

Planning Committee

14 October 2020



Application Nos.	19/01360/FUL		
Site Address	Laleham Park Pavilion, Laleham Park, Thames Side, Laleham, Staines-upon-Thames, TW18 1SS		
Proposal	Erection of an amenity block and pavilion following demolition of existing pavilion.		
Applicant	Spelthorne Borough Council, Knowle Green, Staines-upon-Thames, TW18 1XB		
Ward	Laleham & Shepperton Green		
Call in details	N/A		
Case Officer	Matthew Churchill		
Application Dates	Valid: 06.11.2019	Expiry: 01.01.2020	Target: Extension of time agreed
Executive Summary	<p>This planning application is proposing the erection of a new pavilion building and amenity block, which would be constructed following the demolition of the existing pavilion buildings. The application site is located within Laleham Park, which is a 'Spelthorne Asset' owned by the Council. The Council is also the applicant.</p> <p>The existing pavilion buildings are both single storey and are accessed from Thames Side to the west. The site consists of a larger pavilion building, which contains showering and changing facilities, a function room and a small office, as well as an area of residential accommodation, which includes 2 bedrooms. The smaller pavilion building contains toilet facilities, a kiosk, and storage space. The buildings are both served by the Laleham Park car park, and Laleham Park surrounds the north, south and east of the pavilion. The River Thames runs approximately 130 metres to the west of the site, which is a Site of Nature Conservation Importance.</p> <p>The existing buildings have their windows 'boarded up' and foliage overgrowing the southern end of the main pavilion building. It is proposed that both of the existing buildings would be demolished.</p> <p>Following demolition, the application proposes the construction of 2 new pavilion buildings. This would comprise a larger main pavilion building that would contain showering and changing facilities as well as a plant room. A smaller amenity block is also proposed that would contain toilet facilities as well as storage space.</p> <p>The applicant has stated that if granted planning permission, the</p>		

	<p>development would take place over two stages, with the smaller amenity block being constructed first, and the larger main pavilion building being constructed in a second, later phase.</p> <p>The application site is situated within the Green Belt. The NPPF states that Local Planning Authorities should regard the construction of any new buildings in the Green Belt as inappropriate development. However, the NPPF also lists a number of exemptions to inappropriate development, including the provision of appropriate facilities for outdoor sport and recreation, providing that the openness of the Green Belt is preserved and the development does not conflict with the reasons for including the land within the Green Belt.</p> <p>The application proposes the provision of appropriate facilities for outdoor sport and recreation, in the form of changing rooms and toilet facilities for Laleham Park. The footprint of buildings at the site would be reduced by approximately 1m² in comparison to the existing. The proposal is considered to preserve the openness of the Green Belt and the buildings construction is not considered to conflict with the purposes of including the land within the Green Belt. The development is therefore considered to constitute an exemption to inappropriate development as listed in the NPPF and would have an acceptable impact upon the Green Belt and its openness.</p> <p>The application site is also located within the 1 in 20 year flood zone (Flood Zone 3b), which is the area the highest level of flood risk. The applicant has submitted a Flood Risk Assessment which demonstrates that the overall built footprint on the site would be reduced. The Environment Agency is also satisfied that whilst the finished floor levels would be below flooding levels, as the development is proposing a 'water compatible' use it would be acceptable in flooding terms.</p> <p>The proposal is also considered to have an acceptable impact upon the character of the area, the amenity of surrounding properties, biodiversity and parking provision. It would also represent a visual improvement to the existing community facility. The proposal is therefore considered to be in adherence to local and national planning policies and guidance.</p>
<p>Recommended Decision</p>	<p>This application is recommended for approval, subject to conditions</p>

MAIN REPORT

1. Development Plan

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

- SP1 - Location of Development

- LO1 - Flooding
- CO1 – Providing Community Facilities
- SP6 - Maintaining and Improving the Environment
- EN1 - Design of New Development
- EN7 – Tree Protection
- EN8 – Protecting and Improving the Landscape and Biodiversity
- CC2 - Sustainable Travel
- CC3 - Parking Provision
- Saved Policy GB1 – Development Proposals within the Green Belt

1.2 Also relevant is the National Planning Policy Framework (NPPF), 2019

2. Relevant Planning History

The Council holds records of two previous planning applications being determined at the site as outlined below:

STAINES/FUL/P1164/2	Sports pavilion.	Grant Unconditional 12.07.1954
STAINES/OUT/P3414/2	The erection of a Sewage Ejector Station.	Grant Unconditional 09.01.1961

3. Description of Current Proposal

- 3.1 The application site is occupied by two single storey pavilion buildings, which contain ‘boarded up’ windows and foliage overgrowing the southern end of the main building.
- 3.2 The larger pavilion building incorporates changing and showering facilities, as well as a function room. Residential accommodation is also contained in the southern section of the main pavilion, which comprises two bedrooms, a lounge, a kitchen, and a bathroom. The second smaller pavilion building is located to the west of the main building and contains a kiosk, a toilet and storage facilities.
- 3.3 The site is accessed from Thames Side from the west and is served by the Laleham Park car park. The River Thames also runs approximately 130 metres to the west of the Pavilion buildings, which is a Site of Nature Conservation Importance. Laleham Park surrounds the north, south and east of the existing buildings.
- 3.4 The application is proposing the construction of two new pavilion buildings, which would be constructed following the demolition of the existing buildings. The scheme proposes a larger main pavilion block, which would contain shower and changing facilities as well as a plant room. The application also

proposes a smaller amenity building that would be situated between the main building and the car park, which would contain toilet and storage facilities.

- 3.5 The applicant has stated that the buildings would be constructed over two phases, with the amenity block being constructed first and the main pavilion building being constructed in a later second phase.

4. Consultations

Consultee	Comment
County Highway Authority	No objections.
Environmental Health (Contamination)	Requests a condition and two informatives.
Environment Agency	No objections, subject to conditions.
Cadent (Formerly National Grid)	No comments received.
Surrey Wildlife Trust	No objections.
Tree Officer	No objections subject to conditions.
Runnymede Borough Council	No objections.
UK Power Networks (Electricity)	No comments received.

5. Public Consultation

The Council has consulted the occupiers of 5 neighbouring sites. The application was also re-advertised to the occupiers of neighbouring properties as the applicant submitted revised plans on 10 August 2020. The Local Planning Authority has not received any letters of representation.

6. Planning Issues

- The Impact upon the Green Belt and its openness
- Flooding
- Character and Appearance
- Amenity
- Highways
- Biodiversity

7. Planning Considerations

Green Belt

- 7.1 The NPPF states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. It further states that the

Green Belt serves the five purposes of a) checking the unrestricted sprawl of large built up areas b) preventing neighbouring towns from merging into one another c) assisting in safeguarding the countryside from encroachment d) to preserve the setting and special character of historic towns & e) assisting urban regeneration by encouraging the recycling of derelict and other urban land.

- 7.2 The NPPF also states that Local Planning Authorities should regard the construction of new buildings as inappropriate development in the Green Belt. It further advises that inappropriate development will by definition cause harm to the Green Belt and its openness and must not be approved except in 'very special circumstances', which must outweigh the harm to the Green Belt any other harm.
- 7.3 The NPPF further lists, at para 145, a number of exceptions to inappropriate development, including at b), the provision of appropriate facilities in connection with the use of the existing land for outdoor sport and outdoor recreation, so long as the facilities preserve the openness of the Green Belt and does not conflict with the purposes of including the land within the Green Belt. The Local Planning Authority (LPA) must carefully consider whether the proposal would constitute an exemption to inappropriate development.
- 7.4 The Council's Saved Local Plan Policy GB1 is similar to the Green Belt policy set out in the NPPF, but it should be noted that policy GB1 was saved from the 2001 Local Plan and therefore pre-dated the current NPPF. Although there is a degree of consistency with the NPPF, policy GB1 does not allow for any development unless it is one of a number of acceptable uses set out in the policy and also maintains the openness of the Green Belt. This differs from the more recent national policy which allows exceptions to this when the identified harm to the Green Belt is clearly outweighed by other considerations that constitute very special circumstances. Because of this inconsistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF.
- 7.5 The existing larger pavilion building incorporates shower and changing facilities, an office and function room, as well as residential accommodation in the southern section of the building. The smaller amenity building incorporates a kiosk, toilet facilities and storage space. The application proposes that both buildings would be demolished.
- 7.6 In terms of the exemption set out in para 145 b) of the NPPF, it is proposed that 2 new pavilion buildings would then be constructed. The larger pavilion building would contain showering and changing facilities, as well as an associated plant room. The smaller amenity block would contain toilet facilities as well as storage space. These facilities are considered to constitute appropriate facilities for outdoor sport and recreation.
- 7.7 In respect of preserving openness, the existing buildings have an external footprint of approximately 296m² and the proposed buildings would not extend beyond the existing built footprint. Indeed, the proposed buildings would have a slightly smaller footprint measuring 295m². The existing main pavilion building also measures a height of 5.9 metres, whereas the proposed main

pavilion building would measure a height of 5.7 metres resulting in a 0.2 metre height reduction.

- 7.8 It is acknowledged that the proposed pavilion buildings would contain gable roofs that would have a higher overall volume than the roofs over the current buildings. However, as the proposed buildings would not extend beyond the existing built footprint, and as the main building would be lesser in height than the existing main pavilion building, on planning balance the proposal is considered to preserve the openness of Laleham Park. It is also not considered that the proposal would conflict with the purposes of including the land within the Green Belt. The proposed buildings are therefore considered to constitute an exemption to inappropriate development under para 145 b) of the NPPF.
- 7.9 The buildings in spatial and visual terms, preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposal is therefore viewed to meet the Green Belt objectives set out in the NPPF as the development is considered to have an acceptable impact upon the Green Belt and its openness.

Flooding

- 7.10 The application site is located in the 1 in 20 year flood event area (Flood Zone 3b), which is the highest level of flood risk. Policy LO1 part d), of the CS&P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by maintaining the effectiveness of the more frequently flooded area (Zone 3b) of the flood plain to both store water and allow the movement of fast flowing water, by not permitting any additional development including extensions.
- 7.11 The NPPF states that inappropriate in development in areas of risk of flooding should be avoided by directing development away from areas at highest risk. The NPPF further states that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 7.12 The LPA has calculated that the existing pavilion building and amenity block have an external footprint of approximately 296m². The proposed pavilion building and amenity block would have an external footprint of approximately 295m². The external footprint of the proposed buildings would therefore be 1m² less than the existing buildings. As such, the proposal is not considered to constitute additional development in comparison to the existing built footprint.
- 7.13 As the application site is located within Flood Zone 3b, the LPA consulted the Environment Agency (EA). The EA initially objected to the proposal as the information submitted in the applicant's Flood Risk Assessment (FRA) was found to be unacceptable. The EA also had concerns as the applicant had not shown the internal layout of the larger pavilion building, and as such the EA could not assess whether the proposed use of the building would be appropriate for Flood Zone 3b.

- 7.14 The applicant submitted a revised floor plan on 10 August 2020, which confirmed that the main pavilion building would contain changing rooms and a plant room. The revised floor plans also confirmed that the amenity block would contain toilet and storage facilities. The Planning Policy Guidance (PPG) states that essential outdoor sport and recreation facilities such as changing rooms constitute 'water compatible' uses, which are appropriate uses in Flood Zone 3b. The Council's SPD on Flooding (July 2012) also lists amenity open space, including changing rooms as 'water compatible' uses.
- 7.15 The EA further noted that the finished floor levels in the proposed pavilion would be below the flood levels, although the EA considered that for a 'water compatible' use this would be acceptable given that there would be an overall reduction in built footprint at the site. However, the EA commented that it would wish to be consulted if the building were to be used for any other use than has been shown in the plans. It must also be accepted that the building will flood in a major flood event as the floor levels are below the flooding levels.
- 7.16 The NPPF states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions. The NPPF further states that conditions should be kept to a minimum and should only be imposed where they meet the six tests of being necessary, relevant to planning and the development permitted, enforceable, precise and reasonable in all other respects.
- 7.17 Given the EA's request to be consulted on any future uses of the building, and as the floor levels would be below the flooding levels and the building would flood during in a major flood event, it is recommended that a condition is attached to the decision notice, which would result in any future uses other than those shown on the submitted plans to require the written agreement of the LPA. It is considered that such a condition would meet the conditions tests set out in the NPPF and would be reasonable given the flooding constraints of the site.
- 7.18 Whilst the structure would be floodable, given that there would be an overall reduction in footprint it is considered that the proposal would maintain the effectiveness of the flood zone to both store water and allow the movement and flow of water during a major flood event as required by the objectives of Policy LO1. The development would also have an acceptable impact upon flooding elsewhere and whilst it will flood in a major flood event, given that proposed use is 'water compatible', the proposal is also considered to be in accordance with the objectives of the NPPF.
- 7.19 The application is proposing the redevelopment of an existing building in Flood Zone 3b. The LPA does not normally grant planning permission for development in this flood zone including residential extensions. However, in this instance the proposal would reduce the overall built footprint on the site. The building would also be used in a 'water compatible' use. The proposal is therefore considered to be in accordance with the objectives of the NPPF and policy LO1 and is considered to be acceptable in flooding terms.

Character and Appearance

- 7.20 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of 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 would be situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.21 The NPPF states that planning decisions should ensure that developments function well and add to the overall quality of an area, are visually attractive as a result of good architecture, layout and landscaping, and are sympathetic to the local character and history including the surrounding built environment, whilst not preventing appropriate innovation or change.
- 7.22 It is considered that the proposed pavilion building and amenity block would have an acceptable impact upon the character of the area, particularly when viewed in the context of the existing buildings at the site. The proposed buildings would occupy a similar footprint to the existing pavilion buildings. The gable roof would also be 0.2 metres lower than the ridge over the existing buildings. The principle of pavilion buildings has already been established at the site and the overall scale and design of the buildings is considered to have an acceptable visual impact upon the surrounding locality.
- 7.23 The application site is surrounded by Laleham Park to the north, south and east, and the Laleham Camping Ground located to the north of the site. The area surrounding the site is therefore open in character and the pavilion buildings would be visible from significant distances. However, the overall design and scale of the buildings is considered to be acceptable, particularly in the context of the existing pavilion buildings.
- 7.24 The proposal is therefore considered to make a positive contribution to the street scene and character of the area in which it would be situated, in accordance with the objectives of policy EN1. The proposal is also considered to be sympathetic to the surrounding landscape in accordance of the objectives of the NPPF. The pavilion buildings are therefore considered to be acceptable in design terms.

Amenity

- 7.25 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impacts in terms of loss of light, privacy, daylight or sunlight, or overbearing effect due to bulk proximity or outlook.
- 7.26 The pavilion building and amenity block would be a considerable distance from the nearest residential dwelling. The proposal is therefore considered to have an acceptable impact upon the amenity of all surrounding properties.

Highways Impacts & Parking

- 7.27 Policy CC2 of the CS&P DPD states that the Council will seek more sustainable travel patterns by only permitting traffic generating development where it can be made compatible with transport infrastructure in the area, taking into account the cumulative impacts, access and egress to the public highway and highway safety. Policy CC3 also states that appropriate provision to be made for off-street parking in accordance with the Council's parking standards.
- 7.28 The NPPF also states that applications should only be refused on highway grounds where there would be an unacceptable impact upon highway safety or if the residual impacts upon the road network would be severe.
- 7.29 There is an existing car park serving Laleham Park situated to the west of the site. As this car park also served the existing pavilion buildings, which were in a similar use, there is not considered to be a greater impact upon the highway. The level of off-street parking provision is also considered to be acceptable.
- 7.30 The LPA also consulted the County Highway Authority (CHA), which having assessed the likely net additional traffic generation, access arrangements and parking provision, were satisfied that the development will not have a material impact upon the safety or operation of the highway. The CHA noted that the proposal relates to the re-provision of existing facilities and as such it is unlikely that the development would be any material impact upon the Trip Generation of the Site.
- 7.31 The proposal is therefore considered to provide an acceptable level of parking provision and would have a satisfactory impact upon the highway in accordance with the objectives of policy CC2, policy CC3 and the NPPF in highway terms.

Community Recreation Facility

- 7.32 Policy CO1 states that the Council will seek to ensure that community facilities are provided to meet local needs by supporting improvements to existing facilities to enable them to adapt to changing needs.
- 7.33 The NPPF states that existing open space, sports and recreational buildings and land should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and suitable location.
- 7.34 The application proposes the replacement of the existing pavilion facilities, with a replacement community facility that would be in a similar use to the existing building. The proposal is therefore considered to be in accordance with policy CO1 and the NPPF in this regard.

Biodiversity

- 7.35 Policy EN8 of the CS&P DPD states that the Council will seek to protect improve the landscape and biodiversity in the borough by amongst other

things, refusing permission where development would have a significant impact on the landscape or features of nature conservation value.

- 7.36 The NPPF states that planning decisions should contribute to and enhance the natural local environment by protecting and enhancing valued landscapes and sites of biodiversity.
- 7.37 The proposed pavilion buildings would be situated approximately 130 metres from the River Thames, which is a Site of Nature Conservation Importance. The LPA therefore consulted the consulted the Surrey Wildlife Trust (SWT).
- 7.38 The applicant submitted a Bat Survey Report, which states that bats have been spotted emerging from the larger pavilion building. The SWT therefore commented that the applicant should be advised of the need for the applicant to obtain a European Protected Species Licence from Natural England.
- 7.39 The SWT also provided further advice on artificial lighting, roof membranes and the adoption of a precautionary approach when undertaking the works. It is recommended that the SWT's guidance is attached to the decision notice as an informative.
- 7.40 The LPA also considers that it reasonable to impose a condition requiring the applicant to submit details of ecological mitigation measures such as bird and bat boxes, and for this to be agreed prior to first use/occupation of the building. Such a condition is considered to meet the six tests set out in the NPPF and is considered to be in accordance with the objectives of Policy EN8.

Other Matters

- 7.41 The applicant's Design and Access Statement states that the building has been designed to be future proof, particularly in terms of energy efficiency and carbon emissions, and that the building has been designed to reduce energy use. However, in accordance with policy CC1, the Local Planning Authority considers it necessary to impose a condition on the decision notice, which requires the applicant to submit a report, which provides details as to how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods.
- 7.42 It was evident during the site visit that a number of trees were located in close proximity to the existing pavilion buildings, which could be impacted as a result of the works. As a result the Council's Tree Officer was notified and undertook a site visit. The Tree Officer raised no objections, but requested that a condition was imposed upon the decision notice, which requires the applicant to submit an Arboricultural Method Statement before works commence.
- 7.43 The existing pavilion adjoins an electricity substation, which is enclosed by brickwork. This would be retained following construction of the new buildings. The LPA consulted both UK Power Networks and the National Grid (Cadent). At the time of writing, no comments have been received from either consultee. It is therefore recommended that an informative is attached to the

decision notice, advising the applicant to contact both UK Power Networks and the National Grid (Cadent) before works commence. The applicant's attention will also be drawn to the Party Wall Act.

- 7.44 The neighbouring borough of Runnymede is situated to the west of the site on the opposite side of the River Thames. The LPA consulted Runnymede Borough Council who raised no objection.

Equalities Act 2010

- 7.45 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 to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.

The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances. The application proposes a toilet facility for disabled users and is considered to be accessible. The Laleham Park car park also contains a number of disabled car parking spaces.

Human Rights Act 1998

- 7.46 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.47 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.
- 7.48 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.
- 7.49 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.

Finance Considerations

- 7.50 Under 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.
- 7.51 In consideration of S155 of the Housing and Planning Act 2016, the proposal is not CIL liable development. It is possible that business rates may be applicable to both buildings. However, the exact amount is unknown at this stage and would be dependent upon a valuation from the Valuation Office Agency

8. Conclusions

- 8.1 For the reasons outlined in this report, it is considered that the proposed pavilion buildings would represent an exemption to inappropriate development in the Green Belt, and would have an acceptable impact upon the Green Belt and its openness. The site is also located in the 1 in 20 year flood event area (Flood Zone 3b), which is the highest level of flood risk. However, the development would represent a reduction in the overall built footprint at the site, and the buildings would be in a water compatible use.
- 8.2 The proposed buildings are also considered to have an acceptable impact upon the character of the area, the amenity of surrounding properties and biodiversity. The development would also provide an acceptable facility for the surrounding community. The proposal is therefore considered to be in accordance with the objectives of policies EN1, CC1, CC2, CC3 EN8 and LO1 and the proposal is recommended for approval subject to the following conditions:

9. Recommendation

To GRANT planning permission subject to 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: 1338 PL 003 Rev A, 1338 PL 004 Rev A, 1338 PL 005 Rev A, 1338 PL 021 Rev A (Received 10.03.2020), 1338 PL 001 Rev A, 1338 PL 002 Rev B (Received 17.03.2020) 1338 PL 024 Rev B, 1338 PL 022 Rev D, 1338 PL 023 Rev D (Received 15.06.2020), 1338 PL 010 Rev F, 1338 PL 020 Rev F (Received 10.08.2020)

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

- 3 No development above damp course level shall take place until details of the materials to be used for the external surfaces of the building(s) 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 Prior to the commencement of development (excluding demolition of the existing buildings) a survey report detailing ground conditions of the site shall be submitted to and approved in writing by the Local Planning Authority. Where made ground or contamination is encountered a scheme to investigate, assess and remediate contamination risks shall be agreed in writing with the Local Planning Authority, and shall be carried out in accordance with the agreed details and timetable.

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

- 5 No development shall commence until an Arboricultural Method Statement in accordance with BS5837: 2012 shall be submitted to the Local Planning Authority for approval and agreed in writing. Works to the boundary wall will then be carried out in accordance with the approved details.

Reason: To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 6 Following construction of any groundwork and foundations, no construction of development above damp course level shall take place until a report is submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. 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.

- 7 Prior to the first use or occupation of the building's hereby approved, a strategy shall be submitted and agreed with the Local Planning Authority, which details ecological mitigation measures, including but not limited to the provision of bird boxes and roosting opportunities for bats. The mitigation measures shall thereafter be retained to the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity to ensure the development will not have an adverse impact upon protected species.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) there shall be no changes to the room uses shown in plan 1338 PL 020 Rev F (Received 10.08.2020) namely, changing room & showers, plant room, storage & toilet facilities, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development remains in a water compatible use due to the finished floor levels being below flooding levels.

- 9 The development shall be carried out in accordance with the submitted Flood risk assessment (FRA) ref 72257R4; Status FINAL; Updated 2020-06-11, produced by FloodSmart Pro, Drawing titled 'Proposed Ground Floor Plan' dated 05/08/2020, ref: 1338 PL 020 rev: F and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 12.59mAOD
 - Resistance and resilience measures recommended should be incorporated in the building including:
 - Raising of electrical sockets, heating systems and utility meters above the estimated 1% AEP, plus an appropriate allowance for climate change, flood level
 - Non-return flap valves on any existing foul and surface water outfalls
 - Silification primers and cementitious waterproof grouts and mortars to protect internal walls from damp and any water ingress
 - Hard flooring at ground floor level
 - Sports equipment which may be susceptible to water damage should be stored at higher levels
 - The footprint of the new build should be less than that of the existing building

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future users. To reduce the risk of flooding elsewhere. To ensure the structural integrity of the proposed building utilities. This is supported by Policy LO1

INFORMATIVES TO APPLICANT

- 1 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 the NPPF. This included the following:-
 - a) Provided 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
 - c) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

- 2 Access by the Fire Brigade
Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.
There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

- 3 Historically land across Spelthorne has been subjected to extensive mineral extraction, with subsequent infilling of the resultant voids. Excavations during some development works have encountered fill materials where records have not previously identified a history of extraction / infilling.
To confirm ground conditions at the application site minimum requirements of the survey are as follows:
 - The excavation of 2 -3 trial holes to a depth of 1.00mbgl. This can be done by hand or with a small digger
 - At least one location beneath the footprint of the proposed dwelling and another one to two holes within the proposed rear garden and other associated landscaped areas.
 - an inspection to be made of the ground conditions and confirm the absence or otherwise of any made ground / fill materials at this property, their thickness and extent.
 - Photographs shall be taken of each exploratory position including all associated soil arisings (soils excavated and placed to the side of the hole as works progress).
 - Where different soil horizons are encountered (i.e. topsoil to 0.40mbgl overlying a layer of sandy gravel to 0.60mbgl with stiff clay to the base of the excavation (c.1.00mbgl)) appropriate written logs will be required

to detail the depths, thickness and description of the materials encountered.

□ a scale plan (such as the site layout plan) indicating the location of the exploratory positions in relation to the proposed property and a photograph taken across

- 4 The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
- 5 Due to the presence of National Grid and UK Power Networks apparatus in proximity to the specified area, the applicant should contact Cadent and UK Power Networks before any works are carried out to ensure National Grid and UK Power Networks apparatus is not affected by any of the proposed works. Email: plantprotection@cadentgas.com
Telephone: 0800 688 588 UK Power Networks: 0800 31 63 105

Affected Apparatus

The National Grid and UK Power Networks apparatus that has been identified as being in the vicinity of your proposed works is: Electricity Substation

- 6 The applicant is advised of the need to Either - obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect bats commencing and to;
 - Undertake all the actions which will be detailed in the Method Statement which will be required to accompany the licence application, based on the mitigation, compensation and enhancement actions presented within section 7 of the above referenced Bat Survey Report.
 - Or – under take works under the brief of a Registered Consultant who holds a Low Impact Class Licence for bats.
- 7 The applicant is advised that a precautionary approach to works is implemented. Features identified as suitable for roosting bats should be dismantled by hand, under the supervision of a suitably qualified ecologist and site workers should be made aware of bat legislation. If any bats are found on site all works should cease immediately and advice sought from Natural England.
- 8 The applicant should ensure that the proposed development will result in no net increase in external artificial lighting. In order to comply with above European Protected Species Legislation, any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series".
- 9 Breathable roofing membranes can cause entanglement and mortality of bats in roofs. Therefore non-breathable bituminous membrane should be used, as opposed to breathable membrane, in line with the recommendations made in section 7 of the applicants Bat Survey Report.

- 10 The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.