



Appeal Decision

Inquiry opened on 6 February 2024

Site visits made on 16 & 20 February 2024

by David Wildsmith BSc(Hons) MSc CEng MICE FCI HT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th March 2024

APPEAL REF: APP/Q3630/W/23/3329722

Weybridge Business Park, Addlestone Road, Addlestone, Surrey, KT15 2UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Bridge UK Properties 7 LP ('the appellant') against the decision of Runnymede Borough Council ('the Council').
 - The application Ref RU.22/0776, dated 6 May 2022, was refused by notice dated 24 March 2023. The development proposed is industrial redevelopment to provide 3 units within Classes E(g)ii (Research and development), E(g)iii (Industrial processes), B2 (General industrial) and B8 (storage and distribution) use, with ancillary office accommodation, new vehicular access, associated external yard areas, HGV and car parking, servicing, external lighting, hard and soft landscaping, infrastructure and all associated works following the demolition of existing buildings.
 - The Inquiry sat for 8 days on 6-9, 13-15 and 21 February 2024.
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Decision

1. The appeal is dismissed.

Preliminary and procedural matters

2. The Council refused planning permission for 3 reasons¹. In summary these were the effect of the proposed building 'Unit 100' on the character and appearance of the area; the effect of the proposed development on residential amenity; and the absence of a completed legal agreement. Following the Case Management Conference for this appeal the Council sought further advice from its new Heritage Officer² and, as a result, it took a somewhat different position at the Inquiry to that set out in its Statement of Case³ (SoC), maintaining that the appeal proposal would result in less than substantial harm to the significance of the Wey Navigation Conservation Area (CA). I deal with this matter under the first main issue.
3. Furthermore, although the Council did not refuse this proposal on highway capacity, highway safety or Active Travel grounds these were major areas of concern for both Rule 6(6) Parties who appeared at the Inquiry, **the Poets' Corner Residents' Group** (PCRG) and the Weybridge Society (WS). I deal with these matters, along with the **PCRG's** concerns regarding parking provision, under the second main issue.
4. After the Inquiry had closed, but in accordance with an agreed timescale, the appellant submitted a completed planning obligation in the form of an agreement made under section 106 (S106) of the Town and Country Planning Act 1990, as amended⁴. I deal with this in more detail under the fourth main issue.

¹ CD 4.4

² See Appendix 1 in Document (Doc) LPA-3

³ Core Document (CD) 5.2

⁴ Doc 36

5. At the Inquiry the appellant submitted an amended Block Plan to address matters raised by the Environment Agency (EA), and an amended Fencing Details Plan to more properly accord with acoustic fencing details previously agreed with the Council⁵. I am satisfied that these plans would result in no material changes to the proposed development and would not adversely affect anyone with an interest in this case. I have therefore determined this proposal on the basis of these amended plans, along with the other plans considered at planning application stage⁶.
6. The Council and others referred to an alternative industrial and logistics (I&L) scheme promoted by this appellant, on the same site, for which the Council granted planning permission, subject to conditions, in December 2023⁷. The Council regarded this consented scheme as a material consideration in the assessment of the current appeal proposal. In contrast, the appellant argued that this alternative scheme is not a relevant material consideration, but that even if it is so considered it should carry no weight as **there has been no challenge to the appellant's position** that the scheme is unimplementable. I refer to matters relating to this alternative scheme, where I consider them to be relevant, later in this decision.
7. I carried out unaccompanied visits to the site and surrounding area on 16 and 20 February 2024. On this latter date I also undertook an accompanied site visit in the company of representatives of the appellant, the Council, the PCRG and the WS⁸.

Site description, surrounding area and details of the appeal proposal

8. A description of the appeal site and the surrounding area is given in the Statement of Common Ground⁹ (SoCG) agreed between the appellant and the Council, and in **the Officer's Report** (OR) to the Planning Committee¹⁰. In summary, the appeal site comprises 2 parcels of land, separated by Addlestone Road, forming part of the Weybridge and Bourne Business Park and Waterside Trading Estate which, together, are designated as a Strategic Employment Area (SEA) within the adopted Runnymede Borough Council 2030 Local Plan¹¹ (LP).
9. The northern parcel of land has an access from Addlestone Road and contains a single vacant, office building, whilst the southern land parcel contains a total of 6 vacant office buildings and has 2 points of access, one from Addlestone Road and one from Hamm Moor Lane which runs along the southern parcel's western boundary. All the office buildings have been vacant for some years, with the most recent occupation being in August 2020. The southern part of the site abuts the Wey Navigation CA, which lies immediately to the east. The appeal site itself does not fall within the CA, nor does it contain any listed buildings.
10. **The EA's** flood map shows that the vast majority of the appeal site lies within flood risk zone 2, with just a small area along the northern edge of the southern parcel and the southern and eastern end of the northern parcel lying within flood risk zone 3a. The access to the northern parcel, over the River Bourne which runs along the southern boundary of this part of the site, is in flood zone 3b.
11. The appeal site is located within a Biodiversity Opportunity Area, whilst the River Wey Navigation is a Site of Nature Conservation Importance (SNCI). However, the

⁵ Docs 42 & 43

⁶ CDs 1.1, 1.3-1.15 & 1.17

⁷ Scheme Ref RU.23.1066 – see Decision Notice at CD 6.10 - referred to at the Inquiry as 'the consented scheme'

⁸ See Docs 22, 23 & 46

⁹ Doc 14

¹⁰ CD 4.1

¹¹ CD 9.1

site itself does not fall within the SNCI. Land beyond the River Wey Navigation to the east of the southern parcel, and to the north of the northern parcel is Green Belt, but none of the development proposed would be within the Green Belt.

12. The appeal site is located close to the Strategic Road Network. Link Road runs north from the Addlestone Road/Hamm Moor Lane roundabout and gives access to the A317 Weybridge Road, which in turn provides access to the M25 Motorway at Junction 11 which lies about 3.2 kilometres (km) (2 miles) to the north-west.
13. **The appeal site's immediate surroundings to the south and west are predominantly industrial/commercial properties within the SEA, which wraps around a residential area known locally as Poets' Corner.** This comprises 6 residential streets containing about 177 predominately 2-storey semi-detached houses. Byron Road, from its junction with Hamm Moor Lane, provides the only access to this residential area as use of a former route into Addlestone town centre, along Shakespeare Road and Alexandra Road, is now prevented by means of a permanent vehicular road closure.
14. The closest residential properties to the appeal site are Navigation House, a 3-storey block of flats on the western side of Hamm Moor Lane; a first-floor flat above a café at the junction of Hamm Moor Lane with Byron Road; and further flats at Bourneside House above the Mazda Garage on Addlestone Road. There are also detached and semi-detached houses on the northern side of Addlestone Road, east of the appeal site, the closest being New House and Bourneside, and a residential property at Wey Meadows Farm on the eastern side of the Wey Navigation.
15. Under the appeal proposal all 6 existing buildings on the southern site would be demolished and replaced by a single building referred to as Unit 100. The single building on the northern site would also be demolished and replaced by 2 abutting buildings (Units 210 and 220). Prior to determination, as a result of discussions with Council Officers, the appellant amended the scheme layout for the southern site, repositioning Unit 100 away from the eastern side of the site, towards Hamm Moor Lane; moving the service area to this eastern side; and reducing the parapet height of this building from 18 metres (m) to 15m.
16. At 16,925 square metres (sqm) the proposed buildings would have a similar Gross Internal Area to that of the existing buildings – 16,536 sqm. Unit 100 would be broadly rectangular, with a length of some 145m, a width of about 83m, and a parapet height, as just noted, of 15m. Its set-back ridge would be at a height of 16m. It would have a 'cut-out' area at its south-western corner, a projecting office element at its north-eastern corner, and a lower 2-storey transport office in the middle of its eastern elevation. The building would have 14 Dock Loading Doors and 4 Level Access Doors, with a service yard on its eastern side. It would also have a total of 77 car parking spaces.
17. Unit 210 would measure some 47m by 27m, with Unit 220 measuring about 46m by 32m. Both would have a parapet height of 15m and both would have 2 Level Access Doors on the buildings' south elevation. A total of 54 car parking spaces would be provided on this northern site.

Main issues

18. With the preceding points in mind, and having regard to the evidence submitted by all parties, I consider the main issues in this case to be:
 - the effect of the proposed development on the character and appearance of the surrounding area, including on the setting of the Wey Navigation CA;

- its effect on the safety and convenience of users of the adjacent and nearby highway network, and on sustainable travel options in the area;
- its effect on the living conditions of nearby residents, with particular reference to noise and disturbance from on-site operations and the likely comings and goings of large goods vehicles; and
- whether any submitted planning obligations and/or planning conditions would adequately address the impacts of the proposed development.

19. I have considered it appropriate to deal with highway matters as the second main issue as noise concerns, dealt with under the third main issue, are dependent on the assumed traffic flows. Following my assessment of the main issues I look briefly at other matters raised, before moving on to assess the benefits and disbenefits of the proposal, carry out a final planning balance, and reach my overall conclusion.

Reasons

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan for the area unless material considerations indicate otherwise. The SoCG confirms that in this case the development plan includes the LP, adopted in July 2020. **The Council's** reasons for refusal allege conflict with a number of LP policies and I discuss these, along with other relevant policies, under the various main issues.

21. The National Planning Policy Framework¹² (NPPF), last updated in December 2023, is a material consideration in this appeal. Its paragraph 11(c) explains that development proposals that accord with an up-to-date development plan should be approved without delay. I address the relevant NPPF policies throughout this decision. The Planning Practice Guidance¹³ (PPG) is also an important material **consideration in the determination of this appeal, as are a number of the Council's** adopted Supplementary Planning Documents¹⁴ (SPDs) and other relevant documents¹⁵ as detailed in paragraph 1.13 of the SoCG.

Main issue 1 – the effect on character and appearance, and heritage impact Policy considerations

22. The **Council's** first reason for refusal alleged that by reason of its position, form, scale, mass and significant bulk, the proposed building Unit 100 would result in an overtly prominent, dominant and visually overbearing form of development which would have a detrimental impact to the character and appearance of the area, and thereby be contrary to LP Policy EE1, the Runnymede Design Guide SPD¹⁶, the NPPF¹⁷ and the National Design Guide¹⁸ (NDG).

23. In addition the Council now also alleges, in Ms Temple's proof of evidence¹⁹ (PoE), that the proposed development would result in less than substantial harm to the setting the Wey Navigation CA, and would therefore be in conflict with LP Policy EE5. The PCRG **shares the Council's view that** the proposal would fail to comply with LP Policies EE1 and EE5, and also alleges conflict with LP Policies EE3 and EE9. There is no reference in the Decision Notice to Units 210 and 220 in the

¹² CD 8.1

¹³ See relevant sections at CDs 8.4A, 8.4B, 8.4D, 8.4E & 8.4F

¹⁴ See CDs 10.1, 10.2, 10.3 & 10.4

¹⁵ See CDs 8.5, 8.7, 8.8, 8.9 & 8.10

¹⁶ CD 10.1: Runnymede Design Supplementary Planning Document (SPD)

¹⁷ The reason for refusal references the 2021 version of the NPPF, current at that time

¹⁸ CD 8.5

¹⁹ Paragraph 6.13 in Doc LPA-2

context of this first reason for refusal so, like the Council, I have focussed on the impact of Unit 100 under this first main issue.

24. With regards to the identified LP policies, Policy EE1 states, amongst other things, 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. It makes clear that development proposals will be supported where they create attractive and resilient **places which make a positive contribution to the Borough's townscape, public realm and/or landscape setting** and which will endure into the long term, paying particular regard to layout, form, scale, materials, detailing and any guidance set out in **adopted planning documents including the Council's Design SPD. The policy's** supporting text indicates that it is important for the design of development not just to consider how an individual building will look in its surroundings but also the impacts of development on the wider townscape.
25. The Design SPD seeks to ensure that developments of all scales and types complement and build upon the character of the area in which they are located. Its Design Standard 6 deals specifically with how development should respond positively to local character and explains that this exercise should start with the character types already identified, and should then be supplemented by a more detailed analysis of local character in the vicinity of the site. It goes on to explain that the identity or character of a place comes from the way that buildings, streets, landscape and infrastructure combine together and how people experience them.
26. **Policy EE3 is the Council's Strategic Heritage Policy and it** makes it plain 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 SPD which the Council may produce. Policy EE5 deals specifically with CAs and states, amongst other things, that development within or affecting the setting of a CA, including views in or out, should protect, conserve, and wherever possible enhance, the special interest, character and appearance of the CA.
27. Policy EE9 deals with Biodiversity, Geodiversity and Nature Conservation and explains that development on or adjacent to a listed hierarchy of important sites – including SNCI as here – will need to pay particular attention to the requirements of this policy. For development proposals that affect such sites, permission will only be granted where it can be demonstrated that the benefits of the development would clearly outweigh the harm to the site. However, this policy has not been referred to by either the Council or the appellant in the context of this first main issue, and whilst the PCRG do allege a conflict with this policy no further firm evidence or elaboration on this matter has been provided. I am therefore not persuaded that this policy should play a part in the consideration of this main issue.
28. In a similar way I note that whilst **the Council's first reason for refusal alleges a** conflict with the NDG, neither its SoC nor **Ms Temple's PoE** make any specific reference to any part of this document. Nor was any part of the NDG specifically referred to by any other party to this appeal. As the introductory section of the NDG reiterates NPPF guidance that creating high quality buildings and places is fundamental to what the planning and development process should achieve, I have placed more weight on the specific references made to the NPPF than the more general references made to the NDG.

29. Finally, the Council highlighted the Surrey Landscape Character Assessment²⁰ (SLCA), which is referred to in both the Design SPD and the supporting text to LP Policy EE1. It is also referred to in the appellant's updated Townscape and Visual Impact Assessment²¹ (TVIA) submitted to support the application. However, this latter document makes it clear that it is only the western, northern and eastern areas of the northern part of the appeal site which lie within Landscape Character Areas (LCAs) defined by this study²². As the Council raised no objection to development on this northern parcel of land in the context of this first main issue, **either in its reasons for refusal or in Ms Temple's PoE, I do not consider the SLCA to be of any particular relevance in my consideration of this first main issue.**

Effect on character and appearance

30. I deal first with the effect of the proposed development, specifically Unit 100, on the character and appearance of the surrounding area. In so doing I have had regard to the **appellant's** updated TVIA, together with relevant Design²³, Heritage and Townscape²⁴ evidence submitted for the appellant by Mr Longden and Ms Mason. I have also had regard to relevant evidence from the Council²⁵ and the PCRG²⁶, along with **the evidence submitted in support of the PCRG's case by Mr Stearman**²⁷, a retired architect with extensive experience of large-scale projects.
31. The Design and Access Statement²⁸ (DAS) and its later Addendum²⁹ show that the appeal site lies within an industrial/office-use area which wraps around the Poets' Corner residential area. In the Design SPD these industrial and office-use areas are both categorised as a 'Commercial' character type, with the residential use being termed a 'Formal suburban (town)'³⁰ character type. This is shown clearly within Ms Mason's Heritage and Townscape PoE³¹ and I saw at my site visits that this wider area is mixed in terms of building size and grain with the office and industrial uses characterised by larger buildings in larger plots than the residential uses, but with no type or style of building dominating. As such it seems to me that the various building forms currently sit reasonably comfortably alongside one another.
32. In my assessment this close connection between these 2 character types plays out not only in their physical juxtaposition, with the suburban character type abutting the western edge of the appeal site, but also because Byron Road provides the only vehicular access and egress **point for the Poets' Corner residential area. This means** that every motorised journey into or out of this area passes through a large part of the commercial area, such that local residents experience its form, layout and character on a very regular basis. In addition I was told that many local children attend schools in either Weybridge or to the north of Weybridge Road and either walk or cycle through much of this commercial area. With these points in mind I **share the Council's view that the close proximity** of these character types, and the access considerations just referred to, serve as a constraint on what might otherwise be carried out in a commercial area.

²⁰ CD 9.5

²¹ CD 2.9A-G

²² The western and northern parts lie within LCA3: Thames River Floodplain, whilst the eastern part lies within LCA7: Lower Wey River Floodplain

²³ Docs APP-1-A & B

²⁴ Docs APP-4-A to E

²⁵ Docs LPA-1 to 6

²⁶ Docs PCRG-1 to 4

²⁷ Docs 6 & 29

²⁸ CD 2.47

²⁹ CD 2.8

³⁰ Referred to hereafter as simply 'suburban', for ease

³¹ See Figure 2.1 in Doc APP-4-A

33. As already noted, the southern part of the site currently contains 6 vacant office buildings which are surrounded by large areas of hardstanding laid out as car parking with some soft landscaping areas. These buildings range from about 8.5m to 12m in height and have recessed plant structures on their roofs, increasing the **buildings' overall height**, in one case to around 14m. Whilst these plant structures can be clearly seen from certain locations they are generally limited in size and do not extend over the whole roof area. As such, I consider that the heights of these existing buildings are more naturally defined and discerned by their parapet levels, as these generally form the most obvious and prominent part of the buildings, closest to the viewer and reflecting the relevant buildings' overall footprint.
34. These existing buildings would be replaced by Unit 100, which at some 145m by 83m, with a parapet height of 15m, would be by far the largest and bulkiest single building within this commercial area. I acknowledge that along the eastern side of the site the chosen design and building positioning means that built form would be pulled further back from the site boundary than is currently the case, as can be seen from the 'Comparative Boundary Distances' plan³². However, whilst Unit 100 would be marginally closer to the Hamm Moor Lane/Addlestone Road roundabout than the existing buildings, it would result in built form of appreciably greater height, mass and scale than the existing buildings being sited noticeably closer to Addlestone Road, for most of the **site's** northern side. To my mind this northern elevation, with an overall length of some 100m, would be seen as a dominating presence when viewed from Addlestone Road, notwithstanding the articulation provided by the projecting office section.
35. **A similar situation would arise on the site's western side where**, apart from one short section of around 20m in length, **Unit 100's virtually unbroken elevation** would be brought closer to the site boundary, to within a few metres of the footway at a couple of 'pinch points' towards the southern end. The closest position, opposite the café to the south of Byron Road would be where the frontage would step back at the aforementioned cut-out. As such I accept that the elevations would recede somewhat in the view from this point, but because of the proximity to the footway and the height of the elevations, the building would still appear as a dominant feature at this point in the street-scene.
36. Whilst Mr Longden recognised, in his PoE, that unlike many sites Unit 100 "needed to respond to a number of sensitive receptors while adopting a gateway, high **quality design aesthetic**", **I am hard pressed to see any reference in either the DAS or Mr Longden's PoE as to how** the design of this very large building has taken account of the nearby presence of a large, suburban character area. I acknowledge that the proposed vertical cladding along this sensitive western elevation has been designed to diminish in dominance as one travels south down Hamm Moor Lane, with the colours lightening towards the southern corner and with translucent panels adding variety and interest. But whilst this vertical cladding would contrast with the horizontality of this long almost unbroken elevation, I consider that it would also serve to emphasise the increased height of the built form, and would do little to prevent the bulk and scale of the building from still being very apparent.
37. From the west, **within the Poets' Corner residential area**, some glimpsed views of the upper part of Unit 100 could be visible between some of the existing houses, but the main views would be eastward along the length of Byron Road onto the western elevation of Unit 100, as shown in Viewpoint 5³³. Ms Mason considered that

³² Doc 33

³³ See Appendix 3 in Doc APP-4-B

at Year 1 the development would result in a minor adverse impact as proposed Unit 100 would alter the scale and layout of buildings visible from the suburban character area. She then maintained that the magnitude of change would diminish to a medium-low scale, impacting on a localised part of the character area. She further argued that the overall effects would be minor, leaning towards neutral as the proposed planting matures.

38. However, whilst it is possible to discern a difference in the extent of planting between Year 1 and Year 15 in the representative viewpoint visualisations along Byron Road I am not persuaded that, as shown, the planting of semi-mature trees would reduce the visual effect of Unit 100 to a neutral impact as Ms Mason claims. In my assessment Unit 100 would clearly have a much greater impact than this, with planting struggling to shield the taller elevation and much greater bulk.
39. Moreover, assessing the likely impact of the proposed development is not just a case of comparing 'before' and 'after' views shown in any of the submitted viewpoints, but requires a more holistic assessment having regard to both kinetic and spatial implications. Unit 100 would 'fill the gaps' which currently exist between the existing office buildings, changing the more open feel and appearance of the site to one dominated by a very large, tall and bulky building, especially at the northern and western sides of the site where people would pass in relatively close proximity. As such I consider that Unit 100 would be an ever-present and somewhat overbearing physical presence to those travelling along a significant length of Hamm Moor Lane and Addlestone Road, notwithstanding the cut-out at its south-western corner, and the office projection on the northern elevation.
40. Ms Mason considered that when viewed from the east, across the Navigation, the proposed development would result in a moderate adverse effect in the short to medium term, but that with the extensive planting proposed **for the site's eastern** boundary the long-term nature of effect would be neutral. Having regard to the fact that a line of existing industrial buildings already borders the Navigation to the south of the appeal site; that Unit 100 would be set noticeably further back into the site than the existing office buildings; that Bridge House would be removed; and that significant planting is proposed along this boundary, I do not consider that the impact on character would be unacceptable from eastern viewpoints. I therefore do **not disagree with the appellant's assessment of a neutral effect in the long term.**
41. Overall, I have no reason to doubt that the form, scale and design of Unit 100 has resulted in a building which would be fit for its intended (I&L) purpose, and would therefore function well, as required by paragraph 135(a) of the NPPF. Furthermore, with a site coverage of some 53%³⁴, it would go some way to satisfying paragraph 135(e) of the NPPF, by optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, although the amount of green space does seem somewhat limited, but perhaps not unexpected in the context of a SEA such as this.
42. However, as already noted, I consider it much more difficult to see how the chosen design has sought to respond to the local context, including the built and natural character of the area and wider townscape, as is required by LP Policy EE1, the Design SPD and NPPF paragraph 135(c). **Indeed, having regard to Mr Longden's** written and oral evidence there appears **to be some merit in the Council's** contention that what were termed 'institutional standards'³⁵ for logistics operators

³⁴ Paragraph 4.29 in Doc APP-5-A

³⁵ See, for example, pages 11-13 of CD 2.8

were significant and indeed primary factors and drivers of the finally chosen design. This appears to be recognised by Mr Longden in his PoE³⁶.

43. That said, it was also apparent, as a result of **Mr Longden's cross-examination**, that there is some flexibility in these standards, such that a differently-designed, smaller-scale scheme could also meet these standards to provide accommodation for the logistics industry, albeit Mr Longden clarified that a smaller-scale scheme with different footprint buildings would not meet the same logistics need as would Unit 100. On this point, the Council highlighted the fact that the DAS for the consented scheme specifically indicates that the building scale has been designed to suit operational requirements and institutional standards³⁷.
44. Mr Green, **the appellant's planning witness**, commented that an industrial building is, by its very nature, a large structure which will always be noticeable³⁸. However, whilst it is self-evident that an industrial building of some 9,300 sqm would be a very large structure, I have seen nothing to indicate that future re-development of this part of the Weybridge Business Park has to be a building of this size. That is clearly the **appellant's choice**. **Indeed, whilst not** seeking to dwell on this point, it is apparent that an alternative design of industrial buildings would be possible for this site, as evidenced by the forementioned consented scheme.
45. Moreover, whilst the appeal site itself clearly lies within a SEA, as noted many times **above, this SEA wraps around a fairly large, residential area**. As such, **Mr Green's** comments that the character of the area is defined by the presence of industrial and commercial buildings, and that Unit 100 would fit in well with the commercial nature of the surrounding industrial and office buildings³⁹, only paint a partial picture of the townscape within which this proposed building would sit.
46. Finally on this matter, as part of my unaccompanied site visits I was asked to visit the Brooklands Industrial Park (by the WS), and the Chertsey Business Park and SIG Distribution at Slough (by the appellant). However, whilst I saw buildings of a similar size and scale to Unit 100 at these locations, none of them seemed to me to lie within a similar townscape context, or have such an intimate relationship with nearby residential areas as is the case with the current proposal. These facts and observations reinforce my view that Unit 100 would fail to respond acceptably to its local context, as is required by LP Policy EE1.
47. Taking all the above points into account I consider that whilst Unit 100 has clearly been designed to be an industrial building located within a SEA, its size, scale and bulk mean that it would be an overly prominent, dominant and visually overbearing form of development which would not respond well to the local townscape context. I therefore conclude that it would not amount to good quality design, but would have a harmful impact on the character and appearance of the surrounding area. Accordingly it would be in conflict with LP Policy EE1 and with paragraph 135(c) of the NPPF, and would also be at odds with guidance in the Design SPD.

Heritage impact

48. In the **appellant's** Heritage and Archaeology Statement⁴⁰ a number of designated heritage assets in the general vicinity of the appeal site were identified. These include the Wey Navigation CA; 3 Grade II listed buildings at Coxes Lock Mills,

³⁶ Paragraph 4.4 of Doc APP-1-A

³⁷ Page 45 of CD 6.5B

³⁸ Paragraph 5.19 in Doc APP-5-A

³⁹ Paragraphs 5.20 & 5.21 in Doc APP-5-A

⁴⁰ CD 2.13

some 400m to the south of the appeal site; and a Grade II listed bridge over the River Wey, located some 500m to the east of the appeal site. None of the main parties consider that the appeal site contributes to the setting or the significance of any of the listed buildings or structure, and I share that view.

49. There is, however, general agreement that the adjacency of the appeal site to a length of the Wey Navigation CA means that the site forms part of the setting of the CA, and the impact of the proposed development on the significance of this heritage asset therefore needs to be assessed, in accordance both with the requirements of the LP policies referred to above and also NPPF section 16, which deals with conserving and enhancing the historic environment.
50. Information on the Wey Navigation CA provided to the Inquiry in the form of CD 11.24 falls well short of a full and detailed appraisal, but does explain that the designation of the Runnymede section of the Wey Navigation as a CA, in 1999, formed part of a comprehensive strategy to designate a linear CA along the total length of the Wey and Godalming Navigations, which run for 32 km (20 miles) and pass through 5 local authority areas. As the Navigations form the country's second oldest man-made inland waterway, and the southernmost extremity of the inland waterway network, they were considered to be of great archaeological and historical importance, with the whole area meriting CA designation by virtue of its antiquity, appearance and special quality.
51. In this regard the construction of the waterway involved other engineering works including locks, weirs and other means to manage the flow of the river. Together with associated structures such as lock-keepers' cottages, mills, storehouses, stables and wharves the waterway makes up a unique man-made feature. The section of the Wey Navigation that passes through Runnymede is noted as having a distinctive and attractive character, with great historic interest rooted in its past and continuing use as a navigable waterway.
52. With these points in mind I consider that the significance of the CA derives mainly from its historic interest, as an illustration of the evolution of waterway and navigation techniques and their role in industrial and commercial activities going back to the Industrial Revolution. This significance is contributed to by remnants of **the Navigation's** industrial past, such as the lock and weir mechanisms and other features referred to above. I also acknowledge that the section of the linear CA in the general vicinity of the appeal site has a visually pleasing aesthetic quality as a result of both its industrial structures at Coxes Lock Mills, now converted to residential use, and its natural surroundings which includes Green Belt land to the east. But as the CA was not designated for any visual or aesthetic qualities it may have, these aspects make little contribution to understanding **the CA's significance**.
53. The **appellant's** Heritage and Archaeology Statement indicates that there was an industrial sawmill on the site in the 1870s, with photographs from the 1950s confirming the relationship of this part of the Wey Navigation to more modern, 20th century industry in the form of what appears to be extensive industrial buildings and activity both on the appeal site and land to its south and west. These industrial buildings have long gone and insofar as the appeal site is concerned, have been replaced with office buildings, now all vacant. In my assessment these office buildings and their associated hard-standing parking areas do not make any meaningful contribution to the **CA's significance**.
54. There is no dispute that the appeal proposal would bring about a noticeable change to the appearance of **this part of the CA's setting**. Firstly, all of the existing vacant

office buildings on the site would be removed, including the dark-glazed Bridge House which sits just some 1.7m away from the **Navigation at the site's eastern corner**⁴¹. The other existing buildings are located somewhat further away to the west, with the closest building being sited some 16.3m away from the Navigation.

55. Unit 100 would be located appreciably further away from the Navigation, being about 30.75m distant at its closest point. In addition, the treatment proposed for **the building's eastern elevation** would comprise horizontal banding graduating from dark to light as the building rises. Mr Longden explained that the darker elements would 'ground' the build form, while the lighter colours would reduce in prominence as they ascend. Although taller than the existing buildings this elevational **treatment and the building's proposed positioning** means, in my assessment, that the admittedly much larger Unit 100 would not be unduly prominent when viewed by observers on the towpath on the eastern side of the Navigation, or on Black Boy Bridge across the Navigation.
56. **I have noted the Council's view** that the location of the service yard would increase activity adjacent to the Navigation and reduce its tranquil, aesthetic quality, and I accept that the activity of Heavy Goods Vehicles (HGVs) manoeuvring, loading and unloading would undoubtedly be seen and heard by those on the eastern towpath and on Black Boy Bridge. However, any such noise and activity would be significantly shielded and dampened by the proposed acoustic fencing and planting. In any case, whilst acknowledging that there would be no functional link between activity on the appeal site and the Navigation, I nevertheless **share the appellant's** view that this industrial character and appearance would not be unduly out of keeping at this location, having regard to the site's aforementioned industrial past.
57. I have also had regard to the fact that the appeal site only represents a very small part of the overall setting of this 32km long CA, and that views of the proposed development would be relatively limited in the context of the CA as a whole. As a result **I consider that changes to the appeal site's appearance and any consequent** change to the setting of the CA would not undermine or adversely impact upon the heritage significance of the CA. Overall, I consider that the proposed development would have a neutral impact on the special interest, character and appearance of the CA. I therefore conclude, like the appellant, that the proposed development would result in no harm to the significance of the Wey Navigation CA though this change to its setting.
58. In coming to this view I have been mindful of the views put forward by Mr Norris for the National Trust⁴² (NT). In summary these are firstly, that notwithstanding the proposed reduction in height of Unit 100 and its repositioning further from the Wey Navigation, it would be visible in views along the Wey corridor and, because of its height and mass, would adversely impact on the character and appearance of the CA; and secondly, that activities within the proposed service yard would have an adverse impact on the visual amenities along the Wey Navigation, and that light and noise from the service yard would also have an impact upon the amenities currently enjoyed by boat users of the Navigation and by users of the towpath.
59. I deal with this second point in more detail under the third main issue, but on the first point Mr Norris provided no clear assessment of how he considered the proposed development would impact on the heritage significance of the CA.

⁴¹ See Doc 33: 'Comparative Boundary Distances' Plan

⁴² Doc 5

Because of this, his submission does not provide any firm reasoning or additional information to cause me to alter my conclusions, already set out above.

60. Drawing the above points together, I conclude that the proposed development would have a neutral impact on the special interest, character and appearance of the Wey Navigation CA, and would therefore not result in harm to the significance of this heritage asset. Accordingly, the proposal would not be in conflict with LP Policies EE3 or EE5, nor with section 16 of the NPPF.

Main issue 2 – safety and convenience of users of the adjacent and nearby highway network, sustainable travel and parking

Safety and convenience

61. LP Policy SD4 states that the Council will support 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. It requires development proposals which generate significant traffic movements to be accompanied by a Transport Assessment (TA) which considers the impact of the proposal on the highway network and identifies the measures to mitigate impacts to acceptable levels. It also explains that relevant design and parking standards for vehicle and cycle parking within development **proposals will be assessed against the Council's** current adopted guidance.
62. Also of relevance is paragraph 115 of the NPPF, which 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.
63. **From the appellant's** highways and transport evidence, submitted by Mr Frisby, it is clear that throughout the pre-application and application process the appellant had discussions with National Highways (NH) as strategic highway authority and Surrey County Council (SCC) as local highway authority on matters such as the scope of the TA⁴³ and the TA Addendum⁴⁴ (TAA). This latter document was submitted as part of the assessment of the revised layout proposal.
64. The TA and TAA adopted the 'industry standard' method of assessing the traffic impact of a proposed development in a case such as this, namely assessing the likely traffic generation from the proposed use, using appropriate data from the TRICS⁴⁵ database, and comparing it against the existing traffic generation of the site in question. Where a development site is already in active use the existing traffic can be directly surveyed. But where the site has a lawful use but is currently vacant – as here – a different approach is required. In this case the appellant assessed the likely traffic generation of the existing offices using TRICS data for comparable office sites in similar 'edge of town' locations. This approach is, again, standard practice in transport assessments and was not objected to by NH or SCC.
65. I am well aware that the Rule 6(6) Parties have questioned the validity of such an approach, in light of the changed work patterns of many people and businesses following the Covid pandemic, and I have noted the comment made by Mr Green that it seems unlikely at the present time that the site could be occupied again as

⁴³ CD 2.15B

⁴⁴ CD 2.16

⁴⁵ TRICS: Trip Rate Information Computer System. A comprehensive database which can be interrogated to establish the likely trip rates from a proposed development, based on surveyed trip rates from existing developments which have similar characteristics to the particular development under consideration

offices, although he does go on to say that such a re-use could not be ruled out. On this matter I note that under cross-examination Mr Watts for the PCRG did not dispute that consideration of the fallback office use was relevant, accepting that it is a common technique in transport assessments. That said, he maintained that if an office use were to return to the site it is unlikely to generate traffic at the intensity implied by the pre-Covid office trip rates, such that the assumed office generation figures should be given little weight.

66. Whilst I understand this point of view, it remains the case that the amount of traffic generated by the lawful office use – at the pre-Covid rates - will have been considered acceptable by the highway authorities in the past, such that there would be no impediment to such a use resuming in the future. With this in mind, and as no technically robust and justified alternative figures have been put forward by any party, or any reasonable alternative method of assessment suggested, I give the office-use traffic figure supplied by the appellant appreciable weight.
67. Adopting this approach the appellant demonstrated, to the satisfaction of both NH and SCC, that the proposed development would generate noticeably less 2-way traffic in both the morning and evening peak-periods, using appropriate TRICS data for either Industrial Estates or Commercial Warehousing, than the previous office use. In summary, the office use is predicted to generate 257 2-way Passenger Car Unit⁴⁶ (PCU) movements in the morning peak hour, and 225 2-way PCU movements in the evening peak hour. This compares to predicted figures for an Industrial Estate of 94 PCUs in the morning peak and 103 PCUs in the evening peak; and in the case of Commercial Warehousing, the figures would be 39 PCUs in the morning peak and 19 PCUs in the evening peak⁴⁷.
68. A subsequent 'sensitivity test', using what was termed the 'worst-case' traffic generation assumption of all 3 proposed buildings operating as a parcel distribution centre (PDC), using available TRICS data for such a use, was also provided to NH and SCC. Although this test was based on the original scheme proposals, which had a somewhat greater Gross External Area than the scheme now at appeal, it still showed that the 2-way peak period traffic would be lower than for the office use. The predicted 2-way figures were 211 PCUs in the morning peak and 207 PCUs in the evening peak⁴⁸.
69. On the basis of this information both NH and SCC were satisfied that even if the proposed development was to operate, in its entirety, as a PDC there would be no net increase in peak period traffic on the network, compared to the office use. These PDC figures seem to me to be robust as they were based on a greater floor area than is now proposed, and although the appellant accepted that the TRICS PDC data is both limited and generally outdated, it was the only such data available at the time the assessments were undertaken.
70. I accept that with the assumed PDC trip rates, daily traffic flows would be predicted to increase if the proposed development was to proceed, but there is no firm evidence to indicate that this would result in any unacceptable capacity or safety issues. I note the general comment in the LP that the A317 is considered to be a 'congestion hotspot'⁴⁹, but with no further detailed technical evidence submitted on this matter I am only able to give this generalised comment limited weight.

⁴⁶ HGVs have been converted to PCUs using a factor of 2.5 – ie 1 HGV is equivalent to 2.5 PCUs

⁴⁷ See Table DJF001 in Doc APP-2-A

⁴⁸ See Summary Table on page 24 of CD 4.1

⁴⁹ Paragraph 5.42 of CD 9.1

71. The sensitivity 'worst-case' assessment of the whole of the proposed development was undertaken not only to allay the concerns of the highway authorities in highway capacity and operational terms, but also to address significant concerns expressed by local people, including the PCRG and the WS, that the development could be operated as what was termed an 'Amazon-style' 'high-intensity' PDC.
72. On this point I have been mindful **of the evidence put forward by the appellant's** Design, Highways and Planning witnesses that although the proposal is for a speculative I&L use, with no known end-user in mind, there are several factors which significantly mitigate **against the development's use as a high-intensity PDC**. These include the fact that servicing is only proposed on one side of Unit 100; the size of the service yard is restricted and would not be able to provide for a very high through-put; and there would be a relatively limited number of loading doors **compared to the building's size**.
73. The evidence before me is that the scheme has been designed to meet the general needs of a wide range of Use Class B2 and B8 operators, quite possibly with some element of parcel distribution, but not suitable for a high-intensity PDC use for reasons just given. In this regard Mr Green provided a list of the type of operators who could well be interested in a building such as Unit 100⁵⁰. No firm, authoritative evidence was put forward to counter the points just set out, or to argue against the likely type of user suggested by Mr Green. In these circumstances I see no good **reason not to accept the appellant's position** on these matters.
74. Because of this I also give weight to the additional trip-generation information submitted by Mr Frisby through his PoE and Rebuttal PoE, dealing with what were referred to as 'proxy' sites. These were explained as being existing developments located within a broadly similar geographical location and being considered more representative of the currently proposed development in terms of scale, size and design than the TRICS PDC sites. Put simply, when compared to proposed Unit 100 these proxy sites also have single-sided loading facilities; a comparable number of dock-level doors; comparable floor areas and comparable car parking provision⁵¹. This contrasts with the developments which comprise the TRICS PDC data-set, which generally have **multi-loading faces; 360°** vehicle circulation of the building; and, in one case, multi-storey car parking provision.
75. It is clear that these proxy sites are not identical to proposed Unit 100 and their choice was criticised by both PCRG⁵² and the WS⁵³. That said, whilst the PCRG maintained that several of the proxy sites do not operate overnight, the appellant points out that none of the sites are subject to a ban on overnight working⁵⁴. Moreover, no evidence was submitted to suggest that the uses carried out at the proxy sites could not be accommodated and carried out in Unit 100. It is also apparent to me that the expert witnesses representing the appellant have more relevant experience of the design and operation of such developments than do the representatives of either of the Rule 6(6) Parties.
76. In these circumstances I consider it appropriate to give greater weight to the **appellant's views on these matters**, and I therefore conclude that it is reasonable and acceptable to use the quantum of trips predicted to be generated as a result of the proxy site investigations and surveys, in the assessment of the current appeal

⁵⁰ See Appendix to Doc 24

⁵¹ See Table 2.1 in Doc APP-2-B, paragraph 3.3.8 in Doc APP-2-C, and paragraph 47 in Doc 52

⁵² Section 2 of Doc PCRG-7 and paragraph 26(d) of Doc 50

⁵³ Paragraphs 13-15 of Doc 49

⁵⁴ See paragraph 67 and its footnotes, in Doc 52

proposal. The appellant explained that the additional proxy site analysis had been carried out primarily to assist with the noise analysis undertaken by Mr Sutton, and I return to this matter under the next main issue. But in summary, the proxy site trip rates indicate that the proposed development would be likely to generate around 810 2-way vehicle movements, including 136 HGVs in a 24-hour period⁵⁵, with the relevant 2-way peak hour vehicle movements being 64 (including 9 HGVs) in the morning peak hour and 51 (including 7 HGVs) in the evening peak hour⁵⁶.

77. These peak hour traffic forecasts are appreciably lower than those associated with the existing lawful office use. This reinforces my view, expressed earlier, that in highway capacity terms the proposed development would not give rise to any unacceptable impacts. Indeed, evidence from Mr Frisby indicated that the A317 in the vicinity of the appeal site is operating well within its theoretical capacity⁵⁷.
78. With regards to matters of highway safety, I have been mindful of the Personal Injury Collision (PIC) information on surrounding roads, submitted by the appellant for the most recently available 5-year period which, at the time of the preparation of the TA, was January 2016 to July 2021⁵⁸. These show that 4 PICs were recorded, all of slight severity, with one occurring on Addlestone Road and 3 on Hamm Moor Lane. In addition, I was also made aware of a further, fatal accident involving a cyclist travelling along Weybridge Road in the general vicinity of the appeal site which was recorded in March 2016. No specific highway concern or feature was identified as giving rise to any of the PICs, and unfortunately the fatality was caused by an isolated defect in the highway carriageway. As such, no specific mitigation measures would be warranted if the appeal proposal was to proceed.

Sustainable Travel/Active Travel

79. The WS raised a number of concerns relating to Active Travel maintaining, amongst other things, that as the proposed development sits in the middle of the Addlestone to Weybridge Active Travel corridor people walking and cycling along this route, including many school students, would have to cross the path of HGV traffic entering and leaving the site. The WS was also concerned that cyclists wishing to transfer from the A317 to the Addlestone Road or vice versa, as suggested in the Runnymede and Elmbridge Local Cycling and Walking Infrastructure Plans⁵⁹ would likely be travelling in close proximity to large numbers of HGVs and vans on the Link Road. It questioned whether there would be safe points for pedestrians to cross Addlestone Road or Hamm Moor Lane, with similar points regarding the safety of cyclists and pedestrians, especially schoolchildren, also raised by the PCRG.
80. In addition, the WS was concerned that the guidance of Active Travel England (ATE), which is now a statutory consultee on major development proposals, had not been fully considered. Further, it maintained that that there is no clear indication that the requirements of LP Policies SD3 and SD4 and the Local Transport Plan⁶⁰ (LTP) have been fully taken into account in the design and assessment of this proposal, insofar as Active Travel considerations are concerned.
81. LP Policy SD3 explains that the Council will support proposals which enhance the accessibility and connectivity between people and places by active and sustainable forms of travel. This includes supporting developments which integrate with or

⁵⁵ Table 4.1 in Doc APP-2-A

⁵⁶ Table 3.1 in Doc APP-2-C

⁵⁷ Plate DJF003 in Doc APP-2-C

⁵⁸ Section 4.5 of Doc APP-2-A

⁵⁹ CDs 11.22 & 11.23

⁶⁰ Produced by SCC as local highway authority - current version is LTP4

provide new accessible, safe and attractive active and sustainable travel networks and routes to service and employment centres and rail interchanges; and supporting the objectives and strategies of the LTP. It also requires development proposals which generate significant traffic movements to submit and implement Travel Plans demonstrating how active and sustainable travel options have been considered.

82. Paragraph 114 of the NPPF explains that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; that safe and suitable access to the site can be achieved for all users; that the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance; and that 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.
83. For the appeal proposal, regardless of the actual end-user, the aforementioned policies require that active and sustainable travel opportunities be made available to any future employees working at the proposed buildings. In this regard I saw at my site visits that the appeal site lies at the edge of the Addlestone urban area, within about 350m of bus stops on the A317 Weybridge Road, and also within easy walking distance of Addlestone Rail Station. There is a 2-way off-carriageway cycle lane on the northern side of Weybridge Road, and pedestrian footways on both sides of Addlestone Road to the west of Black Boy Bridge, and on both sides of Hamm Moor Lane, as well as on at least one side of both sections of Link Road.
84. To the east of Black Boy Bridge Addlestone Road narrows to just about 5m and has some traffic calming measures in the form of speed humps. Although it only has a footway on its northern side, the Navigation towpath is available for pedestrians on the south side of the road, separated from the carriageway by vegetation. Having regard to all the above points I share the view expressed in the OR, that the appeal site lies in a fairly sustainable location, with clear opportunities for accessing the site by means of transport other than the private car.
85. To accord with the requirements of LP Policy SD3 the appellant submitted a Framework Travel Plan⁶¹ which includes measures to promote walking, cycling, the use of public transport and car-sharing. A minimum of 80 cycle parking spaces would be provided across the whole site, together with the provision of a storage area for cycle equipment, and shower/changing facilities. Travel packs would be provided to new employees, to make them aware of transport options, and in terms of monitoring and reporting it is suggested that the Travel Plan should last for a 5 year period from commencement. It is intended that the above matters would be secured by means of a planning condition, with the need to submit the Travel Plan secured through the S106 agreement.
86. In light of all the above points I find it difficult to understand what more the WS thinks the appellant should have done in developing the appeal proposal. As far as I can see the requirements of the LP policies already referred have been met, and no conflict with the aforementioned NPPF paragraphs has been identified. The scheme has been considered by SCC as local highway authority, who will clearly be well aware of the requirements of its own LTP, with no concerns regarding active travel or any other highway matters being raised.

⁶¹ CD 2.23

87. ATE was consulted on the consented scheme and made no specific comment, but simply referred to its Standing Advice Note⁶². This is based on the provisions of the NPPF and seeks to encourage Travel Plans, a TA, the use of public transport, and promotes active travel (including cycle facilities) and highway safety. There is no evidence to suggest that ATE would have adopted a different approach for the appeal proposal, and in my assessment all of the matters covered by the Standing Advice have been taken into account by the appellant, as detailed above. I see no conflict with the ATE guidance.
88. It is self-evident that the proposed development would generate traffic, including some HGVs and light goods vehicles (LGVs), and that pedestrians and cyclists would have to pass along roads used by this traffic. But there is nothing unusual about this. The presence of traffic does not necessarily indicate worsening safety conditions and there is no firm evidence before me to indicate that the appeal proposal would worsen highway safety, especially for pedestrians or cyclists.
89. I acknowledge that the footway on the northern side of the eastern section of Addlestone Road is just some 1.1m-1.2m wide, and I understand that vegetation can sometimes further reduce its width. However, submitted evidence shows that this section of Addlestone Road narrows to just 2.1m (7 feet) at its eastern end at the Wey River Bridge, is subject to a weight restriction of 7.5 tonnes, and is relatively lightly trafficked with peak hour 2-way flows of around 200 vehicles. The evidence further indicates that there is no significant history of accidents along this stretch of Addlestone Road, and that relatively low traffic increases of just about 8% are predicted along this road in peak periods⁶³. In light of these points I do not consider that the appeal proposal would materially worsen pedestrian or cyclist safety along this stretch of road, or indeed at any other location.
90. Finally on this topic, the access junctions for the proposed development have been designed to operate safely and have been subjected to appropriate Stage 1 Road Safety Audits⁶⁴. Any potential safety problems have been responded to and have been addressed by measures incorporated into the final scheme design.

Parking

91. The PCRG maintained that insufficient on-site parking provision is being proposed, and that this would result in a number of unacceptable consequences. These include vehicles having to queue on the highway whilst waiting to enter the limited parking spaces on the site, thereby worsening congestion; vehicles being 'turned way' and having to make difficult manoeuvres in the constricted streets around the site, and/or having to park temporarily in the nearby streets; and an increase in overspill parking **on Hamm Moor Lane and within the Poets' Corner residential area**, making it difficult for residents to be able to park close to their homes. Understandably, the appellant disputed the **PCRG's views**.
92. As stated earlier, LP Policy SD4 indicates that vehicle and cycle parking provision **for new developments will be assessed against the Council's current adopted guidance**. In this case there was agreement, in the TA, **that SCC's Vehicular and Parking Standards Guidance (January 2020) would be used instead of the Council's Supplementary Planning Guidance on car parking current at that time⁶⁵**. Since the submission of the planning application the Council has adopted the Runnymede

⁶² CD 11.18

⁶³ See paragraph 43 in Doc 52

⁶⁴ See Appendix E in CD 2.15B

⁶⁵ Supplementary Planning Guidance dated 2001

Parking Guidance SPD⁶⁶, which contains comparable parking standards to the SCC guidance for the Use Classes applicable in the current proposal.

93. The relevant parking standards are expressed as maxima, and with this in mind the Parking Guidance SPD makes it clear that some larger scale non-residential developments may benefit from a bespoke car parking scheme, appropriate to that use and/or its location. In such circumstances a site-specific parking and travel plan can take detailed account of the location of the development and the ability of people to walk, cycle or travel by public transport to the development.
94. That is the situation here. As explained in the previous section, the appellant has put forward a Framework Travel Plan which addresses some of these points, and had also discussed the appropriate amount of parking for the proposed uses with the Council, prior to determination of this proposal. The proposal was not refused on any transport or parking-related grounds and the appellant had agreed that if all proposed buildings were to be used as a PDC an additional 27 car parking spaces would be needed, and could be secured either by an appropriate planning condition or by way of a clause relating to the Travel Plan in the S106 agreement⁶⁷.
95. Circumstances have, however, moved on somewhat since the determination of this application, mainly as a result of the submission of the proxy site trip-generation data, now relied on by the appellant. I have already touched on this matter in the first topic under this main issue, and can best summarise the positions of the PCRG and the appellant as follows.
96. Firstly, the PCRG argued that as the PDC trip rates were requested and accepted by both NH and SCC these rates, and their consequences in parking terms, should be used throughout the assessment of this proposal. Doing so, and disaggregating the data to assess the north and south parts of the site separately, the PCRG indicated that there would be a significant shortfall of some 48 car parking spaces for Unit 100 during the period from 0600 hours to 1700 hours, with a surplus of between 23 and 31 spaces for Units 210 and 220 during the same period⁶⁸. This means that even if the parking could be shared between the northern and southern sites, there would be an overall deficit of up to 25 spaces throughout the daytime. This shows that it would certainly be necessary for the provision of additional on-site car parking as referred to above, if the whole development was to be used as a PDC.
97. Secondly, and perhaps more importantly, the PCRG argued that the PDC trip rates show that the demand for service vehicle parking - HGVs and LGVs - would vastly exceed the available capacity, with maximum shortfalls of 123 spaces for Unit 100, 11 spaces for Unit 210 and 14 spaces for Unit 220⁶⁹. Alternatively, if the proxy site trip rates were to be used the PCRG accepts that sufficient on-site car parking capacity would be provided, but maintains that there would still be shortfalls in the provision for HGVs and LGVs amounting to a maximum of 19 spaces for Unit 100, 11 spaces for Unit 210 and 14 spaces for Unit 220⁷⁰.
98. The appellant did **not contest the mathematics of the PCRG's calculations**, but argued that they represented an unrealistic situation which would not occur in practice. Put simply, the appellant accepted that the PDC trip-generation rates represented a sensitivity test/worst-case scenario which was required to be tested

⁶⁶ CD 10.2

⁶⁷ Paragraph 7.5.18 of CD 4.1

⁶⁸ See Section 3.1 in Doc PCRG-5

⁶⁹ See Section 3.2 in Doc PCRG-5

⁷⁰ See Sections 3.1 & 3.2 in Doc PCRG-7

in order to satisfy NH and SCC that even if the entire site was to operate as a PDC, there would be no unacceptable capacity or operational issues on either the local or strategic highway networks. NH and SCC were so satisfied, and raised no objections to the appeal proposal.

99. But against this background the appellant strongly asserted that there are several factors and constraints which would mitigate against the site being used for any high-intensity PDC type use. These include the physical size of the buildings and the amount of car and service vehicle parking available; the suggested planning condition which would require any future occupier to submit a detailed vehicle parking layout which would need to be approved by the Council; and the need to submit and comply with a Delivery Service Management Plan (DSMP) which, again, would need to be approved by the Council.
100. Amongst other things, this DSMP would require any future occupier to demonstrate that goods and services could be achieved, and waste removed, in a safe, efficient and environmentally friendly way from the site and the commercial units; identify deliveries that could be reduced, re-timed or even consolidated, particularly during busy periods; and improve the reliability of deliveries to the site and commercial units. The appellant argued that these constraints would be clear and enforceable, and would dissuade any potential future occupier from moving to the site if it patently would not provide the necessary facilities for the safe and efficient operation of their business.
101. The appellant did, however, accept that the proxy site trip rates indicated that additional LGV parking provision should be identified for Unit 100, and accordingly submitted a plan showing how this could be achieved⁷¹, arguing that LGVs do not need to always access the HGV loading docks but are frequently loaded and unloaded from within service yards by means of pump-trucks and forklift trucks. No contrary authoritative evidence was submitted on this point, and I have no reason **to dispute Mr Frisby's evidence on this** matter.
102. The positions of the PCRG and the appellant clearly cannot be reconciled, and I therefore need to come to a view on these opposing stances. In so doing I have been mindful **of Mr Longden's comments that high-intensity PDC buildings** are usually bespoke and purpose-built for a particular end user, not built speculatively, as here. As Mr Longden has clear experience of this matter⁷², I consider that his comments should carry weight. I have also had regard to the fact that SCC, when liaising with the appellant regarding the worst-case trip rate scenarios and parking provision, commented that it would be useful if another similar site could be surveyed in Surrey to see evidence of parking levels elsewhere⁷³. It seems to me that this is just what the appellant has done by surveying the proxy sites.
103. With these points in mind I am of the view that there are strong reasons and controls/constraints, as detailed above, to mitigate against the site, and Unit 100 in particular, from being used for a high-intensity PDC type operation. I am therefore satisfied that the on-site car parking provision currently proposed would be adequate, but that additional on-site parking for LGV service vehicles would need to be identified if planning permission was to be granted for this proposal. This would need to be done to comply with the suggested planning conditions and the DSMP. In addition, and to remove any uncertainty or ambiguity, if I was minded to allow

⁷¹ See Appendix C in Doc APP-2-D

⁷² Paragraph 48 in Doc 52

⁷³ Appendix A in CD 2.18

this appeal I would amend suggested condition 15, as suggested by the PCRG, to specifically refer to 'car and goods vehicle' parking areas, to ensure that an appropriate quantum of both could be satisfactorily accommodated on site.

Other highway and transport matters

104. In addition to all the matters detailed above, the Rule 6(6) Parties and other interested persons raised other highway concerns regarding this proposal, usually touching on one aspect or other of traffic congestion, along with fears that the proposed development would significantly worsen the current situation. A good many of these concerns seem to have been prompted by the view that the proposed development would operate as a high-intensity PDC use, a situation which I have concluded is not reasonable or likely.
105. Moreover, I have already made it plain that I give weight to the fact that the appeal site has a lawful use which could be resumed at any time, and the fact that traffic from this lawful use will previously have been taken into account and considered acceptable by the responsible highway authorities. It is therefore unreasonable not to have regard to the implications of any such re-use in assessing the current appeal proposal. This means that I give little weight to the general traffic concerns expressed by the likes of Dr Spencer MP and Cllr Lewis, both of whom argued that further traffic assessments should be carried out for the appeal proposal. For reasons already given, I do not agree.
106. Regarding a potential future HGV ban on Brooklands Road, Weybridge, no firm detail of this was submitted to the Inquiry so it is not possible to say whether any such HGV ban will be introduced. But even if it was, I do not consider that it would materially impact upon the operation of the proposed development. The quickest and most convenient route for goods vehicle traffic to access the proposed development would be to and from M25 Junction 11, meaning that there would be no need for such vehicles to travel through the centre of Weybridge. There would be a routeing agreement to that effect in the proposed DSMP. Clearly some employees of any future development on the site could come from the Weybridge area, and could well travel through the centre of Weybridge, and along Addlestone Road. But this would be no different to the situation which would arise if the appeal site was operating in its lawful office use. For these reasons the introduction of an HGV ban on Brooklands Road would not weigh against the appeal proposal.

Summary

107. Drawing all the above points together I have come to the following conclusions. Firstly, the proposed development would not result in any unacceptable capacity or operational problems on the surrounding highway network; secondly, it would not materially alter the conditions necessary to encourage active or sustainable travel but would provide additional opportunities, through the proposed Travel Plan, for people to travel by means of transport other than the private car; and thirdly, it would provide a sufficient and adequate amount of on-site parking, both for cars and for service vehicles. Accordingly, I find no material conflict with LP Policies SD3 and SD4, or with the sections of the NPPF to which I have already referred.

Main issue 3 – the effect on living conditions

Noise and disturbance

108. In its second reason for refusal the Council alleged harm to the living conditions of occupiers of surrounding residential properties on the grounds that the proposed development would give rise to noise and disturbance from on-site operations, as

well as disturbance from the likely significant numbers of comings and goings of large goods vehicles, particularly at anti-social hours of the day and night. As such it maintained that the proposal would be contrary to LP Policy EE2, the NPPF and the associated PPG relating to noise and disturbance⁷⁴.

109. LP Policy EE2 deals with Environmental Protection and has specific sections relating to Air Quality, Noise and Light. I deal with concerns about air quality and lighting under the heading of 'Other Matters', later in this decision. Regarding noise the policy states, amongst other things, that development proposals resulting in or being subject to external noise impacts above Lowest Observed Adverse Effect Level (LOAEL) will be expected to implement measures to mitigate and reduce noise impacts to a minimum; and that development proposals resulting in or being subject to external noise impacts above Significant Observed Adverse Effect Level (SOAEL) will not be supported, unless specific conditions pertain.
110. The policy explains that when considering measures to avoid, mitigate and reduce noise impacts, proposals will need to consider separating noise sources from sensitive receptors; controlling the noise at source; and protecting the receptor. For all proposals resulting in or being subject to external noise impacts above LOAEL the policy requires a noise or acoustic assessment to be submitted which demonstrates the avoidance, mitigation or reduction measures identified are the most appropriate, and capable of implementation.
111. NPPF paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by noise pollution. Further, paragraph 191 requires planning policies and decisions to 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. As such they should 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.
112. The NPPF makes reference to the Noise Policy Statement for England⁷⁵ (NSPE), but neither of these documents, nor the PPG section on Noise, provide any numerical definitions of LOAEL or SOAEL. Rather, these must be judged on the circumstances of each individual case. That said, the NPSE does refer to the World Health Organisation (WHO) Guidelines for Community Noise (1999)⁷⁶, which suggests that guideline values for amenity which relate to external noise exposure are set at 50 or 55 dB(A)⁷⁷, representing daytime levels below which most of the adult population will be protected from becoming moderately or seriously annoyed, respectively.
113. The only noise assessment information before the Inquiry was that presented by Mr Sutton for the appellant, with his PoE outlining the sequence of events in the assessment of the likely noise impact of the proposed development. A Noise Assessment⁷⁸ was undertaken for the originally proposed location and configuration of Unit 100 at the eastern side of the southern site. This was followed by an

⁷⁴ See CD 8.4B

⁷⁵ CD 11.15

⁷⁶ CD 11.13

⁷⁷ dB(A): a weighted scale for judging loudness that corresponds to the hearing threshold of the human ear

⁷⁸ CD 2.58

Addendum⁷⁹ and subsequent Technical Note⁸⁰ to address the changed size and re-positioning of Unit 100 to the western side of the site, and to respond to comments **from the Council's Case Officer and Environmental Health Officer.**

114. These noise assessments had been based on the guidance in British Standard BS4142:2014+A1:2019⁸¹ (hereafter referred to simply as BS4142, for ease), and considered the noise likely to arise from HGVs accessing the site, as well as noise associated with the operations carried out within service yards, including HGV manoeuvring, and loading and unloading via forklift trucks. Mr Sutton explained that these HGV noise levels had been derived from measured sound levels collected by his company under controlled conditions, at a site that was not affected by other background noise, and included several individual components such as HGVs approaching, breaking, reversing (including a reversing alarm) and stopping.
115. The Noise Assessment and its Addendum were based on predicted development **traffic flows provided by the appellant's** transport consultants, and assumed that activity associated with 8 HGVs in the peak hour would be a reasonable worst case, based on the number of loading docks at Unit 100. It was assumed that 8 HGVs would visit the site during the night-time peak hour, averaging down to 2 HGVs during the peak 15-minute night-time period. Mr Sutton commented that the subsequent proxy site traffic generation information indicated that the traffic flow information used in the original assessments was robust, and representative of a reasonable worst case⁸². No contrary, authoritative evidence has been put forward on this matter, and I therefore **accept the appellant's position in this regard.**
116. Background sound levels were obtained from an 8-day unattended noise survey, with one of the 4 monitoring locations situated on the shared boundary of the closest noise sensitive receptor to the northern part of the site, representing the background sound level for the worst-case receptors. Mr Sutton explained that the background noise within the area is made up of local traffic and traffic using the A317, along with noise events from operations within adjacent premises as well as other sources, including overhead aircraft from the operations of Heathrow, some 10.5 km (6.5 miles) north of the site, and distant traffic.
117. A total of 8 sensitive receptors with the potential to be affected by noise from the proposed development were originally identified on Hamm Moor Lane, Addlestone Road and to the eastern side of the site. 3 further receptors were subsequently identified above the Mazda dealership on Addlestone Road. A noise propagation model was used to simulate the way that noise would be dispersed from such sound sources as HGVs entering and leaving the northern and southern sites, and manoeuvring in the Unit 100 service yard. Appropriate penalties, relating to HGV manoeuvring and loading were added to produce the final rating levels⁸³ used in the model, in accordance with BS4142 guidance. This modelling exercise showed that Unit 100 would shield the sensitive noise receptors on Hamm Moor Lane from noise generated within its service yard, and no unacceptable impacts were predicted at these receptors, with the rating level of the predicted commercial noise impacts being significantly below the recorded background sound levels for both daytime (0700-2300 hours) and night-time (2300-0700 hours) periods.

⁷⁹ CD 2.24

⁸⁰ CD 2.25

⁸¹ CD 11.14 - BS4142:2014+A1:2019: 'Methods for rating and assessing industrial and commercial sound'

⁸² Paragraph 3.13 in Doc APP-3-A

⁸³ The specific sound level plus any adjustment for the characteristic features of the sound

118. There would, however, be instances during the night-time period when the rating level would exceed the background level for the sensitive receptors on Addlestone Road, including the flats above the Mazda building, the northern location of Navigation moorings alongside Bridge House, and Wey Meadows Farm⁸⁴ to the east of the Navigation. Some of the receptors above the Mazda building would also experience very minor sound increases during the daytime, with the rating level predicted to be just 1 dB(A) above the background level.
119. To address these matters the appellant proposes to erect 4.5m high acoustic barriers towards the south-eastern and south-western edges of the northern plot to protect the receptors on Addlestone Road and a 2.1m high acoustic barrier along the eastern side of the HGV service yard, up to the site entrance, to protect Wey Meadows Farm and the Navigation moorings. These acoustic barriers would comprise dense, close-boarded wooden fencing.
120. Mrs Russell-Brown, who spoke at the Inquiry⁸⁵ resides in a boat on the Navigation at a mooring owned by the NT. She and her husband look after this stretch of the Navigation, and have done so for the last 8 years. As such, she argued that their boat should have been seen as a permanent residential location and should have been included as a sensitive receptor in the noise assessments. To my mind there is some uncertainty as to the permanence of this residence, as Mrs Russell-Brown confirmed at the Inquiry that if the NT so required, she and her husband would have to leave the mooring at short notice. Nonetheless, the 2.1m high acoustic barrier proposed to be installed along the service yard boundary would serve to protect the moorings, including that used by Mr and Mrs Russell-Brown.
121. Indeed, the noise propagation model shows that with these barriers in place the rating level would be a maximum of +4 dB(A) above background noise levels. As this falls below the 'around +5 dB(A)' level that BS4142 indicates is likely to be an indication of an adverse impact, depending on the context, the appellant maintained that the appeal scheme would not result in noise impacts above LOAEL.
122. The Council made a number of criticisms **of the appellant's approach** on this matter. Firstly it argued that the wording used in BS4142 does not set +5 dB(A) as a firm target. Rather, an assessor needs to take account of both the level by which the rating sound source exceeds the background level, and the context in which the sound occurs. But while this is correct, there is no evidence before me to indicate that residual sound levels in this case are very high, as the Council suggested.
123. Secondly, the Council maintained **that the appellant's** figures and assessments were not robust, as they had not considered the lowest 'modal' night-time average L_{A90} figure of 39 dB(A), as they had been requested to do by 'Environoise Consulting Limited' (ECL), acting on behalf of the Council, prior to the determination of this proposal. The Council pointed out that if this figure had been used, the +5 dB(A) assessment figure would have been exceeded, meaning that noise levels greater than LOAEL would arise. However, the appellant had responded to this request from ECL back in June 2022⁸⁶, pointing out that to use a modal value of 39 dB(A) would result in a limit level of 44 dB(A), which would be lower than the L_{A90} value measured on 3 of the 7 nights. **I share the appellant's view that this would be an unreasonable approach, and see no good reason to doubt the appellant's** position that the chosen modal value of 41 dB(A) should be considered robust.

⁸⁴ Referred to a Blackboy Farm in the Noise Assessment Addendum (CD 2.24)

⁸⁵ Doc 8

⁸⁶ See AAC Technical Note at Appendix 3 to Doc LPA-3

124. On this point Mr Sutton indicated that if a modal value of 39 dB(A) had been used, it would have pointed to the need for further mitigation, which would have been possible to design, but this option had not been pursued for reasons just given. The Council maintained that this indicated a breach of LP Policy EE2, as there was no evidence to show that the adverse effects had been 'reduced to a minimum'. However, whilst I recognise the wording of Policy EE2, I am not persuaded that reducing noise impacts to a level where any adverse effect would be unlikely – as would be the case here - **could materially be in conflict with this policy's objectives.**
125. With regards to the assessment of maximum noise impacts, the WHO Guidelines for Community Noise (1999), referred to above, state that to avoid night-time sleep disturbance indoor sound pressure levels should not exceed approximately 45 dB(A) L_{AFmax} more than 10–15 times per night. Mr Sutton pointed out in his PoE that it is generally accepted that 60 dB(A) L_{AFmax} at the external façades of living spaces corresponds to the LOAEL, assuming that the sound reduction provided by a partially open window amounts to 15 dB, resulting in an internal noise level of 45 dB(A) L_{AFmax} .
126. In this case the night-time maximum sound levels measured during the survey were consistently higher than the WHO L_{AFmax} criterion, so Mr Sutton used the measured L_{AFmax} levels at the closest noise monitoring location in his assessment. The results show that the predicted maximum noise event levels from the commercial operations would be higher than the WHO guideline of 60 dB(A) at 3 of the 7 noise sensitive receptors. However, as these levels would be lower than the existing measured night-time maximum levels, the appellant has taken the view that in these circumstances, no specific mitigation would be required, arguing that affected residents will already have adapted to the occurrence of these high noise events, as they occur regularly at present.
127. In contrast the Council maintained, in its closing submissions, that although the maximum noise events likely to occur from the proposed development would be below the background level, this only serves to demonstrate that the existing noise environment is high, with the background up to some 13 dB above the 60 dB WHO threshold level⁸⁷. Moreover, it contended that the predicted noise from HGV manoeuvres would be a new and 'clearly perceptible' disruptive feature which would be plainly attributable to the new development. As such the Council considered that the nearby residential receptors may already be suffering the disruptive effects of a high sound environment and that the appeal scheme would only add to this burden.
128. However, although the Council referred to the background level as being high, the Table⁸⁸ referred to is demonstrating existing measured night-time maximum levels, not background levels. Night-time background levels are shown to range between about 41 and 43 dB(A)⁸⁹. In these circumstances **I consider that the appellant's** stance on this matter is reasonable, and I am not persuaded that there would be any undue or unacceptable night-time impact on these nearby residential receptors.
129. I accept that reaching a view on the points detailed above comes down to a matter of judgement but although the Council, though Ms Temple, is quite entitled to come to different planning judgements on the noise evidence provided by the appellant, it remains the case that Mr Sutton was the only current practitioner in the acoustics field to present evidence to the Inquiry. I acknowledge that in the run-up to the

⁸⁷ Paragraph 43(d) in Doc 51

⁸⁸ Table 7 in CD 2.24

⁸⁹ Table 5 in CD 2.24

determination of this proposal the Council sought advice and comment from ECL, but all matters raised were responded to by the appellant and there is nothing before me to indicate that ECL came back with further queries. As I understand it, **the Council's Environmental Health Officer was content with the proposed development on noise grounds**, by the time this proposal went to Committee.

130. The PCRG **supported the Council's position on noise** concerns, but put forward no additional technical acoustics information, and therefore did not meaningfully add **to the Council's case**. However, on a related matter the PCRG did maintain that the proposed 4.5m high acoustic barriers on the northern site would appear imposing and would have harsh consequences for visual receptors close to the boundaries of both the north and south sites of the development. As such the PCRG considered that these barriers would **conflict with guidance in the Council's Design SPD**, although no specific reference was given.
131. However, from my site visit I saw that these proposed barriers would be well-shielded from the nearby residential units by both existing and proposed trees and vegetation, and that the barriers would not result in any significant overshadowing as they would lie to the north of these residential properties. I therefore do not consider that the proposed acoustic barriers would have an unacceptable impact upon the living conditions of these nearby residents.

Daylight and sunlight

132. The appellant undertook an assessment of the likely impact of the appeal proposal on daylight and sunlight reaching nearby residential properties at Navigation House, 14 Hamm Moor Lane, Bourneside House, and New House, Addlestone Road⁹⁰. The assessment was undertaken in accordance with the Building Research Establishment Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 3rd Edition, 2022 (the 'BRE guide'). I consider that this matter falls within the scope of LP Policy EE1 which, amongst other things, states that new development should ensure no adverse impact on the amenities of occupiers of neighbouring property or uses. In addition, Design Standard 24 of the Design SPD requires adequate natural daylight and sunlight to new and existing properties.
133. The assessment showed that 100% of the windows assessed would meet the BRE **guide's numerical targets** in terms of the Vertical Sky Component⁹¹, meaning that the proposed development would not materially affect the amount of daylight reaching the windows of these neighbouring residential properties. In addition, **23 out of 29 rooms assessed (79%) would meet the BRE guide's numerical target** values relating to Daylight Distribution⁹² (DD). Of the 6 rooms that would fall short of the recommended target, the assessment states that 2 are understood to be bedrooms within 14 Hamm Moor Lane, with the BRE guide indicating that daylight within bedrooms is generally considered to be less important compared to main living rooms. The retained values of DD would be 0.65 and 0.75 times their former value, which the assessment stated are acceptably close to the target of 0.8, such that both rooms would still receive good amounts of direct skylight.
134. The remaining 4 rooms are within Navigation House and serve living/kitchen spaces which would achieve DD values between 0.59 and 0.77. The assessment comments that the rooms in question are deep and contain returns towards their rear sections

⁹⁰ CDs 2.34 & 2.35

⁹¹ Vertical Sky Component: a measure of the direct skylight reaching a point from an overcast sky, measured at a point at the centre of a window on the outer plane of the wall, for existing buildings

⁹² DD: a measure of the distribution of daylight within a room

which are unable to receive direct skylight in any event. In other words the existing shape of these rooms has an impact on their ability to meet the BRE target values. In terms of sunlight amenity, 100% of the windows analysed would continue to meet the recommended BRE target values.

135. Overall, the assessment concludes that the daylight and sunlight amenity results are broadly in line with the BRE targets, such that the proposed development would not cause material impacts to the living conditions of occupiers of the nearby residential properties in this regard. No contrary authoritative evidence has been put forward on this matter **to cause me to disagree with the appellant's position.**

Summary

136. Drawing all the above points together I conclude that the appeal proposal would not have an unacceptable impact on the living conditions of nearby residents by reason of noise and disturbance, or through impacts on daylight and sunlight. Accordingly I find no material conflict with the relevant sections of LP Policies EE1 and EE2, nor with those sections of the NPPF and the PPG to which I have already referred.

Main issue 4 – suggested conditions and planning obligations

137. A total of 21 suggested planning conditions had been agreed between the appellant and the Council, to be imposed if planning permission was to be granted⁹³. Most but not all of these were also agreed to by the PCRG and the WS. An exception was Condition 15, covering vehicle parking, to which the PCRG sought amendments. I have already commented on this matter in paragraph 103 above. As I have concluded that the proposed development would not give rise to any unacceptable impacts on the living conditions of nearby residents, as a result of noise and disturbance, a condition seeking to control hours of operation, as requested by the Council and the Rule 6(6) Parties would not be necessary or reasonable, and would therefore not accord with the tests set out in paragraphs 55 and 56 of the NPPF.
138. Other conditions suggested by the WS⁹⁴ would either be covered by the proposed DSMP, or would be difficult to enforce, and hence would also fail the NPPF tests referred to above. But notwithstanding this latter point, I conclude that the 21 agreed conditions, with Condition 15 amended as noted, would accord with the relevant NPPF guidance and would satisfactorily address the impacts of the proposed development, if it had been acceptable in all other respects.
139. **The Council's** third reason for refusal contended that in the absence of a completed legal agreement the proposal had failed to secure provision of the necessary infrastructure needed to make the development acceptable in planning terms, meaning that it was in conflict with a number of listed LP policies, as well as the NPPF and PPG. To address this matter the appellant entered into a S106 agreement with the Council which, in summary, makes provision for the following specific contributions and obligations:
- A 'Monitoring Fee' of £1,500 to cover the costs of monitoring compliance with this Deed;
 - A Travel Plan to be submitted to SCC for approval, prior to first Occupation of the Development and to thereafter implement, operate and comply with the Travel Plan;

⁹³ Doc 41

⁹⁴ Doc 18

- A 'Travel Plan Auditing Fee' of £6,150 payable to the SCC as a contribution towards the monitoring of the Travel Plan;
- A DSMP (Version A or Version B) to be submitted to the Council for approval, prior to Occupation, and to thereafter operate the Development in accordance with the approved DSMP for the lifetime of the Development;
- An Operational Plan (OP) (Version A or Version B) to be submitted to the Council for approval, prior to Occupation, and to thereafter operate the Development in accordance with the approved OP for the lifetime of the Development; and
- An Information Board to be installed at the entrance to the Site and to be retained and updated for the lifetime of the Development.

140. Options A and B of the OP cover alternative methods of seeking to ensure that overnight activities on the site would be managed to limit noise disturbance to nearby residential neighbours. OP Version A is linked to DSMP Version A, and OP Version B is linked to DSMP Version B. If planning permission was to be granted for this proposal, the S106 agreement requires me to indicate whether OP Version A and/or OP Version B, and DSMP Version A and/or DSMP Version B should apply.

141. Having had regard to the above details and the Community Infrastructure Levy (CIL) Compliance Statement⁹⁵ submitted by the Council, I am satisfied that all of these obligations would be necessary to make the development acceptable and that all meet the requirements of Regulation 122 of the CIL Regulations 2010 and paragraph 57 of the NPPF. I therefore conclude that these submitted planning obligations would satisfactorily address the matters referred to in the **Council's third** reason for refusal and that, accordingly, the proposal would not be at odds with LP Policies SD3, SD4, SD5 and EE9, or with relevant guidance in the NPPF and PPG.

Other Matters

142. Air Quality. This matter was not referred to **in the Council's reasons for refusal, but** it was raised in fairly general terms by both Rule 6(6) Parties, as well as a number of interested persons. Put simply, both the PCRG and the WS maintained that the **appellant's Air Quality Assessment**⁹⁶ (AQA) and AQA Addendum⁹⁷ were not reliable as they had not been based on the worst-case traffic flows, discussed earlier in this decision. However, **as part of Mr Green's Appendices** the appellant tabled a further Technical Note⁹⁸ carried out by Air & Acoustic Consultants (who undertook the original assessments), to take account of the latest proxy site traffic information, which I have already concluded is appropriate for this proposed development.

143. This Technical Note showed that the impacts on the air quality receptors associated with the proposed development would be negligible (adverse) for NO₂, PM₁₀ and PM_{2.5} concentrations. The concentrations would not exceed the relevant national objectives/limits as set out in Table 2.1 of the original AQA assessment. As a result, in accordance with the appropriate Institute of Air Quality Management guidance and professional judgement the appellant states that the predicted impacts can be considered 'not significant'. The Technical Note reached similar conclusions with respect to the likely impacts on both the Addlestone and Weybridge Air Quality Management Areas, with an overall conclusion in each case that the predicted impacts can be considered 'not significant'. As this is the only firm, authoritative

⁹⁵ Doc 37

⁹⁶ CD 2.51

⁹⁷ CD 2.26

⁹⁸ Doc APP-5-D

evidence on this topic before the Inquiry I have no reason to doubt these findings, and I therefore conclude that the appeal proposal would not be at odds with the relevant parts of LP Policy EE2.

144. Light Pollution. Again, this matter was not referred to **in the Council's reasons for refusal**, but it was raised in general terms by the PCRG and the NT. Both of these argued that the proposed lighting scheme, particularly along the eastern side of the site, would be likely to result in light spill and light pollution that would be detrimental to the night-time character of the Wey Navigation and adversely impact upon the amenities enjoyed by boat users, as well as pedestrians and cyclists using the towpath. In addition, the PCRG maintained that light could have a harmful impact on habitats, and at the Inquiry it expressed concern that light spill might affect bats foraging along the Navigation.
145. On this topic the appellant submitted 3 separate External Lighting Assessments⁹⁹, together with an updated Lighting Strategy Note dated December 2023¹⁰⁰. In all cases the assessments indicated that the proposed external lighting strategy has been compiled with reference to appropriate guidance to minimise impacts on ecologically sensitive habitats and those valuable to nocturnal species. The appellant explained that the lighting strategy has been designed to ensure the protection of the immediate environment, including the Wey Navigation. To this end, LED luminaires are proposed throughout the development. These luminaires would not have an upward light ratio of more than 0%, and would avoid or drastically reduce the upward spread of light near to and above the horizontal.
146. This means that the illumination that would normally be free-flowing from site boundaries would be restricted, and the scheme has been further designed to mitigate any potential impact within ecology zones. Overall the appellant maintained that the lighting scheme would meet all requirements of future users, and would be considerate of the local environment in its design and approach. As with the previous topic this is the only firm, authoritative evidence on this matter before the Inquiry. I have no reason to doubt the findings of these assessments, and I therefore conclude that the appeal proposal would not be at odds with the relevant parts of LP Policy EE2 insofar as external lighting is concerned.
147. Fallback position. **I share the appellant's view that the** consented scheme, referred to above, cannot form a true fallback position because the applicant in that case – the same as the appellant in the current appeal – has stated categorically that the scheme will not be proceeded with, in view of the hours of operation condition imposed upon it. This consented scheme was not before me for any meaningful consideration at the Inquiry, although some information relating to it was included within the Core Documents and the Council, the Rule 6(6) Parties and other interested persons did make many references to it. However, for reasons just given I consider that I can only give this particular scheme limited weight in the current appeal, although it clearly does demonstrate that, in design terms, a policy-compliant alternative I&L proposal could be designed for this site.
148. Biodiversity Net Gain (BNG). As previously noted, LP Policy EE9 aims to secure net gains to biodiversity, whilst Policy EE11 requires development to contribute towards green infrastructure by providing and making enhancements to on-site assets. The

⁹⁹ CDs 2.34, 2.57 & 2.63

¹⁰⁰ Doc APP-5-C

appeal proposal has been assessed for BNG¹⁰¹ using the DEFRA¹⁰² Biodiversity Metric 3.0¹⁰³. These assessments show that the proposed development would lead to a net gain of 2.28 biodiversity units, comprising a gain of 1.98 units on-site and 0.30 units off-site, and a net gain of 1.56 hedgerow units. This amounts to a final BNG score of a 63.25% increase in habitat units and a 122.59% increase in hedgerow units.

149. The assessments point out that this BNG is reliant on the successful restoration and/or creation of terrestrial habitats and their maintenance for the foreseeable future. It is therefore recommended that measures to ensure the successful creation and long-term management of proposed habitats are outlined in a Landscape and Ecology Management Plan which could be controlled by a planning condition if planning permission was to be granted. These matters were not **seriously disputed by any party to the Inquiry. I therefore share the appellant's** view that the proposed development would be acceptable from an ecology and biodiversity perspective, being compliant with the objectives of LP Policies EE9 and EE11, and paragraph 180 of the NPPF.
150. **Criticisms of the appellant's business case.** Mr Aubert, an economist, consultant and local resident made a number of criticisms¹⁰⁴ of the 'Economic Benefits & Social Value Assessment'¹⁰⁵ (EB&SVA) and the 'Market Assessment Update'¹⁰⁶ (MAU), submitted by the appellant to support the application. He disputed the realism of assuming a 50/50 split between Use Classes B2 and B8 for the development, and also maintained that displacement and leakage would likely be higher than had been assumed in the EB&SVA. As such he maintained that the appeal proposal would produce fewer jobs for Runnymede residents than claimed by the appellant, and a much lower Gross Value Added (GVA) of £14.5 million per annum compared **to the appellant's estimate of £22.3 million per annum.**
151. Much **of Mr Aubert's case centred on his contention that it is** wrong to take traffic generation from the lawful office use of the site into account when considering highway impacts, but to ignore the potential of the existing offices in employment terms. He argued that at 75% occupancy for the offices, the appeal proposal would represent a loss of some 545 jobs, and that the GVA opportunity cost of the offices could therefore be more than £28.2 million per annum. He also maintained that although matters such as e-commerce, globalisation and technological solutions are claimed in the MAU to be drivers of projected market growth, this is not supported by the facts. Finally, Mr Aubert was critical of the Property Market Area (PMA) assumed in the MAU, arguing that a small extension to include sites at Brooklands would have given a different picture, as there are 2 large, vacant logistics facilities available there, both over 11,520 sqm (124,000 square feet (sqft)) in size.
152. **Mr Aubert's criticisms were** responded to directly by the appellant¹⁰⁷, and Mr Green updated the Inquiry regarding the availability of large logistics premises at Brooklands, stating that a lease is being negotiated for the Prologis building, such that there is currently no availability of larger I&L units in the PMA. The appellant also maintained that it would be quite inappropriate to assess the existing offices which have been vacant for many years **as if they were occupied, with Mr Aubert's**

¹⁰¹ CDs 2.31, 2.53 & 2.62

¹⁰² DEFRA: Department for Environment, Food & Rural Affairs

¹⁰³ CD 2.33

¹⁰⁴ Docs 7 & 47

¹⁰⁵ CD 2.7

¹⁰⁶ CD 2.44

¹⁰⁷ Doc 24

suggestion of 75% occupancy being arbitrary, unsupported by evidence, and unrealistic. Whilst recognising that a different approach was adopted regarding the impact of these vacant offices in highways and employment terms, Mr Green commented that the highways approach is accepted, standard practice, and it does not follow that economic assessments should be carried out in the same way.

153. **In the appellant's view, the true opportunity cost is keeping the office premises as they are.** They are currently not generating any meaningful income and are unlikely to do so in the future. **Overall the appellant's conclusion is that nothing raised by Mr Aubert changes the fundamental conclusions of the EB&SVA and the MAU, which is that there is an acute shortage of large industrial units in the PMA, and that the proposed development would deliver considerable economic benefits.**
154. I can see merit in some aspects of the arguments put forward by both parties and I reach my conclusions on the relevant matters, as appropriate, later in this decision.

Benefits and disbenefits

155. Mr Green claimed that the appeal proposal would give rise to a great many benefits, including the use of previously developed land in an area where suitable land for development is constrained by the Green Belt. I agree that in accordance with NPPF paragraph 124(c) this matter should carry substantial weight in the **proposal's favour**. However, I am not persuaded that the other matters raised by Mr Green in this regard, such as the fact that the existing vacant buildings currently make no contribution towards employment provision or economic activity and are simply preventing the potential re-use of the land for more productive economic uses, add any further weight. Nor does the fact that the appeal site lies within a location defined in the LP as a SEA, where LP policies encourage re-use and intensification to meet the needs of modern businesses.
156. I consider that some weight should be given to the fact that the proposed development would meet an identified need in the PMA for larger industrial buildings over 9,300 sqm (100,000 sqft), and that because of its accessible location it would accord with the requirements of NPPF paragraph 87. However, I give it no greater weight because it seems to me that there are a number of uncertainties or unknowns in relation to this point. Firstly, it is not only storage and distribution operations which NPPF paragraph 87 indicates should be considered for accessible locations. Secondly, although the evidence before the Inquiry was that a lease is currently being negotiated for the Prologis building at Brooklands – immediately adjacent to the PMA – the submitted evidence also indicates that a previous lease deal fell away as recently as December 2023, so there can be no certainty that the same will not happen with the current negotiations.
157. I do accept, however, that the appeal scheme would give rise to some quantifiable economic benefits as set out in the EB&SVA. These are estimated to include some 71 construction jobs for Runnymede residents; around 347 on-site operational jobs; GVA of £22.3 million per annum; and social value benefits to the community, to include such things as skills and training, employment impacts, local procurement, and crime reduction benefits estimated to be around £1.8 million over 30 years. Having regard to the points put forward by Mr Aubert, it is clear that the number of jobs likely to be created would depend on the Use Class B2/B8 split relating to any final occupier. This would also impact upon the GVA to be achieved. But notwithstanding the fact that there is some uncertainty on these points, I consider that it is still appropriate to give significant weight to these benefits.

158. **Mr Green's** undisputed evidence is that the new buildings would be energy efficient, incorporating energy, waste and water reduction technologies and have been designed to achieve a BREEAM¹⁰⁸ rating of 'Very Good' with aspirations to achieve BREEAM 'Excellent'. As such, they would provide at least 10% of the appeal **scheme's energy through renewable sources**. These matters would be clear benefits of the scheme, although as they are policy requirements under LP Policies SD7 and SD8 I consider that they only warrant moderate weight.
159. The proposed development would also include new planting and landscaping, and whilst a number of trees are proposed to be removed to allow the scheme to be constructed and new fencing to be erected, many other trees would be retained, with 50 new trees proposed to be planted. The appellant points out that over time this landscaping would mature to soften the appearance of the development, and that a predicted BNG of over 63% would be achieved. These landscaping and biodiversity benefits are to be applauded, but again, as such matters are policy requirements, I consider that they only warrant moderate weight.
160. A further benefit is that under the proposed drainage scheme surface water run-off would be restricted to greenfield rates through the use of under-ground storage tanks, whereas it currently flows, unrestricted, into public sewers. I consider that this benefit warrants significant weight.
161. In heritage terms, the appellant considers that the appeal proposal would have a neutral impact on the significance of the Wey Navigation CA, whereas the Council argues that there would be an adverse impact **on the CA's significance, at the lowest level of less than substantial harm**. For reasons given earlier I share the **appellant's view on this matter**.
162. In terms of townscape impact the appellant argues that although Unit 100 would be taller than the existing buildings on the site, it would not be out of character with its surroundings, but would appear as a well-scaled and considered background building which would contribute to the commercial and industrial character when considered against the existing baseline, of a diverse townscape where residential directly abuts industrial and commercial. As such, Mr Green attaches moderate weight to what he sees as the townscape benefits of the scheme.
163. In contrast, the Council contends that Unit 100 would have a harmful effect on the character and appearance of the area, specifically conflicting with LP Policy EE1, the Design SPD and key characteristics and guidance set out in the SLCA, and that this harm should carry significant weight. Whilst I have concluded, earlier, that consideration of the SLCA is of no particular relevance when considering Unit 100, I **otherwise share the Council's view on this matter and** agree that significant weight should be given to the harm to character and appearance which would arise from the size, scale and form of Unit 100.

Summary, planning balance and overall conclusion

164. Summarising the various matters detailed above, and my conclusions on each of the main issues, I firstly highlight the fact that although the proposed development would bring about a noticeable change to the appearance of this part of the setting of the Wey Navigation CA, it would have a neutral impact on the special interest, character and appearance of the Wey Navigation CA and would therefore not result in harm to the significance of this heritage asset. This means that no 'internal'

¹⁰⁸ BREEAM: Building Research Establishment Environmental Assessment Method

heritage balance is needed in this case. The proposal would not be in conflict with LP Policies EE3 or EE5, nor with section 16 of the NPPF.

165. However, also under the first main issue I have concluded that Unit 100 would be an overly prominent, dominant and visually overbearing form of development which would not relate well to the local townscape context. It would therefore conflict with the requirements of LP Policy EE1 and the Design SPD and would also be at odds with paragraph 135(c) of the NPPF.
166. On the second main issue, and contrary to the strong views put forward by the PCRG, the WS and many interested persons, I have concluded that the proposed development would not result in any unacceptable capacity, operational or safety problems on the surrounding highway network. Nor would it materially alter the conditions necessary to encourage active or sustainable travel, but would provide additional opportunities, through the proposed Travel Plan, for people to travel by means of transport other than the private car. I have also concluded that the appeal proposal would provide a sufficient and adequate amount of on-site parking, both for cars and for service vehicles. The proposal would not conflict with LP Policies SD3 and SD4, or with the relevant sections of the NPPF referred to above.
167. On the third main issue I have concluded that the appeal proposal would not have an unacceptable impact on the living conditions of nearby residents by reason of noise and disturbance, or through impacts on daylight and sunlight. It would therefore not be in conflict with the relevant sections of LP Policies EE1 and EE2, nor with the relevant sections of the NPPF and the PPG referred to earlier.
168. Insofar as the fourth main issue is concerned, I am satisfied that with minor amendments to the suggested conditions, these conditions and the submitted S106 agreement would be capable of addressing the concerns set out in the **Council's** third reason for refusal, and that the proposal would therefore not be at odds with LP Policies SD3, SD4, SD5 and EE9, or with relevant guidance in the NPPF and PPG.
169. Turning now to consider **the NPPF's 3 overarching objectives for achieving** sustainable development, set out in its paragraph 8, in economic terms the proposed development would bring back into use a vacant, previously developed, commercial site and in so doing it would provide economic benefits as a result of the construction and subsequent operation of this proposed logistics development. In line with NPPF paragraph 124(c) I consider that this re-use of previously developed land warrants substantial weight.
170. I also give significant weight to the economic benefits which would arise from the temporary construction jobs, the permanent operational jobs and the predicted GVA and social value benefits. Some weight is also given to the fact that the proposed development would meet a clear logistics need for such sized units.
171. **One aspect of the NPPF's social objective of sustainable development is the need to** foster well-designed, beautiful and safe places, with accessible services that reflect **current and future needs and support communities' health, social and cultural well-being**. The appeal proposal would respond to some aspects of this objective by meeting a logistics need and by providing a facility not currently available in the PMA. Unit 100 is also well-designed in itself, and clearly fit for purpose, such that I consider these social benefits warrant moderate weight. However, in my assessment the design of this building has not sufficiently taken account of its local context and the wider townscape character, as required by LP Policy EE1. As such,

the proposal does not fully meet the social objective of sustainable development as set out in the NPPF.

172. The proposal would meet many of the **NPPF's environmental** objectives as it would make effective use of land, would give rise to BNG, and would also have further sustainability credentials in terms of energy efficiency and other matters as detailed above. These aspects of the appeal proposal respond **positively to the NPPF's** requirement for improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
173. There is nothing to suggest, however, that such benefits would not arise from any comprehensive redevelopment of this site which did not adversely impact upon the local townscape character and was otherwise policy-compliant. It is my view that for the reasons just given, and the consequent conflict with policy, these environmental benefits have to be tempered. In my assessment, taken together they again warrant moderate weight. But the harm I have identified to the character and appearance of the local townscape means that the proposed development could not be said to protect or enhance the built environment. This means that the proposal would not fully meet the environmental objective of sustainable development as set out in the NPPF.
174. Turning to the overall planning balance, I have found against this proposal on a key aspect of the first main issue, and this has to carry significant weight against the appeal proposal. As such, the appeal proposal would be in conflict with a key development plan Design policy, as detailed earlier.
175. Some important and significant benefits would arise if the proposed development was to go ahead, but the failure to fully accord with the social and environmental objectives set out in paragraph 8 of the NPPF mean that this proposal does not represent sustainable development. Taking all of these points together, and having regard to paragraph 11(c) of the NPPF, my overall conclusion is that this appeal should not succeed.
176. I have had regard to all other matters raised, but find nothing sufficient to outweigh the considerations which have led me to conclude that this appeal should be dismissed.

David Wildsmith

INSPECTOR

APPEARANCES

FOR THE COUNCIL

Mr Ashley Bowes – counsel for the Local Planning Authority	instructed by Emmanuel Alozie, solicitor, Runnymede Borough Council
He called:	
Ms Emily Temple <i>BSc MA MRTPI</i>	Director, ET Planning Ltd

FOR THE APPELLANT

Mr Rupert Warren KC – counsel for the appellant	instructed by Town Legal LLP
He called:	
Mr David Frisby <i>BEng(Hons) CEng FCIHT</i>	Director, Mode Transport Planning
Mr Alastair Longden <i>BA(Hons) Arch MArch PgDip PPMA RIBA</i>	Director, UMC Architects
Ms Rebecca Mason <i>BA(Hons) MSc MA IHBC</i>	Associate Director, Icen Projects
Mr David Sutton <i>BSc MSc MIOA MEnvSC MIAQM</i>	Director, Air & Acoustic Consultants
Mr Nick Green <i>MRTPI</i>	Director, Savills

FOR THE **POETS' CORNER RESIDENTS' GROUP ('the PCRG') (RULE 6(6) PARTY)**

Miss Rebecca Harris, local resident, gave evidence herself and also called:

Mr Simon Watts <i>CEng MICE MCIHT</i>	Director, SW Transport Planning Ltd
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FOR THE **WEYBRIDGE SOCIETY ('the WS') (RULE 6(6) PARTY)**

Mr Dave Arnold, Chairman of the Weybridge Society

He called:	
Mr Steve McCarthy	Committee Member of the WS and retired Chartered Engineer
Mrs Sally Bean	WS Healthy Travel Champion and retired Business Systems Consultant

INTERESTED PERSONS OPPOSING THE APPEAL PROPOSAL

Dr Ben Spencer MP	Member of Parliament for Runnymede and Weybridge
Cllr Scott Lewis	SCC Councillor for New Haw, Woodham and Row Town, and Runnymede Borough Councillor for Woodham
Mr David Norris	Chartered Town Planner and Planning Adviser to the National Trust

Mr Martin Stearman <i>RIBA MRTPI (Rtd) FRSA</i>	Chartered Architect and retired Town Planner
Mr Julian Aubert <i>MSc Dip (Chartered Inst of Marketing) Degree equivalent (Business Studies)</i>	Managing Director Aubert Business Consulting and local resident
Mrs Joanne Russell-Brown	Local canal boat resident
Ms Sophie Murphy	Weybridge resident
Mr Russell Murphy	Local resident
Mr Nathan Jones	Local resident
Mrs Susan Ray	Resident of Hamm Court
Mr Graham South	Local resident and Group Scout Leader

PROOFS OF EVIDENCE

Appellant's Documents	
APP-1-A	Mr Longden's PoE
APP-1-B	Appendix to Mr Longden's PoE
APP-2-A	Mr Frisby's PoE
APP-2-B	Appendix to Mr Frisby's PoE
APP-2-C	Mr Frisby's Rebuttal PoE
APP-2-D	Appendices A-F to Mr Frisby's Rebuttal PoE
APP-3-A	Mr Sutton's PoE
APP-4-A	Ms Masons PoE
APP-4-B	Appendices 1-4 to Ms Mason's PoE
APP-5-A	Mr Green's PoE
APP-4-B to J	Appendices B-J to Mr Green's PoE
APP-5-K	Mr Green's Rebuttal PoE
Council's Documents	
LPA-1	Ms Temple's Summary PoE
LPA-2	Ms Temple's PoE
LPA-3	Appendices 1 to 3 to Ms Temple's PoE
LPA-4	Ms Temple's Rebuttal PoE
Poets' Corner Residents' Group (PCRG) Documents	
PCRG-1	Miss Harris's PoE
PCRG-2	Appendices 1-18 to Miss Harris's PoE
PCRG-3	Miss Harris's Rebuttal PoE
PCRG-4	Appendices 1-3 to Miss Haris's Rebuttal PoE
PCRG-5	Mr Watts's PoE
PCRG-6	Appendices A-B to Mr Watts's PoE
PCRG-7	Mr Watts's Rebuttal PoE
PCRG-8	Appendices A-C to Mr Watts's Rebuttal PoE
Weybridge Society (WS) Documents	
WS-1	Mrs Bean's Summary PoE
WS-2	Mrs Bean's PoE
WS-3	Appendices 1-3 to Mrs Bean's PoE
WS-4	Mr McCarthy's Summary PoE
WS-5	Mr McCarthy's PoE
WS-6	Appendices 1-9 to Mr McCarthy's PoE
WS-7	Mr McCarthy's Rebuttal PoE

CORE DOCUMENTS REFERRED TO IN THIS DECISION

Plans and Documents submitted as part of the Planning Application	
CD 1.1	21490-UMC-ZZZZ-SI-M2-A-0502 [D] Site Location Plan
CD 1.3	21490-UMC-0100-ZZ-DR-A-1313 [G] Unit 100 Elevations
CD 1.4	21490-UMC-0100-ZZ-DR-A-1014 [A] Unit 100 - Proposed Transport Office
CD 1.5	21490-UMC-0100-ZZ-DR-A-1012 [E] Unit 100 - Proposed Roof Plan
CD 1.6	21490-UMC-0100-ZZ-DR-A-1011 [D] Unit 100 - Proposed Office Plan
CD 1.7	21490-UMC-0100-ZZ-DR-A-1010 [G] Unit 100 - Proposed Building Plan
CD 1.8	21490-UMC-ZZZZ-SI-M2-A-1013 [D] Unit 100 - Proposed Sections
CD 1.9	21490-UMC-0200-ZZ-DR-A-1322 [C] Unit 210 220 - Elevations
CD 1.10	21490-UMC-0200-ZZ-DR-A-1020 [C] Unit 210 220 - Proposed Building Plan
CD 1.11	21490-UMC-0200-ZZ-DR-A-1022 [B] Unit 220 Proposed Office Plan
CD 1.12	21490-UMC-0200-ZZ-DR-A-1021 [B] Unit 210 Proposed Office Plan
CD 1.13	21490-UMC-0200-ZZ-DR-A-1023 [C] Unit 210 220 - Proposed Roof Plan
CD 1.14	1490-UMC-0200-ZZ-DR-A-1025 [A] Unit 210 & 220 - Proposed Section
CD 1.15	21490-UMC-ZZZZ-SI-M2-A-0703 [K] External Compound Details
CD 1.17	21490-UMC-ZZZZ-SI-M2-A-0701 [K] External Finishes
Documents submitted at planning application stage	
CD 2.7	Economic Benefits & Social Value Assessment, Jun 2022
CD 2.8	Design and Access Statement Addendum, Oct 2022
CD 2.9A-G	Townscape and Visual Impact Assessment, Oct 2022
CD 2.13	Historic Environment Desk-Based Assessment, Apr 2022
CD 2.15B	Transport Assessment, May 2022
CD 2.16	Transport Assessment Addendum, Oct 2022
CD 2.18	Further Clarifications for SCC Highways, (TN005), Jan 2023
CD 2.23	Framework Travel Plan, Apr 2022
CD 2.24	Noise Impact Assessment Addendum, Oct 2022
CD 2.25	Noise technical note, Jan 2023
CD 2.26	Air Quality Assessment Addendum, Oct 2022
CD 2.31	Biodiversity Net Gain Plan, Jan 2023
CD 2.33	The Biodiversity Metric 3.0, Jan 2023
CD 2.34	External Lighting Assessment, Jan 2023
CD 2.35	Daylight & Sunlight Assessment, Oct 2022
CD 2.44	Market Assessment, Apr 2022
CD 2.47	Design and Access Statement, May 2022
CD 2.51	Air Quality Assessment, Apr 2022
CD 2.53	Biodiversity Net Gain Plan, Apr 2022
CD 2.57	External Lighting Assessment, Apr 2022
CD 2.58	Noise Impact Assessment, Apr 2022
CD 2.62	Biodiversity Net Gain Plan, Oct 2022
CD 2.63	External Lighting Assessment, Oct 2022
RU.22/0776 Decision Documents	
CD 4.1	Committee Report for the Planning Committee on 22 Mar 2023
CD 4.4	Decision Notice, issued 24 Mar 2023
Appeal Plans and Documents	
CD 5.2	Council's Statement of Case

‘Consented scheme’ - RU.23/1066 - Plans and Documents	
CD 6.5A-C	Design and Access Statement, Jul 2023
CD 6.10	Decision Notice, issued 15 Dec 2023
National Planning Policy & Guidance	
CD 8.1	National Planning Policy Framework (Dec 2023)
CD 8.4A	Planning Practice Guidance – Air Quality
CD 8.4B	Planning Practice Guidance – Noise
CD 8.4D	Planning Practice Guidance – Use of Planning Conditions
CD 8.4E	Planning Practice Guidance – Historic Environment
CD 8.4F	Planning Practice Guidance – Travel Plans, Transport Assessments and Statements
CD 8.5	National Design Guide (2021)
CD 8.7	Historic England - Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (2017)
CD 8.8	The Landscape Institute - Guidelines for Landscape & Visual Impact Assessment 3 rd edition
CD 8.9	Conservation Principles, Policies and Guidance, Historic England (2008)
CD 8.10	National Model Design Code
Development Plan	
CD 9.1	Runnymede Borough Local Plan
CD 9.5	Surrey Landscape Character Assessment- Runnymede Borough 2015
Supplementary Planning Documents/Guidance	
CD 10.1	Design SPD (2021)
CD 10.2	Parking Guidance SPD (2022)
CD 10.3	Infrastructure Delivery and Prioritisation SPD (2020)
CD 10.4	Green and Blue Infrastructure SPD (2021)
Evidence Base Documents and Other Material Considerations	
CD 11.13	World Health Organisation Guidelines for Community Noise (1999)
CD 11.14	British Standards 4142 - Methods for rating and assessing industrial and commercial sound
CD 11.15	Noise Policy Statement for England
CD 11.18	Active Travel England: sustainable development advice notes (2023)
CD 11.22	Runnymede Local Cycling and Walking Infrastructure Plan
CD 11.23	Elmbridge Local Cycling and Walking Infrastructure Plan
CD 11.24	Wey Navigation Conservation Area Appraisal

DOCUMENTS SUBMITTED AT THE INQUIRY AND SHORTLY BEFORE

Document	1	Opening submissions on behalf of the appellant
Document	2	Opening submissions on behalf of the Council
Document	3	Opening submissions on behalf of the PCRG
Document	4	Opening submissions on behalf of the WS
Document	5	Statement and appendices submitted by Mr Norris on behalf of the National Trust
Document	6	Summary, statement and appendix submitted by Mr Stearman
Document	7	Summary, statement and appendix submitted by Mr Aubert
Document	8	Statement submitted by Mrs Russell-Brown
Document	9	Statement submitted by Ms Murphy
Document	10	Statement submitted by Mr Murphy
Document	11	Statement submitted by Mr Jones
Document	12	Statement submitted by Mrs Ray

Document	13	Statement submitted by Mr South
Document	14	SoCG between appellant and the Council, dated 21 Dec 2023
Document	15	SoCG between appellant and the PCRG, dated 9 Jan 2024
Document	16	SoCG between appellant and the WS, dated 8 Jan 2024
Document	17	Letter from Dr Ben Spencer MP, dated 25 Jan 2024
Document	18	List of 5 conditions suggested by the WS, dated 9 Jan 2024
Document	19	Letters and emails between the appellant and PINS, dated 15, 18, 24 and 29 Jan 2024, relating to EIA Screening
Document	20	EIA Screening Direction dated 31 Jan 2024
Document	21	Email from the EA, dated 6 Feb 2024, clarifying its position on the appeal proposal
Document	22	Accompanied and unaccompanied site visit locations suggested by PCRG and WS, dated 26 Jan 2024
Document	23	Plans showing the appellant's proposed unaccompanied site visit route, accident locations and route of proposed HGV ban
Document	24	Response Note to Mr Aubert's submissions, submitted by the appellant, dated Feb 2024
Document	25	Summary PoE submitted by Miss Harris for the PCRG dated 21 Jan 2024, dealing with transport matters
Document	26	Details of a fatal accident involving a cyclist on the A317 on 1 Mar 2016, submitted by the appellant
Document	27	Updated Summary PoE submitted by Mrs Bean dated 6 Feb 2024, dealing with Active Travel
Document	28	Summary PoE submitted by Mr Watts for the PCRG dated 7 Feb 2024, dealing with parking
Document	29	Summary Note and corrected diagram, submitted by Mr Stearman on 7 Feb 2024
Document	30	Emails between Jacobs and National Highways dated Jul 2022 and Jun 2023, submitted by the appellant
Document	31	Summary PoE submitted by Miss Harris for the PCRG dated 8 Feb 2024, dealing with planning matters
Document	32	Email from Duplo International Limited, Hamm Moor Lane Addlestone, dated 10 Jan 2024, submitted by the PCRG
Document	33	'Comparative Boundary Distances' plan, submitted by the appellant
Document	34	Email from Mr Hawkins of Wey Meadows Farm, dated 10 Feb 2024
Document	35	Bundle of 2 emails from Cllr Lewis, dated 12 and 14 Feb 2024, and traffic report prepared by Robert West, dated 22 Dec 2016
Document	36	Final S106 Agreement, dated 5 th Mar 2024
Document	37	Council's CIL Compliance Statement dated 23 Jan 2024
Document	38	Revised Site Layout Plan Ref 21490-UMC-ZZZZ-SI-MR-A-0012 Revision D, showing EA Buffer Requirement for the northern site, submitted by the appellant
Document	39	Proposed Flood Paths Plan, Ref 10334617-HDR-XX-XX-DR-C-608 Revision P1, submitted by the appellant
Document	40	Appellant's Note on Noise Monitoring Optionality in the draft S106 Agreement, dated 12 Feb 2024
Document	41	Updated list of 21 conditions agreed between the Council and the appellant

Document	42	Updated Block Plan Ref 21490-UMC-ZZZZ-SI-M2-A-0602 Revision W, to replace plan at CD1.02, submitted by the appellant
Document	43	Updated Fencing Details Plan Ref 21490-UMC-ZZZZ-SI-M2-A-0702 Revision M, to replace plan at CD1.16, submitted by the appellant
Document	44	Appeal Note dated 15 Feb 2024, submitted by AAC on behalf of the appellant clarifying traffic flow figures used in CD2.24
Document	45	Technical Note TN006 dated 15 Feb 2024, submitted by Mode Transport Planning on behalf of the appellant
Document	46	Final updated and agreed site visit route, submitted on 15 Feb 2024
Document	47	Closing statement from Mr Aubert
Document	48	Closing statement from Mr South
Document	49	Closing Submissions on behalf of the WS
Document	50	Closing Submissions on behalf of the PCRG
Document	51	Closing Submissions on behalf of the Council
Document	52	Closing Submissions on behalf of the Appellant