

Planning Committee

20 August 2025



Application No.	25/00206/FUL
Site Address	Franklin House, Station Approach, Shepperton, TW17 8AR
Applicant	Mr Shloime Godlewsky
Proposal	Two-storey front extension and additional floor
Case Officer	Matthew Churchill
Ward	Shepperton Town
Called-in	The application has been called in by Councillor Attewell as a result of parking concerns and overdevelopment

Application Dates	Valid:16.06.2025	Expiry:11.08.2025	Target: Extension of time Agreed.
Executive Summary	<p>The proposal under consideration is for a two-storey front extension and an additional floor to the existing office building. The application proposes some 120m² of additional office floorspace in the Shepperton Employment Area.</p> <p>The extension would project some 1.5 metres forward of the existing front elevation, and a covered entrance would also project approximately 2 metres further forward. The additional storey would introduce a third floor that would incorporate a gable roof above. The extension would be constructed in materials to match those of the existing building, which would be secured by condition. In the context of surrounding 2 and 3 storey buildings, the prevailing building line of Station Approach, and the gable form of the existing roof, officers consider the proposals would have a satisfactory impact upon the surrounding character.</p> <p>Given the siting and scale of the works, the scheme is also considered to have an acceptable impact upon residential amenity. The application proposes two parking spaces at the front of the site, which would be in accordance with the Council's maximum parking standards. Given the sites location in the centre of Shepperton, the proximity to Shepperton Railway Station, and nearby bus stops, this is considered to be acceptable.</p> <p>The proposal is also considered to have an acceptable impact on flooding , subject to the conditions set out in the Environment Agency's Standing advice.</p> <p>It is therefore considered that the proposals would accord with national</p>		

	and local planning policies and the application is recommended for approval.
Recommended Decision	Grant prior approval subject to conditions as set out at Paragraph 8 of the Report.

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- Policy SP1 (Location of New Development)
 - Policy EN1 (Design of New Development)
 - Policy EM1 (Employment Development)
 - Policy LO1 (Flooding)
 - Policy TC3 (Development in Ashford, Shepperton and Sunbury Cross Centres)
 - Policy CC1 (Renewable Energy)
 - Policy CC2 (Sustainable Travel)
 - Policy CC3 (Parking Provision)
- 1.2 The policies contained within the National Planning Policy Framework (NPPF) (December 2024) are also relevant.
- 1.3 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.4 An Examination into the emerging Local Plan commenced on 23 May 2023. However, it was paused to allow time for the new council to understand and review the policies and implications of the emerging Local Plan and to address the issues that were identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.
- 1.5 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by September 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.6 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- ST1: Presumption in Favour of Sustainable Development
 - ST2: Planning for the Borough
 - PS2: Designing places and spaces
 - SP2: Ashford, Shepperton and Sunbury Cross
 - EC1: Meeting Employment Needs
 - EC3: Local Centres, Shopping Parades and Isolated Retail Units

- The [National Planning Policy Framework](#) (NPPF) policy states at para 49 that: Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 1.7 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.8 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

1. RELEVANT PLANNING HISTORY

- 1.1 The site has the following planning history:

SUN/FUL/1988B	Erection of two storey estate office.	Granted 27.01.1960
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2. DESCRIPTION OF CURRENT PROPOSAL

- 2.1 The application site is occupied by a two-storey office building that is situated on the northern side of Station Approach, at the junction with Green Lane. A parking area serving the office is located at the front of the building, which currently accommodates approximately 4-5 cars.
- 2.2 The property is situated within the 1 in 1000-year flood event area (Flood Zone 2), the Shepperton Employment Area, and the Shepperton Commercial Area.
- 2.3 An office building at Terminal House is situated to the north-east of the site, which has been subject to a number of recent planning applications (Block B). A further element of Terminal House (Block A) is located on the northern side of the railway line that adjoins the application site.
- 2.4 The wider street scene is occupied by a mix of commercial and residential properties that typically range between two and three storeys in height.

- 2.5 The application proposes a two-storey front extension that would project 1.5 metres forward of the existing front elevation. A covered entrance would also project approximately 2 metres further forward.
- 2.6 The application further proposes a third storey under a pitched roof with gable ends above, as existing. The plans show that the building would remain in an office use and the extension would provide additional office floorspace.
- 2.7 The applicant's site plan shows that the resultant property would be served by two off-street car parking spaces situated at the front of the building as well as a cycle store. The spaces would be accessed from Station Approach to the south, as existing.
- 2.8 The applicant's submission documents state that there would be a 120.72m² increase in floor space within the building. It is also stated that the proposed materials would match those of the existing building.

3. CONSULTATIONS

- 3.1 The following table shows those bodies consulted and their response.

Statutory Consultees

Consultee	Comment
County Highway Authority	Recommends Conditions and Informatives.
Environment Agency	Consultation not required.
Network Rail	Recommends informatives.

Non-Statutory Consultees

Consultee	Comment
Environmental Health (Contamination)	Recommends informatives.

4. PUBLIC CONSULTATION

4.1 The Council sent out 6 neighbour notification letters and has received 2 letters of representation, which object to the proposals on the following grounds:

- The plans show proposed office space but permission has been granted for a change of use (Officer Note: There is no planning permission for a change of use of the building).
- The proposal will be out of character.
- The proposed parking is insufficient.
- It is unclear why bathrooms and shower rooms are required.
- The property could be converted to dwellings at a later stage (Officer Note: the application must be determined on its own merits).
- Concerns for the existing occupiers and the impacts the proposal may have on the business.

5. PLANNING ISSUES

- Employment
- Design and appearance
- Amenity
- Parking & Highways
- Ecology

6. PLANNING CONSIDERATIONS

Employment

6.1 Policy EM1 of the [Core Strategy and Policies Development Plan Document \(CS&P DPD\)](#) states that the Council will maintain employment development in designated Employment Areas including Shepperton Centre by encouraging proposals for redevelopment and extensions that enable business needs to be met, and which make the most effective use of available employment land. The policy further states that employment will be maintained by:

“refusing proposals that involve a net loss of employment land or floorspace in Employment Areas, unless the loss of floorspace forms part of a redevelopment that more effectively meets needs for an existing business operating from the site or the loss of employment land is part of a mixed use development on the site which results in no net loss of employment floorspace, or it can be clearly demonstrated that the maintenance of existing levels of employment floorspace on the site is unsustainable and unviable in the long term”.

6.2 At paragraph 85, the [NPPF](#) states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 6.3 The application proposes a 120.72m² increase in employment floorspace within the designated Shepperton Employment Area. The proposal is therefore considered to be in accordance with the objectives of policy EM1 and the NPPF in this regard.
- 6.4 It is noted that the LPA has received a letter of representation which raises concerns over the impact upon the existing business occupying the building. However, as the proposal would increase employment floorspace within this designated Employment Area, the scheme is considered to accord with local and national planning policies in this regard.

Character and Appearance

- 6.5 At paragraph 131, the [NPPF](#) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Additionally, at paragraph 135, the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 6.6 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of proposals for new development. The policy further states that proposals for new development should demonstrate that they will make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, layout and characteristics of adjoining buildings and land.
- 6.7 The [National Design Guide](#) indicates that well-designed places should enhance the surroundings, should be attractive and distinctive, achieve a coherent pattern of development, should be accessible and easy to move around, should enhance and optimise nature, should be safe, social and inclusive, should contain mixed and integrated uses, should be functional, sustainable, efficient and resilient and should be made to last.
- 6.8 The application site is located on a prominent corner and is visible in the street scenes of Station Approach, Old Charlton Road, Shepperton High Street and Green Lane. There is a mixture of commercial and residential properties within the surrounding locality with buildings typically ranging between 2-3 storeys in height. The proposed extension would measure some 9.931 metres in height and would result in the building being set over 3 storeys. In the context of the height and scale of surrounding buildings, it is not considered that the proposed construction of a third storey would be unduly out of character. It is notable that a 3-storey element of Terminal House adjoins the application site boundary.
- 6.9 It is further considered that the 1.5 metre forward projection of the extension, and the 2-metre forward projection of the overhanging entrance would have an acceptable impact upon the prevailing building line of Station Approach given the siting of Terminal House situated to the east of the site, which is set significantly forward of the existing building.

- 6.10 The incorporation of a gable roof design is considered to be acceptable in the context of the existing gable roof form. The use of materials to match those of the existing is also considered to be satisfactory, although it is recommended that this is secured by condition. The symmetry and siting of the proposed windows is also considered to have an acceptable visual impact.
- 6.11 It is therefore considered that the proposed extension would have an acceptable impact upon the character and appearance of the area and would be in accordance with the objectives of policy EN1 and the NPPF in design terms.

Amenity

- 6.12 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing impact due to bulk, proximity or outlook.
- 6.13 At paragraph 135, the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.14 The nearest residential dwelling to the site is located above no.11 Station Approach which contains a commercial unit on the ground floor and is situated approximately 25 metres from the application site. At such a distance and given the nature of the works, it is considered that the proposals would have an acceptable impact upon light and privacy and would not have an overbearing impact.
- 6.15 Terminal House (Building A) is situated immediately to the north-east of the site which is occupied by an office building. The building contains windows in the western flank elevation at ground, first and second floor levels. The existing floor plans submitted with a recent planning application at this property (25/00792/FUL) indicate that the window on the second floor is a secondary window serving an office. The first-floor window serves a corridor, and the ground floor window is also secondary to an office. Given the secondary nature of the ground and second floor windows, the corridor nature of the first-floor window, and the commercial use of the building, it is not considered that an objection could be sustained on the grounds of the impact upon the amenity of the occupiers of this building.
- 6.16 The railway adjoins the northern site boundary, and the northern element of Terminal House (Building B) is located to the north of the railway, which is situated approximately 10 metres from the application building.
- 6.17 The plans submitted with a recent planning application at this site (25/00793/FUL) show that ground and first floor windows in the southern elevation of this property serve offices and a reception area. As a result of distance, and the commercial use of this property, it is not considered that the proposals would have an adverse impact upon the amenity of this building.

- 6.18 The proposal is further considered to have an acceptable impact upon the amenity of all further properties in the surrounding locality and would be in accordance with the objectives of policy EN1 and the NPPF in this regard.

Parking & Highways

- 6.19 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting development traffic generating development where it is or can be made compatible with transport infrastructure in the area, taking into account access and egress to the public highway and highway safety. Policy CC3 states that the Council will require appropriate provision for off-street parking provision in accordance with its maximum parking standards.
- 6.20 At paragraph 116, the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.21 The [Councils Parking Standards SPG](#) states that a B1 Use Class (which has now been absorbed into Class E), should be provided with a maximum of 1 space per 35m² of internal floorspace. It should be noted that this is applied as a maximum and not a minimum.
- 6.22 On this basis, the development would normally be required to provide a maximum of 7 parking spaces. As this is applied as a maximum and the development would be provided with two parking spaces, the proposal would be in accordance with the Council's SPG.
- 6.23 The site is also located within Shepperton Town Centre and is a short distance from Staines Railway Station. A bus stop is also located immediately outside of the site. Whilst the two parking spaces proposed is lower than the existing approximate 4-5 spaces, the proposed level of parking provision is therefore considered to be acceptable.
- 6.24 The Council has also consulted the County Highway Authority, which has raised no objections subject to conditions and informatives.
- 6.25 The proposal is therefore considered to be in accordance with the objectives of policy CC2, CC3 and the NPPF in highway terms.

Biodiversity

- 6.26 The application is exempt from BNG requirements as the proposals would not impact a priority habitat and would impact less than 25m² of on-site habitat, or 5 metres of line habitats such as hedge rows.

Flooding

- 6.27 Policy LO1 of the CS&P DPD and states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne.
- 6.28 The application site is located within the 1 in 1000-year flood event area (Flood Zone 2). As the works are for an extension to an existing building, it is recommended that the conditions outlined by the Environment Agency in its standing advice are attached to the decision notice.
- 6.29 The LPA has also consulted the Environment Agency, which has confirmed that a consultation is not necessary.

Climate Change SPD & Renewable Energy

- 6.30 The Climate Change Supplementary Planning Document (SPD) was adopted by the Council in April 2024. It provides more detailed guidance to applicants on how to implement adopted Policy SP7 from the Core Strategy 2009. Policy SP7 seeks to reduce climate change effects by:
- a) promoting inclusion for renewable energy, energy conservation and waste management in new and existing developments*
 - b) development reduces the need to travel and encourages alternatives to car use*
 - c) encourage non car-based travel,*
 - d) promoting the efficient use and conservation of water resources,*
 - e) promoting measures to reduce flooding and the risks from flooding,*
 - f) supporting measures to enhance and manage Staines' role as a public transport interchange.*
- 6.31 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision.
- 6.32 There are also other key documents supporting action on climate change; the NPPF 2023 chapter 14 "*Meeting the challenge of climate change*", the *National Model Design Code and Spelthorne Borough Council's Climate Change Strategy 2022 – 2030*.

- 6.33 A climate change checklist has been submitted with this application, in accordance with the new SPD requirements. This checklist shows that the applicant has considered the following factors: air/ground source heat pumps, insulation measures, double/triple glazing, solar panels, smart metres, efficient boilers, a design allowing for passive ventilation, accessible bike storage, EV charging provision, shower facilities for employees, low carbon/recyclable and local construction materials, recycling space, priorities for re-use of materials, planting, harvesting water systems, permeable outdoor areas, materials for natural cooling.
- 6.34 Overall, the scheme performs well against the Council's SPD and climate change policies.
- 6.35 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy, energy efficiency, and proposed sustainable development generally by requiring extensions exceeding 100m² to include measures to provide at least 10% of the developments energy through renewable sources.
- 6.36 The applicant has submitted a renewable energy statement that has been reviewed by the Council's Sustainability Officer. It has been confirmed that the Council's renewable energy requirement would be met. The proposal is therefore considered to be in accordance with the objectives of policy CC1.

Other Matters

- 6.37 As the site adjoins the railway line, the LPA has consulted Network Rail, which has raised no objections to the proposals, although has recommended that informatives are attached to the decision notice.

Equalities Act 2010

- 6.38 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
- 6.39 The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act

- 6.40 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 6.41 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

6.42 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

6.43 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Financial Considerations

6.44 Under In S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. 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.

The proposal would not generate a New Homes Bonus, nor is it a CIL chargeable scheme. The proposal will generate Business Rates payments which is not a material consideration in the determination of this proposal.

7. RECOMMENDATION

7.1 The options available to Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses the reasons why the application is considered acceptable in planning terms.
- To approve the application subject to additional/amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects* ([National Planning Policy Framework](#)).
- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are no material planning reasons to refuse the proposal.

7.2 The application is recommended for approval subject to the conditions and informatives below:

7.3 **GRANT PRIOR APPROVAL** subject to the following Conditions:

1. The development must be completed within a period of 3 years starting with this prior approval date.

Reason:-. To accord with the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: E 00, E01, E02, E03, E04, E05, P01, P02, P03, P04,P05, P06, P07, P08, P09, P10, P12, P13

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

3. No development above damp-proof course level shall take place until details of the materials to be used for the external surfaces of the buildings and other external surfaces of the development are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

Reason:-. To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason:-. To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

Reason:-. To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. The development hereby approved shall not be utilised unless and until space has been laid out within the site in accordance with the approved plans (sheets P 01 and P 09 from project no. 3481 dated 29/07/2025) for vehicles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.

Reason:-. In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

7. The development hereby approved shall not be occupied unless and until both proposed parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). To be in accordance with the approved plans (sheet P 12 from project no. 3481 dated 29/07/2025) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:-. In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

8. The development hereby approved shall not be first occupied unless and until facilities for high quality, secure, lit and covered parking for a minimum of 6 bicycles have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority. 5% of communal cycle storage spaces should cater for disabled/adaptive cycles.

Reason:-. In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

9. The works shall be carried out in accordance with the renewable energy details contained within the document entitled “*Energy Statement, Proposed development At: Second floor extension to office, Franklin House, Shepperton TW17 8AR*” unless otherwise agreed in writing by the Local Planning Authority. The agreed measures shall be implemented with the construction of each building and thereafter retained.

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

INFORMATIVES

1. The developer must ensure that their proposal, both during construction and after completion does not:
 - encroach onto Network Rail land

- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

2. The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g., a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.
3. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.
4. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the

completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

5. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.
6. Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.
7. In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in anyway. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.
8. Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.
9. The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway should be made aware to the future occupiers of the site. It must also be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night-time train running and heavy freight trains. The appropriate building materials should be used to reduce any potential noise disturbance from the railway.
10. Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

11. Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway. If you would like to discuss any of the above, please contact AssetProtectionSouthern@networkrail.co.uk.
12. Whilst not a planning matter, we would like to remind the applicant of the need to identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail. Notwithstanding the above, if any property rights are required from Network Rail in order to deliver the development, Network Rail's Property team will need to be contacted.
13. It should be noted that where any Network Rail land, rights over Network Rail land, interfaces with Network Rail's land or rights, or variations to Network Rail's land or rights, is required for the facilitation, delivery, or operation of a development, Network Rail will act in accordance with its Shared Value Policy. Network Rail's Shared Value Policy is available online, or via request to Network Rail Property. Network Rail's Southern Property Team would advise parties seek to raise Shared Value early in discussion with Network Rail, but reserve the right to implement the Shared Value Policy at any time during discussions. If a Network Rail Southern Property contact is required, please contact southernproperty@networkrail.co.uk
14. The applicant should be mindful not to create excessive dust emissions during demolition works, particularly where any asbestos containing materials may be present. A Refurbishment and Demolition asbestos survey is required to determine if asbestos containing materials are present. If removal of asbestos containing materials is required appropriate removal (without significant damage), handling and disposal by competent persons is required. The Health & Safety Executive (HSE) have produced a guide to safe removal of asbestos containing materials, which outlines good practice, how to prepare and what equipment is needed, how to remove it and how to deal with the waste once removed. There is also information on the HSE website about how to comply with the regulations, including a more generic guide to working safely with asbestos - <http://www.hse.gov.uk/asbestos/protect.htm>
15. Condition No 2 has been recommended because Surrey County Council's Electric Vehicle charging requirements for the development proposed, exceeds those as defined within Building Regulations. The County Highway consider it is necessary for the condition to be imposed on any consent granted, in accordance with the requirements of the NPPF (2024) at

paragraph 117 (e) and Surrey County Council's LTP4 policy on improving emissions intensity and energy efficiency of vehicles and operational efficiency of roads through technology improvements.

16. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2024. Where undercover parking areas (multistorey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
17. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
18. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
19. 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).

