

Ascot Design
Berkshire House
39-51 High Street
Ascot
SL5 7HY
United Kingdom

TOWN AND COUNTRY PLANNING ACT 1990
Town And Country Planning (Development Management Procedure)(England) Order 2015

Decision Notice:	GRANT PERMISSION (subject to conditions)
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Application Number: RU.19/1658

Proposal: Erection of a new dwelling with basement accommodation, following the demolition of existing dwelling & associated outbuildings.

Location: Kasunga
Wentworth Drive
VIRGINIA WATER
GU25 4QT

Runnymede Borough Council in pursuance of their powers under the above mentioned Act and Order **GRANT** permission for the above development in accordance with the details given on the application form and approved plans. Permission is given subject to the following **CONDITIONS**:

- 1 Full application (standard time limit)
The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.
- 2 List of approved plans
The development hereby permitted shall not be carried out except in complete accordance with the following approved plans: 17-J1947-101, 17-J1947-102, 17-J1947-103, 17-J1947-104, 17-J1947-105, 17-J1947-106, 17-J1947-LP01, Tree Protection Plan Rev A November 2019, Arboricultural and Planning Integration Report, Design and Access Statement November 2019 - all received 14 November 2019

Reason: To ensure an acceptable scheme and to comply with saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration 2001.

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- 3 External materials (samples required)
Before the above ground construction of the development hereby permitted is commenced, samples of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved shall be made without the prior approval, in writing, of the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- Reason: In order that the development harmonises with the surroundings in the interests of visual amenity and to comply with saved Policy BE2 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.
- 4 Restricted Permitted Development Rights
Notwithstanding the provisions of Classes A - E of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Classes A - E shall be constructed or carried out, without the prior written permission of the Local Planning Authority.
- Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area and to comply with saved Policies GB1 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.
- 5 Obscure glazing
Before the first occupation of the building hereby permitted, the first floor windows in the northern elevations shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the windows that are less than 1.7 metres above the floor of the room in which they are installed shall be non-opening and fixed shut. The windows shall be permanently retained in that condition thereafter.
- Reason: To avoid overlooking into the adjoining property and to comply with saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.
- 6 Control over additional outbuildings (Green Belt)
The replacement dwelling hereby permitted shall not be constructed until any additional outbuildings constructed after the date of this permission have been demolished and all resultant debris removed from the site, unless permission in writing is obtained from the Local Planning Authority for their retention.
- Reason: To protect the openness of the Green Belt and to comply with saved Policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance within the NPPF.
- 7 Demolition (Green Belt)
The replacement dwelling hereby permitted shall not be constructed until the existing dwelling known as Kasunga and the garages, swimming pool building and sheds shown on drawing number 17-J1947-LP01 and 17-J1947-104 have been demolished and all resultant debris removed from the site unless permission in writing is obtained from the Local Planning Authority for its retention.

Reason: To protect the openness of the Green Belt and to comply with saved Policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001 and guidance in the NPPF.

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Tree Retention

Except where otherwise agreed in writing by the Local Planning Authority, all trees shown to be retained on Drawing titled Tree Protection Plan Rev A Nov 2019 shall be retained until the expiration of five years from the date of the completion of the development.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001.

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Tree replacement

If any tree to be retained in accordance with Condition 8 above is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and the size, species and timing of the replacement planting shall be as specified in writing by the Local Planning Authority.

Reason: To ensure that the trees are replaced to preserve and enhance the character of the locality and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001.

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Tree replacement

If within a period of five years from the date of the planting of any tree, shrub or plant, that tree, shrub or plant or any tree, shrub or plant planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted, shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

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Tree protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, Tree protective measures shall be installed in accordance with the submitted Tree Protection Plan and Arboricultural report. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

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

Reason: To protect the trees to be retained, enhance the appearance of the surrounding area and to comply with saved policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance within the NPPF.

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Levels around protective fencing

There shall be no alteration to the ground level within any protective fencing erected around each tree or group of trees to be retained, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: To protect and ensure the retention of existing trees during the construction period and to comply with saved Policies NE14 and NE15 of the Runnymede Borough Local Plan Second Alteration 2001

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Renewable Energy

Prior to installation, details of the chosen renewable energy technology to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained, maintained and operational unless otherwise agreed in writing by the Local Planning Authority.

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

Reason: To protect the amenities of occupiers of nearby properties and to comply with saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the NPPF.

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Drainage Strategy

No development shall commence until details of the drainage strategy to include the hydrological assessments and details of the presence and depth of groundwater in the strata to be excavated for the proposed basement, details of how groundwater and surface water drainage is managed during and after completion, the potential impact on down gradient properties of any changes to drainage patterns and details of how any such impact will be mitigated have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained and maintained thereafter.

Reason: To prevent the increased risk of groundwater and surface water flooding to properties down gradient of the application site and to comply with saved Policies SV1 and SV2A of the Runnymede Borough Local Plan Second Alteration 2001 and guidance in the National Planning Policy Framework.

- 15 SuDS (scheme for approval - pre-construction)
Prior to the commencement of construction of the development hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:
- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and
 - c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.
- Reason: To ensure that surface water does not discharge into the surface water sewer and to provide a sustainable development.
- 16 Prior to the occupation of the dwelling hereby approved details of fencing to secure the lightwells hereby approved shall be submitted to and approved in writing by the Local Planning Authority.
- Reason:
In order to ensure the health and safety of the occupants and the amenities of the Green Belt are protected in compliance with Saved Policy GB1 of the Runnymede Borough Local Plan Second Alteration April 2001.
- 17 Biodiversity
The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.
- Reason: To enhance biodiversity and to comply with guidance within the NPPF.
- 18 Electric vehicle charging points (per dwelling)
An electric vehicle charging point shall be provided for the new dwelling. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The charging points shall be retained for the lifetime of the development.
- Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants, in accordance with guidance within the NPPF.

Informatives

1. **Summary of Reasons to Grant Consent**
The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.
2. **Surface Water Drainage**
The applicant can find further advice on what information is required to enable the approval of conditions in relation to surface water drainage on the Runnymede Borough Council's website www.runnymede.gov.uk Search for "surface water drainage" in the search function.
3. **BS Standards for Tree Work**
The applicant is advised that all tree work on this site should be undertaken in accordance with the British Standard 3998:2010 Tree Work - Recommendations.
4. **Habitat Trees**
Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go to www.naturalengland.gov.uk

Signed:

Christine Kelso

Date of decision:

10 January 2020

Christine Kelso

Development Manager

Your attention is drawn to the following notes:

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 with the following timescales:

Householder Applications

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Minor Commercial

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Full Applications

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Enforcement Applications (land already the subject of an enforcement notice)

A planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Enforcement Applications (land which has an enforcement notice served)

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](https://www.gov.uk)

Appeals must be made using a form which you can get from the Secretary of State online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

A copy of the appeal form and any accompanying details should be sent to the Head of Planning at planning@runnymede.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

Further Advice

Further correspondence regarding this application should bear the application number quoted on the attached decision notice.

Other consents

The applicant is advised that the attached decision notice refers only to the application made and does not convey any other consent or permission.

Applicants should satisfy themselves that any other relevant permissions are obtained before any work commences. This might include approval under the Building Regulations, consent under the Environment Agency Byelaws (in areas of floodplain) the release of any restrictive covenants on

the land or permission of any landowners.

If the property is or was a council owned property; you are required to contact the Borough Housing Manager at the Civic Centre address to ascertain consent for any alterations or works. Consents should be sought prior to any works starting

Applications for the change of use of land

Permission in these cases is given for the change of the use of the land only. It does not give consent for building or engineering operations, or to any layout or to any other matter, and it will be necessary to submit a further planning application for permission to carry out such building or engineering operations which might either be an application in 'outline' or a detailed application containing, as appropriate, particulars of any buildings to be constructed and other relevant matters.

Fire Brigade Access

Attention is drawn to Section 20 of the Surrey Act 1985 together with Approved Document B to the Building Regulations which require that when a building is erected or extended proper provision shall be made for the Fire Brigade to have means of access to the building and any neighbouring building.

Surrey Act 1985 – Section 20

Building Plans: Access for Fire Brigade

1. Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:
 - a. that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
 - b. that the building or, as the case may be, the extension of the building, will not render inadequate existing means of access for the fire brigade to a neighbouring building.
2. No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971 unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
3. Section 16 (6) and (7) of the Building Act 1984 shall apply to plans mentioned in subsection (1) above as they apply to plans mentioned in those subsections and section 36(2) to (6) of the Act shall apply as if this section were a section of Part I of that Act.
4. A person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.
5. In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

Please note should this Planning Permission contain any conditions that need to be discharged then you should submit an –“Application for approval of details by reserved condition” together with the appropriate fee.