the first floor is also proposed to be a green roof (which is shown on the proposed plans) and bird and bat boxes can be provided at points around the building. These measures can be secured by way of condition. Therefore, the proposal is considered to accord with Policy EE9 and EE11 and guidance within the NPPF.

Contamination

- 7.24 With respect to contaminated land, a CLD Desk Study has been submitted with the application which concludes that there is little risk for contamination affecting the site, however previous use and works associated with the garage has potential for some contamination in the made ground. It is noted that this area of made ground will be removed as part of the redevelopment and therefore any contaminated material can be addressed at this stage. The Councils Land Contamination Officer has reviewed the submitted information and has recommended pre-commencement conditions for site characterisation and other matters. Subject to suitable conditions the application complies with Policy EE2 (in respect of contamination).

Other Matters

- 7.25 A Sustainability and Energy Statement has been submitted with the application. According to the Sustainability and Energy Statement submitted the low carbon and renewable energy proposed will provide carbon emission savings of 66% for the residential element and 6.6% for the commercial unit as part of the detailed design. In addition, the residential units will be provided with ASHP and solar panels will supply 10% of the sites energy demand in line with the requirements of Policy SD8. In addition, the statement specifies that the water consumption will be less than 105L/pp/day. These renewable energy and water efficiency measures will be secured by way of condition.
- 7.26 It is noted that there are solar panels on the southern roof slope of Hamilton Court. It is acknowledged that the proposal will bring development closer and higher in relation to Hamilton Court which may have a negative impact on these existing solar panels. However, the limited contribution of single dwelling panels to climate change objectives does not outweigh the benefits of the proposed development to warrant refusal in its own right.

8. PLANNING OBLIGATIONS/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 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 - SD1, SD4, SD7, SD8, SL19, EE1, EE2, EE4, EE5, EE9, EE11, IE6 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 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:

6911-(P)109 Rev H (Proposed Roof Plan), 6911-(P)108 Rev G (Proposed Third Floor Plan) received 09/11/2023

6911-(P)107 Rev G (Proposed Second Floor Plan), 6911-(P)203 Rev G (Proposed South West Elevation), 6911-(P)204 Rev G (Proposed North West Elevation), 6911-(P)205 Rev C (Proposed North East Elevation), 6911-(P)300 Rev H (Proposed Section) received 08/11/2023

6911(P)010 (Location Plan), 6911-(P)104 Rev I (Proposed Site Plan), 6911-(P)105 Rev I (Proposed Ground Floor Plan), 6911-(P)106 Rev F (Proposed First Floor Plan), 6911-(P)202 Rev F (Proposed South East Elevation) received 08/09/2023

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

3 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.

4 SuDS (scheme for approval)

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 local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1 l/s.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). If infiltration is used, confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To provide a sustainable development and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5 SuDS (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 that the drainage system is constructed to the national Non-Statutory Technical Standards for SUDS and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6 Site characterisation

No development must take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- a. a survey of the extent, scale and nature of contamination;
- b. an assessment of the potential risks to:
 - i. human health;
 - ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - iii. adjoining land;
 - iv. ground waters and surface waters;
 - v. ecological systems;
 - vi. archaeological sites and ancient monuments.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

7 Remediation scheme (submission)

If found to be required, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal and remedial options, proposal of the preferred option(s), a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

8 Remediation scheme (implementation)

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a verification report (or validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority in writing for approval.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

9 Encountered contamination

In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority (LPA), and development must stop on that part of the site. An assessment must be undertaken in accordance with the requirements of Condition 6 above, or otherwise agreed in writing and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the LPA in accordance with the requirements of Condition 7 in the form of a Remediation Strategy which follows DEFRA guidance. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of the measures identified in the approved remediation scheme, a validation (or verification) plan and report must be submitted to and approved in writing by the LPA in accordance with Condition 8.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10 Flood risk management and evacuation plan

Prior to the commencement of the above ground construction of the development hereby permitted, a Flood Risk Management Plan (FRMP) shall be submitted to and approved in writing by the Local Planning Authority. The FRMP shall provide a householder pack which shall include details of how this pack will be made available to the first and subsequent occupiers, and include details of a safe escape route and the place that people can be evacuated to.

Reason: In the interests of the safety of future occupiers and to comply with Policy EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11 Floor levels and flood proofing

The finished floor level within the proposed development shall be set at 13.65mAOD and flood proofing of the proposed development shall be incorporated in accordance with Section 5 of the Flood Risk Assessment 4264/2023 received 08/09/2023.

Reason: In the interests of the safety of the future occupiers and to improve flood resilience in the property and to comply with Policy EE13 of the Runnymede 2030 Local Plan , guidance within the NPPF and the Environment Agency's Standing Advice on Development and Flood Risk.

12 Electric vehicle charging points (residential)

An electric vehicle charging point shall be provided for each of the 6 residential parking spaces. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector- 230v AC 32 Amp single phase dedicated supply. The charging points shall be retained for the lifetime of the development.

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

13 Electric vehicle charging points (commercial)

For the 20 parking spaces allocated to the commercial use: Electric vehicle charging points shall be provided to 20% of the available spaces. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector- 230v AC 32 Amp single phase dedicated supply. In addition, a further 20% of the available spaces shall be provided with a power supply (feeder pillar or equivalent) permitting future connection for electric vehicle charging. The charging points shall be retained for the lifetime of the development.

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

14 Cycle storage (residential)

The development hereby approved shall not be first occupied unless and until the proposed dwellings have been provided with parking for a minimum of 18 bicycles in a robust, secure enclosure in accordance with the approved plans and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

15 Cycle storage (commercial)

The development hereby approved shall not be first occupied unless and until the proposed commercial unit has been provided with parking for a minimum of 4 bicycles in a robust, secure enclosure in accordance with the approved plans and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

16 Modified Access

No part of the development shall be first occupied or first opened for trading unless and until the proposed modified vehicular access to Augustine House has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

17 Modified Access

The development hereby approved shall not be first occupied unless and until the existing northern access the site to Gogmore 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 Runnymede 2030 Local Plan and guidance within the NPPF.

18 Parking

Notwithstanding what is shown on the approved plans, the development hereby approved shall not be first occupied / first opened for trading unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles (including 3 disabled parking spaces) to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose(s).

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

19 Landscaping

a. 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 green roof and measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. 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.

20 Side screen to balcony

Before the development hereby permitted is occupied, details of the proposed 1.8 metre high screen along the edge of the balcony/terraces at second floor level on the rear elevation shall be submitted to and approved in writing by the Local Planning Authority (LPA). Development shall be carried out in accordance with the approved details prior to the first use of the balcony/terrace area and the screening shall be retained in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To prevent overlooking and loss of privacy to the occupiers of the neighbouring property and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

21 Balconies

The first and second floor flat roof areas of the development hereby approved shall not be used as a balcony, roof terrace, sitting out area or similar amenity area, nor shall any railings or other means of enclosure be erected on top of, or attached to, the side of the extension without the grant of further specific permission from the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of adjoining residential properties and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

22 Sound insulation

Prior to the first use of the development hereby approved, a full noise and vibration assessment to determine what level of sound insulation and vibration controls are required shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out concurrently with the development of the site and shall then be implemented in full.

Reason: To protect the occupants of the new development from noise disturbance and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

23 Ventilation scheme

The development hereby approved shall be constructed with glazing and trickle ventilators on residential units in accordance with the recommendations of Table 9 on Page 18 of the Planning Noise Assessment 91166/PNA received 08/09/2023.

Such measures as approved shall be fully installed prior to first occupation of the development and shall be retained for the lifetime of the development.

Reason: To prevent exposure to poor air quality that would otherwise have an adverse impact on health and quality of life of people living in the development and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

24 Ventilation scheme (front of building)

Prior to the commencement of above ground construction of the development, a scheme for providing alternative ventilation to bedrooms on the Gogmore Lane elevation, shall be submitted to and approved in writing by the Local Planning Authority.

The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied and retained and maintained for the lifetime of the development.

Reason: To prevent exposure to poor air quality that would otherwise have an adverse impact on health and quality of life of people living in the development and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

25 Plant and equipment

Prior to the first use/occupation of the development hereby approved, details, including acoustic specifications, of the fixed plant (as shown in the approved plans) and equipment associated with air moving equipment, compressors, generators or mechanical ventilation and extraction and filtration plant or similar equipment to be installed in connection with the development, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

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

26 Water efficiency

Prior to the first use/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 Runnymede 2030 Local Plan and guidance within the NPPF.

27 Renewable energy (details required)

Prior to the first occupation of the development hereby approved, details of the chosen renewable energy/low carbon technology to be used, along with calculations demonstrating that 10% of the predicted energy consumption would be met through renewable energy/low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority (LPA). This shall include sections of the proposed photovoltaic panels on the roof of the building.

Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the LPA.

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

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policies SD8 and EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Informatives:

1 Summary of Reasons to Grant Consent

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

2 Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

3 Permitted Development Rights - Flats

The applicant and potential occupiers are advised that the flats hereby approved do not have any permitted development rights.

4 The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care

should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

5 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023.

6 The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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/flooding-advice.

7 The applicant is advised that as part of the detailed design of the highway works required by the above conditions, 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.

8 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).

9 The developer is advised that in relation to condition 22 that it is unlikely that typical levels for sound insulation within building regulations will be sufficient and these will need enhanced potentially to at least 57dB DnT,w. Additionally it is suggested that design targets for the gym/commercial noise levels should be Daytime (0700-2300hrs) – 20 dB LAmax and Night-time (2300-0700hrs) – 10 dB LAmax

10 The developers attention is drawn to the recently released ProPG document on Gym Noise.

11. If proposed works result in infiltration of surface water to ground within the Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards