

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Wednesday, 26 June 2024
Time 10.30 am
Place: Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF

Contact: Sarah Quinn

Email: sarah.quinn@surreycc.gov.uk

[For queries on the content of the agenda and requests for copies of related documents]

APPOINTED MEMBERS [11]

Ernest Mallett MBE	West Molesey;
Jeffrey Gray	Caterham Valley;
Victor Lewanski	Reigate;
Scott Lewis	Woodham and New Haw;
Catherine Powell	Farnham North;
Jeremy Webster	Caterham Hill;
Edward Hawkins (Chairman)	Heatherside and Parkside;
John Robini	Haslemere;
Richard Tear (Vice-Chairman)	Bagshot, Windlesham and Chobham;
Jonathan Hulley	Foxhills, Thorpe & Virginia Water;
Chris Farr	Godstone;

EX OFFICIO MEMBERS (NON-VOTING) [4]

Saj Hussain	Chair of the Council	Knaphill and Goldsworth West;
Tim Oliver	Leader of the Council	Weybridge;
Tim Hall	Vice Chair of the Council	Leatherhead and Fetcham East;
Denise Turner-Stewart	Deputy Leader and Cabinet Member for Customer and Communities	Staines South and Ashford West;

APPOINTED SUBSTITUTES [12]

Stephen Cooksey	Dorking South and the Holmwoods;
Nick Darby	The Dittons;
Amanda Boote	The Byfleets;
David Harmer	Waverley Western Villages;
Trefor Hogg	Camberley East;
Mark Sugden	Hinchley Wood, Claygate and Oxshott;
Buddhi Weerasinghe	Lower Sunbury and Halliford;
Fiona White	Guildford West;
Keith Witham	Worplesdon;
Luke Bennett	Banstead, Woodmansterne & Chipstead;
Harry Boparai	Sunbury Common & Ashford Common;
Tim Hall	Leatherhead and Fetcham East;

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 - 10)

To confirm the minutes of the meeting held on 29 May 2024.

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 84 (please see note 5 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 6 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 AND WASTE APPLICATION WA/2023/02564 - LAND AT CHIDDINGFOLD STORAGE DEPOT, CHIDDINGFOLD ROAD, DUNSFOLD, SURREY GU8 4PB

(Pages 11 - 46)

Erection of two extensions to Building A to provide additional storage, office and amenity space (part retrospective).

- 8 SURREY COUNTY COUNCIL PROPOSAL RU.23/0474 - FORMER BROCKHURST CARE HOME, BROX ROAD, OTTERSHAW, SURREY KT16 0HQ** (Pages 47 - 96)

Outline application for the erection of 3-4 storey building for extra care accommodation, comprising self-contained apartments, staff and communal facilities, and associated parking. Appearance and Landscaping reserved.

- 9 SURREY COUNTY COUNCIL PROPOSAL EP23/00633/CMA - LAND AT THE FORMER AURIOL JUNIOR SCHOOL PLAYING FIELD AND LAND AT 2ND CUDDINGTON (ROWE HALL), OFF SALISBURY ROAD, WORCESTER PARK, KT4 7DD.** (Pages 97 - 172)

Outline application for the erection of a part 1 and part 3 storey building for Extra Care Accommodation, comprising self-contained apartments, staff and communal facilities, and associated car parking (Class C2); the re-provision of a revised Scouts Hut curtilage including a new amenity area (Class F2); and a new access from Salisbury Road. Appearance and landscaping reserved (amended plans).

- 10 REVIEW OF THE CHANGES TO THE CODE OF BEST PRACTICE PLANNING AND STANDING ORDERS** (Pages 173 - 178)

The Planning Advisory Service undertook a review of the Planning and Regulatory Committee (P&R) in 2023. The recommendations of the review were reported to the July meeting, with the recommended changes to the Code of Best Practice Planning and Part 4 of the Standing Orders considered by this committee on 27 September 2023. These were then approved by the Council on 10 October 2023 and have been implemented for subsequent P&R meetings. It was agreed that the P&R committee would review the operation of the changes after six months to see how they worked.

- 11 CONSTITUTION REVIEW - PLANNING ENFORCEMENT AND DELEGATED AUTHORITY** (Pages 179 - 188)

This report sets out proposed changes to the Constitution to give further delegated authority to relevant managers within the Planning Group in relation to Enforcement matters and to increase resilience in the delegated sign off process for planning applications. It is also proposed to remove some redundant elements in the existing Constitution.

- 12 DATE OF NEXT MEETING**

The next meeting of the Planning & Regulatory Committee will be on 24 July 2024.

Michael Coughlin
Interim Head of Paid Service
Published: Tuesday, 18 June 2024

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, Woodhatch Place has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

Note: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting

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 three objectors and three 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 2020 (for the period 2019-2033 and comprised of the Surrey Waste Local Plan Part 1 Policies and Surrey Waste Local Plan Part 2 Sites)
- Aggregates Recycling Joint Development Plan Documents (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 for their area.
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from Policy NRM6 and 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) 2023 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 2021; 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 revised in September 2023. The revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018, February 2019, and July 2021. 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 (paragraphs 10 and 11). 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 219 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.

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 29 May 2024 at Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF.

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

Members Present:

Ernest Mallett MBE
Jeffrey Gray
Victor Lewanski
Scott Lewis
Catherine Powell
Jeremy Webster
Edward Hawkins (Chairman)
John Robini
Chris Farr
Tim Hall (as substitute)

Apologies:

Jonathan Hulley

17/24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Jonathan Hulley. Tim Hall acted as a substitute.

18/24 MINUTES OF THE LAST MEETING [Item 2]

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

19/24 PETITIONS [Item 3]

There were none.

20/24 PUBLIC QUESTION TIME [Item 4]

There were none.

21/24 MEMBERS' QUESTION TIME [Item 5]

There were none.

22/24 DECLARATIONS OF INTERESTS [Item 6]

Item 9 - Cllr Chris Farr raised a non-pecuniary interest that he was a Tandridge District Councillor, a member of the Planning and Planning Policy Committee, and was a member of the Lingfield Surgery. The Member confirmed that had an open mind and was not predetermined.

Item 9 - Cllr Jeffrey Gray raised a non-pecuniary interest that he was a Tandridge District Councillor and that he had not expressed any options on the application.

23/24 MINERALS AND WASTE APPLICATION MO/2023/1833 - LAND AT DORKING WEST STATION YARD, RANMORE ROAD, DORKING, SURREY, RH4 1HW [Item 7]

Officers:

David Maxwell, Senior Planning Policy Officer

Officer Introduction:

1. The Senior Planning Policy Officer introduced the report and provided Members with a brief overview. Members noted that the application was for the retention of a materials recycling facility including a building for the bulking up and processing of mixed skip waste, an office / welfare facility, storage units, skip storage, entrance gates and installation of an acoustic fence (part retrospective). Members further noted two corrections for the report which were that the site was 170m west of Dorking West Station, rather than east, and, within reason for refusal '5', 'to the satisfaction of the Environment Agency' should be deleted. Full details of the application were outlined within the published report.

Speakers:

Emily Hall spoke on behalf of the applicant and made the following comments:

1. That the proposal sought to retain the existing materials recycling facility whilst at the same time proposed an acoustic fence and appropriate parking and cycle storage.
2. That the site was used to sought recycling materials including C, D and E waste and household waste.
3. That support was received from the minerals and waste policy team who had identified a shortfall in management capacity for the waste outlined above.
4. That the proposal would increase existing recycling capacity in Surrey contributing to the waste management requirements.
5. That the proposal would provide employment for nine full-time staff Members.
6. Provided a brief overview of the history and location of the site.
7. That the Landscape Officer had confirmed that the proposal would respect the quality and character of the landscape and would not result in an unacceptable level of harm.
8. That the site generated traffic would not pass by the nearby primary school.
9. That pedestrian safety was a priority for the site and that Heavy Goods Vehicle (HGV) movements would be kept to a minimum with all deliveries to be pre-booked and have allocated arrival times.
10. That the council's air quality consultant had confirmed that the proposal would represent appropriate use of the land and the impacts on the surrounding area would not be significant.

11. That the preparation of a Dust Management Plan had been recommended and in connection with this it was recommended that a sprinkler system is installed on site and that any further details could be secured by condition. A condition could also be imposed to ensure the maintenance of the existing tarpaulin fence to prevent dust from escaping the site,
12. Noted detail of the noise impact assessment.
13. Noted detail related to surface water and flooding mitigation.

A Member of the Committee requested more detail on the previously developed land. Members noted that the land was previously a skip hire site.

A Member of the Committee noted that the Environment Agency previously provided a permit for the Materials Recycling Facilities (MRF) in April 2022 that did not include any mechanical handling however mechanical handling was present on site. The Member asked for detail on the applicant's proposal to deal with this issue. The applicant's agent stated that the intention was to contact the Environment Agency once planning permission was granted to resolve the appropriate licencing.

The Local Member, Hazel Watson, made the following comments:

1. That she objected to the planning application and requested that the committee refuse as the site contained an unauthorised waste materials recovery facility and the proposal involved the importation of up to 7,500 tonnes per annum of skip waste material and the site would generate 50 HGV movements per day.
2. That a large number of objections had been received from local residents.
3. That the site for the facility was inappropriately located close to a primary school, a resident caravan site and a sound school. There was a safety risk for children when walking or cycling to school with HGVs entering and exiting the access track from Ranmore Road. There was also a safety risk for walkers and cyclist accessing the sound school, caravan site, allotments, community orchard, BMX track and the National Trust fields.
4. That the County Highways Authority objected to the application.
5. That there were concerns related to dust and noise from the site.
6. That SES Water had advised that the site was close to a number of Dorking bore holes and that the site's activities had the potential to impact on the water abstracted for drinking water.
7. That the application was inappropriate development in the Green Belt.

A Member of the Committee asked the Local Member if she was aware of any enforcement activities in relation to the site. The Local Member stated that she would defer to officers for this information as she was not aware. Officers stated that enforcement issues were not a matter for the committee to consider.

A Member of the Committee asked the Local Member whether she was aware of any pedestrian safety issues related to the site. The Local Member stated that she believed there was an incident relating to a school child on Ranmore Road. It was further stated that the Highways Officers stated that the highways issues could not be mitigated.

Key points raised during the discussion:

1. A Member of the committee thanked officers for organising a Member visit to the site. The Member further added that they believed the site layout to be very confusing and said that they did not feel the fencing would mitigate the noise and air pollution impacts. The Member concluded by stating that they were against the proposal.
2. A Member stated that the site was obviously previously developed and that there was a need to deal with waste in Surrey. The Member further stated that the council had a responsibility to employment and businesses in Surrey and that the site would meet both of those objectives. The Member stated that, overall, it was difficult to accept the officer's conclusions however noted the issues related to the local roads and transport. The Member stated that they would be minded to approve the application.
3. A Member stated that they felt the officer's conclusions were clear and that he agreed with the points related to highways safety, pollution issues and dust and noise issues. The Member asked for clarification on whether the access was to the east of the site. Officers confirmed that there was a northern and southern access point. The northern access is the school access and is the only access that the applicant had demonstrated to have adequate visibility. The southern access did not have adequate visibility.
4. A Member stated that they agreed with the officers conclusion and that she understood the highways objection.
5. Members noted that that the application was for 7,500 tonnes of waste per year.
6. A Member felt that the officer's report was balanced and that they agreed with the officer's conclusion.
7. The Chairman moved the officer's recommendation to refuse planning permission which received 10 votes for, 1 against, and no abstentions.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee refused planning permission for the following reasons:

1. The proposed development, which is partially located in the Metropolitan Green Belt, constitutes inappropriate development by definition. The use of this Green Belt land to provide access to the site would not preserve openness. Insufficient very special circumstances are considered to exist to outweigh the harm by reason of inappropriateness, and other identified harm. The proposal is therefore contrary to paragraphs 152 and 153 of the National Planning Policy Framework 2023, Policy 9 of the Surrey Waste Local Plan 2020 and Policy EN1 of the draft Mole Valley Local Plan 2021.
2. It has not been demonstrated that there is safe and adequate means of access to the highway network, that the development is or can be made compatible with the transport infrastructure and the environmental character in the area and that vehicle movements

would have an acceptable impact on highway safety contrary to the requirements of Policy 15 of the Surrey Waste Local Plan 2020, Policy CS18 of the Mole Valley Core Strategy 2009, 'saved' Policy MOV2 of the Mole Valley Local Plan 2000 and Policy INF1 of the draft Mole Valley Local Plan 2021.

3. It has not been demonstrated that the application would have an acceptable impact on communities and the environment in respect of public amenity and safety in relation to the impacts caused by dust, fumes and air quality and that the adverse impacts caused by dust will be mitigated or avoided contrary to the requirements of Policy 14 of the Surrey Waste Local Plan 2020 and Policy EN12 of the draft Mole Valley Local Plan 2021.
4. It has not been demonstrated that the application would have an acceptable impact on communities and the environment in respect of public amenity and safety in relation to impacts caused by noise or that the impacts on existing noise-sensitive uses can be acceptably mitigated, contrary to the requirements of Policy 14 of the Surrey Waste Local Plan 2020 and Policy EN12 of the draft Mole Valley Local Plan 2021.
5. It has not been demonstrated to the satisfaction of the Environment Agency that the application would have an acceptable impact on communities and the environment in respect of public amenity and safety in relation to the impact on the water environment including impacts on the quality of ground water resources and drinking water supplies resulting from the release of contaminated run-off from the site contrary to the requirements of Policy 14 of the Surrey Waste Local Plan 2020, 'saved' Policy ENV67 of the Mole Valley Local Plan 2000 and policies EN12 and INF3 of the draft Mole Valley Local Plan 2021.

24/24 SURREY COUNTY COUNCIL PROPOSAL EL2022/2183 - LAND AT FORMER JOHN NIGHTINGALE SCHOOL SITE, NOW HURST PARK PRIMARY SCHOOL, HURST ROAD, WEST MOLESEY, SURREY KT8 1QS [Item 8]

Officers:

Lyndon Simmons, PDP Planning Officer

Officer Introduction:

1. The Planning Officer introduced the report and the update sheet and provided Members with a brief overview. Members noted that the application was for the construction of a new single, one and a half and two storey Hurst Park Primary School (420 Places) and Nursery (30 Places) together with provision of 26 parking spaces, and cycle and scooter parking; access off Hurst Road; laying out of outdoor learning and play areas and sports pitches; landscape planting and ecological habitats without compliance with Condition 1 (Approved Plans), Condition 7 (Landscape Planting and Habitat Creation Schemes) and Condition 8 (Landscape Planting and Maintenance) of planning permission ref: EL/2020/0021 dated 4 December 2020 to

enable material changes to details. Full details were outlined within the published report.

Speakers:

None.

Key points raised during the discussion:

1. A Member provide the committee with an overview of the history of the site and stated that he was not aware of any abrasive issues related to the site.
2. A Member stated that they felt it was a good application which improved biodiversity in the area.
3. The Chairman moved the officer's recommendation to approve which was unanimously agreed.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee agreed that, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. EL2022/2183 be permitted subject to the conditions outlined within the report.

25/24 SURREY COUNTY COUNCIL PROPOSAL TA2024/47 - SITE OF FORMER ORCHARD COURT CARE HOME, EAST GRINSTEAD ROAD, LINGFIELD, SURREY, RH7 6ET [Item 9]

Cllr Chris Farr raised a non-pecuniary interest that he was a Tandridge District Councillor, a member of the Planning and Planning Policy Committee, and was a member of the Lingfield Surgery. The Member confirmed that had an open mind and was not predetermined.

Cllr Jeffrey Gray raised a non-pecuniary interest that he was a Tandridge District Councillor and that he had not expressed any options on the application.

Officers:

Janine Wright, Principal Planning Officer

Officer Introduction:

1. The Principal Planning Officer introduced the report and update sheet and provided Members with a brief overview. Members noted that the outline application was for the erection of part 2 and 3 storey building (with additional basement) for extra care accommodation, comprising self-contained apartments, staff and communal facilities, electric substation and associated parking. Appearance and landscaping reserved. Full details of the application were outlined within the published report. A Member noted that the previous car home contained 63 bedrooms and the new proposal would be 54 units.

Speakers:

Carol Bell spoke on behalf of the applicant and made the following comments:

1. That the redevelopment was part of a programme of extra care projects being delivered by Surrey County Council to address the critical gap in provision of affordable extra care housing for older people who need accommodation and support.
2. That the proposal offered a higher level of care compared to traditional sheltered housing. Further to this, residents maintained a higher level of independence than that offered by a traditional care home.
3. That residents in extra care housing were less likely to develop conditions that required intensive healthcare solutions.
4. That the Orchard Court site was selected as it met key sustainability criteria which included close proximity to the Lingfield Village Centre, public transport links and health infrastructure. The site would be fully wheelchair accessible throughout with adaptable accommodation that can address both current and future needs.
5. Noted that there would be added security by having a manager on site at all times.
6. That the site would have the latest in sustainable energy supplies and measures to minimise heat loss. The latest technology would also be used to provide care and support to residents.

The Chairman stated that going forward it would be helpful to understand the proposed layout of the units.

A Member asked whether staff would be available on site in addition to the manager. The speaker confirmed that there would be day and night staff, catering staff, and care workers. Members noted that five parking spaces would be allocated to staff.

The Local Member, Lesley Steeds, made the following comments:

1. That she was supportive of the amended scheme and that the changes in height positioning as well as increased parking were welcomed and addressed concerns that had been raised.
2. That Surrey County Council would be providing a much-needed facility for elderly residents wishing to move to smaller accommodation with facilities onsite.
3. That services would not be further strained as the site was for local elderly people allowing them to have independent living with easy access to local amenities.
4. Urged the committee to approve the application.

A Member asked for detail on Tandridge District Council's position on the proposal. The Local Member explained that the council had reservations due to the height of the proposal and parking spaces however the Local Member felt these had been addressed.

Key points raised during the discussion:

1. A Member stated that they supported the proposal and stated that it met a pressing social need for extra care housing. The Member added

that they did not agree with comments by Tandridge District Council outlined in the report and that he felt the proposal better maximised the use of the site.

2. Members noted that objection stated that the proposal was not in accordance with the Lingfield Village Design Plan due to the height of the development however officers noted that there were other buildings in the immediate area of the site which were three levels or higher.
3. A Member stated that the need for the application had been well expressed, that the location of the site was very good and that it would not be reasonable to object due to the height of the proposal.
4. Members noted that he reserve matters would be delegated to officers unless called in to committee or objections received.
5. The Chairman stated that it would be beneficial to reserve a parking space for a 'car club' to enable greater flexibility and reduce the demand for private cars.
6. A Member stated that they were in support of the application and were pleased with the location and parking available.
7. The Chairman moved the recommendation which received unanimous support.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee agreed that, pursuant to Regulation 3 of the Town and Country Planning Regulations 1992, the planning application ref: TA2024/47 be approved, subject to planning conditions.

26/24 AUTHORITY MONITORING REPORT 2021/2022 AND AUTHORITY MONITORING REPORT 2022 [Item 10]

Officers:

Benjamin Brett, Senior Planning Policy Officer

Key points raised during the discussion:

1. The officers introduced the report and explained that Members were asked to note the preparation of two Authority Monitoring Reports (AMR) relating to the 2021/2022 financial year and the 2022 calendar year. Members received a presentation, and full details were outlined within the published report.
2. In regard to the recycling of concrete, members noted that construction, demolition, and excavation waste was reported on both a waste side and a minerals side and that figures were available on the sales of secondary and recycled aggregates.
3. In regard to the restoring mineral workings listings, a Member said that they could not see the Homefield Site or a reservoir in East Molesey that they were aware of. Officers said that this could be due to timing as only sites which had progress in 2021 / 2022 or 2022. The officer added that they were not aware of any sites excluded from the report.

The Member stated that it would be helpful to receive information on the sites which were not progressing.

4. A Member asked if information was available on unauthorised sites. Officers explained that enforcement monitoring and how it was communicated to the committee was an issue being considered.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee noted:

1. The progress made in performance against DHLUC KPIs since September 2022, and the performance of minerals and waste planning policies against their strategic objectives and monitoring indicators for the period 1 April 2021 to 31 December 2022.
2. The change in the reporting period of AMRs and the changed format of the document including its streamlined approach to displaying data and analysing policy performance.
3. That they are encouraged to provide feedback about the AMRs or other land-use planning monitoring functions undertaken by officers.

27/24 DATE OF NEXT MEETING [Item 11]

The date of the next meeting was noted.

Meeting closed at 12.10 pm

Chairman

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To: Planning & Regulatory Committee
By: Planning Development Manager

Date: 26 June 2024

District(s) Waverley

Electoral Division(s):

Waverley Eastern Villages
 Mr Deanus

Case Officer:
 David Maxwell

Purpose: For Decision

Grid Ref: 499088 135451

Title: Minerals and Waste Application WA/2023/02564

Summary Report

Land at Chiddingfold Storage Depot, Chiddingfold Road, Dunsfold, Surrey GU8 4PB

Erection of two extensions to Building A to provide additional storage, office and amenity space (part retrospective)

Land at Chiddingfold Storage Depot is situated in countryside beyond the Green Belt approximately 2.9 kilometres (km) east of Chiddingfold and around 1.7km south-west of Dunsfold on the south-west side of Chiddingfold Road. The site area includes part of the adjoining woodland with the remainder of the land being occupied by buildings or laid to hard standing.

The storage depot includes two main buildings comprising a larger building (Building A), which has been extended to the rear along part of its south-western elevation, and a smaller building (Building B) which was damaged by fire in August 2023. The depot comprises two separate planning units each accessed independently off Chiddingfold Road.

This first comprises the south-eastern two-thirds of the site which incorporates Building B and the south-eastern two-thirds of Building A. This area is used for the importation, storage, processing and transfer of discarded automotive parts.

The application site comprises the second planning unit which incorporates the north-western third of the site. This area extends to 0.42 hectares and is being used for the storage of disused automotive parts outside in the open yard area and temporarily for document storage in the north-western third of Building A. Planning permission (ref: WA/2021/0286) granted in March 2022 included the change of use of the north-western third of Building A from document storage to the storage of automotive parts, and the processing of catalytic converters and clutches. Whilst the permission has been implemented, the change of use has yet to take place.

The application site is located within an Area of Great Landscape Value (AGLV) and is well screened by surrounding woodland. It abuts an area of woodland to the north-west, beyond which is the Birchen Copse Ancient & Semi Natural Woodland which is situated 2 metres beyond the north-western boundary of the application site. Birchen Copse includes the Chiddingfold Forest Site of Special Scientific Interest (SSSI) which lies 20 metres from the application site boundary. The nearest sensitive receptors to the application site boundary comprise Woodside Cottage and Wetwood Rough located around 50 and 110 metres to the north respectively. A small scale wood and green waste processing and storage facility is located on the opposite side of Chiddingfold Road from the application site.

The application is for two extensions to Building A to create a combined total of 739 square metres (sq m) of additional gross internal floorspace. The smaller two-storey extension to the north-west of Building A would accommodate office and amenity space. The larger single-storey extension to the south-west of Building A would be used for the storage of automotive parts which are stored outside in the open yard area. The application is part-retrospective as the single storey extension has already been erected.

No views have been received from Waverley Borough Council. Dunsfold Parish Council has expressed concerns in relation to noise, visual impact and need. No objections have been received from statutory and non-statutory consultees subject to conditions in respect of highways, traffic and access, landscape and visual amenity, ecology and biodiversity and the water environment. A total of 5 letters of representation have been received, all of which object to the application, primarily in relation to over-development, location, ecology, landscape, highways, traffic and access and noise.

Having assessed the planning merits of the application, it is acknowledged that the proposed single-storey extension is large in size. However, the proposed development would be sensitively located and would not form a prominent feature in the local landscape. It would make effective use of previously developed land and support the needs of an established rural business by improving operational efficiency without resulting in a material increase in traffic or having an adverse impact on residential amenity. The proposal would also improve the local noise climate and make provision for landscape improvements and ecological enhancements.

For these reasons, Officers consider that the proposal is acceptable and complies with national planning policy and local development plan policy requirements subject to the imposition of conditions to control the impact of the development on local amenity and the environment.

The recommendation is to Permit subject to conditions.

Application details

Applicant

2RB Limited

Date application valid

21 November 2023

Period for Determination

20 February 2024 (Extension of time agreed until 10 July 2024)

Amending Documents

- Email entitled "RE: Application SCC Ref: 2023-0189 Chiddingfold Storage Dpt (Building A Extensions x 2)" dated 11 March 2024
- Drawing No. 0801 - SK-001 Rev G Proposed & Existing Ground Floor Plans dated November 2023
- Drawing No. 0801 - SK-005 Rev F Proposed & Existing Front Elevations dated September 2023
- Preliminary Ecological Appraisal and Preliminary Roost Assessment Version 001 dated 6 April 2023
- Email entitled "RE: Planning Application WA/2023/02564: Land at Chiddingfold Storage Depot" dated 29 May 2024
- Email entitled "Re: Application WA/2023/02564 Chiddingfold Storage Dpt - Draft Planning Conditions for Comment" dated 6 June 2024

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
Waste Management	Yes	47-61
Highways, Traffic and Access	Yes	62-71
Noise	Yes	72 -79
Landscape and Visual Impact	Yes	80-96
Ecology and Biodiversity	Yes	97-113
Water Environment	Yes	114-125
Sustainable Construction and Design	Yes	126-132

Illustrative material

Site Plan

Plan 1 - Site Location and Application Site Area

Aerial Photographs

Aerial 1: Surrounding area

Aerial 2: Application site

Plans and Drawings

Drawing ref: 0801-SK-003 Rev B Proposed & Existing Roof Plans - September 2023

Site Photographs

Figure 1: Image of Building A - March 2021

Figure 2: Yard to Rear of Building A - March 2021

Figure 3: North-West Façade of Building A - March 2021

Figure 4: North-West Façade of Building A - June 2024

Figure 5: View of Building A with Gates Closed - June 2024

Figure 6: Location of Two-Storey Extension - June 2024

Figure 7: Summer View from Chiddingfold Rd - June 2024

Figure 8: Winter View from Chiddingfold Rd - March 2021

Background

Site Description

1. Land at Chiddingfold Storage Depot is situated in countryside beyond the Green Belt approximately 2.9 kilometres (km) east of Chiddingfold and around 1.7km south-west of Dunsfold on the south-west side of Chiddingfold Road. The site area includes part of the adjoining woodland with the remainder of the land being occupied by buildings or laid to hard standing.
2. The storage depot includes two main buildings comprising a larger building (Building A), which has been extended to the rear along part of its south-western elevation, and a smaller building (Building B) which was damaged by fire in August 2023. Building A is substantial in size being 84m in length, 32m wide and around 7.5m in height. The rear extension to Building A is 48m in length and 17m wide. The depot also contains an open concreted yard area, two sheds which are used for storage and staff welfare, four external storage containers and two roll-on / roll-off (RoRo) waste recycling skips. Planning permission (ref: WA/2013/1223) allows for three RoRo waste recycling skips to be accommodated on site. The storage depot is currently being used for both waste related development and document storage use. Prior to being purchased by the applicant in 2013, it was used to house munitions during World War II and subsequently for storage and distribution purposes.

3. The open concrete yard area is used for vehicle parking, metallic waste storage in RoRo waste recycling skips which are positioned outside the south-western façade of Building B and ancillary storage. Four existing storage containers are situated along the south-eastern boundary of the depot, two of which face towards the east with the other two facing west.
4. The storage depot comprises two separate planning units each accessed independently from gated entrances off Chiddingfold Road. This first planning unit comprises the south-eastern two thirds of the site which incorporates Building B and the south-eastern two-thirds of Building A. This area is used for the importation, deposit, storage and transfer of discarded automotive parts, such as clutches, turbo chargers, air conditioning units, steering racks/pumps, electronic components and gear boxes. It is also used for the reprocessing of clutches in Building B and the de-canning and recovery of precious metals from discarded catalytic converters in Building A. This use is served by the main access to the site from Chiddingfold Road which is positioned between buildings A and B. The reprocessing of clutches has been temporarily relocated off-site due to the fire damage to Building B.
5. The application site comprises the second planning unit which primarily incorporates the north-western third of the site. This area includes the north-western third of Building A and the yard area that surrounds this part of the building. It also includes a very narrow strip of land south-west of the rear extension to Building A which runs parallel with the south-eastern two-thirds of the building.
6. This second planning unit extends to 0.42 hectares and is served from a secondary access off Chiddingfold Road. It is being used for the outdoor storage of disused automotive parts within the open yard area and temporarily for document storage. The document storage use undertaken by Formex Archive Services Limited takes place in the north-western third of Building A.
7. In March 2022, planning permission (ref: WA/2021/0286) was granted for the change of use of the north-western third of Building A from document storage to the storage of automotive parts, and the processing of catalytic converters and clutches. The permission also included the construction of a retaining wall along the south-west boundary of the second planning unit and an extension to the area of hardstanding. The application was intended to enable Hensel Recycling, who are currently based in Slinfold (west of Horsham), to relocate into the north-western third of Building A for the purposes of the processing of catalytic converters. Whilst the permission has been implemented as the retaining wall and extension to the area of hardstanding have been developed, the change of use to the north-western third of Building A has yet to take place.
8. The north-eastern boundary of the storage depot runs parallel with Chiddingfold Road and is 220 metre in length. This boundary is formed of palisade fencing, security access gates, mature hedgerows and mainly broadleaved trees, a number of which are protected by a Tree Preservation Order (TPO). These trees partly screen views of Building A from Chiddingfold Road, particularly when they are in full leaf. The remaining perimeter boundaries of the depot abut blocks of woodland which effectively screen the wider site from views from the north-west, south-west and south-east.
9. The application site is located within an Area of Great Landscape Value (AGLV). It abuts an area of woodland to the north-west, beyond which is the Birchen Copse Ancient & Semi Natural Woodland which is situated 2 metres beyond the north-western boundary of the application site. Birchen Copse includes the Chiddingfold Forest Site of Special Scientific Interest (SSSI) which lies 20 metres from the application site boundary. There are no Sites of Nature Conservation Importance (SNICIs), Listed Buildings, Registered Parks and Gardens, Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Local or National Nature Reserves within close proximity to the application site.

10. The nearest sensitive receptors to the application site boundary comprise Woodside Cottage (designated by Waverley Borough Council as a building of Local Merit) and Wetwood Rough located around 50 and 110 metres to the north respectively. Larchwood is situated approximately 115 metres to the south-east on the same side of Chiddingfold Road as the storage depot. This property is separated from the application site by a small block of woodland and a yard area forming part of the south-eastern end of the storage depot. Wetwood Cottage and Millmead Cottage are located around 120 and 127 metres to the south-east respectively on the opposite side of Chiddingfold Road.
11. To the east of the application site on the opposite side of Chiddingfold Road, planning permission was granted in March 2019 for the construction and use of a small scale wood and green waste processing and storage facility on Land at Wetwood Cottage. Several large agricultural sheds associated with Wetwood Farm are situated around 140 metres to the east of the application site beyond both Wetwood and Millmead cottages.

Planning History

12. Details were approved in April 2024 (ref: WA/2023/01729) of an existing access visibility splay drawing pursuant to condition 5, proposed cycle parking and electric vehicle charging points pursuant to conditions 6 and 7, a noise management plan pursuant to condition 9, a surface water drainage scheme pursuant to condition 11, a landscape management plan pursuant to condition 13 and a biodiversity enhancement and maintenance scheme pursuant to condition 15 of planning permission ref: WA/2021/0286 dated 29 March 2022.
13. In March 2022, planning permission (ref: WA/2021/0286) was granted part retrospectively for the change of use of the north-western end of Building A from document storage (Class B8) to storage of automotive parts, processing of catalytic converters and clutches, the creation of an extended hardstanding area and the erection of a retaining wall.
14. Details of a Noise Monitoring Scheme (ref: WA/2019/0368) pursuant to Condition 4, a Drainage Strategy (ref: WA/2019/1501) pursuant to Conditions 11 and 12, and a SuDS Verification Report (ref: WA/2021/0277) pursuant to Condition 13 of planning permission ref: WA/2017/2144 were approved in July 2019, November 2019 and August 2021 respectively.
15. In May 2019, planning permission (ref: WA/2019/0155) was granted for the provision of a package treatment plant to facilitate the management of sewage on the application site.
16. Planning permission (ref: WA/2017/2144) was granted in May 2018 for an extension to the principal building (Building A) to provide additional storage and processing areas, the change of use of the site to include the reprocessing of clutches in Building B, the re-siting of 4 containers and the erection of a landscape machinery store.
17. In March 2015, planning permission (ref: WA/2014/0939) was granted for the retention of 4 containers for storage purposes in connection with the existing waste use.
18. Planning permission (ref: WA/2013/1223) was granted in October 2013 for the importation, deposit, storage and transfer of discarded automotive parts (class B8), the importation, deposit, storage and processing of discarded catalytic converters, external alterations to the former boiler room, additional vehicle parking spaces and the installation of passive infrared lighting.
19. In January 1960, planning permission (ref: WA/79/1960) was granted for the use of the site for the storage of fertilisers and animal feed stuffs. Although Condition 1 restricted the use of the land and buildings to the storage of fertilisers and animal feed, in effect, Officers considered that this permission allowed the land and buildings to be used for Use Class B8 (storage or distribution) purposes.

- | | | |
|-----|----------------------------|---|
| 31. | Lead Local Flood Authority | No objection subject to a condition. |
| 32. | Health & Safety Executive | Development does not intersect a pipeline or hazard zone. |
| 33. | Thames Water | No views received. |

Parish/Town Council and Amenity Groups

- | | | |
|-----|-------------------------|---|
| 34. | Dunsfold Parish Council | Express concern in relation to noise, visual impact and need and request that conditions be imposed if the planning authority is minded to grant consent. |
| 35. | Protect Dunsfold | No views received. |
| 36. | Friends of the Earth | No views received. |

Summary of publicity undertaken and key issues raised by public

37. The application was publicised by the posting of two site notices and an advert was placed in the local newspaper. A total of 14 owner/occupiers of neighbouring properties were directly notified by letter.
38. Five letters of representations have been received objecting to the application. A summary of the reasons provided are set out below.
- The ever increasing development, over-development and industrialisation of the rural site over the last 10 years.
 - The business should be located on an industrial estate, not in a rural area.
 - Application should be rejected due to the environmentally sensitive location and the restricted access.
 - A fire in August last year which caused serious air pollution and a major power cut underlines the unsuitability of the activity in this location.
 - It would be more appropriate to replace Building B which was damaged by fire.
 - Extension would be onto land that used to have trees on it.
 - Activity is totally unsuited and inappropriate in this rural, residential and agricultural area, adjacent to ancient woodland and a SSSI.
 - Expansion closer to sensitive woodland may affect the abundant animals and birds including bats which are a declining amenity due to the noise of lorries and emptying containers, and the handling of toxic substances.
 - Activity is out of character with the surrounding area and the depot was only sited in a rural area to reduce the risk of being bombed.
 - Some of the drawings and explanations provided as part of the application are somewhat obfuscated.
 - Site would be immediately adjacent to the Surrey Hills National Landscape (SHNL)¹ following proposals by Natural England.
 - Site is accessed along an unclassified country lane with sharp bends.
 - Query the impact of the covered area on the amount of turning space in the yard.
 - As waste movements increase, it is likely that the turning area would need to be reconfigured by having an additional gated entrance to the site.
 - Disagree that a 745.59 sq m increase in floorspace, a covered area and new RoRo waste recycling skip would not result in extra traffic.
 - More pressure on Chiddingfold Road due to traffic from other local development.
 - Concerned processing activities would take place in the yard under the proposed covered area resulting in additional noise.

¹ The SHNL was formerly known as the Surrey Hills Area of Outstanding Natural Beauty (AONB).

- Additional noise and dust resulting from the additional number of daily trips in association with the proposed RoRo waste recycling skip.
- Unclear why 745.59 sq m of new floorspace would not result in additional noise.
- Unclear how the proposed RoRo waste recycling skip can be emptied.
- Unclear why more staff would not be required to manage the additional activity.
- Object to the lack of proper procedure due to not being consulted on the application.

Officer Comment

39. The application has been amended since it was originally submitted and subjected to consultation and publicity. Firstly, a proposal to process automotive parts in the proposed single-storey extension has been removed from the application. Consequently, this extension is now only proposed to be used for the storage of automotive parts. Secondly, a covered area to accommodate an additional RoRo waste recycling skip at the north-western end of the proposed single-storey extension no longer forms part of the application. This area is now included within the proposed single-storey extension. Finally, the provision of an additional RoRo waste recycling skip for the tipping of metallic waste has been removed from the proposal. Therefore, the comments made in relation to these aspects of the original application are no longer applicable.

Planning considerations

Introduction

40. 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.
41. In this case, the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan 2020 (SWLP), the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 (LPP1) and the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies 2023 (LPP2). In August 2017, the Borough Council approved an application to designate the parish of Dunsfold as a Neighbourhood Area. Whilst the application site is located within the parish, work on the preparation of a Neighbourhood Plan remains ongoing.
42. The County Planning Authority (CPA) is in the process of preparing a new Minerals and Waste Local Plan (MWLP) for Surrey which would replace the existing Surrey Minerals Plan 2011 and SWLP 2020. The MWLP remains at an early stage of preparation with the Issues and Options document being published for consultation between 15 November 2021 and 7 March 2022.
43. The CPA has considered the need for the application to be supported by an Environmental Impact Assessment (EIA). The application was found not to fall within the scope of any of the types of development listed in Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). In relation to the types of development listed under Schedule 2, whilst the application would result in changes to a facility producing residual waste material for disposal, the area of the application site is below the area based screening threshold of 0.5 ha, the affected land is not within 100m of any controlled waters and the site is not involved in the incineration of waste materials.
44. In terms of the proximity to sensitive areas, although the development is located around 20m from Chiddingfold Forest SSSI and approximately 600m from the Surrey Hills National Landscape (SHNL), it was considered that neither designation would be subject to discernible impacts as a result of the proposed changes to the application site. As a consequence, it was concluded that the proposed development did not need to be screened for EIA.

45. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
46. 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: waste management, highways traffic and access, noise, landscape and visual impact, ecology and biodiversity, the water environment and sustainable construction and design.

Waste Management

Surrey Waste Local Plan 2020

Policy 1: Need for Waste Development

Policy 3: Recycling of Inert Construction, Demolition and Excavation Waste

Policy 8: Improvement or Extension of Existing Facilities

Policy 10: Areas Suitable for Development of Waste Management Facilities

47. Paragraph 7 of the National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development, including amongst other things, the provision of commercial development in a sustainable manner. Paragraph 8 sets out that the planning system has three overarching objectives in order to achieve sustainable development: economic, social and environmental. The economic objective includes the need to help build a strong, responsive and competitive economy and the environmental objective involves the protection and enhancement of our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently and minimising waste and pollution. NPPF paragraph 88 promotes the sustainable growth and expansion of all types of business in rural areas.
48. Paragraph 89 of the NPPF recognises that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
49. Paragraph 1 of the National Planning Policy for Waste (NPPW) states that positive planning plays a pivotal role in delivering this country's waste ambitions including through: delivery of sustainable development and resource efficiency, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy; and, helping to secure waste re-use, recovery or disposal without endangering human health or harming the environment.
50. The Waste Framework Directive (WFD), as amended, sets requirements for the collection, transport, recovery and disposal of waste. The WFD includes a requirement to apply the 'waste hierarchy' when planning for waste management. The waste hierarchy is a system of prioritising the different ways in which waste can be managed with the most sustainable method, prevention, at the top of the hierarchy followed by preparing for reuse, recycling, other recovery², with the least sustainable method, disposal, at the bottom. In terms of targets, page 35 of the Waste Management Plan for England (January 2021) states that for end-of-life vehicles (ELVs), there is a 95% reuse, recycling and recovery requirement.
51. The vision for the SWLP is composed of 5 key elements that reflect national planning policy. These elements include net self-sufficiency and sustainable waste management (waste hierarchy). The SWLP Spatial Strategy states that Surrey has a need for additional

² Processing of wastes into materials to be used as fuels or for backfilling.

waste management capacity. It explains that factors that can provide for this need include appropriate extensions and enhancements to existing facilities. Sites identified for employment uses and industrial and storage purposes are seen as areas potentially suitable for waste development. Previously developed land and sites identified for employment uses are included amongst the types of land uses prioritised for waste use as well as land not in the Green Belt.

52. SWLP Policy 1 states that planning permission will be granted for the development of new waste facilities that contribute to achieving targets for recycling, recovery and the diversion of waste from disposal in a manner that does not prevent management of the waste at the highest point practical in the waste hierarchy. Policy 2 sets out that planning permission for the development of recycling or recovery facilities will be granted where the site is suitable when assessed against Policy 10 and other policies in the Plan.
53. Policy 8 of the SWLP stipulates that planning permission for the improvement or extension of existing waste management facilities will be granted where: any change to the type and/or quantity of waste managed is consistent with the Plan's requirements for the management of waste and that the quantity of waste to be managed is equal to or greater than the quantity of waste currently managed on site; benefits to the environment and local amenity will result; and the improvement or extension of a recycling and recovery facility is consistent with Policy 2. SWLP Policy 10 states that planning permission will be granted for the development of waste facilities on land identified for employment uses or industrial and storage purposes, land considered to be previously developed and land otherwise suitable for waste development when assessed against other policies in the Plan.
54. The applicants, 2RB Ltd (formerly Refine Metals Limited) are the leaders in the purchasing and processing of catalytic converters. Their business also includes Auto Parts UK Limited who specialise in the supply of automotive parts used in remanufacturing processes off-site, and Fleetway Clutches Limited who are leading experts in clutch reprocessing.
55. The applicant states that since purchasing the site in 2013, the business has continued to grow. Their success has been exemplified by the acquisition of Fleetway Clutches which has enabled the company to expand the profile of their business. Whilst the company intends to expand into the remaining north-western third of Building A, after Formex Archive Services Limited have vacated the site, they have identified a need for additional floorspace in order to allow the business to further strengthen.
56. Although Dunsfold Parish Council has expressed concern over the need for the proposal, the application would provide internal space for the storage of automotive parts which are stored in crates outside in the open yard. The ability to store such parts within a dry environment protected from the rain and damp would have a beneficial impact on the operation and efficiency of the business and help to support the recycling and recovery of discarded automotive parts. The applicant confirms that there would be no material change to the operation of the site and hence no impact on waste collection.
57. The location of the application site beyond existing settlements and in a location not well served by public transport is in accordance with paragraph 89 of the NPPF. This is because the proposal would help to meet the needs of a rural local business and would be sensitive to its surroundings. Further, it would make effective use of previously developed land, and would not have an unacceptable impact on local roads.
58. The application would increase the number of full-time employees from 10 to 11 and provide for one new part-time position. It would help to build a strong, responsive and competitive economy by assisting the needs of an established and specialist waste management facility. The proposal would support the sustainable growth and expansion of a rural business. Given the location of the application site on previously developed land, the application would help to protect the natural environment by making effective use of land. The development would also underpin the needs of an existing business enterprise whose operations are designed to minimise waste and pollution. In these respects, the

application is in accordance with national planning policy as it would contribute to the achievement of sustainable development in accordance with the NPPF.

59. The development would represent positive planning in delivering the country's waste ambitions in accordance with paragraph 1 of the NPPW. This is through the provision of sustainable development, the creation of employment opportunities, and supporting the needs of an existing business involved in driving waste management up the waste hierarchy. This is in respect of the provision of resource efficiency through the reuse, recycling and recovery of waste without endangering human health or harming the environment. It may also support the achievement of the target for the reuse, recycling and recovery of ELVs contained in the Waste Management Plan for England. For these reasons the application is in accordance with SWLP Policy 1.
60. The application is considered to be consistent with SWLP Policy 8 as the quantity of waste to be managed is equal to the quantity of waste currently managed on site. Further environmental benefits would result from supporting an existing business involved in the reuse, recycling and recovery of waste. There would also be benefits to local amenity from enclosing part of the waste operation within a building. In addition, the development is considered to be in accordance with SWLP Policy 10 due to its location on previously developed land, and Policy 2 as the site is considered suitable when assessed against other policies in the SWLP.

Conclusion

61. The application would support the needs of an existing rural business involved in the reuse, recycling and recovery of automotive parts. It would improve the operation and efficiency of the waste management facility and facilitate improvements in the environment and local amenity in this respect. The proposal would also make effective use of previously developed land. Officers are therefore satisfied that the proposal meets the requirements of national planning policy and the local development plan in these respects.

Highways, Traffic and Access

Surrey Waste Local Plan 2020

Policy 15: Transport and Connectivity

Waverley Borough Local Plan Part 1 2018

Policy ST1: Sustainable Transport

Waverley Borough Local Plan Part 2 2023

Policy DM9: Accessibility and Transport

62. NPPF paragraph 114 seeks to ensure that: appropriate opportunities to promote sustainable transport modes have been taken; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 116 sets out that development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
63. Policy 15 of the SWLP promotes waste development where transport links are adequate to serve the development or can be improved to an appropriate standard. Where the need for road transport has been demonstrated, the policy seeks to ensure: waste is transported using the best roads available; the distance and number of movements are minimised; cumulative impacts on the road network will not be severe; there is safe and adequate means of access and vehicle movements will not have an unacceptable impact on highway safety; satisfactory provision is made to allow for safe vehicle turning and parking, manoeuvring, loading, and electric charging; and low or zero emission vehicles are used.

64. LPP1 Policy ST1 states, relevant to this proposal, that the Council will work to ensure that development schemes: are located where opportunities for sustainable transport modes can be maximised reflecting the amount of movement generated, the nature and location of the site and recognising that solutions and measures will vary from urban to rural locations; give priority to the needs of pedestrians, cyclists, public transport users, car sharers and users of low and ultra-low emission vehicles; and include measures to encourage non-car use such as on-site cycle parking.
65. Policy DM9 of the LPP2 seeks to provide safe and convenient access for all highway users in a way which: does not compromise pedestrian and cycle movements, or compromise access to the highway; manages vehicle speeds and does not have a severe residual cumulative impact on the capacity of the highway network; does not adversely increase the risk of accidents or endanger the safety of road users including pedestrians, cyclists, and other vulnerable road users; and provides adequate space for delivery vehicles. The Policy also aims to minimise the adverse impact of any potential HGV traffic movements, particularly on rural lanes unsuitable for HGVs, include adequate car parking spaces and secure cycle storage and make appropriate provision for electric vehicle charging points.
66. Chiddingfold Road is a 'C' classified two-way single carriageway. This provides access to Dunsfold village to the north-east of the site via Wrotham Hill, and to Chiddingfold village to the west of the site via High Street Green.
67. Vehicular access to the application site is achieved via the secondary gated access off Chiddingfold Road. Access arrangements were granted under planning permission ref: WA/2021/0286 dated 29 March 2022 with details of visibility splays, proposed cycle parking and electric vehicle charging points (ref: WA/2023/01729) subsequently approved in April 2024. The approved visibility splays require the existing hedge located within land owned by the applicant to be reduced in height to 1m in order to accommodate the required visibility splays.
68. The application is supported by a Transport Statement (TS). This states that there are no changes proposed to the site access arrangements. The TS sets out that access to the application site would remain via the existing access from Chiddingfold Road and the proposal would not result in any material increase in vehicle movements or lead to any harm to the existing operation and free flow of traffic on the adjoining highway.
69. The County Highway Authority (CHA) has assessed the application on highway safety, capacity and policy grounds and raised no objection subject to a number of conditions. These are intended to ensure that before the development is first brought into use, the maximum achievable visibility splays are provided at the existing access, space is provided for the parking and turning of vehicles, provision is made for secure covered cycle parking including a power supply for the charging of e-bikes, fast charge sockets are provided at two available parking spaces and two further spaces are provided with a power supply for additional fast charge sockets. These conditions are considered necessary to ensure that the development does not prejudice highway safety or cause inconvenience to other highway users and promote sustainable transport in accordance with the national planning policy.
70. Representations objecting to the application have raised concerns over the suitability of Chiddingfold Road, the impact on turning space within the yard, the increase in traffic and the cumulative impact of traffic from other development. The CHA has raised no objection to the application and the provision of sufficient turning space within the yard can be secured by condition. As the proposal would not result in a material rise in traffic movements, the residual cumulative impacts on the road network would not be severe in accordance with paragraph 115 of the NPPF and SWLP Policy 15.

Conclusion

71. Officers are satisfied that the application would not result in a material increase in traffic and is acceptable on transport policy grounds subject to the imposition of conditions to ensure highway safety, prevent any inconvenience to other highway users and promote more sustainable travel choices. The proposed development therefore complies with national planning policy and local development plan policy requirements in respect of highways, traffic and access considerations.

Environment and Amenity

Surrey Waste Local Plan 2020

Policy 13: Sustainable Design

Policy 14: Protecting Communities & the Environment

Waverley Borough Local Plan Part 1 2018

Policy RE1: Countryside beyond the Green Belt

Policy RE3: Landscape Character

Policy NE1: Biodiversity and Geological Conservation

Policy NE2: Green and Blue Infrastructure

Policy CC1: Climate Change

Policy CC2: Sustainable Construction and Design

Policy CC4: Flood Risk Management

Waverley Borough Local Plan Part 2 2023

Policy DM1: Environmental Implications of Development

Policy DM4: Quality Places through Design

DM11: Trees, Woodland, Hedgerows and Landscaping

Noise

72. NPPF paragraph 180 states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraph 191 adds that planning decisions should ensure new development is appropriate for its location, mitigate, and reduce to a minimum, potential adverse noise impacts resulting from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.
73. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to public amenity and safety in respect of impacts caused by noise. LPP2 Policy DM1 states that development should avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an unacceptable increase in noise. If significant environmental impacts from development cannot be avoided, adequately mitigated, or, as a last resort compensated for, then planning permission should normally be refused.
74. The application is supported by an Industrial Noise Impact Assessment. This assesses the noise impact on the nearest noise sensitive receptors from waste processing operations being included within the proposed single storey extension and the tipping of metallic waste into an additional RoRo waste recycling skip. However, the application has been revised since it was originally submitted. The changes made to the application, as set out in paragraph 39 above, have removed the main sources of noise from the proposed development assessed in the Noise Impact Assessment. In terms of construction noise, the applicant has stated that the erection of the prefabricated single-storey extension was completed in 9 days with little noise or disturbance.
75. The County Noise Consultant has advised that following further information received from the applicant confirming that the single-storey extension would be used for the storage of car parts only, they have no significant concerns with regard to noise and raise no objection to the scheme.

76. Dunsfold Parish Council has expressed concern over the noise impact of the proposal and representations have been received objecting to the increase in noise. However, following the changes made to the application, these comments are no longer applicable. Despite this, Condition 8 of planning permission ref: WA/2021/0286 dated 29 March 2022 limits the amount of noise that can be emitted from all plant, equipment and machinery, including on-site vehicle movements, to no more than 42 dB at any time at the nearest noise sensitive receptor.
77. To provide confidence that the noise limit can be achieved, details of a Noise Management Plan (NMP) (ref: WA/2023/01729) were approved in April 2024. The NMP specifies how noise monitoring shall be carried out (including in response to a request from the CPA if a complaint were to be received) to demonstrate compliance with the existing noise limit. Should the development fail to comply with the noise limit, the approved NMP requires the applicant to amend working practices in order to comply with the noise limit and to submit a scheme for written approval providing details of how noise levels are to be attenuated to the required limit.
78. Officers are satisfied that the amendments made to the application would ensure that the noise impact on the closest noise sensitive receptors would remain acceptable. Further, the storage of crates containing automotive parts within the proposed single storey extension would improve the local noise climate by eradicating the need for machinery to be used outdoors in association with the deposit, storage and removal of crates stored outside of Building A in the open yard area.

Conclusion

79. Officers consider that the proposal would help to improve the local noise climate by housing the storage of automotive parts within a building as this would remove the need to operate machinery outside in the open yard area in association with the movement of crates. As a consequence, Officers are therefore satisfied that the impact of the proposal on communities and the environment including in relation to public amenity and safety in respect of impacts caused by noise would be acceptable and that the application complies with both national and local planning policy in respect of noise.

Landscape and Visual Impact

80. NPPF paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside including the benefits of trees and woodland. Paragraph 182 sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (now known as National Landscapes) which have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
81. Policy 14 of the SWLP sets out that waste development will be granted planning permission where it would be consistent with relevant national planning policy with respect to the protected landscape of the SHNL. The policy also requires that waste development does not result in unacceptable impacts on communities and the environment in respect of the landscape, including impacts on the appearance, quality and character of the landscape and any features that contribute to its distinctiveness, including character areas defined at the national and local levels.
82. LPP1 Policy RE1 seeks to recognise and safeguard the intrinsic character and beauty of the countryside. Policy RE3 of the LPP1 requires new development to respect and where appropriate enhance the distinctive character of the landscape in which it is located. The policy states that the setting of the SHNL will be protected where development outside its

boundaries harm public views from or into the SHNL. It also requires the same principles for protecting the SHNL to be applied to the AGLV pending a review of the SHNL boundary.

83. LPP2 Policy DM1 sets out that development should not cause harm or damage to existing environmental assets such as areas of landscape value and maximise opportunities to enhance such assets. Policy DM11 of the LPP2 states that development should incorporate high quality landscape schemes include tree planting, appropriate to the scale, nature and location of the development.
84. SCC's Landscape Character Assessment (2015) identifies 21 generic landscape character types across the county. These are split into 140 locally related and named landscape character areas. The application site is located within generic landscape character area WW Wooded Low Weald. This comprises predominantly lowland, undulating between roughly 50m above ordnance datum (AOD) and 100m AOD, and rising up to meet the greensand hills to the north. The area is scattered with woodland blocks and includes significant amounts of tree cover, including ancient woodland, tree belts, shaws, hangers and large mature hedgerow trees such as oaks.
85. The application site lies in local landscape character area WW3: Grafham to Dunsfold Wooded Low Weald. Key characteristics are: that it consists of relatively low lying, gently undulating landform; at least 50% of the character area is covered by ancient woodland; it contains extensive continuous tracts of woodland including semi-natural broadleaved woodland, as well as coniferous plantations with mixed and broadleaved stands; there are occasional wooded gills and hangers; between woodland blocks there are arable fields and smaller areas of pasture, often bounded by hedges and tree belts; and the enclosed nature of the character area limits long distance views.
86. The application site is located within an AGLV at around 55m AOD. The AGLV forms a buffer around the edge of the SHNL which is located around 560m to the west of the application site at 70m AOD. In view of the extent of the separation distance between the application site and the SHNL, intervening topography, the proposed extensions being no taller than the existing buildings and the amount of woodland screening around the north-west and south-west boundaries of the application site, the proposal would not have an adverse impact on the setting of the SHNL and would not harm public views from or into the SHNL.
87. Natural England is currently undertaking a review of the boundary of the SHNL and has proposed a number of extension areas for consultation having carried out a detailed technical assessment. These proposed extension areas include an extension to the SHNL within the Dunsfold Low Weald which would bring the boundary of the SHNL to within 146m of the centre of the application site or around 72m of its nearest boundary. The consultation responses are in the process of being analysed with a view to reviewing, and where necessary amending the proposed boundaries to take account of any relevant evidence received.
88. Given that the SHNL boundary review remains ongoing and the proposed extended boundary of the SHNL remains subject to potential change, limited weight can be attributed to the new extended boundary being proposed. Nevertheless, taking into account the contained nature of the application site, which is well screened by existing woodland, the proposed development being on previously developed land, the discreet location of the proposed single storey extension to the rear of Building A, and the small-scale of the proposed two-storey extension in comparison to the size of Building A, it is considered that if the proposed boundary change was to be confirmed, any adverse impacts on the setting of the SHNL would be minimised. As a consequence, it is considered that the proposed development is sensitive to its surroundings and would not result in significant harm to the natural beauty of the proposed extension to the SHNL.

89. The submitted Planning, Design and Access Statement (PDAS) explains that the site is very well screened from wider vantage points with the only available views of the site being from Chiddingfold Road, although these are obscured by the wealth of trees and vegetation along the site frontage. The PDAS says that additional planting of native species will be undertaken as part of the implementation of planning permission ref: WA/2021/0286, dated 29 March 2022. Further, the application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment dated 6 April 2023 which proposes the enhancement of existing woodland. Specific measures include the planting of native trees, shrubs and bulbs such as English oak, blackthorn and English bluebell.
90. The PDAS continues by pointing out that the extensions have been designed to be in keeping with the external appearance of the building in terms of their form, design and material palette. It states that the extensions are low key developments which are modest in scale and do not extend beyond the existing previously developed site and would be viewed in the context of existing development. For these reasons, the applicant argues that the proposals would have no material impact on the character or appearance of the wider landscape and considers that the landscape character of the area would be preserved. In addition, the applicant explains that there are no trees within the vicinity of either extension which could be affected by the development.
91. Dunsfold Parish Council has expressed concern in relation to the visual impact of the proposed extension and a representation has been received objecting to the application in part due to the proximity of the extension to existing trees. Officers consider that the proposed single-storey extension would have a limited landscape and visual impact due to its discreet location to the rear of Building A, which is 84m in length, 32m wide and has a flat roof. Although the single-storey extension would be around 1.07m taller than Building A owing to the fact that it would have a pitched roof, it would be the same height as the existing large extension to the south-west of Building A.
92. The south-west façade of the proposed single-storey extension would be screened by existing woodland. The south-east façade would be screened by the existing large extension to the south-west of Building A and existing woodland beyond. The north-east façade would be almost entirely screened by Building A. As a consequence, only the north-western façade and a small section of the side of the roof on the north-eastern façade would be visible from the approach towards the secondary site entrance on Chiddingfold Road from the north-west, and from outside the entrance itself. However in this context, given the size and mass of Building A when viewed from these vantage points, the landscape and visual impact is not considered to be significant.
93. In terms of the proposed smaller two-storey extension to the north-west of Building A, this would be around 1.47m lower in height than Building A. It would only be visible from the same public vantage points as the proposed single-store extension. In view of the much smaller dimensions of the two-storey extension, the landscape and visual impact would not be significant by itself or in combination with the proposed single-storey extension due to the size and mass of Building A which dominates views into the site from these public vantage points.
94. The County Landscape Officer has no objection to the application as they consider that the proposed building extensions are unlikely to have any materially greater landscape or visual impact in comparison to that of the existing building due to their siting, scale and form. However, the County Landscape Officer has requested that consideration be given to the imposition of a condition requiring the provision of tree protection fencing to safeguard tree root protection areas and/or canopies within the woodland adjacent to the south-west boundary of the application site.
95. As the application is part-retrospective and the proposed single-storey extension has already been erected, the imposition of such a condition would not serve any useful purpose and therefore could not be justified. However, the applicant has subsequently

confirmed that no trees or plants of any kind were interfered with during the erection of the prefabricated single-storey extension which was developed within the existing concrete area and completed in 9 days.

Conclusion

96. In view of the siting, scale and form of the two proposed extensions to Building A, relative to the size and mass of the existing building, taking into the account the extent of existing screening from public vantage points around the application site, Officers are satisfied that the impact on communities and the environment in respect of the landscape, including impacts on the appearance, quality and character of the landscape and any features that contribute to its distinctiveness, would be acceptable. As a consequence, the proposal meets the requirements of national planning policy and SWLP Policy 14, LPP1 policies RE1 and RE3 and LPP2 policies DM1 and DM11.

Ecology and Biodiversity

97. NPPF paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by: protecting and enhancing sites of biodiversity value and soils; recognising the wider benefits from natural capital and ecosystem services including trees and woodland; and minimising impacts on and providing net-gains for biodiversity.
98. Paragraph 186 of the NPPF sets out that planning permission should be refused if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for; be refused for development resulting in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy exists; and, be supported for development whose primary objective is to conserve or enhance biodiversity whilst opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net-gains for biodiversity.
99. Policy 13 of the SWLP requires all proposals for waste development to demonstrate that measures are included to maximise biodiversity gains during its construction and operation. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to the natural environment including biodiversity, sites of local importance for biodiversity such as SNCIs, irreplaceable habitats such as ancient woodland and protected species.
100. LPP1 Policy NE1 seeks to conserve and enhance biodiversity by permitting development that retains, protects and enhances features of biodiversity interest and ensures appropriate management of those features and that adverse impacts are avoided, or if unavoidable, are appropriately mitigated. The policy pays particular regard to designated sites including SSSIs, SNCIs and ancient woodland and does not allow development adjacent to these sites where it would have an adverse impact on the integrity of the nature conservation interest. It also requires new development within and adjacent to Biodiversity Opportunity Areas (BOAs) to, where appropriate, contribute to the protection, management and enhancement of biodiversity which may include the restoration and creation of priority habitats and the recovery of priority species populations. Policy NE2 of the LPP1 aims to maintain and enhance existing trees, woodland and hedgerows where appropriate.
101. LPP2 Policy DM1 sets out that development should not cause harm or damage to existing environmental assets such as areas of ecological value and maximise opportunities to enhance such assets. Development should also deliver the minimum biodiversity net-gain of 10% as required by the Environment Act 2021. The biodiversity net-gain should be compared to the baseline and calculated using the most up to date national Biodiversity Metric. Policy DM11 of the LPP2 states that development should retain woodland, important trees, groups of trees and hedgerows, adequately protect trees and hedgerows

during all phases of development and provide adequate separation between trees or hedgerows and the proposed development.

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102. Under the Wildlife and Countryside Act 1981 (as amended), it is illegal to take, damage or destroy, the nests of wild birds whilst being built or when in use. The breeding bird season is generally accepted to be from March to August inclusive, although some species will breed outside this period. Bats, their roosts, and their habitats are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
 103. The applicant has submitted a 'Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment' in support of the application. This explains that an online data search and field survey was undertaken to assess the baseline ecological conditions of the site and its potential to support protected species and species of conservation concern. In addition, a Preliminary Roost Assessment was also carried out comprising an external and internal inspection for bats at the buildings on site to inform an assessment of the potential for summer roosting and winter hibernating bats being present. An assessment of habitats for their potential to support foraging and commuting bats was also made.
 104. The habitats recorded on site comprised lowland mixed deciduous woodland, mixed scrub, other hedgerows, buildings and other developed land. Two active bird's nests were recorded on site within crevices above the metal doors on the north-west façade of Building A. Additionally, trees and woodland on-site could support breeding birds.
 105. Buildings A and B were identified as having negligible suitability to support summer roosting and winter hibernating bats owing to the presence of a small number of low quality potential external roosting features. There are no potential access / egress points, enclosed roof voids or internal potential roosting features within both buildings and no sign of bats were found. The woodland and scrub habitats on site could support foraging and commuting bats.
 106. The report makes a number of recommendations for avoidance, mitigation and enhancement. These comprise:
 - Woodland and trees on site should be retained, protected, and enhanced, where possible.
 - Protective fencing between the development and the woodland should be installed prior to construction commencing and should stay in place throughout the development operation.
 - Buffer zones should be created adjacent to the woodland borders on site, where construction activities, storage of materials and other activities, that may cause deterioration of the habitat, should be avoided. There should be no direct access from the development into the buffer.
 - Buffer zones should be put in place to protect the rooting areas of trees on-site³ in which no construction activities should be permitted.
 - A Construction Environmental Management Plan should be prepared detailing how the woodland would be retained and protected.
 - Any construction works or removal of vegetation should be undertaken outside of the bird nesting season (March to August inclusive) to avoid destruction / disturbance of nesting birds.

³ Root Protection Area is calculated in accordance with British Standard 5837: Trees in Relation to Construction

- A sensitive lighting plan should be adopted, to ensure that outside lighting does not adversely affect adjacent habitats and wildlife, particularly bats when foraging and commuting.
107. In relation to biodiversity improvement, the report sets out the following measures which should be implemented on site to enhance biodiversity.
- Enhancement and creation of habitats through the planting of trees, shrubs and hedgerows, which should comprise native species.
 - The laurel should be removed and replaced with a native shrub, such as holly.
 - The use of appropriate sustainable drainage systems (SuDS).
 - The installation of log piles, bee bricks and a hibernaculum for invertebrates.
 - The installation of bird and bat boxes.
 - The installation of a Royal Hedgehog House.
108. Officers are mindful that the application was submitted in October 2023 and before requirements to make provision for a 10% biodiversity net-gain became mandatory for major planning applications on 12 February 2024. Representations have been received objecting to the proposal due to the proximity of the site to ancient woodland, sensitive woodland, a SSSI, and the impact on animals and birds including bats.
109. Officers consider that the reduction in operational activity that would take place outside in the open yard area would result in less disturbance being caused to species in the adjoining woodland. Further, there is no reason why the proposed single-storey extension would have any greater impact on the nearby woodland than the existing extension to the south-west of Building A granted planning permission in May 2018 (ref: WA/2017/2144). This is because this extension is similar in size and the same distance away from the adjoining woodland as the proposed single-storey extension.
110. The proposed two-storey extension is much smaller in size and is set further back from the application site boundary. For these reasons, this two-storey extension is considered unlikely to have any adverse impact on the adjoining woodland. In addition, the avoidance and mitigation measures outlined in the PEA can be secured by condition in order to safeguard ecological interest in the immediate vicinity during the construction of the proposed two-storey extension.
111. The County Ecology Officer (CEO) has advised that the PEA confirms that the site contains few ecological constraints and the buildings and trees on site have negligible suitability to support roosting bats. They therefore consider that the proposal satisfies the requirements for mitigating ecological constraints and the implementation of the recommended biodiversity enhancements within the PEA would provide a positive gain for protected species.
112. The CEO recommends the imposition of planning conditions requiring the submission of a Construction Ecological Mitigation Plan (CEMP) and a Biodiversity Enhancement and Management Plan (BEMP) for written approval. This CEMP should incorporate details of the protection and mitigation measures for habitats and species outlined in the PEA. The BEMP should include a detailed landscape plan with detailed planting schedules, in accordance with the recommendations outlined in the PEA, the specification and locations of bird, bat and invertebrate features and other ecological enhancement features outlined in the PEA, and details of habitat management arrangements and for the monitoring of habitats and biodiversity features.

Conclusion

113. The submitted 'PEA and Preliminary Roost Assessment' finds that the application site has few ecological constraints and that the suitability of on-site buildings and trees to support roosting bats is negligible. The CEO has raised no objection to the application subject to conditions. Officers are therefore satisfied that subject to the imposition of conditions requiring the submission of a CEMP and a BEMP for approval in writing, the impact of the development on ecological and biodiversity interests is acceptable and the proposal is in accordance with national planning policy and relevant local development plan policies.

Water Environment

114. Paragraph 173 of the NPPF sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, relevant to this proposal, it can be demonstrated that: the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; it incorporates sustainable drainage systems; and any residual risk can be safely managed.
115. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to the water environment with respect to: (a) flood risk (arising from all sources), including impacts on, and opportunities to provide and enhance, flood storage and surface water drainage capacity; and (b) water resources, including impacts on the quantity and quality of surface water and ground water resources, taking account of Source Protection Zones, the status of surface watercourses and waterbodies and ground water bodies.
116. In relation to mitigating and adapting to the impacts of climate change, LPP1 Policy CC1 supports development that includes measures to provide appropriate flood storage capacity, address issues of flood risk and use sustainable drainage systems (SuDS) to help reduce surface water run-off.
117. Policy CC4 of the LPP1 aims to reduce the overall and local risk of flooding by ensuring development is located, designed and laid out to ensure that it is safe, that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere, and that residual risks are safely managed. The policy requires SuDS for major developments and encourages them for smaller schemes. It also requires no increase in the volume or rate of surface water run-off leaving the site and no property or highway flooding, off-site, for up to the 1 in 100 year storm return period, including an allowance for climate change.
118. LPP2 Policy DM1 states that development should avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an increase in flood risk. If significant environmental impacts from development cannot be avoided, adequately mitigated, or, as a last resort compensated for, then planning permission should normally be refused.
119. The application is supported by a Flood Risk Assessment and Surface Water Management Strategy (FRA & SWMS). This report has been prepared to appraise the risk of flooding from all sources and provide a sustainable solution for managing the surface water run-off discharged from the application site.
120. The application site is located within Flood Zone 1 and has a low probability of flooding from rivers and sea. The risk of flooding has been considered for a wide range of sources. It has been identified that the risk to the proposed development is low except for the risk of flooding from surface water, which could accumulate in the area of the proposed development if the existing surface water drainage system were to be overwhelmed. To mitigate this risk, the provision of flood resistance and resilience measures are proposed to be included in both of the two proposed extensions to Building A. Examples of flood

resistance and resilience measures which may be appropriate for the application site include, but are not limited to, the following:

- Raising floor slab level further.
- Bringing the electrical supply in from the ceiling.
- Placing boilers and meter cupboards raised above ground level.
- Water-resistant plaster/tiles on the walls of the ground floor.
- Solid stone or concrete floors with no voids underneath.
- Covers for doors and airbricks.
- No-return valves on new plumbing works.
- Avoidance of studwork partitions on the ground floor.
- The use of storage space within the larger single-storey extension should be compatible with the flood risk vulnerability, and all materials/items should be stored appropriately to prevent other issues (e.g. contamination) should a flood occur.

121. The FRA & SWMS explains that the proposed development would not increase the areas of hardstanding, and the hydraulic loading on the system would remain unchanged. As the total impermeable area on site would not be increased as a result of the proposed development, the existing drainage system would function as originally designed. The design drawings for the existing drainage network show that surface water from the development area is collected by a combination of an underground network of pipes and a swale and discharged into a detention basin to the south of the site. A vortex flow control device (hydro-brake) has been installed at the outlet of the detention basin to discharge the stored surface water into a watercourse running adjacent to the boundary of the site, thereby limiting the discharge to 2 litres per second (2 l/s).
122. Compared to the previous application (ref: WA/2021/0286), there would be a slight increase in run-off during the development's lifetime due to a 5% increase in the climate change allowance from 40% to 45%. The hydraulic calculations for the existing drainage system have therefore been re-calculated to accommodate a climate change allowance of 45% as prescribed by the current standards. Whilst there would be no increase in the risk of flooding off-site, the available freeboard in the detention basin decreases slightly compared to the drainage calculations from the previous application. Nevertheless, given the minimal decrease in freeboard, the FRA & SWMS explains that the existing surface water drainage system would be sufficient to manage all surface water from the proposed development.
123. The FRA & SWMS concludes that the risk of flooding to the site would be low, and the risk to surrounding areas would not be increased. Notwithstanding this, as a precautionary measure, the FRA & SWMS recommends that the owners/manager of the site should regularly check weather forecasts and the Met Office weather warnings to ensure they are aware of the potential for an extreme rainfall event which could result in shallow accumulation of floodwater across the areas of hardstanding. An informative can be added to this effect.
124. The Lead Local Flood Authority (LLFA) has reviewed the application and advised that the applicant has considered the surface water flood risk to and from the application site and has suggested appropriate mitigation measures to inform the application. The LLFA has suggested the imposition of a planning condition to ensure the surface water drainage system is installed in accordance with the drawings and documents submitted by the applicant and that the development is carried out in accordance with these details and maintained thereafter.

Conclusion

125. The application site benefits from an existing drainage system which would function as originally designed given that the total impermeable area on site would not be increased as a result of the proposal. The submitted FRA & SWMS finds that the risk of flooding from all sources would be low except for the risk to the proposed development from surface

water flooding. Flood resistance and resilience measures are proposed to be included in both extensions to mitigate the risk. Whilst an extreme rainfall event could result in shallow accumulations of floodwater across the areas of hardstanding, the manager/owners are advised to regularly check weather forecasts and the Met Office weather warnings to ensure they are aware of the potential for such an event. Subject to the imposition of a condition to ensure that the surface water drainage system is installed in accordance with the submitted drawings and documents, Officers are satisfied that the proposal would have a low risk of flooding and not increase flood risk elsewhere in accordance with national planning policy and relevant local development plan policies.

Sustainable Construction and Design

126. Paragraph 123 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment. SWLP Policy 13 requires that all proposals for waste development should demonstrate that the development is of a scale, form and character appropriate to its location and that during its construction and operation, measures are included to maximise landscape enhancements and biodiversity gains and ensure resilience and enable adaptation to a changing climate.
127. Policy CC2 of the LPP1 explains that the Council will seek to promote sustainable patterns of development and reduce the level of greenhouse gas emissions by, amongst other measures, being designed to encourage walking, cycling and sustainable forms of transport, building at higher densities where appropriate, and incorporating measures that protect, and where possible, enhance the biodiversity value of the development.
128. LPP2 Policy DM4 expects all new development to be of a high quality design including, amongst other measures, by making the most efficient use of land, responding to the local context and historic character by taking into account the scale of development, its appearance, views from and to the site, and existing features including trees and landscape form, ensuring the use of high quality sustainable building materials and finishes appropriate to the context, incorporating high quality landscaping and boundary treatments and promoting active travel modes.
129. The proposed development would increase the density of the waste management facility and being located on previously developed land, help to make the most efficient use of land. The extensions have been designed to reflect the form and appearance of the existing building in terms of their form, design and material palette with the extensions being well related to the host building. The walls of the proposed single storey extension would comprise polyvinyl chloride (PVC) block profile steel sheets. An insulated pitched roof would be provided which would be 40 millimetres thick to match the existing extension. The walls of the proposed two-storey extension would comprise painted blockwork. The roof would be flat, insulated with Celotex and sealed with glass fibre. In these respects, the two proposed extensions would reflect the local context in terms of how they relate to Building A.
130. As set out above, the proposed single storey extension would be discreetly located to the rear of Building A. It would be the same height as the existing large extension to the south-west of Building A and would be largely screened by Building A. Only a small proportion of the extension would be visible from close to the site entrance. The proposed two-storey extension would be lower in height than Building A and its dimensions would be small in comparison. Officers propose planning conditions to protect the existing landscape and secure landscape enhancements and biodiversity gains.
131. The adequacy of the existing sustainable drainage system has been assessed and found to be sufficient to manage all surface water from the proposed development, taking account of the increased rainfall from climate change. To promote more sustainable travel choices, conditions are proposed to secure the provision of secure covered cycling parking

and ensure that a proportion of parking spaces are fitted with fast charge sockets for electric vehicles, prior to the proposed development being brought into use.

Conclusion

132. In view of the above considerations, Officers are satisfied that the proposal would embrace the principles of sustainable construction and design in accordance with national planning policy and the requirements of SWLP Policy 13, LPP1 Policy CC2 and LPP2 Policy DM4.

Human Rights Implications

133. 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.
134. Having considered the limited effects of the proposal on landscape and visual amenity and ecology and biodiversity, it is the Officer's view that with the imposition of suitable planning conditions, any potential impacts are not considered sufficient to engage any of the articles of the Convention and that the proposal has no Human Rights Implications.

Conclusion

135. The part-retrospective application is proposing the erection of two extensions to Building A to provide a combined total of 739 square metres (sq m) of additional gross internal floorspace. These comprise a larger single-storey extension to the south-west façade of Building A to provide additional storage space for automotive parts and a smaller two-storey extension to the north-west facade of Building A to provide additional office and amenity space. The application is part-retrospective as the single storey extension to the rear of Building A has already been erected.
136. The location of the proposed development would help to support the needs of an existing rural business, involved in driving the management of waste up the waste hierarchy through the reuse, recycling and recovery of automotive parts. It would be sensitive to its surroundings and make effective use of previously developed land. The application would improve the operation and efficiency of the waste management facility by enabling automotive parts to be stored in a dry environment and facilitate improvements in the environment and local amenity.
137. No changes are proposed to the site access arrangements. The application would not result in a material increase in traffic and is acceptable on transport policy grounds subject to the imposition of conditions to ensure highway safety, prevent any inconvenience to other highway users and promote more sustainable travel choices.
138. The storage of crates containing automotive parts within the proposed single storey extension would improve the local noise climate by eradicating the need for machinery to be used outdoors in association with the stacking and removal of crates stored outside in the open yard area. The County Noise Consultant has advised that they have no significant concerns with regard to noise and raise no objection to the scheme.
139. In view of the extent of the separation distance between the application site and the SHNL, intervening topography, the proposed extensions being no taller than the existing buildings and the amount of woodland screening around the north-west and south-west boundaries of the site, the proposal would not have an adverse impact on the setting of the SHNL and would not harm public views from or into the SHNL. If proposals by Natural England to extend the SHNL to within 72m of the application site boundary were to be confirmed, it is considered that the proposed development is sensitive to its surroundings and would not result in significant harm to the natural beauty of the proposed extension to the SHNL.

140. The County Landscape Officer has raised no objection to the application as they consider that the proposed building extensions are unlikely to have any materially greater landscape or visual impact in comparison to that of the existing building due to their siting, scale and form. Officers are therefore satisfied that the impact on the appearance, quality and character of the landscape and any features that contribute to its distinctiveness would be acceptable.
141. The County Ecology Officer has advised that the PEA confirms that the site contains few ecological constraints and the buildings and trees on site have negligible suitability to support roosting bats. They therefore consider that the proposal satisfies the requirements for mitigating ecological constraints and recommend the imposition of conditions to secure protection and mitigation measures for habitats and species and the biodiversity enhancements measures outlined within the PEA. Subject to these conditions, the impact of the proposal on ecological and biodiversity interests is considered acceptable.
142. The application site is located within Flood Zone 1 and has a low probability of flooding from rivers and sea. As the total impermeable area on site would not be increased, the existing drainage system would function as originally designed. To mitigate the risk of flooding from surface water, the provision of flood resistance and resilience measures are proposed to be included in both extensions to Building A.
143. The LLFA has advised that the applicant has suggested appropriate mitigation measures to inform the application and suggested the imposition of a planning condition to ensure the surface water drainage system is installed in accordance with the submitted drawings and documents. Subject to this condition, Officers are satisfied that the proposal would have a low risk of flooding and not increase flood risk elsewhere.
144. The proposal would help to make the most efficient use of land and the extensions have been designed to reflect the form and appearance of the existing building and are well related to the host building. The existing sustainable drainage system has been found to be sufficient. Conditions are proposed to promote sustainable travel choices, protect the existing landscape and secure landscape enhancements and biodiversity gains. In these respects, Officers are satisfied that the proposal would embrace the principles of sustainable construction and design.
145. Whilst Officers acknowledge that the proposed single-storey extension is large in size, it would be sensitively located and would not form a prominent feature in the local landscape. Taking the above findings into consideration, Officers recognise that the proposal would have a number of benefits in terms of catering for the needs of an established waste management facility, improving the local noise climate and making provision for landscape improvements and ecological enhancements in accordance with the local development plan. For these reasons, Officers considered that planning permission should be granted.

Recommendation

146. The recommendation is to **PERMIT** planning application WA/2023/02564 subject to the following conditions:

Conditions

IMPORTANT: THERE ARE CONDITIONS THAT REQUIRE SCHEMES TO BE APPROVED PRIOR TO THE COMMENCEMENT OF CERTAIN OPERATIONS

7

Approved Plans and Drawings

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

Drawing ref: 0801-SK20-04 Rev C Location Plan dated September 2023

Drawing ref: 0801-SK-001 Rev G Proposed & Existing Ground Floor Plans dated November 2023

Drawing ref: 0801-SK-002 Rev C Proposed & Existing First Floor Plans dated September 2023

Drawing ref: 0801-SK-003 Rev B Proposed & Existing Roof Plans dated September 2023

Drawing ref: 0801-SK-004 Rev C Proposed & Existing Side Elevations dated September 2023

Drawing ref: 0801-SK-005 Rev F Proposed & Existing Front Elevations dated September 2023

Drawing ref: 0801-SK-006 Rev E Proposed Block Plan dated September 2023

Drawing ref: 0801-SK-007 Rev A Existing Block Plan dated January 2023

Reason

For the avoidance of doubt and in the interests of proper planning and 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 local community, public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy DM1 of the Waverley Borough Local Plan Part 2 2023.

2. A copy of this permission including all documents hereby approved and any documents subsequently approved in accordance with this permission, shall be available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of the development.

Reason

To ensure that site operatives are conversant with the terms of the planning permission in the interests of the local environment and amenity in accordance with Policy 14 of the Surrey Waste Local Plan 2020.

Time Limits

3. The developer shall notify the County Planning Authority in writing within seven (7) working days of the completion of the development hereby permitted.

Reason

To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on local amenity to comply with Policy 14 of the Surrey Waste Local Plan 2020.

Hours of Operation

4. With the exception of the carrying out of emergency operations for safety and security purposes which must be notified to the County Planning Authority in writing within five (5) working days of those emergency operations taking place, no operations or activities authorised or required by this permission shall take place other than during the hours of:

0800 to 1800 hours Monday to Friday
0800 to 1300 hours on Saturday

No operations or activities shall take place at any time on Sundays, Bank Holidays, Public or National Holidays.

Reason

To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on local amenity to comply with Policy 14 of the Surrey Waste Local Plan 2020.

Highways, Traffic and Access

5. The development hereby permitted shall not be first brought into use unless and until the existing vehicular access to Chiddingfold Road has been provided with the maximum achievable visibility splays in accordance with Drawing ref: 160305-01 Rev C Existing Access Visibility Splay dated 14 September 2023 (Appendix A of the Transport Statement ref V2 dated 14 September 2023). Thereafter the visibility splays shall be kept permanently clear of any obstruction over one (1) metre in height.

Reason

In the interests of ensuring that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with paragraph 114 of the National Planning Policy Framework 2023, Policy 15 of the Surrey Waste Local Plan 2020, Policy ST1 of the Waverley Borough Local Plan Part 1 2018 and Policy DM9 of the Waverley Borough Local Plan Part 2 2023.

6. The development hereby permitted shall not be first brought into use unless and until space has been laid out within the site in accordance with Drawing ref: 0801-SK-006 Rev E Proposed Block Plan dated September 2023 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason

In the interests of ensuring that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with paragraph 114 of the National Planning Policy Framework 2023, Policy 15 of the Surrey Waste Local Plan 2020, Policy ST1 of the Waverley Borough Local Plan Part 1 2018 and Policy DM9 of the Waverley Borough Local Plan Part 2 2023.

7. The development hereby permitted shall not be first brought into use unless and until secure, covered cycle parking, including a power supply for the charging of e-bikes, has been provided in accordance with Drawing ref: 0801-SK-006 Rev E Proposed Block Plan dated September 2023. Thereafter the secure, covered cycle parking shall be retained and maintained for its designated purpose.

Reason

In the interests of ensuring that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with paragraph 114 of the National Planning Policy Framework 2023, Policy 15 of the Surrey Waste Local Plan 2020, Policy ST1 of the Waverley Borough Local Plan Part 1 2018 and Policy DM9 of the Waverley Borough Local Plan Part 2 2023.

8. The development hereby permitted shall not be first brought into use unless and until two (2) of the available parking spaces have been 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) and a further two (2) of the available spaces have been provided with power supply for future additional fast charge sockets, in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority.

Reason

In the interests of ensuring that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with paragraph 114 of the National Planning Policy Framework 2023, Policy 15 of the Surrey Waste Local Plan 2020, Policy ST1 of the Waverley Borough Local Plan Part 1 2018 and Policy DM9 of the Waverley Borough Local Plan Part 2 2023.

Ecology and Biodiversity

9. Prior to the construction of the two-storey extension hereby permitted, a detailed Construction Ecological Mitigation Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. The Plan shall be submitted within three (3) months of the date of this decision and shall include the following protection and mitigation measures for habitats and species:
 - a) Details of how the priority woodland habitat will be retained and protected in accordance with the measures contained in Section 7.1 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology, dated 6 April 2023;
 - b) Details of the root protection zones of any other retained trees and how they will be protected during construction;
 - c) Details of mitigation measures for breeding birds during active works in accordance with Section 7.3 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology dated 6 April 2023;
 - d) Details of the buffer zones to be created adjacent to the woodland borders on site where construction activities, storage of materials and other activities that may cause deterioration of the habitat should be avoided in accordance with Section 7.1 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology, dated 6 April 2023;
 - e) Details of a sensitive lighting strategy for the proposals in accordance with Section 7.4 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology, dated 6 April 2023.

The Construction Ecological Mitigation Plan shall be implemented in accordance with the approved details.

Reason

To protect valued landscapes, maintain the benefits of trees and woodland to the natural and local environment, and ensure the impact on the appearance quality and character of the landscape is acceptable in accordance with paragraph 180 of the

National Planning Policy Framework 2023, Policy 14 of the Surrey Waste Local Plan 2020, Policy RE1 of the Waverley Borough Local Plan Part 1 2018 and Policy DM1 of the Waverley Borough Local Plan Part 2 2023.

10. Prior to the construction of the two-storey extension hereby permitted, a detailed Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the County Planning Authority. The Plan shall be submitted within three (3) months of the date of this decision and shall include the following biodiversity enhancement measures:
 - a) A detailed Landscape Plan with detailed planting schedules for the enhancement of woodland habitat within the site in accordance with Section 9 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology, dated 6 April 2023;
 - b) Specification and locations of bird, bat and invertebrate features, and other ecological enhancement features, in accordance with Section 9 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment, aLyne Ecology, dated 6 April 2023;
 - c) Details of the management and monitoring arrangements for habitats and biodiversity features.

The Biodiversity Enhancement and Management Plan shall be implemented in accordance with the approved details.

Reason

To contribute to and enhance the natural and local environment, enhance sites of biodiversity value, provide net-gains for biodiversity and ensure the impact on the natural environment including biodiversity and protective species is acceptable in accordance with paragraph 180 of the National Planning Policy Framework 2023, Policies 13 and 14 of the Surrey Waste Local Plan 2020 and Policy NE1 of the Waverley Borough Local Plan Part 1 2018.

Water Environment

11. The surface water drainage system shall be installed in accordance with the Flood Risk Assessment and Surface Water Management Strategy, Herrington Consulting Limited, dated August 2023 and the development hereby permitted shall be carried out in accordance with this strategy and maintained thereafter. Prior to the first occupation of the two extensions to Building A, the provision of flood resistance and resilience measures in both extensions shall be fully implemented based on the advice contained in Section 5.2 of this strategy.

Reason

To ensure the development does not increase flood risk on- or off-site and is maintained for the lifetime of the development in accordance with Policy 14 of the Surrey Waste Local Plan 2020, Policy CC4 of the Waverley Borough Local Plan Part 1 2018 and Policy DM1 of the Waverley Borough Local Plan Part 2 2023.

Informatives:

1. 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).

2. 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.
3. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the [Vehicle, Cycle and Electric Vehicle Parking Guidance for New Developments - Surrey County Council \(surreycc.gov.uk\), February 2023](https://www.surreycc.gov.uk/transport/vehicle-cycle-and-electric-vehicle-parking-guidance-for-new-developments). If an active connection costs on average more than £3,600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
4. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance, obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
5. The applicant's attention is drawn to Section 5.1 of the submitted Flood Risk Assessment and Surface Water Management Strategy, Herrington Consulting Limited, dated August 2023 which, during times of heightened flood risk, advises the owners/manager of the site to keep updated by watching local TV stations or listening to local radio for flood warning updates. This is to ensure that users of the site are aware of extreme conditions which may result in flooding on site if the existing surface water drainage system has insufficient capacity and becomes surcharged. The information can be found on local and regional forecasts, media (e.g. radio/television/online) and from Met Office 'Weather Warnings' at: [Warnings and advice - Met Office](#)
6. The applicant's attention is drawn to the advice, guidance and safety information provided by SGN and UK Power Networks in relation to gas and electricity infrastructure in the vicinity of the application site, copies of which have been provided to the applicant or can be obtained from the County Planning Authority on request.
7. The procurement, planting, establishment and aftercare of all new trees with a distinct crown shall be in general accordance with British Standard BS 8545:2014 Trees: From nursery to independence in the landscape - Recommendations.
8. Growing media used for the soft landscaping should not contain peat.
9. Procurement of planting stock is recommended from a supplier who is a member of the Plant Healthy Certification Scheme (or equivalent).
10. 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 tree sources should be used. The applicant is 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 (such as the Plant Healthy Certification Scheme) should also be investigated when researching suppliers. For larger planting schemes, the applicant may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.

11. 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. 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.
12. 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.
13. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposal against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations and 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 on ecology and biodiversity and noise 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 2023.

Contact David Maxwell

Tel. no. 07814 284982

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.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Waverley Borough Council planning register entry for this application can be found under application reference WA/2023/02564.

Other documents

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

Government Guidance

[National Planning Policy Framework](#)
[National Planning Policy for Waste](#)
[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Local Plan 2020](#)
[Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018](#)
[Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies 2023](#)

Other Documents

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
 The Waste Framework Directive 2008 (as amended)
 Waste Management Plan for England, Defra, January 2021
 Surrey Landscape Character Assessment 2015
 Environment Act 2021
 Wildlife and Countryside Act 1981 (as amended)
 The Conservation of Habitats and Species Regulations 2017 (as amended)
 BS 5837:2012 Trees in Relation to Design, Demolition and Construction Recommendations
 British Standards Institution, 30 April 2012
 Email from Agent entitled, "RE: Application Ref: WA/2023/02564 - Land at Chiddingfold Storage Depot" dated 30 April 2024
 Email to Applicant entitled, "Site Visit: Chiddingfold Storage Depot" dated 04 June 2024
 Email from Applicant entitled, "Re Site Visit: Chiddingfold Storage Depot" dated 04 June 2024
 Image from Applicant of Single Storey Extension dated 04 June 2024

Site Location: **Land at Chiddingfold Storage Depot, Chiddingfold Road, Dunsfold, Surrey GU8 4PB**



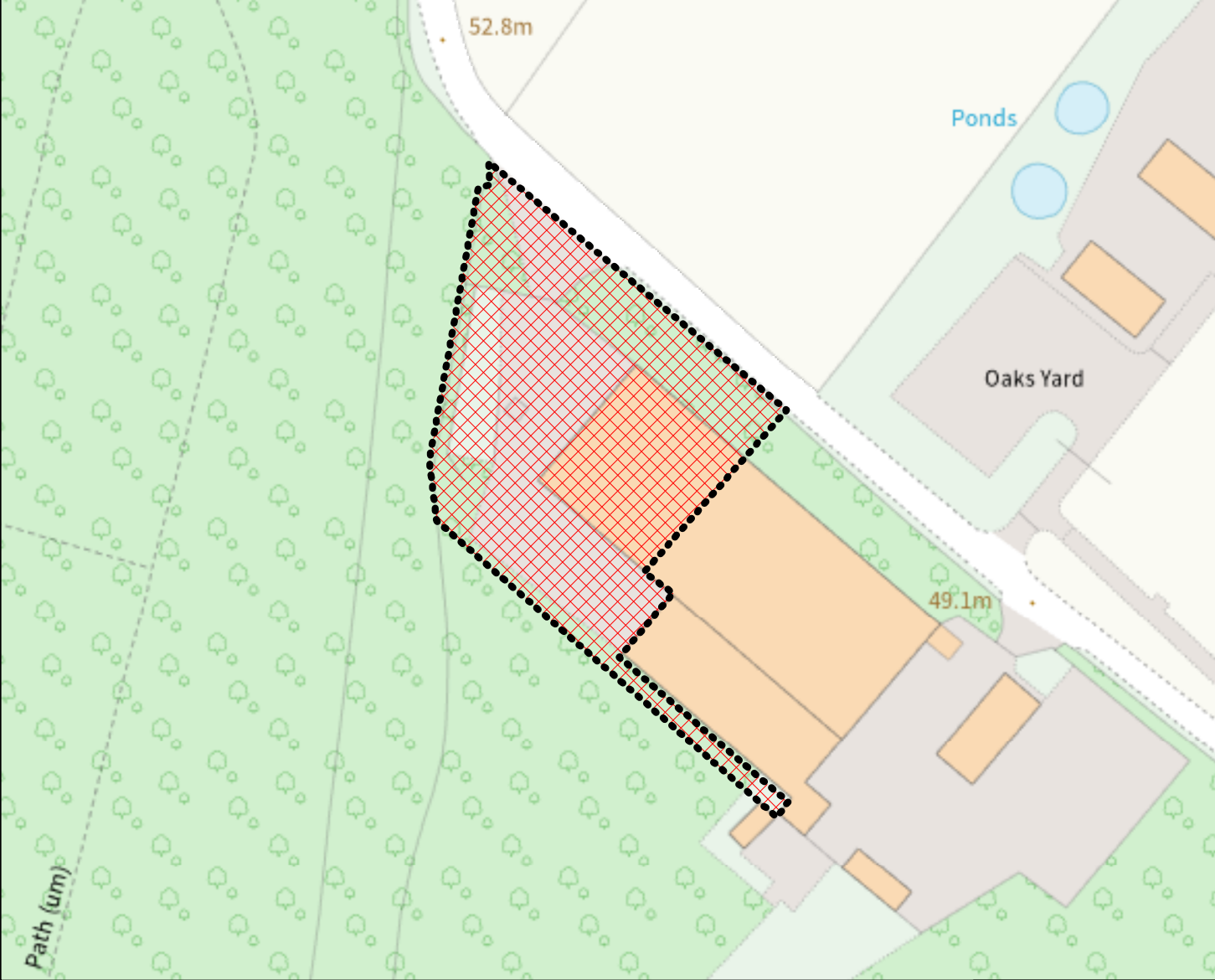
Erection of two extensions to Building A to provide additional storage, office and amenity space (part retrospective)

Application numbers:
WA/2023/02564

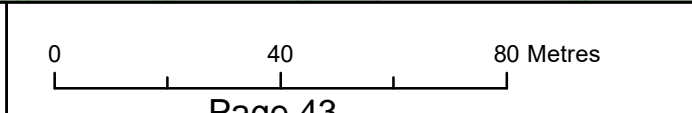
Electoral divisions:
Waverley Eastern Villages

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Note: This plan is for indicative purposes only



Ref No:
SCC_Ref_2023-0189



Scale: **1:1340**
Printed on: 06/06/2024

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2024 Aerial Photos

Aerial 1: Surrounding area



SURREY
COUNTY COUNCIL



Page 45



All boundaries are approximate

Aerial 2: Application site

Application Site Area



N

All boundaries are approximate

To: Planning & Regulatory Committee

Date: 26 June 2024

By: Planning Development Manager

District: Runnymede Borough Council

Electoral Division(s):
Foxhills, Thorpe and Virginia Water
Mr Hulley

Case Officer:
Charlotte Parker

Purpose: For Decision

Grid Ref: 502613 163703

Title: Surrey County Council Proposal RU.23/0474

Summary Report

Former Brockhurst Care Home, Brox Road, Ottershaw, Surrey KT16 0HQ

Outline application for the erection of 3-4 storey building for extra care accommodation, comprising self-contained apartments, staff and communal facilities, and associated parking. Appearance and Landscaping reserved.

The application site is located close to the Ottershaw village centre, on land owned by Surrey County Council. The site, with frontages to Brox Road and Slade Road, was previously occupied by the former Brockhurst care home. This building was demolished in 2021 and hoarding now encloses the site.

The site is in a predominantly residential part of Ottershaw, with a mix of houses and flats to the north, south and west and commercial uses (day nursery and yard) to the east.

This is an outline application seeking self-contained extra care accommodation with associated facilities (indicatively 51 units). The application has been submitted by Surrey County Council under Regulation 3 of the Town and Country Planning General Regulations (1992). At this outline stage the planning considerations relate only to the principle of the development, including the layout, scale and means of access. The detailed design (appearance) and site landscaping are reserved matters which would be submitted at a later stage.

As originally submitted in 2023, the application sought a U shaped building of between one and three storeys in height. Amendments were sought to address issues in relation to the bulk and massing of the building, and its relationship with neighbouring properties. An amended scheme was subsequently submitted in March 2024, and re-consultation carried out. Negotiations have also been taking place regarding mitigation measures for the Thames Basin Heaths Special Protection Area (SPA) and these would be secured as part of any permission.

A total of 28 representations were received in relation to the application as originally submitted; a further 8 sets of supplementary comments were then received (from those who originally commented) in relation to the amended plans received in March 2024. A further 32 representations (from those who had not originally commented) were then received in response to the re-consultation carried out in March 2024. Comments made in these representations are

summarised in the report, but relate primarily to the scale, massing and design of the building, and its impact on neighbour amenity.

Runnymede Borough Council raised no objection, but requested that full consideration is given to representations made on the application, and the scale and massing of the building.

Other statutory and technical consultees have provided advice on a range of issues, and this has either been reflected in additional information submitted during the course of the application or in proposed conditions.

Officers are satisfied that development of this scale and nature could be satisfactorily accommodated on the site, subject to details which would be submitted at the reserved matters stage or required by condition.

It is recommended that pursuant to Regulation 3 of The Town and Country Planning General Regulations 1992, the Committee resolves to grant outline planning permission for application ref: RU.23/0474, subject to the completion of a legal agreement to secure payment (SANG and SMM) to mitigate the impact of the development of the Thames Basin Heaths Special Protection Area (SPA) and subject to the recommended planning conditions.

Application details

Applicant

SCC Property

Date application valid

22 March 2023

Period for Determination

21 June 2023

Amending Documents

Statement of Need Rev 1.3 dated February 2024

BNG Metric Rev 1.5 dated 1 February 2024

Design and Access Addendum report (amended design proposal) Rev P2 dated 19 February 2024

Sustainable Drainage Systems Rev 2.0 dated 2 February 2024

Transport Statement Addendum Rev 1.1 dated 19 February 2024

Arboricultural Appraisal and Impact Assessment dated 25 January 2024

Biodiversity Net Gain (BNG) Metric 4.0 – Technical Annex 1: Condition Assessment Sheets and Methodology

BNG Assessment Letter dated 31 January 2024

Addendum Planning Statement dated February 2024

Supplementary Air Quality Report Rev 1.0 dated 1 February 2024

Sustainable Design and Construction Statement Rev 3.0 dated 2 February 2024

Energy Statement Rev 1.0 dated January 2024

Daylight Sunlight Report (Neighbouring Properties) dated 1 February 2024

Landscape Statement Rev P02 dated 16 February 2024

Plan number PR-290-ATK-XX-ZZ-DR-A-90200 – Rev P04 - General Arrangements – Indicative Elevations (1 of 2) dated 19 February 2024

Plan number PR-290-ATK-XX-DR-A-90201 – Rev P04 - General Arrangements – Indicative Elevations (2 of 2) dated 19 February 2024

Plan number PR-290-ATK-XX-B1-DR-A-90111 Rev P03 – General Arrangements - Proposed Indicative Plans – Basement Floor dated 2 February 2024

Plan number PR-290-ATK-XX-00-DR-A-90112 Rev P03 – General Arrangements - Proposed Indicative Plans - Ground Floor dated 2 February 2024

Plan number PR-290-ATK-XX-01-DR-A-90113 Rev P03 – General Arrangements - Proposed Indicative Plans - First Floor dated 2 February 2024

Plan number PR-290-ATK-XX-02-DR-A-90114 Rev P03 – General Arrangements - Proposed Indicative Plans - Second Floor dated 2 February 2024

Plan number PR-290-ATK-XX-03-DR-A-90116 Rev P02 – General Arrangements - Proposed Indicative Plans - Third Floor dated 2 February 2024

Plan number PR-290-ATK-XX-RF-DR-A-90115 Rev P03 – General Arrangements - Proposed Indicative Plans – Roof dated 2 February 2024

Plan number PR-290-ATK-XX-RF-DR-A-90103 Rev P03 – Proposed Indicative Roof Site Plan dated 2 February 2024

Plan number PR-290-ATK-XX-LL-DR-A-90302 Rev P03 – Proposed Indicative Site Sections dated 19 February 2024

Plan number PR-290-ATK-XX-ZZ-DR-A-90301 Rev P03 – Existing Site Sections dated 19 February 2024

Plan number PR-290-ATK-XX- 00-DR-L-40101 Rev P02 – Landscape Illustrative Masterplan dated 2 February 2024

Plan number PR-290-ATK-XX-00-DR-C-70001 Rev P02 – Proposed Drainage Strategy dated 2 February 2024

Plan number PR-290-ATK-XX-00-DR-L-40102 Rev P03 – Landscape Proving Plan dated 28 May 2024

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

Principle and Need	Yes	42-55
Layout, Design and Character	Yes	56-78
Residential Amenity	Yes	79-91
Highways, Access and Parking	Yes	92-104
Trees and Landscaping	Yes	104-117
Sustainable Design	Yes	118-132
Flood Risk and Drainage	Yes	133-139
Ecology and Biodiversity Net Gain	Yes	140-154
Thames Basin Heaths Special Protection Area	Yes	155-167
Air Quality	Yes	168-176
Heritage Assets	Yes	177-184

Illustrative material

Site Plan

Plan 1 – Site Location and Application Site

Aerial Photographs

Aerial 1 – Surrounding Area

Aerial 2 – Application Site

Background

Site Description

1. The application site is located in the settlement and urban area of Ottershaw, approximately 200m south of the village centre and A320. It falls within Character Area 2a (Formal Suburban – Town) as defined in the Runnymede Design Guide (2021), and adjoining land falling within Area 2b (Formal Suburban – Landscape).
2. The 0.56ha site was formerly occupied by a 46 bed elderly persons care home (Brockhurst) which was demolished in 2021. The existing site access is to the north-west corner of the site, on Brox Road. The vacant site is currently secured, with hoardings to the two main road frontages, and to the residential areas to the north and west.
3. To its south-east side the site fronts Slade Road, with housing fronting the site on the south side of the road set back slightly behind hedging (Nos. 2-10 evens). Adjoining the site to the north-east is a group of recently constructed houses, Nos. 11-23 (odds) Slade Road, which are set back from the road behind a planted verge and parking area. Behind this group is a terrace of housing (Nos 1-9 Slade Court) and its parking/garaging.

4. To the north-west the site adjoins the rear of properties in Crawshaw Road (Nos 1-6 incl. Summerfield Place and Nos. 7-14 incl Crawshaw Road), and a parking court which is located to the north-west corner of the site. To the south-west the site fronts Brox Road, with a mix of housing (Nos. 56- 62) and commercial premises (No 64/builders yard and Nos. 68-72 Toad Hall day nursery) fronting it on the opposite side of the road. The site retains a number of trees (a mix of deciduous and evergreen), with some low hedging to the road frontages.
5. The former building on the site has been demolished, leaving a cleared site with some retained areas of grass, and areas of loose earth, fine rubble and gravel. The site retains a number of trees.

Planning History

6. The original residential care home (46 place care home for the elderly) was constructed in the late 1960s (planning ref: CHE.18974/1).
 7. Prior approval for the demolition of the building was granted in October 2021 under reference RU.21/0041; the building has since been demolished.
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The Proposal

8. Outline planning permission is sought for the erection of a three and four storey building, to provide specialist housing designed for older people (Class C2). The building would contain up to 51 one bedroomed self-contained apartments, with communal and staff areas.
9. The housing would be for the affordable rental sector. Tenancies would be awarded in accordance with a nominations agreement between Runnymede Borough Council (as the local housing authority), Surrey County Council (as the local care authority) and a regulated social housing provider as the operator.
10. The proposed building would be L shaped, with frontages to Brox Road and Slade Road (set back behind landscaped areas). As this is an outline application the precise design is not for consideration at this stage, however the illustrative plans indicate that the four storey sections would be positioned at the Brox Road/Slade Road junction (forming a corner feature), and on the inside of the building facing into the garden area. The remainder of the building would be three storeys in height, stepping down to either end of the 'L' (partly accommodating plant and equipment, and a possible green roof). Solar photovoltaic (PV) panels are indicatively shown on the roof (ie. above the four storey section). In addition, a partial basement section would be provided to the centre of the building. The main entrance to the building would be to the west facing elevation (on Brox Road).
11. As originally submitted, the proposed building was U shaped and of predominantly two and three storeys in height (with one section at single storey). The northernmost wing has since been omitted from the proposals due to concerns raised by Officers in relation to proximity to neighbouring occupiers and the amenity of future occupiers. The removal of this wing and associated reduction of the building's footprint, and reconfiguration of the layout, has necessitated the increased height.
12. The maximum height of the building would be 13.4m (four storey section), and it would have a footprint of 1450 sq. m and floor area of 5750 sq.m. The building would be flat roofed. Ground floor apartments would have small private gardens, with balconies indicated to serve each of the upper floor units.

13. The proposed south-west facing wing (Brox Road elevation) would measure 55m by 16m. The proposed south-east wing would project a further 28m along Slade Road, also to a maximum depth of 16m. The four storey sections would be to a maximum height of 13.4m.
 14. In addition to the self-contained apartments, the building shown illustratively would contain an entrance/reception area, kitchen, dining room, communal lounge, activity/therapy room, staff facilities, refuse and mobility scooter/cycle stores (all at ground floor level). Further space for plant would be provided at basement level.
 15. The new building would be central to the site, broadly in the location of the previous building, with the majority of trees and the existing boundary treatment retained. Hard and soft landscaping would be provided including paved seating areas. Illustrative drawings show a network of paths and grassed areas to the wider site.
 16. Access would be from Brox Road (utilising the existing access point), with 25 parking spaces provided to the north side of the site (to include two disabled spaces and a drop off bay).
 17. This application is an **Outline Application**, seeking permission for means of access, layout, and scale. Appearance and landscaping are Reserved Matters which would be submitted for approval at a later date, should outline planning permission be granted.
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Consultations and publicity

District Council

18. Runnymede Borough Council - Does not consider there are grounds to object to the principle of this development, subject to full and proper assessment against National Planning Policy (The NPPF), The Runnymede 2030 Local Plan and the Council's Design Guide. Full consideration and weight also needs to be given to the issues and concerns raised by local residents and the Ottershaw Neighbourhood Forum. Comments as follows:
 - Concerns raised that the increased scale of the building (extending to 4 storeys) would fail to respond positively to the character of the local area which is characterised by predominantly two storey development. The application should be supported with scaled street scene elevations which provides details of the proposed scale of the building and how this would relate to the scale and design of existing surrounding development.
 - Following an assessment of the supporting documents and plans the council is of the opinion that the development would not be sympathetic to existing local character and would fail to protect and enhance the existing local context.
 - The proposed increase in scale of the building to 4 storeys coupled with its positioning also has the potential to result in adverse impacts upon the amenities of existing two storey residential properties located to the north along Crawshaw Road and their garden areas. This has the potential to result in overlooking, loss of privacy and overbearing impact.
 - Further consideration should therefore be given by SCC to the scale and layout of the development having regard to policies in the development plan and the councils Design SPD, to the scale and character of neighbouring development and to the impact on residential amenity.

Consultees (Statutory and Non-Statutory)

19. Affinity Water Ltd – No views received.
20. Arboriculturalist – No objection subject to conditions in relation to planting and service details.
21. Archaeological Officer – No objection. No further archaeological investigation required.
22. Historic/Listed Buildings – No objection. No material impact on the locally listed building.
23. RPS Planning & Dev Ltd - Air Quality – No objection subject to mitigation measures being secured by condition (Dust Management Plan or Construction Environmental Management Plan)
24. RPS Planning & Dev Ltd – Noise – No objection subject to the imposition of conditions.
25. SuDS & Consenting Team – No objection subject to the imposition of conditions.
26. County Ecologist – No objection subject to the imposition of condition.
27. Thames Water – No objection raised in relation to waste water network or sewage treatment network. Suggests imposition of condition in relation to piling (due to proximity of strategic sewer).
28. Transport Development Planning Reg 3 – No objection subject to the imposition of conditions.
29. Borough Environmental Health officer – No objection on the basis that it appears the site is suitable for the proposed development provided suitable mitigation methods are employed. Requests submission of noise impact assessment at reserved matters stage.

Parish/Town Council and Amenity Groups

30. Ottershaw Neighbourhood Forum – Support expressed for the principle of extra care housing on the site, but considers the building to be unacceptably tall and have excessive massing, which will be harmful to the character of the area and street scene. Does not support the suggestion that the massing at the Brox Road/Slade Road junction will constitute a landmark feature. Cites the absence of other four storey accommodation in Ottershaw, and decisions taken by Runnymede BC in refusing other three storey development. Considers the development will have an unacceptable impact on the Old School locally listed building. Overall the development is contrary to Runnymede’s design guidance. Insufficient parking – will result in overspill onto neighbouring roads. Will impact on highway safety (conflict with nearby commercial uses). Highlights inconsistencies with BNG calculations (NB. These have been addressed – see ecology section below).
31. Ottershaw and West Addlestone Residents – (comments made in relation to original scheme in 2023). Supports the submission from Ottershaw Neighbourhood Forum. Whilst the principle of providing this form of care is beyond doubt, the design put forward in this planning application fails in every aspect – it would be a disaster for Ottershaw and is without any consideration whatsoever for the surrounding street scene.

Summary of publicity undertaken and key issues raised by public

32. The application as submitted in March 2023 was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 231 owner/occupiers of neighbouring properties were directly notified by letter. The revised application (March 2024) was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. Letters were sent to all those previously notified, plus those who had made comments on the application in 2023.

33. A total of 28 representations were received in relation to the application as originally submitted; a further 8 supplementary sets of comments were then received (from those who originally commented) in relation to the amended plans received in March 2024. A further 32 representations (from those who had not originally commented) were then received in response to the re-consultation carried out in March 2024.
34. Representations made on the plans as originally submitted in 2023 raised objections on the following matters including:
- Scale of building too great for site – overdevelopment
 - The proposed design fails to comply with Policy EE1 of the Runnymede Local Plan (and design guidance) due to massing, use of materials and failure to incorporate a landmark feature
 - The proposed building is generic and out of character with Ottershaw village and its local vernacular
 - Height and footprint of building too great – should be the same as previous building on site
 - Insufficient parking provision – will result in displacement of parking to neighbouring roads
 - Ottershaw is not well served with public transport (not reflected in proposed parking provision)
 - Loss of residential amenity to surrounding properties due to overlooking from windows and balconies (over greater number of storeys than previously), loss of light, noise and air pollution (cars)
 - Design and layout not suitable for elderly people with additional needs; courtyard area would be in shade
 - Queries raised over definition of extra care housing and proposed occupancy
 - Concern over further loss of hedgerow and trees, including ‘landmark’ conifers on corner of Slade Road and Brox Road
 - Concern raised over cumulative impact of this and other major development in the area on infrastructure, including drainage
 - Will increase flood risk/surface water flooding

Further objections were raised in relation to the amended plans (March 2024) as follows:

- Design and massing remains out of character with the area, increase in height to four storeys unacceptable, no other four storey buildings in Ottershaw
- Proposed design remains at odds with Policy EE1, design guidance and emerging neighbourhood plan design code (need for ‘feathering’, incorporation of landmark feature) and will be overdominant in street scene
- Refusals by Runnymede BC on grounds of height/character cited as examples (including 20m telecoms mast)
- Building too close to road (at corner of Brox Road/Slade Road junction)
- Design ‘looks more like a prison than a care home’ – more sympathetic design required
- Increase in unit numbers (from 44 to 51) when compared to originally submitted scheme unacceptable
- Insufficient space around building to provide suitable landscaping (and amenity space)
- Proposed amendments do not overcome previous concerns over impact on light levels to neighbouring properties, and overlooking from windows and balconies
- Unsuitable environment for future occupiers (‘throwback’ design for care homes)
- Previous comments in relation to insufficient parking provision re-iterated (suggestion that increased parking could be provided in place of some of proposed landscaping)
- Needs space for other vehicles such as ambulances (as care home)

- Will result in increase in traffic on already congested roads and potential conflict with HGV movements (nearby operator)
- Impact on local GP provision (site should be redeveloped for surgery)
- Additional comments raised in relation to impact on local infrastructure (roads, utilities, drainage, public services, schools, parks)
- Impact on locally listed building (Old School) should be taken into account
- Query over BNG calculations (due to removal of section of hedge)
- Loss of trees

35. Support was expressed through both rounds of consultation for the principle of providing extra care housing on the site.

Planning considerations

Introduction

36. 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.
37. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan Part 1 – Policies and Part 2 – Sites, which together form the Surrey Waste Local Plan 2019-2033 (**SWLP**), the South East Plan 2009 (retained Policy NRM6 only) (**SEP**) and Runnymede Borough Local Plan 2030 (**RBLP**).
38. In addition, Runnymede Borough Council has adopted relevant Supplementary Planning Guidance as follows; Runnymede Design SPD July 2021 (**RD**); Runnymede Parking Guidance SPD 2022 (**RPG**) and Thames Basin Heaths Special Protection Area SPD 2021 (**TBHSPA**).
39. On 14 October 2020, members of Runnymede Borough Council Planning Committee resolved to designate the Ottershaw Neighbourhood Forum and Ottershaw Neighbourhood Area as submitted. The preparation of a Neighbourhood Plan for Ottershaw is underway, however due to the stage of plan preparation no weight can be given in this regard.
40. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
41. 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 considered to be; the principle of the development and its impact on character of the area with particular reference to height, massing and design; impact on residential amenity, highways considerations; and the impact on the Thames Basin Heaths Special Protection Area (SPA).

PRINCIPLE AND NEED

Runnymede Borough Local Plan 2030 (RBCLP)

Policy SD1: Spatial Development Strategy

Policy SD5: Infrastructure Provision and Timing

Policy SL20: Affordable Housing

Policy SL23: Accommodating Older Persons and Students

42. Paragraph 60 of the National Planning Policy Framework (2023) states:

‘To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

43. Paragraphs 61 and 62 set out how housing need should be determined, and the NPPF goes on to state in Paragraph 63:

‘Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.’

44. RBCLP Policy SL20 seeks the delivery of affordable housing as a proportion (30%) of all housing delivered over the Plan period, of which around 70% will be delivered as Affordable/Social Rent. Policy SL23 states that the Council will support proposals for specialist accommodation for older people, including sheltered housing, care homes and other appropriate forms of accommodation on suitable sites, to meet needs that have been identified in the Council’s most up to date Strategic Housing Market Assessment (SHMA). It will be expected that proposed development is readily accessible to public transport, shops, local services, community facilities and social networks for residents, carers and their visitors.

45. These policies sit within the wider framework set out in the RBCLP, which seeks in Policy SD1 (Spatial Development Strategy) to deliver a minimum of 7507 net additional dwellings over the plan period, and in Policy SD5 (Infrastructure Provision and Timing) to deliver social and community infrastructure which includes affordable housing.

46. The County Council has produced “planning guidance for accommodation with care for older people” (April 2024). The guidance refers to housing (C2) within care settings and states that the following elements should be provide:-

- support for older people with care and other needs;
- support for independent living ensuring residents remain active;
- support for residents to avoid admission into care homes as their needs increase;
- provision of facilities for residents such as craft rooms, communal lounge and dining room;
- provision of office space for secure record keeping;
- alarm system to call for support in cases of emergencies;
- best practice design standards, layout and accessibility in the overall design;
- 24/7 on-site support to residents and emergency care response;

47. Surrey County Council’s (SCC) Cabinet approved an Accommodation with Care and Support (AwCS) Strategy on 16 July 2019. Underlying this Strategy is the significant strain being experienced by the care and support system, and the challenges being faced due to Surrey’s ageing population and the lack of specialist accommodation which enables older people to remain and be cared for in their communities as their needs increase.

48. ‘Extra Care’ is a term applied to housing for older people, often (but not exclusively) in the social rented sector, provided in self-contained units with access to care, support, domestic, social, community and other services. SCC has identified that of the various types of specialist housing, extra care accommodation has the greatest shortfall between demand and provision, particularly in terms of affordable rented provision.

49. As part of its AwCS Strategy, SCC seeks to achieve a minimum of 25 extra care units per 1000 of Surrey’s population of over 75s by 2030. This site has been identified along with

a number of others in Surrey as being suitable for extra care housing. If approved, the delivery of around 51 extra care units as proposed would meet an identified need in Runnymede and deliver against the target set in the Strategy.

50. There is no objection in land use terms to this site being developed to provide extra care accommodation. The site was previously occupied by a residential home for the elderly, constructed in the 1960s and demolished in 2021. As such there would be no change of use of the land, and the site would continue to provide accommodation for older people.
51. The proposal would meet an identified need for accommodation which supports older people with care needs, enabling residents to live independently within their local community. Additional and/or more complex care needs would be available to residents should it be required. Communal facilities such as craft and therapy rooms, dining, lounge and kitchen areas would be provided, encouraging residents to participate in shared activities to promote health and wellbeing. A bespoke care package, suitable to meet the residents' needs, would be delivered by care workers. Staff would be on-site 24/7 to ensure that care needs are met and emergencies responded to.
52. As outlined in the Statement of Need accompanying this application (paragraph 3.10), extra care provision has been made across a number of sites in Runnymede in recent years. However, the tenure of these units is primarily leasehold and there are currently no market-led schemes in the pipeline.
53. Another affordable extra care housing scheme (up to 48 units) in Runnymede is under consideration, this being for the former Birchlands Care Home site in Englefield Green (planning reference RU.24/0071). However, one of the facilities listed in the Statement as providing affordable 56 units of extra care accommodation for social rent, Aldwyn Place in Egham, is in the process of being converted away from a housing with care model, which will result in a loss of provision in the Borough. The Runnymede planning profile for accommodation with care for older people (April 2024) identifies a growing need over time for affordable extra care housing, and across Surrey there remains a significant demand gap to be filled by SCC and partner organisations in the delivery of affordable extra care units.
54. Representations have been received which raise concern over the potential impact of the development on local infrastructure and services. In this regard it is noted that the site previously provided accommodation for older people, albeit within a different 'model' of delivery. No specific shortfall or deficiency has been identified as part of the consultation process on this application (aside from the need to mitigate impact on the Thames Basin Heaths SPA – see paragraphs 155-167 below). Specific reference has been made in representations to the impact on local healthcare provision, in particular the capacity of the local GP surgery. On this point, this housing would be prioritised for people already within the local community and therefore already within the local healthcare system. Furthermore, one of expected outcomes of providing extra care accommodation such as this is that people are less reliant on or in need of GP and emergency care due to the on-site support provided. It is not considered therefore that this development would impact significantly on local healthcare provision or capacity.
55. The development of this site for up to 51 units would be in accordance with national and development plan policy which seeks to boost the supply of housing generally, and specialist housing for different groups in the community in particular – in this case older people. The proposal would also align with the aims of the AwCS Strategy and make a contribution to closing the identified gap in the supply of affordable extra care housing across the County.

56. Paragraphs 131-141 of the National Planning Policy Framework (2023) seek to promote the creation of well-designed places. Paragraph 135 states that:

'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

57. Further detailed guidance is set out in the National Design Guide (2019). This sets out the Government's priorities for design in the form of ten characteristics, stating that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people at all stages of life (including the elderly) and communities.

58. RBCLP Policy EE1 states that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land. New development should seek to create attractive and resilient places which contribute positively to the Borough's townscape, with particular reference to enhancing the public realm, providing safe environments and ensuring accessibility in all its forms. Particular regard should be had to the layout, scale, materials and detailing of development, as well as the Runnymede Design SPD and (where applicable) adopted Neighbourhood Plans. It should be ensured that there would be no adverse impact on the amenities of occupiers of the proposed development, or to neighbouring properties, and provide all development should provide an appropriate standard of private amenity space.

59. The Runnymede Design SPD (RD) (2021) defines twelve 'aspirations' for the Borough, describing the place the Council wants Runnymede to be in the future. These include the creation of healthier and safer communities, with greater emphasis on walking and cycling, the provision of 'inclusive' people friendly places delivering a range of high quality new homes and new development, the need to address sustainability and climate change and the future proofing of development. A series of 25 'design standards' are then provided, based on these aspirations, with four overarching standards; (1) Strengthening Runnymede's Character, (2) Making People-Friendly Places (3), Place-Making and Creating Character and (4) Achieving Sustainable Design. The guidance is set against the wider policy context that Runnymede is expected to deliver around 500 dwellings per year over the plan period (to 2030) and the need to make good use of land whilst respecting the environmental characteristics of individual sites.

60. The RD SPD categorises areas of the borough by character, the Brockhurst site being in Character Area 2a (Formal Suburban – Town), but on the edge of Area 2b (Formal Suburban – Landscape). Areas identified as ‘2a’ – amongst other characteristics – have a domestic/residential scale, buildings are of traditional materials (brick, stone, render, pebble dash), with high levels of homogeneity in type of dwelling (age, form, height, mass); and often at two storeys. Characteristics of area 2b to the south (on the other side of Brox Road) are; residential dwellings facing the street in semi-detached or detached formations, but loosely grouped on larger than average plots; streets less well defined by buildings; more open; buildings set back but visible with greater evidence of trees and greenery influenced by a more distinctive setting (e.g, rising land, settlement edge); sense of space and width.
61. Within this broad context, specific standards seek to guide development such that it (amongst other considerations) responds positively to the site, local character and history; uses building heights positively paying attention to roofscape; results in good buildings and well-designed spaces between them; uses focal points and corners to create variety and; ensures residential amenity.
62. This proposal is in outline, with layout, scale and access for consideration at this stage, and appearance and landscaping as ‘reserved matters’ for future consideration.
63. ‘Layout’ is defined in the National Planning Practice Guidance (NPPG) as ‘the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development’. ‘Scale’ is defined as the ‘height, width and length of each building proposed within the development in relation to its surroundings’.
64. As such, whilst the layout and overall scale of the development can be considered, the building’s external appearance including - for example, the position of window openings and balconies, materials and other detailing - is not for consideration at this stage. Similarly, details of hard and soft landscaping would be reserved for future consideration, though the spaces they would occupy form part of the ‘layout’ and can be assessed accordingly.
65. ‘Access’, defined as ‘the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network’, is also for consideration at this stage and would include the access routes (vehicular and pedestrian) and car parking area.
66. In terms of layout, the proposed building would have an L shaped footprint, and although different in form from the previous building, it would overlap with its former footprint. The south-east facing wing would be positioned relatively close to the road frontage (Slade Road), behind a landscaped area, with the south-west facing wing (to Brox Road) positioned such that the separation from the road would increase towards the site entrance and northern site boundary. The parking and turning area would be located to the north side of the building, with the remainder of the site landscaped with a mix of planted, grassed and hard surfaced areas, trees, and provision of ancillary structures including seating.
67. In terms of scale, the building would be a mix of three and four storeys in height, the four storey element focused around the ‘corner’ fronting the Brox Road/Slade Road junction. Further four storey sections would be located on the inner side of the ‘L’, facing into the site. As such, the massing of the building would be dispersed and broken up, with the most prominent section when viewed from the public realm being that at the apex/corner of the building.

68. It should be noted that whilst illustrative details have been submitted with the application, to show how the development might look on completion, they are not for consideration at this stage and are subject to change. The assessment below will be carried on this basis.
69. The previous building on site was two storeys in height, cruciform in footprint, and flat roofed. Its utilitarian and institutional appearance was such that it made no contribution to the public realm or street scene, and by virtue of its set back position from both road frontages was partially glimpsed behind trees and hedging rather than prominent in the street scene. By contrast, the proposed building has been designed to be 'outward facing', with principal elevations fronting and in part closer to both Brox Road and Slade Road. It would also be taller than the previous building, with accommodation over three and four storeys. The proposal would also result in the removal of trees on the Brox Road/Slade Road junction (see paragraphs 104-117 below), resulting in the building being visible and prominent in the street scene.
70. As set out above, the RD SPD sets out 25 'design standards' for new development, with four overarching standards; strengthening Runnymede's character, making people-friendly places, place-making and creating character and achieving sustainable design. Other design standards relate to site context (responding positively to the site, local character and local history); site layout and masterplanning (making good connections, creating a permeable and legible structure, using building heights positively, reinforcing landscape character and biodiversity and using landmarks, gateways, focal points and corners are used to create variety); and detailed design (designing the space between buildings, protecting and enhancing ecology and biodiversity, providing for vehicle and cycle parking, ensuring residential amenity and remembering 'forgotten' elements).
71. As set out in the planning history section above, the previous building on the site was built in the 1960s as a residential care home for the elderly. Previous to this, the land had been used in association with Ottershaw Hospital, built as an isolation hospital in 1881. Historic maps indicate that hospital buildings and associated land occupied much of the land bounded by Murray Road, Brox Road and Slade Road in the early part of the twentieth century. The area has since been redeveloped for housing on an incremental basis, resulting on a patchwork of residential cul de sacs of late C20th and early C21st housing, both flatted development and housing, and predominantly of two and three storeys in height. Within this wider area there is other purpose-built retirement accommodation (Alan Hilton Court), this being a substantial two and three storey building arranged around a central courtyard.
72. Based on the previous use of the site, and history and development of the wider area, the proposed use is considered appropriate for the site. In locational terms, it is close to the services and facilities in the centre of Ottershaw which would be easily accessible for future residents. The proposed building would be larger (and taller) than the existing, however it is considered that it responds positively to the corner position of the site (with two long road frontages) and has been designed appropriately given other site constraints, including the relationship with neighbouring properties. Whilst detailed design is a reserved matter, the massing as proposed would allow for the creation of a focal point to the building at its apex on the Brox Road/Slade Road junction, which is prominent in the street scene when approaching from the west (Brox Road) (design standard).
73. The RD SPD makes specific reference to the height, bulk and massing of new buildings, and requires that it relates well to its local context. On this point a number of representations made on the application express the view that the proposal is unacceptably tall and bulky, and out of character with Ottershaw.
74. It is acknowledged that development of more than three storeys in height does not form part of the character of the area, and that the majority of buildings in the immediate vicinity of the site are of domestic scale (two storeys, some with roofspace accommodation). The majority are also of traditional form with brick elevations and pitched roofs. The provision of a building with four storey elements, with a flat roof, would

therefore be a departure from the established pattern of development in the area. However, it is considered that subject to detailed design, a building of this height and massing could be successfully accommodated on the site. This is due to the size and configuration of the site, and its long established use as a care home with a non-domestic layout, scale and appearance. There would also be sufficient space to provide appropriate landscaping both to the front and rear of the building, including the provision of new tree planting and hedgerows.

75. Furthermore, as set out in national planning guidance and National Design Guide, in addition to appearance and detailing, design encapsulates the function and connectivity of development, encouraging the provision of well-designed and well-built places that benefit people at all stages of life, including the elderly. The potential of sites should be optimised to accommodate and sustain an appropriate amount and mix of development, and should be safe, inclusive and accessible places which promote health and well-being.
76. As set out previously, this development seeks to meet an urgent need for modern, purpose-built affordable housing for the elderly. Extra care housing facilities need to include both self-contained living accommodation, and ancillary and communal facilities for residents and staff. This requires a critical mass of development, and a layout which functions for this use. Such development should also be well located in relation to local facilities and services, with good connectivity to them including on foot, and by bicycle and mobility scooter.
77. As set out above, this site is very well located in relation to the centre of Ottershaw. There is a continuous, level footway from the site to the village centre to the north, where there are a number of shops and community facilities (village hall, social club). A doctors' surgery is located approximately 200m to the south of the site (Bousley Rise). Buses serving Ottershaw connect with a number of destinations including Woking, Staines, Chertsey, St Peters Hospital and Kingston, as well as local services to Addlestone and West Byfleet. Services 593 and 446 run from the bus stop on Brox Road outside the application site, and serve Woking, Staines and Chertsey. This connectivity and accessibility accords with RD design standard 10 which requires development to make good connections, including with nearby services, facilities and transport nodes.
78. The residential amenity of future residents, including through the provision of shared and private amenity space, will be addressed in more detail below. However, inasmuch as this relates to design, it is considered that this would be a well-designed and well-built development which would be fit for purpose, providing also an appropriate balance between making efficient use of land and safeguarding the character of the area.

RESIDENTIAL AMENITY

Runnymede Borough Local Plan 2030 (RBCLP)
Policy EE1 – Townscape and Landscape Quality
Policy EE2 – Environmental Protection
Runnymede Design SPD – July 2021

79. Paragraph 191 of the National Planning Policy Framework (2023) states that:

'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- (a) *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life ;*
- (b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- (c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*

80. RBCLP Policy EE1 states that development proposals will be supported where they ensure that there is no adverse impact on the amenities of occupiers of the development proposed or to neighbouring property or uses and provide an appropriate standard of private amenity space.
81. RD 2021 Design Standard 24 states that all dwellings must be designed with high quality internal and external space to accommodate different lifestyles and a range of private and communal activities. Accommodation must be designed to provide suitable levels of natural daylight and sunlight to new and existing properties, and designs should make sure that habitable rooms enjoy reasonable levels of privacy and provide private amenity spaces where possible and appropriate. To safeguard privacy, a distance of 22m between facing habitable rooms is considered acceptable as a rule of thumb for flatted development. However it also states that as buildings get higher, greater spacing may be required between elevations to avoid overlooking and compromised privacy. It also states that distance may also need to be increased to avoid overshadowing.
82. The application site has residential properties immediately adjoining it on all sides. On its north-west side the site adjoins the rear of properties fronting Crawshaw Road, comprising three pairs of semi-detached houses (Summerfield Place) with rear gardens abutting the site boundary, a terrace of six houses (Nos 1-6), also with gardens abutting the site boundary, and a linked building comprising four flats (Nos 7-10) which is separated from the site by a car parking/turning area. In all cases accommodation is over two storeys, with living areas to the ground floor and bedrooms over (for the houses). The flatted element has its principal windows facing away from the site. A further terrace of housing is located further to the east (Nos 11-14), also behind a parking/turning area). These houses have their principal/front elevation to the south, facing towards the application site.
83. As now proposed, the closest part of the proposed building would be the end wall of the northern wing of the 'L'. This would be positioned 14 m from the site boundary and approximately 24m from the rear elevations of Nos 7-10 Crawshaw Road, which would be in direct alignment (No. 4 has a rear conservatory and as such a shorter rear garden/closer proximity to the proposed building). As such, there would be a minimum separation distance of 22 m between the proposed building and the houses to the north. Notwithstanding the proposed height of the proposed building at this point (3 storeys), this distance is considered sufficient to prevent significant harm through any overbearing or overshadowing effect (taking into account the form and massing of this part of the building).
84. The part of the building closest to the properties in Crawshaw Road is shown as accommodating residential units over all three storeys. Although the scheme is in outline and illustrative internal layouts/window positions have not been submitted, the position of balconies (to the south-west and north-east elevations) indicates that these would be the principal elevations, and the north-west facing elevation (towards Crawshaw Road) would be a secondary elevation.
85. Taking into account the guideline privacy distances set out in the RD 2021 (22m) it is considered that privacy would be adequately safeguarded. Furthermore, the exact relationships would be considered further at the reserved matters stage and if necessary,

obscure glazing of these windows could be required. In addition, the detailed design of balconies would be assessed at that stage, and for measures to be taken to prevent harmful overlooking to properties in Crawshaw Road.

86. To the north-east side of the site the closest neighbouring properties are Nos 11-23 (odds) Slade Road, and Nos 1-9 Slade Court, which are set back from Slade Road (behind Nos 11-23). Both groups of housing run in linear form with their principal and rear elevations facing south-east and north-west respectively. Immediately abutting the site to this side are the side elevations of No 1 Slade Court and No 11 Slade Road; the former has no windows on this side, and the latter has one upper floor window apparently serving a bathroom. Both properties have rear gardens to this side, however it is considered that there would be sufficient distance from the main north/south wing of the proposed building (35m) to ensure that privacy would be maintained (including in relation to balconies). Where there would be a closer relationship with the proposed building (ie. the end of the wing fronting Slade Road), the relationship would be such that there would not be any harmful loss of amenity through any overbearing or overshadowing effect, and mutual privacy could be ensured at the detailed design stage.
87. Properties to the south east and south west have their frontages to Slade Road and Brox Road respectively, and relationships in this respect are considered to be such that amenities would be adequately safeguarded, taking into account also the proposed height of the building and the provision of balconies.
88. The current access to the site would be retained as part of the development, and parking would be similarly located to that previously on the site, albeit that additional parking spaces would be provided along the northern and eastern site boundaries (and to the rear of gardens to properties in Crawshaw Road and Slade Road). As such the impact of the movement and parking of vehicles would be similar to that of the previous care home on site. Plans indicate that additional planting would be provided to these boundaries, and the need for fencing (including acoustic fencing) would be considered at detailed stage. As set out in the Transport Statement (assessed below) traffic levels are anticipated to be relatively low due to the nature of the use and the profile of future occupiers.
89. On the basis it is considered that there would be no unacceptable loss of amenity to neighbouring properties due to noise or other disturbance resulting from vehicle movements.
90. To conclude in relation to neighbour amenity, whilst the development would result in some impact on neighbouring properties (as set out above), it is considered that an acceptable degree of privacy between habitable rooms and on outdoor private amenity spaces would be maintained. No other significant harm to residential amenity has been identified, though as this scheme is currently in outline it would be necessary at the reserved matters stage to give careful consideration to the exact positioning of windows and balconies including through the use (as necessary) of obscure glazing or other design features. Landscaping details would also need to ensure that neighbour amenity is safeguarded. Conditions are also recommended to control/mitigate disturbance during construction (dust, Construction Transport Management Plan and lighting).
91. In terms of the amenity of future occupiers, it is considered that each unit has been designed such that living conditions would be acceptable, taking into account the guidance in RD 2021. Each unit would have outside living amenity space in the form of a private garden (ground floor) or balcony (upper floor), oriented to provide sufficient levels of daylight/sunlight. There would also be communal accommodation and amenity space. Amenity has also been considered in relation to the retention of trees (and new planting).

HIGHWAYS, ACCESS AND PARKING

Runnymede Borough Local Plan 2030 (RBCLP)

92. Paragraph 114 of the National Planning Policy Framework (2023) states:

'In assessing.....specific applications for development, it should be ensured that:(a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code ; and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

93. It goes on the state in Paragraph 115 that:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

94. And in Paragraph 116 that:

'Within this context, applications for development should:

(a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

(b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

(c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

(d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

(e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

95. RBCLP Policy SD3 states that the Council will support schemes and development proposals which enhance the accessibility and connectivity between people and places by active and sustainable forms of travel.

96. RBCLP Policy SD4 states that development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of the needs of all highway users for safe access, egress and servicing arrangements will be supported, subject to appropriate mitigation measures being secured. Relevant design and parking standards for vehicle and cycle parking within development proposals will be assessed against the Council's current adopted guidance.
97. The current access to the site is from Brox Road to the north-west corner of the site, and has dropped kerbs with tactile paving on either side. Both Brox Road and Slade Road have a speed limit of 30 mph.
98. No change is proposed to the existing access as part of this application. A condition is recommended which would ensure sufficient visibility splays are provided. The access road would run for the length of the site along its northern end to a turning head, and serve 25 parking spaces (to include two disabled spaces and a drop off zone). All spaces would be provided with electric charging points, in accordance with SCC guidance.
99. A separate pedestrian access to the site would be formed to the centre of the Brox Road frontage, leading from the main entrance to the building. Mobility scooter and bike storage would be provided (adjacent to the car park).
100. As set out in the application details, five of the parking spaces would be allocated to staff, with two bookable spaces for visitors and a drop off bay; the remaining 18 spaces would be for residents. It is stated that demand would depend on occupancy, which would vary depending on the number of residents and their respective carers. It is also stated that as a comparison, similar residential (retirement flats) sites have been reviewed using the TRICS database to understand typical parking accumulation, and that to consider maximum parking accumulation (the maximum number of vehicles parked at any one time within the hour), a worse-case scenario has been considered which assumes that vehicles arriving and leaving within the hour would be parked at the same time. The Transport Statement also refers to the potential provision of a car club facility, which would provide additional flexibility in terms of providing residents with access to a car.
101. In terms of vehicle movements, as set out in the Transport Statement (Technical Addendum Rev 1.1 dated 19 February 2024), the proposed development would result in six two-way vehicle trips in the AM peak and five vehicle trips in the PM peak, which it is considered would have a negligible impact on the local highway network.
Representations relating to the commercial use of a site close to the Brox Road access are noted, however no highway safety or capacity issues have been identified by the Council's Transport Development Planning (TDP) officer in this regard.
102. For parking, the overall conclusion of the Transport Statement is that given the small scale of the proposed development, the anticipated low scale of vehicle trip generation, the sustainable location, close proximity of the public car parks, and the onsite parking, any increase in parking demand due to the development is considered likely to be minimal. As set out above, the site is well located in relation to local services and public transport links.
103. Representations made in relation to parking provision are noted. However the Council's TDP officer raises no objection in this regard, it being acknowledged that robust evidence has been submitted to demonstrate that expected parking demand would be accommodated within the site.
104. It has been confirmed by the Council's TDP Officer that subject to the imposition of conditions, including the submission of a Travel Plan, the application is acceptable on

safety, capacity and policy grounds, and accords with relevant guidance (Surrey's Local Transport Plan 4, Healthy Streets guidance and Surrey Parking Standards). Regard has also been had to the Runnymede Parking Guidance SPD (2022).

TREES AND LANDSCAPING

Runnymede Borough Local Plan 2030 (RBCLP) Policy EE1 – Townscape and Landscape Quality Runnymede Design SPD – July 2021

105. Paragraphs 131-141 of the National Planning Policy Framework (2023) seek to promote the creation of well-designed places and highlight the importance of appropriate and effective landscaping as part of this wider objective.
106. With specific reference to trees, it states in Paragraph 136:
- 'Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.'*
107. RBCLP Policy EE1 states that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land. New development should contribute to and enhance the quality of the public realm and/or landscape setting through high quality and inclusive hard and soft landscaping schemes. This will be demonstrated and implemented through an appropriate landscaping strategy which takes account of existing and proposed townscape/landscape character and features.
108. RBCLP Policy EE11 – Seeks to avoid further habitat fragmentation of Green Infrastructure.
109. The Runnymede Design SPD (RD) (2021) Design Standard 18 states that new development and associated landscape should retain, incorporate and enhance features that contribute towards landscape character and the biodiversity of the area.
110. None of the trees on the application site are subject to a Tree Preservation Order, and none are identified as Veteran Trees (Preliminary Ecological Assessment and Biodiversity Net Gain Assessment (PEA) 2024). However, the site contains a number of trees, some of which contribute to the character of the site and area. Trees currently on site are a mix of deciduous and evergreen trees, with 29 individual trees and two groups assessed in the arboricultural appraisal and impact assessment (AAIA). Deciduous species include Broad-leaved and Common Lime, Sycamore, Norway Maple and Silver Birch. One tree group (G11) comprises Himalayan Birch and the other (G15) Lawson and Leyland Cypress. The trees are a mix of mature and early mature trees, all graded at 'B' or 'C' except for one Lime which is graded A.
111. Eight individual trees (three Broad-leaved Lime T6, T22, T24; two Silver Birch T9, T14; one Goat Willow T11; one Lawson Cypress T12; one Norway Maple T21) and the two groups (G10 and G15) are proposed to be removed. One further tree (T23 – Flowering

Cherry) is included in the assessment, but is dying and categorised as a 'U' tree. The majority are Category B trees (apart from T11 and T12 which are Category C trees). All these trees would be removed to facilitate the erection of the building, or formation of hard surfacing. The remainder of the trees assessed in the AAIA would be retained.

112. RBCLP Policy EE1 and its supporting design guidance (RD) seek as part of any new development the inclusion of high quality and inclusive hard and soft landscaping schemes. Whilst the retention of existing trees as part of redevelopment proposals can form an important component part of new landscaping proposals, the loss of existing trees needs to be considered in the context of the site and development as a whole, and opportunities for the planting of new trees.
113. In this case it is recognised that a number of trees of medium quality would be removed, including some which are prominent in the street scene (most notably the group of Lawson and Leyland Cypress at the Brox Road/Slade Road junction). Objection has been raised to the loss of this group of trees in representations made on the application. It is acknowledged that the loss of these trees, and others within the site, would result in some change to its character and appearance within the public realm. This has already been considered in paragraphs 56-78 above in relation to wider character considerations.
114. However, whilst of prominence in the street scene, the group at the Brox Road/Slade Road are not graded highly in the AIAA. It is not considered that their removal would have a significantly harmful impact on the appearance of the site or character of the area. As set out in the application details, a total of 30 new trees would be planted as part of the landscaping for the new development, including species to form a new 'orchard'.
115. As set out in the Arboricultural Appraisal and Impact Assessment (AAIA) submitted with the application, there would be some incursion into the root protection area of two of the retained trees (T8 Birch and T13 Oak), both close to the eastern corner of the site. A number of mitigation methodologies are proposed in the AAIA including ground protection, arboricultural supervision and 'hand digging' within impacted root protection areas (RPA's), as well as tree friendly construction methods including above ground pathway installation or porous materials. It is noted further that as the paths would form part of the landscaping proposals (a reserved matter), the precise position of paths, materials and details of any land level changes would be considered at that time to ensure maximum avoidance of disturbance to tree roots. A condition would be added requiring submission of a detailed Arboricultural Method Statement to provide details of how paths and walls would be constructed, and the routes of services (in relation to trees and their roots).
116. Although indicative only at this stage, the illustrative landscape masterplan submitted with the application shows the overall strategy which would be applied to the landscaping of the site. Boundary hedging would be formed/supplemented to boundaries, with a number of trees planted and an orchard area. Further into the site planting would be in the form of grassed and shrub areas, intersected by a network of paths. Each ground floor garden area would be laid partially to grass (with a patio area), and enclosed with hedges. Hard surfaced areas would be a mix of tarmac (access road and parking areas), and paving.
117. This landscape strategy is considered acceptable for the site, and that it strikes the appropriate balance between retaining trees and maximising biodiversity, and providing an appropriate environment for future occupiers of the site, including those with limited mobility.

SUSTAINABLE DESIGN

Surrey Waste Local Plan 2020

Policy 4 – Sustainable Construction and Waste Management in New Development

Runnymede Borough Local Plan 2030 (RBCLP)

Policy SD7 – Sustainable Design Development

Policy SD8 - Renewable & Low Carbon Energy

Runnymede Design SPD – July 2021

8

118. Paragraphs 158-164 of the National Planning Policy Framework (2023) sets out the role the planning system is expected to play in supporting the transition to a low carbon future in a changing climate. As part of this, it states in Paragraph 162 that:

‘In determining planning applications, local planning authorities should expect new development to:

(a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

(b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

119. SWLP Policy 4 seeks to minimise waste generated during the construction, demolition and excavation phase of development, maximise opportunities for re-use and for the recycling of such waste, encourage the provision of on-site facilities to manage the waste arising during the operation of the development and storage facilities to facilitate the reuse and recycling of waste.
120. RBCLP Policy SD7 states that development proposals will be supported where their design incorporates measures which facilitate materials recycling, encourage sustainable modes of travel, maximise energy efficiency, incorporate renewable technologies, protect biodiversity, maximise accessibility and incorporate sustainable construction and demolition techniques.
121. RBCLP Policy SD8 supports the provision of renewable technologies, and requires that development proposals of 1,000sqm or more of net additional floorspace will be expected to incorporate measures to supply a minimum of 10% of the development’s energy needs from renewable and/or low carbon technologies unless it can be demonstrated with evidence that this is not feasible or viable.
122. The Runnymede Design SPD (RD) (2021) includes as one of its underpinning ‘aspirations’ the need to future proof new development and encourage more flexible design and use of buildings, and the need to address sustainability and climate change in all thinking on new development. Design Standard 4 ‘achieving sustainable design’ requires that all proposals should deliver sustainable development in terms of their structure, landscape, movement and buildings.
123. A Sustainable Design and Construction Statement has been submitted with the application. This states how the various strands of national and local policy encompassing sustainability in all its forms are reflected in the proposals. These include; operational energy (including the provision of renewable technologies to meet the RBLP Policy SD8 requirement of 10%); embodied carbon; biodiversity and ecology; adaption and resilience; health and wellbeing; connectivity; social value; resource efficiency; and construction waste.

124. A number of key Surrey County Council documents forming part of its Organisation Strategy are cited, including its Community Vision for Surrey in 2030, which includes the desire for Surrey to be a great place to live, work and learn, and a place where communities feel supported and people are able to support each other. It also cites the Council's four key priorities - growing a sustainable economy so everyone can benefit; tackling health inequality; enabling a greener future; empowering communities, as well as the Council's Environmental Policy and Action Plan, its Climate Change Strategy and Action Plan, Local Transport Plan and Sustainable Construction Standing Advice Note.
125. Measures proposed in the Statement include those relating to the design of the building, to ensure that it is energy efficient, minimising heat loss and utilising low carbon energy systems (with an ambition to achieve net zero carbon in operation). Other efficiencies would be sought through the use of measures such as the installation of efficient fittings to reduce water consumption.
126. A Resource Management Plan (RMP) would be developed, which would set out key objectives for achieving efficient use of material resources and to reduce the amount of waste produced through construction activities on site, in line with the Surrey Waste Local Plan 2020. In accordance with the principles set out in Policy S4 of the SWLP, and in response to the relevant regulatory, policy and guidance context, it is stated that the RMP should set out several strategies to reuse, recycle or recover at least 90% of construction and demolition waste. The submission of these details would be required by condition.
127. For the detailed design stage (reserved matters) embodied carbon reduction strategies and circular economy principles would be explored and implemented to reduce overall waste generation, and that compliance with the waste hierarchy is also embedded (ie. through the provision of accessible waste storage with containers for different waste streams).
128. Improved health and wellbeing would be achieved through the project as a whole, as residents with extra needs would be able to better access support to enhance their quality of life, including through communal living and the social cohesion that would bring. The building has been designed such that it focuses on indoor air quality, and the provision of sufficient daylight, together with the provision of shared and private outdoor amenity space.
129. Enhancing biodiversity would be achieved through landscaping design, the planting for which would include a range of species with ecological value and measures to create a range of natural habitats.
130. The incorporation of Sustainable Drainage System techniques (SuDS), which would build in climate change resilience.
131. Various measures would be incorporated to encourage active travel, and reduce car use (the site is close to local bus routes). 100% provision would also be made for electric charging points.
132. It is considered that subject to the implementation of the range of measures set out above, the proposal meets national and local policy objectives in relation to sustainable construction.

FLOOD RISK AND DRAINAGE

Runnymede Borough Local Plan 2030 (RBCLP) Policy EE13 – Managing Flood Risk

133. Paragraphs 165-175 of the National Planning Policy Framework (2023) set out the role the planning system is expected to play in minimising the risk of flooding and mitigating its effects. Development should be directed away from areas at highest risk, and in determining applications LPAs should ensure that flood risk is not increased elsewhere.
134. In order to minimise flood risk, including surface water flooding, Paragraph 175 states that:
- ‘Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*
- (a) take account of advice from the lead local flood authority;*
- (b) have appropriate proposed minimum operational standards;*
- (c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- (d) where possible, provide multifunctional benefits.’*
135. RBCLP Policy EE13 seeks to minimise flood risk, including surface water flooding for which sustainable drainage provision should be made as part of development.
136. A Flood Risk Assessment (FRA) has been submitted with the application. This concludes that as the proposed development is located in EA Flood Zone 1, there is a very low risk of fluvial flooding (a 0.1% or 1 in 1,000 risk). It also concludes that the site is located within an area of predominantly low risk of surface water flooding, however there is a flowpath that crosses the site at the north-eastern corner and another that runs along the fencing down the western boundary. It states that levels will be maintained in these locations to avoid displacing floodwater and these areas will feature low vulnerability uses (road turning head and site boundary features). It further states that there is a low risk of groundwater flooding during construction as indicated by groundwater level monitoring on the site, and mitigation for this risk is outlined.
137. It also states that there will be an increase in load on the foul drainage system. However, it advises that a Thames Water Pre-Development application has been submitted and confirmation has been received that there is sufficient capacity for the proposed flow rates.
138. The FRA cross refers to the Drainage Strategy which sets out how on-site risk would be mitigated and run-off managed, to include management strategies including a range of sustainable features (SuDS) - porous pavements, tree pit drainage and attenuation storage tanks. These measures collectively would restrict run-off to greenfield rates.
139. These details have been reviewed by the LLFA who are satisfied that subject to the imposition of conditions the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems are met. Thames Water have raised no objection, but have advised of the proximity of the site to a strategic sewer (15m) in relation to any potential piling operations (an informative will be added accordingly). Subject to the imposition of conditions, the proposal is considered to meet the requirements of RBCLP Policy EE13.

ECOLOGY AND BIODIVERSITY NET GAIN

**Runnymede Borough Local Plan 2030 (RBCLP)
Policy EE9 – Biodiversity, Geodiversity and Nature Conservation
Runnymede Design SPD – July 2021**

140. Paragraphs 180-188 of the National Planning Policy Framework (2023) seek to ensure that planning policies and decision making contribute to and enhance the local and natural environment. In particular, they should seek to minimise impacts on and provide net gains for biodiversity, ensuring that any harm to biodiversity is adequately mitigated. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (Paragraph 186 (a)).
141. RBCLP Policy EE9 states that net gains in biodiversity, through creation/expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species will be sought. Development proposals should demonstrate how this will be achieved and should be in accordance with any Supplementary Planning Document the Council.
142. Although this is an outline application and landscaping is a reserved matter, to accord with policy an assessment needs to be made of the impact of the development on biodiversity including any protected species.
143. A Preliminary Ecological and Biodiversity Net Gain Assessment (PEA and BNG) has been submitted. This sets out the ecological constraints of the site, whether any mitigation measures are likely to be required, any additional surveys which may be required, and opportunities for ecological enhancement. It also sets out the baseline BNG unit score for the area surveyed.
144. No statutory designated sites were recorded within 2 km of the site. Seven non-statutory designated sites, comprising Sites of Nature Conservation Importance (SNCI) were recorded within 2 km of the survey area, the closest being Queenwood Golf Course SNCI (approximately 900 m to the north. The site is not within a Biodiversity Opportunity Area (BOA), however three BOAs are located within 1km of the survey area (Chobhom South Heaths, Woking Heaths and River Wey (plus tributaries)).
145. Eight UK habitat classification types were recorded on site during the field survey (modified grassland; bramble scrub; Suburban/ Mosaic of Developed/ Natural Surface Introduced Scrub; built linear features, fence; other developed land; artificial unvegetated, unsealed surface; scattered trees; other hedgerows). These habitats could support the following protected species or species of conservation concern: invertebrates, reptiles, badgers, amphibians nesting birds, other mammals and foraging bats.
146. The report concludes that there is a low likelihood of any impact on any protected sites (subject to any required mitigation for the SPA). In terms of protected species and species of conservation concern, the survey area does not support aquatic habitat suitable for great crested newt, and due to physical barriers there is unlikely that they would be present within the survey area. Similarly otters or water voles are unlikely to be supported. The site does not contain suitable habitat for hazel dormouse.
147. The site does have suitability for amphibians, reptiles, birds, invertebrates and mammals (including badger and bats) and without mitigation the proposed development could result in generalised impacts if mitigation is not considered (these are set out in paragraph 6.1.2 of the PEA).
148. The survey area supports minimal suitable badger habitat, namely foraging opportunities within the modified grassland. No signs of badger including push-throughs underneath boundary fences, setts, latrines, foraging signs or hairs were recorded during the survey. Two bat species were identified as part of the desk study (common pipistrelle

and brown long-eared) and four roosts have been identified within 2km of the survey area. Five habitats suitable for use by bats were identified (hedgerows, modified grassland, introduced scrub, bramble scrub and mature trees).

149. The desk study returned records of a number of non-native and invasive plant species, but none were observed on site during the survey so are considered unlikely to be present. No rare/notable plant species were recorded on site.
150. As set out above, RBC Policy EE9 states that net gains in biodiversity, through creation/expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species will be sought as part of development proposals.
151. As set out in the application details (BNG Assessment Letter January 2024), an assessment has been carried out which evaluates the baseline biodiversity units and identifies possible scenarios for habitat enhancement and creation, and the potential net gain in biodiversity units that this would achieve (based on the submitted landscape plan). Biodiversity net gain, including assessment and habitat classification, is calculated and interpreted following eight accepted principles and rules and supported by good practice principles and code of practice that detail, among other things, how to implement biodiversity net gain good practice principles within each stage of a development project's life cycle.
152. The broad habitat types in the survey area have been set out above. Habitat retention, enhancement, and creation opportunities (as detailed in the landscape plan) comprise:
- Retention and enhancement of existing hedgerows
 - Creation of native hedgerow (mixed species native hedge)
 - Creation of neutral grassland (woodland glade)
 - Creation of mixed scrub
 - Creation of new tree planting (native and orchard trees)
153. Applying the BNG metric (a habitat based approach used to assess an area's value to wildlife), it is calculated that the development would result in a 0.12% increase in habitat units and 219.39% increase in hedgerow units. On this basis it is considered that sufficient information has been submitted to conclude that the proposal would meet policy requirements in relation to ecology and BNG.
154. The County Ecologist has confirmed that the application is acceptable, including in relation to BNG, subject to the imposition of conditions.

THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

South East Plan Policy NRM6 – Thames Basin Heath Special Protection Area Runnymede Borough Local Plan 2030 (RBCLP) Policy EE9 – Biodiversity, Geodiversity and Nature Conservation Policy EE10 - Thames Basin Heath Special Protection Area

155. Paragraph 188 of the National Planning Policy Framework (2023) states that 'the presumption in favour of sustainable development' does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. The application site is located within 5km of the Thames Basin Heath Special Protection Area (SPA).

156. The South East Plan was formally abolished in 2013, except for Natural Resource Management Policy 6 – Thames Basin Heaths Special Protection Area. This policy requires that new residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.
157. RBCLP Policy EE9 states that development proposals not directly related to the management of Ramsar, SPA, SAC as well as SSSI units forming part of these designations will not be permitted unless it can be demonstrated that the impact of proposals, either alone or in combination, will not result in likely significant adverse effects. If significant adverse effects remain even with the implementation of suitable avoidance and/or mitigation, development proposals will need to demonstrate that alternatives to the proposal have been fully explored and that Imperative Reasons of Overriding Public Interest (IROPI) exist. In these exceptional circumstances the Council will only permit development where suitable compensatory measures can be implemented.
158. RBCLP Policy EE10 requires that additional residential development (including strategic allocations) beyond the 400m Special Protection Area exclusion zone, but within 5km of the Special Protection Area boundary, will need to put in place adequate measures to avoid and mitigate potential effects on the Thames Basin Heaths Special Protection Area (SPA). To meet these requirements developments will need to provide or contribute to Suitable Alternative Natural Green Space (SANG) and make a financial contribution towards Strategic Access Management and Monitoring (SAMM) at the Special Protection Area.
159. The Thames Basin Heaths Special Protection Area SPD (April 2021) (TBHSPA SPD) provides guidance on the implementation of the policy. Based on the principles established in the Delivery Framework adopted by the Thames Basin Heaths Joint Strategic Partnership in 2009 (Runnymede BC being one of the local authority partners), the SPD provides guidance to demonstrate how the adverse effects of development within Runnymede on the integrity of the Thames Basin Heaths SPA should be avoided and mitigated.
160. The Thames Basin Heaths account for around two-thirds (approximately 2,000 ha) of Surrey's remaining heathland and were designated on 9th March 2005 as a Special Protection Area (SPA) for internationally important birds; providing habitat for woodlark (*Lullula arborea*), nightjar (*Caprimulgus europaeus*) and Dartford warbler (*Sylvia undata*). These birds nest on or near the ground and as a result they are very susceptible to predation of adults, chicks and eggs (particularly by cats, rats and crows) and to disturbance from informal recreational use, especially walking, cycling and dog walking.
161. The policy and guidance (and mitigation measures they seek) are based on the vulnerability of the Thames Basin Heaths SPA (TBHSPA) and the impact of visitors, in particular those with dogs. It is for this reason that alternative recreational provision (including for dog walkers) is sought in the form of SANG (SAMM provision supporting monitoring and management within the SPA itself).
162. The SPD requires that where net new residential development is proposed within the 400m-5km zone of influence, avoidance measures must be delivered prior to occupation of new dwellings and provided in perpetuity. Measures must be based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision and/or improvement and/or maintenance of Suitable Alternative Natural Greenspace (SANG).
163. The SPD states that when assessing any planning application for a C2 or C3 care or extra care facility, account will be taken of whether there is any risk of the residents of the facility causing a likely significant effect upon the integrity of the SPA. It states that

the occupancy of C2 or C3 care or extra care facilities will be considered on an individual basis under advice from Natural England.

164. As set out in the application details, the provider for this development is yet to be determined, and precise details of residents' likely age and mobility profile are not available. However, by its very nature extra care accommodation is designed to provide for a range of ages, providing greater support to meet health and mobility needs as they develop over time. Residents could be eligible for accommodation from the age of 55 (though it is more likely to be accessed from the age of 75), and car parking spaces will be available to them. A proportion of them are therefore likely to access the SPA by car. In addition, as the TBHSPA is a local open space to the site, there is a high probability that residents will be taken there by visitors. Some visitors may have dogs (one of the main risks to nesting birds).
165. The applicant has agreed to make a payment in accordance with policy and guidance, to both SANG and SAMM, to meet legal requirements under the Habitat Regulations, and this would be secured through a legal agreement with Runnymede Borough Council.
166. Runnymede Borough Council operates a tariff mechanism (based on occupancy rate) and calculates contributions accordingly. Following discussions with Natural England, it has been agreed that contributions can be made on a 'net' basis, on the basis that until the closure of the previous Brockhurst residential facility there were residents on site and pressure on the SPA accordingly. This equates to an occupancy rate of 4.2 (3 units x 1.4 occupancy rate), and a SANG contribution of £3794.70 and SAMM contribution of £1798.15. This would be secured by a legal agreement (Unilateral Undertaking) between the applicant and Runnymede Borough Council.
167. The recommendation for this application is to resolve to grant outline consent, subject to this legal agreement being completed.

AIR QUALITY

Runnymede Borough Local Plan 2030 (RBCLP) Policy EE2 – Environmental Protection

168. Paragraph 191 of the NPPF (2023) requires that planning policies and decisions ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
169. Paragraph 192 states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.
170. RBCLP Policy EE2 requires that development proposals are assessed in relation to air quality, including where appropriate through the submission of assessments or reports, stating that planning permission will only be granted where abatement or mitigation measures to reduce impacts to acceptable levels can be secured and implemented.
171. An Air Quality Appraisal has been submitted with the application. This identifies the pollutants of concern as nitrogen dioxide (NO₂), particulate matter (PM₁₀, PM_{2.5}) and dust. The key issues are identified as the impact of the development on the surrounding area and the suitability of the site for its proposed use as a care home. The Council's air quality advisers agree that the correct pollutants and key issues have been identified.

172. The application site is not in an Air Quality Management Area (AQMA), the nearest AQMA being approximately 1.6 km to the east of the site (close to the M3 motorway). The Air Quality Appraisal submitted with the application refers to data collected at a NO₂ monitoring site operated by RBC, located approximately 360m to the northwest of the site (at the A320 roundabout in Ottershaw).
173. The Air Quality Appraisal concludes that although congestion and traffic levels at this junction currently result in NO₂ levels which exceed Air Quality Strategy (AQS) objectives, the site is sufficiently distant from this location to ensure that emissions are unlikely to adversely influence pollutant concentrations at the proposed development site. Defra mapping for the area is also referenced, this indicating that background pollutant concentrations for the 1 km grid square covering the site (PM₁₀ and NO₂) are well below the current AQS annual mean objective of 40 µg/m³ for both pollutants. Local air quality is good with background concentrations comfortably below currently legislated air quality criteria. It ultimately concludes that the location is considered suitable for a development introducing new sensitive receptor exposure, ie. a care home use.
174. The report also concludes that subject to mitigation measures being introduced, the impact of dust at construction stage can be adequately managed.
175. In line with best practice, a number of mitigation measures and opportunities have been outlined for consideration at the detailed design stage to minimise exposure for occupants of the new building and existing residents to local ambient sources of air pollution. The report also recommends submission of a simple air quality statement to determine the scale of any potential impacts on existing or future new receptors due to the proposed development, and a risk assessment of dust impacts during construction work with recommendations for mitigation and controls consistent with the level of risk.
176. The Council's air quality advisers recommend that, subject to the submission of details by condition (Dust Management Plan), the application is acceptable in relation to air quality and dust. No objection has been raised in this regard by RBC's EHO. As this application is in outline, a condition is recommended to require submission of control measures for dust.

HERITAGE ASSETS

Runnymede Borough Local Plan 2030 (RBCLP)
Policy EE1 – Townscape and Landscape Quality
Policy EE3 – Strategic Heritage Policy
Policy EE7 - Scheduled Monuments, County Sites of Archaeological Importance (CSAIs) and Areas of High Archaeological Potential (AHAPs)
Policy EE8 – Locally Listed and other Non-Designated Heritage Assets
Runnymede Design SPD – July 2021

177. Paragraph 200 of the National Planning Policy Framework (2023) states that:

'In determining applications, Local Planning Authorities (LPAs) 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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

178. It goes on to advise that in determining applications, LPAs should identify and assess the particular significance of any heritage asset that may be affected by the development, taking account of any available evidence and any necessary expertise. Paragraph 209 states:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. RBCLP Policy EE1 states that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land.'

179. RBCLP Policy EE3 sets out the Borough's strategic policy in relation to heritage assets, stating that development that affects Runnymede's heritage assets should be designed to protect, conserve and enhance the significance and value of these assets and their settings in accordance with national legislation, policy and guidance and any supplementary planning documents which the council may produce.
180. RBCLP Policy EE7 requires that an archaeological assessment, and where appropriate the results of a site evaluation, will be required to accompany a planning application for proposals for development on sites which exceed 0.4ha in size and further archaeological work as required.
181. RBCLP Policy EE8 states that development will be required to preserve the character and significance of locally listed and other non-designated heritage assets, their setting and any features of architectural or historic interest.
182. There are no designated heritage assets (including their settings) close to the application site. Toad Hall Nursery, which is located opposite the site at the Brox Road/Slade Road junction, is identified on Runnymede Borough Council's Local List (2019), and as such is considered a non-designated heritage asset to which NPPF paragraph 209 and RBCLP Policy EE8 apply. This asset dates from 1906, and was built as a school funded by the Countess of Meath (who founded the Ministering Children's League). It closed as a school in 1967, operated as a restaurant and is now a children's day nursery.
183. The Council's historic buildings officer advises that the building's significance derives from its role in the history of Ottershaw and its good quality Arts and Crafts architecture. He further advises that the setting of the nursery is largely self-contained within its own curtilage, and that while there are views out from the site, the wider setting consists of a highly urbanised context comprising of a builder's merchants, commercial premises, a small number of early 20th century dwellings (and the application site). There are no known historic links between these sites and the locally listed building, nor are there any clear architectural influence from its surroundings. As such, the wider setting reveals nothing about the architectural or historic interest of the building and there would be no harm to the setting of the locally listed building from the development.
184. In line with the policy requirement set out in RBCLP Policy EE7, an Archaeological Desk Based Assessment has been carried out. Further field evaluation was then undertaken, with three trial trenches excavated. Two of the trenches revealed undisturbed ground but contained no archaeological features and the other trench revealed evidence of modern disturbance. As the results of the evaluation, coupled with the disturbance caused by the previous development of the site clearly demonstrate that significant archaeological remains are not present, the County Council's Archaeological Officer confirms that there are no further archaeological concerns regarding this application and no further archaeological mitigation works are required.

Human Rights Implications

- 185. 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.
- 186. In this case, it is the Officer's view that the scale of such impact is not considered sufficient to engage Article 6 or Article A of Protocol 1 and any impacts can be mitigated by conditions. The proposal is not considered to interfere with any Convention rights.

Conclusion

- 187. This is an outline application, seeking approval for layout, scale and means of access (with appearance and means of access reserved for future consideration).
- 188. The proposal accords with national and local planning policy regarding the provision of housing for boosting the supply of housing generally, and specialist housing for different groups in the community in particular. The site is well located in relation to Ottershaw village centre, and the services and facilities located there, with good inter-connectivity between the site and its surroundings.
- 189. It is recognised that the proposed building, as shown indicatively as part of this outline application, would be of different and greater massing than that previously on the site, resulting in a change to site and how it would be viewed in the public realm. It would also result in the loss of trees, some of which are prominent in the street scene.
- 190. Comments raised in representations, including those raised by the Ottershaw Neighbourhood Forum and Runnymede Borough Council, are acknowledged and have been afforded due weight.
- 191. Weighing in its favour, and attributed significant weight, the proposal would deliver up to 51 modern, extra care units on an existing, unused brownfield site in a sustainable location. It would also accord with the Borough's aspirations as set out in the Runnymede Design SPD (RD) (2021), namely the creation of healthier and safer communities, with emphasis on walking and cycling, the provision of 'inclusive' people friendly places delivering a range of high quality new homes and new development, and the need to address sustainability and climate change and the future proofing of development. It would also result in a positive benefit in terms of biodiversity, delivering a net gain in this regard.
- 192. Taking all factors into account, including the presumption in favour of sustainable development which underpins the National Planning Policy Framework 2023 (NPPF), it is considered that the benefits of the scheme outweigh the harms. It is therefore recommended that outline consent should be granted for this development.

Recommendation

Pursuant to Regulation 3 of The Town and Country Planning General Regulations 1992, the Committee resolves to grant outline planning permission for application ref: RU.23/0474, subject to the completion of legal agreement to secure payments (SANG and SAMM) to mitigate the impact of the development of the Thames Basin Heaths Special Protection Area (SPA) and subject to the recommended planning conditions.

Conditions and Reasons:

IMPORTANT - CONDITION NOS. 4, 6, 13, 16, 19, 21, MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

Commencement

1. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The means of access, siting, layout and scale of the development hereby approved is as shown on the following approved plans/drawings:
 - PR-290-ATK-XX-ZZ-DR-A-90100 Rev P01 – Existing Location Plan dated 3 February 2023
 - PR-290-ATK-XX-ZZ-DR-A-90102 Rev P01 – Existing Site Plan dated 3 February 2023
 - 2111027-01 – Post Demolition Survey dated March 2022
 - TCP1_BH – Tree Constraints Plan dated June 2021
 - PR-290-ATK-XX-ZZ-DR-A-90200 – Rev P04 - General Arrangements – Indicative Elevations (1 of 2) dated 19 February 2024
 - PR-290-ATK-XX-DR-A-90201 – Rev P04 - General Arrangements – Indicative Elevations (2 of 2) dated 19 February 2024
 - PR-290-ATK-XX-B1-DR-A-90111 Rev P03 – General Arrangements - Proposed Indicative Plans – Basement Floor dated 2 February 2024
 - PR-290-ATK-XX-00-DR-A-90112 Rev P03 – General Arrangements - Proposed Indicative Plans - Ground Floor dated 2 February 2024
 - PR-290-ATK-XX-01-DR-A-90113 Rev P03 – General Arrangements - Proposed Indicative Plans - First Floor dated 2 February 2024
 - PR-290-ATK-XX-02-DR-A-90114 Rev P03 – General Arrangements - Proposed Indicative Plans - Second Floor dated 2 February 2024
 - PR-290-ATK-XPR-290-ATK-XX-ZZ-DR-A-90100 Rev P01 – Existing Location Plan dated 3 February 2023
 - PR-290-ATK-XX-ZZ-DR-A-90102 Rev P01 – Existing Site Plan dated 3 February 2023
 - 2111027-01 – Post Demolition Survey dated March 2022
 - TCP1_BH – Tree Constraints Plan dated June 2021
 - PR-290-ATK-XX-ZZ-DR-A-90200 – Rev P04 - General Arrangements – Indicative Elevations (1 of 2) dated 19 February 2024
 - PR-290-ATK-XX-DR-A-90201 – Rev P04 - General Arrangements – Indicative Elevations (2 of 2) dated 19 February 2024
 - PR-290-ATK-XX-B1-DR-A-90111 Rev P03 – General Arrangements - Proposed Indicative Plans – Basement Floor dated 2 February 2024

- PR-290-ATK-XX-00-DR-A-90112 Rev P03 – General Arrangements - Proposed Indicative Plans - Ground Floor dated 2 February 2024
- PR-290-ATK-XX-01-DR-A-90113 Rev P03 – General Arrangements - Proposed Indicative Plans - First Floor dated 2 February 2024
- PR-290-ATK-XX-02-DR-A-90114 Rev P03 – General Arrangements - Proposed Indicative Plans - Second Floor dated 2 February 2024
- PR-290-ATK-XX-03-DR-A-90116 Rev P02 – General Arrangements - Proposed Indicative Plans - Third Floor dated 2 February 2024
- PR-290-ATK-XX-RF-DR-A-90115 Rev P03 – General Arrangements - Proposed Indicative Plans – Roof dated 2 February 2024
- PR-290-ATK-XX-RF-DR-A-90103 Rev P03 – Proposed Indicative Roof Site Plan dated 2 February 2024
- PR-290-ATK-XX-LL-DR-A-90302 Rev P03 – Proposed Indicative Site Sections dated 19 February 2024
- PR-290-ATK-XX-ZZ-DR-A-90301 Rev P03 – Existing Site Sections dated 19 February 2024
- PR-290-ATK-XX-00-DR-L-40101 Rev P02 – Landscape Illustrative Masterplan dated 2 February 2024
- PR-290-ATK-XX-00-DR-C-70001 Rev P02 – Proposed Drainage Strategy dated 2 February 2024
- PR-290-ATK-XX-00-DR-L-40102 Rev P03 – Landscape Proving Plan dated 28 May 2024
- X-02-DR-A-90116 Rev P02 – General Arrangements - Proposed Indicative Plans - Third Floor dated 2 February 2024
- PR-290-ATK-XX-02-DR-A-90115 Rev P03 – General Arrangements - Proposed Indicative Plans – Roof dated 2 February 2024
- PR-290-ATK-XX-RF-DR-A-90103 Rev P03 – Proposed Indicative Roof Site Plan dated 2 February 2024
- PR-290-ATK-XX-LL-DR-A-90302 Rev P03 – Proposed Indicative Site Sections dated 19 February 2024
- PR-290-ATK-XX-ZZ-DR-A-90301 Rev P03 – Existing Site Sections dated 19 February 2024
- PR-290-ATK-XX-XX-RP-L-40101 Rev P02 – Landscape Illustrative Masterplan dated 2 February 2024
- PR-290-ATK-XX-00-DR-C-70001 Rev 1.0 – Proposed Drainage Strategy dated 2 February 2024
- PR-290-ATK-XX-00-DR-L-40102 Rev P03 – Landscape Proving Plan dated 28 May 2024

Reason:

For the avoidance of doubt and in the interests of proper planning.

Reserved Matters

3. Approval of the details of the design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the County Planning Authority in writing before any development is commenced and carried out as approved. Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the County Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Article 5 of the Town and Country Planning (General Development Procedure) (England) Order 2015 (or any order revoking and re-enacting that Order)

and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

Drainage

- 8
4. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the County Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a. Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2l/s.
 - b. Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c. A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - d. Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e. Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

The development shall be implemented in accordance with the approved details.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with National Planning Policy Framework 2023 paragraphs 173, 175 and 180; and Runnymede Borough Local Plan 2030 Policy EE13.

5. The development hereby permitted shall not be occupied unless and until a verification report carried out by a qualified drainage engineer has been submitted to and approved in writing by the County Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in

accordance with National Planning Policy Framework 2023 paragraphs 173, 175 and 180; and Runnymede Borough Local Plan 2030 Policy EE13.

Highways, Traffic and Access

6. Prior to the commencement of the development hereby permitted a Construction Transport Management Plan shall be submitted to and approved in writing by the County Planning Authority, to include:
- a) Details of parking for vehicles of site personnel, operatives and visitors.
 - b) Details of loading and unloading of plant and materials.
 - c) Details of storage of plant and materials.
 - d) A programme of works (including measures for traffic management).
 - e) Details of boundary hoarding to be provided behind any visibility zones
 - f) Details of HGV deliveries and hours of operation.
 - g) Details of vehicle routing.
 - h) Measures to prevent the deposit of materials on the highway.
 - i) Details of how 'before and after' condition surveys of the highway are to be submitted, and a commitment to fund the repair of any damage caused
 - i) Details of turning for construction vehicles.

Only the approved details shall be implemented during the construction of the development hereby permitted.

Reason:

To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with National Planning Policy Framework 2023 paragraphs 108, 114, 115, 116 and 194; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

7. The development hereby approved shall not be occupied unless and until at least 50% of all available parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the County Planning Authority and thereafter retained and maintained to the satisfaction of the County Planning Authority.

Reason:

To comply with the terms of the application, the Surrey County Council Local Transport Plan 4, Healthy Streets for Surrey design guidance, and Surrey County Council Parking Standards by ensuring that electric vehicle charging points are available to all users at the earliest opportunity in accordance with National Planning Policy Framework 2023 paragraphs 108, 112, 114, 116 and 135; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

8. The development hereby permitted shall be provided with visibility splays at the access junction of 2.4 metres by 43 metres, in accordance with the posted speed limit, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high, with the exception of parked cars.

Reason:

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users, in accordance with National Planning Policy Framework 2023 paragraphs 108, 112, 114, 116 and 135; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

9. The development hereby permitted shall not be occupied unless and until facilities for the secure, covered parking of bicycles including charging facilities for electric cycles and charging facilities for mobility scooters has been provided in accordance with a scheme to be submitted to and approved 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.

Reason:

To comply with the terms of the Surrey County Council Local Transport Plan 4, Healthy Streets for Surrey design guidance, and Surrey County Council Parking Standards by ensuring that safe and secure parking for sustainable transport modes, with appropriate charging facilities, is made available to all users at the earliest opportunity in accordance with National Planning Policy Framework 2023 paragraphs 108, 112, 114, 116 and 135; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

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

Reason:

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users, in accordance with National Planning Policy Framework 2023 paragraphs 108, 112, 114, 116 and 135; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

11. Prior to occupation of the development, a Travel Plan shall be submitted for the written approval of the County Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's 'Travel Plans Good Practice Guidance' and in general accordance with the 'Heads of Travel Plan' document. The Travel Plan shall include details of the proposed Car Club scheme or other shared transport service. The approved Travel Plan shall then be implemented prior to first occupation and thereafter maintained and developed to the satisfaction of the County Planning Authority.

Reason:

To comply with the terms of the Surrey County Council Local Transport Plan 4, Healthy Streets for Surrey design guidance, and Surrey County Council Parking Standards by ensuring access to sustainable transport modes and reduce reliance on the private car in accordance with National Planning Policy Framework 2023 paragraphs 108, 112, 114, 116 and 135; and Runnymede Borough Council Local Plan 2030 Policies SD3 and SD4.

Limitations

12. The height and scale of the proposed building shall not exceed that shown on Plan Numbers PR-290-ATK-XX-LL-DR-A-90302 Rev P03, PR-290-ATK-XX-ZZ-DR-A-90200 – Rev P04 and PR-290-ATK-XX-DR-A-90201 dated 19 February 2024 hereby approved.

Reason:

To ensure that the scale of the development respects the character and appearance of the area within which it is located, in accordance with Runnymede Borough Local Plan 2030 Policy EE1.

Dust Management

- 13. Prior to the commencement of the development hereby permitted, a Dust Management Plan for the construction phase of the development shall be submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

In the interests of the residential amenities of neighbouring dwellings, in accordance with Runnymede Borough Local Plan 2030 Policies EE1 and EE2.

Hours of Operation

- 14. No construction activities shall take place on the site except between the hours of 8am and 6pm Mondays to Fridays and 8am to 1pm Saturdays.

Reason:

In the interests of the residential amenities of neighbouring dwellings, in accordance with Runnymede Borough Local Plan 2030 Policies EE1 and EE2.

Lighting

- 15. There shall be no external lighting installed on the site, including any temporary lighting required during construction, in connection with the development hereby permitted unless and until details of the proposed lighting have been submitted to and approved in writing by the County Planning Authority. Details to be submitted shall include:
 - confirming the type of fittings to be mounted on the building façade
 - providing details of lighting controls
 - providing a complete lighting scheme with associated lux plots
 - submitting lighting design and calculations demonstrating that the scheme is in compliance with the International Commission on Illumination’s Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations Second Edition (CIE 150:2017).
 - Consideration of the lighting impacts on the ecological interests on the site such as Bats

Only the external lighting which has been approved in accordance with this condition shall be installed on the site.

Reason:

In the interests of the residential amenities of neighbouring dwellings and the ecological interest of the site, in accordance with Runnymede Borough Local Plan 2030 Policies EE2 and EE9.

Trees

16. Prior to the commencement of the development hereby permitted, a detailed Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the County Planning Authority. The AMS shall include details of:

- a) the construction of paths and retaining walls;
- b) the location of services (in relation to trees)

The development shall be carried out strictly in accordance with the approved AMS.

Reason:

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 Runnymede Local Plan 2030 Policy EE1.

17. No trees shall be removed except for those identified within the Tree Protection Plan TPP1_BH Rev A dated January 2024 (forming part of the Arboricultural Appraisal and Impact Assessment dated 25 January 2024).

Reason:

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 Runnymede Local Plan 2030 Policy EE1.

18. The development shall proceed in accordance with the details, including tree protection fencing and construction exclusion zone, contained within the Arboricultural Appraisal and Impact Assessment dated 25 January 2024 and appendices attached thereto and retained during the construction phase of the development.

Reason:

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 Runnymede Local Plan 2030 Policy EE1.

Biodiversity and Habitat Management

19. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. This Plan shall be prepared in accordance with the recommendations set out in Table 12 and 13 of the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment Rev. 1.1 and include the following:

- Details of how retained habitats will be protected
- Details of mitigation measures for protected species during active works
- Details of a wildlife-sensitive lighting strategy for the proposals

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

Reason:

To enhance and protect habitats and biodiversity and in accordance with the National Planning Framework and Runnymede Borough Local Plan 2030 Policy EE9.

20. Within 6 months from the date of the approval of the landscaping ‘Reserved Matter’ application, a landscape and ecological management plan (LEMP) shall be submitted to the County Planning Authority for approval in writing and thereafter implemented in accordance with the approved details. The LEMP shall include:-

- (a) detailed planting schedules for the habitats to be created within the site
- (b) updated biodiversity net gain score based on the final landscaping and planting scheme
- (c) management recommendations for the retention, enhanced and created hedgerows
- (d) details of the body or organisation responsible for implementation of the monitoring plan
- (e) specification and locations of bird, bat and invertebrate boxes (and other biodiversity features of relevance)
- (f) detailed 30 year habitat creation and monitoring plan to ensure the delivery of biodiversity net gain on site
- (g) annual maintenance scheme for trees and hedgerows

The approved details shall be incorporated into the development prior to the first occupation of any part of the development and permanently maintained thereafter.

Reason:

To enhance and protect habitats and biodiversity and in accordance with the National Planning Framework and Runnymede Borough Local Plan 2030 Policy EE9.

21. Prior to the commencement of the development hereby permitted a Resource Management Plan (RMP)/details of measures to demonstrate the following shall be submitted to and approved in writing by the County Planning Authority :

- a. That waste generated during the construction of development is limited to the minimum quantity necessary.
- b. Opportunities for re-use and for the recycling of construction 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.

The development shall be implemented in accordance with the approved details.

Reason:

To ensure the minimisation of waste and maximisation of recycling in accordance with Policy S4 of the Surrey Waste Local Plan 2020.

22. The extra care accommodation hereby permitted shall remain within Use Class C2 Residential Institutions in accordance with The Town and Country Planning (Use Classes) Order 1987, or any subsequent Order amending or replacing this Order, and shall remain as affordable housing for rent in accordance with the definition within the National Planning Policy Framework 2023 Annex 2: Glossary, or any subsequent Government guidance.

Reason:

To ensure that the proposed development remains solely for the use intended and meets the definition of affordable housing in order to contribute to the Runnymede Borough and wider Surrey affordable housing need in accordance with National

Informatives:

1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; 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 elements of the design (as originally submitted) and impacts of the development on the Thames Basin Heath Special Protection Area 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 2023.
2. 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.
3. 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.
4. 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. 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.
5. The applicants are advised that badgers may be present on site. Badgers and their setts are protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure or take badgers or to interfere with a badger sett. Should a sett be found on site during construction, work should stop immediately and Natural England should be contacted. During site preparation works, all open trenches, pits and excavations shall be covered outside working hours so that any transiting fauna that falls into the earthworks can escape.
6. The applicant's attention is drawn to the advice as set out in comments received from Thames Water dated 29 March 2023 including those regarding the proximity of the site to a strategic sewer. Should any piling be undertaken, a piling method statement should be produced.

7. If proposed works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the Council's website.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023.
9. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance, obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the 'Considerate Constructors Scheme' Code of Practice (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
10. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning and maintaining fire detection and alarm systems in non-domestic buildings.
11. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on 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 Sections 131, 148, 149).
12. 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.
13. The applicant is advised that careful consideration should be given to the location of ancillary storage structures to be considered as part of the reserved matters for landscaping. This is to ensure that these structures are positioned such that the residential amenity of adjoining occupiers is safeguarded.

Contact Charlotte Parker

Tel. no. 020 8541 9897

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.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Runnymede Borough Council planning register entry for this application can be found under application reference RU.23/0474.

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

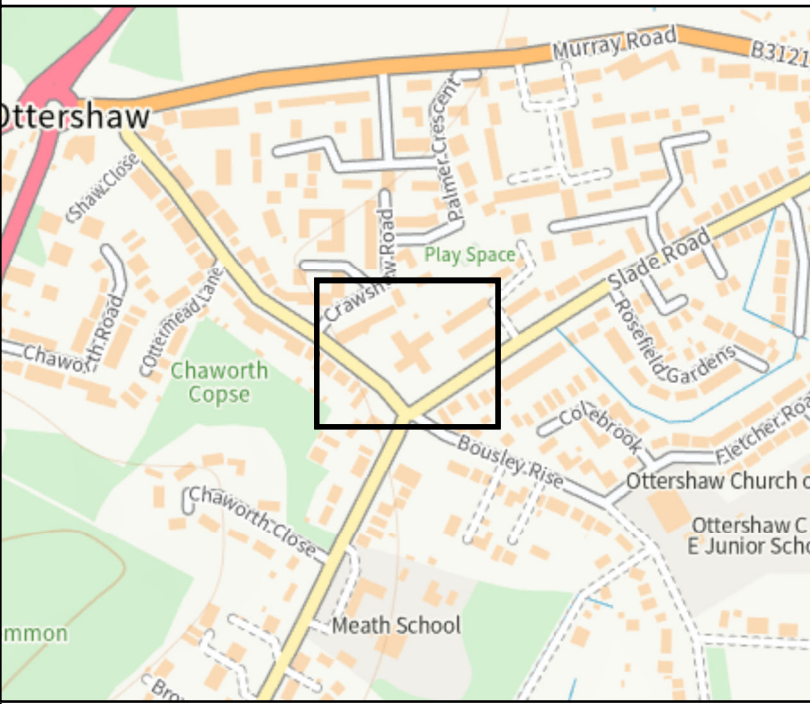
[Surrey Waste Local Plan 2020](#)
[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)
[Surrey Minerals Plan Primary Aggregates Development Plan Document \(DPD\) 2011](#)
[Surrey Minerals Plan Site Restoration Supplementary Planning Document \(SPD\) 2011](#)
<https://www.surreycc.gov.uk/land-planning-and-development/minerals-and-waste/minerals-core-strategy-development-plan/aggregates-recycling-joint-development-plan>
South East Plan 2009 (retained Policy NRM6 only)
Runnymede Borough Local Plan 2030

Other Documents

Runnymede Design SPD July 2021
Runnymede Parking Guidance SPD 2022
Thames Basin Heaths Special Protection Area SPD 2021

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Site Location: **Former Brockhurst Care Home, Brox Road, Ottershaw, Surrey KT16 0HQ**



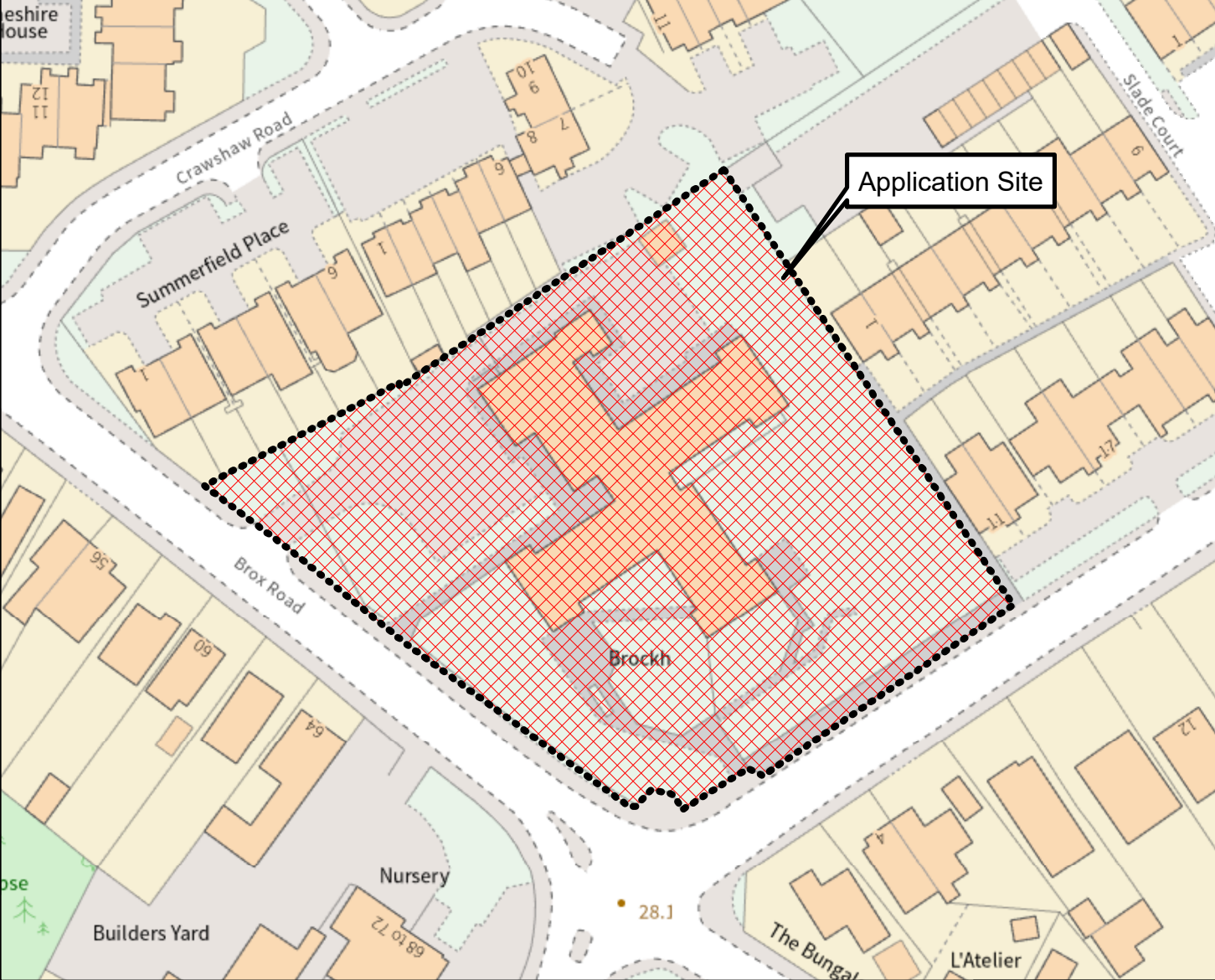
Outline application for the erection of 1-3-storey building for extra care accommodation, comprising self-contained apartments, staff and communal facilities, and associated parking. Appearance and Landscaping reserved.

Application numbers:
 RU.23/0486

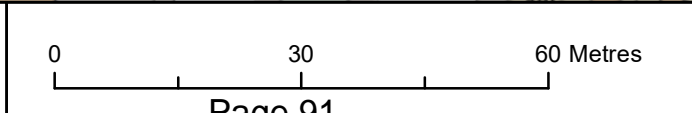
Electoral divisions:
 Foxhills, Thorpe and Virginia Water

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Note: This plan is for indicative purposes only



Ref No:
 SCC_Ref_2023-0045



Scale: **1:920**
 Printed on: 21/04/2023

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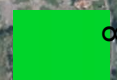
Aerial 1: Surrounding area



Page 93



All boundaries are approximate





2023 Aerial Photos

Aerial 2: Application site



Page 94



All boundaries are approximate



Aerial 3: School boundary



Application Site Area

Site Boundary

Ottershaw C of E Junior School



All boundaries are approximate

Page 95

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To: Planning & Regulatory Committee

Date: 26 June 2024

By: Planning Development Manager

District(s) Epsom & Ewell

Electoral Division(s):

Ewell Court, Auriol and Cuddington

Mr Kington

Case Officer:

Dawn Horton-Baker

Purpose: For Decision

Grid Ref: 521577 165038

Title: Surrey County Council Proposal EP23/00633/CMA

Summary Report

Land at the former Auriol Junior School playing field and land at 2nd Cuddington (Rowe Hall), off Salisbury Road, Worcester Park, KT4 7DD.

Outline application for the erection of a part 1 and part 3 storey building for Extra Care Accommodation, comprising self-contained apartments, staff and communal facilities, and associated car parking (Class C2); the reprovision of a revised Scouts Hut curtilage including a new amenity area (Class F2); and a new access from Salisbury Road. Appearance and landscaping reserved (amended plans).

The application comprises land at the former Auriol Junior School playing field and land at 2nd Cuddington Scouts (Rowe Hall). The application site measures approximately 1.54 hectares and is located south of Salisbury Road in Worcester Park, an urban area in the Borough of Epsom and Ewell. The Cuddington Community School is situated on the eastern side of the application site, separated by a public footpath (No.2) which runs alongside the north-eastern site boundary, linking Salisbury Road and Cuda's Close.

The site is in a predominantly residential area comprising a mix of two and three storey houses. The application site is lined by trees along the eastern, southern and western boundaries and the largest trees on the site follow the public footpath that covers the whole length of the site eastern boundary.

This is an outline application seeking self-contained extra care accommodation with associated facilities (indicatively 93 units). The application has been submitted by Surrey County Council under Regulation 3 of the Town and Country Planning General Regulations (1992). At this outline stage the planning considerations relate only to the principle of the development, including the layout, scale and means of access. The detailed design

(appearance) and site landscaping are reserved matters which would be submitted at a later stage.

As originally submitted in 2023, the application sought a U-shaped building of between one and four storeys in height. Amendments were sought to address issues in relation to the height of the building, having regard to its relationship with neighbouring development. An amended scheme was subsequently submitted in March 2024, and re-consultation carried out.

A total of 149 properties were consulted on the original application. 16 representations were received raising objections on grounds summarised in the report. 6 supplementary comments were received (from those who originally commented) in relation to the amended plans received in March 2024, together with an additional 5 representations.

Epsom and Ewell Borough Council has raised objections to the proposal on several grounds which are fully set out in the report.

Other statutory and technical consultees have provided advice on a range of issues, and this has either been reflected in additional information submitted during the application or in proposed conditions.

Officers are satisfied that development of the scale and nature shown on the amended plans could be satisfactorily accommodated on the site, subject to details which would be submitted at the reserved matters stage or required by condition.

The recommendation is pursuant to Regulation 3 of The Town and Country Planning General Regulations 1992, outline planning application ref: EP23/00663/CMA be granted subject to conditions.

Application details

Applicant

SCC Property

Date application valid

15 May 2023

Period for Determination

4th July 2024 (extension of time agreed with the applicant)

Amending Plans/Documents

Documents

Planning Statement May 2023 v1.1

Protected species Survey Report Rev 2.0 dated 13 September 2023 Redacted
Invertebrate Survey dated September 2023 Redacted
Design and Access Statement Addendum Rev P01 dated 19 March 2024 Part 1 of 2
Design and Access Statement Addendum Rev P01 dated 19 March 2024 Part 2 of 2
Letter on BNG Assessment dated 17 January 2024 Redacted
BNG Metric V1.2 dated 17 January 2024 Redacted
Extra Care Housing Statement Rev 4 dated March 2024
Addendum Planning Statement dated March 2024 Redacted
Revised Application Form dated 19 March 2024 Redacted
Sustainable Drainage Systems (SuDS) Rev 3.0 dated 22 January 2024 Redacted
Transport Assessment dated June 2024
Email from agent dated 10 June 2024 on sightline
20/03/24 Tree Survey And Impact Assessment Rev A dated 20 February 2024
Flood Risk Assessment Rev 3.0 dated 19 January 2024 Redacted
Amended Scheme Document List dated 20 March 2024
Assessment of Open Space Policy Compliance dated September 2023
Email From Agent dated 6 June 2024 on Ecology
Aerial map of the Northey Estate mitigation site
Baseline UK Habitat Plan dated December 2023
Uplift UK Habitat Plan dated December 2023
Biodiversity Metric 4.0 calculation dated 22 December 2023
Email From Agent Dated 12 June 2024 on BNG Mitigation
Email From Agent Dated 10 June 2024 On Vehicle Tracking Redacted

Plans

PR-291-ATK-XX-ZZ-DR-A-02300 Rev P02 Existing Site Sections dated 19 March 2024
PR-291-ATK-XX-ZZ-DR-A-02301 Rev P02 Proposed Site Sections dated 19 March 2024
PR-291-ATK-XX-ZZ-DR-A-01300 Rev P04 General Arrangements - Proposed Sections dated 19 March 2024
PR-291-ATK-XX-RF-DR-A-90193 Rev P01 Proposed Roof Site Plan - Thames Water Pumping Station Exclusion Zone dated 16 February 2024

PR-291-ATK-XX-00-DR-A-90112 Rev P04 Proposed Plans - Ground Floor dated 22 January 2024

PR-291-ATK-XX-01-DR-A-90113 Rev P03 Proposed Plans - First Floor dated 22 November 2023

PR-291-ATK-XX-02-DR-A-90114 Rev P02 Proposed Plans - Second Floor dated 28 November 2023

PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023

PR-291-ATK-XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024

PR-291-ATK-XX-XX-DR-A-02700 3D View Rev P02 - Massing Views dated 19 March 2024

2006-KC-XX-YTREE-TPP01 Rev A Tree Protection Plan dated 19 February 2024

PR-291-ATK-XX-XX-DR-C-70001 Rev P03 Proposed Surface Water and Foul Water Drainage Layout dated 22 January 2024

PR-291-ATK-XX-XX-DR-L-00003 Rev P01 Landscape Proving Plan dated 19 January 2024

PR-291-ATK-XX-XX-DR-L-00001 Rev P05 Landscape Masterplan dated 19 January 2024

PR-291-ATK-XX-00-DR-T-00010 Rev P02 Visibility Splay dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00001 Rev P02 Vehicle Tracking - Car dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00002 Rev P02 Vehicle Tracking - Ambulance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00003 Rev P02 Vehicle Tracking - 7.5T Box Van dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00004 Rev P02 Vehicle Tracking - Fire Pumping Appliance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00005 Rev P02 Vehicle Tracking - Refuse Vehicle dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00006 Rev P01 Vehicle Tracking - Coach dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00007 Rev P01 Vehicle Tracking - Minibus dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00012 Rev P01 Vehicle Tracking - Ambulance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00013 Rev P01 Vehicle Tracking - 7.5T Box Van 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00014 Rev P01 Vehicle Tracking - Fire Pumping Appliance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00015 Rev P01 Vehicle Tracking - Refuse Vehicle 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00016 Rev P01 Vehicle Tracking - Coach 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00017 Rev P01 Vehicle Tracking - Minibus 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00011 Rev P01 Vehicle Tracking - Car 02 dated 10 June 2024

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 is discussed
Principle of Development, Sustainable Location and Need	Yes	53-74
Loss of Playing Field Land/open space	Yes, subject to conditions	75-91
Layout, Design and Character	Yes, subject to conditions	92-110
Residential Amenity	Yes, subject to conditions	111-125
Highways, Access and Parking	Yes, subject to conditions	126-132
Trees and Landscaping	Yes, subject to conditions	133-142
Ecological Implications	Yes, subject to conditions	143-154
Flood Risk and Drainage	Yes, subject to pre-commencement planning conditions	155-160
Impact on Heritage Assets - Archaeology	Yes, subject to conditions	161-168
Sustainable Construction	Yes	169-179

Illustrative material

Site Plan

Plan 1

Aerial Photographs

Aerial 1

Background

Site Description

1. The application comprises land at the former Auriol Junior School playing field and land at 2nd Cuddington Scouts (Rowe Hall). The application site measures approximately 1.54 hectares and is located south of Salisbury Road in Worcester Park, an urban area in the Borough of Epsom and Ewell.
2. The Cuddington Community School is situated on the eastern side of the application site, separated by a public footpath (No.2) which runs alongside the north-eastern site boundary, linking Salisbury Road and Cuda's Close. Along the western site boundary is the residential development of Barn Elms Close and community allotments. To the south of the application site are the residential roads of Thorndon Gardens and Cudas Close.
3. The application site is situated approximately 1.3 kilometres (km's) south of Worcester Park train station and approximately 2.3 kms north of the town of Ewell. The town centre of Epsom is located approximately 4.4km's south of the site. The A240 Kingston Road is situated approximately 800 meters south of the application site and the A3 Kingston By-Pass located approximately 2.10km's to the west.
4. The application site comprising the element of the former school field is identified as a sports and leisure facility within the Epsom and Ewell Local Plan. The site is not covered by any landscape designation at the national or local level nor situated in a conservation area. The site is situated approximately 0.8km's to the boundary of the Royal Borough of Kingston Upon Thames Air Quality Management Area.
5. The extra care housing development itself is proposed on land of the former school playing field and the playing field is separated from the Salisbury Road by Rowe Hall which acts as a local scouting centre. The site is surrounded by residential properties that are set out around broad avenues and straight streets and is a densely urban area.
6. The application site is lined by trees along the eastern, southern and western boundaries and the largest trees on the site follow the public footpath that covers the whole length of the site eastern boundary. Smaller boundary trees and overgrown bushes separate the playing field from the allotments on the western boundary. The southern boundary of the site is defined by the rear gardens of residential properties along Thorndon Gardens and Cuda's Close. The land beyond the northeast corner of the site is occupied by several contemporary three-story town houses that are arranged around the private drive, Barn Elms Close.
7. There is currently no site access other than a pedestrian gate in the northern boundary which leads into the Scout Hall. A right of access exists across the scout land.

Planning History

8. Below is a list of applications on this site submitted to and approved by the Borough Council. There is no planning history for the former school playing field. There is limited planning history for Rowe Hall scout hut.
 9. **12/00983/FUL** Demolition of two existing storage buildings and replacement with two new storage buildings, new access, and parking area. Approved 8 February 2013
 10. **10/00631/FUL** Two storey rear/flank extension to Scout Hall. Approved 2 August 2010
 11. **10/00178/FUL** Temporary developer's sales cabin. Approved 2 August 2010
 12. **04/01464/FUL** Proposed new boundary fence. Approved 18 April 2005
 13. **04/01464/FUL** Proposed new boundary fence Approved 18 April 2005
-

The proposal

14. This is an **Outline Application**, seeking permission for means of access, layout and scale. Appearance and Landscaping are Reserved Matters which will be submitted for approval should outline planning permission be granted.
15. There are two elements to the proposal:
 - Outline planning permission is being sought for the erection of a part 1 and part 3 storey building for extra care accommodation, comprising self-contained apartments, staff and communal facilities, and associated parking on the former school playing fields on the rear (southern) section.
 - The proposal would also involve the re-provision of a revised Scout Hut curtilage. The existing scout hall and its parking area would involve minor rearrangement and the current amenity area used by the scouts (east of Rowe Hall) would be relocated to the rear (south) of the scout hall enabling the former eastern corner of the scout site to provide an amenity space for residents of the proposed extra care housing scheme.
16. The proposed building would contain approximately 93 extra care residential units, providing 87 one and 6 two-bedroom apartments, along with communal and staff areas, and on-site parking. Extra care housing is specialist housing designed for older people comprising self-contained apartments, in a setting where care and support can be provided *as required*. The apartments would be for the affordable rental sector, managed by a registered social housing provider, on behalf of Surrey County Council. All rents will be affordable for the tenants and will be set at a level which can be funded by Housing Benefit.

17. Extra Care housing is a key focus for Surrey County Council in delivering suitable specialist accommodation for older people as part of the *Accommodation with Care and Support (AwCS) Strategy*.
18. The new accommodation building is proposed on the former school playing field. The building would comprise three interlinked blocks taking access from Salisbury Road. Both the eastern block, facing toward the Cuddington School playing field, and the western block, facing toward the allotments, would be three storeys in height. These two blocks would be linked by a single storey central block at the Salisbury Road (northern) end. The building would form an extended “U” form centred around a central amenity space.
19. When originally proposed the eastern block of the building was four storeys in height but through officer negotiations this has been reduced to three storeys.
20. Access would be taken from a new centrally formed access point from Salisbury Road providing access to both the scout hall and extra care housing development. This would lead past the existing scout hall to a car parking area for 46 vehicles comprising 7 staff spaces, 34 resident spaces, 4 disabled spaces, a car club space and a drop off area all located at the northern end of the site in front of the proposed accommodation building. The existing Rowe Hall access would be blocked up following the creation of the centrally formed access.
21. All trees to the periphery of the site would be retained and the central part of the site where the development is proposed will result in no tree loss. However, to facilitate the new access a single hornbeam and tree group comprising field maple and young oaks on the Salisbury Road frontage would be removed.
22. Whilst landscaping is a reserved matter to be submitted and approved as a *reserved matter* indicative landscaping plans have been received partly to demonstrate compliance with Biodiversity Net Gain requirements. The Landscape Proving Plan was prepared specifically to determine the extent of habitat loss across the site and to maximise habitat creation and enhancement within the development site. This plan shows that the areas around the building and hard surfaced pathways would be planted with amenity grass, hedges, and trees.
23. The remainder of the Biodiversity Gain required will be provided at a nearby site owned by Surrey County Council known as the Northey Estate. There, some 0.4794 Ha of existing *other neutral grassland* in poor condition would be enhanced to good condition, and 0.45 Ha of non-cereal crop would be seeded to create other neutral grassland in moderate condition.

Consultations and publicity

District Council

Epsom & Ewell Borough Council

24 On the original proposal which contained a four-storey element the Borough Council **raised objection** on the following grounds:

- 1) **Character of the area.** *The height, width, depth and overall bulk is excessive resulting in a development that is out of character with surrounding residential development and a loss of openness through and across the site, contrary to Section 12 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS5 of the Epsom and Ewell Core Strategy 2007 and Policy DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015.*
- 2) **Neighbour amenity.** *By virtue of its excessive scale, form and footprint, overall density of development and proximity to the boundary, the proposal will result in undue overlooking, noise disturbance and dominance to neighbouring properties, contrary to Paragraph 185 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS6 of the Core Strategy 2007 and Policy DM10 of the Epsom and Ewell Development Management Policies Document 2015.*

Informatives

There are also reservations that whilst the site is within the built-up area, the considerations of sustainability require further thought.

It is noted that buses are limited in number and regularity (one an hour) and the two nearest railway stations (Stoneleigh and Worcester Park) are not in a reasonable walking distance of the development for the intended occupiers of the assisted living accommodation or staff.

This will therefore require sufficient parking space on site and some form of additional travel facility provide for residents and staff.

The walking times in the document are over ambitious for older residents or those with a carer pushing a wheelchair or any person with health difficulties.

Bus stops in the area have clearly not been looked at. The nearest 418/406 bus stop to the proposed development is accessed via a sloped grassy bank on the A240 (toward Epsom). The Cuddington local bus is one per hour and does not run on Sundays. The last bus comes through Cuddington at 6pm.

Facilities such as libraries, shops or churches are not within what would be considered easy walking distance for the infirm without safe crossing points.

25. A further supplementary report was received from the Borough Council on the original proposal which maintained the objections but which expanded on the grounds for objection as follows:

- 1) **Classification of Use Class.** *Given the fully self-contained nature of the units (including living room and kitchen) and over compliance with the minimum space standards, EEBC contends that the proposed use would be use class C3. (Officer Comment: This is addressed in the officer report at paragraphs 63-65)*

2) **Justification for Scheme.** *The Statement of Needs, dated January 2023, is lacking in any significant detail or analysis of need. A minimum figure of 67 units through to 2035 is indicated but the proposal provides for 93 units, which is an immediate oversupply above the minimum figure of 39%. There is no understanding of the relationship with schemes coming forward by private developers. The resulting scale and density of the development is therefore questionable. (Officer comment: The applicant submitted an expanded statement of need following these comments and this is summarised in the officer report at paragraphs 61 and 62).*

3) **Character of the area.** *The development lies within a residential area of mainly two storey houses and bungalows, plus a few more recent developments of three storeys. The site has sufficient capacity to avoid any fourth storey for siting plant and equipment (or other purposes) and that capacity should be used so to do. Any agreement to a four-storey building will set a precedent for future developments and begin to change an essential characteristic of this urban environment. The height, width, depth and overall bulk is excessive resulting in a development that is out of character with surrounding residential development and a loss of openness through and across the site, contrary to Section 12 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS5 of the 8 Epsom and Ewell Core Strategy 2007 and Policy DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015. (Officer comment: Following negotiations with the applicant officers secured a reduction in the height of the proposed building to a maximum of three storeys overall).*

4) **Neighbour amenity.** *By virtue of its excessive scale, form and footprint, overall density of development and proximity to the boundary, the proposal will result in undue overlooking, noise disturbance and dominance to neighbouring properties, contrary to Paragraph 185 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS6 of the Core Strategy 2007 and Policy DM10 of the Epsom and Ewell Development Management Policies Document 2015. (Officer comment: This issue is addressed in full in paragraphs 111-125 below where it is demonstrated that the proposal will not harm neighbouring amenity subject to planning conditions).*

5) **Loss of Open Space.** *In the absence of adequate justification of need, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified, harming the wider openness of the area, contrary to Policy CS4 of the Core Strategy 2007 and Policy DM6 of the Epsom and Ewell Development Management Policies Document 2015. (Officers comment: this issue is addressed in full in paragraphs 75-91 below where it is demonstrated that the proposal can be considered favourably against these policies).*

6) **Site Sustainability.** *There are reservations that whilst the site is within the built up area, the considerations of sustainability require further thought. It is noted that buses are limited in number and regularity (one an hour) and the two nearest railway stations (Stoneleigh and Worcester Park) are not in a reasonable walking distance of the development for the intended occupiers of the assisted living accommodation or staff. This will therefore require sufficient parking space on site and some form of additional travel facility provide for residents and staff. The walking times in the document are over ambitious for older residents or those with a carer pushing a wheelchair or any person with health difficulties. Bus stops in the area have clearly not been looked at. The nearest 418/406 bus stop to the proposed development is accessed via a sloped grassy bank on the A240 (toward Epsom). The Cuddington local bus is one per hour and does not run on Sundays. The last bus comes through Cuddington at 6pm. Facilities such as libraries, shops or churches are not within what would be considered easy walking distance for the infirm without safe crossing points. (Officer comment: This issue is considered in full in paragraphs 67-73 below where it is concluded that the proposed development site is close to a range of amenities accessible by foot and on public transport).*

26. No further response has been received from the Borough Council on the amended plans reducing the height of the building nor the additional information submitted by the applicant demonstrating need.

Consultees (Statutory and Non-Statutory)

27. Archaeological Officer
- An Archaeological Desk Based Assessment and the results of a Scheme of Archaeological Evaluation have been submitted in support of this application. The Archaeological Evaluation was undertaken in line with a Scheme of Investigation that was submitted to and approved by this office. This office monitored the Scheme of Archaeological Evaluation and previously approved the supporting document as suitable. The report "28/03/23 Archaeological Trial Trench Evaluation Feb 23 Redacted" details significant archaeological remains that survive at the site, covering all periods, with more density to the south of the plot than the north. The quality and significance of the archaeology

identified means that a scheme of Archaeological monitoring and recording will need to be undertaken to facilitate development works at this site. Further, any facilitating works that have potential to impact the ground surface, such as geotechnical works, in advance of a decision on this application should be subject to archaeological monitoring and control. It should be noted that the scale of archaeological works required to facilitate development at this site will require a reasonably significant level of resource. Recommends a condition requiring a programme of archaeological work.

28. County Highways Authority

No objection subject to conditions.

29. County Ecologist

Following further information provided no objections subject to conditions.

30. Landscape

No objection. In principle, the courtyard arrangement, combined with the set back of buildings from the southern site boundary allowing for a more naturalistic landscaped area, is the right approach. No comment on the appropriateness of the scale of development but the retention of the important mature trees along the eastern boundary, together with any new planting proposed, would provide a softening effect which would help integrate the new development within views. A comprehensive and detailed soft landscaping, maintenance and management scheme needs to be prepared for reserved matters stage.

31. SuDS & Consenting Team

No objection subject to conditions

32. Rights of Way

No views received.

- | | | |
|-----|---|---|
| 33. | RPS Planning & Dev Ltd - Air Quality | Recommends a condition relating to dust impacts during construction work with recommendations for mitigation and controls that are consistent with the level of risk. Suggests a simple qualitative assessment comparing the traffic generated by the development with the relevant thresholds should be undertaken. |
| 34. | RPS Planning & Dev Ltd – Lighting | Preliminary Ecological Appraisal recognises the potential for disturbance due to external lighting. The Protected Species Survey identifies a requirement to minimise the impact of lighting to the northeast and southern boundaries of the site and specifies the type of LED lighting installation which should be considered. Recommends conditions to require these. |
| 35. | RPS Planning & Dev Ltd – Noise | No objections subject to conditions. |
| 36. | Sutton and East Surrey Water | No views received. |
| 37. | Thames Water | No objection subject to informatives. |
| 38. | Cuddington Community Primary School | No views received. |
| 39. | Auriol Junior School | No views received. |
| 40. | Cuddington Residents' Association | No views received. |
| 41. | Stoneleigh and Auriol Residents Association | No views received |
| 42. | 2nd Cuddington Scout Group | SCC have been keen to ensure that the provision of youth activity is impacted as little as possible and the planned development allows for the exchange of the whole grassed area and existing access road for a similarly sized activity area adjacent to the building. We do not envisage any adverse impact on the provision of youth activities as a result of the development, but rather anticipate |

the planned use will improve opportunities for inter-action with senior citizens, and associated community activities for the young people. We would wish to add that SCC officers have been extremely helpful and co-operative in identifying a 'best fit' option for the Group consistent with the planned works. The use of the field for much needed extra care housing is very sensible. The plans are sympathetic to the area and the proposed landscaping would be a vast improvement on what is currently the proverbial 'blot on the landscape'. As a Scout Group we are pleased to see the planned development of the site and we support the application.

- 43. Southern Gas Network No views received.
- 44. UK Power Networks No comment
- 45. Sport England No objection subject to a condition requiring the submission of a playing field mitigation scheme.
- 46. Natural England No views received.
- 47. Stoneleigh and Auriol Neighbourhood Forum Supports the objective of Surrey County Council to develop Extra Care Housing, but does not support this specific outline planning application on this site for the following reasons: The proposal exceeds DM Policy DM11, at more than 70 HA vs the 40HA set out in this policy. Biodiversity loss (Officer comment: this has now been addressed by the applicant).
- 48. Environment Agency No comment

Summary of publicity undertaken and key issues raised by public

- 49. The application was publicised by the posting of a site notice and an advert was placed in the local newspaper. A total of 149 owner/occupiers of neighbouring properties were directly notified by letter both on the original

plans and the amended scheme submitted. 16 representations were received raising objections on the original scheme. 6 supplementary comments were received (from those who originally commented) in relation to the amended plans received in March 2024, together with an additional 5 representations. Some of the objections refer to the unacceptability of the four-storey element but this has since been negotiated out of the scheme. The grounds of objection can be summarised as follows:

- Scale and height of building out of character with the surrounding area
- The proposal will give rise to an increase in traffic
- The removal of trees on the road frontage will adversely impact the visual amenity of the area
- Four storey development is out of character (Officer note: the scheme is now three storey maximum)
- Trees on the site should be retained and protected
- Proposal will increase flood risk
- Loss of light and privacy of neighbouring dwellings
- Concern about potential noise from plant
- Proposal will put strain on local GPs
- Concern that excavation of basement might cause subsidence (this element has now been removed from the scheme)
- Refuse containers should not be near the boundaries
- Insufficient parking is provided on site
- Concerned proposed landscaping will grow too tall and cause loss of light
- Proposal will destruct wildlife on site
- Surface water drains are already inadequate in the area

Planning considerations

Introduction

50. 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.
51. In this case the statutory development plan for consideration of the application consists of the Waste Local Plan 2019-2033, Epsom and Ewell Core Strategy 2007 (EECS 2007), Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015), and the Epsom and Ewell Draft Local Plan 2022-2040. The Draft Local Plan, when adopted, will replace the EECS 2007 and the EEDMPD 2015 but following the close of the consultation on the Draft Local Plan, on the 22 March 2023, an Extraordinary Council Meeting was held where a Motion was debated and the Council agreed that the Local Plan process be paused. In view of this the policies in that Local Plan have not been given weight in the determination of this application.

52. In considering this application the acceptability of the proposed development has been assessed against relevant development plan policies and material considerations. The main planning issues are considered in the following sections.

PRINCIPLE OF DEVELOPMENT, SUSTAINABLE LOCATION AND NEED

Epsom and Ewell Core Strategy (EECS 2007)

Policy CS8 – Location of New Residential Development

53. Paragraph 60 of the National Planning Policy Framework (2023) states:

‘To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

54. Paragraphs 61 and 62 set out how housing need should be determined, and the NPPF goes on to state in Paragraph 63:

‘Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.’

55. The National Planning Guidance *Housing for Older and Disabled People 2019 (NPPG 2019)* states in its introduction *“The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. [...] Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and also reduce costs to the social care and health systems.”*

56. EECS 2007 Policy CS8 directs new residential development to existing built up areas close to existing services and facilities and accessible by public transport, walking and cycling. The commentary on that policy also confirms that the provision of affordable housing (for people who are unable to resolve their housing requirements in the local private sector housing market because of the relationship between housing costs and incomes) is a key priority for the Borough.

57. Surrey County Council’s (SCC) Cabinet approved an Accommodation with Care and Support (AwCS) Strategy on 16 July 2019. Underlying this Strategy is the significant strain being experienced by the care and support system, and the challenges being faced due to Surrey’s ageing population and the

lack of specialist accommodation which enables older people to remain and be cared for in their communities as their needs increase.

- 58 'Extra Care' is a term applied to housing for older people, often (but not exclusively) in the social rented sector, provided in self-contained units with access to care, support, domestic, social, community and other services. SCC has identified that of the various types of specialist housing, extra care accommodation has the greatest shortfall between demand and provision, particularly in terms of affordable rented provision.
59. As part of its AwCS Strategy, SCC seeks to achieve a minimum of 25 extra care units per 1000 of Surrey's population of over 75s by 2030. This site has been identified along with a number of others in Surrey as being suitable for extra care housing. If approved, the delivery of around 51 extra care units as proposed would meet an identified need in Runnymede and deliver against the target set in the Strategy.
60. The County Council has produced "planning guidance for accommodation with care for older people" (April 2024). The guidance refers to housing (C2) within care settings and states that the following elements should be provide:-
- support for older people with care and other needs;
 - support for independent living ensuring residents remain active;
 - support for residents to avoid admission into care homes as their needs increase;
 - provision of facilities for residents such as craft rooms, communal lounge and dining room;
 - provision of office space for secure record keeping;
 - alarm system to call for support in cases of emergencies;
 - best practice design standards, layout and accessibility in the overall design;
 - 24/7 on-site support to residents and emergency care response;
61. In support of this application and following comments made by the Borough Council that the need for the development of this site had not been substantiated the applicants submitted a further site-specific statement in this regard which makes the following points:
- Through its AwCS Strategy, SCC sets out to achieve a minimum of 25 extra care units per 1,000 of Surrey's 75+ population by the end of the decade. This target is based on HousingLIN's methodology, which states: "...demand for extra care is likely to be required at 25 units per 1,000 population aged 75 plus [...]. The desired tenure mix will vary according to local and market factors."

- SCC prepared a Commissioning Statement in 2019 for each district/borough, which set out its expectations in terms of extra care, residential and nursing care services, for a market response. The table below, from the Commissioning Statement in 2019, details the 75+ projected population and total demand for Extra Care Housing within Epsom & Ewell by 2025 and by 2035. It indicated a demand for 67 extra care rental units by 2035.

2025		2035	
75+ population projection	Rental unit demand	75+ population projection	Rental unit demand
8,400	57	9,900	67

- However, the Commissioning Statement also notes that the AwCS Strategy is highly ambitious, shifting away from residential and nursing homes as default models of care beyond mainstream housing. As a result, the rental unit demand figure in the above table should be regarded as a *minimum* target to be achieved, and it is evidently conservative when compared to the longer term need calculations of the HEDNA.
- As part of the Housing, Homes & Accommodation Strategy for Surrey the demand data across Surrey was updated to a 2023 baseline, incorporating data from the 2021 census. In light of market dynamics and a revised calculation of need based on affordable and market models of extra care housing, a new measure has been produced which indicates an increase in the demand figures for affordable units to 82 units for 2025 and 93 units for 2035 (an increase of more than 25% over the 2019 predictions).

2025		2035	
75+ population projection	Affordable demand (units)	75+ population projection	Affordable demand (units)
8,246	82	9,332	93

- The rental demand figures should be recognised as being for affordable rent and not market rent, in recognition of the fact that new, market rent, extra care housing is focused on a similar target group to that of leasehold operators. There are currently no market-led planning applications, and no proposals are forthcoming (with the exception of this outline planning application) for affordable Extra Care accommodation in Epsom and Ewell Borough.
- SCC is aware, based on planning applications received across Surrey in the past 10 years, that while private providers may propose new extra care developments, their tenure is generally leasehold or private rental, leaving a significant demand gap to be filled by SCC and partner organisations in the delivery of affordable extra care units.

- The table below lists existing extra care provision in Epsom & Ewell Borough, including proposed developments which have planning approval:

Name	Status	Developer / Provider	Location	Tenure	Units
Guild Living Epsom	Approved 2021	Guild Living	Epsom KT18 7EG	Leasehold	267
Lower Mill Apartments	Opened 2022	Birchgrove	Epsom KT17 2DQ	Market rent	53
Nonsuch Abbeyfield	Opened 2020	Abbeyfield Southern Oaks	Ewell KT17 1FL	Leasehold & social rent	40 leasehold 20 social rent

- It is clear that the need for affordable rental extra care accommodation is not being fully satisfied by existing settings and those in the development pipeline.
- The total supply of affordable extra care housing, taking into account Nonsuch Abbeyfield and the proposals in this outline planning application, will amount to c.110 units in Epsom & Ewell Borough. Planners should recognise that SCC's calculations are conservative and should be viewed as minimum targets to be achieved, as the HEDNA indicates a requirement for 162 affordable units
- The operation of current and proposed affordable extra care housing settings will respond to the needs of older people of limited means living across Epsom and Ewell, maximising the opportunities for local older people to live as independently as possible for years and decades to come.
- The site of the former Auriol Junior School playing field (Cuddington ECH Site) was selected specifically for the delivery of extra care housing and the design concept indicates that the site could deliver 90+ self-contained apartments. While all accommodation will be at minimum M4(2) accessible and adaptable, at least one unit will be designed as a M4 (3) wheelchair user dwelling.
- As a general principle, SCC prioritises previously developed and surplus land for redevelopment. Several of the sites that have been identified for Extra Care Housing elsewhere in Surrey have previously accommodated care homes which have become surplus to requirements and/or can no longer meet CQC standards for residential care, and have consequently been closed. However, no former care home site previously owned/operated by or on behalf of SCC exists in the borough of Epsom and Ewell.
- The former Auriol School playing field became surplus to requirements over 15 years ago, as evidenced by a deed of transfer dated 01 December 2006 when part of the site was sold to the trustees of 2nd Cuddington (Rowe Hall). The scout group previously rented the land parcel before the land transfer took place.

62. Officers are satisfied that there exists a need for this type of specialist housing in this area, and this has been demonstrated by the applicant. The

accommodation is residential in nature and is therefore appropriate in a residential area. The site lies in the urban area close to existing amenities. The open space designation of this particular site is discussed in the next section and subject to this the principle of the development is considered to be acceptable.

63. Epsom and Ewell Borough Council has commented in its consultation response '*Given the fully self-contained nature of the units (including living room and kitchen) and over compliance with the minimum space standards, EEBC contends that the proposed use would be use class C3*'. Officers agree that there are elements of **extra care housing** which may suggest they are a C3 use, in that residents in extra care housing settings have security of tenure and housing rights afforded by their occupancy agreements and cannot be required to move, unless in breach of the occupancy agreement. In addition, residents' accommodation in extra care housing settings are comprised of self-contained units, and while housing services and care services on-site will be expected to be co-ordinated effectively, in regulatory terms the housing is a separate entity from the care (with the latter subject to regulation by the Care Quality Commission).
64. However these developments also provide a significant element of care albeit delivered in a slightly different way than that which has typically been the case in traditional care home settings, in that:
- The developments are *focussed on* supporting older people with care and support needs.
 - They have restrictions on occupancy to control access.
 - They anticipate and cater for a range of need levels on site, which could include support to people living with dementia.
 - They will enable residents to remain in their accommodation as the type and level of care can be changed as the resident develops additional and/or more complex needs.
 - The care and support provided will enable residents to stay as independent for as long as possible and remain active in old age.
 - They would include additional 'communal' facilities such as an activity room (for indoor physical recreation, crafts, a therapy Room/hair salon, a residents lounge, dining room and commercial kitchen
 - Residents will be encouraged to participate in shared activities to promote their health and wellbeing.
 - Communal spaces for residents will be generally located on the ground floor to maximise accessibility and would be maintained and funded through the rent and/or service charges paid for by the residents.
 - Each resident will have a bespoke care package suitable to meet their individual needs, delivered by care workers.
 - They will includes a staff office for secure record keeping and a separate staff rest room/lounge with changing/shower room and staff laundry facilities, which will allow care workers to deliver personal care to residents effectively.

- The most up-to-date, app-based and, where appropriate, wearable telecare solutions will be installed to support residents. In addition to alerting staff on site the system will have remote monitoring capability
- The accommodation will be designed to HousingLIN standards and HAPPI principles, the apartments exceeding NDSS space standards such that all accommodation, internal and external is designed to achieve Building Regulations Part M4(2) accessible and adaptable, with at least one ground floor apartment and dedicated parking bay designed to Building Regulations Part M4(3) to be immediately capable of accommodating a wheelchair user.
- They will be staffed by a CQC-regulated care provider on a 24/7 basis, commissioned by Surrey County Council to respond to any care emergencies on-site while meeting residents' planned needs for care and support. This will be secured through residents paying towards this support through service charges, or (in the case of a settings run by Housing Associations) enabled through a care service commissioned by Surrey County Council.

65. Having regard to the above officers are satisfied that the proposal falls within Class C2 as there is a clear focus on care and support and this is a key driver for the proposals in this programme.

Proposed changes to the curtilage of the Scout Hut on the site frontage with Salisbury Road

66. The proposal would involve the provision of a revised Scout Hut curtilage, with the existing amenity area used by the scouts to the east being relocated to the rear of the scout hall. This, together with the provision of a new central access to serve both uses, enables the front corner of the site to be landscaped to provide amenity space for residents of the proposed extra care housing scheme. This change raises no planning issues, but will serve to enhance the frontage of the site and the Scout Group are supportive of the proposals.

Sustainable location

67. Epsom and Ewell Borough Council has raised objections to the proposal on grounds that the site is not well-located having regard to local amenities.

68. Officers note that the public footpath which is located to the east of the site, allows for connections between Salisbury Road and Cudas Close/ Thorndon Gardens. This path allows for connections to Stoneleigh train station and The Broadway Stoneleigh/The Glade which is only 15 minutes' walk (based on 4.5km/h speed) from the site and provides many additional amenities such as cafes, restaurants, pubs, bakery, chemist, library, a museum amongst many other amenities. Both these areas provide the site with a series of local amenities such as cafes, bars, restaurants, churches, pharmacies, retail stores, post offices, GP surgeries, as well as rail stations.

69. Auriol Park recreation ground which has a café, tennis courts, football field and kids playground is located just 200m west from the site along Salisbury Road. A further 600m west from Auriol Park is A240 Kingston Road, which provides amenities that include a large supermarket (Aldi), pharmacies, restaurants, salons, post office, community centres, GP surgeries, dry cleaners, car dealership and repairs, fitness gyms and coffee stores.
70. The pedestrian footways in the vicinity of the site are level and well-maintained and all streets to the development are well lit and have continuous footways on both sides of the carriageway with appropriate crossing points. These are also suitable for mobility scooter use. There is a raised table in front of the site along Salisbury Road which allows the safe crossing of Salisbury Road.
71. The bus services in the vicinity of the site serve a range of destinations which include Epsom, Ewell, Stoneleigh, Worcester Park, Tolworth, Surbiton and Kingston. There are a number of bus stops located within 10 minutes walking distance from the site as shown in the diagram below. The closest bus stops to the site are located on Thorndon Gardens and Newbury Gardens, which are located directly south of the site approximately five minutes walking time (approximately 320m) and served by the bus route E16. Cuddington Avenue, which is east of the site along Salisbury Road, approximately five minutes walking time (approximately 320m), provides bus stops which are also served by bus route E16. Travelling further east along Salisbury Road, approximately five minutes walking time (approximately 480m) is another bus stop served by the E16, 668 and 868. The 668 and 868 are a school bus services which operate only on schooldays in the mornings and afternoons. Further bus stops are located along at Kingston Road (Ruxley Lane north bound and Worcester Park Road) which are served by the 406 and 418 at a frequency of six buses per hour combined during peak hours. These bus routes provide useful connections to and from Epsom and Kingston, with the 406 terminating at Epsom hospital. These bus stops are approximately ten minutes walking time from the site. Both bus routes 406 and 418 are operated on behalf of London Buses.
72. The diagram below – taken from the applicants Transport Assessment - shows the location of amenities in the local area.



73. The applicants consider that the site is ideally located for residents, staff, and visitors to access local amenities and facilities on foot or by mobility scooter and officers share this view.

CONCLUSION OF PRINCIPLE OF DEVELOPMENT, SUSTAINABLE LOCATION AND NEED

74. As the site lies within a predominantly residential area, subject to compliance with other policies in the development plan (such as relating to open space) there is no objection in land use terms to this site being developed to provide extra care accommodation. In addition the applicants have clearly demonstrated a need for such accommodation within the Borough of Epsom and Ewell, together with the suitability of this site to provide for that need.

LOSS OF PLAYING FIELD LAND/OPEN SPACE

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS4 Open Space and Green Infrastructure

Epsom and Ewell Development Management Policies Document 2015

(EEDMPD 2015)

Policy DM6 Open Space Provision

75. The application site is identified in the Epsom & Ewell Local Plan as *sports and leisure facilities* however it is not identified under the “parks and open spaces” designation. The rear part (that not occupied by the Scouts) is the former playing field of Auriol Junior School. Whilst the application site was identified by Epsom & Ewell as *sports and leisure facilities*, it has not been used for recreational purposes for at least 20 years and is now overgrown. There are no changing facilities associated with the site. There is no public access to the site; there is a pedestrian gated access via the Cuddington Scout site but that is not publicly accessible. The gated access from the public

footpath on the eastern boundary is not clearly identified. There is no access to the site for maintenance vehicles and the site has no dedicated parking.

- 76 Epsom and Ewell Borough Council has raised objection to the proposal on grounds of the loss of the open space and comments *'In the absence of adequate justification of need, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified, harming the wider openness of the area, contrary to Policy CS4 of the Core Strategy 2007 and Policy DM6 of the Epsom and Ewell Development Management Policies Document 2015'*.
- 77 The EECS 2007 Key Diagram identifies two areas of **Strategic Open Space** - Nonsuch Park and the Hogsmill River and the emphasis of EECS 2007 CS4 is on the protection of these open areas. The application site does not lie within these areas. EECS 2007 CS4 goes on to state that *the provision of the amount and type of open space within the Borough will have regard to the standards identified in the most recent Audit of Open Space, Sport and Recreational Facilities and Assessment of Local Needs. The required quantity and range of open spaces will be rigorously maintained, and focus will be given to the creation and maintenance of an accessible network of green spaces within the built-up area of the Borough. The Council will endeavour to address any shortfalls in provision of defined open space types and will seek opportunities to enhance the quality of existing open spaces where necessary and improve access to them.*
- 78 EEDMPD 2015 Policy DM6 sets out three alternative scenarios detailing the circumstances (extract below) in which the whole or partial loss of open space, outdoor recreational facilities or allotments will be permitted. A proposal need only comply with one of the three criteria.

Policy DM6 Open Space Provision

Development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless:

- Accompanied by assessment that clearly demonstrates that the provision is surplus; or
- The proposal delivers replacement provision of equal or better quality within the locality; or
- The proposal is for new sports and or recreation provision, the needs for which clearly outweigh the loss.

We will ensure all new provision for sports and play meets qualitative standards and optimises accessibility to all users.

- 79 The applicants have submitted a package of information with this proposal which seeks to demonstrate that it can be considered favourably against the development plan policy in this regard, the main points of which are summarised below.

- Recent assessments carried out by the Borough Council indicate that the site is surplus to requirements and therefore the first criteria of the above policy is met.
 - The Epsom & Ewell Borough Council Sports Facilities Assessment of September 2020 does not list the application site as an existing sports facility, and the August 2021 Epsom & Ewell Playing Pitch Strategy does not identify the site as an existing or proposed playing pitch.
 - Paragraph 5.5 of the playing pitch strategy confirms that the geographical distribution of existing football pitches in Epsom and Ewell has been assessed by identifying catchments to illustrate local level accessibility. This is based on the results of the clubs' survey, which identifies 15-minutes travel time as the typical maximum for grass pitches. A 15-minute drive time equates to approximately 7.5 miles in an urban area, or approximately 1 mile walking. No map is appended to the document, however it is evident that the application site is exceptionally well placed in relation to existing playing pitches within that catchment area.
 - The playing pitch strategy does identify land at Auriol Park, which lies approximately 50 metres to the west of the application site, as an extensive recreational facility which contains one adult, one youth and two mini grass football pitches available for community use. Auriol Park also contains several other sporting facilities in addition to grass playing fields, this includes a multi-use games area, tennis courts and bowling club.
 - It should be noted that the Local Plan Policy Map shown above identifies Auriol Park/King Georges' Fields as "Dancer Dick Woods". It does not identify Auriol Park and/or King Georges' Fields as either Open Space, Recreation Grounds or Sport and Leisure facilities although it could be designated in one or more of these categories.
 - Wandgas Sports Club is 330m to the north of the application site and is identified as having a good quality Artificial pitch.
 - The Harrier Centre has 2 grass pitches and lies 1.5km to the southwest;
 - Blenheim High School has 5 grass pitches and is located 1.86km from the site.
 - There are numerous other grass pitches and artificial pitches within the 15-minute catchment area.
80. In respect of the second criteria of EEDMPD 2015 Policy DM6, and having regard to the considerations in EECS 2007 CS4, set out in paragraph 77 above in advance of the submission of the application, the applicant held pre-application meetings with Sport England specifically to discuss the policy implications of the loss of the *former* playing field.
81. Sport England acknowledged that this proposal did not give rise to the actual loss of playing field land as the site had not been used for this purpose for over 20 years. Agreement was reached with Sport England that a financial contribution toward upgrading local facilities would represent an acceptable enhancement of sporting facilities in the vicinity to mitigate the loss of the

potential of the land to be used for sports purposes that would arise from this proposal.

82. The applicant then held discussions with governing bodies for association football, rugby football, hockey and cricket during which local sports grounds and clubs were identified where enhancements to their existing facilities would benefit existing and future users. The applicants worked up a package of financial contributions that would cover a range of sporting activities in the local area. Notably the sites at Blenheim School and the Harrier Centre were identified as requiring upgrades to its facilities with Blenheim High School being singled out in the Epsom & Ewell Playing Pitch Strategy as a location where upgrading would give rise to the greatest impact on deficiencies.
83. Sport England has been consulted on this application and has clarified that it is not commenting as a statutory consultee in this case as the proposal does not give rise to the loss of playing field land as the site has not been used for this purpose for over 20 years. Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and against its own playing fields policy, which states: *'Sport England's will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of: all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*
84. Sport England have advised that the proposal *will* result in the loss of playing field land at the site and there is no proposal to replace it on a like for like basis in accordance with their E4 exception. It confirms the positive engagement it had with the applicant and agent at pre-application stage to consider mitigation for the loss of playing field and confirms that the proposed approach set out in the planning statement has been developed in partnership with Sport England, and in principle they are supportive of it.
85. Sport England however expresses concern at the monetary figure quoted in the planning statement (£110,000) in that it is not based on any robust or site specific information or feasibility work, it has simply been drawn from Sport England's design and cost guidance which is generic and now somewhat out of date. Sport England would therefore not support an approach which simply identifies an off-site contribution of £110,000 suggested by the applicant to mitigate the impact on playing field/pitches at the former school site. Rather, it has advised that the final financial contribution should be based around the specific costs of the improvement project(s) subject to further feasibility work to adequately offset the loss of playing field.

86. Sport England is supportive of the use of a condition as offered by the applicant in the planning statement, amended as follows:

No development shall commence until a playing field mitigation scheme has been submitted to and approved in writing by the local planning authority (after consultation with Sport England). The scheme must set out full details of the mitigation, e.g. playing field improvement works, in the Worcester Park area and the financial costs of the mitigation as well as an implementation programme for the works. The approved scheme shall be implemented and complied with in full within 12 months of development commencing on the site.

87. The above wording will mean that the mitigation scheme will not be unduly restricted to playing field improvement works as it may also be more appropriate to invest in other improvement works and/or new provision e.g. ancillary facilities.
88. The applicant has agreed to the planning condition being attached to any planning permission and officers consider it is reasonable and appropriate.
89. Finally turning to Epsom and Ewell Borough Council's comment '*In the absence of **adequate justification of need**, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified*' as stated in the previous section the applicant has submitted extensive additional information which demonstrates a need for the accommodation proposed in this area. Officers consider that given that a local need has been demonstrated this should be considered in 'the planning balance.'

CONCLUSION OF LOSS OF PLAYING FIELD LAND/OPEN LAND

90. The proposals would result in the loss of land formerly used as a playing field, but which is currently unused and overgrown and has not been used for this purpose for over 20 years. There is no prospect that the site will be brought back into recreational use. Officers consider that the development of this site as proposed would not only meet a demonstrable need for specialist housing provision, but it would provide the opportunity for enhancements to existing local recreational facilities, the benefit of which would far outweigh the loss of land previously used as a playing field and realistically never likely to be used in that way in the future.
91. Officers consider that given the financial contributions which will be required by planning condition, considered together with the lack of evidence that the loss of the site will give rise to any shortfall of recreational provision in the local area, the proposal can be considered favourably against development plan policy in this regard.

LAYOUT, DESIGN AND CHARACTER

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS5 – The Built Environment

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM9 – Townscape Character and Local Distinctiveness

Policy DM10 – Design Requirements

92. Paragraphs 131-141 of the National Planning Policy Framework (2023) seek to promote the creation of well-designed places. Paragraph 135 states that:

‘Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.’

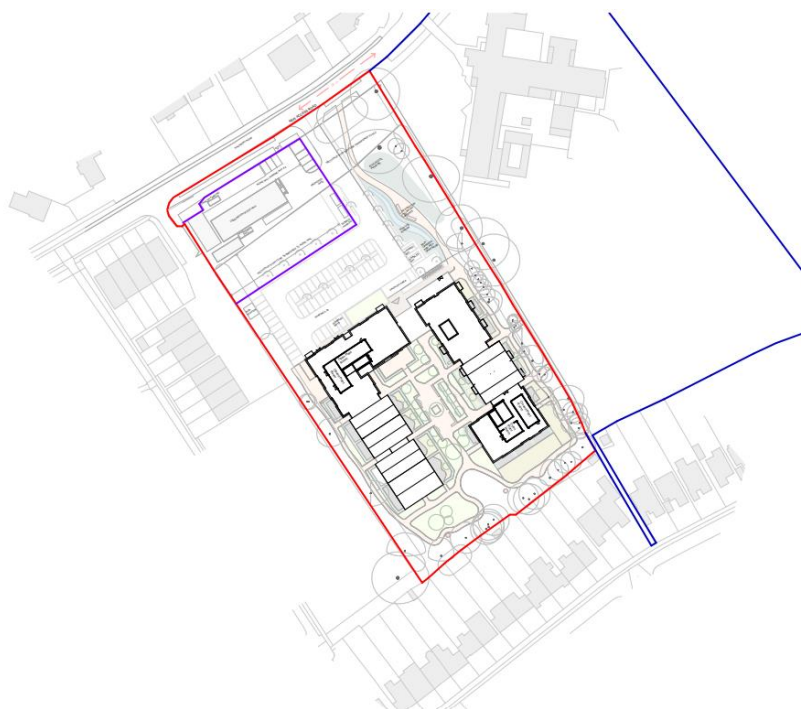
93. Further detailed guidance is set out in the National Design Guide (2019). This sets out the Government’s priorities for design in the form of ten characteristics, stating that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people at all stages of life (including the elderly) and communities.

94. EECS 2007 Policy CS5 requires high quality and inclusive design for all developments. Requiring, inter alia, attractive, functional and safe public and private environments; the reinforcement of local distinctiveness and the efficient use of land have regard to the need to develop land in a comprehensive way.
95. Policies DM9 and DM10 of the EEDMPD 2015 seek to ensure that new development makes a positive contribution to the Boroughs visual character and appearance. The most essential elements identified are that developments contribute to the character and local distinctiveness of a street or area which should be respected, maintained, and enhanced, including but not limited to the following:
- Prevailing development typology, including house types and sizes.
 - Prevailing density of the surrounding area
 - Scale, layout, height, form (including roof forms), massing.
 - Plot width and format which includes spaces between buildings.
 - Building line; and
 - Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.
96. This proposal is in outline, with layout, scale and access for consideration at this stage, and appearance and landscaping as 'reserved matters' for future consideration. 'Layout' is defined in the National Planning Practice Guidance (NPPG) as 'the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development'. 'Scale' is defined as the 'height, width and length of each building proposed within the development in relation to its surroundings'.
97. As such, whilst the layout and overall scale of the development can be considered, the building's external appearance including - for example, the position of window openings and balconies, materials and other detailing - is not for consideration at this stage, albeit conditions can be imposed in this regard imposing restrictions should they be considered reasonable and necessary. Similarly, details of hard and soft landscaping would be reserved for future consideration, though the spaces they would occupy form part of the 'layout' and can be assessed accordingly.
98. 'Access', defined as 'the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network', **is** for consideration at this stage and would include the access routes (vehicular and pedestrian) and car parking area.

100. It should be noted that whilst illustrative details have been submitted with the application, to show how the development might look on completion, these are also not for consideration at this stage and are subject to change. The assessment of the application has been carried on this basis.
101. Clearly the development in this case seeks to meet a need for modern, purpose-built affordable housing provisions for the elderly and to achieve this it is critical that the layout supports the functional use of the building. Officers consider that the proposal accords with the requirements of EECS 2007 Policy CS5 in that it would have an inclusive design with attractive, functional and safe public and private environments and make an efficient use of unused land having regard to the need to develop land in a comprehensive way.
102. Officers consider that the proposal would respect, maintain, and enhance the local area as required by Policies DM9 and DM10 of the EEDMPD 2015, albeit it is acknowledged that the form and nature of the development would not be the same as the prevailing residential surrounding area which is characterised by relatively modest two and three storey dwellings within individual curtilages. However the site is large enough to comfortably accommodate a building of the size proposed without appearing cramped and the layout has been designed to take account of the site characteristics and its immediate surroundings.
103. The proposed residential development would be set well back from the site frontage on Salisbury Road so there be very little visual impact arising from that vantage point, only the impact of a relocated access and removal of two trees to facilitate this. The setting back of the building as proposed would also mean that it would not be directly opposite the residential dwellings in Barn Elms Close and although the presence of the building would be felt by these properties it is their front elevations and parking areas which would be directly adjacent to the site, so their private residential amenity space would remain unaffected.
104. Immediately to the west and east of the site are areas of 'protected' open land – in the form of allotments and school playing field land and this is advantageous as it would create an 'open' setting for the proposed development which would help to minimise its impact. Clearly the building would be visible, and prominent from the west and east but staggering of the form and introducing differing roof elements as indicated on the submitted plans would serve to add interest and break up these elevations. Similarly the fact that there exists considerable mature tree screening along two of its boundaries (which is to be retained) would soften the impact of development further.
105. The most sensitive boundary is that to the south where dwellings, some bungalows, lie close to the southern boundary of the site. The proposed building would be set well back from the boundary with these dwellings and

the existing trees would be retained which, as stated above, would serve to soften its impact. Whilst the presence of the building would be felt by the occupiers of these dwellings, a reasonable degree of spacing between buildings will be achieved. Along this southern boundary the elevation would also be broken up with a large central gap and views through to the inner courtyard, which would also minimise the impact from dwellings to the south.

106. The above relationships are shown in the extract of the site plan below.



107. The size of the site enables a building to be designed around a central landscaped courtyard such that it would achieve a sense of 'safe' place for its inhabitants. This would benefit the future occupants.
108. The comments of the Borough Council and objectors in respect of scale and character have been considered and addressed in that the four storey elements of the proposal as originally proposed have been removed from the scheme following negotiation with the applicant. There are other three storey developments in the vicinity of the site, notably Barn Elms Close.

CONCLUSION ON LAYOUT, DESIGN AND CHARACTER

109. Officers consider that the proposal would be a well-designed and well-built development which would be fit for purpose, providing an appropriate balance between making efficient use of land and safeguarding the character of the area. The proposal is therefore considered to accord with the NPPF.
110. Whilst the application proposes a form of development not identical to the prevailing form of development in the surrounding area, it is for a residential

use which is acceptable in principle. The large size and characteristics of the site combine to ensure that the form of development required for this specialist residential provision can be accommodated comfortably. Overall officers consider that the proposal would make a positive contribution to the visual character and appearance of the area and would not cause any demonstrable harm in this regard. In addition there exists a demonstrated need for the accommodation that would be provided, and substantial weight should therefore be given to the use of the site for extra care provisions. The proposal is therefore considered to accord with development plan policies in this regard.

RESIDENTIAL AMENITY

Epsom and Ewell Core Strategy 2007 (E ECS 2007)

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM10 – Design Requirements

111. Paragraph 191 of the NPPF states that:

'planning policies and decision should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impact that could arise from the development. In doing so they should:

(a) Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

(b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

(c) Limit the impact on light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

112. Policy CS6 of the E ECS 2007, sets out that the Council will ensure that new development, inter alia, minimises the emission of pollutants, including noise, water and light pollution, into the wider environment. Further, Policy DM10 of the EEDMPD 2015, requires development proposals to have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance. The EEDMPD 2015 at paragraph 3.20 goes on to set out that homes are particularly vulnerable to overlooking from new residences in and adjacent to rear gardens. To minimise this problem, new development proposals on infill and backland sites will be designed so that their height does not exceed that of the adjacent development. Equally, as a general principle, it is encouraged that new

developments provide a distance of at least 21 metres of separation between opposing properties.

LOSS OF LIGHT/OVERLOOKING/LOSS OF OUTLOOK

- 9
113. The applicants have submitted a detailed document entitled *Daylight and Sunlight Report* which considers the impact of the development on the light received by the neighbouring properties at 155, 157, 159 & 161 Thorndon Gardens, 5, 6, 7 & 8 Barn Elms Close, Cuddington Community Primary School and Rowe Hall, both in respect of key windows and their gardens. This concludes that the proposed development will have a low impact on the light receivable by its neighbouring properties and sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.
 114. Officers have also assessed the relationship between the proposed development and neighbouring properties and a distance of at least 16m would be retained between the building and the site boundary such that the minimum distance of 21m between the elevations of opposing properties cited in the development plan policy would be well exceeded (over 40m maintained). This distance together with the existing tree screening would ensure a satisfactory relationship such that the proposal would not give rise to any unacceptable overlooking, loss of outlook or loss of light to neighbouring dwellings.
 115. Officers did however consider that the originally proposed projecting external balconies on the rear (southern) elevations of the eastern side of the proposed building would be inappropriate and would have the potential to have a detrimental effect on the residential amenity of the adjacent dwellings in Thorndon Gardens. The applicants therefore amended the indicative drawings to indicate indented balconies only on this elevation - officers consider that it is reasonable and necessary to attach a condition in this regard.

IMPACT FROM NOISE

116. A residential use of the nature proposed is compatible with the existing use and would not give rise to any unacceptable noise impacts. The construction phase of the development would have implications for noise disturbance, but this can be mitigated with conditions restricting hours of construction and would only sustain for a short period of time.
117. The proposed development includes the provision of external plant though at this outline stage the full details of this are not available, though an indicative mechanical services strategy is submitted as well as a list of mitigation measures for potential use in reducing plant noise emission levels at the nearest sensitive receptors. This requires plant noise to be assessed in

accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial noise', where, during normal working hours (07:00 to 19:00 hours), the difference between the rating level and the background level should be no greater than +5 dB, depending upon the context. At all other times a different noise limit may be applicable, depending on the context.

118. The County's noise consultant has advised that it is proposed that proposed plant is designed to achieve a rating level which does not exceed the background sound level, indicative of a low impact in terms of BS 4142:2014+A1:2019, which is slightly more onerous than SCC's standard approach but may be appropriate in this context where plant will operate 24 hours. Should permission be granted, they recommend that a planning condition is attached to the permission to reduce the risk of adverse noise impacts. Officers agree with this.

IMPACT FROM POLLUTION (FROM TRAFFIC AND CONSTRUCTION DUST)

119. **Traffic:** The applicant has submitted an air quality assessment that correctly identifies that the application site is not in an Air Quality Management Area (AQMA). The nearest AQMAs are:
- Ewell AQMA – approximately 2.5 km to the south of the site, designated due to high levels of NO₂;
 - Kingston upon Thames AQMA - approximately 0.8 km to the northwest of the site, designated due to high levels of NO₂ and PM₁₀; and
 - Sutton AQMA - approximately 0.7 km to the east of the site, designated due to high levels of NO₂ and PM₁₀.
120. The County's Air Quality Consultant has confirmed that the information provided by the applicant is correct. Since concentrations of pollutants at the site are below the threshold and the proposed development will not give rise to significant increases in traffic officers do not consider that there will be any impact arising in this regard such that there is any requirement for the applicant to consider this further.
121. **Dust:** The County's Air Quality Consultant has suggested a condition for dust mitigation during construction and officers consider it is reasonable and appropriate to apply this.
122. **Lighting:** The County's Lighting Consultant advises that having regard to the Preliminary Ecological Appraisal and BNG Assessment and the Protected Species Survey submitted by the applicant there is the potential for disturbance to ecological interests due to external lighting – this is considered under Ecology section of the report below.

123. In respect of impacts to residential dwellings the County's Lighting Consultant has commented that there is currently insufficient information in terms of lighting design to determine the impact of the lighting proposed for this development. Officers consider it is reasonable and necessary to extend the requirements of this condition such that the lighting scheme for the site also has regard to the residential dwellings adjacent. The Lighting Consultant therefore recommends that a condition is attached to any permission requiring:

- A complete lighting scheme which has been developed in consultation with a suitably experienced ecologist complete with associated lux plots.
- A definite lighting design and calculations demonstrating that the scheme is in compliance with CIE 150 - Guide on the Limitation of the Effects of Obtrusive Light.
- Confirmation of the type of fittings to be mounted on the building façade, if any (with recommendations that the fittings do not have any element of up-lighting).
- Details of lighting controls for the lighting installation and timings.

124. Officers agree that a condition in this regard is reasonable and necessary.

CONCLUSION OF IMPACT ON RESIDENTIAL AMENITY

125. Subject to conditions as set out in the above paragraphs officers are satisfied that the proposed development would not have an unacceptable impact on residential amenity and therefore accords with development plan policy in this regard.

HIGHWAYS, ACCESS AND PARKING

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS16 – Managing Transport and Travel

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM35 – Transport and New Development

Policy DM36 – Sustainable Transport for New Development

Policy DM27 – Parking Standards

126. Paragraph 114 of the National Planning Policy Framework (2023) states:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should ensure that:

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and content of associated standards reflects current national guidance,

including the National Design Guide and the National Model Design Code; and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

127. Paragraph 115 further states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

128 Paragraph 116 (a) states that:

'Within this context, applications for development should:-

- (a) give priority first to pedestrians and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible facilitate access to high quality public transport with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduce mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards;
- (d) allows for the efficient delivery of goods, and access by service and emergency vehicles in safe, assessable and convenient locations;
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

129. Policy CS16 of the EECs (2007) encourages development proposals which foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. In this respect, development proposals are required to be consistent with the Surrey Local Transport Plan including, providing access for all, providing appropriate and effective parking provision on and off site and ensuring the vehicular traffic generated does not create new, or exacerbate existing on street parking problems. Policy DM35 of the EEDMPD (2015) requires proposals to be supported by a Transport Statement. Policies DM36 and DM37, respectively require the needs of cyclists and pedestrians to be prioritised and for proposals to meet the parking standards set out in Annexe 2 of the Plan. Exceptions to this approach are a robust demonstration that the level of on-site parking associated with the proposal would have no harmful impact on the surrounding area in terms of street scene of the availability of on-street parking.

130. The application is supported by a Transport Statement which can be summarised as follows:

- A new vehicular access to the site is proposed from Salisbury Road which would replace the existing access located to the northeast access of the site which currently provides vehicular connection from Salisbury Road to the Scouts and Rowe Hall. Where the existing Salisbury Road is crossed by the new access, a continuous pavement “pedestrian priority” crossing would be installed in accordance with Surrey County Council’s Healthy Streets Guidance. This new access would need to be shared with both the Scouts and Rowe Hall and the proposed development which would then be opened to connect to the local roads from being a landlocked site.
- The proposal is for a total of 48 parking spaces to be provided. The total number of staff on site at one time would be likely not to exceed 7 and a total of seven parking spaces would be provided to accommodate staff, three bookable spaces for visitors, one drop-off bay and 38 parking spaces for residents which would include four disabled bays and one car club bay. The disabled bays and drop-off layby would be located close to the site entrance and could be used by visitors picking-up/ dropping-off residents. The car club bay would be decided later by SCC and would be placed within easy access to Salisbury Road to allow members of the public access to the car club. All parking spaces would have electric vehicle charging points and 20% of the electric charging points would be fast charging.
- The SCC Vehicular, Cycle and Electric Vehicle Guidance states the site should provide cycle parking based on an ‘Individual Assessment’. For residents and staff, a store with 22 bicycle stands (space for 44 bicycles) would be located in the northeastern part of the development close to the entrance. There would also be 10 Sheffield cycle stands (space for 20 bicycles) provided close to the entrance of the development for visitors. The specific occupier and residents, at this point is unknown. The provision has been benchmarked against, the number of stands provided by a similar approved site. Once the site is occupied, should the demand exceed the provision proposed then locations for additional cycle parking provision on-site could be explored.
- A total one mobility scooter per five dwellings would be provided (max. 10 mobility scooter spaces) as suggested by Housing LIN guidance. The mobility scooter store would be located on the ground floor level in the north-eastern front of the site within the cycle store and 12 mobility scooter spaces would be provided which exceed the maximum 10 mobility scooter spaces suggested by the guidance.
- The proposals are estimated to generate limited trips within typical network peaks (08:00-09:00 and 17:00- 18:00), with a maximum of 10 to 11 two-way trips in a peak hour. The Trip Generation also indicates that throughout the day from 07:00 to 19:00 the trip generation would average thirteen to fourteen two-way trips per hour. Typically, the peak hour for this type of development is outside the network peak hours, with 22 to 23 total two-way trips from 10:00 to 11:00 and from 14:00 to 15:00. It is evident from the above assessment that the proposed development would be likely to generate low levels of peak period traffic that will have minimal impacts on the local highway network.

- 131 The County Highways Authority has assessed the proposal and has no objections subject to conditions relating to the following:
- Construction of proposed access prior to commencement of other development
 - Laying out of parking and turning areas.
 - Construction Transport Management Plan
 - The provision of cycle parking and charging
 - The provision of Electric Vehicle charging
132. Officers consider the conditions proposed are reasonable and necessary and subject to these the proposal accords with Development Plan Policy in this regard.

TREES AND LANDSCAPING

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM4 – Biodiversity

Policy DM5 – Trees and Landscaping

Policy DM9 – Townscape Character and Local Distinctiveness.

- 133 Section 12 (Achieving well-designed and beautiful places) of the NPPF seeks to promote well-designed places and highlights the importance of appropriate and effective landscaping as part of this wider objective.
134. Paragraph 136 of the NPPF states that: *‘Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decision should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained where possible’.*
135. Policy DM5 of the EEDMPD (2015) sets out that the Borough’s trees, hedgerows and other landscape features will be protected and enhanced by, inter alia, planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows, continuing to maintain trees in streets and open spaces and requiring landscape proposals in submissions for new development. In addition, Policy DM5 requires every opportunity to be taken to ensure that new development does not result in a significant loss of trees, hedgerows or other landscape features unless suitable replacements are proposed. Where removal is required, sound justification will be sought, supported by appropriate evidence such as health, public amenity, street scene or restoration of an historic garden. In the case of arboriculture evidence, this will be provided by a suitably qualified individual. Policy DM9 of the EEDMPD (2015) sets out that planning permission will be granted for proposals which make a positive contribution to the Borough’s visual character and appearance.

136. Landscaping is a *reserved matter* that will be submitted for further approval, but an indicative Landscape Masterplan has been submitted with the application. The applicant has also submitted a full Tree Survey and Impact Assessment, together with a Tree Protection Plan and Tree Constraints Plan in support of the application. This identifies the existing trees on the site none of which are protected by a Tree Preservation Order. It confirms that as the proposed extra-care building is located within the southern part of the site where there are no trees, as a result the building can be achieved without any tree loss. In addition the proposed parking court lies north of the proposed building and can also be achieved without tree loss.
137. The Impact Assessment notes that a new access to the site has been carefully positioned to avoid the continued use of the existing access that lies close to a collection of larger oaks (numbers 2, 5 and 28) that lie on the eastern boundary of the site. That existing access is to be broken up and removed to be replaced with a 'biodiversity area'. This enhances the growing environment of the trees and will enable them to flourish in future years. By moving the access to enhance the environment for the large oaks it is necessary to remove tree group 1, a collection of field maple and young oaks. In addition a single hornbeam (number 33) is proposed for removal from the verge adjoining Salisbury Road. The report concludes that the loss of stems from tree group 1, including those stems that need to be removed to accommodate the segregated pathway linking to Salisbury Road, does not materially detract from the tree cover at the site. The loss of tree 33 does remove one tree from the tree-lined road but it does not materially detract from the character of the road that will remain as is. Replacement trees can be planted within the verge, in close proximity, to ensure that tree-lined nature of the road is conserved.
138. The development proposals bring forward the opportunity to plant a selection of trees throughout the development. The Landscape Masterplan indicates extensive new tree planting around the building, including the central courtyard garden, amidst the parking and along the northern boundary. Trees are proposed along the driveway linking to Salisbury Road. The result is a net gain of tree cover at the site, supplementing the verdant nature of the surrounding area.
139. The County's Landscape Advisor has advised that he has no objection to the proposal. He comments that in principle, the courtyard arrangement, combined with the set back of buildings from the southern site boundary allowing for a more naturalistic landscaped area, is the right approach. No comment on the appropriateness of the scale of development but the retention of the important mature trees along the eastern boundary, together with any new planting proposed, would provide a softening effect which would help integrate the new development within views. He comments that a

comprehensive and detailed soft landscaping, maintenance and management scheme needs to be prepared for reserved matters stage which can be secured by planning condition.

- 140 To ensure the retained trees are safeguarded a tree protection plan has been prepared to show the location of protective measures. These measures need to be implemented in advance of construction and maintained until such time as soft landscape proposals require their removal. The Landscape Advisor comments that in some instances specialist construction techniques or approaches are indicated on the protection plan and in order to ensure the protective and specialist measures are understood, implemented and maintained it is recommended that a scheme of monitoring and supervision shall be put in place to typically include a pre-commencement meeting; a site visit by an arboriculturist at no more than one-month intervals and a report to be prepared after each site visit and presented to the Council within 7 days of the visit. Officers agree that including a requirement for these measures to be submitted in an arboricultural method statement would be reasonable and necessary.

CONCLUSION ON TREES AND LANDSCAPING

- 141 The proposed development results in the loss of very few trees with the majority retained and afforded room. In places where hard surfaces coincide with root protection areas specialist measures can be deployed to minimise harm to trees. Services and utility installation can be sited remote from trees but if they do need to be located within root protection areas specialist measures can be deployed for their installation to minimise harm to retained trees.
- 142 Extensive new and replacement tree planting is provided as part of these development proposals. This net gain of tree cover can provide a diverse portfolio of trees to ensure sustainability of green infrastructure in the future. The application proposals recognise the important contribution trees make to the character and quality of built environments, and the role they play to help mitigate and adapt to climate change. The proposals seek to retain existing trees and integrate new trees in accordance with the requirement of local and national planning policy. Subject to suitable conditions the proposal is considered acceptable in this regard.

ECOLOGICAL IMPLICATIONS

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS3 – Biodiversity and Designated Nature Conservation Areas

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM4 – Biodiversity

- 143 Paragraphs 180(d) of the NPPF seeks to ensure that planning policies and decisions contribute to and enhance the local and natural environment. In particular, they should seek to minimise impacts on and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.
- 144 Paragraph 186(d) of the NPPF states that development whose primary objective is to conserve or enhance the biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.
- 145 Policy CS3 of the EECS (2007) sets out that sites that are designated for their nature conservation attributes will be afforded protection appropriate to their designation. Elsewhere, development that is detrimental to the Borough's biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute positively towards the Borough's biodiversity.
- 146 This is echoed in Policy DM4 of the EEDMPD 2015, which states that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if: (i) the development would enhance the nature conservation potential; (ii) there is no alternative location of the development and there would be no harm to the nature conservation potential of the site; or (iii) there are imperative reasons for overriding public interest for the development. Development affecting any site or building that supports species protected by law will only be permitted if appropriate mitigation and compensatory measures are agreed. Moreover, whether or not there are any species or habitats that enjoy statutory protection, every opportunity should be taken to secure net benefit to the Borough's biodiversity. To this end, an assessment of the existing nature conservation assets on a development site should be undertaken at the application stage and suitable biodiversity enhancements proposed.
- 147 Epsom and Ewell Borough Council has also adopted a document entitled, Biodiversity and Planning in Epsom and Ewell for development management purposes. The guide assists in the need process of identifying when and where biodiversity in Epsom and Ewell will need to be protected by the planning system, as well as assisting in identifying opportunities to deliver biodiversity enhancements.
- 148 The applicant has submitted the following documents in support of the Ecological Implications:
- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023)

- Protected Species Survey Report (SWT Ecology Services, September 2023)
- Invertebrate Survey Report (Scotty Dodd, September 2023)
- 2 no BNG Assessment Letters (SWT Ecology Services, April 2023 and January 2024)
- Landscape Masterplan PR-291-ATK-XX-XX-DR-L-00001 P4
- A completed BNG Metric version 3.1 dated January 2024
- An aerial map of the Northey Estate mitigation site
- A Baseline UK Habitat Plan dated December 2023
- An Uplift UK Habitat Plan dated December 2023
- A Biodiversity Metric 4.0 calculation dated 22 December 2023
- An amplifying e-mail dated 06 June 2024.

IMPACT ON PROTECTED SPECIES

149 The County Ecologist has advised that she is satisfied with the assessment of protected species impacts drawn by the applicants ecologists. The mitigation and compensation measures proposed are appropriate and proportional. Conditions to secure a Construction Environmental Management Plan (CEMP), a Landscape and Environmental Management Plan LEMP and lighting details are requested, with the following stipulations included:

- The **CEMP** will include the method for minimising harm to reptiles as outlined in section 6.3 of the Protected Species Survey Report (SWT Ecology Services, September 2023), and include the measures to protect nesting birds and badger/mammals included in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023),
- The **LEMP** will include a plan illustrating the locations of the wildlife enhancement boxes and reptile hibernacula as described in Table 15 and section 6.3.5 of the Protected Species Survey Report (SWT Ecology Services, September 2023). Please note I would accept less than the stated number of hibernacula given the limited available space on the site, they are set as enhancement features (not mitigation/compensation) and no reptiles were recorded during the survey.
- A lighting design should be submitted in accordance with details provided in sections 6.2.2, 6.2.3 and 6.2.4 of the Protected Species Survey Report (SWT Ecology Services, September 2023). The design should make reference to the updated guidance note issued by the Institute of Lighting Professionals and the Bat Conservation Trust in August 2023. A full lighting strategy is not required due to the size and scope of the development; however the plan should detail the specification and location of luminaires proposed for use.

150. Officers are satisfied that these conditions are reasonable and necessary and recommend they are applied to any permission granted.

BIODIVERSITY NET GAIN

151. The applicants BNG assessments indicate that the development of the site as proposed, considered with the indicative landscaping provided would result in a loss of 42.61 habitat units on the site. Policy DM4 of the EEDMPD 2015 requires a *net benefit* to be achieved but this would be unable to be provided on the site. Therefore, off-site provisions have been proposed and land forming part of Northey Estate, off Cuddington Way, Cheam SM2 7HR has been identified as a suitable area of off-site land which could be used to offset the loss of habitats from the application site. The site is within the ownership of Surrey County Council.
152. The applicants ecological advisors undertook a baseline assessment of the Northey Estate in 2023, and identified 0.4794 ha of other neutral grassland in poor condition that can be enhanced to good condition, and 0.45 ha of non-cereal crop that can be seeded to create other neutral grassland in moderate condition. With these measures in place, the project would achieve a biodiversity net gain, meeting trading rules,
153. It has been agreed that the size and nature of habitats present are suitable to incorporate the uplift needed to satisfy BNG for the application site. Although the majority of the BNG provision would be provided off site, the application site would incorporate significant additional landscaping as well as the retention of the existing trees.
154. The County Ecologist has reviewed the submitted documentation and supporting information and is satisfied that the applicants have demonstrated that land at the Northey Estate has the potential to provide the required opportunities for biodiversity net gain. The County Ecologist has raised no objection to the proposal, subject to the inclusion of planning conditions. The off-site provisions put forward by the application to mitigate the loss of on-site habitats are acceptable. Officers therefore conclude that, subject to appropriate planning conditions, the proposal complies with development plan policy in this regard.

FLOOD RISK AND DRAINAGE

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM19 – Development and Flood Risk

- 155 Paragraphs 165 of the NPPF sets out the role in which the planning system is expected to play in minimising the risk of flooding and mitigating flood risk. Paragraph 173 further states that development should be directed away from areas at high risk, and in determining planning applications local authorities should ensure that flood risk is not increased elsewhere and where appropriate a site-specific flood risk assessment (FRA) should be provided.
- 156 Paragraph 175 of the NPPF states that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The system should include:-
- (a) take account of advice from the lead local flood authority;
 - (b) have appropriate proposed minimum operational standards;
 - (c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - (d) where possible, provide multifunctional benefits.
157. Policy CS6 of the EECS (2007) states that proposals for development should result in a sustainable environment and reduce or have a neutral impact upon, pollution and climate change. In this regard new development should avoid an increase in the risk of, or from flooding.
158. The application site extends to 1.54 hectares and though the majority of it lies within Flood Zone 1 and is at low risk of flooding, the northwest corner has a medium risk of surface water flooding. Policy DM19 of the EEDMPD (2015) sets out that development within Flood Risk Zones 2 & 3 or on sites of 1ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding as identified by the Borough Council's Strategic Flood Risk Assessment, will not be supported unless, in fluvial flood risk areas, the sequential and exception tests have been applied and passed. For all sources of risk, it can be demonstrated through a site Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral; and where risks are identified through the FRA, flood resilient and resistant design and appropriate mitigation and adaptation can be implemented. In addition, it is expected that development reduce the volume and rate of surface water run-off through the incorporation of appropriately designed sustainable drainage systems at a level appropriate to the scale and type of development.
159. The applicant submitted both a Sustainable Drainage System and Flood Risk Assessment with the application, which was considered insufficient by the SUDS team and amended documents were requested and submitted providing the required additional information. The SUDS team have now confirmed that the additional information has satisfied their requirements and have demonstrated that an acceptable drainage scheme can be provided. A planning condition is requested, to secure further details and implementation

of the agreed final scheme and officers agree that this is reasonable and necessary.

160 Subject to a condition the proposal accords with planning policy in this regard.

IMPACT ON HERITAGE ASSETS –ARCHAEOLOGY

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS5 – Heritage

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM8 – Heritage Assets

- 161 Paragraph 200 of the NPPF (2023) sets out that in determining applications, Local Planning Authorities (LPAs) 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.
- 162 Paragraph 201 of the NPPF (2023) goes on to set out that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 163 Paragraph 203 of the NPPF (2023) sets out that in determining applications, LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities and; the desirability of new development making a positive contribution to local character and distinctiveness.
- 164 Paragraph 205 of the NPPF (2023) explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 165 Paragraph 208 of the NPPF (2023) sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use.

- 166 The only heritage consideration in this case is the archaeological potential of the site. As the site is greater than 0.4 hectares an Archaeological Assessment was submitted in accordance with Policy DM8 of the EEDMPD (2015) which assessed the possible archaeological significance of the site and the implications of their proposals. In addition the results of a trial trench evaluation which was undertaken have been submitted.
- 167 The County Archaeologist has advised that the Trial Trench Evaluation details that significant archaeological remains survive at the site, covering all periods, with more density to the south of the plot than the north. The quality and significance of the archaeology identified means that a scheme of Archaeological monitoring and recording will need to be undertaken to facilitate development works at this site. Further, any facilitating works that have potential to impact the ground surface, such as geotechnical works, in advance of a decision on this application should be subject to archaeological monitoring and control. He has further advised that the scale of archaeological works required to facilitate development at this site is likely to require a reasonably significant level of resource. This advice is in line with Paragraph 211 of the NPPF which requires “*developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*”.
- 168 A condition is requested to cover this requirement and officers agree that it is reasonable and necessary and subject to this the proposal meets the requirements of the development plan in this regard.

SUSTAINABLE CONSTRUCTION

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS6 – Sustainability in New Developments

Surrey County Council Waste Local Plan 2019-2033

Policy 4 – Sustainable Construction and Waste Management in New Development

- 169 Paragraph 8 of the NPPF seeks to achieve sustainable development and states that the planning system has three overarching objectives, namely economic, social and environmental. These objectives are interdependent.
- 170 Paragraphs 157 of the NPPF sets out the role the planning system is expected to play in supporting the transition to a low carbon future in a changing climate. Paragraph 162 of the NPPF further states that local authorities should expect new development to:
- (a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to type of development involved and its design, that this is not feasible or viable; and

(b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

- 171 Policy CS6 of the EECS (2007) requires new development to minimise the energy requirements of construction, for example by using sustainable construction technologies and encouraging the recycling of materials. Policy 4 of the Surrey Waste Local Plan (2019- 2033) sets out that planning permission for any development will be granted where it has been demonstrated that the waste generated during construction, demolition and excavation is limited to the minimum quantity necessary and opportunities for re-use and for the recycling of waste on site is maximised.
- 172 The applicant has submitted a Sustainable Design and Construction Statement which states that the Project has high sustainability aspirations, with key features of the design responding to the overall Project sustainability agenda summarised below:
173. **Low carbon energy and building design:** Passive and active building design strategies have been used to enable energy efficiency and carbon reduction through minimising heat loss and use of smart low carbon energy systems following LETI guidance where possible. Resource efficiency has been addressed through measures such as reducing water consumption through efficient fittings. These design measures contribute to the national, regional and local planning requirements for low carbon homes with smart energy systems and lower running costs. This includes meeting the SCC Climate Change Strategy objectives on energy efficiency for housing.
- 174 **Circular economy considerations:** Embodied carbon and waste reduction strategies will be explored and implemented by use of MMC. During construction, the contractor will follow waste reduction strategies as highlighted during the recommended designing out waste workshop and captured in their resource management plan (RMP) as they start on site. The design approach will support circular economy principles to reduce overall waste generation during construction, operation, and deconstruction of the project, identified as a key focus in SCC's Climate Change Strategy. Compliance with the waste hierarchy will be embedded at the design stage for building use, through provision of an accessible waste storage area with containers for different waste streams in a convenient location.
- 175 **Improved health and wellbeing:** The Project design is aligned with the Borough of Epsom & Ewell Borough strategy, where elderly residents with extra needs can better access support to communities and a high quality of life can be delivered in a sustainable way. The building design has been developed to improve the health and wellbeing of residents, focusing on aspects such as indoor air quality and sufficient daylight for all living spaces. Additionally, consideration has been given to the provision of high-quality outdoor space, both on private balconies and through generous garden areas,

with excellent views onto and access to nature. This outdoor space and communal lounges within each apartment block will further promote activity, social cohesion and provide opportunities for wider community engagement.

- 176 **Enhancing biodiversity:** The Project landscaping design objectives have included measures to maintain and enhance biodiversity and the overall ecology on the site, linking to the surrounding environment and aiming to create optimal multi-function, multi-benefit green infrastructure, aligning to Epsom & Ewell Borough Council policies on biodiversity, landscape and trees. The planting palette for the site includes a range of species with ecological value and measures to create habitats, such as the inclusion of bat and bird boxes and insect houses.
- 177 **Consideration of flood risk:** The Project incorporates Sustainable Drainage System techniques, in line with Epsom & Ewell Borough Council's Flood Risk Assessment, to mimic nature and manage surface water drainage based on Project site conditions. Such consideration aligns with the SCC Environmental Policy to build in climate change resilience.
- 178 **Sustainable transport:** In alignment with the national planning emphasis on decarbonising transport, the Project will ensure all parking spaces have access to an electric charging point. Additionally, the design will allow for cycle provision to promote zero carbon mobility and the site is located close to local bus routes and local amenities, encouraging active travel and reduced car use. These points support both Surrey and Epsom & Ewell Council aims for integrated, accessible and affordable transport options for local residents.
- 179 Officers consider that the applicant has demonstrated a commitment to development plan policy requirements and the proposal is acceptable in this regard. A condition is recommended to

Human Rights Implications

- 180 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.
- 181 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
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Conclusion

- 182 This is an outline application, seeking approval for the layout, scale and means of access (with appearance and landscaping reserved for future consideration). The site lies within the urban area and it is considered that a building of this size, scale and massing could be accommodated on the site

without significant harm to the character of the area or neighbouring amenities.

- 183 Whilst the proposal would give rise to the loss of potential open playing field land the proposal is not considered to be contrary to development plan policy in this regard as the proposal would not have a significant impact in the local area which is well provided with facilities and the proposal would mitigate the loss with contributions towards improving existing recreation and leisure facilities.
184. The proposal would provide specialist housing for the aging population in the local area, for which there is a demonstrated need and to which great weight should be given in the planning balance.
185. Whilst it is recognised that the scale and design of the building, as shown on the indicative plans, represents a different form and character to the existing development in the area, the site characteristics enable the development proposed to be accommodated without any undue harm. The proposal is seeking to create a modern and highly sustainable development which supports the health and wellbeing of residents within the local community. In addition the development would encompass the use of renewable energy during the construction and operational phases. The indicative plans, submitted with the application, are for illustrative purposes only and the final plans and details of the materials to be used in its construction are to be submitted at 'Reserved Matters' stage.
186. The site has archaeological potential and a condition will require monitoring during construction to ensure any finds of archaeological interest are logged and appropriately dealt with. A sustainable drainage scheme has been demonstrated as being acceptable on the site subject to a condition requiring the submission of the detailed design. The majority of the existing trees are being retained and will be protected during the construction phase.
187. Biodiversity will be maintained with a net gain achieved by measures both on and off site. Drawings and supporting information have been submitted to demonstrate that the proposal would accord with the development plan policies in relation to landscaping and biodiversity. A full submission as part of the 'Reserved Matters' application will be considered at a later stage.
- 188 The highways aspects of the proposal are considered acceptable subject to planning conditions.

Recommendation

That, pursuant to Regulation 3 of the Town and Country Planning Regulations 1992, outline planning application ref: EP23/00633/CMA be approved, subject to planning conditions.

Conditions:

IMPORTANT - CONDITION NO(S) 5, 11, 16, 19, 20 AND 22 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

1. The means of access, siting, layout and scale of the development hereby approved is as shown on the following approved plans/drawings:
 - PR-291-ATK-XX-ZZ-DR-A-90100 Rev P03 Existing Location Plan dated 24 April 2023
 - PR-291-ATK-XX-ZZ-DR-A-90102 Rev P03 Existing Site Plan dated 24 April 2023
 - PR-291-ATK-XX-ZZ-DR-A-02300 Rev P02 Existing Site Sections dated 19 March 2024
 - PR-291-ATK-XX-ZZ-DR-A-02301 Rev P02 Proposed Site Sections dated 19 March 2024
 - PR-291-ATK-XX-ZZ-DR-A-01300 Rev P04 General Arrangements - Proposed Sections dated 19 March 2024
 - PR-291-ATK-XX-RF-DR-A-90103 Rev P02 Proposed Roof Site Plan dated 22 January 2024
 - PR-291-ATK-XX-RF-DR-A-90193 Rev P01 Proposed Roof Site Plan - Thames Water Pumping Station Exclusion Zone dated 16 February 2024
 - PR-291-ATK-XX-00-DR-A-90112 Rev P04 Proposed Plans - Ground Floor dated 22 January 2024
 - PR-291-ATK-XX-01-DR-A-90113 Rev P03 Proposed Plans - First Floor dated 22 November 2023
 - PR-291-ATK-XX-02-DR-A-90114 Rev P02 Proposed Plans - Second Floor dated 28 November 2023
 - PR-291-ATK-XX-03-DR-A-90116 Rev P02 – Proposed Plans – Roof dated 28 November 2023
 - PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023
 - PR-291-ATK-XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024

PR-291-ATK-XX-XX-DR-A-02700 3D View Rev P02 - Massing Views dated 19 March 2024

2006-KC-XX-YTREE-TPP01 Rev A Tree Protection Plan dated 19 February 2024

PR-291-ATK-XX-XX-DR-C-70001 Rev P03 Proposed Surface Water and Foul Water Drainage Layout dated 22 January 2024

PR-291-ATK-XX-XX-DR-L-00003 Rev P01 Landscape Proving Plan dated 19 January 2024

PR-291-ATK-XX-XX-DR-L-00001 Rev P05 Landscape Masterplan dated 19 January 2024

PR-291-ATK-XX-00-DR-T-00010 Rev P02 Visibility Splay dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00001 Rev P02 Vehicle Tracking - Car dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00002 Rev P01 Vehicle Tracking - Ambulance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00003 Rev P01 Vehicle Tracking - 7.5T Box Van dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00004 Rev P01 Vehicle Tracking - Fire Pumping Appliance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00005 Rev P01 Vehicle Tracking - Refuse Vehicle dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00006 Rev P01 Vehicle Tracking - Coach dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00007 Rev P01 Vehicle Tracking - Minibus dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00012 Rev P02 Vehicle Tracking - Ambulance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00013 Rev P02 Vehicle Tracking - 7.5T Box Van 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00014 Rev P02 Vehicle Tracking - Fire Pumping Appliance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00015 Rev P02 Vehicle Tracking - Refuse Vehicle 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00016 Rev P01 Vehicle Tracking - Coach 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00017 Rev P01 Vehicle Tracking - Minibus 02 dated 7 June 2024

2. Approval of the details of the design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the County Planning Authority in writing before any development is commenced and carried out as approved. Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the County Planning Authority before the expiration of three years from the date of this permission.
3. No vehicle shall access the proposed development from Salisbury Road unless and until the proposed access junction hereby approved has been constructed and provided with visibility zones and a continuous pedestrian footway in accordance with the approved plans and final technical approval of the details under Section 278 of the Highways Act. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high.
4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site for vehicles to be parked and to turn so that they may enter and leave the site in forward gear in accordance with the approved plans. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
5. Prior to the commencement of the development hereby permitted a Construction Transport Management Plan shall be submitted to and approved in writing by the County Planning Authority, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)

- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.30 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Salisbury Road during these times.
- (k) on-site turning for construction vehicles

The development shall be implemented in accordance with the approved details.

6. The development hereby permitted shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point with timer for e-bikes nearby have been provided within the development site in accordance with details to be submitted to and approved in writing by the County Planning Authority. The approved facilities shall thereafter be provided, retained and maintained for use by the users of the site.
7. The development hereby permitted shall not be occupied unless and until at least 20% of all available parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and a further 20% are provided with cabling for the future provision of charging points, in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The approved facilities shall be implemented, retained and maintained for the users of the site.
8. Prior to the installation of the drainage to serve the development hereby permitted details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the County Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.

The required drainage details shall include:

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

The development shall be implemented in accordance with the approved details.

9. The development hereby permitted shall not be occupied unless and until a verification report, carried out by a qualified drainage engineer, has been submitted to and approved in writing by the County Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.
10. The height and scale of the proposed building shall not exceed that shown on indicative drawing numbers PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023 and PR-291-ATK-

XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024, hereby approved.

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11. Prior to the commencement of the development hereby permitted, a Dust Management Plan for the construction phase of the development shall be submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.
 12. No construction activities shall take place on the site except between the hours of 8am and 6pm Mondays to Fridays and 8am to 1pm Saturdays.
 13. Noise levels from demolition and construction works during standard construction hours specified in Condition 12 shall not exceed 70 dB(A) LAeq,1h at 1 m from the façade of any noise sensitive receptor (residential or noise sensitive building) within the vicinity of the site. Noise generating works shall not take place outside of the hours permitted in Condition 12 without prior consent from the County Planning Authority.
 14. There shall be no external lighting installed on site, including any temporary lighting required during the construction works, in connection with the development hereby permitted unless and until details of the proposed lighting have been submitted to and approved in writing by the County Planning Authority.

The lighting details to be submitted shall include:-

- (a) confirmation of the type of fittings to be mounted on the building facade
- (b) details of the lighting controls
- (c) a complete lighting scheme with associated lux plots
- (d) consideration of the lighting impacts on the ecological interests on the site in accordance with details provided in sections 6.2.2, 6.2.3 and 6.2.4 of the Protected Species Survey Report (SWT Ecology Services, September 2023). The design should make reference to the updated guidance note issued by the Institute of Lighting Professionals and the Bat Conservation Trust in August 2023.

Only the external lighting which has been approved in accordance with this condition shall be installed on site.

15. No trees on the site shall be removed other than those identified for removal on the Tree Protection Plan 2006-KC-XX-YTREE-TPP01 Rev A dated 19 February 2024 submitted with the application.

16. Prior to the commencement of the development hereby permitted, a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the County Planning Authority. This shall include details of:
 - (a) The construction of any buildings, paths, retaining walls or other structures close to retained trees;
 - (b) The location and construction of services in respect of retained trees
 - (c) The monitoring and supervision measures to be put in place to ensure compliance with the approved details to include a pre-commencement meeting by a Surrey County Council Arboriculturist

The development shall be carried out strictly in accordance with the approved scheme.

17. Prior to commencement of development hereby permitted the tree protection measures as shown on the Tree Protection Plan 2006-KC-XX-YTREE-TPP01 Rev A dated 19 February 2024 shall be implemented and retained in full until the development has been completed.

18. The Rating Level, $L_{Ar,Tr}$, of the noise emitted from all plant, equipment and machinery (including any kitchen extract etc), associated with the application site shall not exceed the existing representative LA_{90} background sound level at any time by more than +5 dB(A) at the nearest noise sensitive receptors (residential or noise sensitive building). The assessment shall be conducted in accordance with the current version of British Standard (BS) 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

The existing representative LA_{90} background sound level shall be determined by measurement that shall be sufficient to characterise the environment. The

representative level should be justified following guidance contained within the current version of BS 4142:2014:A1+2019 and agreed with the County Planning Authority in the event of complaints arising in respect of noise.

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19. Prior to the commencement of the development hereby permitted a Written Scheme of Investigation to include a detailed programme of archaeological work shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out strictly in accordance with the approved details.
 20. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. This Plan shall be prepared in accordance with the recommendations set out in section 6.3 of the Protected Species Survey Report (SWT Ecology Services, September 2023 and include the measures to protect nesting birds and badger/mammals included in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023).

The approved CEMP shall be strictly adhered to throughout the construction period.

21. Within 6 months of the date of the approval of the landscaping 'Reserved Matter' application, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the County Planning Authority. The LEMP shall include:-

On site provisions:

- (a) Details of the management and maintenance of the proposed on site landscape planting (including existing trees)
- (b) The location of the wildlife enhancement boxes and reptile hibernacula as described in Table 15 and section 6.3.5 of the Protected Species Survey Report (SWT Ecology Services, September 2023)

Off-site provisions at Northey Estate:

- (a) A plan showing the location of the off site biodiversity provision at Northey Estate.
- (b) Detailed planting schedules for the habitat to be created.
- (c) Details of the management and maintenance of the proposed habitat

For both sites:

- (a) Updated biodiversity net gain score based on the final landscaping and planting scheme in accordance with the BNG metric V4.0 and Habitat Classification System methodology
- (b) Detailed 30 year habitat creation and monitoring plan to ensure the delivery of biodiversity net gain both on and off site
- (c) Details of the body or organisation responsible for implementation of the management and maintenance

The approved details shall be implemented prior to the first occupation of any part of the development hereby permitted and permanently maintained thereafter.

22. Prior to the commencement of the development hereby permitted a playing field mitigation scheme shall be submitted to and approved in writing by the County Planning Authority. This scheme shall set out full details of the proposed mitigation works which will comprise enhancements to existing recreation and leisure facilities in the Worcester Park area, together with a programme for the implementation and completion of the works. The approved scheme shall be implemented in full in accordance with the approved details within 12 months of development commencing on the site.
23. There shall be no projecting external balconies on the rear (south eastern) elevation of the building hereby permitted.
24. Prior to the commencement of the development hereby permitted a Resource Management Plan (RMP)/details of measures to demonstrate the following shall be submitted to and approved in writing by the County Planning Authority :

- (a) That waste generated during the construction of development is limited to the minimum quantity necessary.
- (b) Opportunities for re-use and for the recycling of construction 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.

The development shall be implemented in accordance with the approved details.

25. The extra care accommodation hereby permitted shall remain within Use Class C2 Residential Institutions in accordance with The Town and Country Planning (Use Classes) Order 1987, or any subsequent Order amending or replacing this Order, and shall remain as affordable housing for rent in accordance with the definition within the National Planning Policy Framework 2023 Annex 2: Glossary, or any subsequent Government guidance.

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. To comply with Article 5 of the Town and Country Planning (General Development Procedure) (England) Order 2015 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.
3. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27.

4. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27
5. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27
6. In accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27 and in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023 and the Surrey Local Transport Plan 4.
7. In accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27 and in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023 and the Surrey Local Transport Plan 4.
8. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with National Planning Policy Framework 2023 paragraphs 167, 169 and 174; Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM19
9. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with National Planning Policy Framework 2023 paragraphs 167, 169 and 174; Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM19

10. To ensure that the scale of the development complies with the outline planning permission and respects the character and appearance of the area within which it is located, in accordance with Epsom and Ewell Core Strategy 2007 Policies CS5 and CS6 and Epsom and Ewell Development Management Policies Document 2015 Policies DM9 and DM10
11. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10. This condition is required prior to the commencement of the development as the potential impact from dust arises during the construction phase of the development.
12. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
13. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
14. In the interests of the residential amenities of neighbouring dwellings and the ecological interest of the site, in accordance with Epsom and Ewell Core Strategy 2007 Policies CS3 and CS6 and Epsom and Ewell Development Management Policies Document 2015 Policies DM4 and DM10
15. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9
16. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9. The condition is required prior to commencement as the construction works can cause damage to trees and tree roots.

17. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9
18. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
19. The site lies in an area of archaeological potential and the submitted Archaeological Trial Trench Evaluation details significant archaeological remains that survive at the site. A programme of archaeological monitoring and recording is required to mitigate the impact of development. This is in accordance with Epsom and Ewell Core Strategy 2007 Policy CS5 and Epsom and Ewell Development Management Policies Document 2015 Policy DM8. Compliance with this condition is required pre-commencement as significant archaeological remains could be damaged or destroyed by development works, and may be negatively impacted by facilitating works and machinery or vehicle movements on the existing surface.
20. To protect habitats and biodiversity in accordance with Epsom and Ewell Core Strategy 2007 Policy CS3 and Epsom and Ewell Development Management Policies Document 2015 Policy DM4. This condition is required pre-commencement as the construction phase can cause adverse impacts on ecology and biodiversity
21. To enhance and protect habitats and biodiversity and in accordance with Epsom and Ewell Core Strategy 2007 Policy CS3 and Epsom and Ewell Development Management Policies Document 2015 Policy DM4.
22. To mitigate the impact of the loss of potential playing field land to accord with Epsom and Ewell Core Strategy 2007 Policy CS4 and Epsom and Ewell Development Management Policies Document 2015 Policy DM6. The details are required pre-commencement to ensure that the required mitigation measures have been agreed and are in place to enable implementation in a timely manner alongside the development permitted.

23. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
24. To ensure the minimisation of waste and maximisation of recycling in accordance with Policy S4 of the Surrey County Council Waste Local Plan 2019-2033 and Epsom and Ewell Core Strategy 2007 Policy CS6
25. In accordance with the proposal submitted and to ensure that the proposed development remains solely for the use intended and meets the definition of affordable housing in order to contribute to Epsom and Ewell's and wider Surrey's affordable housing need in accordance with National Planning Policy Framework 2023 paragraphs 66 and 124 and Epsom and Ewell Core Strategy Policy CS8

Informatives:

1. All works involving excavation of soil, including foundations and the laying of services, within the root protection area of retained trees on the site will be supervised by the appointed arboricultural consultant and will be dug by hand and in accordance with [the approved Arboricultural Method Statement and] the National Joint Utility Group Vol 4, 2007 Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees.
2. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: 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, 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 highways/ecology/visual impact/ 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 2023.

3. The applicant is advised 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. 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.
4. The archaeology excavations are expected to comply with BS 5387:2012. Where trenches are to be excavated within areas close to trees, then RPA's are to be highlighted for each tree or group of trees with spray or tape to prevent incursions.
5. 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.
6. 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.
7. There are public sewers crossing or close to the development Thames water requests that checks are made to ensure that the development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read their guide to working near or diverting their pipes <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.
8. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read their guide 'working near our assets' to ensure your workings are in line with the necessary processes

you need to follow if you're considering working above or near our pipes or other structures <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

9

9. This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services <https://www.thameswater.co.uk/developers>
10. The proposed development is located within 20m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Codes for Adoption <https://www.thameswater.co.uk/developers/larger-scale-developments/sewers-and-wastewater/adopting-a-sewer> Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise
11. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
12. If the applicant is planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).
13. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on their website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

Sub ground structures should be designed so they do not have an adverse effect on groundwater. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence

14. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in residential use, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing residential premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings

15. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and CPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

16. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:
<http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice>

17. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water

course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats

connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-s>.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
[Planning Practice Guidance](#); [waste; traveller sites; planning for schools development; sustainable drainage systems; parking and](#)
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-03-02/HCWS324/>.

Contact Dawn Horton-Baker

Tel. no. 020 8541 9435

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.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Epsom & Ewell Borough Council planning register entry for this application can be found under application reference EP23/00633/CMA.

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

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

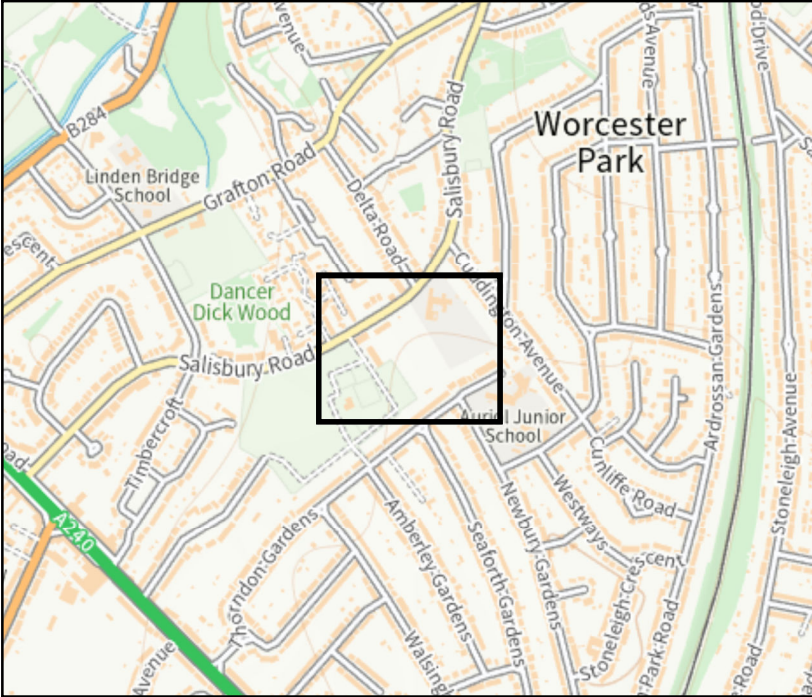
The Development Plan

[Surrey Waste Local Plan 2020](#)

Epsom and Ewell Core Strategy 2007

Site Location:

Land at the former Auriol Junior School playing field and land at 2nd Cuddington (Rowe Hall), off Salisbury Road, Worcester Park, KT4 7DD.



Outline application for the erection of a part 1, 3 and 4 storey building (with additional lower ground floor) for Extra Care Accommodation, comprising self-contained apartments, staff and communal facilities, and associated car parking (Class C2); the re-provision of a revised Scouts Hut curtilage including a new amenity area (Class F2); and a new access from Salisbury Road.

Application numbers:

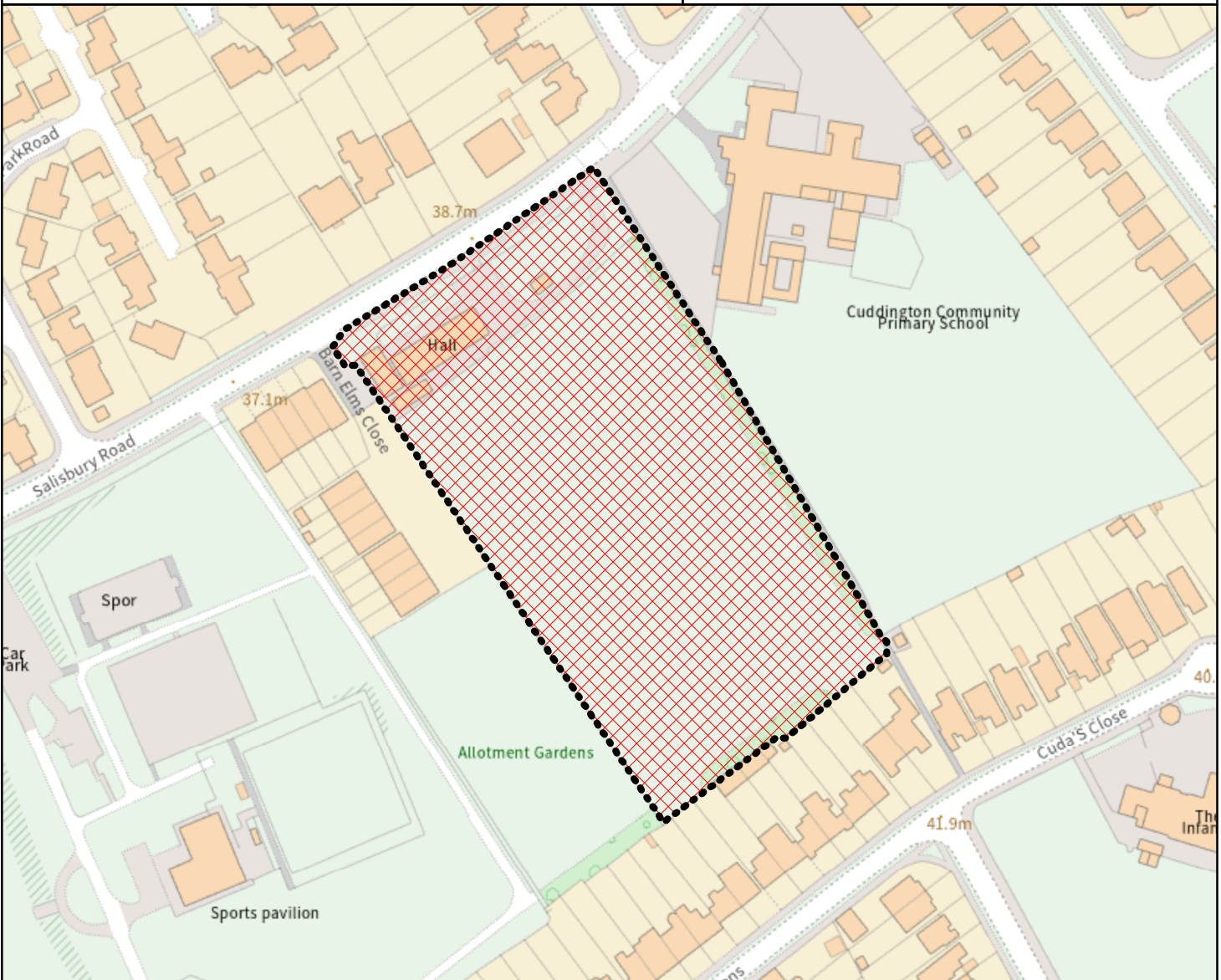
EP23/00633/CMA

Electoral divisions:

Ewell Court, Auriol and Cuddington

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Note: This plan is for indicative purposes only



Ref No:
SCC_Ref_2023-0059

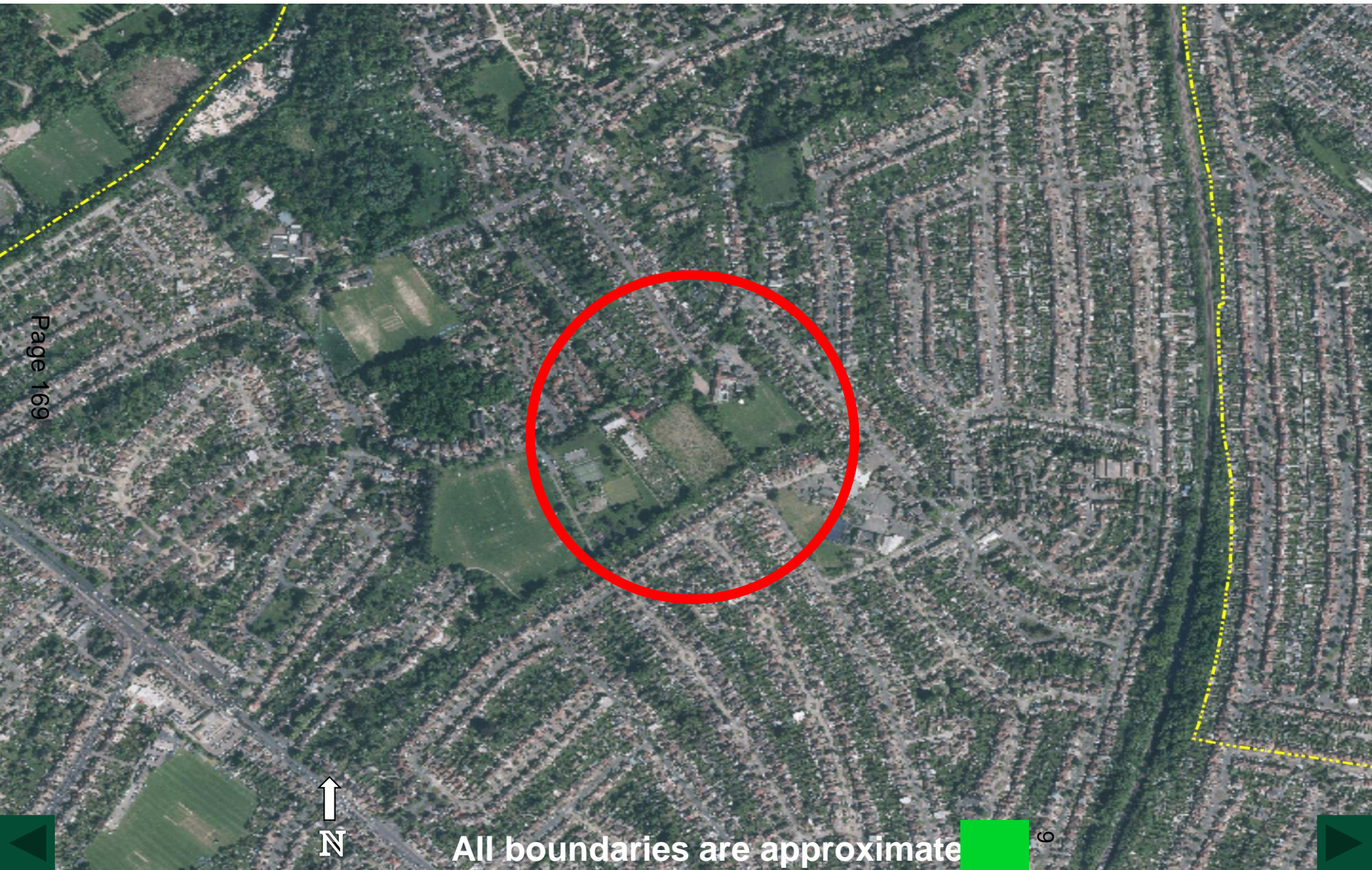


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Aerial 1: Surrounding area



Page 169



All boundaries are approximate



2023 Aerial Photos

Aerial 2: Application site

District Boundary

Application Site Area

Staines Reservoirs

Wraysbury Reservoir

M25



All boundaries are approximate

Page 170





Aerial 3: Application site



Application Site Area

Cuddington
Community Primary
School

The Mead Infant
School

Auriol Junior School



All boundaries are approximate

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TO: PLANNING & REGULATORY COMMITTEE

DATE: 26 JUNE 2024

BY:

PLANNING GROUP MANAGER

DISTRICT(S): ALL

ELECTORAL DIVISION(S): ALL

PURPOSE: FOR DECISION

GRID REF: N/A

TITLE: *REVIEW OF THE CHANGES TO THE CODE OF BEST PRACTICE PLANNING AND STANDING ORDERS*

Purpose of the Report:

The Planning Advisory Service undertook a review of the Planning and Regulatory Committee (P&R) in 2023. The recommendations of the review were reported to the July meeting, with the recommended changes to the Code of Best Practice Planning and Part 4 of the Standing Orders considered by this committee on 27 September 2023. These were then approved by the Council on 10 October 2023 and have been implemented for subsequent P&R meetings. It was agreed that the P&R committee would review the operation of the changes after six months to see how they worked.

Recommendation:

1. The Committee is asked to agree the retention of the changes to the Code of Best Practice and the Standing Orders, with the proposed amendments.

Introduction:

2. The Planning Advisory Service was asked to review the operation and effectiveness of the Planning and Regulatory Committee, to compare it against national best practice and to identify possible improvements. These changes were proposed to improve the running and decision-making of the committee.

3. The recommendations of the review were endorsed by this committee in September 2023 and approved by Council in October 2023. They have been in operation since the October 2023 P&R committee and there have now been six committees since the change. As agreed, a review of the operation of the committee has been undertaken.

Review:

4. The review consisted of observations at committee and requests for comments from members, officers and applicants. Anonymous comments are included in Annex 1. The responses from all parties have been overwhelmingly positive and there is broad support for the revised running order of the committee, offering members the opportunity to ask planning-related questions and to seek clarification from all public speakers. Officers are supportive of the new running order whereby they introduce the item before the committee hear from the public speakers as that provides the planning context at the outset. It also enables questions to be directed at the appropriate parties, rather than solely at officers as previously.
5. Initially, some members were unclear when the questioning of speakers moved into debate but as the new running order has bedded in, this has become less of an issue. There have however been some concerns expressed in respect of the reduction in the number of public speakers. This has not been an issue as regards the items that have been determined by the committee during the six-month review period, although it is accepted that it could be problematic when a particularly controversial matter is considered.
6. **Speaking at Committee Process.** The PAS review recommended that the applicant to be allowed to speak regardless of whether there are objectors/supporters and to consider whether 10 speakers for 30 minutes as a maximum is the appropriate number. The consensus at the July P&R meeting was that 6 speakers (3 for and 3 against) would be appropriate given the proposed changes to the committee running order. These changes were given effect by the changes to the Standing Orders Part 4 paras 86.1 to 86.11 'Public speaking at meetings of the Planning and Regulatory Committee' at the Council meeting in October.
7. The feedback from those representing the applicant is that they welcome the opportunity to speak regardless of whether there are any public speakers. It enables them to present their proposal and also to clarify any matters for members. **It is proposed that this element is retained without amendment.**

8. The Chairman has mooted that the number of public speakers should be increased from 3 to 4 (for and against) and that the local member should be afforded longer given their representative status – increased from 3 minutes to 5 minutes.
9. The increased number of speakers needs to be weighed against the additional time that it will take to determine an item, however that is of itself not a reason to dismiss the proposal. In reality, this will only be an issue when proposals are particularly controversial and is only likely to occur rarely. It is in the event rare to get supporters speaking in favour of an application.
10. There is some merit in increasing the local member's allotted time given that they do represent the local community. Observations of recent committees where the local member has spoken have not indicated that the time allowed is insufficient. It would however give a bit of extra leeway.
11. The change to the number of public speakers will require further amendments to the Standing Orders so **it is proposed that the committee accepts these changes and asks Council to formally amend the Standing Orders to reflect them.**

12. Paragraph 86.5 will therefore read:

*Registration of speakers will be on a first come first served basis and speakers will be taken in the order in which they are registered, with the first **four** supporters and objectors (a maximum of **eight** in total) registered being entitled to speak. Where more than one person has registered an interest to speak, the subsequent speakers will be entitled to speak first if the first named speaker is not in attendance five minutes before the start of the meeting. Representations can be combined if necessary. A reserve list will also be maintained if necessary.*

13. Paragraph 86.6 will be amended to:

*The time allowed for public speaking will be limited to **12** minutes for objectors and **12** minutes for supporters per item, and to 3 minutes per speaker.*

14. **Running Order at Planning Committee.** The running order of the committee was changed to the following:

- 7.1. Chairman introduces the item
- 7.2. Introduction of item by officer(s)
- 7.3. Representations by objector(s)
- 7.4. Points of clarification from Members
- 7.5. Representations from supporter(s)
- 7.6. Points of clarification from Members
- 7.7. Representations by applicant or agent
- 7.8. Points of clarification from Members
- 7.9. Representation by local Member(s)
- 7.10. Points of clarification from Members
- 7.11. Consideration of application by committee

The Code of Best Practice has been amended to reflect this new running order and **it is recommended that this is retained without amendment.**

15. There were several amendments made to the County Council's Code of Best Practice Planning in October 2023. Some of these arose from the PAS review and others were proposed previously by officers in order to bring the Code up to date in terms of job titles etc. There have been no issues arising as a result of these amendments to the Code of Best Practice and therefore it is considered that no further amendments are required.
16. Officers will continue to work in conjunction with the Committee Chairman, Planning and Committee Services officers to keep the operation and running order of the committee under review.

Recommendation:

17. The Committee is recommended to retain the changes to the Code of Best Practice Planning and the Standing Orders as adopted by Council on 10 October 2023 but with amendments to the number of public speakers and the time allotted for the local member, and to ask Council to formerly amend these elements at the meeting on 9 July 2024.

CONTACT: Caroline Smith, Planning Group Manager

TEL NO. 07968 832700

Annex 1: Comments on the Changes

Members

'I am quite happy with this new order.'

'I welcome the officer introduction.

The ability to question the speaker is valuable.

I find the process more robust (less rabbit holes to go down).

The new running order seems to work well.

No other comments.'

'We rarely, if ever, get speakers 'For', so in reality, representation from the public, has been reduced from 5 to 3. 3 is much better than the way Boroughs handle this, I personally liked the more generous situation of 5 although I could agree that this was sometimes repetitive/tedious. On balance, I can settle for 3 although if something is controversial, 4 might be a good compromise..

The real problem, although it has got better, is that there needs to be clarity when the period for questions has ended and the application can be discussed. The Chairman has largely sorted this but I find it is sometimes difficult to discern,'

'Having the Officers introduction first and then having the opportunity to ask questions of the speakers is very valuable and creates a more robust process. I would support maintaining this running order.'

'The system really works and I feel flows well.

The public speakers have all been complementary about the system although a couple were nervous about being questioned. The committee has risen the challenge and the questions have mostly been answered well.

As mentioned, I think Members should be given a bit longer - if needed'

Officers

'The changes do represent an improvement and make the process more robust;

Not sure if bringing the Officer intro forward helps to better focus the committee on the planning issues. It could be argued that the later the Officer introduces the item, then the fresher the planning issues are in the committee's minds when they debate the issues. However, it seems much more logical to begin with the Officer Intro in my view. So I support the revised running order.

The ability of the Committee to ask the applicant questions is a significant improvement I believe and helps to improve the quality of decision making. Not sure that the ability of the committee to ask the local Member questions adds anything to the process and in relation to questioning public speakers, I would need convincing so remain on the fence.'

'I consider that the changed running order has made a huge improvement to the operation of the Committee. The main benefit being that Officers have a chance to introduce the item first and provide the facts of the case, as opposed to speakers who can misinterpret the proposal, cause confusion to Members and set a negative tone.

The Officer introduction first in my opinion is important, it sets the tone, the facts of the case and the material considerations and how these have been considered to reach the recommended conclusion. This will inevitably help Member when they are then listening to the speakers and objections to the proposal.

I do appreciate that the introduction of questions to speakers adds a further time delay to the committee meeting, however I do consider this to be a useful step in the process. Whilst the questions at the last Committee were not completely relevant, allowing members the opportunity to clarify comments or statements that Officers wouldn't been able to respond on is important. It may be that further training is required to focus Members at this point to just questions of clarification.

I consider that the process allows for a greater level of Member engagement with the proposal, by asking questions of the speakers, applicant and Officer and this in turn will allow them to come to a more informed decision.'

Applicants

'Do you think the changes have improved the operation of the committee? Yes, absolutely.

Do you think that the officer introduction at the beginning of the item has better focussed the committee on the planning issues rather than the objections? Yes, the officer introduction effectively sets the scene, leading to better, more informed debate from the committee members.

Do you feel that the ability to question the local member, yourselves as applicant and public speakers has enabled members to better understand applications? Yes, in the role of applicant, being present for questions from the members, able to provide clarification, has definitely been beneficial.

Do you feel that the decision-making process is more robust as a result of the changes? Yes; it appears that fewer applications are being deferred.

Would you like the changed running order to remain? Yes, definitely.

Any other comments?

Further clarification is still needed on who can speak at committee, in what capacity'


TO: PLANNING & REGULATORY COMMITTEE

DATE: 26 JUNE 2024

BY: PLANNING DEVELOPMENT MANAGER

DISTRICT(S): ALL

ELECTORAL DIVISION (S):
 ALL

PURPOSE: FOR INFORMATION

GRID REF: N/A

TITLE: CONSTITUTION REVIEW – PLANNING ENFORCEMENT AND DELEGATED AUTHORITY

SUMMARY

This report sets out proposed changes to the Constitution to give further delegated authority to relevant managers within the Planning Group in relation to Enforcement matters and to increase resilience in the delegated sign off process for planning applications. It is also proposed to remove some redundant elements in the existing Constitution.

RECOMMENDATION

It is recommended that the Committee note the proposed changes and agree that these are presented to full Council for agreement.

1 BACKGROUND

- 1.1 The Council's Constitution sets out in Section 3, Part 3A the delegated authority required to take enforcement action to address serious breaches of planning control pursuant to the Council's powers under The Town and Country Planning Act 1990 (TCPA). As set out in the Constitution, the Director of Law and Governance is instructed to take enforcement action in terms of serving Enforcement Notices, Stop Notices and Temporary Stop Notices under the TCPA and initiating appropriate legal proceedings
- 1.2 The Planning Enforcement Team is currently undergoing a number of changes and reviewing its own ways of working. This review was a key part of the Planning Group's recent Service Improvement Plan and remains a focus of the on-going Optimising Planning and Placemaking project. This review may result in an initial increase in notices being served as older cases are actioned and in the long term is aimed at taking action at the earliest opportunity. It would assist if managers within the Planning Group, in addition to the powers delegated to the Director of Law and Governance, were able to take enforcement action as described above.
- 1.3 The Constitution, within in the same section, delegates authority to senior managers and team managers within the Planning Development Team to sign off decisions on planning applications. This results in a limited number of officers who are able to

review reports and sign off delegated decisions for issuing. At times when those officers may be absent or dealing with other high priority matters, this can result in delays to the review and sign off process putting at risk the ability to issue decisions within the necessary timeframes.

- 1.4 When previous constitutional changes have been made some older elements of the constitution have ceased to be necessary but appear not to have been formally deleted. In order to remove confusion, it is also proposed to delete these now unnecessary elements.

2. PROPOSED CHANGES

2.1 Planning Enforcement Delegated Authority

It is proposed to give delegated authority to managers within the Planning Group, while preserving the authority of the Director of Law and Governance, to take enforcement action and serve the specified notices. This streamlining of the process seeks to enable the Enforcement Team to increase the throughput of work, and take action as early as possible. It is considered appropriate for managers within the Planning Group to have this delegated authority as the team responsible for Planning Enforcement. It is also proposed that the Planning Enforcement Team are no longer required to consult Legal Services where they do not consider it expedient to initiate enforcement action and thereafter to close a case. It is considered that this is a matter of planning judgement and should be the sole responsibility of that team. This change would enable the speedier closure of cases where no further action is warranted, helping to drive efficiency and performance improvements.

- 2.2 As part of these changes, and in line with the wider review of the Enforcement Team's ways of working, officers will engage with Legal colleagues at the earliest opportunity. It is therefore proposed to establish a surgery style meeting on a 6 weekly basis, building on previous arrangements. Planning Enforcement officers would be able to bring a case at any stage of investigation to this meeting to ask specific queries of legal colleagues to ensure these points are fully considered in the eventual decision of whether or not to proceed with formal action. This meeting can also be then used to discuss cases where formal action is being proposed to ensure that any legal points are addressed. However, the final decision as to whether or not formal action will be taken is for the Planning Enforcement Team and senior managers within the Planning Group.

- 2.3 Within the Planning Enforcement Team when it is determined that formal action should be taken a decision making report will be prepared by the case officer and signed off by the Planning Enforcement Team Leader or Planning Development Manager. This report should be informed by the discussions held with Legal Services as part of the regular surgery meetings or, where considered necessary by the Planning Enforcement Team Leader, during a formal consultation with Legal Services. This will continue to ensure a robust and clear decision making process. Once this report has been agreed by the relevant manager, then the case officer and senior officers within the Planning Enforcement Team would draft and serve the necessary notice at the earliest opportunity, with the intention of increasing the potential of apprehending a breach and remedying the planning harm as soon as possible. This is the ultimate purpose of Planning Enforcement and new processes should assist this.

2.4 Planning Application Delegated Authority

It is also proposed to enable Principal Planning Officers within the Development Management teams to sign off delegated decisions. These are the most experienced officers within the Service who are able to review the reports and recommendations of more junior officers given their own experience and knowledge. A process would be established within the Development Management Team that sets out which types of application Principal Planning Officers would be able to sign off, ensuring that the most controversial or complex are still dealt with by Team Leaders or senior managers. Giving delegated authority to these roles will increase resilience within the team to enable decisions to be reviewed and signed off promptly. It also would offer a professional development opportunity for the officers in those roles

2.5 Other Changes

The references to “minor” applications within the constitution refers to the delegated authority set in an earlier version of the Constitution and no longer remain relevant. It is therefore proposed to delete this to remove any potential confusion.

3 **CONCLUSION**

- 3.1 The proposed changes will help to improve the speed, efficiency and resilience of the team, helping to drive improvement in performance within the Planning Group in terms of both Planning Enforcement and Planning Application decisions. It is recommended that the Committee note and agree to these changes, subject to their final approval at full Council.

CONTACT: Sian Saadeh

Email: Sian.Saadeh@surreycc.gov.uk

BACKGROUND PAPERS:

Appendix 1 – Current Constitution (extract of Section 3, Part 3A)
Appendix 2 – Proposed changes

Appendix 1

Section 3, Part 3A Specific Delegation to Officers

The specific functions of the County Council (executive and non-executive) set out in column 3 below are delegated to the corresponding officers listed in column 4 (or any temporary replacement post holder nominated in accordance with paragraph 2.3 of the Scheme) subject to the requirements and limits of this Scheme of Delegation.

ENVIRONMENT, TRANSPORT AND INFRASTRUCTURE

No	Service area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
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Key to abbreviations:

EPA - Environmental Protection Act 1990

TCPA - Town & Country Planning Act 1990 (as amended)

No	Service area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
EAI47	Planning & Placemaking	Where fewer than 5 objections have been received and no request has been made by the local member or a member of the Planning & Regulatory Committee for the application to be determined by that Committee, to determine planning applications for minerals, waste development and County Council development which comply with the development plan and national policies	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI48	Planning & Placemaking	Where fewer than 5 objections have been received and no request has been made by the local member or a member of the Planning & Regulatory Committee for the application to be determined by that Committee, and after consultation with the Chairman or, in his/her absence, Vice-Chairman of the Planning & Regulatory Committee, to determine planning applications for minerals, waste development and County Council development which do not comply with the development plan and national policies	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI49	Planning & Placemaking Environment	To authorise representation of the Council at Public Inquiries	Director Planning & Placemaking Planning Group Manager Natural Capital Group Manager Access Team Manager Strategic Network Resilience Manager Flood Risk Planning and Consenting Team Leader
EAI50	Planning & Placemaking	To determine whether county development applications meet the criteria of 'minor'*	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI51	Planning & Placemaking	To determine whether minerals and waste applications meet the criteria of 'minor'*	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader

* For the purposes of EAI50 and EAI51 'minor' is defined as:

- (i) ancillary development to an existing use; or (ii) details pursuant to a permission; or (iii) variation or deletion of conditions previously imposed

EAI59	Planning & Placemaking	To determine whether any powers in S196A of the TCPA should be exercised.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Planning Enforcement Team Leader
EAI60	Planning & Placemaking	To instruct the Director of Law & Governance to take enforcement action and initiate the following legal proceedings where appropriate: (a) Issuing Enforcement Notices under the TCPA Section 172 (b) Serving Stop Notices under the TCPA Section 183 (c) Applications for injunctions under the TCPA Section 187B (d) Prosecutions arising from failure to comply with (a) and (b) above (e) Service of a temporary stop notice under section 171E of the TCPA (as amended)	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI61	Planning & Placemaking	Following consultation with the Director of Law & Governance to determine not to initiate enforcement action under TCPA Act Section 172 in the case of unauthorised minerals or waste related development irrespective of the requirement for an environmental impact assessment.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI62	Planning & Placemaking	To negotiate and monitor a scheme of remediation in relation to waste related development where the powers contained in EAI63 above have been exercised.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI63	Planning & Placemaking	To instruct the Director of Law & Governance to issue and serve: - (a) Breach of Condition Notices under the TCPA Section 187A (b) To instruct the Director of Law & Governance to undertake prosecutions arising from failure to comply with (a), (c) and (d). To issue and serve: (c) Planning Contravention Notices under the TCPA Section 171C (d) Notices requiring information under the TCPA Section 330	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Planning Enforcement Team Leader
EAI64	Planning & Placemaking	Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (or where relevant the appropriate predecessor regulations) to: (a) Adopt and issue screening opinions in response to requests made under Regulation 6. (b) Adopt and issue screening opinions under Regulation 8, where a submitted application is not accompanied by an Environmental Statement but falls within the scope of Schedule 2 of the Regulations.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Natural Environment & Assessment Team Manager Strategic Network Resilience Manager Flood Risk Planning and Consenting Team Leader

EAI75	Planning & Placemaking	To determine whether a proposal constitutes permitted development under any part other than Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 SI 2015 No. 596.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI76	Planning & Placemaking	To determine an application for postponement or a request for a minor extension of time for the submission of new conditions in the case of the first, second on subsequent Periodic Review Date of Mineral Planning Permissions pursuant to the Environment Act 1995.	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI77	Planning & Placemaking	To instruct the Director of Law & Governance to issue and serve: (a) Revocation Orders under S97 of the Town and Country Planning Act 1990 (b) Modification Orders under S97 of the Town and Country Planning Act 1990 (c) Prohibition Orders under paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990 (d) Suspension Orders under paragraphs 5 and 6 of Schedule 9 of the Town and Country Planning Act 1990	Director Planning & Placemaking Planning Group Manager Planning Development Manager

11

Appendix 2

EAI47	Planning & Placemaking	Where fewer than 5 objections have been received and no request has been made by the local member or a member of the Planning & Regulatory Committee for the application to be determined by that Committee, to determine planning applications for minerals, waste development and County Council development which comply with the development plan and national policies	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Principal Planning Officer
EAI48	Planning & Placemaking	Where fewer than 5 objections have been received and no request has been made by the local member or a member of the Planning & Regulatory Committee for the application to be determined by that Committee, and after consultation with the Chairman or, in his/her absence, Vice-Chairman of the Planning & Regulatory Committee, to determine planning applications for minerals, waste development and County Council development which do not comply with the development plan and national policies	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Principal Planning Officer
EAI50	Planning & Placemaking	To determine whether county development applications meet the criteria of 'minor'*	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI51	Planning & Placemaking	To determine whether minerals and waste applications meet the criteria of 'minor'*	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader
EAI60	Planning & Placemaking	To instruct the Director of Law & Governance to take enforcement action and initiate the following legal proceedings where appropriate: (a) Issuing Enforcement Notices under the TCPA Section 172 (b) Serving Stop Notices under the TCPA Section 183 (a) Applications for injunctions under the TCPA Section 187B (b) Prosecutions arising from failure to comply with an Enforcement Notice, Breach of Condition Notice, Planning Contravention Notice, Notice requiring information under the TCPA Section 330, Temporary Stop Notice or Stop Notice (e) Service of a temporary stop notice under section 171E of the TCPA (as	Director Planning & Placemaking Planning Group Manager Planning Development Manager Planning Development Team Leader Planning Enforcement Team Leader

		amended)	
New	Planning & Placemaking	<p>Following consultation with the Director of Law & Governance To take enforcement action , issue and serve the following notices where appropriate:</p> <p>(a) Enforcement Notices under the TCPA Section 172</p> <p>(b) Stop Notices under the TCPA Section 183</p> <p>(c) of a temporary stop notice under section 171E of the TCPA (as amended)</p> <p>(d) Breach of Condition Notices under the TCPA Section 187A</p> <p>(e) Planning Contravention Notices under the TCPA Section 171C</p> <p>(f) Notices requiring information under the TCPA Section 330</p> <p>(g) Apply for a Planning Enforcement Order</p> <p>(h) Enforcement Warning Notice under</p>	<p>Director of Law & Governance</p> <p>Director Planning & Placemaking</p> <p>Planning Group Manager</p> <p>Planning Development Manager</p> <p>Planning Development Team Leader</p> <p>Planning Enforcement Team Leader</p>
EAI61	Planning & Placemaking	<p>Following consultation with the Director of Law & Governance To determine not to initiate enforcement action under TCPA Section 172 in the case of unauthorised minerals or waste related development irrespective of the requirement for an environmental impact assessment.</p>	<p>Director Planning & Placemaking</p> <p>Planning Group Manager</p> <p>Planning Development Manager</p> <p>Planning Development Team Leader</p> <p>Planning Enforcement Team Leader</p>
EAI63	Planning & Placemaking	<p>To instruct the Director of Law & Governance to issue and serve:</p> <p>(a) Breach of Condition Notices under the TCPA Section 187A</p> <p>(b) To instruct the Director of Law & Governance to undertake prosecutions arising from failure to comply with (a), (c) and (d).</p> <p>To issue and serve:</p> <p>(c) Planning Contravention Notices under the TCPA Section 171C</p> <p>(d) Notices requiring information under the TCPA Section 330</p>	<p>Director Planning & Placemaking</p> <p>Planning Group Manager</p> <p>Planning Development Manager</p> <p>Planning Development Team Leader</p> <p>Planning Enforcement Team Leader</p>

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