

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Thursday, 25 March 2021
Time 10.30 am
Place: Remote

Contact: Joss Butler
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[For queries on the content of the agenda and requests for copies of related documents]

APPOINTED MEMBERS [11]

Tim Hall (Chairman)	Leatherhead and Fetcham East;
Saj Hussain	Knaphill and Goldsworth West;
Mary Angell	Woodham and New Haw;
Bernie Muir	Epsom West;
Andrew Povey	Cranleigh & Ewhurst;
Keith Taylor	Shere;
Rose Thorn	Godstone;
Stephen Cooksey	Dorking South and the Holmwoods;
Ernest Mallett MBE	West Molesey;
Penny Rivers	Godalming North;
Tim Evans	Lower Sunbury and Halliford;

EX OFFICIO MEMBERS (NON-VOTING) [4]

Tim Oliver	Leader of the Council	Weybridge;
Tony Samuels	Chairman of the Council	Walton South & Oatlands;
Helyn Clack	Vice-Chairman of the Council	Dorking Rural;
Colin Kemp	Deputy Leader and Cabinet Member for Infrastructure	Goldsworth East and Horsell Village;

APPOINTED SUBSTITUTES [09]

Nick Darby	The Dittons;
Jonathan Essex	Redhill East;
Will Forster	Woking South;
Nick Harrison	Nork & Tattenhams;
Yvonna Lay	Egham;
Chris Townsend	Ashtead;
Chris Botten	Caterham Hill;
Barbara Thomson	Earlswood and Reigate South;
Richard Walsh	Laleham and Shepperton;
Amanda Boote	The Byfleets;

Register of planning applications: <http://planning.surreycc.gov.uk/>

AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive any apologies for absence and notices of substitutions under Standing Order 41.

2 MINUTES OF THE LAST MEETING

(Pages 1 - 46)

To confirm the minutes of the meeting held on (27 November 2020).

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 84 (please see note 7 below).

4 PUBLIC QUESTION TIME

To answer any questions received from local government electors within Surrey in accordance with Standing Order 85 (please see note 8 below).

5 MEMBERS' QUESTION TIME

To answer any questions received from Members of the Council in accordance with Standing Order 68.

6 DECLARATIONS OF INTERESTS

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

- 7 MINERALS/WASTE SP20/00513/SCRVC - CHARLTON LANE WASTE MANAGEMENT FACILITY, CHARLTON SHEPPERTON, SURREY TW17 8QA** (Pages 47 - 84)

Development of the Charlton Lane Eco Park without compliance with Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

- 8 SURREY COUNTY COUNCIL PROPOSAL EL/2020/3112 - 10 FORMER ASHLEY ROAD, WALTON ON THAMES, SURREY KT12 1HU** (Pages 85 - 140)

Development of a new Children's Home and No Wrong Door Facility with associated parking, access and landscaping.

- 9 SURREY COUNTY COUNCIL PROPOSAL WO/2020/1090 - SHAW FAMILY CENTRE, CHOBHAM ROAD, WOKING, SURREY GU21 4AS** (Pages 141 - 176)

Demolition of existing family contact centre and redevelopment of new family contact centre with associated car parking, access, and landscaping.

10 DATE OF NEXT MEETING

The next meeting of the Planning & Regulatory Committee will be on 14 April 2021.

Joanna Killian
Chief Executive
Wednesday, 17 March 2021

NOTES:

1. Members are requested to let the Democratic Services Officer have the wording of any motions and amendments not later than one hour before the start of the meeting.
2. Substitutions must be notified to the Democratic Services Officer by the absent Member or group representative at least half an hour in advance of the meeting.
3. Planning officers will introduce their report and be able to provide information or advice to Members during the meeting. They can also be contacted before the meeting if you require information or advice on any matter. Members are strongly encouraged to contact the relevant case officer in advance of the meeting if you are looking to amend or add conditions or are likely to be proposing a reason for refusal. It is helpful if officers are aware of these matters in advance so that they can better advise Members both before and during the meeting.
4. Members of the public can speak at the Committee meeting on any planning application that is being reported to the Committee for decision, provided they have made written representations on the application at least 14 days in advance of the meeting, and provided they have registered their wish to do so with the Democratic Services Officer no later than midday on the working day before the meeting. The number of public speakers is restricted to five objectors and five supporters in respect of each application.
5. Petitions from members of the public may be presented to the Committee provided that they contain 100 or more signatures and relate to a matter within the Committee's terms of reference. The presentation of petitions on the following matters is not allowed: (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985; and (b) planning applications. Notice must be given in writing at least 14 days before the meeting. Please contact the Democratic Services Officer for further advice.
6. Notice of public questions must be given in writing at least 7 days before the meeting. Members of the public may ask one question relating to a matter within the Committee's terms of reference. Questions on "confidential" or "exempt" matters and planning applications are not allowed. Questions should relate to general policy and not detail. Please contact the Democratic Services Officer for further advice.
7. On 10 December 2013, the Council agreed amendments to the Scheme of Delegation so that:
 - All details pursuant (applications relating to a previously granted permission) and non-material amendments (minor issues that do not change the principles of an existing permission) will be delegated to officers (irrespective of the number of objections).
 - Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.
 - Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
 - Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

The revised Scheme of Delegation came into effect as of the date of the Council decision.

TOWN AND COUNTRY PLANNING ACT 1990 – GUIDANCE ON THE DETERMINATION OF PLANNING APPLICATIONS

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to “*have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations*”. This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Local Plan 2019-2033 adopted December 2020 (comprised of the Surrey Waste Local Plan Part 1 Policies and Surrey Waste Local Plan Part 2 Sites) Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)
- Any neighbourhood plans (where they have been approved by the local community at referendum)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the National Planning Policy Framework (NPPF) (revised July 2018 and updated February 2019) and subsequent updates; the March 2014 national Planning Practice Guidance (PPG) and updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2013; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council, the district/borough council or neighbourhood forum in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The [National Planning Policy Framework](#) (NPPF) was updated in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on [Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social and environmental.

The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

HUMAN RIGHTS ACT 1998 GUIDANCE FOR INTERPRETATION

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions

and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 27 November 2020 at Remote.

These minutes are subject to confirmation by the Committee at its next meeting.

Members Present:

Mr Tim Hall (Chairman)
Mr Saj Hussain
Mrs Bernie Muir
Dr Andrew Povey
Mr Keith Taylor
Mrs Rose Thorn
Mr Stephen Cooksey
Mr Ernest Mallett MBE
Mrs Penny Rivers
Mr Tim Evans
Mrs Yvonna Lay (substitute)

Apologies:

Mrs Mary Angell

31/20 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Mary Angell. Yvonna Lay substituted for Mary Angell.

32/20 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were APPROVED as an accurate record of the previous meeting.

33/20 PETITIONS [Item 3]

There were none.

34/20 PUBLIC QUESTION TIME [Item 4]

There were none.

35/20 MEMBERS' QUESTION TIME [Item 5]

There were none.

36/20 DECLARATIONS OF INTERESTS [Item 6]

Andrew Povey declared a non-pecuniary interest as a trustee of the Surrey Hills Society.

37/20 MINERALS AND WASTE APPLICATION WA/2019/0796 - LOXLEY WELL SITE - LAND SOUTH OF DUNSFOLD ROAD AND EAST OF HIGH LOXLEY ROAD, DUNSFOLD, SURREY [Item 7]

Officers:

David Maxwell, Senior Planning Officer
Caroline Smith, Interim Planning Group Manager
Stephen Jenkins, Interim Planning Development Manager
Andrew Stokes, Transport Development Planning
Nancy El-Shatoury, Principal Lawyer
Joss Butler, Committee Manager

The Principal Lawyer summarised the legal position in relation to this item. The speech presented to the Committee is attached to these minutes as Annex 1.

Speakers:

Sarah Goodwin made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 2.

Tom Gordon made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 3.

Ashley Herman made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 4.

Chris Britton made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 5.

John Gray made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 6.

Ashley Ward made representations in support of the application. The speech presented to the Committee is attached to these minutes as Annex 7.

The applicant's agent / applicant, Nigel Moore and Stephen Sanderson, spoke to the Committee in response to the public speakers' comments. The speech presented to the Committee is attached to these minutes as Annex 8.

The Local Member, Victoria Young, spoke for three minutes. The speech presented to the Committee is attached to these minutes as Annex 9.

Key points raised during the discussion:

1. David Maxwell, Senior Planning Officer, introduced the report and provided Members with a brief summary. A supplementary agenda was published on 26 November 2020 which included an update sheet for the item. Additional representations are attached to these minutes as Annexes 10, 11, 12, 13 and 14. Members noted that the proposal was for the construction, operation and decommissioning of a well site for the exploration and appraisal of hydrocarbon minerals from one exploratory borehole (Loxley-1) and one side - track borehole (Loxley -

1z) for a temporary period of three years involving the siting of plant and equipment, the construction of a new access track, a new highway junction with High Loxley Road, highway improvements at the junction of High Loxley Road and Dunsfold Road and the erection of a boundary fence and entrance gates with restoration to agriculture. Members noted that the County Highway Authority had raised no objections to the application subject to conditions. The full report and annexes are located from pages 3 of the meeting's agenda.

The Committee adjourned from 11:39am to 11:47am.

2. Members asked for clarification on the difference between 'grey hydrogen' and 'green hydrogen'. It was noted that 'green hydrogen' was from renewable energy and 'grey hydrogen' was from fossil fuels. It was however noted that there was no reference to hydrogen in the planning statement submitted by the applicant.
3. Members stated that, if found, they understood the benefits of hydrogen discovery to the nation however asked for guidance on how that should compare to the impact of the development on the local community. Officers stated that the impact had been assessed in depth in the officer report
4. Officers stated that it was important for Members to keep in mind that the National Planning Policy Framework (NPPF) stated that mineral extraction should be facilitated and that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. In response, a Member said that they would like clarification on exactly what benefit gas would bring to the nation in terms of volumes. Officers reminded Members that the purpose of the application was for exploration and appraisal and therefore they were unable to confirm details on volumes. Officers went on to remind Members that the application should be considered on its own merits as submitted rather than outside material.
5. The Committee highlighted that the applicant had made comments on the potential economic investment in the local area however Members were not clear on how the local community would get a monetary benefit. It was also noted that the report outlined that there was a condition proposed related to the development using local supplies which was not accepted. With regard to the first comment, officers stated that, due to the details of the application, it should be assumed that the development would have a benefit in Surrey. In regard to the proposed condition, officers stated that the applicant had previously issued a statement to address the concerns raised in the June 2020 Planning and Regulatory Committee. Eight new or amended conditions were suggested however officers recommended that the condition on local procurement and economic growth was not included due to guidance that conditions should be kept to a minimum and only imposed when necessary. Officers stated that the condition was not necessary to make the applicant acceptable. In response to the comment from officers regarding benefits to Surrey, a Member stated that it should not be assumed that jobs would be available to the local community and that the impact on the local economy should be seriously considered.

6. Members noted that the applicant had stated that they would ensure operations do not impact the Trew Fields Festival for 2021, 2022 or 2023. It had also been stated that the applicant would also communicate with local businesses and residents to ensure impacts were minimised or kept to an acceptable level.
7. A Member stated that existing local businesses were already impacted by the pandemic and felt that the operation would adversely impact them even further. It was also added that the public speakers in objection spoke very strongly against the application and that Members should give consideration to this.
8. A Member noted that the speaker who spoke 'for' the application stated that operations would not interfere with the wedding venue on weekends and would also not interfere with the Trew Fields Festival.
9. With regard to Government direction, a Members stated that the Government's ten-point plan for green industrial revolution did not refer to fossil fuels. Officers responded that it was a gradual transition from fossil fuel energy to renewable energy and that Government policy recognised that there was still a need for oil and gas.
10. A Member felt that much of the committee's discussion in objection to the application was not relevant to planning regulations.
11. A Member stated that it was clear climate change was happening and that it was important to consider the impacts on children.
12. A Member felt that residents' impression of an oil and gas site was worse than the reality and that there were examples in Surrey of what a properly managed extraction site looked like. Other Committee Members did not agree that it was fitting to compare the application to other sites due to its context and impact on the local community.
13. Members asked for clarification on the current situation following the council previously agreeing that an Area of Great Landscape Value (AGLV) designation would be treated the same as Area of Outstanding Natural Beauty (AONB) designation. Officers said that, in planning terms, planning decisions should be made in accordance with the development plan and other material considerations and that the weight attributed to other policy, compared to the development plan, was limited.
14. Officers stated that they felt the need for the application was justified.

The Committee adjourned between 12:41pm to 12:50pm

15. Officers summarised the details of the application and stated that it was not reasonable to suggest that a business would fail due to the application. The impact on the business should be considered but should be weighed against the details of the application. Some Members of the Committee did not agree with the officer's statement.
16. Officers highlighted that the applicant conducted a site search of 23 sites and the Dunsfold site was considered to have the least impact on the environment and local community
17. Members stated that it would have been favourable to have pictures of the screening around the site in the winter rather than during the month of May. Officers confirmed that the applicant had dealt with this by superimposing pictures of the wellsite to better understand how it would look during the wintertime.

18. A Member highlighted that the policy MC14 said that there should be no significant adverse impact arising from the development and they did not feel that was the case. It was also stated that there should have been a proper assessment of the impact on the local businesses.
19. With regard to highways, Members were concerned that Dunsfold Road was not suitable for HGVs. There was also concern that additional HGV use would cause cyclists and pedestrians to be more at risk. Members further stated that additional traffic would also impact the future Dunsfold Park Garden Village development. Officers confirmed that the road was only partially unsuitable for HGVs and that the relevant section, between the A281 and High Loxley Road, was suitable. It was further confirmed that there would be a maximum of 20 HGV movements per day which made the risk of additional traffic accidents low.
20. In response to Members' concerns related to whether traffic lights or banksman would be used on the local road, Officers explained that that there was a desire to minimise the use of traffic signals due to their impact on traffic. Members noted that details of the use of banksman and traffic lights and further traffic related details would be made available within the Construction Management Plan (CMP). It was further noted that there was a requirement within the CMP condition that consultation with the local events business should be undertaken to understand their traffic flow needs. Officers also stated that the advisory signage present was to discourage the through routing of HGVs.

The Committee adjourned between 13:17pm to 13:47pm

21. A Member of the Committee highlighted that the application was for exploration and therefore any discussion related to potential discoveries was irrelevant. It was also stated that mineral extraction would be necessary as the nation converts to greener energy. In regard to the impact on Dunsfold Park Garden Village, the Member explained that it was usual practice to mine tunnels under housing and that it should not affect housing prices. Furthermore, the Member stated that it was not a requirement for the applicant to consider the impact on other businesses. Concerns were also raised that the Committee's discussion related to the highways impact of the application and the lack of proper planning arguments.
22. The Committee asked whether there were any examples of UKOG not complying with transport management plans for other sites within Surrey. Officers stated that they were not aware details of breaches however Members should note that the application should be considered on its own merits.
23. Members noted that late written representation outlined concerns regarding the impact on the Dunsfold Park Garden Village. Officers stated that details were outlined within the update sheet which was published on 26 November 2020.
24. Cllr Penny Rivers moved a motion for refusal due to the significant adverse impact which arose from the development. It was stated that the proposal was in conflict of planning policies MC1, MC14 and MC15. The motion was seconded by Dr Andrew Povey.

25. Officers highlighted that the development was for a temporary period of three years for exploration and appraisal and would involve a drilling rig that would be present for a limited period. Members noted details of other similar developments in Surrey which did not have adverse impacts on the environment or local businesses. It was further confirmed that there were no regulatory or technical objections to the current application.
26. Cllr Andrew Povey spoke as seconder to the motion and stated that he endorsed Cllr Penny River's reasons and raised concerns related to the impact on local businesses, highways and impacts on the landscape.

The Committee adjourned between 14:27 and 14:57

27. The Chairman provided Members with a summary of the debate.
28. The Principal Lawyer reminded Members that, although the cost consequences of a decision were not a material planning consideration, Members should bear in mind the importance of having proper planning reasons that would stand up to scrutiny supported by robust evidence.
29. The Chairman asked Members to vote on the following reasons for refusal which were agreed by Cllr Penny Rivers and Cllr Andrew Povey:

Reason 1: It has not been demonstrated that the highway network is of an appropriate standard for use by the traffic generated by the development, or that the traffic generated by the development would not have a significant adverse impact on highway safety contrary to Surrey Minerals Plan Core Strategy 2011 Policy MC15.

Reason 2: It has not been demonstrated that the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impact on the appearance, quality and character of the landscape and any features that contribute towards its distinctiveness, including its designation as an Area of Great Landscape Value, contrary to Surrey Minerals Plan Core Strategy 2011 Policy MC14(iii).

30. Six Members voted for the motion and five Members voted against. There were no abstentions. Therefore, the motion for refusal was carried.

Actions / further information to be provided:

None.

Resolved:

That the Committee REFUSE application WA/2019/0796 due to the following reasons:

Reason 1: It has not been demonstrated that the highway network is of an appropriate standard for use by the traffic generated by the

development, or that the traffic generated by the development would not have a significant adverse impact on highway safety contrary to Surrey Minerals Plan Core Strategy 2011 Policy MC15.

Reason 2: It has not been demonstrated that the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impact on the appearance, quality and character of the landscape and any features that contribute towards its distinctiveness, including its designation as an Area of Great Landscape Value, contrary to Surrey Minerals Plan Core Strategy 2011 Policy MC14(iii).

38/20 SURREY COUNTY COUNCIL'S LOCAL LIST: REQUEST FORMAL ADOPTION OF LOCAL LIST FOR THE VALIDATION OF COUNTY DEVELOPMENT AND COUNTY MATTERS PLANNING APPLICATIONS [Item 8]

Officers:

Jessica Darvill, Planning Officer
 Stephen Jenkins, Planning Development Manager
 Caroline Smith, Planning Group Manager
 Joss Butler, Committee Manager

Speakers:

None.

Key points raised during the discussion:

1. The Planning Officer introduced the report and informed Members that the report was to advise Members of the responses in regard to the recent consultation on the proposed Local List for the Validation of Planning Applications received by Surrey County Council and the amendments that had been made as a result. Officers also requested that that the committee formally adopt the Local List allowing for periodic reviews of the Local List and officers to update technical notes following engagement with relevant consultees, when and if required.
2. Members asked for details on the consultation that was undertaken.
3. In regard to pages 248 and 249 of the agenda, a Member of the Committee said that impacts to landscape and the affect on local businesses should be taken into account when considering a planning application. Officers stated that the landscape assessment was outlined in guidance and policy and therefore the material would need to be amended to make changes within the validation checklist. Officers confirmed that the mineral plan would soon be reviewed and the Members comment would be taken into consideration.

Actions / further information to be provided:

None.

Resolved:

Members adopted the Local List of Validation of County development and County Matters Planning Applications.

39/20 DATE OF NEXT MEETING [Item 9]

Meeting closed at 3.23 pm

Chairman

My name is Nancy El-Shatoury. As Principal Planning Solicitor regularly advising members of this committee I have been asked to summarise the legal position in relation to the item before members

Counsel was instructed to advise following the planning committee meeting of 29 June 2020.

As members will recall this was the first remote P and R meeting

Members resolved to go against officer recommendation and refuse the Application by a majority of 6 votes to 5.

Many individual complaints were received subsequently alleging procedural irregularities that the complainants asserted invalidated the result

The applicant's lawyers wrote to the effect that the committee resolution was unlawful and that it should be referred back to Committee for redetermination. The applicant was considering its options which included:

A judicial review of the decision

An appeal against refusal on the basis that the decision was unlawful and not based on any objective analysis

Formal complaints regarding conduct of Committee and conduct of certain individual members

Counsel met officers and was asked to view the recording of the meeting, to consider if there were any such irregularities and if so what should be done to rectify them

While noting the reluctance of the courts to scrutinise planning committee meeting deliberations in a forensic manner, the understandable difficulties of holding the first remote planning committee in the County, and technical glitches – Counsel was concerned that certain members voted who may not have been present throughout the consideration of the item in breach of the County's code of Best Practice in Planning Procedures, and as required by the 2020 Regulations governing remote committees, because it appeared at times that they could not hear and be heard. Those votes clearly made a difference to the outcome given the close vote.

Counsel concluded therefore that there was a significant likelihood that a Court would on these issues alone declare the resolution as invalid and unlawful. However she also highlighted other matters that might also be of concern to a court i.e that a local member is limited to speaking for 3 minutes and cannot subsequently participate in the committee, that parts of the debate may have been missed by Members, some Members appeared to have other members of the household with them .and communicating with them, appearing on screen raising the perception of unfairness, and the use of the "chat" log potentially allowing private chat between participants.

As no decision notice had been issued Counsel confirmed that the resolution had no effect. She furthermore stressed that a local authority may have a duty to reconsider

its decision if flaws in decision making are brought to its attention before a decision notice is issued.

Counsel advised that a local authority may therefore revoke a resolution to grant or refuse and may then redetermine an application before issuing its decision

On any redetermination, Counsel stressed that members of the public and the applicant should be able to make or remake their statements orally and there should be full provision for debate by members.

Technical problems should be resolved so that everyone could hear and be heard throughout, no others should be present with councillors(although if there is a need for assistance for example because of disability this should be raised with the Chair in advance), and the chat function should be used appropriately.

This should ensure that any remote access to the meeting is conducted in a fully fair manner.

The County's Director of Legal Services and Monitoring Officer advised on the strength of Counsel's advice that the application should be determined afresh by the Planning and Regulatory Committee.

Given that it is likely that the many of the same Members will be voting today as voted previously, the issue of Predetermination needs to be touched upon given the expectation that the application will be considered afresh entirely fairly.

I would like therefore to remind members of some points in relation to predetermination as well as lobbying

As part of the legal training Members received before sitting on this committee, they have all had training in bias, predisposition and predetermination

As a condition of sitting on this Committee, Members signed up to Surrey's Code of Best Practice in Planning Procedures which makes clear that they should keep an open mind when considering applications in accordance with relevant planning considerations. Members have their own copy of the Code.

Whatever their views, councillors will approach their decision-making with an open mind in the sense that they must have regard to all material considerations and be prepared to change their views if persuaded by the evidence before them, representations and debate.

Members who previously have done something that might directly or indirectly indicate what view they took, would or might take in relation to a matter and the matter was relevant to the decision, but who came to the Committee prepared to hear all relevant considerations will not be perceived to have a closed mind when voting on the application. It is important that the minds of members be open to any new argument at all times up to the moment of decision

Turning now to lobbying, where Members are encouraged to vote in a particular way by objectors or supporters the Members' Code of Conduct stresses the need to be

impartial and be seen to be impartial when carrying out public duties. Members understand that they must not favour any person, company, group or locality.

Finally we are reminded by our Code of Best Practice that when members are minded to go against officer recommendation “ the Chair must summarise or cause to be summarised the salient points of the debate and ensure the text of the proposition is clearly understood before putting the matter to the vote”. The Chair will therefore summarise before the vote should such a situation arise.

.....

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I have lived in Dunsfold for 27 years – it's an unspoilt village just 1.5 kms from the proposed drill site; situated in the Surrey Hills Area of Great Landscape Value, bordering the AONB; under the Waverley Local Plan Policy RE 3 this area has the same principles for protection until its incorporation into the AONB is reviewed.

From the Officers report we know representations sent by objectors are over 80% of the total. But in my view, the revised Report fails to give due consideration to issues raised, which demonstrate the significant adverse impact on our environment and amenities WITHOUT A BALANCE OF positive benefits.

Surrey CC's Climate Emergency Strategy includes some objectives for our futures-

1 Residents live in clean, safe and green communities

Dunsfold and surrounds are just that, BUT this will change if an industrialised drill site is permitted.

2 Journeys across the county are easier, predictable and safer.

If consent is given, large tankers will be turning into a narrow rural lane on a dangerous blind corner, already infamous locally for frequent accidents – a cause for serious concern.

3 Businesses in Surrey thrive.

UKOG makes some exaggerated and inflated claims in this application about its local and national importance. But the IMMEDIATE adverse impact will be at demonstrable cost to three existing local businesses adjacent to the site; these are *real* costs, with a *real* risk of being jeopardised by the development.

An additional issue is the impact on Dunsfold Park Garden Village - a core pillar of Waverley's housing strategy.

The viability of the whole Village project will be literally undermined by the reality of a lateral shaft drilled underneath it.

Any negative impact on housing delivery here will send shock waves throughout this part of Surrey, particularly areas outside the green belt.

The applicant suggests we'll see benefits to the local economy, but it's unlikely during 3 years exploratory drilling; there's no guarantee of future production therefore no guarantee of benefits.

The Government has publicised its Green Revolution - onshore drilling and fossil fuels do NOT feature in their new measures. Surrey Minerals Plan has not changed since 2011 and is now due for review.

UKOG has failed to offer a convincing explanation for how the Loxley scheme would benefit the climate crisis; hydrogen is a buzz word but conversion of any gas found there would only produce GREY hydrogen, not clean *green* hydrogen.

What we do in Surrey, in the U.K, impacts across the globe. And vice versa.

Climate change does not recognise borders.

To conclude. Such a speculative and potentially damaging drilling operation is neither justifiable, nor in line with planning policy, nor appropriate in 2020.

So please vote to refuse this application.

THANK YOU

High Loxley Road is a long meandering private lane, edged with hedgerows, fields and wild flowers.

It provides the tranquil approach that leads to High Billingham Farm... the home, where my family and I have invested our time, energy and savings in developing a **very** special wedding venue business which has gained a unique and outstanding reputation.

Our wonderful approach and idyllic location, with far reaching views towards Hascombe Hill in the AONB, are **key features** that set us apart from many others... They create the very first impression of our venue.

There is no doubt that considerably widening High Loxley Road... enough to accommodate two passing HGVs... the replacement of hedgerows with over 50 metres of security fencing and gates, traffic controls, signage and artificial lighting, **will** completely destroy the rural character and appearance of our approach from clients that come to view during the week when weddings are not taking place but the proposed site will be fully operational.

It may only be 338 metres from my home, but the site itself will be less than **100 metres** from our boundary sitting directly between us and our views towards the AONB which form the backdrop for many of our outdoor wedding ceremonies.

The noise, light and odour will be relentless - This speculative exploration site cannot be compared with producing sites such as Storrington or Albury which have been established for over 30 years, are half the size, completely shielded by woodland on all sides and without houses or businesses in close proximity which could be negatively affected by the development.

The 37 metre high oil rig, will be in direct line of sight **and** earshot of our home and wedding venue, our rural setting will be ruined, having an **immediate** and **devastating** impact on our business... our reputation... and our livelihood.

Our venue attracts couples from all over the country and we are licensed to hold up to 50 events a year with up to **8000** visiting guests from all over the world and I would estimate that we could conservatively generate in the region of £3.5m - £4m a year for the many businesses and suppliers that all help to support our events the vast majority of which are based in Surrey:

Caterers, local food producers, serving staff (typically about 20 per event), florists, stylists, dressmakers, marquee companies, musicians, event planners, technicians, celebrants, photographers, hotels, BnBs, drinks suppliers including our neighbour at The Crafty Brewing Company, mobile bars, pubs, taxis and not least of all the local parish churches where ceremonies often take place bringing them essential income and outreach.

This is a business that we intend to grow and venues as unique as ours are very few and far between, and so the revenue that our business attracts to this part of Surrey will simply vanish.

Permitting this application will not only severely impact **our** business, but **many, many** others locally.

I would therefore urge you to **please** consider this when making your decision, and **refuse** this **speculative** application, because the adverse impacts clearly outweigh any possible benefit.

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ASHLEY HERMAN SUBMISSION TO SCC

18 months ago, Brian Alexander, UKOG's PR Executive, told me that they chose this site because it is "in the middle of nowhere."

It isn't. It lies within the heart of a community. Three farms, two Gypsy, Roma, and Traveller settlements, comprising 85 homes and whose voices have long been ignored in this matter.

360 of us living within 500 metres of the site.

My home, Thatched House Farm, is only 230 metres away.

Like High Billingham, we have established Farm Diversification projects.

In addition to keeping livestock, we established the Trew Fields Cancer Awareness Festival, which attracts 1000 people annually, and is attended by health professionals, NHS Practitioners, Cancer sufferers, and their families. Hundreds more come to our follow-up events and retreats throughout the year

Its campsite is just 100 metres from UKOG's proposed oil and gas well.

Our brewery, The Crafty Brewing Co. makes award winning beers, supplying local pubs, restaurants, Surrey Search and Rescue supporters, military regiments, and on-line customers.

We employ 12 full time and 42 part-time people. All local.

Trew Fields introduces £177,000 to the local economy. The brewery has sales approaching £1m.

We have diversified, creating employment, whilst retaining agricultural and artisan usage and are in compliance with Saved Policy R D 8, which states that "*Farm Diversification must not have an adverse effect on the character and amenity of the area*"

COVID may have damaged us but hydrocarbon drilling, in the field next to us, would be the final straw.

Trew Fields will become untenable and Crafty's Summer evening events will become less attractive.

And who can say with any certainty that the fresh-water borehole that we need to drill, our wells and ponds will not be at risk from contamination?

That we won't be subjected to noise and odour from the hydrocarbon well site?

The NPPF requires the weighing of "National economic benefit" against "local harm".

And, even if need **had** been demonstrated, the Surrey Minerals Plan, (MC 14), advises that

“if there are significant adverse impacts of mineral development on communities and the environment, permission should be refused”.

The Officers may recommend consent, but you have the right to differ. And, fear of an appeal is not a valid reason not to do so.

The NPPF and Minerals Plan frameworks, both provide valid, legal reasons for refusal and I would ask you to engage these

Consent to this Hydrocarbon well site and Tom's and my rural businesses, with a combined contribution of £4.5m to the local economy each year, will be crippled.

Public speaking at SCC P & R Committee 27/11/20 – Chris Britton

2

As a local resident living 900m east of the site, I wish to represent the huge number of local people directly threatened by the oil well's impact whose voices continue to be 'airbrushed out' both in scale and significance; Ashley referred to the community with Protected Characteristics whose most recent petition represented 140 residents, including children, against this application. They have at no point been directly consulted by the County Council. In total some 400 people live within 500m of the site, to which will soon be added thousands more at Dunsfold Garden Village. They will all be blighted by noise and pollution above ground and the well directly beneath them. Alfold, Cranleigh and neighbouring parishes, totalling over 15,000 people, and Waverley Borough Council have all strongly objected - the opposition to this is deafening, yet the Officers Report dismisses all concerns of harm, preferring to trust the word of the applicant. Today, Councillors, you can change that! Your decision is on a matter of *balance*. Take traffic safety and sustainability; any layman visiting High Loxley Lane can picture the risks of HGVs (including abnormal loads) attempting to use this narrow lane. Yet the response by Officers has been dismissive. Over several months despite being given factual evidence exposing flaws in the applicant's plans for accessibility, and questioning the use of banksmen to control HGVs at the 4-arm blind junction at Pratts Corner, the Council still has not updated its 2018 Road Safety Audit. The blind bends on the B2130 will force HGVs into the path of oncoming traffic, but Officers say these bends 'can be safely negotiated'. They contend it's acceptable to put off traffic matters until later. Facts show this to be a false and unsound premise. This is not the first time the Council has been misled by UKOG. A Traffic Management Plan approved by SCC in October for the Horse Hill drill site, was flouted just days later when an Abnormal Load vehicle was photographed overriding verges, and grounding on a busy road without any traffic management - evidence you have seen yourselves. Your Policy MC15 requires you, members, to satisfy yourselves that the highway network is of an 'appropriate standard for use by the traffic generated by the development' and if deficient that you have 'proposals for suitable improvement', yet you have seen no firm proposals to mitigate these very real risks. Using 'banksmen' is completely different to previous proposals and should have been subject to a full Road Safety Audit and draft section 278. But for five months since first being mentioned, the Council has preferred taking the word of the applicant to undertaking proper due diligence. Members, you cannot take this gamble. You should refuse this application on the grounds of both Policy MC12 and MC15 because '*vehicular activity and vehicle routeing*' have *not* been properly addressed and there *will* be significant adverse impacts on 'highway safety, residential amenity, the environment and the effective operation of the highway network'. Today you can choose to preserve our rural community, or to permit a speculative and harmful venture, with no demonstrable benefit.

Thank You.

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The application site, on the edge of the Surrey Hills AONB, is not strategic, offers very speculative volumes and will not balance the harm caused by these wells.

The site is not well located, no new data has been generated to justify the volume claims made by UKOG as against the knowledge gained from the Godley bridge and Alfold wells and the rebuttal evidence made by Dr Seaborne on 4th August and 27th October.

Dr Seaborne (a retired Oil & Gas professional) challenged the validity of the volumes and the way that UKOG, referred selectively, and used as evidence, an independent study by consultants Xodus. ,,,,,,,,,,,,,,,RNS is Regulatory News Service

....Dr Seaborne wroteThe content of the UKOG Release is in stark contrast to Xodus 2018 Competent Persons Statement (Publicly available) which unequivocally stated that the mapping is not in accord with observed facts and that available data are insufficient to allow a recoverable reserve estimate to be made.

....Dr Seaborne went on to sayIn September 2020 we are told by UKOG that this has changed and we are looking at the second largest onshore UK gas accumulation. This assertion lacks supporting evidence in the form of public access to the Xodus report referred to.

UKOG plan to produce hydrogen – that is grey hydrogen – as distinct from Green. In Hydrogen from natural gas, the Carbon element has to be removed and stored and is more suitable for offshore rather than onshore well

UKOG claim the investment of £6m over the three-year period, will benefit the community, which in the absence of evidence, I contend will be mostly spent with specialised contractors outside Surrey. As against the impact on the two local businesses whose loss will impact for many years and conservatively will be 2-3 times the UKOG investment. Both local businesses have figures available to support this statement, however the officer has not included an impact assessment in his report.

UKOG application is already showing up on local searches – I had one in April for my Dunsfold purchase.

The application site overlooks – the Dunsfold garden village - of 1,800 houses (2,600 in plan), around 4,000 new residents. The success of this site is critical to the Waverley Local Plan and the need to show a five-year housing supply. Any impact to the building out of this

site will impact on the whole of Waverley and the success of the garden village with its many green credentials.

This application if approved will damage the local businesses, expose local residents to the impact from 24 hour operation of the well, will impose an industrial structure at the edge of the AONB and risk the success of the development at Dunsfold Park.

Any planning application is a balance and I urge you to see that the benefits of this speculative drilling do not outweigh the harm at a local nor national level and reject this application as you did on 29th June.

ASHLEY WARD PRESENTATION

Thank-you Mr Chairman and Members of the Planning Committee.

I am Ashley Ward, my family owns Farmers Direct Ltd and we farm at High Loxley along with other land in and around Dunsfold. Also, I own the land at the proposed well site.

We farm a lot of livestock and produce high quality beef and lambs which sell to a wide range of customers throughout the UK.

We are committed to Higher Tier stewardship with Natural England, enhancing the soil and biodiversity. I have Environmental Qualifications and 4 generations of my family have farmed here for over 100 years.

I consider we are a cornerstone of the rural economy.

Farming is challenged by Brexit and cheap food from anywhere in the world. It is also at the front edge of carbon management as we move forward to a low carbon future. Initiatives here on our farm, including the planting and management of miles of hedges and new trees are already helping to store carbon. Furthermore, our methods to increasing soil organic matter can directly equate to carbon sequestration into the soil.

UK Farming is acting on climate change and delivering our food security

UK Oil and Gas companies, embracing a hydrogen future and carbon capture storage will also be part of the solution in winning against climate change. We should be encouraging UKOG for their role in energy security and addressing a transition to a low carbon future alongside British farmers.

The roads to High Loxley are perfectly suitable for HGV's. I know this because the animals that go in and out of my farm do so on HGVs. The largest of which are as big as any vehicle legally permitted on our roads. Large HGVs come and go to my farm easily, without adverse effects on free flow or safety.

Our roads are suitable and it would be un-reasonable to claim otherwise.

This site is not going to destroy local businesses as some claim. I have worked with UKOG for over 3 years and they have been very good neighbours. They are supporting my business and our environment, this at the forefront of their agreement with me and this proposal. No other diversification on my land has the potential to bring so much investment and expenditure into the area.

Furthermore, just south of here is Pulborough Rugby club, the beautiful club house hosts hundreds of events and it's a great place to have a beer. Interestingly, about 100m from the club house is Storrington oil and gas well site. It's been there for about 30 years, pretty well un-noticed.

So, I say to my neighbours and other businesses, I'm pretty clear that UKOG do not pose the threats that you claim.

UKOG's application has complied with every aspect of planning and regulation. This proposal is a credit to their management and their professional team. SCC's own team of professionals recommend approval with good reason.

Chairman and members this application should be approved and I encourage you to approve it... here today

Thank you.

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NIGEL MOORE PRESENTATION

Good morning Mr Chair and Members of the Planning Committee - My name is Nigel Moore, I'm a Chartered Town Planner and part of the Loxley Design Team.

As you will know, in June, you were minded to refuse Loxley for 5 reasons.

The Applicant accepts without reservation the concerns expressed and I will now present the measures designed to remedy the situation and establish Loxley as a development worthy of your support.

Firstly, Members were not convinced of the need for gas exploration.

In response, there are two key pieces of information to consider:

- Firstly, historic exploration at Godley Bridge and Alfold in the 1980's confirmed the presence of gas.
It was not feasible to continue exploration at that time
but efficient drilling techniques make it viable today;

and secondly.

- The geology is the same as that at Horse Hill, a known discovery which is now being readied for production in the coming year to coincide with our economic recovery from Covid-19.

Having studied this evidence in detail the Applicant confirms that Loxley is a known reserve of domestic gas; but add to this evidence the following considerations;

- Exploration can't be footloose; similar to all other mineral development it must follow the resource;
- Exploration is a serious business; the planned expenditure is £6m and the search for gas is a matter of national importance - our national energy policy says it's "*critical*" (a word rarely used in policy documents) that we have access to domestic supplies ... because...

Gas is a key commodity for our manufacturing base and it heats our homes, hospitals and schools.

In short, we need gas now to keep the lights on but we'll also need it in the future given that the Committee on Climate Change predicts we'll still consume 70% of the gas we do today in the year 2050 when our Greenhouse Gas emissions will be Net-Zero.

The UK is currently a net importer of gas and if we do nothing, by 2050, we'd be dependent on the goodwill of other countries for 86% of our supply. This level of exposure would be unsustainable in planning terms and an unacceptable risk to our national security. Put simply, any interruption in supply would have a significant and adverse impact upon our national economy and social well-being.

Domestic gas is therefore the insurance policy we need to protect ourselves against any external threat to turn the taps off or spike the prices - but this historic economic concern has now been joined by a more pressing environmental concern - because the Liquefied Natural Gas we import from the United States, Russia and the Gulf has a greenhouse gas content 4 times higher than UK gas.

In summary; continued import dependency makes no sense... but it's worse than that

because it will actually harm our economy and our environment. Contrast this with an alternative future where sites like Loxley restore our gas sovereignty, secure our supplies and clean our supply chains.

Accordingly, Loxley is precisely the kind of site that should be explored given that gas is critical to our current and future prosperity.

Secondly, Members expressed Highway concerns

Planning conditions now dictate that:

- all HGV's will enter and exit the site from the east and avoid the rural road network to the west;
- they will be digitally tracked to ensure they stick to the route; and
- verges will be protected; junctions will be improved and wheels washed.

At the last Committee **Mr Gordon** spoke of the need for clear access to High Loxley Road on a Friday in connection with events at High Billingham Farm. In response, there will be no HGV movements from Friday-noon onwards leaving the long weekend free for Mr Gordon's activities.

Mr Herman has confirmed that the Trew Fields Cancer Festival will be held from the 2nd to the 4th of July in 2021. In response, the Applicant will cease operations during this time and commit to do the same in years 2 and 3.

Signage is in place to deter HGV's from using Marwick Lane as a rat-run but this is not meant to restrict HGV movements elsewhere. 934 HGV's use Dunsfold Road on weekly basis – so an additional 10 HGV's per day would not be material.

Speeding cars are the reason why **Chevrons** have been installed on bends.

There have been no accidents involving HGV's because Dunsfold Road is sufficiently wide to accommodate these vehicles.

Members expressed concerns for Noise and Air Emissions

Both have been the subject of independent assessment with which the Council's Environmental Health Officer agrees and the Environment Agency have already issued a Permit confirming that the environmental protection measures are acceptable.

Last but not least... in response to Members concern for the Rural Economy;

- the planned expenditure at Loxley is £6M and there are few other land-uses that result in this amount of inward investment into the rural economy;
- the environmental capital of the area will be enhanced with new trees, hedgerow and habitats; and
- local firms will be used where possible to ensure the maximum amount of spending is retained within the local economy.

In summary;

Conditions are in place to ensure the site operates as predicted but the Applicant is willing to accept further conditions if Members consider it necessary.

Members can be confident that this suite of conditions will work because of the well of trust built up at Horse Hill - a similar exploration site - operational since 2014 but with no breach of planning conditions.

Loxley would be sympathetically managed with the same spirit of goodwill and therefore there is no reason to doubt the same harmonious outcome – an outcome that all parties want.

In conclusion;

- UK gas is the cleanest gas & the cheapest gas - it makes no sense to keep shipping it in from afar
- If approved, Loxley would progress in full compliance with your Minerals Plan but it has the potential to do so much more
- because no longer must we choose between protecting the economy or protecting the environment - we can do both - Loxley would allow us to keep the lights on and cut our emissions without impoverishment or any loss of personal freedoms – in short, we can have our cake and eat it.

Thank you for listening.

Good morning Mr Chair, Members, Ladies and Gentlemen. My name is Stephen Sanderson and I'm the CEO of UK Oil & Gas, a Surrey company employing mostly local people, including myself, with the sole purpose of providing energy for Britain.

Firstly, be assured that like our activities at Horse Hill, Loxley gas appraisal would progress responsibly and in full compliance with your Minerals Plan and other regulators.

Before I start given some of the objections can I just clarify that this is a natural gas project.

Those of you who've seen Horse Hill and other similar sites will know that they are visually unobtrusive, have low lifetime traffic flows and are generally well below most residents' radar. Loxley also has a full Environment Agency permit which should provide comfort that the local environment will remain unharmed by this development, your Officers concur with this.

So, ladies and gentlemen, given our climate emergency, why do we need Loxley or any natural gas development? In a nutshell, because new technologies make natural gas a key part of the UK net-zero solution.

Natural gas has a critical future use as a feedstock to manufacture low-carbon hydrogen, which can be used to generate electricity to prevent power outages when wind turbines stand still, or the sun goes down on solar farms.

Low-Carbon hydrogen forms a key part of government energy strategy, as demonstrated by last week's ten point 'Green Industrial Revolution' plan, the Chancellor's National Infrastructure Statement on Wednesday, and last November's Written Ministerial Statement from the SoS for Business, Energy and Industrial Strategy. All establish the importance of natural gas as a hydrogen feedstock. I quote the SoS:

"The Committee on Climate Change predict that we will still consume almost 70% of the gas we consume today in 2050 under our net zero target as significant reductions across building, industry and power are offset by demand for gas to produce hydrogen. It is, therefore, critical that the UK continues to have good access to natural gas from both domestic and international markets."

As well as a feedstock for hydrogen manufacture, natural gas also provides a key source of available affordable energy to bridge the transitional-gap before low-carbon technologies are in place.

Domestic gas is also markedly better for Net Zero than imports, as Liquefied Natural Gas and long-distance pipeline imports have 4-5 times the greenhouse gas footprint. Imports also make no direct contribution to the economy via jobs or taxes and do not have the same security of supply.

By providing fuel for hydrogen manufacture, domestic gas fields such as Loxley, can, therefore, not only help meet Net Zero but as part of the 'Green Industrial Revolution' can help offset the £270 billion cost of the up to 86% import dependency to 2050, and help repay the £394 billion of Covid debt.

Therefore, there is a demonstrable need for domestic gas from Loxley.

As the second largest gas accumulation drilled and tested in the UK onshore, Loxley's potential peak gas supply would have an energy equivalent to power around 200,000 homes per year and provide up to £30 million/year in gas sales to hydrogen manufacture and carbon capture plants, all of which are likely to be situated in key industrial hubs, well outside of the Loxley rural area. Loxley could thus be a materially significant future contributor to the local and Surrey-wide revenue base and economy.

It should be no surprise that this proposal in this locality attracts objection, however, as pointed out by Ashley Ward, a 4th generation local farmer:

“No other diversification on my land has the potential to bring so much investment and expenditure into the area.”

Consequently, with your help, the area’s rural economy can be allowed to adapt and change to meet current needs and future challenges, rather than be simply preserved in aspic like a museum piece.

Loxley’s potential role in the low-carbon hydrogen future should therefore be considered in your decision. I also kindly remind you that National Planning Policy requires you as decision makers to give “*great weight*” to the benefits of such developments in recognition of the critical role gas plays in the nation’s current and future life. I reiterate that Loxley’s local economic contribution is potentially materially significant.

Your Officers’ thorough and balanced report also finds that the many further concessions and mitigations we’ve offered strengthens the case for your approval and that, by virtue of sensitive site selection and considerate site design, the environmental effects of Loxley are insignificant, temporary and reversible. In contrast Loxley’s local economic contribution is potentially materially significant.

In reaching a decision I therefore hope that any personal opinions and perceptions do not trump the professional judgement and conclusions of your highways and planning Officers.

Finally, please be as courageous as you are honest in your decision-making, please support Loxley to help secure gas for tomorrow’s hydrogen, help us contribute to net-zero so Loxley can become an integral part of the “build-back-better” future we and our children so desperately need.

Thank you.

You have already heard from 5 local residents. As the member for Waverley Eastern Villages, I wish to voice my concerns on behalf of all the other local residents including those soon to move into the Dunsfold Park garden village. Indeed, if this application is approved, the projected deliverability of the Dunsfold park garden Village, a development of up to 2600 homes, central to Waverley's Local Plan, is called into question.

I represent a rural division, where the value in people's lives is not measured in monetary terms, but in the beauty and tranquillity of the environment and the fresh air they breathe. While blessed with wonderful countryside, this area suffers from a lack of employment opportunities and many local businesses have been adversely affected by Covid 19. However, this is not some rural backwater, within it are strong communities which will be deeply affected by this development.

The impact on local residents is a key concern to me. I was surprised to discover prior to the June hearing that the adjacent gypsy and traveller community at Stovolds Hill and Lydia Park (about 340 people in total) had not been consulted; I am still more amazed to find out that 5 months on and they have still not been consulted. There is a farm, brewery and wedding and event venue very close to the site. The wedding venue alone, which relies on its unique location and uninterrupted views of the AONB generates at least £3.5m per year revenue for the wider local economy. The loss of this business will have a huge knock-on effect on the large number of small local businesses that service it. Furthermore there is a unique international cancer awareness festival which works to support the NHS, but will no longer be feasible in this part of the country if this development goes ahead. In summary, the effect on local residents and their businesses will be significant.

The site is adjacent to the Surrey Hills AONB, and whilst currently partly screened, much of this screening is from a wood due to be reduced under an approved forestry plan and an adjacent area of protected ancient woodland. There is an outstanding view from Hascombe Hill which will overlook the site. The site is in an AGLV location, which under Waverley Local Plan Policy RE3 is to be offered the same protection as that afforded to the AONB. The introduction of a highly visible industrial site would be severely detrimental to the landscape and enjoyment of the countryside.

The impact of large vehicles on rural roads cannot be underestimated. Councillors, what you are being asked to accept is a plan to allow access to the site by 50 ton articulated lorries swinging out into oncoming traffic coming round several blind corners on a notoriously fast B road. You are being asked to allow the applicant and officers to sort out the details of the traffic management after approval is granted. The sketchy outline involves temporary traffic lights at some times and a banksman with a sign at others. These arrangements have not been subject to a road safety audit and many highways professionals are unhappy with them, despite what is said by the highways officers.

In the end, councillors, your job is to weigh up the pros and cons of this application, but I put it to you that the known harm is greater than any benefit ever might be.

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From: [Eleanor Anstruther](#)
To: [MWCD Environment/ENV/SCC](#)
Subject: Fwd: Ashley Ward & Hascombe Estate - his letter to you of 14/9/2020 Ref: WA/2019/0796
Date: 24 November 2020 09:54:16

To whom it may concern,

Following on from the email thread below, I attach a copy of the letter I also sent to David Maxwell concerning the incorrect claims in the applicant's papers.

I also strongly object to this planning application in this physical and factual content.

Email sent to David Maxwell 11.11.20:

Dear David,

Further to my brother's email to you below, I stand by his experience of working with Ashley Ward by echoing the like of my own. Ashley's farming practice during his tenancy of my land left the pasture so depleted that I have had to set it aside to recover; soil, wildlife, grass and flower species, all suffered at his hands. On top of this, his roughshod approach to the community here in the park, meant I was regularly having to deal with neighbours upset by his lack of respect for their needs to be communicated with clearly, and a spike in bills due to our shared access roads being continually damaged. The end of his tenancy was also marred in bad feeling, things not cleared up and attempts by him to charge me for things he hadn't done.

As a result of this and his wider treatment of the community he is no longer welcome on my land, and neither do I trust him enough to work with him on anything again. Likewise as my brother states, I would strongly advise the Council against trusting any commitments Ashley makes in relation to Planning or other matters at High Loxley.

*At your disposal should you wish to discuss this further,
Best wishes
Eleanor*

Eleanor Anstruther
Lodge Farm
Park Hatch Estate

Begin forwarded message:

From: Toby Anstruther <tobyanstruther@mwcd.surreycc.gov.uk>
Subject: Fwd: Ashley Ward & Hascombe Estate - his letter to you of 14/9/2020 Ref: WA/2019/0796
Date: 23 November 2020 at 15:38:08 GMT
To: "mwcd@surreycc.gov.uk" <mwcd@surreycc.gov.uk>

To whom it may concern.

I understand that the email below (originally sent 11/11/2020) is not yet shown as a registered objection to the above planning application.

The email was intended to set out to correct an incorrect claim in the applicant's papers.

As a matter of fact I also wish to object to this planning application as being in appropriate in this physical and factual context.

Thank you

Toby

Toby Anstruther
Hascombe Estate

Begin forwarded message:

From: Toby Anstruther
[REDACTED] m>
Subject: Re: Ashley Ward &
Hascombe Estate - his letter to
you of 14/9/2020
Date: 8 November 2020 at
14:58:00 GMT
To:
david.maxwell@surreycc.gov.uk
Cc: Andrew Kinnear
<[REDACTED]>,
Eleanor Anstruther
<[REDACTED]>

Dear David,

I have been forwarded a copy of Ashley Ward's (Farmers Direct) letter to you of 14th September, 2020. In it he speaks up the quality of his work when farming on the Hascombe Estate. I strongly disagree with this record of his farming on the Hascombe Estate.

I am the owner of the Hascombe Estate - and I copy my sister, Eleanor Anstruther, who lives at Lodge Farm and owns the land of what was the Park Hatch estate, opposite the proposed Loxley Well site.

Ashley was a farming tenant of mine on the Hascombe Estate for many years - he suggests 14 years and this is probably correct; I don't have the exact date of the start of his tenancies. Over that time his style of farming has been extremely commercial and extractive; he has extracted the maximum from the soil and left it in poor heart. My last correspondence with him concerned the need for him to clear up the considerable quantity of big-bale-silage wrapping plastic from the estate. He declined to do this or to pay for the cost of the clear-up. Since then he has fenced over a right-of-access which I have over his land at High Loxley.

In my own experience of doing business with Ashley Ward he has little or no concern for anything which is not of benefit to him and I do not trust him enough to work with him again on anything.

I would strongly advise the Council against trusting any commitments Ashley makes in relation to Planning or other

matters on his land at High Loxley.

I regret that I feel I should spell this this out so clearly; but I object strongly to his suggestion that his own record on the Hascombe Estate is a good one; it is not.

Please don't hesitate to contact me should you wish to discuss anything in this email. Please let me know if I need to copy this email to anyone else to get it on the record in relation to the oil well (or other) pending planning applications on High Loxley.

Yours, with kind regards

Toby

Toby Anstruther
Hascombe Estate

HAMBLEDON PARISH COUNCIL

Chairman: Councillor John Anderson
2 Farm Cottages, Combe Court Farm, Prestwick Lane, Chiddingfold, GU8 4XW
Tel: [REDACTED] Email: clerkofhpc@hambledonparishcouncil.gov.uk

24th June 2020

David Maxwell
Planning Development Team
Surrey County Council
County Hall
Kingston-Upon-Thames
KT1 2DN

Dear Mr. Maxwell,

WA/2019/0796 - Construction, Operation and Decommissioning of well site for the exploration and appraisal of hydrocarbon minerals at High Loxley, Dunsfold, Surrey County Council reference; 2019/0072.

I am writing with regards to the above application; a copy of this letter has been sent to both Surrey County Council as the application is being determined by the County Council’s Planning and Regulatory Committee, and Waverley Borough Council as our Local Planning Authority. Please consider this letter in addition to our letter dated 20th September 2019.

Hambledon Parish Council note that the site of the proposed drilling is located 3.4km from the Parish of Hambledon. Consequently, with the proximity of the proposed development, the impact of such a site would impede on residents within the Parish. Concerns raised include, but are not limited to:

- Air pollution caused by both the oil extraction and the supporting vehicles required to access the site and transport the product. This is further multiplied by the required felling of nearby woodland.
- Impact of light pollution in an area of ‘Dark Sky’, as recognised by the CPRE. The plans confirm that oil flares would be necessary.
- Insufficient detail to explain what the ‘exploratory’ nature of the drilling could result in, with the potential to expand the exploratory phase in to fracking; leading to well-documented seismic activity within a 30 mile radius of the site.

The site is situated within the Green Belt and AONB. By allowing development of such a site that carries large environmental and ecological impacts as well as unmitigable risks, it sets a dangerous precedence for the rural English countryside. Justification for the need to meet demand for oil falls short during unprecedented times low oil demand and collapsing future forecasts.

Government policy is contrary to such development to meet 2050 net zero carbon emission targets. Surrey County Council has declared a Climate Emergency since the application was submitted, and residents have overwhelmingly objected to the development.

Hambledon Parish Council is also continuing to object to the application on traffic grounds; we are concerned that there will be associated traffic using narrow and unsuitable lanes local to Hambledon, in particular Marwick and Salt Lanes, unless the proposed Traffic Management arrangements detailed in the Planning Transport Statement Loxley App8 are properly monitored and strictly enforced. Presently, we do not have confidence that the proposed Traffic Management arrangements are suitable for the site and surrounding villages.

There is still no statement in the above document to say how these arrangements will be properly monitored by UKOG. Hambledon Parish Council therefore requests that our concern is suitably addressed prior to granting any approval and that suitable amendments are incorporated within the documentation.

Based on the above points, Hambledon Parish Council **objects** to the application.

Yours sincerely,

Julie Flenley

Clerk to Hambledon Parish Council

CC. Waverley Borough Council

From: Mela Davidson [REDACTED] >
Sent: 28 August 2020 15:55
To: MWCD Environment/ENV/SCC <mwcd@surreycc.gov.uk>
Cc: consultation.planning@waverley.gov.uk; Victoria Young <victoria.young@surreycc.gov.uk>; steve.williams@waverley.gov.uk
Subject: SCC REF 2019/0072 AND WBC REF WA/2019/0796

SCC REF 2019/0072 AND WBC REF WA/2019/0796

I OBJECT to this application

Having viewed the decision made online by councillors on 29th June to refuse this application and learnt that the decision is now to be rerun, I am lodging a further objection. This objection includes observations on the way the planning process has been conducted by Surrey County Council so far.

IN SUMMARY

There appears to be a strong presumption in favour of this Applicant. Tenuous scientific assertions (regarding the basis for exploration, and its operations being 'net zero' compliant) made by the Applicant have been readily accepted as Gospel truth. Conversely, anyone objecting to the project has had a mountain to climb in terms of demonstrating harm. Please see my specific observations in support of this statement, below.

UKOG's finances are unstable and it appears to be operating a scheme of continually launching new exploration sites, with little hopes of success, to generate investment from small and unwitting investors, thereby funding its CEO's lavish lifestyle. It is unlikely to have the funds to restore the site.

A public body, representing public interests, has a duty to scrutinise these proposed activities carefully before giving licence to further deplete our environment and deface our countryside with no good reason.

SPECIFIC OBSERVATIONS ON THE MEETING OF 29TH JUNE

1) Many assertions made by and for the Applicant went unchallenged despite no evidence to support them, or even evidence to the contrary. Here are some examples:

- a) The 'remoteness' of the site (Nigel Moore, UKOG) - in fact 370 people live within 450m, most of them in the Gypsy Roma Traveller community and apparently invisible in this process
- b) That a temporary exploratory well site would fulfil the UK's PPE needs imminently (Matt Cartwright, UKOG) – not a serious suggestion
- c) That UKOG's drilling operations are 'net zero compliant' (Steven Sanderson, UKOG) – I have seen no evidence of this
- d) That the proposed exploratory site would be quantifiably commercially viable (Steven Sanderson, UKOG) – a claim not supported by available data on exploration in the area nor by other local sites which are sub-commercial
- e) The assertion that by giving permission for exploration in one location, SCC could not refuse permission in another location (Cr Ernest Mallett) was unchallenged - if this were true, then holding a planning meeting would be a redundant exercise

2) Fear of appeal appeared to be directing the decision – this is not a planning issue

“The council will be slaughtered on appeal” (Cr Mallett). This opinion was echoed, in less crude terms, by the SCC’s officers attending the meeting. It hung over the meeting as a kind of threat.

3) Anxiety to bury serious traffic concerns and make haste to approval seemed inappropriate

I have seen the documents obtained through FOI which demonstrate that traffic management has been a serious issue, even during the pre-application phase of this application. Traffic issues have remained a contentious matter, indeed papers were still being issued to Councillors as late as 9.15 am on the morning of the meeting of 29th June. It is of significant concern therefore that Caroline Smith’s comment: “Surely the best time to look at the detail is at the time of implementation of planning permission?” failed to reflect that Traffic Management remained an outstanding issue.

4) Ambiguity about the meaning of planning advice was consistently used in favour of the Applicant rather than local interests

When directly asked to confirm it by Cr Muir, Planning Officer Maxwell acknowledged that local economic impact was ‘material’ in this situation. Elsewhere in the proceedings this fact was buried – or even refuted – by the SCC planning and legal team. Later statements by Nancy El-Shatouri appeared to deny that local economic impact was material in the decision at all.

5) There was little scrutiny of the need for the application to have ‘quantifiable benefits’ (SMP 2011 MC15)

A higher standard of evidence was always required from local objectors than from the Applicant. Local objectors were able to quantify the harm to local businesses and economy.

The Applicant’s expressions about future profit could, in the circumstances, only be a ‘wish list’.

GENERAL POINTS ABOUT THE CONDUCT OF THIS APPLICATION

Prior to the 29th June meeting, a clear impression of bias towards the Applicant had already been created by SCC’s decision to use drone footage created by the Applicant (in lieu of a site visit by councillors) - to influence traffic considerations, and rejection of footage from an independent consultant commissioned by the objectors.

Despite the systemic bias shown in favour of the Applicant, and strong pressures at the meeting to decide in favour of the application (‘slaughtered on appeal’ etc) the councillors came to what I (and over 700 other objectors) believe to be the right decision on 29th June.

There seemed to be a general unpreparedness by SCC officials for the fact that councillors might exercise their discretion and refuse the application. The indignant claims that have followed that there was no basis for the refusal are contradicted in the recently published minutes of the meeting of the 29th June which record that the reason for the refusal was that It has not yet been demonstrated that there is a need for the development nor that the adverse impacts in respect of highways, noise, lighting and air quality will not be significant contrary to policies MC12, MC14 and MC15 of the Surrey Minerals Plan 2011.

The fact that the democratic decision of 29th June has been challenged and forced to be rerun, further adds to the impression that SCC is being bullied by UKOG shareholders to bolster the interests of a failing private company at the expense of local democracy and Surrey’s own environmental commitments.

Yours faithfully
Mela Davidson

Sent from Yahoo Mail. [Get the app](#)

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From: Patrick Arthurs [REDACTED]
Sent: 25 November 2020 13:02
To: David Maxwell <david.maxwell@surreycc.gov.uk>
Subject: Loxley Oil Well - UKOG Application WA 2019/0796

David,

Ahead of the Committee meeting on Friday the local residents are concerned that the applicant has sought to justify the drilling operation as a farm diversification activity that would be supported by Policy RD8. As you will see from the policy RD8 below the diversification intended by the policy is other types of farming activity and no adverse affects would arise from the activity including highways safety and access considerations. The mining operation will be commercial in nature and it will have an adverse impact on the environment, landscape, highways and local businesses as set out in previous correspondence. As a result the proposed development will be contrary to the policy and is not supported by it.

Regards

Patrick

POLICY RD8 – Farm Diversification

.New uses on agricultural, forestry or horticultural holdings will be permitted where:-

- (a) agriculture, forestry or horticulture remains the principal or dominant use;
- (b) there is no conflict with the principal agricultural, forestry or horticultural use;
- (c) they are accompanied by supporting information e.g. a "Farm Plan";
- (d) the proposed development will not introduce an activity which will adversely affect the character or amenities of the area;
- (e) the proposed development will not be materially detrimental to the amenities or privacy of nearby properties;
- (f) existing farm buildings which are re-used meet the requirements of Policy RD7 above;
- (g) the amount of traffic likely to be generated would not prejudice highway safety or cause significant harm to the environmental character of country roads; and
- (h) satisfactory vehicular access can be achieved.

In the Green Belt, proposals which require new buildings will be considered in accordance with Policy C1.

In the Countryside beyond the Green Belt, new buildings will only be permitted where no suitable existing buildings are available and where the proposed buildings are small scale and unobtrusively located.

APD
Arthurs Planning and Development
Bines Farmhouse
Bines Road
Partridge Green
West Sussex rh13 8eq

[REDACTED]
[REDACTED]

**WAVERLEY BOROUGH COUNCIL
CONSERVATIVE GROUP**

C/O The Council Offices
The Burys
Godalming
Surrey
GU7 1HR

Thursday 19th November 2020

Members of the Planning & Regulatory Committee
Surrey County Council

Dear Councillors

Letter of objection to UKOG application SCC Ref 2019/0072 and WA/2019/0976

On 15th June last the Waverley Conservative Group submitted a letter of objection to planning application WA/2019/0796 re a well for hydrocarbon minerals exploration near Dunsfold, which the Committee heard on 29th June 2020 and refused permission. Following SCC's decision to declare the results of that meeting to be void we write again, prior to the replacement hearing scheduled for 27th November 2020, to reiterate the objections raised in our original letter and to raise further concerns for the Committee to consider.

1. Purpose of the application

The weighting of strategic benefits in relation to national energy security from hydrocarbon production from this site would seem to be less than significant in comparison to the many disadvantages and harm.

2. The site location

The location is adjacent to the Surrey Hills AONB and whilst partly screened, this screening is from a wood due to be reduced under an approved forestry plan and an adjacent area of protected ancient woodland. There is an outstanding view from Hascombe hill which will overlook the site and well used footpaths down two sides of the proposed site. The introduction of a highly visible industrial site would be severely detrimental to the landscape and the enjoyment of the countryside.

3. Impact on Local residents

There are a number of properties near to the proposed site, including 7 grade II listed buildings and an important Gypsy and Travellers site of some 80 people at Lydia Park on Stovolds Hill. There is a farm, a brewery and a wedding and event site within a 500 m radius of the proposed site. There are two bridleways bordering the site, which are enjoyed by many local residents and visitors. The effect on these residents, and those expected to come to live in the new

garden village of Dunsfold Park, will be significant and it will also be detrimental to the local businesses.

4. Traffic and roads

The traffic impact, whilst low in numbers, will affect local traffic flow especially on the four way junction at Pratts Corner. Proposed 4/5 way traffic lights will have a significant disruption to traffic between Godalming and Dunsfold Park especially during the construction phase of Dunsfold Park. The road from Pratts corner to the A281 at the Nanhurst crossroads is narrow and has a number of blind bends and traffic will have to go over the centre line to navigate these blind bends. The Nanhurst junction will need to be changed to allow a 90deg turning of exceptional long vehicles by removing the centre island to allow vehicles to cross the carriageway on this busy road and junction. The rural local and unclassified roads leading to the proposed site are unsuitable for the size of vehicles needed to build and operate the proposed site.

5. Financial Impact

Concern is expressed over the applicant's lack of financial strength, particularly relating to the significant cost of any remedial work needed if the company should fail. No bond has been offered or called for by the planners leaving the County exposed to the costs of remedial work should UKOG fail financially.

In addition to our previous objections also we ask you to consider the following:

6. UKOG has repeatedly asserted the presence of large volumes of gas in the Portland reservoir, and the consequent capacity to supply energy to large numbers of homes. They also talk about converting gas to hydrogen. We are not aware of any material in the public domain to substantiate those claims, but we are aware that maps of the structure published on UKOG's website do not honour the available data and are thus unreliable and will lead to inflated gas volumes.
7. The Loxley well is planned to be deviated under the Dunsfold Aerodrome. This is the site the major Dunsfold Park garden village development, critical to Waverley's future housing supply. We are seriously concerned about the potential impact on the developers' ability to sell houses on the site if and when a natural gas development starts to show up on pre-purchase searches.

We would ask you to carefully consider the impact and risks of the application in this rural part of south east Surrey, including the impact and risk from the future stimulated and unconventional production of any hydrocarbons found on the current and planned residents, on the local economy and businesses, and on the protected AONB landscape.

We thank you for taking the time to read this letter and would very strongly urge that you refuse permission for this planning application for the reasons outlined above.

Yours sincerely,

All Members of the Waverley Borough Council Conservative Group :

CLlr Julia Potts	Leader Waverley Conservative Group	Frensham Dockenfield & Tilford
CLlr Brian Adams	Frensham Dockenfield & Tilford	
CLlr Carole Cockburn	Farnham Bourne	
CLlr Steve Cosser	Godalming Charterhouse	
CLlr Kevin Deanus	Alfold, Cranleigh Rural & Ellens Green	
CLlr Simon Dear	Haslemere East & Grayswood	
CLlr Patricia Ellis	Cranleigh West	
CLlr David Else	Elstead, Brook & Thursley	
CLlr Jenny Else	Elstead, Brook & Thursley	
CLlr Jan Floyd- Dounglass	Witley & Hambledon	
CLlr Mary Forszyszewski	Cranleigh East	
CLlr Michael Goodridge MBE	Blackheath & Wonnersh	
CLlr John Gray	Chiddingfold& Dunsfold	
CLlr Val Henry	Ewhurst	
CLlr Chris Howard	Shamley Green & Cranleigh North	
CLlr Peter Isherwood	Hindhead	
CLlr Anna James	Chiddingfold& Dunsfold	
CLlr Robert Knowles	Haslemere East & Grayswood	
CLlr Peter Martin	Godalming Holloway	
CLlr Stephen Mulliner	Haslemere East & Grayswood	
CLlr Trevor Sadler	Witley & Hambledon	
CLlr Richard Seaborne	Bramley, Busbridge & Hascombe	

Leader of the Waverley Conservative Group, CLlr Julia Potts.
 Tel: [REDACTED] . E-mail Julia.Potts@waverley.gov.uk

Cc
 David Maxwell, SCC Case Officer
 Councillor Victoria Young, Local Division Councillor
 Ross Pike, SCC Committee Manager
 Joss Butler, SCC Committee Manager

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To: Planning & Regulatory Committee

Date: 25 March 2021

By: Planning Development Manager

District(s) Spelthorne Borough Council

Electoral Division(s):

Lower Sunbury & Halliford

Mr Evans

Laleham & Shepperton

Mr Walsh

Sunbury Common & Ashford Common

Mrs Alison Griffiths

Case Officer:

Duncan Evans

Purpose: For Decision

Grid Ref: 508581 168575

Title: Minerals/Waste SP20/00513/SCRVC

Summary Report

Charlton Lane Waste Management Facility, Charlton Shepperton, Surrey TW17 8QA

Development of the Charlton Lane Eco Park without compliance with Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

The Charlton Lane Waste Management Facility is an existing site in waste management use. The application site lies within the Metropolitan Green Belt and the Sites of Special Scientific Interest (SSSIs) Impact Risks Zones. Charlton village is to the north west, with Upper Halliford to the south east. The site is bounded by the M3 motorway to the north west and Charlton Lane to the south, with a golf course (former landfill site) beyond. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. The nearest residential properties are those of Hawthorn Way, Upper Halliford whose rear gardens back on to the eastern side of the railway line to the east of the site (approximately 250m from the built facility).

Planning permission (ref. SP10/09470) was granted in 2012 for the development of a Waste Management Facility ('Eco Park') on the site, comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping; and the diversion of Public Footpath 70.

This applicant proposes, via Section 73 of the Town and Country Planning Act 1990 (as amended), to amend Condition 4 of planning permission SP16/01220/SCC dated 23 September 2016 in order to change the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

The applicant has explained that because of complaints they have received from local residents regarding early arriving HGV parking on local roads, they now seek permission to open the site gates one hour early at 0600 hours to enable the HGVs to park within the site. The applicant states the HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge, and the HGVs would not be allowed past the weighbridge. The application does not propose any changes to the numbers of HGVs that access the site, only the gate opening times. No changes are proposed to the site operating hours.

The key issues in determining this application will be compliance with the Development Plan and the impact on the local residential, environmental and amenity interests. In considering this application for planning permission it will be necessary to consider whether very special circumstances exist that overcome the normal presumption against inappropriate development in the Green Belt and harm by reason of inappropriateness, and any other harm. As well as Green Belt policy considerations, issues to consider include whether the proposal is supported by, and complies with development plan waste policy, Consideration will be given to any environmental or traffic issues associated with the change to the operation.

Objections have been raised by residents, whose leading concern are the impacts of noise and disturbance the proposal will have on local properties by opening one hour early, and that the proposal would generate increased traffic on local roads.

Spelthorne Borough Council has objected to the application with concerns of noise and disturbance on residents' amenity. Charlton Village Residents Association have objected with concerns vehicles illegally parked cause obstruction to other road users, and grounds of noise to local residents. Laleham Residents' Association have objected with concerns of increased HGV movements at an unsociable time to local residents.

The County Highway Authority (CHA) has not objected to the application. The CHA has advised that the proposal would not likely result in any overall increase in the numbers of vehicular movements to and from the site and that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

The County Noise Consultant (CNC) does not object to the application and considers that it is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site. No objections have been received from the other technical consultees.

It is considered that allowing early arriving HGVs to park within the site would alleviate local resident's concerns. The CHA considers that there would be no material impact on the safe operation of the public highway arising from the proposal. Taking into consideration the advice received from the CHA and CNC, Officers consider that, subject to imposition of conditions, the proposed change to gate opening time by one hour would not give rise to unacceptable environmental or amenity impacts and accords with the development plan policy.

The principles for the need for this permanent waste management facility at Charlton Lane and the potential impacts on openness in this Green Belt location were assessed and accepted when planning permission was granted. It was accepted that there were a number of factors, which together constituted very special circumstances that clearly outweighed the harm to the openness to the Green Belt and any other harm such that an exception to Green Belt policy could be made. Officers therefore consider the application may be permitted, as an exception to policy given the very special circumstances which exist and the lack of any other harm to the Green Belt.

The recommendation is to PERMIT subject to conditions.

Application details

Applicant

SUEZ Recycling and Recovery

Date application valid

22 April 2020

Period for Determination

12 August 2020

Amending Documents

Letter from SUEZ dated 28 January 2021.

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, Traffic and Access	Yes	47 – 62
Noise and Cumulative Effects	Yes	69 – 82
Lighting	Yes	83 – 84
Air Quality	Yes	85 – 88
Green Belt	No	89 – 96

Illustrative Material

Site Plan

Plan 1

Illustrative Plan

Plan drawing 1224 PL B004 Rev D General Arrangement Plan (showing context of site layout - for illustration only)

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

Figure 1 View of existing site access

Figure 2 View of site gates

Figure 3 Site access looking north west on Charlton Lane

Figure 4 Site access looking south east on Charlton Lane

Background

Site Description

1. The Charlton Lane Waste Management Facility is centred on an area of approximately 4.5ha, but includes land to the east and north, which are former mineral workings and are to be landscaped as part of the current permission, increasing the site area up to approximately 12ha.
2. The site lies within the Metropolitan Green Belt and the Sites of Special Scientific Interest (SSSIs) Impact Risks Zones. Charlton village is to the north west, with Upper Halliford to the south east. The site is bounded by the M3 motorway to the north west and Charlton Lane to the south, with a golf course (former landfill site) beyond. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. The local Scout Hut is located on the north side of Charlton Lane between the site and the M3. Public Footpath 70 runs along the western boundary of the waste management site following the line of the M3, and then follows an easterly direction around the northern end of the existing site, crossing the railway line at Bugle Nurseries. The nearest residential properties are those of Hawthorn Way, Upper Halliford whose rear gardens back on to the eastern side of the railway line to the east of the site (approximately 250m from the built facility).

Planning History

3. Waste activities have been taking place at the site since the late 1940's, with a Waste Incineration Plant operational from the early 1950's up to the early 1960's. The area to the north and east of the current waste management site was worked for sand and gravel in the 1950's and backfilled with waste. In 1996 planning permission (ref. SP96/0242) was granted for the redevelopment of the existing waste management site for a temporary period until 2016. In 2011 planning permission (ref. SP10/0883) was granted for the permanent retention of the existing waste management facility, comprising: a community recycling centre; materials recycling facility with bulking bays; a waste transfer station with associated infrastructure; and an improved access onto Charlton Lane.
4. In 2012, planning permission (ref. SP10/09470) was granted for the development of a Waste Management Facility ('Eco Park') on the site, comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping; and the diversion of Public Footpath 70.
5. In 2014 (ref. SP13/01553/SCC) and 2016 (ref. SP13/01553/AMD) planning permissions were granted for minor material amendments to the design and infrastructure of the Charlton Lane Eco Park. Construction work in respect of the Eco Park commenced in summer 2015 and is still underway.
6. In September 2016 planning permission (ref.SP16/01220/SCC) was granted for amendment to Condition 6 of planning permission ref: SP13/01553/AMD dated 18 January 2016 in order to extend the working period for external construction work by one additional hour at the end of each working day until 18:30 hours Monday to Friday and until 14:30 on Saturday, and to allow construction activities within enclosed buildings to take place on a 24 hour basis Monday to Sunday.
7. Then in June 2016 (ref.SP16/00616/SCC), and extended in March 2018 (ref. SP18/00016/SCRVC), temporary planning permission was granted for the access, loading and exit of vehicles with waste for export from the RBF between the hours of 6pm

and 8pm Monday to Saturdays until 31 December 2017, to enable the efficient operation of the site during the period of construction of the Eco Park until 31 December 2018.

8. In March 2017 a non-material amendment (ref. SP13/01153/SCA1) to planning permission ref: SP16/01220/SCC dated 23 September 2016 was approved to allow for minor changes in the construction and design of the Eco Park.
9. In June 2018, planning permission (ref.SP18/01082/SCC) was granted for the change of use of the dwelling, kennels, store, garage and outbuildings at Ivydene Cottage to a waste re-use facility including receipt, sales, storage, repair and testing of waste materials and ancillary office and welfare facilities.
10. In September 2018 a non-material amendment (ref. SP18/01082/SCC) to planning permission ref: SP16/01220/SCC dated 23 September 2016 was approved to allow for minor changes to the noise conditions in respect of the Charlton Lane Eco Park Development.
11. In June 2019 (ref.SP19/00465/SCC), a further planning permission was granted for a temporary period in order to allow the access, loading and exit of vehicles with waste export from the existing recyclables bulking facility between the hours of 1800 and 2000 Monday to Saturday. The planning permission was extended again in February 2020 (ref. SP19/00465/SCRVC) for a further temporary period until 31 December 2020.

The Proposal

12. This application, made under Section 73 of the Town and Country Planning Act 1990 (as amended), seeks planning permission for the development of land without complying with Condition 4 of planning permission SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.
13. Condition 4 of planning permission ref. SP16/01220/SCC controls the hours of operation for the Community Recycling Centre and Recyclables Bulking Facility (RBF). As part of the Condition 4 heavy goods vehicles associated with the RBF may enter the site gates from 7am Monday to Saturday (underlined below).

Condition 4 reads:

No operations or activities authorised or required by this permission in respect of the Community Recycling Centre and Recyclables Bulking Facility shall be carried out except between the following times:

Community Recycling Centre

*Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours*

Recyclables Bulking Facility

*Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours (when only waste delivered to the Community Recycling Centre will be handled).*

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

This condition shall not prevent Heavy Goods Vehicles for the Recyclables Bulking

Facility entering the application site gates from 0700 hours Monday to Saturday.

Reason

To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Plan 2008 Policy DC3.

14. The applicant and site operator (SUEZ) states they have contracts with third party haulage companies to bulk and transfer waste materials from the RBF. The Condition 4 of planning permission ref: SP16/01220/SCC restricts HGVs for the RBF entering the application site gates to 07:00 hours. However, the applicant explains that they have received a number of complaints from local residents concerning haulage vehicles associated within the site arriving earlier than 07:00 hours. Yellow lines are present at the site entrance and the applicant states that they have spoken directly with drivers and also contacted their contracted haulage companies to remind them of site opening times. The applicant further states that whilst this appears to have discouraged drivers from parking outside the site gates, they have had received complaints about the haulage vehicles parking in the vicinity, close to residents' homes.
15. To resolve this issue, the applicant states they are now seeking permission to amend Condition 4 (of ref: SP16/01220/SCC) to allow HGVs for the RBF to enter the application site gates from 06:00 hours (Monday to Saturday) and park. They advise that on the occasions that HGVs arrive at 06:00 hours the vehicles would park up in the south east corner of the site on the HGV in-bound haul road but would not be allowed onto, or past the weighbridge (as shown on plan drawing 1224 PL B004 Rev D – General Arrangement Plan dated July 2015).
16. The applicant states that this application relates to the gate opening times only and does not seek any amendment to site operating hours which are to continue as currently set out on Condition 4 and 5 of the extant planning permission ref.SP16/01220/SCC for the Charlton Lane Waste Management Facility. The vehicles entering the site one hour early and parking are to be only those associated to the Recyclables Bulking Facility traffic.
17. No changes are proposed to the numbers of HGVs accessing the site or any other operations permitted at the site.

Consultations and Publicity

District Council

18. **Spelthorne Borough Council:**
Objection on the grounds that HGVs will be encouraged to arrive at the site earlier and cause noise and disturbance on the local roads to the detriment of the amenity of local residents.
19. **Borough Environmental Health officer:**
Objection on noise and disturbance grounds.

Consultees (Statutory and Non-Statutory)

20. **County High Authority – Transportation Development Planning:**
No objection
21. **Environment Agency:**

No objection

- 22. **Natural England:**
No objection

- 23. **County Noise Consultant:**
No objection

- 24. **Environmental Assessment:**
Provided comments

Parish/Town Council and Amenity Groups

- 25. **Charlton Lane Liaison Group:**
No objection. This is provided the early access is not abused and controlled satisfactorily through planning conditions

- 26. **Shepperton Residents' Association:**
No objection. Also commented that This is provided the early access is not abused and controlled satisfactorily through planning conditions.

- 27. **Charlton Village Residents Association:**
Objection. On the grounds it would dangerous due to dark mornings and vehicles illegally parked causing obstruction to other road users; when the lorries and containers collide this makes a dull banging noise; engines being revved up outside causing pollution; the area is too residential to have peoples lives and sleep disrupted further; and the application not advertised correctly.

- 28. **Lower Sunbury Residents' Association:**
No views received

- 29. **Laleham Residents' Association:**
Objection. On the grounds of disturbance at an unsociable time of day.

Summary of publicity undertaken and key issues raised by public

- 30. The application was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 84 of owner/occupiers of neighbouring properties were directly notified by letter.

- 31. A second limited consultation exercise was carried out by the County Planning Authority following clarifying or other information submitted for the application on 28 January 2021. A total of 98 letters were sent to the owner/occupiers of neighbouring properties originally notified of the application, and to people and organisations who had expressed an interest in the application prior to the receipt of the additional information received.

- 32. Total of 21 written representations have been received to date objecting to the application, although some people may have written more than once. Many of the concerns raised relate to the development of the Eco Park. Officers acknowledge those concerns, however the principle of the development for the Eco Park waste management facility has already been established when planning permission was first granted in 2012.

- 33. In respect of this application the main points of public concern raised relevant to the proposal are summarised as follows:

- The HGVs arriving at 6am will create additional noise and disturbance to local residents.
- The issue has arisen from bad time management from hauliers.

- Do not consider there is a need for HGVs to arrive earlier.
- There would be additional road traffic noise locally from HGVs arriving an hour early and affect residents.
- Do not consider changing opening time will resolve the issue as lorries will arrive even earlier
- The site already has a disruptive effect on local residents, the early HGVs will impact residents further
- There is already significant, light, noise and pollution coming from other activities on site.
- Increase in pollution and diesel emissions and against Climate Change Strategy and the Borough is an Air Quality Management area for nitrogen dioxide though this has not been considered.
- Charlton Lane is too narrow for HGVs to pass each other at the section of the railway bridge, leading to damage of the highway.
- The HGVs queuing to the site are a danger to other road users. The dark hours and low sun add to this danger.
- HGV's should enter directly from the motorway
- HGVs are speeding on local roads and cause damage to roads and property through vibration.

Planning Considerations

Introduction

34. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
35. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan Part 1 – Policies 2020, Spelthorne Borough Local Plan (SBLP) 2001 (saved policies) and Spelthorne Core Strategy (SCS) and Policies Development Plan Document 2009.
36. In December 2020, Surrey County Council adopted the Surrey Waste Local Plan 2019-2033. The Surrey Waste Local Plan 2019-2033 replaces the Surrey Waste Plan adopted in 2008. Part 1 of the Plan sets out the context of the Plan, the vision, objectives, and policies that are applied when determining planning applications. Part 2 of the Plan gives more specific information around the areas and sites identified as being suitable for waste management in the County.
37. Spelthorne Borough Council is in the process of preparing a new Local Plan for the period 2020 – 2035. The Borough Council anticipates the next stage for consultation of the emerging Local Plan, the Preferred Options consultation is due to commence in mid-2021. Following that final consultation, the new Local Plan is to be submitted to the Planning Inspectorate for an Examination in public. The emerging Spelthorne Local Plan is some way off adoption and the Plan carries no weight.
38. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES) the environmental information contained in it will be taken into consideration and reference will be made to it.
39. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the

development are satisfactory. In this case the main planning considerations are: Highway and Traffic; Environment and Amenity and Metropolitan Green Belt.

Section 73 and Environmental Impact Assessment (EIA)

- 7
40. This application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 of the Town & County Planning Act 1990 allows planning permission to be given for development of the same description as development already permitted but without complying with conditions subject to which that previous planning permission was granted.
 41. Local planning authorities can grant permission to Section 73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. If granted a section 73 planning application creates a fresh planning permission and leaves the existing planning permission intact. The development, which the application under section 73 seeks to amend, will by definition have been judged to be acceptable in principle at an earlier date. Section 73 provides a different procedure for such applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.
 42. The current application (ref. SP20/00513/SCRVC / SCC ref. 2019/0154) relates to an established permitted development that is of a type classed as 'EIA development'. The current application is therefore accompanied by an Environmental Statement (ES) which is composed of the following documents.
 - The original ES, dated October 2010 – composed of three volumes: Volume 1, Main Report; Volume 2, Technical Appendices; Volume 3, Non-Technical Summary.
 - The following ES Regulation 19 submissions: South East Plan Policy Appraisal (January 2011, Volume 4); Additional Evidence regarding Noise Mitigation (January 2011, Volume 5); Additional Information regarding the Air Quality Assessment (Addendum to Chapter 13.0 of the ES) (January 2011, Volume 6); and, Status of Charlton Lane Eco Park in respect of Waste Recovery Operations (May 2011, Volume 7).
 - The first ES Addendum (September 2013, Volume 8), submitted in support of planning permission ref: SP13/01533/SCC dated 25 September 2014.
 - The second ES Addendum (August 2015, Volume 9), submitted in support of planning permission ref: SP13/01533/AMD dated 18 January 2016.
 - The third ES Further Update (dated July 2016), submitted in support of planning permission ref. SP16/01220/SCC dated 23 September 2016.
 - The fourth ES Further Update (dated September 2019), submitted in support of the current application (ref. SP20/00513/SCRVC / SCC ref. 2019/0154).
 43. The current application seeks to change the hours during which HGVs servicing the recyclables bulking facility (RBF) can enter the application site, from 07.00 hours as currently permitted to 06.00 hours. The only topics covered in the ES that would be affected by the proposed change are those relating to the assessment of noise (and vibration) and to the assessment of cumulative effects. For all other topics covered by the ES (e.g. traffic and transportation, landscape and visual, ecology and nature conservation, air quality, etc.) the proposed extension to the hours during which HGVs servicing the RBF can access the site would have no material impact on the previously reported assessments or their conclusions.
 44. With reference to the topic of noise, the most recent update to the ES (dated September 2019) includes consideration of the impact of the proposed change in gate opening hours

for the conclusions of the previously submitted noise impact assessments for the Eco Park. That update concludes that the proposed adjustment to the gate opening hours would not result in any material change to the previously assessed worst-case noise disturbance for nearby sensitive receptors. It is also noted that a property previously identified as a noise sensitive receptor (Ivydene Cottage) is no longer in residential use, and therefore is less sensitive to noise disturbance than was previously the case. The update to the ES does not identify a need for any additional noise mitigation measures over those already provided for under the current planning permission (ref. SP16/01220/SCC dated 23 September 2016).

45. With reference to the topic of cumulative effects, the most recent update to the ES (dated September 2019) concludes that the proposed change to the gate opening hours of the site would not contribute to any change in the previously assessed contribution of the development to cumulative impacts. No additional need for measures to mitigate cumulative impacts is identified.
46. A new set of EIA Regulations, the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, have come into force in the period following the grant of planning permission ref. SP16/01220/SCC dated 23 September 2016. Under the EIA Regulations 2017 Regulation 18 sets out minimum requirements for the information to be provided in an ES. Under previous versions of the EIA Regulations those requirements were set out in Schedule 4. In combination the documents (listed in paragraph 42 above) that together comprise the ES for the Charlton Lane Eco Park development address all of the minimum information requirements set out in Regulation 18(3) of the EIA Regulations 2017, and provide much of the additional information specified in Schedule 4 of the EIA Regulation 2017. The information provided in the ES is sufficient to form part of the environmental information on which the CPA will rely when determining the current application.

HIGHWAYS, TRAFFIC & ACCESS

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 15 – Transport and Connectivity

Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 (SBCS 2009)

Policy CC2 – Sustainable Travel

47. Paragraphs 108 to 111 of the National Planning Policy Framework (NPPF) 2019 state that when assessing development it should be ensured that appropriate opportunities to promote safe and suitable access to the site can be achieved by all users, and any significant impacts from the development to the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively be mitigated to an acceptable degree.
48. The NPPF is clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. All developments that generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a Transport Statement for Transport Assessment so that the likely impacts of the proposal can be assessed.
49. The National Planning Policy for Waste (2014) states that when determining waste planning applications, waste planning authorities should consider the likely impact on the local environment and on amenity with regard to traffic and access. The considerations are to include the suitability of the road network and the extent to which access would require reliance on local roads.

50. The SWLP2020 recognises that impacts on the ease of transport and air quality caused by congestion and HGV movements are key areas of concern for local communities. The Policy 15 (Transport and Connectivity) out states that planning permission for waste development will be granted where it can be demonstrated that transport links are adequate to serve the development or can be improved to an appropriate standard. Where the need for road transport can be demonstrated, the development will ensure that:
- i) Waste is able to be transported using the best roads available, which will usually be main roads and motorways, with minimal use of local roads, unless special circumstances apply.*
 - ii) The distance and number of vehicle movements associated with the development are minimised.*
 - iii) The residual cumulative impact on the road network of vehicle movements associated with the development will not be severe.*
 - iv) There is safe and adequate means of access to the highway network and the vehicle movements associated with the development will not have an unacceptable impact on highway safety when compared against current national and local guidance.*
 - v) Satisfactory provision is made to allow for safe vehicle turning and parking, manoeuvring, loading, electric charging and, where appropriate, wheel cleaning facilities.*
 - vi) Low or zero emission vehicles, under the control of the site operator, are used which, where practicable, use fuels from renewable sources.*
51. SCS 2009 Policy CC2 provides that the Borough Council will seek to secure more sustainable travel patterns through only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area, which includes taking into account the number and nature of additional traffic movements, the capacity of the local transport network, the cumulative impact including other proposed development, access and egress to the public highway, and highway safety.
52. The proposal seeks to amend Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.
53. A comprehensive Transportation Assessment (TA) was carried out in support of the planning application for the Charlton Lane ('Eco Park') Waste Management Facility, which demonstrated that the access and local highway network in the vicinity of the Charlton Lane site was suitable in terms of highway capacity and safety for the amount and type of traffic that would be generated by the facility. The permitted tonnage throughput of the site is limited to no more than 141,870 tpa. In addition, there is an approved Bulk HGV Routeing Strategy, which includes measures to prevent HGVs contracted to the site operator from travelling through Charlton Village.
54. Members of the public have objected to the application where the leading issues raised are on the grounds of noise and vibration causing disturbance to local residents. The impacts of noise arising from the proposal will be assessed within the Environment and Amenity section later in this report.

55. The keys issues raised by objectors in terms of Highways impacts are concerns that the HGVs are dangerous to other road users when waiting outside the site or parked up on surrounding roads where they may block pavements or cycle lanes. A further concern is that the issue has arisen due to poor time management by the hauliers and there is no need for the application.
56. Spelthorne Borough Council has objected to the application on amenity grounds. Charlton Village Residents Association have also objected to the proposal commenting that the lorries are dangerous and illegally parked vehicles block cycle paths and cause obstruction to other road users. Laleham Residents Association also object to the application commenting that the earlier opening hours will result in increased HGV movements through residential areas out of hours.
57. The applicant states that because of complaints they have received from local residents regarding early arriving HGV parking on local roads, they now seek permission to open the site gates one hour early at 0600 hours to enable the HGVs to park within the site. The HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge. The application does not propose any changes to the numbers of HGVs that access the site, only the gate opening times. No other changes are proposed to the site operating hours.
58. In January 2021 the applicant further clarified that the application is only to enable any early-arriving drivers for the Recyclables Bulking Facility to park their vehicles inside of the site, instead of parking on surrounding roads which was the cause of complaint previously by residents. The applicant has advised that drivers are encouraged to park away from Sunbury. However, the drivers are only legally permitted to drive 9 hours per day and are required to take a break every 4.5 hours. Depending on where they have driven from, road congestion levels and how long they have been driving, they may arrive at Charlton Lane prior to 07:00 hours. The applicant also confirmed that once within the site gates the drivers would park on the HGV in-bound haul road and switch off their engines and would not be allowed past the weighbridge.
59. The County Highway Authority (CHA) has advised that they have assessed the proposal in terms of the likely net additional traffic generation, access arrangements and parking provision. The CHA comments that the proposal would be unlikely to result in any overall increase in the numbers of vehicular movements to and from the site. The CHA also notes that there would be slight increase in vehicular movements to the site in the hours prior to 07:00 hours Monday to Saturday and likely a small decrease in movements immediately after. In terms highway safety and capacity, the CHA considers the proposal would have negligible impact, and potentially a small benefit as vehicles arriving before 07:00 hours would be outside peak traffic hours. The CHA has advised that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway and does not raise objection to the application.
60. None of the other technical consultees have raised objection to the application on highways, traffic and access grounds. The Charlton Lane Liaison Group and Shepperton Residents Association have not objected to the application provided the early access is not abused and controlled satisfactorily through planning conditions.
61. Officers acknowledge that local residents have raised concern about early arriving HGVs parking on surrounding roads and causing obstruction, and the proposal may lead to vehicles arriving even earlier. Officers recognise that vehicles are permitted to travel on

the public highway at anytime and consider that allowing early arriving HGVs to park within the site would alleviate local resident's concerns.

62. Having regard to the above and advice of the County Highway Authority, Officers consider that the proposal would not give rise to significant adverse effects on highways grounds and that any likely highway impacts can be adequately controlled through planning conditions. In conclusion Officers are satisfied that, subject to the recommendation of conditions, the proposal is acceptable on highways, traffic and access grounds and accords with the policies of the development plan.

ENVIRONMENT AND AMENITY

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 14 – Protecting Communities & the Environment

Spelthorne Core Strategy and Policies Development Plan Document 2009 (SBCS 2009)

Policy EN3 – Air Quality

Policy EN11 – Development and Noise

Policy EN13 – Light Pollution

63. The government sets out its planning policy within the National Planning Policy Framework (NPPF). At paragraph 170 of the NPPF the government set out that planning policies and decisions should contribute and enhance the natural and local environment by preventing new and existing development from contributing to, being unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise or land instability.
64. Section 7 of the NPPW (2014) sets out that when determining waste planning applications, waste planning authorities should consider the likely impact on the local environment and on amenity against a number of criteria including the impacts of noise and vibration, light and air pollution.
65. The SWLP2020 Policy 14 (Protecting Communities & the Environment) states that planning permission for waste development will be granted where it can be demonstrated that it would not result in unacceptable impacts on communities and the environment and is assessed against a number of criteria. The criteria is to include consideration of the impacts on public amenity and safety including the impacts caused by noise and vibration, lighting, and on air quality including the impacts on identified Air Quality Management Areas.
66. Spelthorne Core Strategy and Policies Development Plan February 2009 EN3 – Air Quality states that the Council will seek to improve the air quality of the Borough and minimise harm from poor air quality by:
- a) supporting measures to encourage non-car based means of travel,
 - b) supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality,
 - c) requiring an air quality assessment where development:
 - i is in an Air Quality Management Area, and
 - ii generates significant levels of pollution, or
 - iii increases traffic volumes or congestion, or
 - iv is for non-residential uses of 1000 m² or greater, or
 - v is for 10 or more dwellings, or
 - vi involves development sensitive to poor air quality
 - d) refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated,

- e) refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.

67. Policy EN11 seeks to minimise the adverse impact of noise by requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level, requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels. Policy EN13 seeks to reduce light pollution by encouraging the installation of appropriate lighting including that provided by other statutory bodies, only permitting lighting proposals which would not adversely affect amenity or public safety and requiring the lights to be appropriately shielded, directed to the ground and sited to minimise any impact on adjoining areas; and of a height and illumination level of the minimum required to serve their purpose.
68. The application is accompanied by the original Environmental Statement (ES) which assessed all significant, direct and indirect environmental effects of the Eco Park during its construction and operation covering a range of matters. In support of this proposal the applicant has submitted a further update to the ES. The only topics covered in the ES that would be affected by the proposed change to the gate opening hours are identified as those relating to the assessment of noise (and vibration) and to the assessment of cumulative effects.

Noise and Cumulative Effects

69. Planning permission for the 'Eco Park' has existing noise conditions for daytime, evening and night time noise level limits. In addition there are existing conditions that control the hours of operation at the site. The most recent update to the ES (dated September 2019) has assessed the impact of the proposed change in gate opening hours against the conclusions of the previously submitted noise impact assessments for the Eco Park.
70. The applicant states that potential change in relation to noise and vibration would be the impact of vehicles driving onto site the site in order to park. The applicant states that the arriving HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge but would not be allowed past the weighbridge. The applicant also states that the drivers would switch off their engines.
71. The applicants updated noise assessment states that the proposed adjustment to the gate opening hours would not result in any material change to the highest likely predicted noise levels previously assessed for nearby sensitive residential receptors and therefore the assessment of impacts identified in the previously submitted ES documentation for noise and vibration would remain unaffected. The applicant assessment concludes that the proposed change to gate opening time would not give rise to any likely significant residual environmental effects in relation to noise and vibration.
72. Members of the public have objected to the application raising concerns that the proposal would cause unacceptable levels of noise and disturbance to local residents and for an hour earlier in the mornings at an unsociable time.
73. Spelthorne Borough Council have objected to the application on the grounds the proposal would encourage HGVs to arrive at the site earlier and cause noise and disturbance on local roads at an unsociable hour to the detriment of the amenity to local residents. The Borough EHO adds concern that vehicles would arrive even earlier than 6am and cause complaints. The Charlton Village Residents Association have objected to the application on the grounds of noise and that peoples sleep would be disrupted. The Laleham Residents Association have objected to the application echoing the concerns raised for noise and disturbance.

74. The County Noise Consultant (CNC) has assessed the impacts of noise from the proposal. The CNC notes that Hawthorn Way is approximately 250 metres away from the site entrance and Charlton Road is approximately 450 metres. The CNC advises that at this distance the noise from HGV movements is unlikely to be noticeable above other noise sources. The CNC also notes that since the original ES was prepared, Ivydene Cottage which was previously identified in the ES as a sensitive receptor has been removed as a sensitive receptor due to its change in use from residential to waste use (Planning application references: SP18/00328/SCC and SP18/01082/SCC)
75. The CNC has commented that HGV movements around the site have been considered in the Noise and Vibration ES chapter that supported the original Eco Park planning application. The CNC notes that the predicted noise levels from the site assessed in the ES are below the levels within nationally and international standards and guidance for sleep disturbance. The CNC also notes that the predicted noise levels from the site are well below background noise levels. The CNC therefore considers that it is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site.
76. The CNC has recommended that the conditions for controlling noise should be brought forward from the planning permission ref: SP16/01220/SCC. In conclusion the CNC considers that on the basis of the evaluation of the information submitted there is no reason with respect to noise why the application should not be granted subject to the provision of suitable planning conditions for noise and therefore raises no objection to the application.

Cumulative Effects - Noise

77. The applicant states that with regard to cumulative effects, the original ES for 'Eco Park' identified seven projects that could have the potential to result in material cumulative effects with the proposed development. The assessments undertaken concluded that due to the nature of likely effects and spatial separation of the projects significant cumulative environmental effects are unlikely to result from the developments. The applicant considers that given that there is considered to be no change to the conclusions of the ES with regard to noise and vibration, the proposal would result in no change to the previous conclusions of the ES.
78. The Environmental Assessment Officer (EAO) has reviewed the submitted documentation covering Environmental Impact Assessment. EAO notes that the proposed change to the gate opening hours of the site would not contribute to any change in the previously assessed contribution of the development to cumulative impacts. The EA also notes that no additional need for measures to mitigate cumulative impacts is identified.
79. Based on the findings and advice of the EAO officers are satisfied that the proposal would not contribute to any change in the previously assessed contribution of the development to cumulative impacts

Conclusion to Noise and Cumulative Effects

80. Officers acknowledge the concerns raised by objectors to the application on the grounds of noise. The proposal involves amending the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary. Officers note the early HGVs would enter the site and park on the in-bound HGV haul road and not be allowed passed the weighbridge. Officers also note that the numbers of HGVs that could enter the site would be constrained by the space available on the in-bound haul road for vehicles to park. As discussed in the Highway, Traffic and Access section above Officers recognise that vehicles are permitted to travel on the

public highway at anytime and consider that allowing early arriving HGVs to park within the site would alleviate local resident's concerns.

81. The CNC considers that there is no reason with respect to noise that the application should not be granted subject to suitable planning conditions and does not raise objection to the application. None of the other technical consultees have raised objection to the application on the grounds of noise.
82. Based on the advice received from the technical consultees, Officers consider that the proposed development, subject to appropriate noise conditions is in accordance with the polices of the development plan with regard to noise and vibration effects on neighbouring amenity and any impacts can be appropriately mitigated.

Lighting

83. The application does not propose any new lighting for this proposal. The Eco Park planning permission permits low level lighting across the site throughout the evening and night. A detailed lighting scheme was approved by notice dated 13 March 2015 under reference SP13/01553/SCC. The approved detailed lighting scheme for the Eco Park sets out the low-level lighting across the site through the evening and night for access and safety.
84. Given no changes are proposed to the lighting on site, it is not considered that amending the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary would add to the intensity of lighting or cause adverse impact on local amenity in respect of lighting. Officers therefore consider the proposal accords with the polices of the development plan in respect of lighting.

Air Quality

85. Representations received have raised concerns about air quality impacts from traffic emissions resulting from the proposal. Spelthorne Borough Council have declared a borough wide Air Quality Management Area (AQMA).
86. The Traffic and Transportation section of the ES concluded that operational phase traffic emissions from the Eco Park would have a negligible impact on local air quality. The permitted tonnage throughput of the Eco Park is limited to no more than 141,870 tpa and the throughout limits the amount of traffic that would be generated by the facility. The application does not propose any changes to the permitted throughput for the site or changes to the amount or type of vehicles accessing the site.
87. The Borough EHO has not raised objection to the application in respect of vehicle emissions, None of the technical consultees to the application have raised concern on the application in respect of air quality matters.
88. Based on the context of the proposal and the application, it is not considered that the extension to the hours which HGVs servicing the RBF can access the site would have a material impact on the previously reported assessments or their conclusions in respect of air quality. Officers therefore consider that the proposal would not cause adverse impact on local amenity in respect of air quality and that the proposal accords with polices of the development plan in respect of air quality.

METROPOLITAN GREEN BELT

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 9 – Green Belt

Spelthorne Borough Local Plan 2001 (saved policies)

Policy GB1 - Development Proposals in the Green Belt

89. The protection of Green Belts around urban areas is one of the key planning principles of the governments National Planning Policy Frame (NPPF) 2019. Paragraphs 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances and paragraph 144 goes on to state that authorities should ensure substantial weight is given to any harm to the Green belt when considering any planning application and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. Paragraph 146 sets out what types of developments are appropriate in the Green Belt. Waste-related development is not included and therefore, waste-related development is considered to be an inappropriate development in the Green Belt.
90. Policy 9 (Green Belt) of the SWLP2020 states that Planning permission will not be granted for inappropriate waste management development in the Green Belt unless it is shown that very special circumstances exist. 'Very special circumstances' will not exist unless the potential harm caused to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations associated with the proposal, either on their own or in combination.
91. The application is seeking planning permission in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary. The proposal is to enable the site gates to open one hour early to allow early arriving HGVs to park within the site.
92. In so far as the consideration of Green Belt policy for the Eco Park is concerned, it is important to note that planning permission has already been granted for the development of the Eco Park.
93. The principles for the need for this permanent waste management facility at Charlton Lane and the potential impacts on openness in this Green Belt location were assessed and accepted when that planning permission was granted. Officers accepted there to be a number of factors, which together constituted very special circumstances that clearly outweighed the harm to the openness to the Green Belt and any other harm such that an exception to Green Belt policy could be made. The factors included: the need for the County to increase recycling; recovery capacity and diversion from landfill to contribute to agreed targets; the wider environmental and economic benefits of sustainable waste management. Accordingly the principle of development for a recycling, recovery and processing facility is established at this Green Belt site.
94. In this case the authority needs to consider the question of the operations during the additional hours and the implications on the Green Belt. The planning permission for the Eco Park has been implemented, with the RBF building complete and the AD facility and gasification facility being constructed, which represents the base line for development at the site.
95. The proposed extension of one hour to the gate opening time is not considered to have a materially greater impact on the purposes of the Green Belt or its openness or to give rise to any other harm compared with the original planning permission for the Eco Park. The potential harm from the proposed activity on the local environment and amenity with regard to noise, lighting, highway and access matters have been assessed above within this report.

96. Officers consider that the proposed development does not cause any significant greater level of harm to the Green Belt or other harm than the current development and that the very special circumstances advanced by the applicant and accepted under the planning permission for the Eco Park, as implemented, remain.

Human Rights Implications

97. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
98. It is recognised within the Officers report that there would be some impacts in terms of noise to the local amenity though it is considered that any impact will be negligible. It is the Officers view that the that the potential impacts of amending the gate opening times by one hour are not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and that potential impact can be mitigated by the imposition of planning conditions. As such, this proposal is not considered to interfere with any Convention right.

Conclusion

99. The application is seeking planning permission to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility (RBF) may enter the application site gates and to park within the site boundary. The extant planning permission for the site currently restricts the gate opening times for vehicles associated to the RBF accessing the site to 07:00 hours Monday to Friday. Following complaints received by the operator regarding early arriving HGVs arriving at the site before 07:00 and parking the surrounding roads, the applicant now wishes to amend the gate opening times by one hour to 06:00 hours (Monday to Saturday) to enable early arriving HGVs associated to the Recyclables Bulking Facility to enter the site and park.
100. Objections have been received from local residents, whose leading concern are the impacts of noise and disturbance the proposal will have on local properties, and the impacts of traffic and suitability of local roads.
101. Spelthorne Borough Council has objected to the application with concerns of noise and disturbance on residents' amenity. Charlton Village Residents Association have objected, with concerns vehicles illegally parked cause obstruction to other road users, and grounds of noise to local residents. Laleham Residents' Association have objected with concerns of increased HGV movements at an unsociable time to local residents.
102. The County Highway Authority (CHA) has advised that they have assessed the proposal in terms of the likely net additional traffic generation, access arrangements and parking provision. The CHA comments that the proposal would be unlikely to result in any overall increase in the numbers of vehicular movements to and from the site. The CHA also notes that there would be slight increase in vehicular movements to the site in the hours prior to 07:00 hours Monday to Saturday and likely a small decrease in movements immediately after. In terms of highway safety and capacity, the CHA considers the proposal would have negligible impact, and potentially a small benefit as vehicles arriving before 07:00 hours would be outside peak traffic hours. The CHA has advised that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.
103. The County Noise Consultant does not object to the application and considers that is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site. No objections have been received from the other technical consultees.

104. The concerns raised by objectors to the application are acknowledged. However, Officers consider that as both the County Highway Authority and County Noise Consultant are satisfied with the application, and taking into account the responses of other technical consultees, the proposed change in gate opening time would not cause significant adverse impact on the local highway network, the environment or on amenity. Officers further consider that allowing early arriving HGVs to park within the site would alleviate local resident’s concerns.
105. In conclusion, Officers consider that the proposal accords with the development policy in relation to the impacts on local amenity in terms of traffic and highways, noise, lighting and air quality. The principle of the development at this Green Belt site was established when planning permission for the Eco Park was granted, and Officers consider that the proposal will not have a significantly greater material impact on the purposes of the Green Belt or its openness or to give rise to any other harm compared with the extant planning permission. Taking account of all matters, Officers consider that the application can be permitted subject to conditions as exception to Green Belt policy.

Recommendation

The recommendation is to PERMIT subject to the following conditions:

Conditions:

Approved Plans

- The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

Drawing No	Title	Dated
1224 PL-B001 Rev B	Site Plan and Location Plan	May 2015
1224 PL-B002 Rev A	Site Plan Existing	September 2013
1224 PL-B003 Rev F	Site Plan Proposed	November 2016
1224 PL-B004 Rev G	General Arrangement Plan	November 2016
1224 PL-B005 Rev D	Gasification Facility Ground Floor Plan	November 2016
1224 PL-B006 Rev D	Gasification Facility Roof Plan	November 2016
1224 PL-B007 Rev D	Admin & Visitor Centre Floor Plans	November 2016
1224 PL-B008 Rev E	Gasification Facility Elevations North & South	November 2016
1224 PL-B009 Rev E	Gasification Facility Elevations East & West	November 2016
1224 PL-B010 Rev E	AD Ground Floor Plan	November 2016
1224 PL-B011 Rev D	AD Roof Plan	November 2016
1224 PL-B012 Rev E	AD Elevations	November 2016
1224 PL-B013 Rev E	RBF Ground Flood Plans	November 2016
1224 PL-B014 Rev D	RBF Roof Plans	November 2016
1224 PL-B015 Rev D	RBF Elevations	November 2016
1224 PL-B016 Rev E	AD Tank Area Plan & Elevations	November 2016
1224 PL-B017 Rev D	CRC / RBF Office and Amenity Building Plans & Elevations	November 2016
1224 PL-B018 Rev D	Weighbridge Office Plans & Elevations	November 2016
1224 PL-B019 Rev D	CRC Centre Reuse Canopy Plans & Elevations	November 2016
1224 PL-B020 Rev D	CRC Canopy Elevations	November 2016
1224 PL-B021 Rev E	Gasification Facility Building Sections & Site Sections	November 2016
1224 PL-B022 Rev F	Entrance Gates & Signs	November 2016
1007-02-01 Rev C	Landscape Masterplan	December 2016

1007-02-02 Rev B	Site Entrance Landscape Plan	December 2016
1007-02-03 Rev B	Proposed Surface Water Drainage Layout	December 2016
1007-02-04 Rev B	Section Through Proposed Bund	December 2016
1007-02-05 Rev D	Site Entrance Improvement Proposals	November 2016
RU-01.3-CL	Reuse Shop Infrastructure Layout	March 2019
Project 583 Rev A	Portable Cabin Dimensions	28 February 2019

Restriction of Permitted Development Rights

2. Notwithstanding the provisions of Parts 2, 4 and 7(Class L) of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent Order,
 - (a) no buildings, fixed plant or machinery shall be located on the site of the development hereby permitted without the prior submission to and approval in writing by the County Planning Authority of details of their siting, detailed design, specifications and appearance. Such details shall include details of noise emission levels (including tonal characteristics) of any plant or machinery; and
 - (b) no fencing or external lighting other than that hereby permitted shall be erected or installed at the site of the development hereby permitted.

Hours of Operation

3. No operations or activities authorised or required by this permission in respect of the Community Recycling Centre and Recyclables Bulking Facility shall be carried out except between the following times:

Community Recycling Centre

Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours

Recyclables Bulking Facility

Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours (when only waste delivered to the Community Recycling Centre will be handled).

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

This condition shall not prevent Heavy Goods Vehicles for the Recyclables Bulking Facility entering the application site gates from 0600 hours Monday to Saturday and parking shall be limited to no more than 7 Heavy Goods Vehicles during this time.

4. No vehicles either delivering waste or other materials or removing waste from the Gasification plant and Anaerobic Digestion plant hereby permitted, shall enter or leave the site except between the hours of:
 - (a) Gasification Plant
 - Monday to Saturday 0730 to 1800 hours
 - Sundays and Bank Holidays 0800 to 1700 hours
 - There shall be no deliveries or removals at any time on Christmas Day, Boxing Day and New Year's Day.

(b) Anaerobic Digestion Plant

- Monday to Friday 0730 to 1800 hours
- Saturdays 0730 to 1200 hours
- Bank Holidays 0800 to 1200 hours

There shall be no deliveries or removals at any time from the Anaerobic Digestion Facility on a Sunday.

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

5. Construction work on site shall be carried out only between 0730 to 1830 hours Monday to Friday and 0730 to 1430 hours Saturday with the exception of construction activities taking place inside enclosed buildings which can be carried out on a 24 hour basis (Monday to Sunday). Piling and soil moving shall be limited to 0800 to 1700 hours Monday to Friday. There shall be no construction work or restoration activity carried out at any time on Christmas Day, Boxing Day, New Year's Day or Bank Holidays.
6. The Education/Visitors Centre shall not open to members of the public outside the hours 0900 hours to 1730 hours Monday to Saturday and there shall be no opening on Christmas Day, Boxing Day and New Year's Day. These permitted hours of opening shall not apply to meetings of the Charlton Lane Eco-Park Community Liaison Group.

Lighting

7. The Lighting Scheme shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 20 August 2013 under reference SP10/00947/SCD13.

Construction Environmental Management Plan (CEMP)

8. Construction of the development hereby permitted, including the demolition of the existing buildings, shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC and the details of tree protection approved by the County Planning Authority by decision dated 21 July 2015 under reference SP/13/01553/SCD6.

Highways Traffic and Access

9. The development hereby permitted shall handle no more than 141,870 tonnes of waste per annum, of which no more than 42,750 tonnes per annum shall be handled by the Recyclables Bulking Facility. The operator shall maintain records of the tonnage of waste delivered to the site and the Recyclables Bulking Facility and shall make these records available to the County Planning Authority at any time upon request.
10. The modified access to Charlton Lane shall be maintained in accordance with the detailed specification (including keeping visibility splays permanently clear of any obstruction above 600mm) approved by the County Planning Authority by decision dated 2 October 2013 under reference SP10/00947/SCD15.
11. The development hereby permitted, including the demolition of the existing buildings, shall not commence unless the internal access roads, parking, loading and unloading areas for the Community Recycling Centre have been constructed as shown on Drawing No 1224 PL-B004 Rev G dated November 2016; and those roads and other areas shall be permanently maintained for the purposes shown on that drawing.

12. Prior to commencement of the internal fit out of the gasification and anaerobic digestion plants hereby permitted, the remaining internal access roads, parking, loading and unloading areas, shall be constructed as shown on Drawing No 1224 PL-B004 Rev G dated November 2016; and those roads and other areas shall be permanently maintained for the purposes shown on that drawing.
13. Prior to commissioning of the gasification and anaerobic digestion plants hereby permitted, the Parking Management Plan shall be implemented and maintained in accordance with the details approved in writing by the County Planning Authority under Ref. SP13/01553/SCD7 dated 12 September 2016.
14. The Bulk HGV Routeing Strategy (including measures to prevent HGVs contracted to the site operator from travelling through Charlton Village) shall be implemented and maintained in accordance with the details approved by the County Planning Authority by decision dated 10 June 2013 under reference SP10/0947/SCD11.
15. Prior to the commissioning of the gasification and anaerobic digestion plants and use of the education and visitors centre, the operator shall implement the Travel Plan dated 4 October 2010 (ref APB / 1007-01-05c, contained in Appendix TS4 to the Transportation Assessment forming part of the application hereby approved) in accordance with the details hereby approved; and the approved details shall be maintained for the duration of the development.

Contamination

16. The remediation scheme to deal with the risks associated with contamination of the site shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 5 December 2013 under reference SP10/00947/SCD6.
17. The construction of the surface water drainage basin shown on Drawing No. 1007-02-03 Rev A dated September 2013 shall not commence unless the County Planning Authority has confirmed in writing that the verification plan within the approved remediation scheme has demonstrated that remediation has been undertaken to appropriate standards.
18. If, during the course of the development hereby permitted, contamination not previously identified is found to be present on the application site then no further development shall be carried out until an amendment to the remediation scheme detailing how the unsuspected contamination shall be dealt with, is submitted to and approved in writing by the County Planning Authority and thereafter the development shall be implemented in accordance with the approved scheme.

Groundwater Protection

19. Piling using penetrative methods shall be carried out in accordance with the details approved by the County Planning Authority by the decision dated 15 July 2015 under ref. SP13/01553/SCD5.

Surface Water

20. The scheme for the implementation, maintenance and management of a sustainable water drainage system (based on an assessment of the hydrological and hydrogeological context of the development and the requirements of the NPPF and its Practice Guidance) shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC and in accordance with Drawing No. 1224 PL-B012 Rev B dated July 2015 and Drawing No. 1224 PL-B016 Rev B dated July 2015.

- 21. The development hereby permitted shall be constructed to ensure that infiltration of surface water at the application site takes place only in those locations approved in accordance with schemes approved in writing pursuant to Conditions 16 and 21 above.

Noise

- 22. The acoustic fence constructed along the western and northern boundary of Ivydene Cottage shall be permanently retained and maintained in good condition in accordance with the details approved by the County Planning Authority by decision dated 16 May 2013 under reference SP10/00947/SCD1.

23. Construction Noise Limits

The level of noise emitted from the site during construction shall not exceed:

Monday to Friday	0800 to 1830 hours	during any 30 minute period	70 dB LAeq
Monday to Friday	1900 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Saturdays	0830 to 1300 hours	during any 30 minute period	70 dB LAeq
Saturdays	1330 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Sundays	0700 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Monday to Sunday	2300 to 0700 hours	during any 1 hour period	45 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Monday to Sunday	Any other time	during any 30 minute period	60 dB LAeq

when measured at, or recalculated as at, a height of 1.2 m above ground level and 3.5 m from the façade of any residential property or other noise sensitive building that faces the site.

- 24. Use of the gasification plant HGV turning and reversing space shall not commence unless the 5 metre high acoustic fence has been constructed as shown in accordance with Drawing No. 1224 PL-B022 Rev F dated November 2016 using close-boarded fencing or a similar solid screen having a minimum mass of 15kg/m²; and that fence shall be retained permanently and maintained thereafter.
- 25. Site attributable noise levels shall not, when measured at, or recalculated as at, a height of 1.2 m and at least 3.5 m from the façade (or the nearest equivalent location) of any noise sensitive property at the locations referred to in Table 1 below exceed the values shown in columns 1 and 2 for the weekday and weekend working hours shown; and they shall not when measured at, or recalculated as at, a height of 4 m and at least 3.5 m from the façade (or the nearest equivalent location) of any noise sensitive property at the

locations referred to in Table 1 below exceed the values shown in column 3 during the evening and night time).

Table 1 – Daytime, Evening and Night time Noise Limits

	1	2	3
Location	Weekday 0700 – 1830	Weekend 0730 – 1830	Evening and night noise limits all days
	L_{Aeq}, 30 min	L_{Aeq}, 30 min	L_{Aeq}, 30 min
	L_{Aeq}, 30 min	L_{Aeq}, 30 min	
Hawthorn Way	55	52	34
Charlton Road	55	53	33

26. The evening and night (as in Table 1 above) site attributable noise levels when measured at, or recalculated as at, a height of 4 m and at least 3.5 m from the façade of any of the noise sensitive property at the locations referred to in Table 2 below shall not exceed the values shown in Table 2. For the one-third octave limits up to 8 frequencies may be exceeded by up to 4 dB logarithmically averaged over any 30 minute period without breaching this condition. For site generated noise only, if the level of a one-third octave band exceeds the level of the adjacent bands by 4 dB or more, the level of that one-third octave band must comply with the limit value in Table 2 for the corresponding one-third octave band.

Table 2 – Evening and Night time Noise Limit

1/3 octave centre frequency	25	32	40	50	63	80	100	125	160
Hawthorn Way	59.3	58.2	56.8	54.6	53.7	51.5	50.2	49.2	45.9
Charlton Road	60.2	58.2	56.9	53.7	50.4	49.3	48.1	47.2	46.6

1/3 octave centre frequency	200	250	315	400	500	630	800	1k	1k25
Hawthorn Way	44.4	40.5	39.3	38.1	38.2	41.9	41.6	41.1	37.3
Charlton Road	44.2	43.5	41.3	41.6	40.2	38.7	39.3	40.7	39.6

1/3 octave centre frequency	1k6	2k	2k5	3k15	4k	5k	6k3	8k	
Hawthorn Way	38.1	37.5	34.6	32.7	32.1	27.2	24.6	22.4	

Charlton Road		39.1	34.8	33.7	32.4	30.4	28.1	24.8	21.2	
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- 27. The valve silencers shall be used/ operated in accordance with the details approved by the County Planning Authority by decision dated 27 June 2018 under ref: SP16/01220/SCD2 and shall be maintained for the duration of the development hereby permitted. Any vent used to discharge surplus steam shall be fitted with a silencer, which will reduce noise levels to the equivalent of 75 dBA at 1 metre from the closest part of the steam vent. In the case of an emergency shutdown requiring the emergency discharge of steam, any vent should be fitted with a silencer which will reduce noise levels to the equivalent of 112 dBA at 1 metre from the closest part of the steam vent.

Ecology

- 28. The provision of bird nest boxes (including the timing of their installation and future maintenance) shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD7.

Airport Safeguarding

- 29. The Bird Hazard Management Plan (including details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds and to comply with Advice Note 8 'Potential Bird Hazards from Building Design') shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD4..
- 30. All soft and water landscaping works shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD8.

Restriction of Activities

- 31. No waste shall be deposited or stored at the site except within the designated areas of the gasification plant, anaerobic digestion plant, bale storage building and within the covered bay areas for the bale storage building and community recycling centre as shown on Drawing No. 1224 PL-B004 Rev G dated November 2016.
- 32. No mobile plant shall be used outside the gasification and anaerobic digestion buildings between 1800 hours and 0700 hours.

Building Details (materials)

- 33. The development shall be carried out in accordance with the approved details of external materials (including their colours) of each of the buildings and the stack approved in writing by the County Planning Authority by decision dated 4 September 2013 under reference SP10/00947/SCD12.

Dust and Odour Management Plan

- 34. The Dust and Odour Management Plan approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC shall be implemented in accordance with the approved details.

Rights of Way

- 35. The works carried out the diverted definitive route of Public Footpath 70 Sunbury (confirmed on 1 March 2015) shall be permanently retained with a width of 2 metres, with

an unbound surface with a minimum width of 1.8 metres (Type 1 aggregate) incorporating a camber to shed water, and maintained in good condition.

36. Safe public access to Public Footpath 70 Sunbury across the site shall be maintained at all times; and there shall be no obstructions to it (including obstructions from vehicles, plant and machinery or storage of materials and/or chemicals) at any time.
37. The details of works (including low level fencing and reed bed protection) to provide for the separation of the infiltration basin from the new footpath link shown on Drawing No 1007-02-01 Rev A dated September 2013 approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC 2013 shall be implemented in accordance with the approved details.

Soils

38. Works within the Environmental Enhancement Area shall be carried out strictly in accordance with the details of a survey of soils approved in writing by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD9.

Landscaping

39. No trees, bushes and hedgerows retained on the site shall be cut down, uprooted or destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the County Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree shall be planted at the same place; and that tree shall be of such size and species, and shall be planted at such time, as shall be agreed in writing by the County Planning Authority.

Landscape & Ecology Management Plan

40. The enhanced Landscape and Ecology Management Plan in accordance with the provisions set out on the Landscape Masterplan Drawing No 1007-02-01 Rev A dated September 2013 covering a period of 25 years (and providing for 5 yearly reviews) shall be carried out in accordance with the details approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC.

Archaeology

41. The development shall be implemented in accordance with the details of the programme of archaeological work set out in the Written Scheme of Investigation approved in writing by the County Planning Authority by decision dated 30 April 2013 under reference SP10/00947/SCD5.

Energy Recovery

42. The electricity generating plant to be installed in association with the Gasification plant and Anaerobic Digestion plant hereby permitted and the photovoltaic cells whose installation is also hereby permitted shall have a combined generating design capacity of not less than 5.586 MW.
43. Pass out valves should be provided and maintained at appropriate heat off-take points as described at paragraph 5.8.9 of the 2010 Environmental Statement Volume 1: Main Report.
44. Following the completion of commissioning, no waste shall be treated by either the Gasification plant or Anaerobic Digestion plant unless:

- (i) the electrical power is used to power the development hereby permitted itself; and
- (ii) the electricity cable link from the Gasification plant and Anaerobic Digestion plant to the National Electricity Grid has been constructed and is capable of transmitting all the electrical power produced by the Gasification plant and Anaerobic Digestion plant facility which is not used to power the development hereby permitted itself.

Thereafter, no waste shall be treated by either the Gasification plant or Anaerobic Digestion plant unless electrical power is being generated except during periods:

- of maintenance or repair of the electricity generating plant; or
- where there the operator of the National Electricity Grid is unwilling or unable to receive energy from the development hereby permitted.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development so as to minimise its impact on the amenities of the local area and local environment in accordance with the terms of the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 13, 14, and 15; and the Spelthorne Borough Local Plan 2001 Policy GB1(saved policy).
2. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and in accordance with the National Planning Policy Framework; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and the Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 9.
3. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
4. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
5. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
6. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
7. To protect the visual amenities of the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN13.
8. In the interest of the local environment and amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to prevent the pollution of groundwater to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policies CC1 and EN11 and the Surrey Waste Local Plan 2019 -2033 Policies 1, 2 and 8.

9. To ensure that the amount of waste treated at the site does not exceed the level upon which the transportation impact was assessed to comply with Surrey Waste Local Plan 2019 -2033 Policies 14 and 15.
10. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework; and Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15.
11. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
12. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
13. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
14. To reduce the environmental impact of the passage of heavy goods vehicles accessing the site on the residents of Charlton Village to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15.
15. To reduce the environmental impact of the passage of heavy goods vehicles accessing the site to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policies SP7 and CC2.
16. To ensure that the development poses no risk to groundwater as a result of it being sited on historically contaminated land to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
17. To ensure that the proposed infiltration basin does not pose a risk to controlled waters, in accordance with the National Planning Policy Framework and Surrey Waste Local Plan 2019 -2033 Policy 14.
18. To prevent pollution of the environment with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
19. To ensure that piling would not present an unacceptable risk to groundwater as parts of the site may be on historically contaminated land and to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
20. To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework and its Practice Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above the natural conditions prior to development and to ensure that the techniques proposed can function appropriately and does not pose a pollution risk to controlled waters in accordance the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, and 14.

21. To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework and its Practice Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above the natural conditions prior to development and to ensure that the techniques proposed can function appropriately and does not pose a pollution risk to controlled waters in accordance the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, and 14.
22. To ensure the minimum disturbance and protect the amenities of the residents of Ivydene Cottage and to accord with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN11.
23. To ensure the minimum disturbance and to avoid nuisance to the locality to comply Surrey Waste Local Plan 2019 -2033 Policy 14 Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
24. To protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
25. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
26. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
27. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
28. The proposal will lead to a loss of scrub habitat important for nesting birds. The provision of nest boxes will compensate for the loss of this habitat until the replacement scrub becomes established to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy.
29. To minimise the attractiveness of the site to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport to accord with Surrey Waste Local Plan 2020 Policy 14 and Circular 01/03 – Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas.
30. To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the site to accord with Surrey Waste Local Plan 2019 -2033 Policy 14 and Circular 01/03 – Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas.
31. To comply with the terms of the application and in the interests of the local environment and amenity and to comply with Surrey Waste Local Plan 2019 -2033 Policies 9 and 14; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy).
32. To comply with the terms of the application and in the interests of the local amenity and to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy E11.
33. To protect the visual amenities of the locality to comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 9 and 14; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8.

34. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity in accordance with the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
35. The works carried out on the diverted definitive route of Public Footpath 70 Sunbury (confirmed on 1 March 2015) shall be permanently retained with a width of 2 metres, with an unbound surface with a minimum width of 1.8 metres (Type 1 aggregate) incorporating a camber to shed water, and maintained in good condition.
36. To protect users of the footpath and comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
37. To protect users of the footpath and comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
38. To comply with the terms of the application and to ensure that environmental enhancement is successful in accordance with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14; and Spelthorne Core Strategy and Policies DPD 2009 Policies SP6 and EN8.
39. To comply with Section 197 of the Town and Country Planning Act 1990, in the interests of visual amenity and to assist in absorbing the site into the local landscape to comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, 9 and 14; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policy EN8.
40. To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, 9 and 14; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8
41. To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide on any action required for the preservation or recording of such remains in accordance with the terms of Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Borough Local Plan 2001 Policy BE26 (saved policy).
42. To ensure that the development hereby permitted has capacity to contribute to the UK Government's target to source up to 15% of energy from renewable sources by 2020 in accordance with the planning application and to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN1.
43. To enable the re-use of waste heat in accordance with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2 and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and SP7.
44. To ensure that no waste is treated by either the Gasification Plant or Anaerobic Digestion facility unless the electricity generated is used either within the Eco Park or exported to the National Grid in accordance with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN1.

Informatives:

1. The applicant's attention is drawn to the information and advice contained in BAA Airports letter dated 12 January 2011 in relation to Bird Hazard Management Plans and water posing a potential bird attractant.
2. An Environmental Permit will be required for this site under the Environmental Permitting (England and Wales) Regulations 2019 (as amended).
3. A pedestrian inter-visibility splay of 2 metres (m) by 2 metres (m) shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6 m and 2 m in height above ground levels shall be erected within the area of such splays.
4. Thames Water will aim to provide customers with a minimum pressure of 10 m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The applicant should take account of this minimum pressure in the design of the proposed development.
5. Where it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the applicant proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. A Trade Effluent Consent will be required for an effluent discharge other than a 'domestic discharge'. Applications should be made to Trade Effluent Team, Admin Building, Crossness STW, Belvedere Road, Abbeywood, London SE2 9AQ. Telephone 0203 577 9200.
7. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.
9. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
10. The applicant is reminded of the review of the practicability of Combined Heat and Power (CHP) implementation at least every 2 years, which is the requirement of the Environmental Permit.
11. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations and considered representations from interested parties. Issues of concern have been raised with the applicant including impacts of and on noise and highways and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been

given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

Contact Duncan Evans

Tel. no. 0208 541 9094

Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

Other documents

Planning application reference SP16/01220/SCC, and associated officer report (dated September 2016) and decision notice (dated 23 September 2016),

Non-material amendment application reference SP13/01153/SCA1, and associated officer report (dated March 2017) and decision notice (dated 31 March 2017),

Non-material amendment application reference SP18/01082/SCC, and associated officer report (dated September 2018) and decision notice (dated 7 September 2018).

The following were also referred to in the preparation of this report:

Government guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

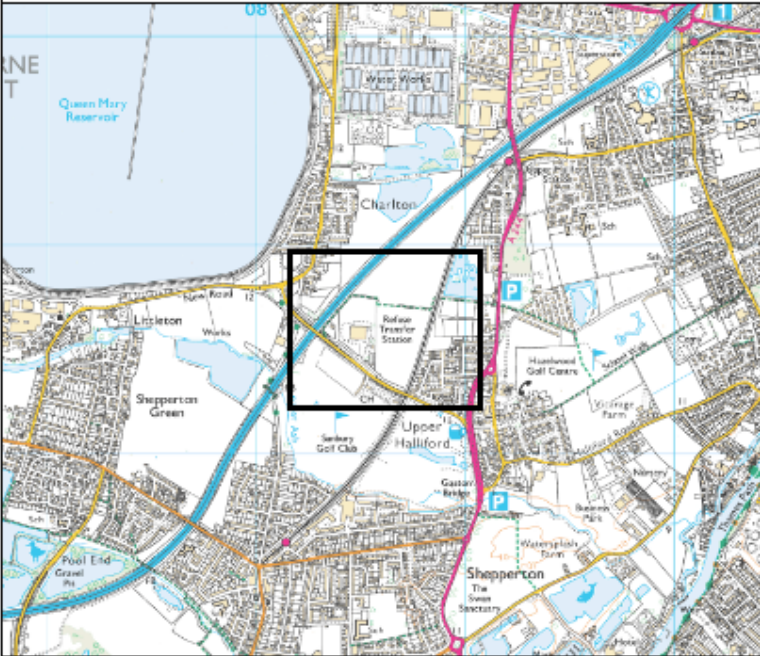
[National Planning Policy for Waste](#)

The Development Plan

[Surrey Waste Local Plan 2019 - 2033](#)

Site Location:

**Charlton Lane Waste Management Facility, Charlton Shepperton,
Surrey TW17 8QA**



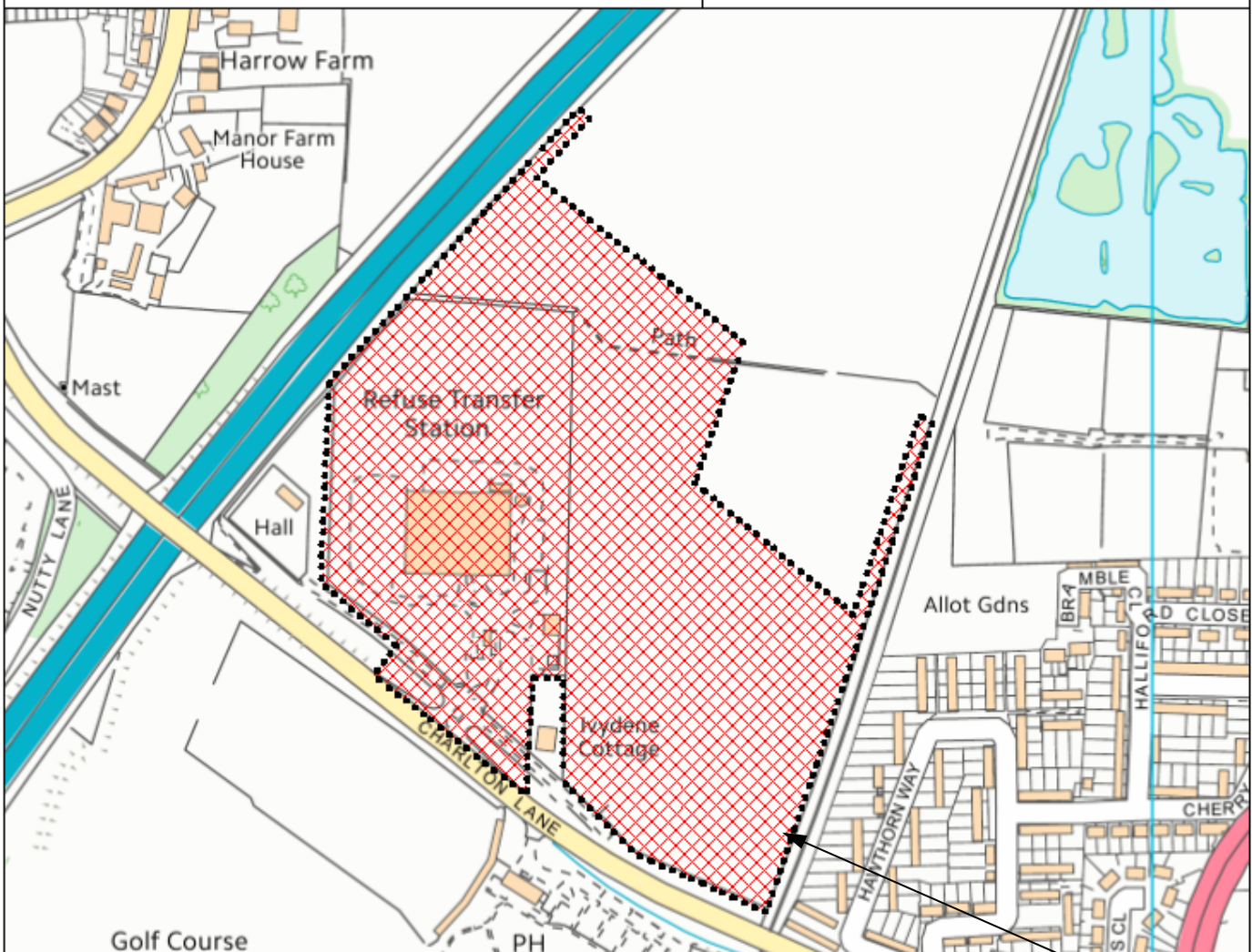
Development of the Charlton Lane Eco Park without compliance with Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

Application numbers:
SP20/00513/SCRVC

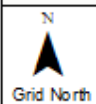
Electoral divisions:
Lower Sunbury & Hallford 42783

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Note: This plan is for indicative purposes only



Application Site Area



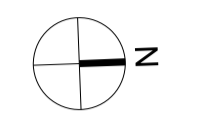
Ref No:
SCC Ref 2019/0147

0 150 300 Metres

Scale: **1:4780**
Printed on: 22/10/2020

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- NOTE
- THIS DRAWING IS COPYRIGHT GSDA LTD
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 - WHERE DISCREPANCIES EXIST BETWEEN REFERENCE OR ASSEMBLY DRAWINGS & DETAIL DRAWINGS, THE LATTER TAKE PREFERENCE.



Key:

- Planning application boundary
- Woodland (Retained)
- Existing Trees (Retained)
- Scrub (Retained)
- Existing Vegetation removed
- Managed Conservation Grassland
- Native Woodland Screen Planting
- Existing footpath (1.8m wide surfaced)
- New footpath (1.8m wide surfaced)
- Diverted footpath (1.8m wide surfaced)
- Access to 3rd party grazing land (2.5m wide surfaced)
- Extinguished section of footpath following diversion
- Evergreen Groundcover & Herbaceous planting
- Amenity (mown) Grass
- Specimen semi-mature tree 30-35cm girth (6hr.)
- Specimen multi-stem birch tree (40tr.)

D	15.07.24	Additional bund walls and road ramps introduced
C	13.09.11	Issued for planning

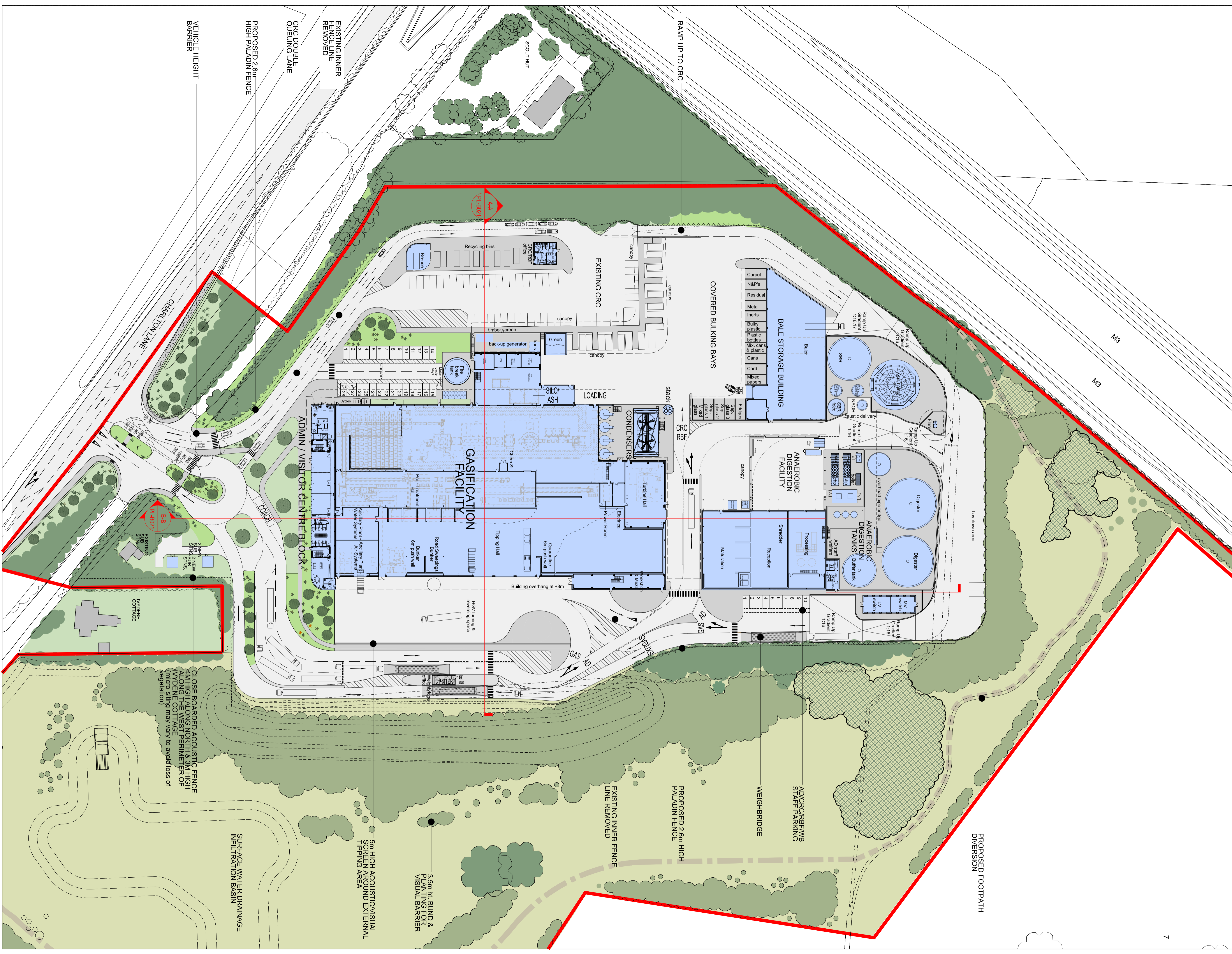
FOR PLANNING

GSDA
GARRY STEWART DESIGN ASSOCIATES
Highlands House, Office 307, 165 The Broadway, Worsledon, London, SW19 1NE
T: 020 8544 6685

CHARLTON LANE
ECO-PARK
PROJECT
GENERAL ARRANGEMENT
PLAN
DRAWING

1:625@A1 JULY 2015
1:1250@A3 DATE SCALE

1224 PL-B004	D	GT
DWG. NO.	REVISION	CHECKED



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2019 Aerial Photos

Aerial 1 : Charlton Lane Waste Management Facility Shepperton, Surrey





2019 Aerial Photos

Aerial 2 : Charlton Lane Waste Management Facility Shepperton, Surrey



To: Planning & Regulatory Committee

Date: 25 March 2021

By: Planning Development Manager

District(s) Elmbridge Borough Council

Electoral Division(s):

Walton South & Oatlands

Mr Samuels

Case Officer:

Stephanie King

Purpose: For Decision

Grid Ref: 510170 166013

Title: Surrey County Council Proposal EL/2020/3112

Summary Report

10 former Ashley Road, Walton on Thames, Surrey KT12 1HU

Development of a new Children's Home and No Wrong Door Facility with associated parking, access and landscaping.

The application site is approximately 0.21 hectares (ha) and is currently vacant with only the remnants an air raid shelter present and a number of trees covered by a Tree Protection Order (TPO). The application site is located within a residential area on the western side of Ashley Road (B365). The Ashley Church of England Primary School playing field lies to the rear of the application site.

The proposal comprises the construction of a building to accommodate a new Children's Home and 'No Wrong Door Facility', new vehicle and separate pedestrian accesses off Ashley Road, car parking, the removal of a number of trees and associated landscaping. Trees that are to be retained, are to be protected throughout the development. The proposal includes provision for sustainable drainage and external lighting; alongside mitigation measures for traffic, dust and noise during the construction phase.

There is an identified need for a new Children's Home in Elmbridge Borough to replace another which is no longer fit for purpose in Cobham. Walton is identified as one of the most sustainable locations in Elmbridge for this development. The Children's Home will accommodate four 12 to 17 year old residents and three members of staff and the No Wrong Door Facility will accommodate two emergency and temporary residents and one member of staff.

The proposed building would have separate entrances and rear gardens for the Children's Home and the No Wrong Door Facility and would be approximately 23.1 metres (m) in length, approximately 13.2m in width and approximately 8.5m in height. It is to be finished in red facing brick and fibre cement slates on the pitched roof. To compensate for the loss of the trees, the applicant is providing new planting resulting in a total 11% biodiversity net gain for the site. Other ecological mitigation is proposed.

No objections have been received from the statutory consultees. Six letters of objection have been received from residents raising concerns on traffic and highway matters, the principle of the development, the design of the proposal and its proposed location in a residential area, and the loss of trees. These have been addressed throughout the report.

The proposal has been thoroughly assessed and is considered to comply with the relevant Development Plan Policies.

The recommendation is PERMIT subject to conditions.

Application details

Applicant

SCC Property

Date application valid

18 November 2020

Period for Determination

2 April 2021

Amending Documents

Drawing ref: 60642443-AEC-00-00-DR-AR-100101 Rev P2 Location Plan dated 18 November 2020

Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021

Drawing ref: 20/083/01 Rev A Detail Survey dated 16 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100102 Rev P2 Existing Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW001 Rev C Tree Constraints Plan dated 18 February 2021

Utility, Flood Risk and Drainage Strategy Rev P03 dated 13 January 2021_Redacted

Biodiversity Net Gain Metric 2.0 dated 5 January 2021 redacted

Amplifying information on revised T1 RPA email dated 11 February 2021

Revised Appendix D Tree Protection Plan Rev B of the Arboricultural Impact Assessment

Design and Access Statement Rev P2 dated 17 February 2021

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Need and Location Suitability	Yes	29-37
Scale & Layout, Design, and Landscaping	Yes	38-69
Trees and Tree Preservation Order	Yes	70-86
Ecology and Biodiversity	Yes	87-99
Drainage	Yes	100-107
Impact on Residential Amenity	Yes	108-115
Highways, Traffic and Access	Yes	116-143

Illustrative material

Site Plan

Site location plan and application site area 1

Aerial Photographs

Aerial 1, 2 and 3 location and site context

Site Photographs

Photo 1 View from Hawthorn Lodge site access of the application site frontage onto Ashley Road

Photo 2 View from 1-6, 17 Ashley Road site access of the application site frontage onto Ashley Road

Photo 3 View along Ashley Road looking north

Photo 4 View along Ashley Road looking south

Background

Site Description

1. 10 former Ashley Road is located within the residential area of Walton on Thames, in the Ashley Park area. The application site is approximately 0.21 hectares (ha) and is currently vacant with no existing buildings located on the site, with the exception of a partially underground redundant air-raid shelter structure and small, short, circular tile wall. At present, the site is covered in low level vegetation and a number of trees which are covered by a TPO (Tree Preservation Order EL:05/16).

2. The application site is located on the western side of Ashley Road (B365), which has a speed limit of 30 miles per hour (mph). The application site does not have access onto Ashley Road and there are double yellow lines and pedestrian footways along both sides of Ashley Road. Ashley Road connects to the A244 to the north which leads into Walton town centre and the Queens Road (A317) to the south. Four bus stops are located within a 5 minute walk of the site and Walton-on-Thames Train Station is within a 15 minute walk of the site. Walton town centre is within a 5 to 10 minute walk from the site.
3. The site is bounded to the east by Ashley Road (B365). A three-storey detached building of flats lies beyond Ashley Road on the other side. To the south of the application site is a two-storey detached residential property and dental practice with further residential properties beyond. The Ashley Church of England Primary School playing field lies immediately to the west, and a three-storey purpose built block of flats to the north with another three-storey purpose built block of flats and Ashley C of E Primary School beyond.
4. The application site is located within Flood Zone 1, the lowest level of fluvial flood risk, and an area of a low risk level of surface water flooding and major groundwater vulnerability.

Planning History

5. There is no recent or relevant planning permission pertaining to this site. The site has been vacant since approximately the mid-1960s. The only recent decisions are for works to trees covered by the TPO EL:05/16 in 2017 and 2009.
-

The Proposal

6. The proposal is for development of a new Children's Home and No Wrong Door Facility with associated parking, access, and landscaping. Surrey County Council has a duty to establish comfortable and safe homes for children in the county. There is an identified need to replace a current Children's Home that is no longer fit for purpose in Cobham. The application site is proposed as a replacement because of its location within Surrey and in line with Ofsted's recommendations for children to grow up in family-sized units. Surrey County Council also has a requirement to provide a 'No Wrong Door' facility that provides emergency accommodation for young people while family issues are resolved. This proposal seeks to meet this need.
7. The proposal is for the construction and use of a two-storey detached building for both the Children's Home and No Wrong Door facility. The Children's Home is proposed to house a maximum of four residents aged 12 to 17 and 3 staff. The No Wrong Door facility is proposed to provide emergency and temporary accommodation for two residents who require rapid relocation aged 12 to 17 and 1 member of staff.
8. The proposed building is approximately 23.1 metres (m) in total length and approximately 13.2m in total width with a pitched roof giving a total height of 8.5m from the finished floor level. The external building walls would be finished in red facing brick and the roof in fibre cement slates. The windows and doors are proposed to be grey aluminium and timber composite and have case stone lintels and sills. The two entrance doors will be made of timber and would have a porch canopy extending approximately 0.9m from the building. External lighting would be down-lit and recessed under the front canopies and mounted on the walls, and low level bollard lighting will be placed along the pedestrian access.
9. The Children's Home section is the larger of the two sections as it will house four residents aged 12 to 17 years old and three support staff. The Children's Home section

would be 10.5m (l), 13.2m (w) and approximately 8.5m (h) with a smaller section where the Children’s Home connects to the NWD facility. The small, connecting part of the building would be approximately 3.9m (l), 5.1m (w) and approximately 8.5m (h). Together, these parts make up the Children’s Home section and comprise an entry hall, visitor WC, two offices, hallway, quiet room, living room, dining room, kitchen, downstairs bathroom, utility, laundry, multi-purpose room and six bedrooms with ensuites. The DAS appendix details the room types are standard room sizes and preferred layouts in accordance with the London Housing Design Guide¹ recommendations. The Children’s Home has its own entrance and private rear garden with a terrace, growing beds, garden shed, cycle parking, bin storage and plant enclosure. The private garden will be fenced from the site boundary, NWD facility, and the front of the property. A gate connecting the rear garden to the front to the property is proposed to allow access for maintenance, for the private cycle parking and to move the bins when required.

10. The NWD facility section is smaller than then Children’s Home section at approximately 8.7m (l), 8.4m (w) and 8.0m (h). The NWD facility section comprises an entry hall, hallway, resource/living room, downstairs WC, Kitchen/dining and three bedrooms with ensuites, two for emergency and temporary residents aged 12 to 17 years old and one for staff. As with the Children’s Home, the room sizes and layout accord with the London Housing Design Guide. The NWD facility section is designed to have a separate front door entrance and rear garden containing a terrace, cycle parking and bin storage. As the NWD facility is smaller and will house fewer residents, the rear garden is also smaller than that of the Children’s Home. The rear garden will be enclosed by a fence. A gate connecting the rear garden to the front to the property is proposed to allow access for maintenance, for the private cycle parking and to move the bins when required.
11. To facilitate the proposal, 2 category B trees and a small number of trees within the sites tree group (ID G15) will need to be removed. The remaining trees will be protected during and after construction. The existing boundary fence will be replaced with 1.8m high close board timber fencing. Planting is proposed around the garden borders and grass lawns to the rear of the building, -with some raised planting beds for the Children’s Home garden. The proposal includes space for waste bin storage.
12. Surface water is proposed to be managed by way of a sustainable drainage strategy, which includes a 19 metres squared (m³) attenuation tank buried under the car park and 14m³ porous paving system on the vehicle access and car park.
13. New vehicle and pedestrian accesses off Ashley Road (B365) are proposed for the site. The vehicle access has an achievable visibility splay of 2.4m by 45m. The pedestrian access footpath is located to the north of the vehicle access² and will be finished with block paving and have low level bollard lighting. A shared car park finished in permeable paving is proposed in front of the building, with 4 standard bays and 1 accessible bay. The parking area will also include a dual EV charging point allowing 2 vehicles to charge at once. Cycle parking is proposed for the front of the building and for each part of the property within the rear gardens.

Consultations and publicity

District Council

14. Elmbridge Borough Council No objection

¹ [London Housing Design Guide dated August 2010](#)

² As illustrated on drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 attached to this report.

Consultees (Statutory and Non-Statutory)

- | | |
|-------------------------------|---|
| 15. County Arboriculturist | No objection subject to the inclusion of conditions inclusion requiring a detailed Landscaping scheme, Existing Structure Method Statement, Updated Construction and Environment Management Plan, and Material Storage plan |
| 16. County Ecologist | No objection subject to 2 conditions in relation to an updated Construction and Environment Management Plan and site clearance. |
| 17. County Landscape Officer | No objection subject to the inclusion of a condition for a detailed hard and soft landscaping scheme for the site. |
| 18. Affinity Water | No comment received. |
| 19. Lighting Consultant | No objection. |
| 20. SuDS & Consenting Team | No objection subject to the inclusion of 2 conditions. |
| 21. Thames Water | No objection subject to the inclusion of three informatives. |
| 22. County Highway Authority | No objection subject to the inclusion of 5 conditions on new access, parking and turning, cycle parking, Construction Transport Management Plan and electric vehicle charging. |
| 23. Southern Gas Network Ltd. | Awaiting comments |

Summary of publicity undertaken and key issues raised by public

24. The application was publicised by the posting of 2 site notices and a total of 110 of owner/occupiers of neighbouring properties were directly notified by letter. To date 6 letters of representation have been received from local residents raising the following concerns:
- Ashley Road (B365) already has lot of traffic, so object to the increase in traffic from the proposal as the increase in traffic from proposal will increase risk to residents and pedestrian's safety, especially school children due to sites proximity to school.
 - Ashley Road (B365) is very narrow, damaged, potentially dangerous and cannot support an increase in traffic.
 - Increase in traffic from the proposal will worsen existing air pollution in the area.
 - The proposed access is in close proximity to a difficult junction and has poor visibility.
 - Request road signs to slow traffic as lots of speeding on Ashley Road
 - The proposal is out of place and out of character of the area and is not fitting with the existing surroundings and residential area
 - The land should go to Ashley Church of England (C of E) School.
 - The proposal will possibly increase the anti-social behaviour in the area and could bring an undesirable element to the area which is of high value residential homes.
 - Impact on property value (note this is not a material planning consideration).

- Request further information on which trees are being retained and that new trees be planted elsewhere to compensate the removal of the existing trees

25. One of the representations received was from the Headteacher at Ashley C of E Primary School stating that the school has a right to the land from the previous owners and that the site should be used for education purposes. Other representatives also stated that the land should go to the school. Officers note that planning permission runs with the land, therefore the School's claim to the land cannot prevent the issuing of any decision. Following investigations by the SCC legal team and correspondence with the School, it has been confirmed that the School does not have a claim on the land and the School no longer objects to the proposal. Therefore, this matter has been resolved.

Planning considerations

Introduction

26. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
27. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008, the Elmbridge Borough Council Development Management Plan 2015, the Elmbridge Borough Council's Core Strategy 2011, the Parking Supplementary Planning Document (SPD) dated July 2020, the Elmbridge Design and Character SPD dated April 2012, and the Design and Character SPD Companion Guide: Walton On Thames dated April 2012. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
28. In assessing the application against development plan policy, it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: need and location suitability; scale and layout, design, and landscaping; trees and the TPO; ecology and biodiversity; drainage; residential amenity; and highways, traffic and access.

NEED AND LOCATION SUITABILITY

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS1 – Spatial Strategy

Policy CS3 – Walton on Thames

Policy CS16 – Social and Community Infrastructure

29. EDMP 2015 Policy DM9 encourages new development for social and community facilities that meets identified local need, is sited in a sustainable location that is safe and accessible to the local community, accords with the character and amenity of the area particularly in residential area. Policy CS1 of ECS 2011 identifies Walton and Weybridge as the most sustainable locations for new development within the borough of Elmbridge and is clear that new development is directed towards previously developed land (PDL) within the existing built up area, taking account of the relative flood risk of available sites.

30. Policy CS3 of ECS 2011 states that new development outside of the town centre is promoted through redevelopment of previously developed land, taking account of relative flood risk, in a way that integrates with and enhances local character. Policy CS16 of ECS 2011 requires the provision of sustainable social and community infrastructure that is accessible by public transport, cycling and walking.

Need

31. Looked After Children Property Projects – New Children’s Home and Shaw Family Centre, Item 13 of Cabinet meeting dated 21 July 2020³ was approved for the delivery of two new community Children’s Homes and the rebuilding of the Shaw Family Contact Centre following the closure of the Faircroft Children’s Home in Cobham due to it no longer being fit for purpose and on Ofsted’s recommendations is too big for the small number of children that Surrey County Council (SCC) can look after in them. 10 Ashley Road, Walton-on-Thames, KT12 1HF was identified as a location suitable for providing Children’s Home provision plus two places in a ‘No Wrong Door’ facility annex.
32. Officers consider that there is an identified need to replace the Faircroft Children’s Home within Surrey as set out in the report approved by Cabinet and there is a need and priority to provide comfortable and safe homes for SCC children.

Location suitability

33. The Cabinet report details that Surrey County Council (SCC) has a statutory duty to children in SCC care to ensure they remain in touch with their birth families and significant others. The Cabinet report explains that this is called ‘contact’ and is often the subject of court orders and regulations, and for many children their ‘contact’ is restricted to four to six times a year. Therefore, the Cabinet report is clear that it is essential that the quality of this ‘contact’ provides children with the best possible experience. In view of the ‘contact’ requirements and that this proposal is replacing another Children’s Home in Elmbridge, Officers consider that the application site is an appropriate location for the nature of the development in accordance with EDMP 2015 Policy DM9.
34. The application site is located within a residential area, south of Walton-On-Thames town centre. Officers recognise that Policy CS1 of the ECS 2011 encourages development to PDL, however having reviewed the definition of PDL within the National Planning Policy Framework (NPPF)⁴ Officers consider that the application site does not fall within this definition of PDL as the previous building was removed from the site several decades ago and the remaining partially underground structure and small tile wall have blended into the landscape. However, as Policy CS1 does not require development to be located on PDL, in view of this, and that the application site is within Walton which is one of two most suitable locations for new development within the borough of Elmbridge and falls within Flood Zone 1, Officers are satisfied that the proposal accords with ECS 2011 Policies CS1 and CS3 in this regard.
35. As detailed in paragraph 2 above, the application is located on the western side of Ashley Road. Pedestrian footways are on both sides of the highway and the application site is within a 5 to 10 minute walk of Walton town centre and a 10 minute walk of Elm Grove Recreation and St Boundary Park. Whilst Ashley Road does not have dedicated cycle lanes, there are cycle networks in the local vicinity including National Cycle Route 4 and the proposal includes the provision of onsite cycling parking. In terms of public transport, the application site is located within a 5 minute walk of four bus stops which

³ [Cabinet meeting dated 21 July 2020: Agenda, decisions, and minutes](#)

⁴ ‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes... land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’.

provide good access to the local and wider bus network; and is within a 15 minute walk of Walton-on-Thames Train Station, which provides a direct line to London, Woking and beyond. Overall, Officers are satisfied that the application site is a sustainable location with regards to walking and cycling and is located with good access to public transport and therefore accords with ECS 2011 Policy CS16 in this regard.

36. Elmbridge Borough Council raise no objection to the proposal regarding the application site location.

Conclusion

37. Officers are satisfied that there is an identified need for the proposed development within the borough of Elmbridge and that the application site is an appropriate and sustainable location for new development within the borough of Elmbridge and has access to sustainable travel options. Consequently, Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

SCALE AND LAYOUT, DESIGN, AND LANDSCAPING

Surrey Waste Local Plan Part 1 – Policies 2020 (SWLP 2020)

Policy 4 – Sustainable Construction and Waste Management in New Development

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM2 – Design and amenity
Policy DM6 – Landscape and Trees
Policy DM8 – Refuse, recycling, and external plan
Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS1 – Spatial Strategy
Policy CS17 – Local Character, Density and Design

Elmbridge Design and Character Supplementary Planning Document dated April 2012 (DCSPD 2012)

Design and Character Supplementary Planning Document Companion Guide: Walton On Thames dated April 2012 (DCSPDWOT 2012)

38. SWLP 2020 Policy 4 is clear that planning permission for any development will be granted where it has been demonstrated that:
- a) The waste generated during the construction, demolition and excavation phase of development is limited to the minimum quantity necessary.
 - b) Opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised.
 - c) On-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.
 - d) Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.
39. There are a number of policies within the EDMP and ECS that relate to design, layout and landscaping. Policy DM2 of the EDMP 2015 states that all new development should

achieve high quality design that demonstrates environmental awareness and contributes to climate change mitigation and adaptation. Policy DM2 also states that all development proposals must be based on an understanding of local character including any specific local designations, and take account of the natural, built, and historic environment.

40. In addition, Policy DM2 requires proposals to preserve or enhance the character of the area, taking account of the design guidance in the Design and Character SPD, and with particular regard to: appearance, scale, mass, height, levels and topography, prevailing pattern of built development, separation distances to plot boundaries, and character of the host building, in the case of extensions. Policy DM2 also requires proposals to take account of landform, layout, building orientation, massing, and landscape to minimise energy and waste consumption, and for proposals to create safe and secure environments, reducing opportunities for crime.
41. Policy DM6 of the EDMP 2015 is clear that development proposals should be designed to include an integral scheme of landscape, tree retention, protection and/or planting that, inter alia:
 - a) reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity;
 - b) contributes to biodiversity by conserving existing wildlife habitats, creating new habitats, and providing links to the green infrastructure network; and
 - c) encourages adaptation to climate change, for instance by incorporating, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements.
42. Policy DM8 of the EDMP 2015 requires all new development, including changes of use, to provide appropriate waste and recycling facilities. Policy DM8 is clear that proposals are acceptable provided that:
 - a) the location and design of bin storage, waste facilities and any proposed external plant, such as air conditioning units and extract flues, have been considered at the outset and are integral to the development;
 - b) the design and siting of bin storage and external plant respect the visual amenities of the host building and the area; and
 - c) Storage points for refuse and recycling are accessible for collection vehicles as well as regular users.
43. Policy DM9 of the EDMP 2015 is clear that new social and community development must accord with the character and amenity of the area, particularly in residential areas, and achieve a high-quality design that allows for flexible use and provides inclusive access for all.
44. Policy CS1 of the ECS 2011 requires all new developments to be high quality, well designed and locally distinctive. New development should also be sensitive to the character and quality of the area, respecting environmental and historic assets and, where appropriate, introduce innovative contemporary designs that can positively improve local character. Policy CS17 of the ECS 2011 requires new development to deliver high quality and inclusive sustainable design, making efficient use of urban land, integrating sensitively with the local landscape, and protecting the amenities of those within the area. The policy requires new development to enhance the public realm and street scene, providing a clear distinction between public and private spaces, and be appropriately landscaped with biodiversity habitat provides where appropriate. New buildings should be physically integrated into the community through safe permeable access routes which minimise opportunities for crime. Policy CS17 also supports high quality design that creates a harmonious, complimentary, and vibrant environment, in which a range of uses can function and flourish.
45. The DCSPD 2012 requires a Design and Access Statement to be submitted for all planning applications, except householder applications. Ashley Park is identified as an

area of high architectural quality in the DCSPDWOT 2012 comprising large detached houses set in regular generous plots and often have significant open green space to their curtilage. There is generally a fixed building line with landscaped boundaries and mature trees and groups.

46. The National Planning Policy Framework at paragraph 130 states that *'where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'* The NPPF also seeks to ensure vitality in Town Centres. Paragraph 87 states *'When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored'*.

Scale and layout

47. The application site is approximately 0.21 hectares (ha) and is currently vacant, heavily vegetated with low lying vegetation and with no existing buildings located on the site, with the exception of a partially underground air-raid shelter structure and small, short, circular tile wall. The proposal is for the construction and use of a two-storey detached building for provision of a Children's Home and No Wrong Door (NWD) facility with associated parking, access, and landscaping⁵. The proposed building is approximately 23.1 metres (m) in total length, approximately 13.2m in total width and approximately 8.5m in total height. The proposed building has a pitched roof.
48. The submitted Design and Access Statement (DAS) details that the surrounding properties on Ashley Road are a mix of two storey, detached houses with private gardens and three storeys, purpose built block flats, and all contain a mix of hard standing and soft landscaping. The proposed site layout takes elements from these surrounding properties. The proposed building is two storeys high and is setback from Ashley Road in line with the property to the south of the application site. The proposed site layout also comprises two distinct private, landscaped gardens to the rear of the property and a mix of hard standing and landscaping in front of the property onto Ashley Road, Officers consider that the proposal offers a clear distinction between public and private space in accordance with ECS2011 Policy CS17. Furthermore, as a DAS has been included in the submission, Officers are satisfied that the proposal meets the relevant requirements set out in the DCSPD 2012.
49. The proposed building is centrally located within the site, with the Children's Home section in the northern half of the building and the smaller NWD facility section in the southern half. Officers are satisfied that the proposed site layout is in keeping with the prevailing pattern of built development in the site locality, includes sufficient separation distance from the plot boundaries, and that the proposed total height is in keeping with neighbouring properties in accordance with EDMP 2015 Policy DM2. Officers are also satisfied that the proposal reflects the local landscape and would integrate into the neighbourhood in accordance with EDMP 2015 Policy DM6 (a).
50. The submitted Planning Statement and DAS are clear that the applicant has sought to retain as many trees on site as possible while also delivering the proposed building including those on the site boundary to maintain the visual appearance of the site as densely vegetated and achieve the highest public amenity value from the retained trees.

⁵ Attached Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

The proposed development frontage onto Ashley Road will comprise four retained trees, amenity grass, both vehicle and pedestrian accesses, and the site car park with the existing fence being replaced. Officers recognise that whilst the proposal would result in a change to the frontage of 10 Ashley Road, that with the retention of perimeter trees and provision of landscaping this change would be in keeping and would ameliorate with the immediate surrounding area. Officers are therefore satisfied that the proposal accords with EDMP 2015 Policies DM2 and DM6 (a) and ECS2011 Policy CS17 in this regard.

51. As the proposed building will be surrounded by retained trees, Officers are satisfied that the proposed development will provide appropriate outlook. Officers consider that the proposed windows and locations across all faces of the building will help to ensure adequate daylight and sunlight into the property, and therefore accords with EDMP 2015 Policies DM2 and DM5 in this regard.
52. Officers are satisfied that the scale, height and massing are such that they are not incongruous with the surrounding properties on Ashley Road, and that the proposed building is appropriately scaled for the site and its function; and that the building is sufficiently set back from the road in a similar manner to the other properties in the locality. Officers are satisfied that the proposal makes efficient use of space in accordance with ECS 2011 Policy CS1. As such Officers are satisfied that the proposal meets the requirements of EDMP 2015 Policy DM2 and DM6 (a) and ECS2011 Policy CS17 to ensure it is of a suitable scale and is well screened.
53. Elmbridge Borough Council raise no objection to the proposal and have made no specific comments with regards to the proposed scale and layout of the development.

Design

Building Materials

54. The DCSPDWOT 2012 details Ashley Park as an area of high architectural quality, comprising large detached houses set in regular generous plots and often have significant open green space to their curtilage. The DCSPDWOT 2012 also notes that generally a fixed building line with landscaped boundaries and mature trees and groups. Paragraph 8 above details the external materials and lighting for the proposed building. The applicant explains in the DAS that the proposed materials are natural and high quality to give the building warmth and reflect the character of the local area. The DAS notes that the area is dominated by large detached and semi-detached properties including a mixture of modern 20th development with pockets of distinctive 18th and 19th century properties. The DAS explains that local architectural details such as vertical fenestration with taller windows on the ground floor and case stone lintels and sills have been incorporated into the building design to be congruous with the local character. The DAS is clear that the local character, functionality, sustainability, and homely need of the residents have been considered and incorporated into the design, making the property a cohesive and inviting space that integrates well into the neighbourhood.
55. In addition to the design, the applicant has provided details on how the proposed building has been designed to address climate change adaptation including the provision of an air source heat pump to provide low carbon heating and hot water; and high levels of insulation and air tightness to ensure energy efficiency. Officers consider that the proposes building orientation and central location within the site with the retained trees surrounding the site will help to optimise useful solar gains to reduce heating and lighting demand whilst reducing the risk of overheating.
56. The County Landscape Officer raised concerns that the proposed bollard lighting may create spill light however, the County Lighting Consultant considers that the down-lighting and use of low level bollard lighting will mitigate against glares to adjoining

properties and raise no objection to the proposal. Officers are satisfied a condition can be imposed to control lighting from the application site so not to create light spill.

57. Officers are satisfied that the proposed design of the building reflects the local character of the area which would be congruous with other properties in the area. Furthermore, given the detached nature of the building and the landscaping proposed, Officers are satisfied that the proposal meets the description set out in the DCSPDWOT 2012 and therefore accords with the DCSPDWOT 2012.
58. Officers are satisfied that given the pallet of materials chosen to reflect those already existing in the locality that the proposed development accords with EDMP 2015 Policies DM2 and DM9 and ECS 2011 Policies CS1 and CS17. Details provided within the application outlining how energy consumption would be minimised and how climate change has been considered, Officers are satisfied that the proposal accord with EDMP 2015 Policies DM2 and DM6 (c) and ECS 2011 Policy CS17.

On site waste management

59. A Construction and Environmental Management Plan (CEMP) has been submitted with the application providing details that to minimise re-use and recycle construction waste, a Site Waste Management Plan (SWMP) will be prepared. The CEMP provides some initial detail on the SWMP, and Officers are satisfied that construction waste will be managed in accordance with the requirements set out SWLP 2020 Policy 4 in principle, but further detail on this is required. Officers note that other elements of the CEMP remain to be completed and therefore proposed to secure further details, including an updated SWMP by condition.
60. The proposal includes information on external bin storage facilities proposed for each part of the building which are proposed to be located on the sides of the building within each rear garden. The bin storage is proposed be finished in timber planting. Refuse and recycling is proposed to be collected on the street as is the case for the neighbouring properties along Ashley Road. Officers consider that the proposed size of the bin storage is appropriate for the size of the development and that the design is in keeping with the other site finishing's in terms of visual amenity. Officers are satisfied that the proposed location offers good access from the building and is also accessible when it comes to collection days. Therefore, Officers consider that the proposal accords with EDMP 2015 DM8 in this regard.

Secure environments and reducing opportunities for crime

61. The proposal includes details for a new 1.8m high close board timber fencing around the perimeter of the site, with the exception of the site access, and gates are proposed from the front of the site to the rear gardens to allow access to the private cycle parking, move the bins from the bin storage to the front of the site for waste collection, and maintenance access. Officers are satisfied that the proposed fencing is in keeping with the surrounding environment and will create a secure site in accordance with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17. Officers also consider that the congruous design further helps to create a safe environment for Ashley Road in accordance with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17.
62. Officers note that residents have raised concerns the proposal will possibly increase the anti-social behaviour in the area, that the nature of the development could bring an undesirable element to the area which is of high value residential homes, that a Children's Home is not fitting with the existing surroundings and residential area, and that the proposal is out of place and out of character of the area.
63. Officers note that concerns expressed in the objections about potential impacts on property values are not material planning considerations. Officers, whilst recognising the

concerns raised by residents, note that there is a need for the development within Elmbridge and that the application site is a suitable location. Officers consider that the nature of the development is in keeping with surrounding residential area, is a suitable and sustainable location in accordance with development plan policy and has been designed to be congruous with the character of the surrounding residential properties. Therefore, Officers do not consider that nature of the development is undesirable or out of keeping with the local environment. Furthermore, the proposal does not provide any indication that the residents will insight anti-social behaviour during their residency and the design of the proposal is not one that encourages or facilities anti-social behaviour. Therefore, Officers consider that there is no evidence to support that the proposal will result in an increase in anti-social behaviour. The fears of an increase in anti-social behaviour can be a material consideration, however where the fear is irrational it is not a material consideration. Officers consider that this fear is not founded on any evidence and therefore is it is not a material consideration and does not carry any weight. Accordingly, for the reasons outlined above, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17 in this regard.

Landscaping

64. As detailed in paragraph 11 above, 2 category B trees and a small number of trees within the sites tree group are proposed to be removed to facilitate the development. The remaining ten trees and number of trees from the site tree group (ID: G15) are proposed to be retained and will continue to provide amenity and biodiversity value to the site. Given the small scale of the site, Officers recognise that it is not possible for the applicant to provide replacement trees on the site with sufficient space for their root systems and to grow.
65. However, the applicant proposes to address the loss of biodiversity and vegetation through the planting of 0.69 hedgerow units in the form of medium to large (1.5 to 3m maturity) native shrubs along the boundaries of rear gardens. Amenity grass is also proposed for the rear gardens and the front garden where not covered by the access and car park hard standing. The County Landscape Officer comments that the proposed development will result in the removal of substantial areas of shrubby habitat which is particularly good for birds and recommends that special consideration be given to re-providing a diversity of native shrubs and hedges, and plants suitable for pollinating insets. Officers consider that the proposed conservation of the existing trees and creation of new shrub habitats contributes to the biodiversity of the site and therefore accords with EDMP 2015 Policy DM6 (b) and ECS 2011 CS17.
66. With regard to hard landscaping, the applicant proposes to finish the rear garden terraces with paving slabs and the vehicle access and car park with permeable paving⁶. The proposed footpath around the perimeter of building are proposed to be finished in block paving. The County Landscape Officer supports the use of permeable paving as it provides a more aesthetically interesting appearance. Four raised growing beds for resident's use are proposed within the Children's Home rear garden. The County Landscape Officer supports their inclusion. The County Landscape Officer raises no objection to the proposal subject to the provision of a condition requiring the submission and approval of a hard and soft landscaping scheme. The County Ecologist and County Arboriculturist also raise the need for a detailed hard and soft landscaping scheme.
67. Officers are satisfied in principle with the proposed landscaping and consider that the site will be appropriately landscaped with ECS 2011 Policy CS17. Officers concur with these statutory consultees that further detail is required including species for the replacement shrubs, type of permeable paving and locations for the growing bed. Officers are satisfied this detail can be secured through condition.

⁶ As can be seen in Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 attached to this report.

Conclusion

68. Elmbridge Borough Council raise no objection to the proposal and consider the design of the building to be in keeping with the character of the area.
69. Officers are satisfied that the proposed scale and layout of the development makes efficient use of space, is in keeping with surrounding properties in terms of scale and mass, and that the proposed building is appropriately scaled for the site and its function. Officers are also satisfied that the proposed design integrates into the local character, is sustainable and supports the nature of the development. Officers recognise that given the small scale of the site and limited space due to the number of the retained trees that it not possible to offer other forms of climate change adaptation. However, Officers also note that additional planting is proposed to compensate the loss of the proposed trees. Officers are satisfied that the proposed landscaping enhances the site in terms of biodiversity, amenity, and design. Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

TREES AND TREE PROTECTION ORDER

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM6 – Landscape and Trees

70. Policy DM6 of the EDMP 2015 is clear that development proposals should be designed to include an integral scheme of landscape, tree retention, protection and/or planting that:
- a) reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity;
 - b) contributes to biodiversity by conserving existing wildlife habitats, creating new habitats and providing links to the green infrastructure network;
 - c) encourages adaptation to climate change, for instance by incorporating Sustainable Drainage Systems (SuDS), providing areas for flood mitigation, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements;
 - d) does not result in loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area, unless in exceptional circumstances the benefits would outweigh the loss;
 - e) adequately protects existing trees including their root systems prior to, during and after the construction process;
 - f) would not result in the loss or deterioration of irreplaceable habitats including ancient woodland and ancient or veteran trees, unless in exceptional circumstances the benefits would outweigh the loss; and
 - g) includes proposals for the successful implementation, maintenance and management of landscape and tree planting schemes.
71. To ensure high quality landscape schemes and depending on the scale, nature and location of the development, Policy DM6 seeks to attach appropriate conditions to planning permissions to secure various improvements. These may include tree retention and protection, the submission and implementation of a landscape or tree-planting scheme, surface materials, screen walls, fences and planting.
72. In considering consent for works to trees protected by Tree Preservation Order (TPO), Policy DM6 requires the amenity value of the tree or woodland and the likely impact of

the proposal on the amenity of the area to be assessed, and from this consider whether or not the proposal is justified, having regard to the reasons put forward in support of it.

Tree Preservation Order (TPO)

73. An existing TPO (ref: EL:05/16) covers the whole of the site and a couple of trees outside the site boundary. Most of the trees are category B with one category A tree in the south easter corner of the site and a category U tree on the eastern side of Ashley Road on third party land. In Elmbridge Borough Council's (EBC) officer report, the EBC Tree Officer comments that a Tree Works application would be required for the removal of the trees and other pruning works to assess the loss of the trees on the site.
74. Officers note that an assessment is undertaken within this planning application, the submitted information within this application, namely the Arboricultural Impact Assessment dated October 2020, and the Officers report. Therefore, a Tree Works application would not be required. The County Arboriculturist and EBC Tree Officer concurs with this approach. As EBC have not raised an objection on any other grounds, Officers consider that EBC are therefore satisfied with the proposal and therefore raises no objection.

Loss of trees

75. The applicant has submitted a number of documents with regards to the trees on site includes plans and an Arboricultural Impact Assessment. Given the heavily vegetated nature of the site and the number of trees, it is not possible to retain all the trees under the TPO. However, the applicant is clear that they have sought to retain as many trees as possible, including the category A tree, and this is reflected in the design and layout of the development. The proposal would involve the removal of 2 trees and part of the tree group to make space for the proposed building and car park comprising of a silver birch, a false acacia and 4 younger trees within the tree group⁷. Works including reducing the crown of a hornbeam and the crown of a beech are also proposed. Officers note that a tree has already been felled but remains on site, so it is proposed to remove it and the County Arboriculturist concurs with its removal. Officers also note that a category U tree (ID T16) on third party land that falls within the TPO is recommended to be felled within the Tree Survey Schedule.
76. In respect of EDMP 2015 Policy DM6 (d), Officers recognise that local residents will be accustomed trees on the site and that there will be an amenity impact from their removal. However, Officers consider that the proposed removal of certain trees on site will not have a significant adverse impact on the site contributing to amenity nor result in a significant change to the character of the site, especially as the majority of the trees are being retained including those at the front of the property. Consequently, Officers consider that the proposal will not result in loss of trees that are making a significant contribution to the character or amenity of the area, and therefore exceptional circumstances on why the benefits would outweigh the loss are not required in accordance with EDMP 2015 Policy DM6 (d).
77. The County Arboriculturist and the County Landscape Officer raise no objection to proposed removal of trees on the site, and Officers are satisfied that given their category B status no irreplaceable habitats will be lost through the process. Consequently, Officers are satisfied that exceptional circumstances where the benefits outweigh the loss of the trees is not required, and that the proposal accords with EDMP 2015 Policy DM6 (f) in this regard. In view of the site TPO, Officers propose to include a condition securing that only the proposed trees are removed.

⁷ Trees in this group include: false acacia, hornbeam, beech, sycamore, cherry laurel, holly, common hazel, blackthorn, buddleia, firethorn.

Retained trees protection

78. As stated in paragraph 50 above, the applicant has sought to retain as many trees as possible on the site and has design the layout of the proposed development outside the root protection zones of the retained trees. A total of one category A and nine category B trees are proposed to be retained on the site alongside a number of smaller trees. To protect the retained trees during construction, on the Tree Protection Plan the applicant has illustrated the location of tree protection fencing and a construction exclusion zone (CEZ) within which tracking of plant, materials storage, excavation, and all other construction activities are excluded for the purposes of protecting tree health.
79. However, Officers recognise that in retaining as many trees as possible on the site, there is limited space for the proposed development to be located without being within parts of the RPA, particularly at the front of the site. For example, Officers note that there is one area where a small section of surface water drainage piping is proposed to go through the CEZ at the norther western corner of the CEZ for a mature Hornbeam (T1) and a Lawson Cypress (T2). Officers and the County Arboriculturist having assessed this, consider that an exception can be made to allow construction within the CEZ provided it can be managed by way of a condition detailing how the works will be undertaken to protect these two trees, including the use of hand digging. The Tree Protection Plan also illustrates three small areas where the RPA of a False acacia (T5) for the pedestrian access and for the mature Hornbeam (T1) for the vehicle access and a corner of one of the southern car parking spaces. These areas are illustrated as part of the CEZ on the Tree Protection Plan and allow managed construction processes in accordance with the principles set out within the Arboricultural Impact Assessment (AIA). Whilst protection methods have been provided in the AMS for the False acacia and the small group of trees (G15), Officers consider method details also need to be provided for working in the RPA for T1. The proposed incursions into the RPAs will also involve minimal excavation and in the case of the T1 RPA will be finished with permeable paving.
80. Officers are satisfied that the applicant is retaining existing trees and that during construction, their root systems can be protected and consider that further detail on the particular circumstances outlined above are required. the Therefore, Officers will secure the submission of a drainage method statement by way of condition. Consequently, Officers consider that the proposal accords with EDMP 2015 Policy DM6 (e). Officers and the County Arboriculturist are satisfied that the proposed utilities and drainage strategy will not be located within the RPAs of the retained trees. Officers are satisfied that post construction, their root systems will be protected, and their continued presence is in keeping with the surrounding environment in accordance with EDMP 2015 Policy DM6 (a) and (e).
81. Concern had been raised by the County Arboriculturist with regards to the root protection of a high quality mature hornbeam (category A tree) which is bounded by hardstanding from Ashley Road and the western footway to the east, and a driveway at 18 Ashley Road to the south that it was unlikely its root system followed the originally suggested Root Protection Area (RPA) of an equal distance from the tree trunk in all directions. Following this, the applicant has submitted an updated Tree Protection Plan and Tree Constraints Plan with a revised RPA which is understood to be more realistic reflecting the impact from the highway and permeable surfacing to the south. Following consultation on the revised plans, the County Arboriculturist is satisfied with the RPA for this tree.
82. The County Arboriculturist has also raised concerns over the quality of the retained trees as many of the trees are covered in ivy and the heavily vegetated state of the site means it is not possible to examine the state of the tree base. The County Arboriculturist has particular concerns with T9 (Hornbeam) which show signs of structural weaknesses; and the quality of T5 and T6 (both False acacia) at the front of

the property and recommends that further issues found following the removal of ivy from them should be addressed. Therefore, Officers recommend that details of what will happen to these trees, should they be damaged during construction, be included in the updated CEMP secured by condition.

83. In view of the number of trees proposed to be retained on site, particularly to the rear of the property within the private gardens, Officers are satisfied that the proposal encourages adaptation to climate change through shading from those trees with respect of the requirements in EDMP 2015 Policy DM6 (c). Officers also note that additional planting is proposed to compensate the loss of the proposed trees. Given the scale of the site and heavily vegetated nature, Officers recognise that it is not possible to replace all the trees that would require to be removed from the proposal. Nevertheless, Officers are satisfied that the applicant has demonstrated how retained trees would be protected and that they have sought to minimise the number of trees that require removal to facilitate this proposal. Consequently, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM6 (c).
84. As detailed in paragraph 66 above, Officers propose to include a condition which secures landscaping details for the site, including how the landscaping will be managed and maintained. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM6 (g) in this regard.

Existing structure

85. There is an existing partially underground air-raid shelter structure and short circular tile wall to the rear of the property in the north western section. The proposals were reviewed by Surrey County Council's archaeology officer who advised that specific studies would not be required. The County Arboriculturist raises concerns with the proximity of T14 (Beech) to the existing structure as it is less than 0.5m from the entrance of the structure and the removal of the structure has the potential to destabilise the tree. The County Arboriculturist notes that paragraph 2.11 of the AMS is non-committal on the methods to remove the structure and the protection of T14. Therefore, while the County Arboriculturist is satisfied in principle that the protection of T14 can be achieved, they recommend that further details are provided on method of removal by condition. Officers concur with the County Arboriculturist's recommendations and propose to secure this further detail by condition in the updated CEMP.

Conclusion

86. The County Arboriculturist and Elmbridge Borough Council's planning officer and tree officer raise no objection to the proposed removal of trees. The County Arboriculturist is satisfied that the retained trees will be protected during the construction and the use of the development in principle and recommends the inclusion of conditions to secure further details on the methods of retained tree protections. Officers concur with the County Arboriculturist that the proposed removal of the trees is acceptable and are satisfied that the retained trees will be protected from the development in principle. Officers consider that further detail on how the trees will be protected is required and are happy that conditions will control this. Officers consider that the proposed development satisfies Policy DM6 of the Elmbridge Development Management Plan 2015.

ECOLOGY AND BIODIVERSITY

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM21 – Nature conservation and biodiversity

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS15 - Biodiversity

87. Policy DM21 of the EDMP 2015 expects all new development to preserve, manage and where possible enhance existing habitats, protected species and biodiversity features, in accordance with ECS 2011 Policy CS15. Policy DM21 also supports proposals that enhance existing and incorporate new biodiversity features, habitats, and links to habitat networks into the design of buildings themselves as well as in appropriate design and landscape schemes of new developments with the aim of attracting wildlife and promoting biodiversity.
88. Policy CS15 of the ECS2011 seeks to avoid loss and contribute to a net gain in biodiversity across the region by, inter alia:
- managing and maintaining a mosaic of habitats and rich variety of wildlife
 - maximising the contribution of other green spaces and features to provide ecological 'stepping stones' and form a coherent local and regional biodiversity network; and
 - ensuring new development does not result in a net loss of biodiversity and where feasible contributes to a net gain through the incorporation of biodiversity features.

Impact to Ecology

89. As outlined above, there are a number of trees proposed to be retained as part of the development and information has been provided that the root protection areas of the retained trees will be protected from the proposed development, with the exception of two small incursions consider acceptable by the County Arboriculturist and Officers as discussed in paragraph 79 above. Officers are therefore satisfied that most of the existing trees as habitats and biodiversity features will be preserved as part of this proposal and as such the proposal accords with EDMP 2015 Policy DM21 in this regard.
90. The submitted Ecological Impact Assessment Report dated October 2020 (EIARR) outlines a desk study which found that the site has the potential to support protected species, including bats, reptiles, nesting birds, hedgehogs, great crested newts, hazel dormice, and badgers. However, of those only protected bats, reptiles and nesting birds are likely to be present on the site. There are no recordings of the other protected species within 2km of the site.
91. The EIARR recognises that broadleaved woodland found on the site supports nesting birds, and Officers are satisfied that the retention of most of the existing trees will continue to support this. To mitigate the impacts to nesting birds during the construction of the proposed development, the EIARR states that habitat suitable to support nesting birds will be cleared between March and September inclusive, and an ecologist will be required to confirm the absence of active bird nests immediately prior to works commencing. If a nest is discovered, clearance or other construction works will be stopped immediately within an exclusion zone and the nest monitored until it is confirmed that all fledglings have flown and that no other nests are in use within the exclusion zone, vegetation clearance or construction can continue. Officers are satisfied that the proposed mitigation measures will minimise the impacts of the proposed development on nesting birds.
92. The EIARR identifies the south and west of the site to provide potentially suitable habitat for reptiles within wood piles and under compost bins which will be lost through the proposed development. To mitigate injury of potential reptiles on site during site clearance, the EIARR is clear that an ecologist will be present to check the habitat suitable to support reptile's species before the commencement of vegetation clearance to remove the areas of scattered scrub and log piles within the Site boundary. The EIARR notes that the remaining vegetated woodland on the site is not suitable for

reptiles. Officers recognise that the small scale of the site does not afford space for replacement reptile habitat and that the nature of the proposed development would not be appropriate for this. If any reptile species are encountered during these checks, works must stop whilst the reptile is translocated from the area by the ecologist to a designated area of suitable retained habitat. Officers are satisfied that the proposed mitigation measures will ensure the proposed development will not have a significantly adverse impact to reptiles on site.

93. Officers recognise that given the small scale and heavily vegetated nature of the site; it is not possible for all of the existing habitats to be retained on the site. The EIAR identifies that the existing habitat to be lost comprises ornamental shrubs such as cherry laurel and bamboo, and dense bramble shrub. Officers and the County Landscape Officer are satisfied that replacement landscaping planting will offer better quality, native species, details of which are to be provided in a detailed landscaping plan by condition. Given the above, Officers are satisfied that the applicant has demonstrated that should nests or reptiles be found on the application site, that they will be dealt with appropriately. Consequently, Officers consider that the proposal accords with EDMP 2015 Policy DM21 in this regard.

Bats and existing structure

94. The EIAR states that over several site visits, the site was examined for signs of bats, including bat droppings and stains around entrance holes. Each tree on site was classified on whether they could support roosting bats, with nineteen trees having low suitability, one tree (ID T11) having moderate suitability, and the rest having negligible suitability. All of the trees proposed to be removed have low suitability to support bat roosting. The EIAR recommends that six bat boxes be installed on retained trees at suitable locations to provide replacement roosting provision.
95. The EIAR establishes that the partially underground structure located in the north eastern area of the site could support hibernating bats but not a summer roost. Bats are protected species under the Wildlife and Countryside Act (1981) (as amended) and Conservation of Habitats and Species Regulations (2017) (as amended). During the ecologist's site visits it was not possible to enter the structure as it was not deemed safe for health and safety reasons. However, the structure was considered to be capable of supporting hibernating bats, therefore bat hibernation survey was undertaken in December 2020, January 2021, and February 2021. The results of the survey confirm that no hibernating bats or evidence of hibernating bats was recorded within the structure. However, bats were recorded outside the structure, passing it without entering. The BHSR concludes that the structure is not being used by hibernating bats and is therefore a feature of low importance on the site but recommends that its removal be undertaken during the active bat season when hibernating bats are unlikely to be present (between May and September inclusively) and if a bat is identified prior to or during demolition, works should cease immediately, and a licence sought from Natural England. Furthermore, as it is not currently in use, removing the structure is considered to have a low impact on ecology and habitats and would have a negligible impact.
96. The County Ecologist concurs with the BHSR conclusions and proposed methods for demolition and recommends these are secured by condition. Officers concur with this approach.

Biodiversity net gain assessment

97. The applicant has submitted a Metric 2.0 Biodiversity Net Gain Assessment (BNGA) which details the changes in biodiversity following the proposed development. The BNGA finds that while the proposed development is predicted to result in a loss of 0.58 habitat units due to the proposed removal of trees, there is a 0.69 gain in hedgerow

units. The BNGA proposes to detail the management methodology within a Landscape Masterplan/Ecological Management Plan.

98. The County Ecologist recognises that the site is small and therefore there are limited opportunities for biodiversity net gain at the site. The County Ecologist considers the BNGA to be reasonable and considers that further landscaping details are required as indicated in the BNGA. Officers concur with the County Ecologist and consider the required landscaping details can be secured from condition. Officers recognise that due to the small scale of the site it is not possible to provide like-for-like replacement trees on the site to mitigate the biodiversity and habitat lost. However, existing habitat to be lost compromises ornamental shrubs such as cherry laurel and bamboo, and dense bramble shrub, which does not offer significant benefits in terms of biodiversity. Officers consider that the BNGA provides a suitable assessment of the changes in biodiversity and Officers are satisfied that the provision of new biodiverse habitats on the site will result in a 11% biodiversity net gain for the site. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM21 and ECS2011 Policy CS15 in this regard.

Conclusion

99. Officers are satisfied that the impacts on ecology and biodiversity have been appropriately considered and that suitable mitigation measures are proposed to ensure ecology is not harmed during the construction and the retained biodiversity is protected and enhanced through the development. Officers consider that the submitted documentation demonstrates that the existing shelter is not of significant habitat value and therefore can be removed. Officers are satisfied with the proposed 11% biodiversity net gain mitigates the biodiversity lost from the proposed tree removal and vegetation clearance. Officers consider that the proposed development satisfies Policy DM21 of the Elmbridge Development Management Plan 2015 and Policy CS15 of the Elmbridge Core Strategy 2011.

DRAINAGE

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM5 – Pollution

Policy DM6 – Landscape and Trees

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS26 – Flooding

100. The application site lies within Flood Zone 1 but is not greater than a hectare. Policy DM5 of the EDMP 2015 states that development proposals should be designed and/or located to prevent or limit the input of pollutants into water bodies and the groundwater. Policy DM5 also requires the incorporation of Sustainable Drainage Systems (SuDS) wherever practical to reduce the discharge of surface water to the sewer network. Policy DM6 of the EDMP 2015 encourages adaptation to climate change, for instance by incorporating Sustainable Drainage Systems (SuDS), providing areas for flood mitigation, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements.
101. Policy CS26 of the ECS 2011 states that development must be located, designed and laid out to ensure that it is safe; the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere; and that residual risks are safely managed. The proposal must be located in the lowest appropriate flood risk zone, as demonstrated through a sequential test, and must not constrain the natural function of the flood plain, impede

flood flow or reduce storage capacity. Where sequential and exceptions tests have been undertaken, any development that takes place where there is a risk of flooding will need to ensure that flood mitigation measures are integrated into the design to minimise the risk to property and life should flooding occur. New developments will need to contain SuDS. Where SuDS have not been used in these areas the applicant should justify these reasons.

102. Proposals should not increase flooding off site. This proposal seeks to remove existing vegetation and replace it with a building and areas of hard surfacing. The existing site has a very low greenfield run off rate for surface water. The applicant has stated that it is currently not possible to carry out infiltration tests on the application site due to the vegetation coverage which would allow removal for this to be carried out. Discharge by infiltration would be a higher level of SuDS on the Surrey County Council SuDS Design Guidance⁴ hierarchy of discharge destinations. National Planning Practice Guidance (nPPG) section on flood risk and coastal change⁸ details the flood risk vulnerability classification. Within Table 2⁹, the flood risk for children's homes are classified as more vulnerable. Under Table 3¹⁰, more vulnerable development is appropriate where it lies within Flood Zone 1. As this site is in Flood Zone 1 Officers are satisfied that a sequential test is not required to be undertaken and the site is located in the lowest appropriate flood risk zone in accordance with ECS 2011 CS26.
103. Consequently, to meet this low runoff rate for the proposal, the applicant is proposing to install an attenuation tank some 19m³, which would be situated beneath the northern car parking spaces, which can temporarily store surface water runoff and then later release it at a controlled rate. In addition to this, the applicant proposes to use 14m³ of porous pavement which would discharge to the attenuation tank. The applicant has stated that a green roof is not possible due to the pitched roof profile that has been designed to be in keeping with the local building design.
104. Officers recognise the limited options for a SuDS feature on site and consider that the proposed method of surface water drainage using an attenuation storage tank represents the most viable option in accordance with the Surrey County Council SuDS Design Guidance hierarchy of discharge destinations¹¹. The applicant has stated that following the removal of the identified vegetation, that an infiltration test would be carried out, and should infiltration rate testing indicate the suitability for soakaway design, then further methods of drainage will be viable. Officers and the Lead Local Flood Authority (LLFA) recognise that it is currently not possible to undertake infiltration testing at this time. As the proposed drainage strategy will offer sufficient capacity to manage proposed site surface water discharge, Officers and the LLFA are satisfied with the proposed approach and mitigation measures. The LLFA has asked for confirmation of the results once the infiltration testing is complete which Officers will secure by condition. The LLFA also recommend the inclusion of a condition requiring the submission of a verification report prior to the occupation of the development. Officers are satisfied that the surface water drainage system proposed incorporates adaptation to climate change and projected event and is designed to accommodate the site surface water and not increase the risk of flooding in accordance with ECS 2011 Policy CS26 and Policy DM6 of the EDMP 2015.
105. Thames Water as the sewerage provider for the area raise no objection to the proposal subject to the inclusion of three informatives.

⁸ [National Planning Practice Guidance: Flood risk and coastal change](#)

⁹ [National Planning Practice Guidance: Flood risk and coastal change](#) Paragraph: 066 Reference ID: 7-066-20140306 Revision date: 06 03 2014

¹⁰ [National Planning Practice Guidance: Flood risk and coastal change](#) Paragraph: 067 Reference ID: 7-067-20140306 Revision date: 06 03 2014

¹¹ [Surrey County Council SuDS Design Guidance Version 1.1 dated 2 July 2019](#)

106. During construction, the applicant is clear that the impacts, including arising pollutants will be mitigated. The CEMP details the emergency preparedness plan which explains how spillages will be controlled. As detail in paragraph 132 below, the CEMP also includes details of dust mitigation which will also help to mitigate the chances of pollutants and contaminants from entering the local water network. Officers are satisfied in principle that these impacts can be address but recommend that an update CEMP be submitted with further details. Officers consider that these details can be provided through condition. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM5 in this regard.

Conclusion

107. Officers are satisfied that the proposed surface water drainage strategy will accommodate the site surface water and not increase the risk of flooding at the rest or in the locality. The LLFA, Elmbridge Borough Council, and Thames Water raise no objection to the proposal. Officers consider that the proposed development satisfies Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the Elmbridge Core Strategy 2011.

IMPACT ON RESIDENTIAL AMENITY

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM2 – Design and amenity

Policy DM5 – Pollution

Policy DM9 – Social and community facilities

108. Policy DM2 of the EDMP 2015 states that development proposals should be designed to offer an appropriate outlook and provide adequate daylight, sunlight, and privacy to protect the amenity of adjoining and potential occupiers and users. This is particularly important for proposal with windows, external staircases, balconies, raised terraces and roof gardens. Policy DM5 of the EDMP 2015 seeks to minimise the impact of development and potential sources of pollution in terms of: noise, odour, and light; floodlighting; air quality; water quality; and land contamination; and where there are emissions that appropriate attenuation measures to mitigate the effect on existing and future residents are provided. For new development located near to existing noise, odour or light generating uses, Policy DM5 requires proposals to demonstrate compatibility and acceptable living standards, for example through mitigation measures, the design of the building and its orientation and layout. Policy DM5 also requires the incorporation of Sustainable Drainage Systems (SuDS) wherever practical to reduce the discharge of surface water to the sewer network. Policy DM9 of the EDMP 2015 encourages new development for social and community facilities where the effects on traffic movement and highway safety are acceptable.

109. The proposed building is centrally located within the site and set back from Ashley Road in line with the properties to the south of the application site. Windows are proposed on all sides of the building, with the majority on the rear, western face of the building. One roof light is proposed to be angled south on the Children's Home roof section to provide light into the section's downstairs and upstairs hallways. All the rooms are proposed to have at least one window with exception of the downstairs WCs in both sections of the property. To assist in screening the property, several trees are to be retained around the site alongside the installation of a 1.8m high close boarded timber fence to run the perimeter of the site with the exception of the site accesses. Officers also consider that the proposed screening and site layout will also ensure the privacy of the proposed residents from the neighbouring properties and users of Ashley Road. Furthermore, Officers also consider that the proposed fencing separating the

rear gardens, separate entrance doors, and separate bin storage and private cycle parking will help to maintain the privacy of the Children's Home residents and the NWD facility residents from each other. Officers are satisfied that the proposed development will be well screened and thereby maintain the privacy, amenity, and security of the neighbouring properties and residents of the proposal; and has been orientated and set back not to cause overlooking or overshadowing of neighbouring properties in accordance with EDMP 2015 Policies DM2 and DM5.

110. The rear of the property faces west towards Ashley C of E Primary School playing field. Officers are satisfied that the proposed fencing and retained trees towards the rear of the property and the trees within the school playing field will ensure the privacy and safeguarding of the school's pupils. Officer are satisfied that the proposed development, by nature, is very similar to any other residential property along Ashley Road and with a shared boundary with the school playing field. Therefore, Officers are satisfied that the privacy, amenity and safeguarding of the school children will be maintained in accordance with EDMP 2015 Policy DM2.

Noise

111. Officers consider that the nature of the development is similar to other residential uses along Ashley Road and will not result in any increased impacts relative to those properties. Residents will spend most of their time within the building and use the rear gardens much in the same way as adjoining residential properties. Therefore, Officers are satisfied that the proposal will not result in any significantly adverse impacts in terms of noise once complete and in use, and therefore accords with EDMP 2015 Policy DM5 in this regard.
112. Officers recognise that the nature of construction work means there will be some temporary impact in terms of noise to local residents. The applicant proposes construction hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays, which Officers consider to be appropriate. Officers will secure these construction hours by condition and also limit construction working on public and bank holidays. The applicant has also included noise mitigation measures in the CEMP including fitting silencers to plant where possible and keeping plant and equipment serviced and maintained to high standards, keeping all plant and equipment switched off when not in use, and not permitting radios for external use. Officers are satisfied that proposed measures will mitigate the impact of noise to residents during the construction phase such that they are not significantly adverse in accordance with EDMP 2015 Policy DM5 in this regard.

Lighting

113. Down lit, external lighting is proposed to be located on the building recessed under the front canopies for the two main entrance and mounted on walls by the four doors accessing the rear gardens. Three low-level lighting bollards are also proposed to be located along the pedestrian access. The County Landscape Officer recommends that the lighting is downward focussed to avoid light spill and the Lighting Consultant raises no objection and consider the down lit lighting will eliminate nuisance glare. Officers are satisfied with this and recommend imposing a condition to secure this. Therefore, Officers are satisfied that the proposed lighting will not have a significantly adverse impact to residential amenity and consider the proposal accords with EDMP 2015 Policy DM5 in this regard.
114. During the construction phase of the development, the applicant details in the CEMP that there will be a need for flood lighting attached to the site office/welfare facility for security and health and safety purposes. This lighting will be downward facing and of a spectrum to avoid disturbing bats and residents. The security lighting will also be set on a motion sensor with a 1 minute timer. The use of lighting will be limited to the hours of construction. Officers are satisfied that the proposed lighting and mitigation measures

will ensure the proposal will not result in significantly adverse impacts in terms of lighting during the construction phase and therefore accords with EDMP 2015 Policy DM5 in this regard.

Conclusion

115. Elmbridge Borough Council have raised no objection to the proposal and consider that the proposal will have no undue detrimental impact on the visual amenities of the neighbouring occupiers regarding loss of light, outlook, overbearing impact or privacy. The Lighting Consultant is also satisfied that measures are proposed to eliminate nuisance glare from lighting on site. Officers are satisfied that the proposed development will not result in any significantly adverse impacts in terms of residential amenity and that appropriate mitigation measures are proposed for impacts during the construction phase of the development. Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

HIGHWAYS, TRAFFIC AND ACCESS

Policy

Surrey Waste Local Plan Part 1 – Policies 2020 (SWLP 2020)

Policy 4 – Sustainable Construction and Waste Management in New Development

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM7 – Access and parking

Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS25 – Travel and Accessibility

Parking Supplementary Planning Document dated July 2020 (PSPD 2020)

116. Policy DM7 of the EDMP 2015 requires the layout and siting of accesses to be acceptable in terms of amenity, capacity, safety, pollution, noise, and visual impact. Policy DM7 is clear that provisions for loading, unloading and the turning of service vehicles are expected to be designed into the scheme ensuring highway and pedestrian safety. Policy DM7 also requires access to and from the highway to be safe and convenient for pedestrians, cyclists, and motorists, and minimise the impact of vehicle and traffic nuisance, particularly in residential areas and other sensitive areas.
117. Regarding parking, Policy DM7 is clear that proposed parking provision should be appropriate to the development and not result in an increase in on-street parking stress that would be detrimental to the amenities of local residents. In such instances, a minimum provision of one space per residential unit will be required. Policy DM7 also states that garaging, cycle stores and car parking designs should be integrated into the scheme and respect the character of the area, and that hardstanding should be designed and constructed with permeable (or porous) surfacing. Impermeable paving should be limited, and the use of soft landscape maximised. Policy DM7 also requires car, cycle, and disabled parking provision to accord with the Elmbridge Parking Standards at Appendix 1.
118. Policy DM9 of the EDMP 2015 encourages new development for social and community facilities where the level of parking provision and the effects on traffic movement and highway safety are acceptable.

119. Policy CS25 of the ECS2011 directs new development that generates a high number of trips to PDL in sustainable locations within the urban area, including town centres and areas with good public transport accessibility as outlined in national policy. Policy CS25 also requires maximum parking standards to all uses and a transport assessment and travel plan for all major development proposals, to promote the delivery and use of sustainable transport. Policy CS25 seeks to protect existing footpaths, cycleways, and bridleways; delivering new cycling and walking schemes; and supports development that increases permeability and connectivity within and outside the urban area. Policy CS25 also supports improvements to transport infrastructure, with those relating to new development being delivered through the collection of developer contributions subject to viability.
120. Policy CS25 also states that detrimental environmental effects caused by transport, particularly with regards to HGVs, should be mitigated through a variety of measures, including greening the roadside and parking environment, improving air quality, noise reduction measures and traffic calming. Policy CS25 supports schemes that help to meet the commitments contained in the Elmbridge Air Quality Strategy.
121. The PSPD 2020 does not contain specific parking standards for Children's Home and NWD facility and state that individual assessment and justifications are required working on the presumption that sufficient car parking should be provided in accordance with the parking standards and reliance should not be made of on-street parking unless it has been appropriately designed. The PSPD 2020 is clear that the minimum dimension of a car parking space should be 2.5m x 5.0m. The PSPD 2020 also requires sufficient space to be provided for visitors, and operational and servicing needs. The PSPD 2020 considers cycle parking to be a key element of development and significantly encourages its provision. The PSPD 2020 is clear that cycle parking should be provided undercover, lit, secure, clearly signed and as close to the destination as possible (within 20m). As with car parking there are not specific standards on cycle parking for a Children's Home and NWD facility.
122. The PSPD 2020 expects new developments to provide EV charging points and applications should provide details of the type and location of the facilities although does not provide specific requirements for a Children's Home and NWD facility.
123. SWLP 2020 Policy 4 is clear that planning permission for any development will be granted where it has been demonstrated that:
- The waste generated during the construction, demolition and excavation phase of development is limited to the minimum quantity necessary.
 - Opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised.
 - On-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.
 - Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.

Traffic Generation

124. Several of the residents that made representations raised concerns over the increase in traffic the proposed development would bring. Residents are concerned that Ashley Road already has a lot of traffic, and is very narrow, damaged, potentially dangerous so cannot support an increase in traffic. Residents are concerned that the proposal will increase the risk to residents and pedestrian's safety, especially school children due to the application sites proximity to Ashley C of E Primary School. Concerns were also raised that the increase in traffic from the proposal will worsen existing air pollution in the area.

125. Traffic from this proposal would be generated from the construction phase and the operational phase. For the construction phase, the applicant has submitted a Construction Transport Management Plan (CTMP) which details the key considerations and challenges for the CTMP and the management strategy that is proposed to reduce construction traffic related impacts on the highway network and to the local community. The CTMP outlines that the construction phase would span 52 weeks and that the number of deliveries access the site is likely to be limited to one or two vehicles a day (2-4 movements). 10-15 staff are likely to be based at the site. The CTMP states the proposed construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00. Officers are satisfied that these hours of construction are reasonable and will help to mitigate the impact of noise to local residents, and therefore will secure them by condition. With regards to the operational phase of the development, as detailed above the building would accommodate 4 residents and 3 staff in the Children's Home and 2 residents and 1 staff in the NWD facility. Vehicle movements generated from the site will be from the site staff and an average of one visitor a day. The nature of the development is very similar to any other residential property along Ashley Road. A new access to the site is proposed and is designed in accordance with Manual for Streets. As such, whilst Officers recognise residents' concerns, Officers are of the opinion the number of vehicle movements proposed during both the construction and operational phases are not so significant for the vehicle movements to have a significant impact on highway safety or capacity, or pedestrian safety.

Construction Traffic Management Plan

126. Concerns have been raised within representations with regards to traffic from the construction phase. The CTMP breaks the construction phase into four components: enabling works, lead-in and mobilisation, construction and practical completion. The CTMP outlines that vehicles associated with this phase would be contractors' vehicles, muck away lorries, haulage vehicles and concrete mixer trucks, concrete and brick deliveries, flat bed lorries and box vans.
127. The enabling works are the first stage and include establishing of the site access, vegetation clearance, and formation of the permanent car parking area to facilitate on-site parking for construction staff. Following this would be site set up by installing site hoarding along the boundary and signage. Space would be made available for the storage of materials and waste and for the unloading and loading of haulage vehicles. However, as outlined in the above section on trees, further detail is required with regards to the location on site of the materials storage area to ensure it is not within the CEZ for trees and as such Officers have included the provision of a material storage plan within the updated CEMP condition. Parking would be made available on site for construction staff to limit off site parking although the CTMP recognises there is parking available at Ashely Park Car Park and The Heart Car Park alongside other sustainable transport methods to the site including cycling and public transport.
128. As outlined above and as can be seen in the photographs appended to this report, a new site access onto 10 Ashley Road will be required and a new pedestrian access is proposed. Vehicle access is proposed to be directly onto the B365 Ashley Road via a new vehicle crossover. A visibility splay of 2.4m x 45m will be provided for the site access in accordance with the Manual for Street standards for a road with a 30mph speed limit and the Surrey County Council Vehicle Crossover Guidance Document dated June 2020¹². Officers also consider that the proposed separate vehicle and pedestrian accesses will ensure conflict between vehicles and pedestrians are avoided on the application site. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM7 in terms of site access layout, safety, and capacity. The site access and car park are proposed to be finished with permeable surfacing and the

¹² [Surrey County Council Vehicle Crossover Guidance Document dated June 2020](#)

pedestrian access footpath is proposed to be finished with block paving and have low level bollard lighting. The proposed location for the pedestrian access is in the middle of the site's frontage with Ashley Road and the vehicle access is in the middle of the southern half of the site's frontage onto Ashley Road. Officers consider that the proposed access locations along the site frontage onto Ashley Road are appropriately distanced from the site's neighbouring properties to the north and south to mitigate noise and pollution to those residents. Officers also consider that the proposed vehicle access is sufficiently offset from the access of 15 Ashley Road opposite the application site on the eastern side of Ashley Road. Consequently, Officers are satisfied that the proposal accords with EDMP 2015 Policies DM7 and DM9 in terms of site access siting, safety, amenity, visual impact, and pollution.

129. The CTMP outlines that the site access would be constructed as part of the temporary works package and would be delivered under a Section 184 of the Highways Act¹³. To allow for its construction, temporary diversion of pedestrians may be necessary from the western footway of Ashley Road. Temporary pedestrian diversions to the eastern footway are proposed to mitigate this impact and will be agreed with the CHA.
130. The CTMP outlines that construction vehicles would load and unload within the application site on the dedicated car park area with a banksman managing safe access to and from the site. Because of the number of trees on site, larger vehicles visiting the site will be unable to turn within the site and as such would have to access the site in forward gear and egress in reverse gear on the supervision of a banksman or visa versa. Swept path drawings for a small skip van and a tipper have been provided in the CTMP.
131. The CTMP states that construction traffic would use the most direct and strategic routes to access the site. The CTMP explains that the site manager will use a material control register to schedule deliveries to the site, so they are staggered throughout the day, typically between 09:00 and 15:00 to avoid peak highway network and school drop-off and pick-up times. The CTMP is also clear that access to neighbouring residential properties will be maintained through the construction of the development unless prior agreement has been received. The CTMP states a "Construction Liaison Officer" will be appointed to manage this communication and any complaints that arise and the site management contact details will be displayed on the site hoardings. Officers are satisfied that the proposed measures will help to ensure the safety of residents and other highway users. Officers are also satisfied that should residents have concerns; these can be managed by the construction liaison officer. Therefore, Officers are satisfied that the proposal accords with ECS2011 Policy CS25 in this regard. Officers are also satisfied that the proposed delivery management outside peak congestion hours will assist to mitigate congestion on the highway and accords with ECS2011 Policy CS25 in this regard.
132. The CTMP details the management and monitoring of the CTMP and construction phase of the development, including health and safety requirements for construction staff and the appointment of a CTMP Coordinator to oversee the implementation and management of the CTMP. The CTMP provides details of dust suppression measures, noise and vibration control and also measures for keeping the public highway clean including wheel washing facilities at the site entrance, damping down materials to control dust and provision of a hard standing loading area to minimise vehicles crossing over mud. Vehicles importing and exporting materials will be covered with sheeting, and a water bowser will be available onsite during periods of extended dry weather, this will be used to damp down roadways and walkways. Officers are satisfied that the proposal accords with EDMP 2015 Policy DM7 and ECS2011 Policy CS25 in this regard.

¹³ Vehicle crossings over footways and verges.

133. The applicant has provided a number of documents outlining how the construction phase would work including an indicative site set-up and logistics plan within the AMS, a Construction Traffic Management Plan (CTMP) and the Construction and Environmental Management Plan (CEMP). These plans suggest locations for the site office/welfare facility and for material storage. Officers have noted in these documents that the material storage across all the plans are partially located within the CEZ and the County Arboriculturist has also raised concerns on this aspect. Although space is limited on the site due to the number of retained trees, Officers consider there is sufficient space for the material storage and site office/welfare facility to be located outside the CEZ. Officers recommend the approval of the Tree Protection Plan which will secure the CEZ and proposed tree protection fencing and consider further detail should be provided as to where the material storage and site office/welfare facility will be located and how the risk to tree root protection systems are mitigated. Therefore, Officers propose the further details be included in the updated CEMP by condition. Officers also consider that further information should be provided with regards to site waste management in the CEMP as the current information is incomplete.
134. The County Highway Authority (CHA) has undertaken an assessment of the proposal on safety, capacity, and policy grounds including the proposed manoeuvring of lorries into and out of the site and recommends the inclusion of a condition requiring the development be constructed in accordance with the CTMP. The CHA also recommends a number of informatives on other works to the highway, mud/debris on the highway, accommodation works, damage to the highway, and statutory utility works. The CHA recommends this condition and these informatives to ensure the development will not prejudice highway safety or inconvenience other highway users.
135. Officers recognise that the construction phase will result in some temporary impact in terms of traffic and highway, however the applicant has proposed mitigation measures within the CTMP. Officers consider the proposed swept path drawings are appropriate to ensure the safety of highway users during construction deliveries and once the vehicle is parked on site, will not impact on highway traffic and flow. The County Highway Authority has not raised any issues with the proposed approach and seeks to secure the maintenance of the highway by condition. With regards to the new access itself, Officers note that residents are concerned with the proposed site accesses close proximity to a difficult junction with poor visibility. However, Officers are satisfied that the proposed vehicle access will offer sufficient visibility to ensure safe entry and egress from the site and without compromising the safety of other users on Ashley Road. The CHA has undertaken an assessment of the proposal in terms of safety, capacity, and policy grounds, and raises no objection to the proposed access subject to a condition on requiring the new access to be completed with the proposed visibility splays prior to the first occupation of the development. The CHA also recommends that the access condition require the visibility zones to be kept permanently clear of any obstruction over 1.05m high. In terms of access, the CHA also recommends an informative on new/modified vehicle crossovers and dropped kerbs.
136. Therefore, Officers are satisfied that the construction phase and installation of a new access accords with EDMP 2015 Policy DM7 and DM9 in terms of highway safety.

Onsite Parking

137. The Transport Statement explains that as the four residents in the Children's Home and two emergency residents in the 'No Wrong Door' facility will be aged between 12 and 17 years old, they will not own a private vehicle in need of site parking. Therefore, the site access and parking has been designed to accommodate the site staff and an average of one visitor per day. The applicant proposes a car park with total of five park spaces, including one accessible bay. The submitted Planning Statement explains that parking spaces will be standard size, and that the proposal has been designed to accommodate sufficient parking on site, thus negating the need for on street parking.

Officers note that the PSPD 2020 recommends that parking spaces are 2.4m by 5.0m, however the proposal comprises standard parking spaces which are 2.4m by 4.8m. The County Highway Authority commented that the proposed sizes are acceptable and in accordance with the recommendations in the Surrey Transport Plan: Parking Strategy¹⁴. The proposed car park location is setback from Ashley Road and located in front of both parts of the building. Officers consider that the setback location of car park minimises the impact of noise and pollution from site traffic and parking for users of Ashley Road. The proposed parking area will include a dual EV charging point allowing 2 vehicles to charge at once. Officers are satisfied that the proposed car and disabled parking provision accords with the Elmbridge Parking Standards at Appendix 1 and the PSPD 2020 and that the proposal accords with EDMP 2015 Policies DM7 and DM9, and ECS2011 Policy CS25.

138. Visitor cycle parking is also proposed to be located at the front of the proposed Children's Home part of the building and to the north of the pedestrian access alongside cycle parking within each of the rear gardens for the residents of both parts of the property. The CHA recommends that the proposed cycle parking be covered, and this is also reflected in the PSPD 2020. Officers consider that this can be addressed by condition. Officers are satisfied that the proposed locations for the cycle parking integrate well with the site layout and will offer appropriate provision for the residents, staff, and visitors of the site. Officers are also satisfied that the cycle parking accords with the Elmbridge Parking Standards at Appendix 1 and the PSPD 2020. Therefore, Officers consider the proposal accords with EDMP 2015 Policy DM7 and the PSPD 2020 in this regard. Officers are satisfied that the provision of multiple cycle parking and the electric charging points supports the use of the sustainable travel options alongside the proposed site's location also encourages walking and use of public transport, Consequently, Officers are satisfied that the proposal maximises opportunities for sustainable travel and therefore accords with ECS2011 Policy CS25 in this regard
139. The CHA has undertaken an assessment of the proposal in terms of safety, capacity, and policy grounds, and raises no objection to the proposed parking subject to two conditions requiring sufficient space to be 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; and all cycle parking to be secure, covered and lit. The other conditions require the installation of the two electric vehicle charging points prior to the first occupation of the building. The CHA also recommends the inclusion of an informative on electric vehicle charging on the responsibility of the development to ensure electricity supply is sufficient and meet future demands.

Conclusion

140. Elmbridge Borough Council raise no objection to the proposal on highway, traffic, parking, or access. The CHA also raises no objection subject to a number of conditions to secure the development is undertaken as proposed and will not prejudice highway safety or inconvenience other highway users. Officers consider that the proposed parking and access design, scale and layout is appropriate for the requirements of the development and will not compromise the safety of residents, staff and visitors of the development and other highway users.
141. Officers recognise that the construction phase will result in temporary disruption to other highway users and acknowledge residents' concerns of the proposed development's impact on traffic on Ashley Road where traffic is already perceived to be severe. However, Officers are satisfied that the applicant has proposed sufficient mitigation measures to minimise the impact of the development during construction. Therefore, in view of the temporary nature and proposed mitigation measures, Officers

¹⁴ [Surrey Transport Plan: Parking Strategy January 2020 Update](#)

consider the proposed impacts from the construction of the development will not result in significantly adverse impacts in terms of traffic.

142. Residents have also requested that road signs to slow traffic as lots of speeding on Ashley Road. Officers are satisfied that the small number of vehicle movements generate from the site does not justify the need for road signs and that speeding on Ashley Road is not relevant to this application. Officers propose to raise the resident concerns with the relevant department within the County Highway Authority to see whether these can be addressed another way.
143. In view of paragraphs 124 to 142, Officers consider that the proposed development satisfies Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
-

Human Rights Implications

144. The Human Rights Act Guidance for Interpretation contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
145. It is recognised that there would be short term slight adverse impacts in terms of minor highway disruption during the construction phase of development. Officers consider that once constructed, however, the impacts would be negligible. Nevertheless, it is Officer's view that the scale of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impacts can be mitigated by planning conditions. As such, this proposal is not considered to interfere with any Convention right.
-

Conclusion

146. The proposal is for the development of a new Children's Home and No Wrong Door Facility with associated parking, access and landscaping at 10 former Ashley Road, Walton on Thames.
147. Officers consider that there is an identified need for the proposed development within the borough of Elmbridge, and Officers are satisfied that the application site is a suitable location for new development within the borough of Elmbridge with good access to sustainable travel options. Officers are satisfied that the proposed scale and layout of the development makes efficient use of space, is in keeping with surrounding properties in terms of scale and mass, and that the proposed building is appropriately scaled for the site and its function. Officers consider that the proposed design integrates into the local character, is sustainable and supports the nature of the development. Officers are satisfied that the proposed landscaping enhances the site in terms of biodiversity, amenity, and design.
148. Officers consider that the proposed removal of trees is acceptable and are satisfied that the retained trees will be protected during and following the construction of the development. Officers are satisfied that the impacts to ecology and biodiversity have been appropriately considered and that suitable mitigation measures are proposed to ensure ecology is not harmed during the construction and the retained biodiversity is protected and enhanced through the development. Officers consider that the submitted documentation demonstrates that the existing shelter is not of significant habitat value and therefore can be removed. Officers are satisfied with the proposed 11% biodiversity net gain mitigates the biodiversity lost from the proposed tree removal and vegetation clearance.
149. Officers consider that the proposed surface water drainage strategy will accommodate the site surface water and not increase the risk of flooding at the rest or in the locality. Officers are satisfied that the proposed development will not result in any significantly

adverse impacts in terms of residential amenity and that appropriate mitigation measures are proposed for impacts during the construction phase of the development.

150. Officers consider that the proposed parking and access design, scale and layout is appropriate for the nature of development and will not compromise the safety of residents, staff and visitors of the development and other highway users. Officers are satisfied that the applicant has proposed sufficient mitigation measures to minimise the impact of the development during construction.
151. Of the consultees that have responded, none have raised an objection to the proposal, including Elmbridge Borough Council, the County Landscape Officer, the County Ecologist, the County Arboriculturist, and the County Highway Authority. A number of conditions have been proposed by consultees for the provision of further details. Six letters of representation have been received as part of the proposal raising concerns with traffic and the nature of the development which Officers have addressed in the report where appropriate.
152. In view of the details in paragraphs 29 to 143 above, Officers are satisfied that the proposal accords with the relevant development plan policy and therefore should be approved.

Recommendation

153. That, pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, planning application ref: **EL/2020/3112** be **permitted** subject to the following conditions:

Conditions:

Commencement

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Approved Plans

2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

Drawing ref: 60642443-AEC-00-00-DR-AR-100101 Rev P2 Location Plan dated 18 November 2020

Drawing ref: 60642443-AEC-00-00-DR-AR-100102 Rev P2 Existing Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-XX-DR-AR-100001 Rev P1 Existing Site Elevations Sections dated 28 October 2020

Drawing ref: 60642443-AEC-00-XX-DR-AR-100003 Rev P1 Proposed Site Sections and Elevations dated 28 October 2020

Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

Drawing ref: 20/083/01 Rev A Detail Survey dated 16 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW001 Rev C Tree Constraints Plan dated 18 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-UT-000001 Rev P02 Utility Connection Plan dated 28 October 2020

Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-CE-000001 Rev P02 Site Access GA Visibility Splay dated 28 October 2020

Hours of Construction

3. In carrying out the development hereby permitted, no construction activities shall take place except between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. There shall be no working on Sundays, Bank, National or Public Holidays.

Construction and Environment Management Plan

4. Prior to the commencement of development hereby permitted (including demolition and ground works), an updated Construction and Environment Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) shall include the following.
 - a) Introduction
 - b) Planning Context
 - c) Overview and Project Introduction
 - d) Ecology and Environment Aspects
 - i. Risk assessment of potentially damaging construction activities.
 - e) Project Contact List
 - i. Responsible persons and lines of communication.
 - ii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - f) Construction Site Rules
 - g) Complaints Procedure
 - h) Emergency Spillage Plan
 - i) CEMP requirements
 - j) Access and Deliveries
 - k) Site Logistics
 - l) Mitigation and Control Measures

- i. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - ii. The location and timing of sensitive works to avoid harm to biodiversity features.
 - iii. The times during construction when specialist ecologists need to be present on site to oversee works.
 - iv. Use of protective fences, exclusion barriers and warning signs.
 - v. Management of existing trees during construction (including replacement procedure of trees damaged/removed during/for construction);
- m) Site Waste Management Plan and management procedure for construction waste.
- n) Structure removal
- i. details of any structural works to be carried out;
 - ii. details of any remediation or restoration works to be carried out including what material would be used as infill and to what depth the material would be spread to; and if further soil is to be added details of the volume, depth and how the soil would be placed between any air gaps in the infill material to avoid soil being washed away over time;
 - iii. details of how trees around the existing structure would be protected during any works;
 - iv. whether further surveys are required;
 - v. Details of what plant and machinery to be used; and
 - vi. Access for structure removal including with regards to the Tree Protective measures
- o) Material Storage Plan

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Arboricultural Method Statement

5. The development hereby permitted shall be carried in accordance with the approved Arboricultural Method Statement Rev 00 dated 18 February 2021.

The development shall be implemented and managed strictly in accordance with the approved scheme.

Landscaping

6. Within 3 months of the commencement of development, a Hard and Soft Landscaping Scheme shall be submitted to and be approved in writing by the County Planning Authority. The scheme shall include details of:

- a) The nature of the hard surfacing to be used for the car park and footpaths on the site;
- b) A plan showing where soft landscaping shall be provided and a planting schedule of what planting shall be carried out in the form of species, density of planting, proposed numbers, sizes of plant and management arrangements; and
- c) Location and measurements of four raised growing beds for the Children's Home rear garden
- d) Maintenance programme as a matrix:
 - i. walkover visits to occur between March and September over the 5 years;
 - ii. regular watering in line with recommendations outlined in BS 8545:2014 undertaken during the summer months (ideally using industry standard watering bags (Approximately 60 litres) single bag around each tree to minimise manual watering and reduce plastic built up in the environment);
 - iii. annual weeding and re-application of mulch around each tree;
 - iv. formative pruning as necessary; and
 - v. the regular adjustment of tree ties and stakes and their eventual removal when the tree becomes self-supporting. The ties between the tree and the double stakes should ideally be biodegradable hessian material (or similar).

Such maintenance shall also include the replacement of any tree or shrub which is removed, uprooted, destroyed, dies or becomes in the opinion of the County Planning Authority seriously damaged, defective or not to BS 8545:2014. The replacement shall be of the same species and size and in the same location as that originally planted.

Each maintenance site visit is to be recorded in a template, recording date, type of works undertaken, photographs of works to be included within the template report and report signed off by the operative. This it to be supplied to the County Planning Authority on completion of works.

In the event of the failure of any soft landscape planting in the first five years of planting, such planting shall be replaced with an equivalent number of live specimens of the same species by not later than the end of the first available planting season following the failure, damage or removal of the planting. The development shall be implemented and managed strictly in accordance with the approved scheme.

Ecological Protection

7. Any vegetation clearance carried out in connection with the development hereby permitted, including to facilitate the discharge of prior to commencement conditions, shall be carried out in accordance with the Ecological Impact Assessment Report dated October 2020. Should any works take place during the bird or reptile breeding season, a pre-works check shall be carried out by a suitably qualified ecologist to confirm the absence of birds, reptiles and bats on the site and this confirmation provided in writing to the County Planning Authority within five working days of this check.

Tree Protection

8. Prior to the commencement of the development hereby permitted, the Tree Protection measures, including tree protection fencing and construction exclusion zone shall be installed on the site in accordance with the approved drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021 and retained during the construction phase of the development.

Tree Removal

9. No trees shall be removed except for those identified on the approved drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021 and retained during the construction phase of the development.

Lighting

10. The installation of external lighting as part of the development hereby permitted shall be installed in accordance with approved drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021. In order to avoid any upward glare of light from the external lighting installed to minimise light spill outside the boundary of 10 Ashley Road, all external lights should be directed downwards.

Sustainable Drainage Strategy

11. The development hereby permitted shall be carried out in accordance with the approved Utility, Flood Risk and Drainage Strategy Rev P03 dated 13 January 2021 and Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021.

The development shall be implemented and managed strictly in accordance with the approved scheme.

Drainage Method Statement

12. Prior to the commencement of development, a method statement detailing how the surface water drain and chamber, as shown on plan 60642443-ACM-XX-00-DR-DR-000001 rev P04 "Surface and Foul Water Drainage Strategy" dated 17 February 2021, is to be installed where it crosses the tree protection fencing shall be submitted to and approval in writing by the County Planning Authority. This must include the supplying of a digital record (photograph) to show the section of the trench within the root protection area once excavation has been undertaken to the County Planning Authority. The development shall be implemented and managed strictly in accordance with the approved scheme.

Infiltration Testing

13. Prior to the commencement of the development hereby permitted the results of groundwater investigation survey and soakage test to confirm soil conditions, groundwater levels and the potential for infiltration shall be submitted to and approved in writing by the County Planning Authority.

Verification Report

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the County Planning Authority. This must demonstrate that the 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).

Construction Transport Management Plan

15. The development hereby permitted shall be carried out in accordance with the approved Construction Traffic Management Plan, Rev 1 dated 27 October 2020 submitted with the application, subject to the final detailed site locations for materials storage and site office as required in accordance with the CEMP under condition 4 above.

Parking and turning

17. Prior to occupation, parking shall be provided within the site in accordance with the approved plan drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 for vehicles to be parked, for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, and turning areas shall be retained and maintained for their designated purposes.

Cycle Parking

18. The development hereby permitted shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development site, have been provided in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the County Planning Authority.

New Access

19. Prior to occupation the proposed vehicular and pedestrian accesses to Ashley Road must be constructed and provided with visibility zones in accordance with the approved drawing ref: 60642443-ACM-XX-00-DR-CE-000001 Rev P02 Site Access General Arrangement dated 28 October 2020 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Electric Vehicle Charging

20. Prior to occupation two of the vehicle parking spaces must be 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) in accordance with the approved drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 and thereafter retained and maintained.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, nor adversely impact residential amenity, in accordance with Policies DM5 and DM7 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.

4. To ensure that construction works can be carried out to mitigate impacts of the development on ecology, retained trees and residential amenity and in place prior to construction work commences on the site. To ensure the health and safety of site operatives can be protected throughout the development prior to site operatives commence working on the site, and to ensure that waste can be sustainably managed on site and avoid polluting the environment prior to works commencing on the site.

To prevent pollution to the environment, to protect species of conservation concern, to ensure proper waste management; and to protect residential amenity Policy 4 of the Surrey Waste Local Plan Part 1 – Policies 2020, Policies DM6, DM8 and DM9 and of the Elmbridge Development Management Plan 2015; and BS:42020.

5. To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011
6. To ensure that the development integrates well with its surroundings and protects the amenity of the locality in accordance with Policies DM2, DM6, DM21 of the Elmbridge Development Management Plan 2015 and Policies CS1 and CS17 of the Elmbridge Core Strategy 2011.
7. To ensure the protection of ecology and biodiversity during the construction phase in accordance with Policy DM21 of the Elmbridge Development Management Plan 2015
8. To ensure tree root systems are protected from compaction and other impacts and that the construction exclusion zone and tree protective fencing is installation on site before construction work begins on site.

To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011.

9. To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011.
10. To safeguard residential amenity and minimise impact on bats in accordance with Policies DM5 and DM21 of the Elmbridge Development Management Plan 2015
11. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, and in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.
12. To ensure that the tree root systems of T1 and T2 are protected during the installation of the surface water drainage pipe through the construction exclusion zone and tree protection fencing prior to commencement of work on site and the installation of tree protection fencing.

To ensure the protection of tree root systems in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

13. To ensure that infiltration is carried out in accordance with the SuDS hierarchy and included into the development should it be found to be viable prior to commencement of workings on site.

To ensure infiltration is investigated as a possible mode of SuDS in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.

14. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, and in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.
15. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
16. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
17. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
18. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
19. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011

Informatives:

1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: (delete as appropriate) entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on noise/traffic/odour/air quality/dust/heritage/flooding/landscape/ecology/visual impact/Green Belt and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions and the County Planning Authority has also engaged positively in the

preparation of draft legal agreements. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

2. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
3. The applicant is advised to read the Thames Water guide on working near or diverting Thames Water pipes: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
4. Prior approval from Thames Water Developer Services is required for the discharge of surface water into a public sewer. Please refer to the Thames Water website for further information: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via ww.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
7. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in

advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

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 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.
10. 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.
11. 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.
12. 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.
13. Biosecurity is very important to minimise the risks of pests and diseases being imported into the UK and introduced into the environment. It is recommended that all trees grown abroad, but purchased for transplanting, shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees entered the UK, their origin and the length of time they have been in the nursery should be requested before the commencement of any tree planting. If this information is not available, alternative trees sources should be used. You are advised to consult the relevant UK Government agencies such as the Animal and Plant Health Agency (APHA) and the Forestry Commission for current guidance, Plant Passport requirements and plant movement restrictions. Quality Assurance Schemes followed by nurseries should also be investigated when researching suppliers. For larger planting schemes, you may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.

Town and Country Planning Act 1990 – guidance on the determination of planning applications

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to [National Planning Policy Framework](#) (NPPF) was updated

in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) [waste](#); [traveller sites](#); [planning for schools development](#); [sustainable drainage systems](#); [parking and Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social and environmental.

The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications, the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

Human Rights Act 1998 Guidance For Interpretation

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions

and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

Contact Stephanie King

Tel. no. 020 8541 9525

Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

Other documents

The following were also referred to in the preparation of this report:

Government guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)

[Elmbridge Borough Council Development Management Plan 2015](#)

[Elmbridge Borough Council's Core Strategy 2011](#)

[Parking Supplementary Planning Document dated July 2020](#)

[Elmbridge Design and Character Supplementary Planning Document dated April 2012](#)

[Design and Character Supplementary Planning Document Companion Guide: Walton On Thames dated April 2012](#)

Other Documents

[Surrey Transport Plan: Parking Strategy January 2020 Update](#)

[Surrey County Council Vehicle Crossover Guidance Document dated June 2020](#)

[Cabinet meeting dated 21 July 2020: Agenda, decisions, and minutes](#)

[Surrey County Council SuDS Design Guidance Version 1.1 dated 2 July 2019](#)

[London Housing Design Guide dated August 2010](#)



Key

- Amenity Grass
- Tall/Medium Hedge and Shrub Planting
- Proposed Footpaths
- Proposed Block Paving
- Existing Buildings Demolished
- Site Boundary Line
- Existing Trees
- Existing Trees Removed
- Existing Tree Group
- Lighting Under Canopy
- Wall Mounted Downlights
- Bollard Lights
- 1.8m CBT Fencing

Existing Trees - Positions and canopies as per tree constraints plan. Please refer to Arboricultural Impact Assessment for full details.

Position of Growing beds shown indicatively, final position to be agreed by condition.



Project
 Ashley Road,
 Walton-on-Thames

**Proposed New
 Children's Home**

Client
 Surrey County Council

Consultant
 AECOM
 Aldgate Tower
 2 Leman Street
 London E1 8FA
 United Kingdom
 Tel +44 (0) 20 7061 7000
 www.aecom.com

Notes

Issue/Revision

Rev.	Date	Description	DD
P3	17/02/21	RPZ outlines removed	DD
P2	16/12/20	Annotation and Notes updated	DD
P1	08/10/20	Planning Submission	DD
Rev.	Date	Description	Dm/Chk/Apr

Key Plan

Purpose Of Issue

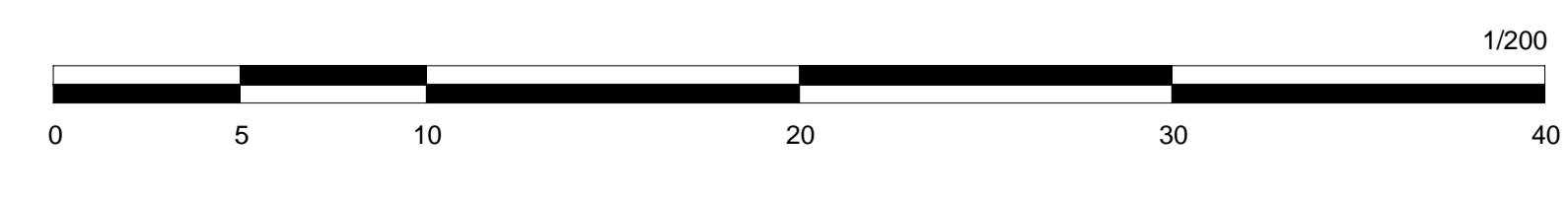
Project Number
 60642443

Sheet Title
 Proposed Site Plan

Sheet Number
 60642443-AEC-00-00-DR-AR-100104

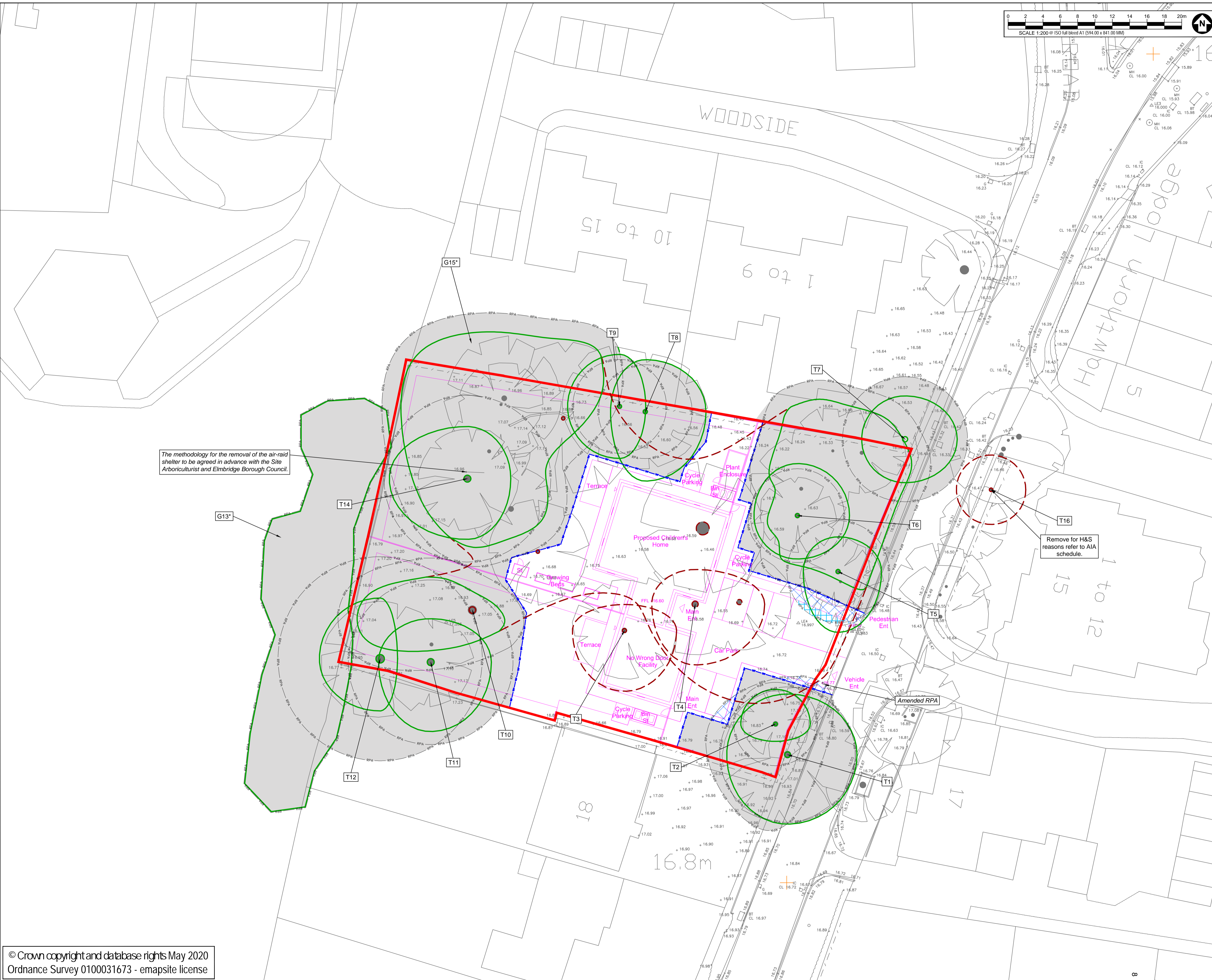
Scale: As indicated @A1 **Rev:** P3

Proposed Site Plan - 1/200



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The methodology for the removal of the air-raid shelter to be agreed in advance with the Site Arboriculturist and Elmbridge Borough Council.

Remove for H&S reasons refer to AIA schedule.

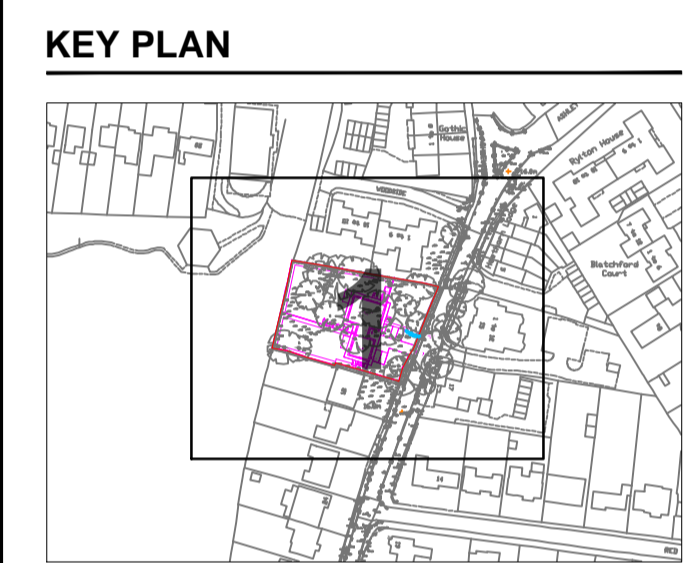
AECOM

PROJECT
 Ashley Road,
 Walton-on-Thames - Proposed
 New Children's Home

CLIENT
 Surrey County Council

CONSULTANT
 AECOM
 Mid Point, Alencon Link,
 Basingstoke, Hants,
 RG21 7PP
 Tel +44 (0) 1256 310 200
 www.aecom.com

- GENERAL NOTES**
- TREE CATEGORIES AS DEFINED BY BS 5837:2012
 - TREE LOCATIONS ARE BASED ON GPS CO-ORDINATES FROM ON SITE WALKOVER.
 - * INDICATES A TREE / GROUP WHOSE POSITION IS APPROXIMATE AS BASED UPON AERIAL PHOTOGRAPHY AND ON SITE OBSERVATIONS.
 - PLANS SHOULD BE READ IN CONJUNCTION WITH THE AECOM ARBORICULTURAL REPORT.
 - THE ORIGINAL OF THIS DRAWING WAS PRODUCED IN COLOUR - A MONOCHROME COPY SHOULD NOT BE RELIED UPON.
 - DRAWING REFERENCES:
 OS MasterMap_Ashley_Road
 20-083-01P



KEY

- SITE BOUNDARY
- EXISTING TREE, GROUP OR HEDGE TO BE RETAINED
- EXISTING TREE, GROUP OR HEDGE TO BE REMOVED
- ROOT PROTECTION AREAS (RPA) OF RETAINED TREES (AS DEFINED BY BS 5837:2012)
- TREE PROTECTION FENCING
- CONSTRUCTION EXCLUSION ZONE (TRACKING OF PLANT, MATERIALS STORAGE, EXCAVATION AND ALL OTHER CONSTRUCTION ACTIVITIES ARE EXCLUDED WITHIN THESE AREAS FOR THE PURPOSES OF PROTECTING TREE HEALTH)
- CONSTRUCTION WORKING ZONE (MANAGED CONSTRUCTION PROCESSES PERMITTED IN ACCORDANCE WITH THE PRINCIPLES SET OUT WITHIN THE ARBORICULTURAL IMPACT ASSESSMENT)
- GROUND PROTECTION (IN ACCORDANCE WITH THE ARBORICULTURAL IMPACT ASSESSMENT)
- PROPOSED DEVELOPMENT LAYOUT (BASED UPON DRAWING REFS: 30562292-014-AEC-00-00-DR-AR-100104 Proposed Site Plan P27)

ISSUE/REVISION

B	05-02-21	Updated with comments
A	18-10-2020	First Issue
I/R	DATE	DESCRIPTION

DRAWING STATUS

ISSUE

PROJECT NUMBER
 60642443

SHEET TITLE
 TREE PROTECTION PLAN

SHEET NUMBER **REV.**
 60642443-ACM-XX-XX-DR-AB-CHW002 B

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2019 Aerial Photos

Aerial 1 10 former Ashley Road, Walton on Thames

Walton Town Centre

High Street

Ashley C of E Primary School

Hersham Road (A244)

Ashley Road (B365)



Ashley C of E Primary School playing field





2019 Aerial Photos

Aerial 2 : 10 former Ashley Road, Walton on Thames



1 - 15 Woodside

1 – 5 Hawthorn Lodge,
Ashley Road

Ashley C of E Primary School playing field

1 – 12 Ashley Place,
15 Ashley Road

1-6, 17 Ashley Road

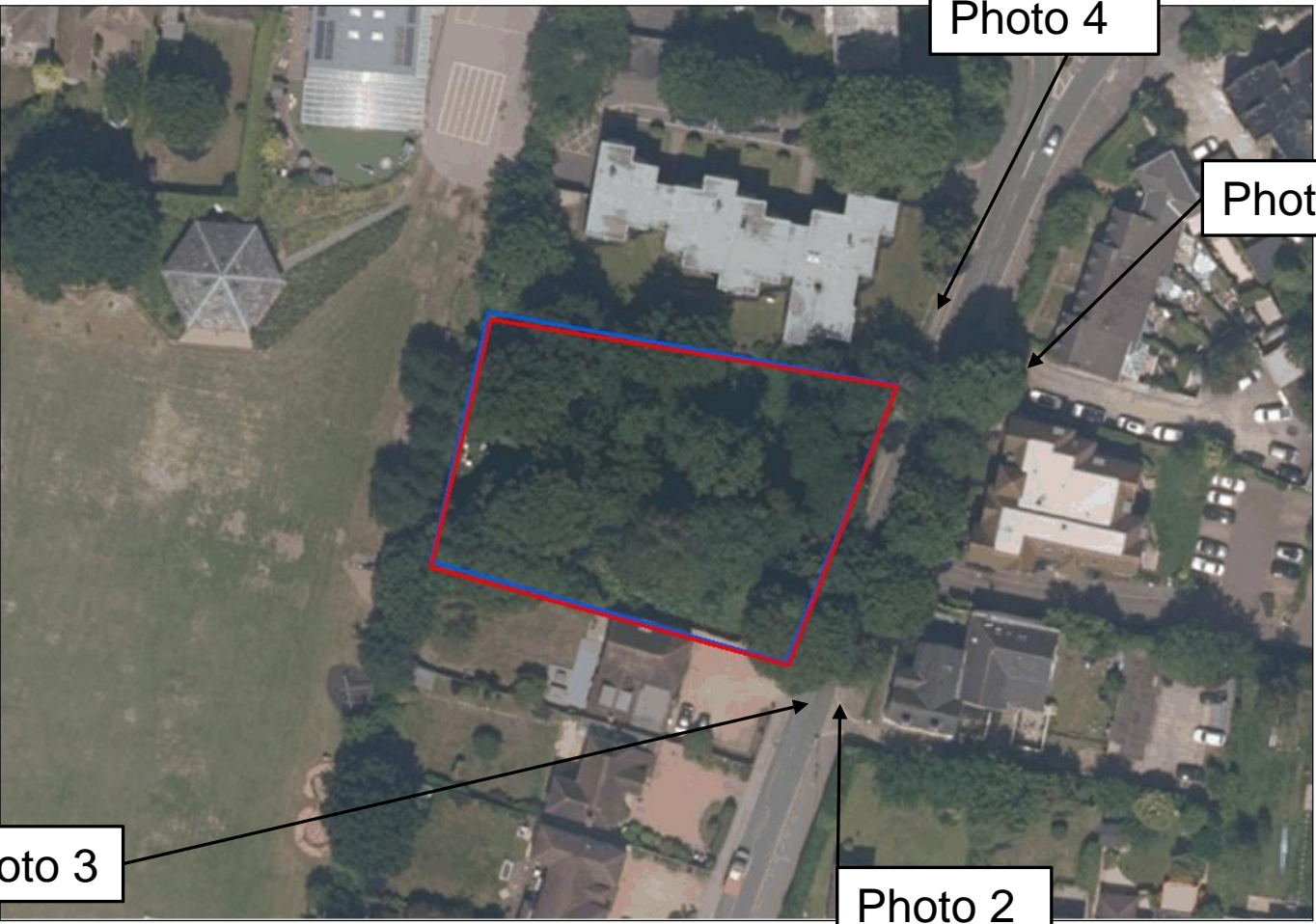
18 Ashley Road

Page 134



2019 Aerial Photos

Aerial 3 10 former Ashley Road, Walton on Thames



Page 135

Photo 3

Photo 2

Photo 4

Photo 1





SURREY

2021 Site Photographs Photo 1 10 former Ashley Road, Walton on Thames

Category A tree
(ID T1)



2021 Site Photographs Photo 2 10 former Ashley Road,
Walton on Thames





SURREY

2021 Site Photographs Photo 3 10 former Ashley Road,
Walton on Thames

Page 138



2021 Site Photographs Photo 4 10 former Ashley Road,
Walton on Thames



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SURREY
COUNTY COUNCIL

To: Planning & Regulatory Committee
By: Planning Development Manager
District(s) Woking Borough Council

Date: 25 March 2021

Electoral Division(s):
Woking North
Mr Carasco
Goldsworth East and Horsell Village
Mr Kemp

Case Officer:
Dawn Horton-Baker
Grid Ref: 500420 159386

Purpose: For Decision

Title: Surrey County Council Proposal WO/2020/1090

Summary Report

Shaw Family Centre, Chobham Road, Woking, Surrey GU21 4AS

Demolition of existing family contact centre and redevelopment of new family contact centre with associated car parking, access, and landscaping.

The application is for the redevelopment of existing Shaw Centre site with a new modern building and associated access and parking to provide a replacement Family Contact Centre. The site lies within the Urban Area and is acceptable in principle with the main issues being the impact of the proposal on the area including the impact on visual amenity, impact on residential dwellings and impact on highway traffic and safety. The proposal involves the removal of an existing building and a number of existing trees. Replacement tree and landscape planting will be provided. The proposal involves a new access onto Chobham Road together with off-site highways works including the relocation of the existing bus stop and tactile paving to enable a safer crossing point.

73 dwellings around the site were sent an individual letter and as a result of that there have been a number of objections raised to the proposal which are detailed in the report. The District Council has no objection to the proposal nor does the County Highway Authority and other consultees have recommended various conditions. The proposal has been thoroughly assessed and is considered to comply with the relevant Development Plan Policies.

The recommendation is to Approve subject to conditions

Application details

Applicant
SCC Property

Date application valid
26 November 2020

Period for Determination
21 January 2021

Amending Documents

DD462L01 B Soft Landscape Plan dated 14 January 2021
 Biodiversity Net Gain Assessment
 Arboricultural Method Statement dated February 2021
 03/02/21 Email from Agent - amplifying/clarifying information
 09/03/21 view from no.3 Wheatsheaf Close.jpg
 09/03/21 view from no.5 Wheatsheaf Close.jpg
 10/03/21 E-mail from agent with amplifying information Views from 1, 3 and 5 Wheatsheaf Close.jpg

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

ISSUE	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this issue is discussed
PRINCIPLE OF DEVELOPMENT	YES	26-28
DESIGN AND IMPACT ON VISUAL AMENITY OF THE AREA	YES	29-32
HERITAGE	YES	33-39
IMPACT ON RESIDENTIAL AMENITY	YES	40-62
ACCESS, HIGHWAYS AND PARKING	YES	63-68
IMPACT ON TREES/PROPOSED LANDSCAPING	YES	69-74
ECOLOGICAL IMPLICATIONS	YES	85-82
SUSTAINABLE CONSTRUCTION	YES	83-85
FLOODING AND SUSTAINABLE DRAINAGE	YES	86-92

Illustrative material

Site Plan

Plan 1

Aerial Photographs

Aerial 1, 2

Site Photographs (provided by the applicant)

Photo 1 View from Chobham Road of existing ACT building (to be retained) and unadopted road to south of site currently used for access

Photo 2 showing application site and existing parking looking west toward ACT building (to be retained). Flat roofed buildings to be demolished as part of the proposal

Photo 3 showing one of the existing buildings to be demolished

Background

Site Description

- 1 The site is located within the built-up area of Woking and has a frontage with Chobham Road (A3046) and is currently used as a Family Centre known as West Surrey (Shaw) Family Centre. The application site comprises approximately 0.23 hectares occupied partly by a pair of single storey prefabricated structures located to the rear of a more substantial 1.5 storey building which fronts Chobham Road. This 1.5 storey building is not part of the submitted proposals but will be refurbished separately and remain in Surrey County Council Use. The remainder of the site to the east of the prefabricated buildings is open and used partly for car parking with the remainder laid to grass and containing a number of significant trees along its boundaries as well as other vegetation. To the west up to Chobham Road is a further grassed area with boundary screening along Chobham Road.
- 2 The surrounding area is predominately residential with a large recreation area directly to the south of the application site known as Wheatsheaf Common. This is registered Common Land and falls within the Green Belt which extends to the east towards London. Wheatsheaf Conservation Area lies to the south of Wheatsheaf Common and extends to the west of the application site on the opposite side of Chobham Road.
- 3 Running between Wheatsheaf Common and the application site is an unadopted road which currently serves as access to the site as well as to residential properties on the neighbouring land to the east of the application site. This road also forms part of a public right of way (footpath 405) which runs to the east. The proposal includes the extinguishment of this means of access into the application site and a new dedicated access would be provided from Chobham Road.

Planning History

- 4 The planning history relates to the existing use of the site, with the most recent application being 15 years ago for a portable building. Prior to this, historic applications relate to the opening hours and the original change of use to a Family Centre (Reference WO87/0203).
- 5 Whilst these previous applications are of interest to provide some background, none of them are considered particularly relevant to the current proposal.

The proposal

- 6 Surrey County Council is seeking to redevelop the West Surrey (Shaw) Family Centre into a new larger capacity Family Contact Centre. This involves removing the existing prefabricated buildings on the site and erecting a new part single/part two

storey building with associated parking all accessed via a new dedicated vehicular access direct from Chobham Road. The existing 1.5 storey building on the Chobham Road frontage of the site will be retained and will be continued to be used in connection with the existing ACT (Assessment Consultation Therapy) use but this building is not part of the current planning application.

- 7 The new Contact Centre will seek to provide a variety of contact rooms to accommodate from 3 to 10+ people. The applicant states that the use needs flexibility in the layout to provide combined rooms for larger use whilst providing high levels of controlled security for the users. The proposed new facilities will have access to private secure gardens. Alongside the contact rooms will be staff facilities and high levels of parking. The project seeks to generate an increase in capacity over the existing building and a development with a family feel and environment that promotes security and well-being for its users. The applicants have provided the following information in respect of staff numbers and hours of opening of the new building.

	Existing operation	Proposed operation
Hours of operation	Mon-Fri: 9am - 6pm Sat: 8.30am - 4.30pm	Tue-Sat: 10am - 6pm
Typical staff numbers	6 (plus 4 in ACT)	16 (6 to go on and off site during the day. Plus 4 remaining unaltered in ACT)
Typical daily visitors	40-60 (including parents, children and contact supervisor staff)	50-90 (with a similar breakdown of parents, children etc as existing)

- 8 The submitted plans show the proposed new building sited on the eastern part of the site. This building would be 25m deep and 13.7m wide at its widest point. It is part single storey and part two storey with the two storey element covering less than half the overall depth of the building (11m by 12.7m). The building would be of a contemporary design with brick being the primary cladding material creating a base plinth with visually lightweight metal and board cladding proposed to the upper storey. The flat roofs will have 'Green Roof' coverings to maximise the ecological opportunity of the site.
- 9 As set out in the table above it is proposed that 20 members of staff will be employed at the site (including the four current staff in the ACT use) and it is expected that approximately six will go on and off site throughout the working day. It is anticipated that visitor numbers will increase to between 50 and 90 people per day.
- 10 As part of the proposed development, a new access from the A3046 Chobham Road is proposed. This alternative access is being provided as part of the development proposals due to constraints posed by the existing access to the site which is across a private unadopted road to the south in the ownership of Woking Borough Council that is also a public footpath. The proposed development will provide a total of 28 car parking bays for the new Family Contact Centre and ACT use. The parking area will be accessed from the proposed new access with the A3046 Chobham Road. Two disabled parking spaces are proposed as part of the revised car parking layout, whilst active electric charging provision for four spaces will be provided. The form of charging equipment will comprise feeder pillar or equivalent. Cycle parking will be provided in the form of Sheffield stands, with a total of eight cycle parking spaces.

- 11 A number of existing trees on the site will be removed, and a comprehensive landscaping plan is proposed as part of the redevelopment. Further details of the proposed development are set out in the following paragraphs as each relevant issue is assessed.

Consultations and publicity

Consultees (Statutory and Non-Statutory)

12	Woking Borough Council	No objection subject to conditions
13	Arboriculturist	No objection subject to conditions on matters of detail
14	County Ecologist	No objections but a number of ecological commitments need to be followed through by the applicants
15	Rights of Way	No views received
16	Transport Development Planning	No objection subject to conditions
17	RPS- Noise	No objection subject to conditions
18	SuDS & Consenting Team SCC	Under local agreements the statutory consultee role under surface water drainage is dealt with by Woking Borough Council's Flood Risk Engineering Team
19	SuDS & Consenting Team Woking BC	No objection subject to Conditions
20	Historic/Listed Buildings	Assessed in accordance with policies 190 and 193 of the NPPF and find that there will be no material impact on the character and appearance of the Conservation Area or setting of the locally listed buildings.

Summary of publicity undertaken, and key issues raised by public

21 In view of restrictions in place during the COVID pandemic a site notice was not displayed in this instance (see point 38 below). A total of 73 owner/occupiers of neighbouring properties were directly notified by letter when the proposal was received in December 2020 and were re-notified on 23rd February 2021 following the receipt of amended information. 17 individual representations have been received (some respondents sending more than one letter) to the proposal on grounds which can be summarised as follows:

1. The proposal is out of keeping with the surrounding area and Conservation Area
2. Proposal would be clearly visible from surrounding neighbours
3. Proposed building would be too close to the boundary
4. Windows proposed at two storey level would overlook neighbouring properties and allow a line of sight directly into their windows and over gardens
5. The proposal would result in the loss of landscaping, open space, and trees
6. Existing screening from trees would be lost which will reduce neighbouring privacy
7. Proposal would result in loss of wildlife habitat
8. There is no need for a new access the existing road should be used
9. There is a lack of detail of new trees and landscaping (Officer comment: additional plans were received which showed more detail on the proposed landscaping)
10. It would be preferable if the building was single storey
11. Proposal would increase density
12. The new access in this location will cause a hazard as there will be three accesses in a very short distance
13. There will be light pollution from the building as it is to be occupied until 6pm
14. Proposal is out of character with its surroundings and will be an eyesore
15. There were other options for developing the site which might have been better in the conservation area
16. The single storey building is too high and will be visible above the fence and dominate neighbour properties
17. Considerable amount of Green Belt land is being lost (Officer comment: the site does not lie within the Green Belt)
18. Proposed building should be all single storey
19. The retained bungalow is an eyesore and should be replaced
20. The access road will take away an area of 'green'
21. The proposal is over development
22. If new trees are planted will they be maintained?
23. Traffic speeds on this road so traffic calming should be introduced
24. Bat and swift boxes should be required on the site
25. Proposal would result in overlooking and loss of privacy to neighbours
26. The proposal appears to include a roof garden and balcony which would cause overlooking and loss of privacy
27. The submitted 3D drawings are inaccurate
28. Chobham Road is busy and dangerous, and the proposal would worsen highway safety
29. Proposal would add additional parking and traffic
30. Proposal would provide too much parking
31. The site does need to be redeveloped but the proposed plan is not in keeping with residential dwellings surrounding nor the original house on the site
32. The two-storey element is 6.7m high which is the same as a domestic house with a pitched roof so seems excessive and should be reduced
33. The model views submitted do not accurately reflect the height of the building
34. Proposal will give rise to noise in summer months

- 35. Description of development is incorrect as it refers to existing family contact centre (officer comment: This has been checked with the applicants and is accurate)
- 36. Concerned about bats in the building
- 37. The site is currently accessed via the adjacent lane and a new access onto Chobham Road is unnecessary
- 38. Adequate consultation has not been carried out (Officer comment: The statutory requirements for publicity on planning applications is set out in article 15 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk). This states that an application of this nature must be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier. In this case (b) has been carried out and 73 neighbouring properties were individually notified by letter of the planning application - and were further reconsulted when amended plans were received in February.

Planning considerations

Introduction

- 22 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 23 In this case the statutory development plan for consideration of the application consists of the Woking Core Strategy 2012 and the Woking Development Management Policies DPD 2016, together with Woking Borough Council's Supplementary Planning Documents (SPDs) entitled *Parking Standards* (2018), *Woking Design* (2015) and *Outlook, Amenity, Privacy and Daylight* (2008)
- 24 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 25 In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are the principle of the proposed development, impact on neighbouring dwellings and surrounding area taking into account statutory designations such as Conservation Area, Highways considerations, impacts on trees, ecological considerations, and sustainable drainage.

PRINCIPLE OF DEVELOPMENT

Woking Core Strategy 2012

Policy CS19 – Social and Community Infrastructure

- 26 Core Strategy Policy CS19 states that Woking Council will work with its partners to provide accessible and sustainable social and community infrastructure to support growth in the Borough. The loss of existing community facilities will be resisted, and the provision of new community facilities will be encouraged in locations well served by public transport.

- 27 The application site is within the urban area and is accessible by modes of sustainable transport including bus and rail and the site is already in use for community purposes as an ACT and contact centre. The buildings supporting the existing use are outmoded and no longer fit for purpose and Surrey County Councils seeks to replace them with a modern building designed for the purpose with improved access and parking.
- 28 Having regard to the relevant Development Plan Policy the principle of the proposal is encouraged and is therefore acceptable.

DESIGN AND IMPACT ON VISUAL AMENITY OF THE AREA

Woking Core Strategy 2012

Policy CS21 – Design

Policy CS24 - Woking's landscape and townscape

Supplementary Planning Guidance

Woking Design 2015

- 29 The National Planning Policy Framework at para 130 states that '*where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).*' The NPPF also seeks to ensure vitality in Town Centres. Para 87 states '*When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored*'. Core Strategy Policy CS21 requires new buildings create spaces that are attractive and create their own identity whilst making a positive contribution to the street scene and character of the area having regard to scale, height, proportions, and materials. Policy CS24 requires all development proposals to provide a positive benefit in terms of townscape character. The Woking Design SPG provides design guidance to ensure development is provided to a high standard.
- 30 This site is on the edge of Woking Town Centre and is well connected to the town centre and its amenities and transport routes. The applicants have submitted a Design and Access Statement with this application which states that in designing the proposed building the applicants have sought to move away from an institutionalised setting to create a high-quality environment for the users. The siting of the building towards the rear of the site was chosen to align with the neighbouring property to the east and to enable the retention of existing mature trees and their setting along the southern site frontage. The scale of the proposed building and the maximum two storeys height also reflects the height of existing development. The wide mixture of materials used on existing buildings in the locality is highlighted and a pallet of a mixture of modern external materials is proposed to compliment these (final details of materials will be required by a planning condition to be submitted for approval). The Design and Access Statement concludes that the result will be a high-quality contemporary building.
- 31 Officers consider that the proposal of the new building within landscaped grounds on this site will create a space on this accessible site near the town centre which will be attractive and will have its own identity. The proposed building will sit comfortably on

the site in line with the existing development to the east and will retain an open treed frontage to Wheatsheaf Common. Existing development in the area, whilst being very varied, is predominantly traditional in design and character being two-storey under pitched tiled roofs so the proposed two storey modern flat roof building on this site will introduce a different aesthetic. Officers consider that this is not unacceptable, and a flexible approach should be taken in accordance with the advice in the NPPF. Officers consider that the proposed building is not *out of scale* with existing development the area and will be complimentary to it given the pallet of materials chosen to reflect those already existing in the locality (see following section of the report). Also the proposed building is able to be accommodated on the site with the existing mature screening to the south being fully retained and with the opportunity for additional landscaping to be provided in a way which will be appropriate to the site and the proposed use. Officers consider that the proposal will make effective use of an underused urban site and will make a positive contribution to the area by replacing outmoded buildings which currently detract from visual amenity.

- 32 As such officers consider that the proposal accords with development plan policy in this regard.

HERITAGE IMPLICATIONS

Woking Core Strategy 2012

Policy CS20 Heritage and Conservation

- 33 the NPPF states in para 189 that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'* Policy CS20 states a presumption against any new development which would be harmful to a listed building and requires such development to enhance Conservation Areas.
- 34 This site does not lie within a Conservation Area but is close to the Wheatsheaf Conservation Area and visible from it. There are no statutorily listed buildings in close proximity to the site but a number of *locally listed* buildings of architectural merit.
- 35 The applicant has provided a heritage statement with the application which identifies that the main impact of the proposal will be on the *setting* of the Wheatsheaf Conservation Area and three locally listed buildings. The heritage statement assesses the impact on the setting of the Conservation Area looking at the impact from different vantage points around the site. It concludes that the proposal will improve the quality of the local environment and will have little or no impact from some vantage points and a positive impact from others.
- 36 Surrey County Council's Historic Buildings Officer has assessed the proposal and states that the current temporary buildings on the site have a harmful impact on the setting of the Conservation Area and that their removal is to be welcomed. The retention of the bungalow building on the frontage of the site is supported to ensure the modern design of the proposed new building does not contrast starkly with the locally listed Broomhall Lodge at the gateway to the Conservation Area.
- 37 The County Historic Buildings Officer goes on to comment that the new building will have a 'distinctively modern' design which references some of the surrounding

housing. He states that though it is unfortunate that the materials chosen reference the modern buildings on Broomhall Lane rather than those in the Conservation Area (through the use of slate and beige bricks rather than clay tiles and red bricks) he agrees with the applicants consultant's that the chosen colour palette is more muted and will blend in better during the winter months when there is less tree coverage. Furthermore, he notes that whilst the flat roof form of the building is alien to the area it is in keeping with the modern style of the building and should not result in harm to the setting of the Conservation Area. He concludes that owing to its scale, siting, and proposed materials the new building will have a neutral impact on the setting of the Conservation Area and locally listed buildings and he has no objection to the proposal.

- 38 Officers consider that the Heritage Statement submitted with the application provides the required proportional assessment of the key heritage considerations in this case. Having regard to this and the comments made by the County Historic Buildings Officer, Officers consider that the proposal will, looked at overall, have a positive impact on the *setting* of the Conservation Area with the removal of the existing building and will therefore enhance it. Furthermore, the proposal will have no significant impact on any statutorily or locally listed buildings.
- 39 Officers consider that subject to a condition requiring further approval of the details of the proposed materials palette officers consider that the proposal accords with development plan policy in this regard and is acceptable.

IMPACT ON RESIDENTIAL AMENITY

Woking Core Strategy 2012

Policy CS21 – Design

Supplementary Planning Guidance

Outlook, Amenity, Privacy and Daylight (2008)

Draft Outlook, Amenity, Privacy and Daylight SPG 2019

- 40 Core Strategy Policy CS21 requires new development to achieve a satisfactory relationship to adjoining properties to avoid significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect and loss of outlook. Further guidance on what is acceptable relationships between buildings is provided with the SPGs on Outlook, Amenity, Privacy and Daylight (discussed in more detail in the relevant sections below).
- 41 The proposal has been carefully considered having regard to the development plan policy and associated SPG documents and following comments made by neighbouring dwellings. The potential impacts arising from the development are considered in detail below under the following headings:
- Overlooking/loss of privacy
 - Overdominance/loss of outlook
 - Noise disturbance
 - Light pollution

Overlooking/loss of privacy

- 42 The proposed building on this site is part single and part two storey and though it is sited relatively close to its boundary with neighbouring properties to the west, east and north the element of the proposal closest to the boundary is single storey only being 3.825m high to a flat roof. The two-storey element is confined to the front half

of the building which is site much further away from the existing dwellings. The design and siting of the building in this way enables the single storey element to be the least visual on the site and the two storey element to contribute to the street scene in a way which follows the building line of properties to the east fronting Wheatsheaf Common. In addition, the siting enabling the retention of the existing large trees on the boundary of the site with Wheatsheaf Common and the provision of parking on the frontage of the site.

- 43 Woking Borough Council's SPG on *Outlook, Amenity, Privacy and Daylight* sets out guidance on distances between buildings which will normally achieve an acceptable level of privacy and outlook for residential developments. This recommends (following generally accepted convention) that a minimum distance of 20m should be provided between **two storey** developments.
- 44 The distance provided on this proposal between the two-storey element of the proposed building and existing dwellings is **significantly greater** than the recommended minimum 20m and is as follows:
- **Barbary** to the west – over 30m distance maintained between two storey developments
 - **1,3,5 and 9 Wheatsheaf Close** to the north – over 32m maintained between two storey developments
 - **Chobham Court** to the east – 25m distance maintained between two storey developments (side elevation of apartment block)
- 45 Given these distances between the development and existing dwellings officers are of the view that there will be no unacceptable direct overlooking between windows on the existing dwellings and proposed building.
- 46 Consideration has also been given to overlooking from windows into the *private amenity areas* of neighbouring dwellings. Woking Borough Council's SPGs on *Outlook, Amenity, Privacy and Daylight* suggests 10m between the front/rear elevations of two storey buildings and the **boundaries** of the site. The following conclusions have been made in this regard:
- **Barbary** to the west – as the proposed two storey element which abuts the rear garden boundary to Barbary is effectively the *front* elevation of the proposed new building a distance of 10m is suggested from that building to the site boundary and the proposal achieves only approximately 5m. However only a small corner of the two-storey element lies adjacent to the boundary with Barbary (approximately 2m or so of it) and as such the impact is much reduced than if the whole building was sited along the boundary. There is one window (serving Office D on the first floor of the new building) in the western elevation of the proposed building at first floor level facing Barbary that could give rise to overlooking of the garden area of that dwelling given its proximity to the site boundary. Officers therefore consider that this window should be obscure glazed. The applicant has agreed to this and a condition can be attached to secure it.
 - **Chobham Court** to the east – the two storey element of the proposed building does extend close to the site boundary with Chobham Court to the east but the building is adjacent to a communal front garden and parking area serving that apartment block and therefore unacceptable overlooking of private amenity area would not occur in this relationship

- **1,3,5 and 9 Wheatsheaf Close** – the two-storey element is at least 10m from the boundary with these properties and no adverse overlooking of rear gardens will arise given this distance.

47 Given the above considerations officers are of the view that the proposal will not give rise to any unacceptable overlooking of private garden areas of existing dwellings.

48 In letters received from neighbouring dwellings on this proposal reference has also been made to the distance of the building overall to the site boundary and a resultant overlooking arising from that. The single storey element of the building (maximum height 3.835m) does extend *in part* to within 3m of the boundary of the site which is to be delineated as part of the proposal with a new 1.8m high close board fence. However, a distance of at least 20m will still be maintained from this single storey element and the primary walls of neighbouring dwellings which abut the site. Given the single storey nature of this element, its height at 3.8m and the existence of a new boundary fence and other screening (see section on landscaping below) between the properties there can be no unacceptable overlooking arising from this single storey element of the proposal.

49 In addition to the above, concerns have been raised in letters received over the potential use of the flat roof of the building as a sitting out area or balcony thereby giving rise to overlooking. This is not proposed by the applicant though access onto this roof it required to enable maintenance especially as it is intended that it be a green roof with living planting for maximum ecological diversity. Officers are of the view that the use of the flat roof as any form of sitting out area or balcony would not be acceptable, and a condition can be attached to the planning permission preventing this.

Conclusion on Overlooking/loss of privacy

Subject to suitable planning conditions the proposal will not give rise to any adverse impact in respect of overlooking or loss of privacy to neighbouring residential dwellings

Overdominance/loss of outlook

50 The single storey element of the building extends in part to within 3m of the boundary of the site but a distance of at least 20m will be maintained from the rear wall of this element and the primary walls of neighbouring dwellings which abut the site. Given the single storey nature of this element and the existence of boundary screening between the properties there will be no unacceptable loss of outlook or overdominance arising from this element of the proposal.

51 In respect of the two-storey element the following conclusions have been made:

- **Barbary** to the west – though the two storey element does extend across a small part of the rear boundary of this property within approximately 5m of the boundary the property itself has a rear garden extending to over 35m therefore a distance of over 45m is maintained between buildings and this distance will prevent any adverse loss of outlook
- **Chobham Court** to the east – again although the two storey element does come within 4m of the boundary of the site with this apartment block it is adjacent to a communal garden and parking area which is not private amenity space and a distance of over 25 is still maintained between buildings such that no adverse loss of outlook will occur

- **1,3,5 and 9 Wheatsheaf Close** – again the two-storey element is more than 10m from the boundary with these dwellings and some 30m from the dwellings themselves so no adverse loss outlook will occur.

Conclusion on overdominance/loss of outlook

- 52 The proposal will not give rise to any adverse impact in respect of overdominance or loss of outlook to neighbouring residential dwellings

Noise disturbance to neighbouring dwellings

- 53 Advice from a noise consultant has been sought on this proposal and this identifies the five key noise issues which are considered in the following paragraphs:

Noise generated during the construction and demolition works

- 54 A degree of noise disturbance during demolition and construction is inevitable but is limited to a short time and can be minimised by limiting hours of construction and monitoring noise levels if required. A Construction Environmental Management Plan (CEMP) has been submitted addressing these issues and proposing hours of construction which follows recommended advice (0800 to 1800 weekdays and 0800 to 1300 Saturday with no working on Sundays). A condition can be attached to ensure the details in the CEMP are adhered to and the applicants are agreeable to this.

Noise from changes to the site access and vehicles accessing and egressing the site

- 55 There is potential for vehicles using the new access route to cause a noise impact at Barbary, which is the nearest residential property to the north of the site. The Transport Statement that has been provided to support the planning application indicates that the following number of vehicle trips will be generated as part of the proposals:

- 20 staff (16 Contact Centre, 4 ACT) to arrive between 08:00 and 09:00 hrs and depart between 17:00 and 19:00 hrs.
- 50 – 90 visitors during an average weekday who will typically arrive in the hour prior to their appointment and depart in the hour following their appointment.

The total number of trips anticipated is 37 arrivals and 37 departures. An anticipated hourly breakdown of trips has also been generated.

- 56 The proposed plans indicate that a closed boarded fence will be provided on the site boundary. This would provide some screening from noise from vehicles using the access route. Due to the low numbers of vehicles anticipated, it is expected that noise generated by traffic would not be a material concern for the proposed development. However, a planning condition is recommended to ensure that the boundary fence is retained and maintained by the applicant and the applicant has confirmed that they are agreeable to this.

Noise from the increased numbers of users of the site

- 57 For the majority of the time, users will be inside the buildings and it is anticipated that impacts from users of the centre on the neighbouring community will be low. There is

potential for a noise impact to occur from users in the outdoor areas. This is likely to be similar in character to noise from children playing in domestic gardens, though the intensity of use is likely to be greater but limited to daytime hours. The proposed plans indicate that a close boarded fence will be provided on the site boundary which would provide screening from noise from users of the outdoor spaces. It is recommended that a planning condition is required to ensure that the boundary fence is retained and maintained by the applicant who has confirmed acceptance to this. Together with the hours of use condition this will ensure that noise from the use will not cause any serious adverse impact.

Noise from Plant Associated with the Development

- 58 The plans indicate that there will be an external heat-pump enclosure external to the new building at ground level on the western elevation. There may also be other plant associated with the development. Officers consider that there should be planning conditions applied to the proposed development such that any plant associated with the proposals does not result in a noise impact at the nearest noise sensitive receptor and the Council's noise advisors has suggested wording in this regards. The applicants are agreeable to this condition.

Conclusion on noise

- 59 Subject to suitable planning conditions the proposals will not have any sustainable adverse noise impact on neighbouring dwellings.

Light Pollution

- 60 Letters of objection have referred to the proposal giving rise to unacceptable light pollution as the building will be in use up to 6pm. Officers are of the view that the light emanating from within this building up to the early hours of the evening does not constitute any adverse impact on residential amenity. The proposal does not include any indications of external lighting on the building and this can be controlled by condition so that if this is required its impact can be properly assessed. There is an indication of lighting fitments within the proposed car parking area but details of these are not provided and again can be secured by condition - officers consider that in order for these to be acceptable they would have to be low level bollard type fitments given the sensitive nature of the site within a residential area.

Conclusion on light pollution

- 61 Subject to suitable planning conditions the proposals will not have any sustainable adverse impact on neighbouring dwellings by virtue of light spillage/pollution.

Overall conclusion on impact on residential amenity

- 62 The impact of the proposal on neighbouring dwellings has been fully considered and officers are of the view that subject to conditions the proposal will not give rise to any significant harmful effects and the proposal therefore complies with development plan policy in this regard.

ACCESS, HIGHWAYS AND PARKING

Woking Core Strategy 2012

Policy CS18 - Transport and accessibility

Policy CS21 – Design

- 63 Policy CS18 requires development proposals to provide transport assessments to fully assess the impact of the proposal and identify appropriate mitigation. Policy CS21 requires proposals to encourage sustainable means of travel.
- 64 The existing site is accessed along a private road off Chobham Road running along the northern side of Wheatsheaf Common. This access serves a residential development known as Broomhall Court to the east of the site and is also a public right of way. The proposal will secure the cessation of this existing means of access to the site and the provision of a new access directly onto Chobham Road, built to current standards.
- 65 The applicant has submitted a transport assessment with this proposal which contains the following broad conclusions:
1. There will be an expected net daily increase of 17 arrivals and departures travelling to and from the site by vehicles
 2. There will be limited changes in trip generation during peak traffic hours in fact there will be a reduction in the morning peak as the centre will be closed Mondays (but open on Saturdays) and only 5 additional trips in the afternoon peak.
 3. A new bell mouth site access will be provided which will be designed to Surrey County Council current guidance which will enable vehicles to efficiently and safely access and leave the site. This will require the relocation of an existing bus stop.
 4. 28 car parking spaces will be provided on site including two bays reserved for disabled drivers and four with electric charging points. These spaces will be available for both staff and visitors and will result in a net increase of 13 spaces over the existing provision
 5. 8 cycle parking spaces will be provided in the form of Sheffield Loops
 6. The site is located close to existing bus stops and is also a 12-minute walk from Woking Station so is accessible by other modes of transport.
- 66 Transport Development Planning has assessed the proposal and raises no objection subject to conditions. The conditions will include the requirements for off-site works in the form of the following:
- (a) Relocation of the Southbound Chobham Road bus stop and flag sign
 - (b) The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses for those with mobility issues,
 - (c) Clearways with a 23m bus cage to protect the bus stop
 - (d) Informal pedestrian crossing on Chobham Road with dropped kerbs and tactile paving
- 67 Officers consider that development of this site as proposed will give rise to a modest increase in vehicular movements which will not have any significant impact on traffic, highways safety or residential amenity. Furthermore, the proposal will provide an improved vehicular access to the site from an adopted highway designed to current standards which will give rise to an improvement on the current situation. The parking is being proposed only for the proposed use itself (as well as providing for the ACT in the retained building on the frontage of Chobham Road). There are no specific car parking standards relating to such a use therefore the number of spaces provided has been informed by the anticipated needs of the service. The number of staff at the site will increase as a result of the proposals with the total number of staff at the site anticipated to reach 20, together with 50 to 90 visitors throughout the day

at intervals. 28 car parking spaces are provided two of which will be reserved for disabled users and four will have electric charging points. Officers consider the proposed parking provision is reasonable to meet the requirements of the use and the level of provision still enables significant landscaping to be achieved together with the retention of specimen trees on the southern boundary, which will enhance the appearance of the development.

- 68 Officers therefore consider the proposal accords with Development Plan Policy in this regard and subject to appropriate conditions is acceptable.

TREES AND LANDSCAPING

Woking Core Strategy 2012

Policy CS21 – Design

Policy CS24 - Woking's Landscape and Townscape

Woking Development Management Policies Development Plan Document 2016

Policy DM2 – Trees and Landscaping

- 69 Core Strategy Policy CS21 requires new development to incorporate landscaping to enhance the setting of the development including the retention of trees of amenity value and provide suitable boundary treatments. It also requires development proposals to protect and enhance biodiversity where possible including the incorporation of built in measures such as green walls. Core Strategy Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM2 from the Woking Development Management Policies states that trees, hedgerows, and other vegetation of amenity and/or environmental significance or which form part of the intrinsic character of an area must be considered holistically as part of the landscaping treatment of new development. Where trees, hedgerows or other landscape features are to be removed it is justified to the satisfaction of the Council and appropriate replacement planting will be required if it is safe and practical to do so and will enhance the quality of the development.
- 70 The applicant has submitted a full Arboricultural Impact Assessment (AIA) together with an Arboricultural Method Statement (AMS) with this proposal. The AIA identifies that the site contains 42 tree features varying in age and condition. The most significant trees are situated outside of the site, including along the southern boundary of the site with Wheatsheaf Common – which includes a large mature high quality oak (T36 category A) as well as a row of 4 common lime trees, and others located within adjacent private gardens. A number of trees within the site require remedial work or are dead and need removal.
- 71 The AIA confirms that the proposal requires the removal of a total of 17 individual trees, 7 groups of trees and 2 partial groups of trees on the site. All the trees to be removed are within the ownership boundary but some are outside of the red line site boundary. None of the trees to be removed fall within category A but a few are Category B and C and one is Category U. Six of the above trees and three groups are within the footprint of the proposed building itself, and three additional trees need to be removed to provide the car parking. In addition, several trees need to be removed to provide the new access. In addition to tree removal works will be required to other retained trees including those within gardens of neighbouring dwellings where they overhang the site. The extent of the proposed pruning has been assessed and is considered to not have any adverse impact on the long-term health of the trees in question.

- 72 The Arboricultural Method Statement (AMS) details the specification for tree protection measures and how sensitive operations are to be achieved in proximity to trees to be retained. It also addresses the general management of site activities to ensure that retained trees are not inadvertently damaged. The County Council Arboriculturist has examined the proposals and has no objection to the removal of the trees as proposed but suggests a number of detailed matters relating to protection of existing trees which can be covered by planning conditions.
- 72 The applicants have also submitted a detailed landscaping plan for the whole site which includes the replanting of a significant number of trees and shrubs as well as herbaceous plant and climbers together with proposals for maintenance and replacement. There are a number of trees proposed along the boundaries of the site and although this will not replace fully the screening provided by existing trees to be removed, they will soften the appearance of the development from neighbouring dwellings. A new close boarded fence is to be provided on all the site boundaries. The flat roof above the single storey element of the building will be planted as a green roof to retain and attenuation water and provide ecological benefit. Details of the materials for the hard landscaping on the site will be required by a condition on the planning permission to ensure that these are appropriate in respect of aspects such colour and porosity having regard to the relevant development plan requirements in this regard.
- 73 The majority of the trees which are identified for removal are either poor specimens or they are sited in locations which prevent the efficient redevelopment of the site and officers are of the view that a reasonable and considered approach has been taken by the applicants in this regard. None of the trees required to be removed have been assessed to be particularly worthy of requiring amendments to the scheme to ensure their retention and a comprehensive scheme for replanting on the site has been provided such that officers consider the general approach in this regard is acceptable. The best trees on or just outside of the site are able to be retained as part of the proposal (and will be protected during the construction phase) and these can continue to flourish and provide wider amenity value in the new layout, complimenting the new development. .
- 74 Officers therefore consider that the proposal provides a comprehensive approach to incorporating landscaping on this site as part of its redevelopment which will provide a positive benefit in terms of townscape character and will maintain biodiversity (considered in the following section). Officers consider that subject to a number of conditions to include submission of the details of hard landscaping, adherence to the AMS and maintenance of the soft planting the proposal accords with Development Plan Policy in this regard.

ECOLOGICAL IMPLICATIONS

Woking Core Strategy 2012

Policy CS7 – Biodiversity and Nature Conservation

Policy CS21 – Design

- 75 Core Strategy Policy CS7 requires development proposals to contribute to the enhancement of existing biodiversity and geodiversity features and to explore and create new ones where appropriate. Core Strategy Policy CS21 requires development proposals to protect and enhance biodiversity where possible including the incorporation of built in measures such as green walls.

- 76 The applicants have submitted a detailed Ecological Impacts Assessment with this proposal which has the purpose of assessing the impacts of the proposal on ecological receptors and informing mitigation measures for the planning application. This document acknowledges that the site lies approximately 0.2km and 0.3km respectively from Woodham Common and the Basingstoke Canal SNCIs and concludes that the proposal, given its proximity to these non-statutory designated sites could have potential impacts on them, albeit these are likely to be relatively low impacts. This document includes information on the methodology and conclusions from an Extended Phase 1 Habitat Survey which, as well as a Bat Roost Suitability Assessment of the buildings and existing trees on the site together with desk top assessments.
- 77 The applicants have also submitted a Biodiversity Net Gain Assessment which makes a comparison between the biodiversity value of habitats present within the site prior to a development (i.e. the 'baseline') and the predicted biodiversity value of habitats following the completion of the development (i.e. 'post development'). The comparison is undertaken in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.
- 78 The Impact Assessment contains a comprehensive assessment of all the relevant ecological issues, and it makes the following conclusions:
- Habitats within the site include low quality grassland, introduced shrubs, buildings, hardstanding and scattered broadleaved and coniferous trees
 - One building outside of, but immediately adjacent to the application boundary contains a small summer non-breeding common pipistrelle bat roost (The ACT building)
 - One tree within the Site has been assessed as having a high suitability to support roosting bats. However, no bats were recorded emerging from or re-entering the tree during emergence surveys
 - One tree within the Site has been assessed as having a moderate suitability to support roosting bats. However, no bats were recorded emerging from or re-entering the tree during emergence surveys
 - Two trees within the Site have been assessed as having a low suitability to support roosting bats.
 - Suitable habitat for nesting birds is present within the Site.
- 79 The document proposes detailed mitigation measures in the form of:
- Implementation of a CEMP.
 - Sensitive lighting design.
 - Implementation of a Natural England EPSML for works that may disturb bats roosting within Building 1.
 - A precautionary working method for felling of trees in relation to bats.
 - Closure of a fox den under a precautionary method of working; and
 - Checks prior to vegetation clearance for nesting birds (where works are to be undertaken in the breeding season) should be undertaken by an ecologist prior to vegetation clearance as appropriate.
- 80 The County Ecologist has commented on the proposals and has no objections subject to adherence to the commitments and mitigation measures made within the documents submitted. The County Ecologist comments that the applicant has provided a Biodiversity Net Gain Report that sets out that the ecological value of the existing habitats present on the site vary ranging from *very low* to *low* distinctiveness

including amenity grassland, buildings and hard standing and that BNG will be achieved through the provision of semi-improved neutral grassland, native trees and shrubs and native species-rich hedgerow as part of the landscaping.

- 81 Officers agree that the applicant has demonstrated that the proposal will enhance biodiversity on this site and that subject to the mitigation measures proposed, and confirmed as appropriate by the County Ecologist, the proposal will not have an adverse impact on existing habitats.
- 82 Subject to suitable conditions requiring the mitigation measures and landscape planting officers consider that the proposal is acceptable and accords with development plan policy in this regard.

SUSTAINABLE CONSTRUCTION

Woking Core Strategy 2012

Policy CS22 – Sustainable Construction

- 83 Core Strategy Policy CS22 requires all new developments to seek to maximise efficient use of energy and consider sustainable construction techniques promoting reuse and recycling. Applicants for development are required to complete a climate neutral checklist. The applicants have submitted a Sustainability Statement with this application which provides a summary of how the development will contribute to sustainability and how it responds to policy in this regard. They have also completed a climate neutral checklist.
- 84 The information submitted with the application demonstrates the applicant's commitment to implementing and taking forward measures to contribute to the aims of Core Strategy CS22, through measures such as:
- Implementing a Construction Environmental Management Plan which details measures to recycle and reuse waste generated during the construction, minimise pollution from dust noise and light, ensure the protection of trees and ecological interests, minimise the use of resources and raw materials
 - Choosing final materials to those which contribute towards lowering the carbon footprint of the building - referencing the BRE Green Guide to Specification
 - Providing features which can adapt to climate change such as the Green Roof for water retention and attenuation, energy efficient building fabric and low water consuming sanitaryware
 - Providing recycling facilities within the layout of the development
 - Using air source heat pumps for space heating
 - Providing electric vehicle charging points on site
- 85 Officers consider that the applicants have met the requirements of the development plan in this regard.

FLOODING AND SUSTAINABLE DRAINAGE

Woking Core Strategy 2012

Policy CS9: Flooding and water management

- 86 Core Strategy Policy CS9 states that the council will require all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) as part

- of any development proposals. A flood risk assessment will be required for all development proposals within or adjacent to areas at risk of surface water flooding.
- 87 The site lies within Flood Zone 1 and the proposal is to replace an existing building. It is classed as a minor development and there is no flood risk in respect of this proposal. The Woking BC guidance states that applicants must follow the hierarchy for discharge destinations, whereby the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration).
 2. to a surface water body.
 3. to a surface water sewer, highway drain, or another drainage system.
 4. to a combined sewer.
- 88 The applicant has submitted an outline drainage strategy and report with this proposal which concludes that following a review of the Woking SFRA, the site is located in an area that has '*Opportunities for bespoke infiltration SuDS*'. However further information is available which states the groundwater level may be high in this area and the soil conditions are currently unknown.
- 89 Therefore, a ground investigation survey will be required to confirm soil conditions, suitability for infiltration and groundwater levels prior to a drainage scheme being formulated. If the groundwater is confirmed to be high, it is unlikely that the site will be suitable for infiltration. As part of proposed ground investigation surveys an infiltration test to BRE Digest 365 will be undertaken to determine the potential of the soil for infiltration of surface water. The nearest surface water body to the site is the Basingstoke Canal 300m to the south of the site and is therefore not appropriate for discharge of surface water.
- 90 Therefore the applicants state that connection to a surface water sewer appears to be the most likely method of discharge for surface water at this stage which would be subject to ground investigations confirming the site is not appropriate for infiltration and subject to Thames Water confirmation that they have sufficient capacity in their drainage network.
- 91 Woking Borough Council acting as Lead Local Flooding Authority (LLFA) has assessed the proposal and has recommended no objection subject to the submission of a sustainable drainage scheme. Officers are of the view that having regard to the comments made by the applicant above a condition requiring the most suitable form of drainage scheme for the site will be appropriate as a scheme dependence on SUDS may not be achievable. The details of any drainage scheme submitted can be sent to the LLFA for comment before assessment and approval.
- 92 Officers are therefore of the view that whilst the applicant has not yet demonstrated that a SUDS type drainage scheme can be used on this site he has identified the need to demonstrate why this is not appropriate should other means be necessary having regard to ground conditions. Subject to a planning condition requiring further details to include such as assessment officers consider that the proposal meets the requirements of the relevant development plan policies in this regard.

Human Rights Implications

- 93 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.

- 94 The Officer's view is that whilst there are impacts arising from the development these can be mitigated acceptably by planning conditions and do not engage any of the articles of the Convention and has no Human Rights implications.
-

Conclusion

- 95 Surrey County Council is seeking to replace the existing outmoded buildings on this site with a new building to provide facilities for the existing use in connection with Adult and Child Care. The site which lies within the urban area in a sustainable location close to Woking Town Centre. The principle of the redevelopment of this site is acceptable. The proposal includes the provision of a new access onto an existing adopted highway which is acceptable to the County Engineer subject to minor off-site highways works including the relocation of the bus stop and addition of tactile paving. The proposed building can be accommodated on the site without detriment to any interests of acknowledged importance as examined in detail in the preceding paragraphs and it will significantly enhance the visual amenity of the site and make good use of urban land following guidance in the National Planning Policy Framework. Officers therefore consider that planning permission should be granted subject to a number of planning conditions.

Recommendation

- 96 That, pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, planning application ref: WO/2020/1090 be **permitted** subject to the following conditions:

Conditions:

IMPORTANT - CONDITION NO 16 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

20018-MHA-XX-XX-A-001rev P04 Site location plan Site Block Plan dated 27 October 2020

20018-MHA-XX-XX-A-002 Rev P05 Proposed Site Plan dated 27 October 2020

20018-MHA-XX-XX-A-005 Rev P04 Model Views dated 27 October 2020

20018-MHA-XX-XX-A-008 Rev P02 Topographical Survey by 3D Services dated 27 October 2020

20018-MHA-XX-XX-A-009 Rev P02 Existing Floor Plans dated 27 October 2020

20018-MHA-XX-XX-A-003 Rev P05 Proposed Plan with Dimensions - Shaw Centre - November 2020

20018-MHA-XX-XX-A-004 Rev P05 Revised Elevation Plan with Dimensions - Shaw Centre - November 2020

DD462L01 Rev B Soft Landscape Plan dated 14 January 2021

3. Prior to the erection of the building hereby permitted full details of the final materials to be used on the external elevations shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out only in accordance with the approved details.
4. Prior to the installation of the hard landscaping within the site full details of the proposed materials to be used shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out only in accordance with the approved details.
5. The window at first floor level on the south western elevation of the building hereby permitted (serving Office D) shall be obscure glazed such that it is not capable of being seen through and retained as such in perpetuity.
6. The roof of the building hereby permitted shall not be used as any sort of sitting out area or balcony and no railings or other structure or plant shall be installed upon it.
7. Prior to the occupation of the building hereby permitted the replacement boundary fencing shall be fully installed in accordance with the details shown on the approved plans
8. There shall be no external lighting installed on the site or on the building hereby permitted unless and until details of the proposed installations have been submitted to and approved in writing by the County Planning Authority.
9. The building hereby permitted shall be used only between the hours of 0730- and 1900-hours Mondays to Saturday and at such times that the building is not in use the internal lighting shall not be illuminated.
10. Access to the site for demolition/construction works shall only be via the new access to be provided onto Chobham Road and shall not be via the route of Footpath 404 to the south of the site.
11. Prior to the first occupation of the development hereby permitted the new vehicular access to Chobham Road shall be constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.
12. Prior to the occupation of the building hereby permitted the parking spaces and turning areas indicated on the approved plans shall be provided and shall thereafter be retained and maintained for their designated purposes.
13. The development hereby approved shall not be occupied unless and until at least 4 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with details to be submitted to and approved in writing by the County Planning Authority.
14. The development hereby approved shall not be first occupied unless and until secure parking for a minimum of 8 bicycles has been provided in accordance with the approved plans and thereafter retained and maintained for its designated use.
15. Prior to the occupation of the development hereby permitted the following package of highways measures shall be implemented at the applicant's expense in accordance

with a scheme to be submitted to and approved in writing by the County Planning Authority for:

- (a) Relocation of the Southbound Chobham Road bus stop and flag sign
- (b) The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses for those with mobility issues,
- (c) Clearways with a 23m bus cage to protect the bus stop
- (d) Informal pedestrian crossing on Chobham Road with dropped kerbs and tactile paving

16. No development shall commence until a Construction Environmental Management Plan, which incorporates the relevant/amended parts of the submitted Construction Traffic Management Plan and the recommendations within Section 7 of Part 1 of the Ecological Impacts Assessment together with the issues set out below has been submitted to and approved in writing by the County Planning Authority.

1. Sensitive construction lighting design having regard to ecological interests and neighbouring properties
2. Implementation of a Natural England EPSML for works that may disturb bats roosting within Building 1
3. A precautionary working method for felling of trees in relation to bats
4. Closure of a fox den under a precautionary method of working; and
5. Checks prior to vegetation clearance for nesting birds (where works are to be undertaken in the breeding season) by an ecologist prior to vegetation clearance as appropriate
6. Storage of materials, machinery or work such that they do not encroach on to the root protected areas of retained trees
7. Photographic recording of root severance when agreed with the appointed arboriculturist
8. Level changes to be recorded with a photograph within RPAs.
- 9 The locations and the routes of any cabling or drainage works to be shown if within RPAs.
- 10 All tree works that are to be supervised shall be recorded and photographed
- 11 Root Barriers to be shown highlighted on the plan and a photographic record to be taken when inserted in situ to assist ongoing management

The construction of the development shall only take place in accordance with the approved details.

17. The landscaping indicated on approved drawing DD462L01 Rev B Soft Landscape Plan dated 14 January 2021 shall be completed within the first planting season following the occupation of the building hereby permitted and shall be maintained in accordance with a detailed scheme for maintenance to be submitted to and approved in writing by the County Planning Authority prior to the occupation of the building hereby permitted.
18. No part of the drainage system for the site shall be constructed until the following details have been submitted to and approved in writing by the County Planning Authority:
1. A drainage layout plan showing the existing drainage system
 2. A drainage layout plan showing the proposed system that includes pipe levels and diameters

3. Evidence as to why infiltration is to be used / not viable
4. Full calculations detailing the proposed discharge rate currently offsite for the 1 in1, 1 in 30 and 1 in 100 + CC year storm events. Including any sensitivity checks.
5. Details of any onsite storage and reasons (to include calculations showing) the volumes chosen
6. Details of any flow restrictions into any watercourse
7. Evidence that Thames Water (if used) accept the flow into their sewers.

The drainage system for the development shall be constructed in accordance with the approved details.

19. Prior to the first occupation of the building hereby permitted, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the County Planning Authority to demonstrate that the Drainage System has been constructed in accordance with the approved scheme.
20. The development hereby permitted shall be carried out in all respects in accordance with the Aboricultural Method Statement dated February 2021 submitted with the application.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the development makes a positive contribution to the visual amenity of the area and the setting of the adjacent Conservation Area in accordance with Policies CS20, CS21 and CS24 of Woking Borough Council's Core Strategy 2012.
4. To ensure the development makes a positive contribution to the visual amenity of the area and the setting of the adjacent Conservation Area in accordance with Policies CS20, CS21 and CS24 of Woking Borough Council's Core Strategy 2012
5. To prevent overlooking of the rear garden area of the neighbouring dwelling Barbary in accordance with Policy CS21 of Woking Core Strategy 2012
6. To prevent overlooking of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
7. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
8. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012

9. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
10. In order that the development does not prejudice pedestrian safety nor cause inconvenience to users of footpath 404 in accordance with Policy CS18 of Woking Core Strategy 2012.
11. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
12. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
13. To encourage more sustainable modes of transport in accordance with Policy CS21 of Woking Core Strategy 2012
14. To encourage more sustainable modes of transport in accordance with Policy CS21 of Woking Core Strategy 2012
15. To mitigate the impact of the development and in order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
16. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012 and in order that the construction of the site has regard to the ecological implications in accordance with Policies CS7 and CS21 of the Woking Core Strategy 2012. This condition is required to be discharged prior to the commencement of development as it relates to matters relevant at the construction phase of the development.
17. In the interests of the visual amenity of the area and neighbouring residents in accordance with Policy CS21 of Woking Core Strategy 2012
18. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with Policy CS 9 of the Woking Borough Council Core Strategy 2012
19. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with Policy CS 9 of the Woking Borough Council Core Strategy 2012
20. To ensure the protection of retained trees during construction in accordance with Policies CS21 and CS24 of the Woking Borough Core Strategy 2012

Informatives:

1. 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/road-permits-and-licences/the-traffic-management-permit-scheme>.

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

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

2. The developer 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.
3. 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).

Town and Country Planning Act 1990 – guidance on the determination of planning applications

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to [National Planning Policy Framework](#) (NPPF) was updated in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance waste; traveller sites; planning for schools development; sustainable drainage systems; parking and Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be

pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social, and environmental. The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications, the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

Human Rights Act 1998 Guidance for Interpretation

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and planning permissions and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions. These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair, or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

Contact Dawn Horton-Baker

Tel. no. 07815 490403

Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

Other documents

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

The Development Plan

Woking Core Strategy 2012

Woking Development Management Policies DPD 2016

Other Documents

Woking Borough Council's Supplementary Planning Documents (SPDs)

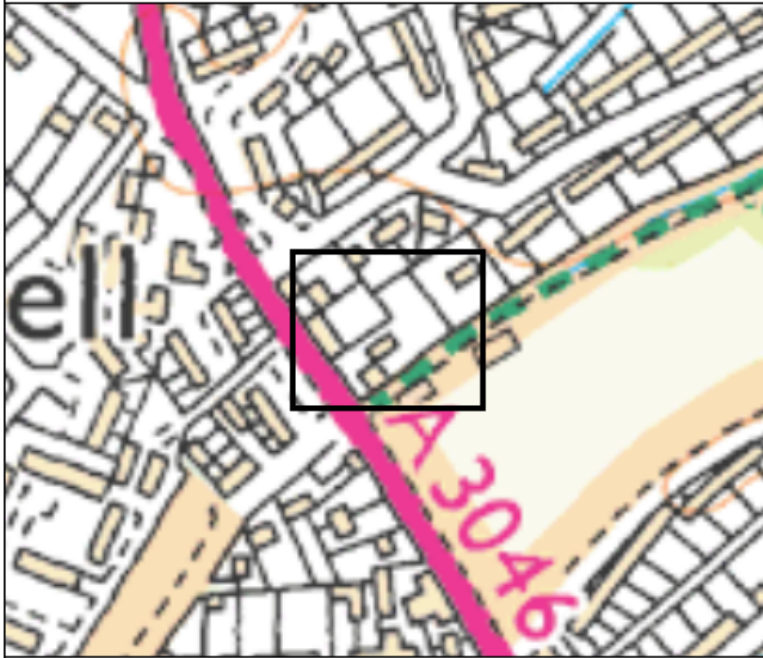
Parking Standards (2018)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

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Site Location: **Shaw Family Centre, Chobham Road, Woking, Surrey GU21 4AS**



Demolition of existing family contact centre and redevelopment of new family contact centre with associated car parking, access and landscaping.

Application numbers:

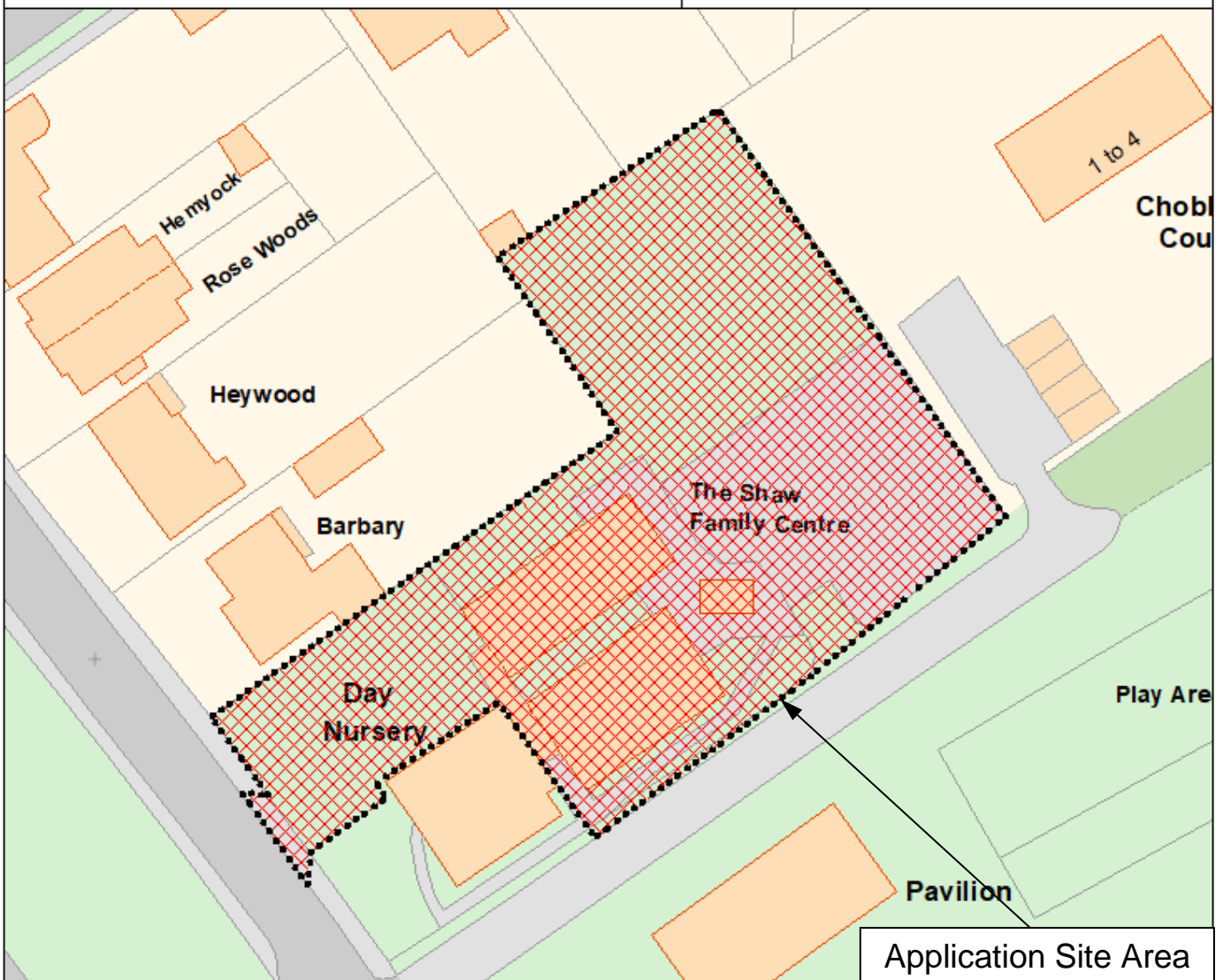
WO

Electoral divisions:

Woking North 44493

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Note: This plan is for indicative purposes only



Application Site Area



Ref No:

SCC Ref 2020/0133

0 10 20 Metres

Scale: **1:560**

Printed on: 02/12/2020

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2019 Aerial Photos

Aerial 1 : Shaw Family Centre, Chobham Road, Woking





2019 Aerial Photos

Aerial 2 : Shaw Family Centre, Chobham Road, Woking



2019 Aerial Photos

Aerial 3 : Shaw Family Centre, Chobham Road, Woking



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