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# Planning Committee

2 May 2018



<b>Application No.</b>	17/01923/FUL
<b>Site Address</b>	Charter Square, High Street, Staines-upon-Thames, TW18 4BY
<b>Applicant</b>	London Square
<b>Proposal</b>	Redevelopment of the site to provide 104 new residential units with flexible commercial floor space (flexible A1, A2, A3 and B1 Class uses) at ground and first floor; the creation of pocket park and landscaped areas; with associated parking and highway works
<b>Ward</b>	Staines
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid:22.12.2017	Expiry: Extension of Time agreed.	Target: Under 13 weeks.
<b>Executive Summary</b>	<p>This planning application seeks planning consent for the redevelopment of Phase 1B of the Charter Square development for a multi-residential development of 104 units above commercial space on the ground floor and a separate 2 storey commercial building fronting London Road. The development would also provide 27 car parking space below grade in a basement level, 108 secure cycle spaces at grade and a pocket park with children's play space.</p> <p>It has been demonstrated that in this location there is no realistic prospect of new office development of the scale previously approved being brought forward. The principle of high density residential development is considered to be acceptable and it would represent an efficient use of land, close to the town centre, providing residential units in a sustainable location.</p> <p>The proposal would comply with the relevant policies of the Core Strategy and Policies Development Plan Document and would provide appropriate mitigation for the increased density and reduced parking provision.</p>		
<b>Recommended Decision</b>	<p>This planning application is recommended for approval, subject to the completion of a S106 agreement and the conditions as set out at Paragraph 11 of the Report.</p> <p>In the event that the S106 agreement is not completed to the satisfaction of the Local Planning Authority, and in the event that the applicant does</p>		

	not agree a further extension of time for determination, the recommendation is to refuse planning permission.
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## MAIN REPORT

### 1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies Development Plan Document 2009 (CS&P DPD) are considered relevant to this proposal:

- SP1 - Location of Development
- LO1 - Flooding
- SP2 - Housing Provision
- HO1 - Providing for New Housing Development
- HO3 - Affordable Housing
- HO4 - Housing Size and Type
- HO5 - Housing Density)
- TC1 - Staines Town Centre.
- TC2 - Staines Town Centre Shopping Frontage.
- EM1 - Employment Development.
- CO2 - Provision of Infrastructure for New Development
- CO3 - Provision of Open Space for New Development
- SP6 - Maintaining and Improving the Environment
- EN1 - Design of New Development
- EN3 - Air Quality
- EN4 - Provision of Open Space and Sport and Recreation Facilities
- EN11 - Development and Noise
- EN15 - Development on Land Affected by Contamination)
- CC1 - Renewable Energy
- CC2 - Sustainable Travel
- CC3 - Parking Provision

1.2 Also relevant are the following Supplementary Planning Documents / Guidance:

- SPD on Design of Residential Extensions and New Residential development
- SPG on Parking Standards

1.3 The guidance set out in the National Planning Policy Framework (NPPF) is relevant to the consideration of this proposal.

### 2. Relevant Planning History

2.1 The site has been the subject of numerous planning applications,

09/00566/OUT	Outline planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 39,750 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3;	Allowed on appeal February 2011
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	Class D2; Class A1, A2, A3, A4, A5. Such development to include: Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.	
15/00738/RVC	Variation of condition 5 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to alter the form and height of the approved building envelope (S73 Application).	Grant Conditional 13.07.2015
15/00739/RVC	Variation of condition 6 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide a greater amount of residential floor space up to 24,000 square metres (S73 Application).	Grant Conditional 13.07.2015
15/00753/RVC	Variation of condition 14 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide a new access from the link road for car parking rather than the approved access from Mill Mead. (S73 Application).	Grant Conditional 13.07.2015
15/00754/RVC	Variation of condition 25 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide retail and restaurant uses on the High Street frontage (S73 Application).	Grant Conditional 13.07.2015
15/00755/RVC	Removal of condition 18 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site relating to visibility splays required in connection with the approved access from Mill Mead (S73 Application).	Grant Conditional 13.07.2015
15/00756/RVC	Removal of condition 24 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site concerned with providing Public Art. (S73 Application).	Grant Conditional 13.07.2015

16/00179/RMA	Reserved Matters application (in respect of appearance, landscaping, layout and scale) pursuant to outline planning permission granted under 09/00566/OUT and as amended under 15/00738/RVC, 15/00739/RVC, 15/00753/RVC, 15/00754/RVC, 15/00755/RVC and 15/00756/RVC for the development of the site to provide up to 39,750sqm of floor space to comprise residential (Class C3), office (Class B1a), Class C1, Class D2, Class A1, Class A2, Class A3, Class A4 and Class A5 as well as the provision of a new link road and pedestrian routes, car and cycle parking, highways and transport facilities, public open space, landscaping and other associated works.	Grant Conditional 13.05.2016
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### **3. Description of Current Proposal**

- 3.1 The site is located to the north of the A308 London Road and comprises an area of 0.35 hectares (± 0.86 acres) currently used for construction staging and facilities.
- 3.2 The site comprises the western portion of the site formerly occupied by Majestic House and is bounded by the A308 London Road to the south, the railway to the west, Renshaw Industrial estate to the north and Charter Square Phase 1 A to the east.
- 3.3 Outline Planning Permission for up to 39,750 sqm of floorspace for Office, (B1(a)); Hotel (C1); Dwellings (C3); Leisure (D2); Retail (A1), Professional/Financial Services (A2), Restaurant (A3), Drinking Establishment (A4) and Hot food Takeaway (A5) was allowed on appeal in 2011 for the wider Charter Square site (formerly the Majestic House site).
- 3.4 A Reserved Matters application was subsequently submitted, by London Square in respect of Appearance, Landscaping, Layout and Scale and was approved on 7th June 2016.
- 3.5 The eastern portion of the site, Phase 1A, is under construction for the development of 260 new homes. The western half of the site, Phase 1B was formerly intended to be developed as a commercial office building to deliver 9,000 square metres of commercial office space. Following recent market testing, London Square has determined that there is insufficient demand for office accommodation in this location to make this portion of the redevelopment viable.
- 3.6 The proposal comprises 104 new residential units and 882 sqm of flexible commercial floorspace which would allow for a range of potential uses dependent upon market conditions at completion.

Use Class	Proposed Floorspace (sqm GIA)
Flexible (A1, A2,A3 & B1(a))	882
Residential (C3)	8,187
Basement Parking	145
Total	9,214

- 3.7 A new 13 storey (42.1m) residential building is proposed in addition to a two-storey commercial building fronting the High Street. The ground floor of the residential building to the rear of the site would comprise flexible commercial floorspace.
- 3.8 The scale of the proposed building would be broadly comparable with the approved building which comprised 8 storeys (39.7m) of office accommodation, although the building mass has been reduced to reflect the needs of the residential building with the typical floorplate being reduced by 300 square metres.
- 3.9 The entrance to the residential units would be provided through a designated residential entrance at ground floor located on the corner on Mill Mead and the new link Road. The entrance to the commercial floorspace below will be at ground floor level from within the public open space. The retail units within the front building will be accessed from the High Street.
- 3.10 The design of the commercial building fronting London Road would remain as previously approved. At 2 storeys in height and constructed of brick with large format glazed elevations to the public areas, it would step down in scale to London Road and the adjoining building to the west.
- 3.11 The residential element of the development will be provided with 27 car parking spaces within a basement car park, which will sit alongside the approved 218 spaces within Phase 1A, providing a total of 245 residential spaces on the site. The commercial office/retail element would be car free. It is anticipated that additional car parking space will be available within Phase 1A and therefore any additional demand for residential car parking will be accommodated within this car park. As such, the car parking level across the site will be provided at a level of 0.67 per dwelling.
- 3.12 Long stay cycle parking facilities will be provided, with 108 spaces provided for the residential accommodation within a designated cycle store at ground floor level. Cycle parking for the commercial element of the scheme will be provided in the form of Sheffield stands within the landscaped public space.
- 3.13 The proposals would rely on the Link Road to the north of the site which will be delivered as per the Reserved Matters Application approval for Phase 1A of the development. This will provide access to both Charter Square Phase 1A and 1B and the existing Renshaw Industrial Estate to the north. Further detail with respect to transport matters is contained within the accompanying Transport Statement.
- 3.14 As per the Reserved Matters approval the proposals include pedestrianising part of the Mill Mead Service Road. This will improve the public realm and create a high quality and safe pedestrian environment adjacent to the new proposed pocket park. Vehicular access will be redirected to the new link road

to the north. This builds on and improved upon the previously consented proposals.

#### 4. Consultations

4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
<b>County Highway Authority</b>	No Objection subject to conditions
<b>County Archaeological Officer</b>	No Objection
<b>Environment Agency</b>	No Objection
<b>Valuation Advisor</b>	No Objection
<b>CAA</b>	No response received Officer Note: The proposal does not exceed the 45m height Heathrow Safeguarding Zone.
<b>BAA</b>	No Objection
<b>Network Rail</b>	No response received
<b>Environmental Health (Contaminated land)</b>	No Objection subject to condition
<b>Environmental Health (Air Quality)</b>	No Objection subject to mitigation measures.
<b>Environmental Health (noise)</b>	No Objection
<b>Environment Services (Renewable Energy)</b>	No Objection
<b>Lead Local Flood Authority</b>	No Objection subject to conditions
<b>SCAN</b>	Objects – The development has not been designed to satisfy the principles of the Equalities Act. Few if any of the remaining units will be adaptable.
<b>Street Scene</b>	No Objection subject to condition
<b>Surrey Police</b>	No Objection
<b>Surrey Wildlife Trust</b>	No Objection subject to condition
<b>Thames Water</b>	No Objection subject to Informative
<b>Trees</b>	No Objection
<b>Staines Town Society</b>	Objects – the development is too high, the units small and awkward, there is a lack of affordable housing units, there is inadequate open space there is inadequate parking provision and the location is unsuitable for residential due to noise and pollution

#### 5. Public Consultation

5.1 Neighbouring properties were notified of the planning application, statutory site notices were displayed and the application was advertised in the local press.

5.2 However, the Local Planning Authority has received no comments regarding the proposal.

## **6. Planning Issues**

6.1 The following primary planning issues were considered in the review of this planning application:

- Principle
- Housing type, size and density
- Affordable Housing
- Access
- Parking
- Transportation Issues
- Scale, layout and impact
- Design and appearance
- Residential amenity
- Daylight and sunlight
- Waste and recycling
- Air Quality
- Archaeology
- Flooding
- Amenity Space
- Open Space
- Renewable energy
- Noise
- Contaminated land
- Local Finance Considerations

## **7. Planning Considerations**

### Need for Housing

- 7.1 When considering planning applications for housing local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47.
- 7.2 Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).
- 7.3 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places. The proposals included a standard method for calculating local authorities' housing need and proposed a figure of 590 per annum for Spelthorne. On the basis of its objectively assessed



housing need the Council is currently unable to demonstrate a five-year supply of deliverable sites.

- 7.4 However, the objectively assessed need figure does not represent a target as it is based on unconstrained need. Through the Local Plan review the Borough's housing supply will be assessed in light of the Borough's constraints which will be used to consider options for meeting need. Once completed, the Borough's up to date Strategic Land Availability Assessment will identify further opportunity sites for future housing development that can then be considered for allocation in the new Local Plan. This will also form the basis for a revised 5-year housing land supply figure.
- 7.5 Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or relevant policies are out of date, permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.'* This application must be considered having regard to the above requirements of Para 14 of the NPPF.
- 7.6 Notwithstanding that the proposal falls short of addressing the assessed need for affordable housing, taking into account the above and the relevant adopted policies of the CS&P DPD, which encourage new housing development, it is considered that significant weight should be given to the use of this particular urban site for housing.

#### Principle of Development

- 7.7 Policy H01 encourages the redevelopment of poorly located employment land for housing and seeks to ensure the effective use of urban land through the application of Policy HO5 on density.
- 7.8 This is also reflected in the NPPF paragraph 58 which emphasises the importance of optimising the potential of sites to accommodate development and provides further relevant context at paragraph 23.
- 7.9 The site would benefit from access using the new Link Road required as part of the original Charter Square development and office development in this location, close to the town centre and alternative transport options could not reasonably be considered poorly located employment land.
- 7.10 However, the applicant has submitted an Office Market Report which indicates that whilst availability has increased 20% since 2016, the take up on new speculative floor space has been low, with only one transaction over 5,000 sq ft in 2017.
- 7.11 The report also identifies that since there is over 250,000 sq ft of Grade A office currently available, there is adequate space to address current and future demand at this time.

- 7.12 On the basis of the existing supply and the viability of the office development, the project is unlikely to be realised in the short to medium term. The principle of providing housing on the site as an alternative. Must therefore carry significant weight.
- 7.13 The site is not located in a high flood risk area or the Green Belt and therefore the principle of optimising the potential of the site would be in accordance with national policy.
- 7.14 It is therefore considered that the principle of the loss of the employment land and the provision of high density residential development on this site is acceptable provided all other policy requirements are met satisfactorily and would contribute towards the Borough's housing supply

#### Housing Type, Size and Density

- 7.15 Paragraph 50 of the NPPF states that in order to deliver a wide choice of high quality homes, Local Planning Authorities should plan for a mix of housing based on current and future trends and community needs.
- 7.16 Policy H04 and the Council's Supplementary Planning Document (SPD) on Housing Size and Type seeks 80% of dwellings, in developments of 4 or more units, to be 1 or 2 bed units in order to ensure the overall dwelling stock meets the Borough's identified demands.
- 7.17 The submitted layout provides for 14 x studio (13%), 42 x one bed (40%) and 48 x two bed units (47%). This housing mix would meet the requirements of the policy and assist in meeting the Borough's needs and is therefore considered acceptable.
- 7.18 The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development (2011) sets out minimum floor space standards for new dwellings.
- 7.19 The Government has also published national minimum dwelling size standards in their "Technical Housing Standards – nationally described space standard" document (2015). These largely reflect the London Housing Design Guide on which the Spelthorne standards were also based and are arranged in a similar manner to those in the SPD.
- 7.20 All of the units shown on the submitted layout comply with the minimum standards contained in the Council's SPD and the National Technical Housing Standards and are therefore considered to be acceptable.
- 7.21 Policy HO5 of the CS&P DPD sets out general guidance on density although this must be interpreted in the context of the particular mix of dwellings proposed. The policy indicates a guide density range of 40 to 75 dwellings per hectare for this location, but acknowledges that higher densities may be acceptable where the design is appropriate and the location is accessible by non-car based modes.

- 7.22 The principle of a high density development is consistent with the Government's core planning principles are set out in paragraph 17 of the NPPF. There are 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles is:

*"Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"*

- 7.23 In addition in February 2017, the Government issued a white paper, 'Fixing Our Broken Housing market.' This set out a number of measures intended to boost housing supply and in the long term create a more efficient housing market. One of the ways indicated to achieve this is by making better use of land for housing by encouraging higher densities where appropriate. The aim of the white paper is to optimise the proposed density of development.

- 7.24 The Draft Revised NPPF (March 2018) supports the White Paper stating that planning policies and decisions should support development that makes efficient use of land taking into account:

- the identified need for housing and the availability of land suitable for accommodating it;
- local market conditions and viability;
- the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- the desirability of maintaining an area's prevailing character, or of promoting regeneration and change; and
- the importance of securing well-designed, attractive places.

- 7.25 This scheme proposes a density of 297 units per hectare, and being an apartment development where higher numerical densities can be achieved and in a sustainable location, adjacent to the Staines Town Centre and public transport options, it is considered to be an appropriate density.

#### Affordable Housing

- 7.26 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability with negotiation conducted on an 'open book' basis.
- 7.27 The policy also states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of intermediate units not exceeding 35% of the total affordable housing component.

- 7.28 The applicant has proposed 22 affordable housing units, based on their Viability Report which represent an affordable housing provision of 21%. Both the Viability Report and the applicant's Planning Statement indicate that the 22 units of affordable housing would be split as one x studio, nine x 1 bed units and twelve x 2 bed units. However, these would all be provided as shared ownership units.
- 7.29 This is lower than the 50% sought through the Council's policy and the tenure does not meet the requirement of Policy H03. However, the applicant's Viability Report was independently reviewed by the Council's Financial Advisor, who considered that the proposal cannot provide additional affordable housing units, above the 22 intermediate units offered without affecting the viability of the development.
- 7.30 On balance, it is considered that the level of provision of affordable housing meets the criteria set by Central Government and the tenure does meet an identified need within the Borough. The provision is therefore considered to be acceptable.

#### Access and the Link Road

- 7.31 The applicant's Transport Assessment was submitted based on vehicular access to the building being taken from the new Link Road to be constructed as part of the original Charter Square development. An internal ramp would provide access to a single level underground carpark, whilst a separate cycle parking area would be accessed from grade level.
- 7.32 Pedestrian access to the residential development would be from a lobby on Mill Mead, with access to the ground floor commercial unit within the building from both Mill Mead and from the public space within the development adjacent to Phase 1A. Access to the commercial unit fronting the London Road would be from the public space within the development.
- 7.33 The existing vehicular access at Mill Mead, adjacent to the Iron Bridge (railway bridge), is considered to be unsatisfactory, for reasons including insufficient visibility, road width, junction proximity and the impact of queueing characteristics on the wider road network. No additional traffic would be supported using this access. Mill Mead was to be closed as part of the original Charter Square application.
- 7.34 The requirements of the legal agreement associated with planning approval 09/00567/OUT require the Link Road to be practically complete at the first of three specified criteria. Since the application site includes the western part of the Link Road, a new legal agreement would be required to provide an appropriate trigger in respect of this revised development

#### Parking

- 7.35 Under the requirements of the Council's Parking Standards SPD (2011) the proposed development would require 137 parking spaces based on the following standards:

Unit Type	General Needs Housing	Affordable Housing
1 bed unit	1.25	1
2 bed unit	1.5	1.25

- 7.36 The proposal would provide 27 parking spaces in a single underground level which represents 0.25 spaces per unit this development (Phase 1B), and 0.67 spaces per unit if averaged over the whole of the Charter Square development (Phase 1A and 1B).
- 7.37 Since the building is separate and distinct from the Phase 1A building, sharing no services, facilities or physical connection, it needs to be considered in isolation since it could form a separate parcel in the future.
- 7.38 The Transport Statement acknowledges that the current proposal represents a significant reduction in parking provision over the office development. The previous office development provided 155 spaces across 4 basement levels as agreed at the outline stage, but exceeding the level in the Council's Supplementary Planning Guidance, Parking Standards 2011.
- 7.39 However, the Transport Statement justifies the reduced parking provision through the 2011 Census data that indicates that 35% of Central Staines residents are car free and by distributing the spaces across the two buildings to provide the average of 0.67 spaces per unit.
- 7.40 Although the submission indicates that the applicant would be willing to enter into a legal agreement to prevent residents from being eligible for public parking permits, such an obligation would not concern the land in which the developer has an interest and which is the subject of the planning application and would not therefore be a planning obligation within the scope of a s106 legal agreement.
- 7.41 The County Highway Authority has reviewed the application details and has raised no objection to the reduced parking provision and considers that the proposed mitigation measures indicated would support the aims of the NPPF which seeks to promote and maximise the use of sustainable transport modes.
- 7.42 These measures include the submission of a Travel Plan detailing methods of reducing of future occupier's reliance on the private car, including the provision of a car club for a minimum of 2 years and the provision of a financial contribution towards the enhancement of the public realm on Station Path to encourage walking to bus stops and the railway station.
- 7.43 The reduced parking levels on Phase 1 B are considered appropriate given the mitigation measures indicated and the desire to reduce traffic movements on the surrounding network. Improving the pedestrian network to access the rail station, together with the County's wider proposals for the London Road to improve both pedestrian and cycle access would provide viable alternatives to the private car.

#### Transportation Issues

- 7.44 The site is within 500 metres of the Staines Railway Station which offers a half hourly service to London. There are also bus stops within close proximity of the site offering services eastbound towards Ashford and Stanwell, and westbound towards Chertsey and Egham. In addition the bus station is within 500 metres. There are also both pedestrian and cycle routes within close proximity of the site, providing access to a range of facilities, services and locations.
- 7.45 The Transport Assessment examines the existing travel characteristics and local highway network, transport policy considerations and traffic generation from the development. The change from office to residential shows a reduction in trips generated by the development.
- 7.46 The NPPF promotes sustainable transport choices and to reduce the need to travel, especially by car. The draft revised NPPF reaffirms the need to promote sustainable transport and para. 109 states: *“development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network or road safety would be severe”*.
- 7.47 The applicants have submitted a Transport Assessment for the proposal and a Travel Plan Framework which have both been reviewed by the County Highway Authority.
- 7.48 The site is considered to be a sustainable location, close to both services and alternative transport options. The reduction in office space and on-site parking spaces would represent a reduction in the traffic movements generated from the site. The County Highway Authority is satisfied that the provisions outlined in the Travel Plan Framework.

#### Scale/Layout and Impact on Surroundings

- 7.49 The scale of the proposed residential development should be considered in relation to the approved commercial scheme and the surrounding approved residential developments.
- 7.50 The application proposal seeks to construct a 13 storeys (42.1m) residential tower, whilst the extant office development comprises 8 storeys (39.7m). This would result in an increase in height of 2.4 metres. However, the bulk and massing would be reduced as the residential floor plate is reduced from that of the office.
- 7.51 The highest part of the block would be located at the north-west corner with elements stepping down to the east (9 storeys) and south (6 storeys).
- 7.52 The provision of 104 units would result in a density of 297 units per hectare, which is significantly higher than that identified in policy HO5, which states that within Staines town centre development should generally be at or above 75 units per hectare, but does reflect higher density development in a sustainable location in accordance with the Government’s White Paper ‘Fixing our Broken Housing market’ and would provide a significant contribution towards the Borough’s housing supply.

- 7.53 This density would also reflect the guidance contained in the draft NPPF which states at paragraph 122 that planning decisions should support development that makes efficient use of land and at paragraph 123 that where there is an anticipated shortage of land for meeting an identified need decisions avoid homes being built at low densities.
- 7.54 It is considered that with the articulated floor plate and stepped elements, the impact on the surrounding development would be acceptable. The proposal, in terms of scale and massing would have an acceptable impact on the surrounding townscape in this part of Staines and would more generally reflect the scale of development currently emerging in the built up commercial areas of modern town centres.

#### Design and Appearance

- 7.55 Policy EN1 of the CS&P DPD states that the Council will require a high standard of design and layout of new development. Proposals should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land. Also of relevance is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011.
- 7.56 The applicant has sought to reflect the design of Phase 1A, but to create a separate identity for the new building. The visual bulk of the new development has been broken up using a stepped building form and a variation of materials which complement the colour palette of Phase 1A.
- 7.57 The materials are intended to accentuate the contrast between the tall, slender off-white corner element and the lower more horizontal elements of the building. The dark brick proposed on for the base of the building, not only links back to Phase 1A, but reinforces the idea of a strong and solid foundation.
- 7.58 Variation in the style and type of balconies help to break up the facades and add articulation, whilst a variation in window openings helps to define the elements of the building.
- 7.59 The creation of the green wall on the south facing elevation not only provides privacy to the properties to the south, but breaks up the façade further and draws the landscape into the site.
- 7.60 Particular consideration was given to the residential access on Mill Mead to ensure that it would be visually defined, with a metallic glazed brick being used to define the entrance.
- 7.61 In addition the colonnade along Mill Mead has been increased in depth to provide a more convenient, usable pedestrian route to the residential entrance.

- 7.62 It is considered that the design and appearance of the development would be appropriate in its context and make a positive contribution to the street scene in accordance with both the policy and the SPD

#### Residential Amenity

- 7.63 The nearest residential properties would be in the Phase 1A part of the Charter Square development to the east. At their closest point, the buildings would be a minimum of approximately 15m away from each other which is considered appropriate since this would represent the edge of the second floor amenity space to the closest point of Phase 1A. The closest window to window distance would be over 20metres on an oblique view.
- 7.64 The proposed development would be approximately 15.5m at its closest point to Building A of the Outline Approval for the Renshaw Industrial Estate residential development and 25m where the residential units would front each other. It would be approximately 8.5m from Building B at the north western point, although the closest residential unit would be some 16.5m away.
- 7.65 The planning system seeks to protect adjacent properties from over dominant development or inappropriate levels of enclosure. The Council's SPD 'Design of Residential Extensions and New Residential Development' provides for building distances that seek to avoid overlooking and loss of privacy. These distances do not relate to buildings taller than 3 storey development, but the immediate context of the proposal is higher density, multi residential development and the distances are considered appropriate in this particular instance.
- 7.66 Although at the inner corner of the 'L' the distances between units within the proposed development are below the guidance, given the site's location close to the town centre where suburban standards must be more flexible to optimise development, and given the orientation of buildings and type of units which mitigate any potential overlooking, it is considered that the impact on residential amenity is acceptable. The distances between the proposed development, the Renshaw Industrial Estate residential proposal and Phase 1A of the Charter Square development are considered appropriate for modern multi-residential units.

#### Daylight and Sunlight Assessment

- 7.67 The applicant has undertaken a daylight and sunlight assessment and compared this to the effects arising from the consented scheme. This assessment confirms that based on the scale and massing proposed, there is no significant adverse impact on the surrounding properties.
- 7.68 An assessment was also undertaken in relation the approved Phase 1A units that face towards the proposed Phase 1B massing. The results showed that internal daylight and sunlight levels within the rooms would experience either no alteration or improved levels of both daylight and sunlight, when compared to the consented scheme.



- 7.69 The Building Research Establishment good practice guide 'Site Layout Planning for Daylight and Sunlight' states that for large residential developments:

*'The aim should be to minimise the number of dwellings whose living rooms face solely north, northwest or north east.'*

It also states:

*'Sunlight in the spaces between buildings has an important impact on the overall appearance and ambiance of a development.'*

- 7.70 The proposed layout provides for an 'L' shaped building with primarily single aspect units. As a result of the siting and efficient internal layout, between the ground and eighth floors there are apartments whose primary windows would face north and therefore would have restricted access to sunlight.
- 7.71 Notwithstanding the constraints created by the proposed development, it is a high density proposal close to the town centre and it is considered that, on balance, the benefits of the proposal in this particular location outweigh the restricted sunlight created by the design of the central space.
- 7.72 In terms of daylight and sunlight the layout it is considered to be comparable to other similar schemes in the vicinity and would provide a satisfactory level of amenity to occupiers and users of the open spaces in accordance with the flexible approach instated in paragraph 123(c) of the draft NPPF.

#### Waste and recycling

- 7.73 The applicant's Design and Access Statement shows the location of the proposed bin store and indicates that the provision conforms to Spelthorne's Guidance.
- 7.74 The Group Head of Neighbourhood Services raised concern regarding the operational aspects of the collection of waste, indicating that a layby or pull-in may assist. However, this would restrict pedestrian access along the Link Road which only has a footpath on one side and is therefore considered to be inappropriate.
- 7.75 The space within the refuse area has been designed to allow for the manoeuvring of both the full and empty containers to allow for the efficient collection.
- 7.76 Street Scene has raised no objection subject to a condition requiring the approved area to be provided and maintained for the purpose.

#### Air Quality Assessment

- 7.77 The applicant's Air Quality Assessment states that a qualitative assessment on the construction phase has been carried out and the risk ranges from low to medium. Following the implementation of appropriate mitigation measures

indicated, the impact of emissions during construction would not be significant.

- 7.78 The suggested mitigation measures include the development of a Dust Management Plan, which is recommended as a condition.
- 7.79 Post construction, the applicant's Air Quality Assessment states that the impacts would be negligible and residual effects not significant. The assessment predicts that future occupants will not be exposed to pollutant concentrations above objectives.
- 7.80 The Council's Pollution Control Officer indicates that whilst the air quality impacts from the Phase 1B development would not be classed as negligible, the change of use from office to residential would result in a reduction in peak traffic movements and the applicant has proposed a number of mitigation measures.

#### Archaeology

- 7.81 The County Archaeologist was consulted and states that, with the exception of the small triangular piece of land to the west of the site, proposed for the pocket park and play space, the site has been fully investigated under the condition attached to the Outline Approval (09/00566/OUT).
- 7.82 Taking into account the small size of the investigated parcel and the degree of likely disturbance in this location the County archaeologist is satisfied that there is no requirement for any further archaeological work.

#### Flooding

- 7.83 The site is located in flood zone 2 which represents land having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% - 0.1%).
- 7.84 The applicant's Flood Risk Assessment (FRA) states that although the site is located in the medium flood risk area appropriate mitigation would reduce the risk of flooding. The proposed mitigation includes providing a finished floor level constructed at 16.10m AOD.
- 7.85 In line with the reserved matters application (Phase 1A), flood compensation would be provided by flooding the semi basement provided in the east portion of the site (Phase 1A) combined with the external attenuation tank provided To which Phase 1B would be connected, before discharging to the surrounding sewer system.
- 7.86 The surface water strategy and run-off rates would not be altered as part of the new submission.
- 7.87 The FRA assessed other flood risks as low and concluded the overall flood risk to be low on this site. The Environment Agency, Thames Water and the Lead Flood Authority were consulted on the proposal and raised no objection to the proposal, subject to conditions.

### Amenity Space

- 7.88 The Council's SPD, Design of Residential Extension and New Residential Development (2011) provides general guidance on minimum garden sizes (Paragraph 4.20). In the case of flats it requires 35 square metres per unit for the first 5 units, 10 square metres for the next 5 units, and 5 square metres per unit thereafter. On this basis 695 square metres would be required for the 104 flats.
- 7.89 The application indicates that it would provide a private balcony for each unit, with a minimum size of 5 square metres, and communal amenity space totalling 551 square metres on terraces on the 1<sup>st</sup> and 9<sup>th</sup> floors. Additional open space would be provided between the buildings of Phase 1A and Phase 1B, forming a landscaped courtyard. The amenity space required would therefore be exceeded.
- 7.90 In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 of the SPD states:
- “Such schemes will usually involve high density flatted development... The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate. Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”*
- 7.91 The proposal does demonstrate that sufficient residential amenity space would be provided in the proposed layout.

### Open Space

- 7.92 Policy SP5 of the CS&P DPD indicates that new developments that individually or cumulatively add to the requirements for infrastructure and services will be expected to contribute to the provision of necessary improvements.
- 7.93 Policy CO3 requires that new housing development of 30 or more family dwellings (defined as any housing with two or more bedrooms) provide a minimum of 0.1ha of open space for a children's play area.
- 7.94 The proposal indicates 48 units of two beds which would create a requirement 0.16 ha to provide a children's play area. In this specific location, with the proposed multi-residential type of development, such a provision would be unrealistic and unviable.
- 7.95 A pocket park of approximately 137 square metres on a triangular piece of land on the west side of Mill Mead is proposed to incorporate a high quality children's play space. This would plink into the pedestrian courtyard and adjacent plaza

- 7.96 The play space would be overlooked by the adjoining units and the commercial unit, thereby provide surveillance and creating a safe environment.
- 7.97 The proposal provides for the on-site provision of play space and is close to the Moormede play area and Staines Moor. On balance, it is considered that the proposal provides an adequate level of open space.

#### Renewable Energy

- 7.98 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 square metres to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.99 The applicant has submitted an Energy Strategy and Sustainability Statement, which proposes various active measures for the building. The report concludes that the proposed development can reduce carbon emissions by 13% through the inclusion of active and passive energy efficiency measures and the connection to the combined heat and power plant.
- 7.100 The Council's Sustainability Officer has been consulted and raises no objection.

#### Noise

- 7.101 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by:
- a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level; and
  - b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 7.102 The applicant submitted a Technical Noise Assessment which concluded that based on the submitted development layout and the measured noise and vibration levels the site is suitable for residential development. It also noted that subject to identified mitigation measures, appropriate internal noise levels can be achieved within habitable rooms.
- 7.103 The Groundborne Vibration Assessment identified that vibration levels from the rail movements are predicted to have no significant adverse impact on the proposed residential properties.
- 7.104 The Council's Environmental Health section reviewed the technical noise assessment and has raised no objection on grounds of noise or vibration.

### Contaminated Land

- 7.105 The applicant submitted Phase 1 & 2 Contamination Assessments in connection with the approved planning permission 09/00566/OUT to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site and reflects the Council's standard precautionary approach to contamination risk.
- 7.106 The Phase 1 assessment identified several sources of contamination that require further assessment. The Phase 2 assessment provided recommendations and mitigation measures based on site exploratory investigation.
- 7.107 The Council's Pollution Control Officer and the Environment Agency have raised no objection but requested a conditions be imposed requiring remediation measures to undertaken as set out in the Remediation Strategy and Verification Plan (Dec 2017).

### Local finance Considerations

- 7.108 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are required to ensure that financial benefit information is publicly reported through the Committee process. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not
- 7.109 In consideration of S155 of the Housing and Planning Act 2016, the proposal would result in the following financial contributions:
- £10,000 to be used as a contribution towards the review of parking restrictions in the area.
  - £4,600 to be used to review the Travel Plan submitted as part of the justification for reducing the parking provision on the site and promoting alternative modes of transport.
  - £46,440 to be used to upgrade the pedestrian route to the railway station.
  - The Community Infrastructure Levy for Zone 2 (£140) will be payable on this site.

These are considered to be a material considerations in the determination of this planning application. The proposal will also generate a New Homes Bonus Business Rates and Council Tax payments which are not material considerations in the determination of this proposal.

## **8. Recommendation**

- (A) GRANT** subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 22 affordable housing units on site built in accordance with the core standards set out in the Homes England Design and quality standards (April 2007), and:
  - Prior to occupation of the affordable housing units the Registered Provider shall enter into a Nominations Agreement in respect of the affordable housing (in order that the affordable housing meets local needs).
  - Prior to the transfer of 50% of the residential units (not being the affordable units) to build and complete the affordable units and transfer these to a Registered Provider.
2. To provide a Travel Plan to include, but not restricted to, the following:
  - A financial contribution of £4,600 towards the cost of auditing the Travel Plan
  - Provision of one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space and pump priming being met by the developer. When the first car is used by residents of the development for more than 75% of the time averaged over one month then a second car shall be provided with all costs associated with the provision of the second vehicle including provision of parking space being met by the developer. If either the first or second vehicle is removed then the money that would have been invested into either vehicle should be reinvested into the travel plan in order to provide non single motorised vehicle modes of transport.
  - Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
  - Provision of one year free membership of the car club for the first occupants of each of the proposed residential units
  - Provision of one £50 sustainable travel voucher per household (equates to £5,200 for the 104 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £5200 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle, it shall be reinvested into other non-private vehicle modes of transport use.
3. A financial contribution of £10,000 towards the review and implementation of parking restrictions in the area following the occupation of the buildings on the site.
4. A financial contribution of £46,440 towards the site specific highway improvements between the site and the Staines railway station which would mitigate the reduced parking levels and encourage modal alternatives to the private car.
5. To enter into a S38 Agreement with Surrey County Council (SCC) for the dedication as highway and adoption of part of the application site to form part of the Link Road including the funding of the reconstruction of the area in accordance with details submitted to an approved by SCC.
6. To enter into a S278 Agreement with Surrey County Council (SCC) for the upgrading and enhancement of the footpath along the London Road at the south of the site.
7. The stopping up of Mill Mead to vehicular traffic within the site boundaries and the repaving and/or resurfacing of Mill Mead in accordance with details to be agreed by Surrey County Council (SCC), including the funding of the road closure order for vehicular traffic. Pedestrian access to be retained and allow for convenient level access.
8. Provision of a piazza within the site, in accordance with details approved by the Council, and available to the public.

### **In the event that the Section 106 Agreement is not completed**

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following:

**REFUSE** the planning application for the following reasons:

1. The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
2. The development fails to provide adequate measures to mitigate the level of reduced parking provision proposed and increased traffic movements on the A308 London Road, contrary to Policies SP7, CC2 and CC3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
3. The development fails to provide a satisfactory means of access to the development, contrary to the submitted application details, and will create an unnecessary highway danger to vehicles and pedestrians using the surrounding highway network. The proposal is thereby contrary to policy CC2 of the Core Strategy and Policies DPD 2009 and the principles of the National Planning Policy Framework.

**(B)** In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; **GRANT** subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: A2773-208 R6, A2773-209 R5 , A2773-210 R7, A2773-211 R9, A2773-212 R7, A2773-213 R7, A2773-214 R7, A2773-215 R7, A2773-216 R7, A2773-217 R10, A2773-218 R8, A2773-219 R8, A2773-220 R11, A2773-221 R9, A2773-222 R9, A2773-223R9, A2773-224 R5, A2773-300 R4, A2773-301 R4, A2773-302 R4, A2773-303R4, A2773-400 R4, A2773-401 R4, A2773-402 R4 and A2773-403 R4.

Reason: - For the avoidance of doubt and in the interest of proper planning

3. The development hereby approved shall be carried out in accordance with the details contained in the Remediation Strategy and Verification Plan (Dec

2017) and prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

4. No development shall commence until a programme for the suppression of dust during the construction of the development [and demolition of existing buildings] has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of [demolition and] construction unless any variation has been approved by the Local Planning Authority.

Reason:- Details are required prior to commencement because insufficient information has been submitted with the application in this regard, in the interests of residential amenity and in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. Prior to the first use or occupation of the development, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. Prior to the installation of any external lighting, details including a technical specifications shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed as approved.

Reason:- To safeguard the amenity of neighbouring residential properties and in the interest of security.

7. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

8. Prior to the first use or occupation of the development, full details of both soft and hard landscape works have been submitted to and approved in writing by



the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

9. Prior to the first use or occupation of the development, a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

10. Prior to the first use or occupation of the development, details of the Local Equipped Area of Play (LEAP), including details of the number and type of equipment to be installed, means of enclosure, surface materials, seating, litter bins, planting and signage, shall be submitted to and approved in writing by the Local Planning Authority. The Local Equipped Area of Play shall be implemented in accordance with the approved details prior to the occupation of the buildings and thereafter maintained.

Reason:- To ensure that a satisfactory children's play area is provided on the site.

11. The public open space, piazza and children's playground hereby approved shall be made permanently available and accessible to members of the public.

Reason:- To ensure that the public open space and playground is made permanently available to the public.

12. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:  
Bedrooms - 35dB LAeq T \*, 30 dB LAeq T † , 45dB LAFmax T \*  
Living rooms- 35dB LAeq T †  
Dining room - 40 dB LAeq T † \*  
- Night-time 8 hours between 23:00-07:00 †  
- Daytime 16 hours between 07:00-23:00.

Reason:- To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework 2012.

13. Prior to the completion of the Link Road, the proposed vehicular accesses to the new Link Road shall be constructed and provided with visibility zones in accordance with the approved plans, all to be permanently maintained permanently clear of any obstruction.

Reason:-.The condition above is required is in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

14. No construction, demolition, excavation or delivery traffic shall use Mill Mead, via the junction with A308 London Road, for access to or from the application site.

Reason:-.In the interests of highway safety and the free flow of traffic on the surrounding road network

15. The 108 cycle parking spaces as shown on the submitted plans shall be constructed and the cycle parking spaces shall be completed prior to the completion of the residential development and these spaces together with the means of access thereto shall be maintained thereafter as approved, and be reserved for the benefit of the occupiers of the residential development hereby permitted.

Reason:-.To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the cycle parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

16. The 27 parking spaces shown on the submitted plans shall be constructed and the spaces shall be completed prior to the first occupation and these spaces together with the means of access thereto shall be maintained thereafter as approved, and be reserved for the benefit of the occupiers of the residential development hereby permitted.

Reason:-.To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

17. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.
- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC% allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate of 5 litres/sec applied to the whole Charter Square site inclusive of Phase 1a and 1b (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.
- d) The drainage proposals relate to off-site infrastructure being in place to receive surface water run-off and therefore details must be submitted to confirm the infrastructure is in place prior to construction. If such infrastructure is not in place details must be submitted to show how surface water will be attenuated and managed on Phase 1b independently.
- e) Details of Management and Maintenance regimes and responsibilities.
- f) A plan showing exceedance flows and how property on and off site will be protected.

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

18. The development hereby permitted shall not commence until details of the proposed finished floor levels and flood compensation works for the proposed adjacent basement carpark have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) As the proposed flood compensation scheme relies on off-site infrastructure (Phase 1a), these proposals can only go ahead if the compensatory measures proposed are in place to mitigate the loss of flood storage resulting from Phase 1b or alternative proposals are submitted specifically for Phase 1b.
- b) Drawings for construction confirming finished floor levels are set at 16.10m AOD (110mm above the peak flood level). The only exception to this is the entrance to the residential cycle store which would be set at 15.84m AOD to tie into external ground levels, meaning that a flood depth of up to 150mm could occur. Temporary defences such as demountable barriers are to be used to protect this entrance to a level of 16.10m AOD.
- c) Full design details and levels drawings confirming flood compensation proposals.

Reason:- To ensure occupiers are protected from fluvial flood risk.

19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Drainage System has been constructed as per the agreed scheme.

Reason:- To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS

20. The part of the development comprising the new buildings at numbers 122-132 High Street, Staines shall not commence until the section of the highway maintainable at public expense that is enclosed by the new building has been stopped up under Section 247 of the Planning Act.

Reason:-.To ensure the public highway is not obstructed or encroached upon.

21. Prior to occupation of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, a biodiversity enhancement scheme to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained

Reason:-.To encourage wildlife on the site.

22. The measures set out in the submitted Sustainability report 13.11.17 rev 01 demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods, shall be implemented with the construction of the building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason:-.To ensure that the development is sustainable and complies with Policies SP7 and CC1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

23. No development shall be occupied until a details of Construction Management Plan to include details of:
- (a) loading and unloading of plant and materials
  - (b) provision of boundary hoarding behind any visibility zones
  - (c) HGV deliveries and hours of operation
  - (d) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway

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

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

24. The development hereby approved shall not be occupied until a minimum of six (6) parking spaces have been laid out with dual 7kW (fast charge) points and an additional two (2) dual rapid charge points for electric vehicles. The charging points shall be retained exclusively for their designated purpose.

Reason:- To ensure that the development complies with policies CC2 and EN3 of the Core Strategy and Policies DPD and section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

25. Prior to the commencement of construction of the development, above the damp proof course level, a Travel Plan to include details of targets, monitoring of the full travel plan, electric vehicle charging point use and car club vehicle use shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

#### INFORMATIVES TO APPLICANT

1. The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policycampaigns/operations-safety/>)
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
3. Thames Water recommend that petrol / oil interceptors are fitted in all vehicle parking areas to avoid oil-polluted discharges entering local watercourses.
4. A Ground Water Risk Management Permit from Thames water will be required for discharging groundwater into the public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed Thames Water's Risk Management Team 020 357 79483 or [wqriskmanagement@thameswater.co.uk](mailto:wqriskmanagement@thameswater.co.uk).

5. The applicant's attention is drawn to the information and advice to the applicant as set out in the email from Thames Water dated 21/09/09 and forwarded to the applicant's agent on the same day.
6. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO<sub>x</sub>/kWh. All gas fired CHP plant should meet a minimum emissions standard of 250mgNO<sub>x</sub>/kWh for spark ignition engine - note other limits apply for gas turbine or compression ignition engines.
7. If, during development, contamination not previously identified is found to be present at the site then no further development should be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.
8. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings and fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.
9. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
10. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority.
11. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
12. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
13. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).
14. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO<sub>x</sub>/kWh. All gas-fired CHP plant should meet a

minimum emissions standard of 50mgNO<sub>x</sub>/Nm<sup>3</sup> for gas turbines - note other limited apply for spark or compression ignition engines. Where biomass is proposed within an urban area it is to meet minimum emissions standards of Solid biomass boiler 275 mgNO<sub>x</sub>/Nm<sup>3</sup> and 25 mgPM/Nm<sup>3</sup>.

15. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

16. The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a. Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b. Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c. Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d. Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.