

# Planning Committee

## 21 July 2021



<b>Application No.</b>	19/01731/FUL
<b>Site Address</b>	Brett Aggregates Limited, Littleton Lane, Shepperton. TW17 0NF
<b>Applicant</b>	Brett Aggregates Limited
<b>Proposal</b>	Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.
<b>Case Officer</b>	Russ Mouny
<b>Ward</b>	Laleham and Shepperton Green
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid: 24.12.2019	Expiry: 24.03.2020	Target: Extension of time agreed
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<p><b>Executive Summary</b></p>	<p>The proposal involves the partial redevelopment of the existing Littleton Lane Industrial Estate for Class B1 (now Class E) Office, B2 General Industrial and B8 Storage and Distribution uses, car parking and other associated facilities. The proposal is similar in size and layout to the existing industrial estate which was granted a Certificate of Lawful Use and Development in 2019 (18/01054/CLD).</p> <p>The Certificate of Lawful Use and Development was sought for the whole site and the majority of the buildings, however not all were considered to have demonstrated, on the balance of probabilities, that they were lawful. Those buildings and areas not included reverted to the Established Use Certificate in relation to the manufacture of concrete products and the manufacture and storage of joinery ancillary to the manufacture of concrete products.</p> <p>The site is located within the Green Belt and meets the NPPF definition of Previously Developed Land and therefore would not be considered to constitute ‘inappropriate development’.</p> <p>The proposed design of the new buildings and refurbishment of the existing buildings would be compatible with the location within the Green Belt.</p> <p>The proposal is considered to have an acceptable impact on the character and would represent a reduction in heavy good vehicle movements within the local road network as a result of the controlled uses and revised estate layout. The parking layout is appropriate for the proposed use and incorporate s electric vehicle charging points and cycle parking.</p> <p>The access to the site, no longer required in connection with mineral extraction, would be revised and reduced, reducing the impact on Littleton Lane.</p>
<p><b>Recommended Decision</b></p>	<p>Approve the application subject to conditions as set out at Paragraph 8 of the Report.</p>

## 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 LO1: Flooding
- Policy SP3: Economy and Employment Land Provision;
- Policy EM2: Employment Development on Other Land;
- Policy SP6: Maintaining and Improving the Environment
- Policy EN1: Design of New Development;
- Policy EN3: Air Quality
- Policy EN7: Tree Protection;
- Policy EN8: Protecting and Improving the Landscape and Biodiversity;
- Policy EN11: Development and Noise;
- Policy EN13: Light Pollution;
- Policy EN15: Development on Land Affected by Contamination;
- Policy SP7: Climate Change and Transport
- Policy CC1: Renewable Energy, Energy Conservation and Sustainable Construction;
- Policy CC2: Sustainable Travel; and
- Policy CC3: Parking Provision.

1.2 It is also considered that the following Saved Local Plan policies are relevant to this proposal:

- GB1 (Green Belt)

1.3 The advice contained in the National Planning Policy Framework (NPPF) 2019 is also relevant

## 2. Relevant Planning History

2.1 The site has the following planning history:

Ref. No.	Proposal	Decision and Date
19/01141/FUL	Change of use of buildings 1, 10, 12 & 19 of 18/01054/CLD: building 1 from abrasive blast cleaning to steel cleaning and fabrication, building 10 from motor vehicle repairs, residential construction company and motor vehicle body repairs to abrasive blast cleaning, storage, charging and maintenance of aerial platforms and light steel fabrication, building 12 from sale and maintenance of turf machinery to sale, maintenance and repair of motorcycles and building 19 from abrasive blast cleaning, manufacture of safety cases for camera equipment, taxi leasing and repair & freight haulage to manufacture of safety cases for camera equipment, taxi leasing and repair. van export, motor vehicle repair and restoration, vehicle radiator repair & exhibition furniture production.	Approved 11/10/2019
19/01140/FUL	Change of use of Area E of 18/01054/CLD from storage of shipping containers to storage of shipping containers, pallets and scaffolding.	Approved 11/10/2019
18/01054/CLD	Certificate of Lawfulness for buildings totalling 4,358.7 square metres of floor area and uses of A3, B1, B2, B8 and Sui Generis on 2.9 Ha of land at Littleton Lane.	Approved 08/03/2019

## 3. Description of Current Proposal

### The Application Site

- 3.1 The application site comprises 2.9ha located on Littleton Lane, north of the M3 motorway, south of the B376 Shepperton Road and opposite the Littleton Sailing club.
- 3.2 The site is currently occupied by various one to three storey buildings, storage containers and outside storage areas. The buildings are a mixture of quality and construction, with some having an ad hoc appearance. but all have been assessed in terms of their permanence.
- 3.3 The restored gravel pit to the west is a Site of Nature Conservation Importance (SNCI). The site is within the Heathrow safeguarding zone and

the 1:20 Flood Risk area, although some small, isolated areas show as 1:100. The site is also located within the designated Green Belt.

### The Proposal

- 3.4 The application relates to the redevelopment of the Littleton Trading Estate for commercial purposes. It proposes the demolition of the existing buildings and structures on the site, with the exception of buildings 1 (the existing café building at the entrance to the site), 15, 17 and part of building 10 (as defined in application 18/01054CLD), and redevelopment of the site to provide 4,358.7m<sup>2</sup> of commercial floorspace within use classes A3, B1, B2 and B8, together with hardstanding, parking and landscaping.
- 3.5 Units 2, 6, 7 and 9, all existing units to be retained, would incorporate external storage areas.
- 3.6 The proposal would incorporate the provision of 109 car parking spaces across the site including 7 disabled spaces and 12 electric vehicle charging points. There would also be 28 bicycle parking spaces located in two secure stores. There are no dedicated HGV parking spaces in connection with the B8 storage and distribution buildings, the size of which is intended to promote a local scale use.
- 3.7 The proposal incorporates the establishment of a substantial landscape buffer along the boundary with Littleton Lane to improve the screening the proposed development from view. Landscaped areas are also proposed within the site, together with improvements to the perimeter landscaping along the internal site boundaries.
- 3.8 Unit 1 is an existing café at the entrance to the site which would be retained in its existing form and use. It is a single storey brick building with a tile roof.
- 3.9 Units 2 & 3 are existing linked buildings that would be retained with the existing outside storage area on the west side of unit 2.
- 3.10 Unit 4 represents a new building comprising 3 double height workshop units with ramped access, under a dual pitched roof.
- 3.11 Units 5 & 8 represent a pair of new buildings each comprising 4 double height workshop units with industrial lift access, under mono-pitched roofs, located to the east of the site
- 3.12 Units 6 & 7 are an existing building west of units 5 & 8 within the centre of the site. This building would be retained in its current form and layout, and provide storage uses incorporating outside storage.
- 3.13 Unit 10 represents a new building comprising 5 double height workshop units with a mix of ramped and industrial lift access under a dual pitched roof.
- 3.14 Units 11 and 14 represent a pair of new buildings each comprising 5 single height workshop units with ramped, under dual pitched roofs, located to the north of the site

3.15 Units 12 and 13 represent a pair of new buildings each comprising 5 double height workshop units with ramped, under dual pitched roofs, located to the north of the site.

3.16 The floorspace of each proposed use is as follows:

Class	Total Area	Percentage	Units
A3 Food and Drink	73m <sup>2</sup>	1.5%	1
B1 Light Industrial	1520m <sup>2</sup>	35%	5, 8, 13, 14
B2 General Industrial	1285m <sup>2</sup>	30%	2, 3, 4, 6, 7, 9
B8 – storage (inside)	1444m <sup>2</sup>	33.5%	10, 11 12



## Layout

- 3.17 The site would be accessed from the existing access on Littleton Lane, although the Transport Assessment states that this would be revised to narrow the width to create a more appropriate access for the types of vehicles anticipated at the site and improve junction visibility

The access road would accommodate two-way movements of 16.5m long articulated lorries, the largest vehicles expected to be entering and exiting the site. The proposed access road requires entering and exiting vehicles to perform an S-manoeuve and therefore the lane widths provided ensure that both entering and exiting vehicles do not stray into the adjacent lane.

- 3.18 The internal layout of the scheme has been designed so that the different use types are grouped together, which the applicant considers will create an ease of access and ensures similar business can operate in close proximity to each other.
- 3.19 The units located adjacent to Littleton Lane were originally proposed to be B1 for light industrial uses such as offices to minimise any potential impact on Littleton Lane by reason of noise, vibration, dust etc. with the café use class A3 at the entrance of the site to provide a food and drink facility for those using the site.
- 3.20 However, it should be noted that from 1 September 2020, the Town and Country Planning (Use Classes) Order 1987 was amended to change the classification of uses of property. Classes A and B1, applicable to retail and office uses respectively, were removed and the new Class E introduced in their place to encompass commercial and business.
- 3.21 Class B8 units for storage would be located towards the west of the site away from the site entrance to give added security to the units. Class B2 units are set away from Littleton Road to ensure there is no material impact upon it. It should also be noted that Classes B8 and B2 were unchanged by the 2020 amending legislation.

## **4. Consultations**

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

<b>Consultee</b>	<b>Comment</b>
<b>Esso Pipeline</b>	No objection subject to informative
<b>Cadent</b>	No objection
<b>County Highway Authority</b>	No objection subject to conditions
<b>County Minerals Officer</b>	No objection
<b>Environment Agency</b>	No objection subject to conditions
<b>Environmental Health (Air Quality)</b>	No objection subject to conditions
<b>Environmental Health (Noise)</b>	No objection subject to conditions

<b>Environmental Health (Contaminated Land)</b>	No objection subject to conditions
<b>Environmental Health (Lighting)</b>	No objection subject to condition
<b>Environmental Services (Renewable Energy)</b>	No objection subject to condition
<b>Natural England</b>	No objection
<b>Aboricultural Officer</b>	No objection
<b>Lead Local Flood Authority</b>	No objection subject to conditions
<b>Surrey Wildlife Trust</b>	No objection subject to conditions

## 5. Public Consultation

### Community Engagement

- 5.1 The NPPF seeks to encourage pre-application engagement and front loading and advises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community”. The Council’s own Statement of Community Involvement states that the *Council will encourage applicants and developers to undertake pre-application consultation and discuss their proposals with their neighbours or the community before submitting their formal application.*
- 5.2 In addition to pre-application discussions which took place between the applicant and the Planning Officers, the applicant also undertook pre-application engagement with the public. The has advised that the initial meeting was held in July 2018 with residents, representative groups including individuals from Shepperton, Laleham and Charlton Village Associations and Council Officers.
- 5.3 The feedback from the residents’ groups initially raised the desire for the site to be restored to open Green Belt as part of the mineral consent. However, the existing uses on-site had been accepted under a Certificate of Lawful Use and Development and the earlier Established Use Certificate. Further feedback was received as to local concerns regarding the quantum of Heavy Goods Vehicle (HGV) traffic generated by the existing uses and the impact this was currently having on the surrounding villages. It was requested that any proposals seek to limit the number of HGVs accessing the site.
- 5.4 A presentation of the updated proposals at a public meeting on 4 June 2019 was attended by resident representative group and representatives from Surrey County Council and Spelthorne Borough Council.
- 5.5 A further meeting was held in November 2019 to explain the revised proposal. However, between presentations, a separate meeting was held with local resident groups to consider the design and specifics of the wider quarry restoration and the associated footpath proposed.



## Planning application consulting the neighbours

- 5.6 The proposed development was statutorily publicised by planning site notices adjacent to the site and in the local newspaper. No neighbour letters were issued due to the location of the site. No letters of representation were received.

## **6. Planning Issues**

- Principle
- Green Belt
- Flooding
- Design and appearance
- Highway issues/parking
- Noise
- Air Quality
- Biodiversity
- External Lighting

## **7. Planning Considerations**

### Principle

- 7.1 A Certificate of Lawful Use and Development was granted for the site in March 2019. This did not consider the merits of the case, rather the evidence provided and obtained, that indicated that based on "the balance of probabilities" the buildings were substantially completed more than 4 years from the date of the application and the use had been in existence for more than 10 years.
- 7.2 The site is also subject to an Established Use Certificate in relation to the manufacture of concrete products and the manufacture and storage of joinery ancillary to the manufacture of concrete products, which would represent a fall-back position.
- 7.3 The Certificate of Lawful Use and Development was specific about the uses on the site and therefore the applicant submitted two further applications to regularise existing uses.
- 7.4 The site is an acknowledged commercial site within the Green Belt and the principle of its redevelopment is considered acceptable, subject to compliance with the policies of the Core Strategy and Policies Development Plan Document (CS&P DPD) and the NPPF

### Green Belt

- 7.5 The site is located within the Green Belt. Section 13 of the NPPF sets out the Government's policy with regard to protecting Green Belt Land. It states that the Government attaches great importance to Green Belts and that the

fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Council's Saved Local Plan Policy GB1 is broadly consistent with the NPPF.

- 7.6 Paragraph 133 of the NPF states that the government attaches great importance to Green Belts and the fundamental aim of the policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics being their openness and their permanence.
- 7.7 Paragraph 134 of the NPPF sets out the five purposes of the Green Belt. These are:
- To check the unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.8 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 and more up to date 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.
- 7.9 Whilst Policy GB1 is a relevant development plan policy, because of the inconsistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF
- 7.10 The NPPF states at paragraph 143 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.11 In the section titled "Proposals affecting the Green Belt", paragraphs 145 and 146 of the NPPF allow for some exceptions to inappropriate development. These include paragraphs 145(d) and 145(g):  
*'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'* (145(d)), and  
*'Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*  
*– not have a greater impact on the openness of the Green Belt than the existing development.'* (145 (g)).
- 7.12 The proposal seeks to demolish most of the existing buildings and replace them with a total footprint of 4321m<sup>2</sup> which is 37m<sup>2</sup> less than the floorspace accepted under the Certificate of Use and Development. The new buildings

would generally be of similar heights to the existing, notwithstanding the unrestricted external storage, and would generally represent a reduced massing on the site overall. However, the new buildings would be raised to address flood risk, as required by the Environment Agency and therefore ridge heights would be higher.

- 7.13 The proposal includes the replacement of existing buildings to create a more uniform and cohesive development. These new buildings are not materially larger than those they replace, albeit that they are raised above the ground level by 1.3m to address the concerns of the Environment Agency (EA) in terms of flood risk. The Certificate allowed for a number of sui generis uses, notwithstanding that these would be normally be included within identified Use Classes, and those now proposed on the site would be compatible with the existing range of uses. The diagrams below show the existing site on the left and the proposed development to the right.



- 7.14 The proposal does represent the partial redevelopment of an existing and lawful commercial site. In terms of considering if the site comprises 'previously developed land' (PDL), and in particular, if the proposed development would be located wholly within the PDL area of the site, a definition of PDL is provided in the NPPF and states that it comprises: *'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.'*
- 7.15 The LPA acknowledged through the Certificate of Lawful Use and Development (18/01054/CLD) that buildings totalling 4,358.7m<sup>2</sup> of floor area and specific uses within the A3, B1, B2 and B8 use classes, together specific Sui Generis uses, were lawful on 2.9 Ha of land at Littleton Lane. This development proposal comprises the site identified in the Certificate and would meet the definition of Previously Developed Land in the NPPF.

- 7.16 Paragraph 146 also identifies certain other forms of development that are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it including:  
*'(d) the re-use of buildings provided that the buildings are of permanent and substantial construction.'*
- 7.17 In this particular case it is proposed to retain and reuse the existing buildings 1, part building 10, 15 and 17. The consideration of the Certificate of Lawful Use and Development application determined that these were of permanent and substantial construction. The retention of these would preserve the openness of the Green Belt and would have no material impact on the inclusion of land within it.
- 7.18 The proposal represents the partial redevelopment of recognised, previously developed land, including replacement buildings for commercial uses, of similar scale and the reuse of existing permanent buildings. The proposal is therefore considered not to represent inappropriate development within the Green Belt.

### Design and Appearance

- 7.19 Policy EN1a of the CS&P DPD states that:  
*"The Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they 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."*
- 7.20 The existing ad hoc buildings have evolved through function, with little consideration of the location or the surrounding context. The applicant is seeking to create a more cohesive development that responds more appropriately to the location.
- 7.21 The layout seeks to mitigate impact at the site boundaries, proposing single storey units to the edges rising to two storeys within the centre of the site, allowing the single storey units to create a natural buffer zone and reducing the visual impact on the local context.
- 7.22 The applicant states that the design of the buildings draw inspiration from the surrounding rural landscape, resulting in an agricultural barn type aesthetic, using black timber cladding and steel roofing. The existing retained buildings would be refurbished and re-clad in a vertical tin, which when compared to the others would provide a diversity on site, creating interest and variety
- 7.23 It is considered that the proposed design and appearance would be in keeping with the character of the surrounding area and complies with the requirements of Policy EN1 (a).

## Flood Risk

- 7.24 The applicant has submitted a Flood Risk Assessment to determine the potential impacts of flooding and drainage in respect of the development and any impact on existing drainage and watercourses.
- 7.25 The assessment considered all potential sources of flood risk, as required by NPPF, and the risks of flooding occurring have all been assessed as low. In assessing the flood risk, the impacts of climate change have been considered for the lifetime of the proposed development it was concluded that the risks are considered acceptable.
- 7.26 The applicant had pre-application discussions with the Environment Agency and proposed that the Under Slab Levels (USLs) of all proposed new buildings would be set above the 1 in100year (+25%Climate Change) fluvial flood level.
- 7.27 The proposal would not result in a loss of flood storage, due to the minor decrease in the built footprint of the buildings on site, the restriction of external storage and the use of underfloor voids to provide a flow route for flood water. These measures would represent an improvement to the existing condition.
- 7.28 The assessment concludes that a full ground investigation and infiltration tests should be undertaken following granting of planning permission, as this would establish the ground conditions and confirm infiltration rates to enable the detailed design of infiltration drainage for disposing of surface water runoff.
- 7.29 The Lead Local Flood Authority (LLFA) was not initially satisfied that adequate information had been provided to assess the proposed drainage scheme. The applicant subsequently provided an alternative drainage strategy that addressed the LLFA concerns. However, the LLFA has recommended that a pre commencement condition should be applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.
- 7.30 The Environment Agency (EA) acknowledged that the development would reduce the existing built footprint within the floodplain and would be constructed with floodable voids at ground level which would offer additional on-site flood storage. However, in the absence of an acceptable flood risk assessment (FRA) the EA initially objected to the application.
- 7.31 The EA sought for the FRA to address climate change above the level used, on the basis that there are climate change flood levels in this area, and to raise finished floor levels 13.58m AOD, if at all possible.
- 7.32 The applicant's subsequent Technical Note confirmed that the finished floor levels would be constructed to 13.58m AOD which addresses the impacts of climate change required by the EA and provides the mitigation measures to address flood risk for the lifetime of the development making the development

resilient to the flood levels for the 1% annual probability flood event with a 25% allowance for climate change.

- 7.33 Following the revisions, the detailed in the Technical Note the EA has raised no objection to the proposal.

#### Highway Issues & Parking

- 7.34 Policy CC2 of the CS&P DPD states that the Local Planning Authority will seek to secure more sustainable travel by amongst other things, only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account the capacity of the local transport network, the cumulative impact, access and egress to the public highway and highway safety.
- 7.35 The submission of a Transport Assessment as part of the application should aim to provide a robust assessment of transport and highways implications of the proposed development, focussing on three key transport tests set out in paragraph 108 of the NPPF including:-
- a) Appropriate opportunities to promote sustainable transport modes can be – or have been taken up, given the type of development and its location;
  - b) Safe and sustainable access to the site can be achieved for all users; and
  - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
- 7.36 The NPPF further states that development should only be refused or prevented on highway grounds if there would be an unacceptable impact upon highway safety or that the residual cumulative impacts on the road network would be severe.
- 7.37 The applicant has submitted a Transport Assessment that considers the existing conditions relating to the site in terms of the nature of the local highway network, accessibility by sustainable transport modes and to local facilities, and an overview of existing traffic and highway safety conditions.
- 7.38 The traffic impact of the development has been assessed on the surrounding highway network taking into consideration the cessation of the existing operation and the traffic generation of the proposed uses.
- 7.39 The site has an existing Certificate of Lawful Use and Development for commercial uses at the site and the fall-back position of the Established Use Certificate.
- 7.40 The County Highway Authority is satisfied that the proposal would have an acceptable impact on the local road network.
- 7.41 Policy CC3 of the CS&P DPD requires adequate provision of off-street parking.

7.42 Under the requirements of the Council's Parking Standards SPD (2011), a total of 106 parking spaces would normally be required to serve the development, based on the following standards:

Land Use	General Vehicles	Lorries	Cycles
B1 Light Ind.	42	8	8
B2 General Ind.	37	7	7
B8.1 Storage	15	7	3
A3 – Food & Drink	12	1	1
<b>Total</b>	<b>106</b>	<b>23</b>	<b>19</b>

- 7.43 The SPD indicates that applicants must be able to demonstrate that an appropriate level of conveniently sited parking provision has been available for disabled people. In this particular case the minimum provision would be 6 spaces. The applicant is proposing 7 spaces within the redevelopment.
- 7.44 The development would provide 109 car parking spaces within the site, including 7 disabled spaces and 12 EV charging spaces. The proposal provides no dedicated HGV parking, the spaces in front of the units, shown on the site plan, represents ramped access to deal with the raised floor levels.
- 7.45 The Parking Standards SPD states that for lorry parking, where alternative modes of transport are not generally available, the defined parking standards should normally be met. However, the applicant has sought to address the concerns of local residents' associations and restrict the type and scale of tenants likely to operate from the estate. Whilst this is an operational issue for Bretts and outside the control of the planning system, under the specific circumstances of this application and the scale and type of units proposed (The B8 units are individually less than 100m<sup>2</sup>), it is considered appropriate not to provide dedicated lorry parking within this proposal. A condition is recommended to secure the small scale B8 uses at the site.
- 7.46 The applicant's submission states that there would be 28 cycle parking spaces in two secure cycle stores, which would exceed the requirements set out in the Council's Parking Standards SPD.
- 7.47 The County Highway Authority, through its document entitled '*Surrey Vehicular and Cycle Parking*' (January 2018), recommends that in new commercial developments, 10% of available spaces should be provided with fast EV charging sockets.
- 7.48 The applicant has proposed that 12 spaces be supplied with EV charging facilities in line with the County requirement. However, the Council's Environmental Health Department (Air Quality) recommended that 20% of the spaces should provide for EV charging to assist with air quality measures and a condition has been recommended accordingly.
- 7.49 The parking provision for the proposal is therefore considered to be appropriate to the site.

### Air Quality

- 7.50 Policy EN3 of the CS&P DPD seeks to improve air quality within the Borough and minimise harm from poor air quality.
- 7.51 The applicant has submitted an air quality impact assessment that seeks to assess both construction and operational impacts of the proposed redevelopment.
- 7.52 The assessment of the potential impacts during the construction phase was carried out in accordance with the latest Institute of Air Quality Management Guidance. This showed that for the proposed redevelopment, it is likely that limited releases of dust and particulate matter would occur from on-site activities. However, through good site practice and the implementation of suitable mitigation measures, the impact of dust and particulate matter releases could be effectively mitigated and as a result the resultant impacts were assessed as negligible.
- 7.53 The air quality impact assessment concluded that air quality does not pose a constraint to the proposed redevelopment, either during construction or once the site is operational.
- 7.54 The Council's Pollution Control Officer has assessed the application and recommended conditions and informatives be attached.

### Archaeology

- 7.55 The applicant has submitted a Desk-Based Archaeological Assessment which sets out the predicted effects on the significance of archaeological assets as a result of the proposed redevelopment.
- 7.56 The applicant's assessment concludes that although the archaeological resources in the wider area are considered to be of regional importance and medium significance, however it is highly likely that the industrial development of the site since the 1930's has had an adverse impact on any archaeological remains.
- 7.57 Since the proposed groundworks would take place in areas where the ground has been heavily disturbed by twentieth century activity, it is unlikely that they would have any significant effect on archaeological remains and therefore no mitigation is proposed.
- 7.58 The County Archaeologist was consulted and has acknowledged that the site has seen extensive industrial use in the 20th century and agrees with the assessment's consideration that disturbance from these developments is likely to be severe, but it is also likely to have been localised. As such, there is a potential for archaeological survival across the areas outside the footprint of the existing buildings, but also a not insignificant potential for archaeological survival beneath the existing buildings.



- 7.59 The County Archaeologist considers that there is a need for further archaeological work in the form of a trial trench evaluation to determine the presence, extent, date and nature of any Heritage Assets of archaeological significance that may be present and a condition is recommended.

### Landscape

- 7.60 Policy SP6 of the CS&P DPD seeks to maintain and improve the quality of the Borough's environment, in particular, by promoting the improvement of poor-quality environments both within the urban area and in the Green Belt.
- 7.61 The applicant has undertaken a landscape and visual assessment following the guidance set out in the 'Guidelines for Landscape and Visual Impact Assessment', Third Edition (Landscape Institute and the Institute of Environmental Assessment, 2013).
- 7.62 This highlights that the proposal is to redevelop the existing industrial estate that grown organically on an ad hoc basis since its use in connection with gravel extraction. This has resulted in an adverse impact on the immediate landscape character and the visual amenity of a short section of Littleton Lane.
- 7.63 The proposed redevelopment seeks to provide a more substantial landscape buffer along the boundary with Littleton Lane, which would largely screen the proposed development from view. The new buildings would have a similar character, more compatible with the countryside character of the location, using a recessive dark cladding. Those closest to Littleton Lane would be of a similar height to those they replace, however they would be set further back within the site to mitigate their impact. The taller units would be set within the site to benefit from the perimeter landscape buffers.
- 7.64 The Assessment concludes that the proposed redevelopment would not adversely affect the setting of any historical or cultural assets and would not affect the visual amenity of any local residents.
- 7.65 It considers that overall, the proposed development would have a beneficial effect of Minor significance on the landscape character and a beneficial effect of Moderate significance on visual amenity for a short section of Littleton Lane. For the majority of the surrounding landscape, the proposed redevelopment will not be visible.
- 7.66 It is considered that the redevelopment of the site would allow the ability to control the design and appearance of the new buildings and the use of the external spaces. It would also allow the improvement and enhancement of the boundary treatments.
- 7.67 The boundary with Littleton Lane is currently a mixed native hedgerow with scattered tree planting and visual gaps. The proposed strategy would reinforce this and provide significant new planting, including semi-mature trees at 12m centres, aimed at creating instant impact, a dense visual screen and an improved habitat corridor.

- 7.68 The other boundaries would be strengthened buffers and native hedgerow that would confine the site and improve biodiversity opportunities. Whilst the visibility of the site is not considered to justify the proposal in and of itself, the proposal would offer landscape benefits and biodiversity net gain.

#### Renewable Energy

- 7.69 Policy CC1 of the CS&P DPD states that the Council will require 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.
- 7.70 The applicant has submitted an Energy Statement with the submission. This considers a number of measures for meeting renewable energy demand, including wind, photovoltaics, solar thermal systems, biomass heating, ground and air source heat pumps and combined heat and power. The report proposes the use of photovoltaic panels. A 65kWp array (equating to approximately 250 panels), is proposed to ensure that over 10% of the development's energy demand is met by on site renewable energy sources.
- 7.71 The Council's Sustainability Officer was consulted and has indicated his satisfaction that this would allow the renewable energy requirement to be met. It is recommended that this is secured by condition.

#### Biodiversity

- 7.72 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by safeguarding Sites of international and national importance, ensuring that new development wherever possible contributes to an improvement in biodiversity avoiding harm to features of nature conservation interest. The policy further states that permission will be refused where development will have significant harmful impacts on features of nature conservation interest.
- 7.73 The applicant has undertaken an Ecological Appraisal, which has included a Desk Study and Phase 1 Habitat Survey. The report concludes that the development would not significantly impact nearby Natura 2000 Sites, Sites of Special Scientific Interest, or Sites of Nature Conservation Importance. It further stated that the site presently contains urban habitats with low ecological value.
- 7.74 The applicant has also submitted a Bat Survey Report, which recorded no bats leaving the site.
- 7.75 Natural England advised that the application would not have an adverse effect on the integrity of Staines Moor Site of Special Scientific Interest (SSSI), which forms part of South West London Waterbodies Special Protection Area (SPA).
- 7.76 The Surrey Wildlife Trust commented that the LPA should consult Natural England for advice on whether the application would comply with European

Legislation, and whether the scheme would impact Staines Moor SSSI. Given the comments of Natural England noted above, the proposal is considered to be acceptable in this regard. SWT also offered conditions and informatives that have been incorporated into the recommendation.

- 7.77 An Environmental Impact Assessment screening opinion was sought prior to the submission of the application, which concluded that Overall the proposal would not be likely to have significant environmental impacts based on the existing position, the character of the proposal, location of the development and characteristics of the potential impact.

#### Equality Act 2010

- 7.78 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:
- (a) The elimination of discrimination, harassment and victimisation;
  - (b) The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
  - (c) 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.

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.

- 7.76 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 development has been designed with due regard to the Equalities Act and will, as a minimum, comply with the following:

- Part M of the Building Regulations;
- The 1995 Disability for Accessibility produced by the Centre for the Accessible Environment;

Specific requirements for the development having regard to the Equalities Act which will be achieved include:

- Access to units within the site;
- Circulation routes in all areas for wheelchair-based activities;
- Where internal floor levels change any alternative access route will be clearly indicated;
- Appropriately designated directional signs that consider the needs of people with visual impairment to aid access around the facility; and
- 7 disabled parking spaces will be provided.

- 7.78 The application site and land, uses and buildings nearby are likely to be used by people with protected characteristics. The loss of existing uses may disadvantage some people who currently use them. However, the new uses offer opportunities, and the new layout of the site would offer improved facilities which would be accessible.
- 7.79 In terms of the built form, it is not considered that the proposal would result in a material loss of outlook, loss of light/overshadowing, be overbearing or cause loss of privacy, cause noise or light nuisance issues that would justify refusal of the proposal. It is acknowledged that the demolition of the existing buildings and the construction of the new ones may impact those using the immediate area, however this would be for a limited period only.
- 7.80 As such consideration has been given to how the proposal will pay due regard to the Equalities Act.

#### Human Rights Act 1998

- 7.79 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.80 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.
- 7.81 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.
- 7.82 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.

## **8. Recommendation**

- 8.1 APPROVE subject to the following:

### CONDITIONS/REASONS

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; 010.001, 020.001, 020.002 P1, 020.003, 025.000, 025.001, 030.000, 030.003, 030.004 (received 13 Jan 21 02), 0.000, 020.004, 020.005, 030.001, 030.005 (received 19 Jan 21), 0001.000 P2, 010.003 P7, 020.000, 020.004, 020.005 020.006 P2, 020.007 P2, 020.008 P4, 020.009 P2, 020.010 P2, 030.006 P3, 030.006.1 P3, 030.007 P5, 030.007.1 P4, 030.008 P4, 030.008.1 P4, 030.010 P5, 030.010.1 P4, 040.000 P3, 040.001 P3 (received 20 Apr 21)

Reason:-.For the avoidance of doubt and to ensure the development is completed as approved.

3. Prior to the commencement of development a Construction and Environment Management Plan (CEMP) detailing how protected habitats and associated species, including wetland features, will be protected from any adverse impacts as a result of construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include adequate details including;

- Risk assessment of potentially damaging construction activities
- Practical measures to avoid and reduce impacts during construction
- Location and timing of works to avoid harm to biodiversity features
- Responsible persons and line of communication
- Use of protected fences, exclusion barriers and warning signs.

The development shall the proceed in accordance with the approved details.

Reason:-.To safeguard the amenity of the area and the immediate environment in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. No demolition shall take place, including any works of demolition or site clearance, until a demolition method statement detailing the proposed methodology for demolishing the existing structures and the mitigation measures to be implemented has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include submission of a Pre-Demolition Asbestos Survey. The agreed methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason:-.To safeguard the amenity of the area and the immediate environment in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. The proposed vehicular access to the site shall be constructed and provided with visibility zones, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority), all to be permanently maintained to the specification agreed by the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.

Reason:-.In the interterests of highway safety

6. 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. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off or as close as is reasonably practicable.
  - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
  - d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
  - e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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.

7. 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. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

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

8. No development shall take place until:-
- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
  - (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the

site investigation have been agreed in writing with the Local Planning Authority.

(iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

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

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination: Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

9. 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.

10. (a) No demolition, site clearance or building operations shall commence until protective fencing consisting of weld mesh panels on a scaffold framework as shown in Figure 2 of BS5837 2012 has been erected around each tree or tree group to be retained on the site in accordance with details to be submitted to and approved by the Local Planning Authority before any work on the development hereby permitted is first commenced, such details to include trenches, pipe runs for services and drains. Such fencing shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.
- (b) The destruction by burning of materials shall not take place within 6 m (19 ft 8 ins) of the canopy of any tree or tree group to be retained on the site or on land adjoining.

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.

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason:-.In the interest of the archaeological potential of the site and Policy BE26 of the Cpmcil's saved Local Plan Policies

12. 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.

13. Prior to the occupation of the building(s) hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the building(s) and shall at all times accord with the approved details.

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

14. 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) and surface material for parking areas 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.

15. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved by the Local Planning Authority prior to first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting shall be carried out prior to first occupation of the buildings and/or site. The planting so provided shall be maintained as approved for a minimum period of 5 years, such maintenance to include the



replacement in the current or next planing season, whichever is the sooner, of any trees or shrubs that my 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:-.(a) To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

AND, IF APPROPRIATE

(b) To replace trees preserved and listed in a confirmed Tree Preservation Order, which will need to be felled to implement the permission hereby approved.

In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

16. Prior to the occupation of the development, details of any scheme required for the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s)/use is/are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

17. Prior to the occupation of the development hereby approved, a scheme of biodiversity enhancements, in accordance with the recommendations of the submitted Bioscan Ecological Appriaisal dated December 2019, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

Reason:-.To enusre a biodiversity nett gain in accordance with the National Planning Policy Guidance 2019 and Policy EN8 of the Core Strategy and Policies Development Plan Document.

18. No goods or articles shall be stored on any part of the application site except inside the buildings or within the outside areas specifically identified O1, O2, O3 and O4 on the approved plan (proposed Block Plan 010.002 Oct 19). Within the outside areas hereby approved no goods, articles or other elements shall be stored or stacked above 3700mm above grade.

Reason:-.To ensure that the proposed development does not prejudice the character or appearance of the Green Belt or the adjoining Site of Nature Conservation Interest in accordance with policies SP6 and EN1 of the

19. The parking, turning, loading, and unloading spaces shown on the approved Site Plan 010.003 Rev P7 shall be constructed within three months of the commencement of any part of the development hereby permitted, or such longer period as may be approved by the Local Planning Authority, and thereafter the approved spaces together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the 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 highway(s) and to ensure that the facilities 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.

20. No new development shall be occupied until 22 parking spaces have been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for 7kW fast charge posts for electric vehicles. The charging points shall be retained exclusively for its designated purpose.

Reason:-.The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF.

21. That no more than 1285 square meters of the gross floorspace hereby approved shall be used in connection with B2 General Industrial uses and no more than 1445 square meters of the gross floorspace hereby approved shall be used in connection with B8 storage and distribution uses.

Reason:-.In the interests of the character and appearance of the Green Belt and to ensure the free flow of traffic on the local highway network.

22. The B8 Storage and Distribution Uses within Units 10, 11 & 12 shall not be amalgamated to create larger B8 Storage and Distribution spaces at the site.

Reason: To minimise the potential for large scale HGV operations at the site and the resultant impact on the surrounding road network.

#### INFORMATIVES TO APPLICANT

- 1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This includes 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 proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
- 2 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.  
If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.  
If there are any further queries, please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.
- 3 The applicant should ensure that the adjacent Site of Nature Conservation Importance and its associated species are protected from any adverse impacts, both during construction and operation of the proposed development.
- 4 The applicant is advised that:
- In accordance with the submitted Ecological Appraisal, prior to works or demolition commencing, an inspection of structures should be undertaken by a licenced ecologist, to check for any evidence or new potential for roosting bats.
  - The developer should also ensure that the confirmed bat roost within a mature tree outside of the site boundary is protected from any disturbance both during construction and operation of the proposed development.
  - If bats are seen on site, work should cease immediately and advice sought from Natural England or a qualified specialist.
- 5 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>/Nm<sup>3</sup> for spark ignition engine - note other limits apply for gas turbine or compression ignition engines.
- 6 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.  
  
If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.  
  
If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.
- 7 The applicant should be mindful to follow best practice when selecting gas-fired boilers. A minimum standard of less than 40mgNO<sub>x</sub>/kWh should be met.

All gas fired CHP plant should meet a minimum emissions standard of 250mgNOx/kWh for spark ignition engine.

- 8 The applicant is advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
- a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - c) Deliveries should only be received within the hours detailed in (a) above;
  - d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
  - e) There should be no burning on site;
  - f) Only minimal security lighting should be used outside the hours stated above; and
  - g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.
- Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme ([www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration)).
- 9 The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme> and <https://www.surreycc.gov.uk/land-planning-and-development/planning/transport-development/alterations-to-existing-roads>

## **Appendices:**