

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

Elmbridge Borough Council

Planning Committee

Report of a meeting held on 5 December 2023

Members of the Committee:

- * Barry Cheyne (Chairman)
- * Caroline James (Vice-Chairman)

*	Liz Laino
*	Judy Sarsby
*	Charu Sood
*	Corinne Sterry
*	Janet Turner
*	Simon Waugh
*	Laurence Wells

* Denotes attendance

Substitutes:

Alex Batchelor (Substituting for Mike Axton)
Helgi Joensen (Substituting for Chester Chandler)
Alistair Mann (Substituting for Charu Sood)
Ashley Tilling (Substituting for Liz Laino)

Also present:

Tony Popham

28/23 Declarations of Interest

In respect of application numbers 2023/1333 and 2023/1359 – Brooklands College, Heath Road, Weybridge, whilst not a disclosable pecuniary or other interest under the Code of Conduct, Judy Sarsby wished that it be noted that she had worked with the Principal of Brooklands College as part of their preparations for attending the Weybridge Festival.

In respect of application numbers 2023/1333 and 2023/1359 – Brooklands College, Heath Road, Weybridge, whilst not a disclosable pecuniary or other interest under the Code of Conduct, Simon Waugh wished that it be noted that one of his sons was a former pupil at the College.

Matters of Report

29/23 Reports of the Area Planning Sub-Committees

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

The Committee received and noted the reports of the East, North and South Area Planning Sub-Committee meetings held on 6, 7 and 8 November 2023 respectively.

30/23 Planning Applications

(Link to Council Priorities: P2 – Deliver appropriate sustainable planning decisions)

Resolved that the applications set out below be determined as indicated, in accordance with authority delegated to the Committee:

(a) 2023-1333 - Brooklands College, Heath Road, Weybridge

The Committee was addressed by Ms. C. Ricketts, the applicant.

Grant Listed Building Consent with the conditions/reasons as set out in the agenda.

(b) 2023-1359 - Brooklands College, Heath Road, Weybridge

A further letter of support was received.

Updates in respect of the following matters were provided to the Committee:

- within paragraph 405 of the report, the percentage of existing category C trees should read 37.61%; and
- various updates to the following proposed conditions:
 - Condition 6 – Remediation Strategy;
 - Condition 9 – Archaeology – Written Scheme of Investigation;
 - Condition 11 – Vibration;
 - Condition 17 – Additional Arboricultural information;
 - Condition 18 – Tree Retention;
 - Condition 19 – Tree Planting and Maintenance;
 - Condition 25 – Secured by Design – prior to above ground works;
 - Condition 30 – BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings;
 - Condition 36 – Car Club;
 - Condition 43 – SANG Car Park;
 - Condition 47 – Hours of Deliveries;
 - Condition 52 – Obscure Glazing; and
 - Condition 53 – Balcony Screen.

The Committee was addressed by Ms. C. Ricketts, the applicant.

Following detailed consideration of the application, the Committee:

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

Resolved that planning permission be granted with the conditions / reasons / informatives as set out in the agenda, subject to:

- a) the receipt of a satisfactory legal agreement within 6 months of the Committee's resolution, or any such extended period as agreed with the Head of Planning and Environmental Health;
- b) the S106 Legal Agreement securing Suitable Alternative Natural Green (SANG) space provision on site for the development;
- c) the following amended conditions/reasons; and
- d) referral to the Secretary of State:

Amended conditions/reasons:

Condition 6 – Remediation Strategy

No development, within a relevant phase, approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A further site investigation scheme, based on the Phase II report (April 2023) to provide information for a detailed (hydrogeological) assessment of the risk to all receptors that may be affected, including those off-site. This scope shall include groundwater monitoring throughout and following all groundworks, including piling and have sufficient spatial and depth coverage. In addition to ammoniacal nitrogen, nitrate/total oxidised N are required to be analysed. A minimum of 2 rounds of analysis for PFAS shall also be undertaken, and based on the results, where appropriate measures must be proposed in the revised Remediation Strategy (below).

Condition 9 - Archaeology - Written Scheme of Investigation

No development shall take place in any phase until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, for that phase where relevant to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Condition 11 - Vibration

Prior to the commencement of a relevant phase, where relevant the proposed development shall be subject to a vibration impact assessment from the railway. Any vibration within the adjoining residential or commercial premises, should not exceed the base line curves identified within BS 6472 which identify vibration magnitudes below which adverse comments or complaints are rare.

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

Any vibration should therefore not exceed the levels set out in the table below:

Vibration dose values [m/s^{1.75}] above which various degrees of adverse comment may be expected in residential buildings			
	Low probability of adverse comment	Adverse comment possible	Adverse comment probable
Day [16 hr]	0.2 – 0.4	0.4 – 0.8	0.8 - 1.6
Night [8 hr]	0.1 – 0.2	0.2 - 0.4	0.4 – 0.8

The report should include details of the recommended remedial measures should vibration levels be above these levels. This assessment shall be supplied to the Local Planning Authority prior to the commencement of a relevant phase. The assessment shall be carried out in accordance with the method rating system as detailed in BS 6472:2008, and the raw data gathered shall be presented as an appendix to such an assessment.

Immediately upon completion of the development there shall be an assessment of the vibration levels to ensure compliance with the above condition. The results of the assessment shall be submitted in writing to the Local Planning Authority.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

Condition 17 - Additional arboricultural information

No development, within a relevant phase, including groundworks and demolition shall take place until all supporting arboricultural information has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the:

Condition 18 - Tree retention

All existing trees, hedges or hedgerows inside the identified site boundary shall be retained, unless shown on the approved drawings as being removed and the paragraph below shall have

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

effect until the expiration of 5 years from the first occupation of the proposed development.

No retained tree, hedge or hedgerow shall be cut down, uprooted or destroyed, other than in accordance with the approved plans and particulars. If any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies (other than through natural causes), another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner

Condition 19 - Tree planting and maintenance

No development, within a relevant phase, including groundworks and demolition shall take place until full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority.

Condition 25 - Secured by design - prior to above ground works
Prior to any above-ground works of a relevant residential phase details of full 'Secured By Design' Accreditation shall be submitted and approved in writing by the Local Planning Authority. The details shall demonstrate consultation with Surrey Police Designing Out Crime Officers and that each building or part of a building can achieve accreditation. The development shall only be carried out in accordance with the approved details and maintained thereafter.

Condition 30 - BS8233:2014 Guidance on sound insulation and noise reduction for buildings

The design and structure of the development shall be of such a standard (BS 8233:2014) that it protects residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Prior to first occupation of each relevant phase, the applicant shall carry out a post completion internal noise assessment, and submit this in writing to the planning Authority, to show that the development complies with the requirements of BS 8233:2014 in that it protects residents within it from existing external noise.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 180 of the National Planning Policy Framework and the Noise Policy Statement for England.

Condition 36 - Car Club

Prior to the occupation of the first residential dwelling, a scheme to provide a 'Car Club' shall be provided at the developers' expense. The Car Club shall include the following minimum provision including timescales.

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

- A Car Club for two cars with dedicated Ultra Low Emission Vehicle bays within the site;
- Appropriate charging points for Ultra Low Vehicle Usage;
- Residents to be provided with 3-year free membership and £50 free drive time; and
- the Car Club to be supported by the developer for a minimum of 3 years

Condition 43 - SANG Car Park

Notwithstanding the approved plans, details of the proposed SANG car park shall be submitted to and approved in writing by the Local Planning Authority, prior to first occupation of the residential element of the development. The car park shall be implemented within the timescales agreed in writing by the Local Planning Authority and shall be retained in perpetuity in accordance with the approved plans.

Condition 47 - Hours of deliveries

No deliveries relating to the operation of the college shall be made outside of the hours of 0700 and 1800 (2100 on Wednesdays) and at no time on Sundays, bank or public holidays and deliveries to the whole site should be in accordance with the Delivery and Servicing Management Plan - Appendix G4 dated September 2023.

Condition 52 - Obscure glazing

Prior to any above ground works of the residential elements within a relevant phase of the development hereby permitted a plan shall be submitted to and approved in writing the Local Planning Authority showing which properties will include obscure glazed windows to prevent harmful overlooking. Windows shall be glazed with obscure glass that accords with level three obscurity as shown on the pilkington textured glass privacy levels (other glass suppliers are available) and only openable above a height of 1.7m above the internal floor level of the room to which it serves. The window shall be permanently retained in that condition thereafter.

Condition 53 - Balcony screen

Prior to any above ground works of the residential elements within a relevant phase of the development hereby permitted a plan shall be submitted to and approved in writing the Local Planning Authority showing which properties will include balcony screen to prevent harmful overlooking. Once approved the screens shall be maintained permanently in strict accordance with the approved plans.

