

Mercer Planning Ltd
Castle Hill House
12 Castle Hill
Windsor
SA4 1PD

16th July 2021

Dear Sir/Madam

**Prior Approval Under
Paragraph O.2 of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted
Development) (England) Order 2015 (as amended).
Town and Country Planning (Development Management Procedure)(England) Order 2015**

Decision Notice:	PRIOR APPROVAL GRANT SUBJECT TO CONDITIONS
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Application Number: RU.21/0769

Proposal: Application to determine if prior approval is required for a proposed Change of Use from Offices (Class B1(a)) to 4no. Dwellinghouses (Class C3) under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class O

Location: Tarrant House
Christchurch Road
Virginia Water
GU25 4BE

In reference to the above Order, Runnymede Borough Council has considered the above proposal and has determined that prior approval is required and has **APPROVED** the prior approval details as submitted. You are now free to continue with the above proposal in accordance with the relevant legislation, including any relevant conditions within the GDPO 2015 (as amended), and as stated below.

The applicant is also advised that:

- a. The application site lies within 5km of the Thames Basin Heaths Special Protection Area. In accordance with guidance from Natural England, the Habitats Regulations Assessment requirements are that plans or projects which may have a likely significant effect on a European designated site (such as the TBHSPA) can only proceed if the competent authority is convinced they will not have an adverse effect on the integrity of the European site. Recent case law has suggested that likely significant effects cannot be ruled out at this screening stage, and in accordance with Natural England guidance and national legislation, the application proposal must be made subject to an appropriate assessment. In accordance with the Councils SPG, and without consideration of potential mitigation regarding the TBHSPA this application is 'screened in' to the need for appropriate assessment as it lies within a zone of influence where recreational disturbance arising from new occupation in proximity to the TBHSPA is likely to have an adverse effect.

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- b. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 in respect of development permitted by the Order, this is subject to the provisions of Article 3 which states that any permission granted by the Order is subject to the provisions of regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017.
- c. The applicant has not proposed any mitigation at this stage and therefore the appropriate assessment can only conclude that the proposed residential use of the building would have an adverse effect on the integrity of the TBHSPA. **The proposal would require prior approval for the technical reasons given but the change of use could not be implemented in the absence of avoidance of impact on the TBHSPA in accordance with Article 3.** However, the applicant can address this through a separate process with the local planning authority. The applicant will need to complete a unilateral undertaking in accordance with the Council's adopted Supplementary Planning Document on the TBHSPA and further details can be viewed on the Council's website.

Conditions required by the Local Planning Authority:

1	<p>The development hereby permitted must be completed within a period of 3 years starting with the date of this decision.</p> <p>Reason: To comply with Paragraph O.2 of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p>
2	<p>Electric vehicle charging points (20% of spaces)</p> <p>Electric vehicle charging points shall be provided to 20% of the available spaces. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. In addition, a further 20% of the available spaces shall be provided with a power supply (feeder pillar or equivalent) permitting future connection for electric vehicle charging. The charging points shall be retained for the lifetime of the development.</p> <p>Reason: To ensure sustainable design and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.</p>
3	<p>Cycle storage</p> <p>Prior to first occupation of the development, cycle storage shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such storage should be safe, secure and lit.</p> <p>Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.</p>

Informatives:

1	<p>Electric vehicle charging</p> <p>It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html for guidance and further information on charging modes and connector types.</p>
2	<p>Land Ownership</p> <p>The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.</p>

3	<p>The applicant is advised that this decision relates to the following drawing numbers and supporting documents received.</p> <p>Location Plan Existing Ground and First Floor P01 Existing/Proposed Roof Plan P02 Proposed Ground and First Floor P03 Basement Plan (Floor Plans with Parking Plan Key) Letter from Mercer Planning dated 19/05/2021</p>
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Signed:

Ashley Smith

Date of decision:

16 July 2021

Ashley Smith

Corporate Head of Development Management & Building Control

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.

As this is a decision for prior approval, 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. Details can be found at <https://www.gov.uk/planning-inspectorate>

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 he 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 him 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 him.