

Planning Committee

09 March 2016



Application Nos.	15/01718/FUL & 15/01718/LBC		
Site Address	Bridge Street Car Park, Bridge Close, Staines upon Thames		
Proposal	<p>Planning application for demolition of existing unlisted car park, sea cadet building, access ramp, deck and steps in Staines Conservation Area and redevelopment of the site to provide buildings ranging from 4 to 12 storeys in height comprising 358 sqm (GIA) ground floor commercial floorspace (Use Class A1/A2/A3) and 205 residential units (Use Class C3), together with ancillary residents gym, associated car parking, open space, landscaping and infrastructure works (15/01718/FUL). Listing Building Consent application for minor alterations and works to Grade II Listed Staines Bridge in association with the redevelopment of the adjacent Bridge Street Car Park (15/01718/LBC).</p>		
Applicant	Bellway (North London)		
Ward	Staines		
Call in details	N/A		
Case Officer	Paul Tomson/Siri Thafvelin		
Application Dates	Valid: 23/12/2015	Expiry: 24/03/2016	Target: Under 13 weeks
Executive Summary	<p>This planning application seeks the demolition of the existing car park and former Sea Cadets building and the redevelopment of the site to provide a scheme comprising 205 dwellings, a ground floor commercial unit, the creation of public open space and other associated works. As the proposal involves minor alterations to the listed building of Staines Bridge, both planning permission and listed building consent is being sought.</p> <p>The site has been allocated for housing in the Council's Allocations Development Plan Document 2009 and the principle of redeveloping the site for residential is acceptable. Whilst the proposal does not provide any replacement public car parking, the Council is satisfied that there is sufficient capacity at other town centre car parks and there is no objection to the loss of public parking on the site. There is no objection to providing a small commercial unit (Use Class A1/A2/A3) on the site.</p> <p>The site is in a prominent 'gateway' location within the Staines Conservation Area and adjacent to listed buildings. It will also be visible</p>		

	<p>from the nearby Egham Hythe Conservation Area in Runnymede. Whilst the proposal is substantially greater in height compared to surrounding buildings, it is considered to be high quality in design terms and will provide some significant public benefits. On balance, the harm to the conservation areas is not considered to be significant and this is outweighed by the public benefits. The impact on the setting of nearby listed buildings is considered acceptable. The minor works to the listed building of Staines Bridge is also considered acceptable. Historic England has raised no objection.</p> <p>The level of traffic generated by the proposed development is considered to be relatively small and will not have a material impact on the traffic movements using the adjacent highways. The County Highway Authority has not raised an objection on traffic generation grounds.</p> <p>Although no affordable housing is to be provided on the site, and all units are for market housing, the applicant is proposing a financial contribution in lieu of on-site affordable housing. This figure represents the equivalent cost of providing up to 52% affordable housing on the site, and is, in these particular circumstances of this site, a policy compliant scheme</p> <p>Whilst the site is located within an area liable to flood, the proposal involves flood mitigation measures to include lowering of the existing ground level to increase flood storage capacity and the provision of a sustainable drainage system. Consequently, the scheme will not increase flood risk elsewhere. Furthermore, there is a dry route from the site for the new residents in the event of a flood to an area outside the flood zone. The Environment Agency and the Local Lead Flood Authority have raised no objection to the proposal.</p>
<p>Recommended Decisions</p>	<p>This planning application is recommended for approval. The Listed Building Consent application is also recommended for approval.</p>

MAIN REPORT

1. Introduction/Decision Making Context

- 1.1 Whilst this planning application has been submitted by Belway the site is owned by Spelthorne Borough Council. Subject to planning permission being granted there is an agreement that the Council will then sell the site to Bellway.
- 1.2 The Planning Committee's role is to determine planning applications on behalf of the Council under its statutory duties as the 'local planning authority'. The Council's Planning Code (part of the Council's Constitution) requires it to exercise these duties in relation to planning and development proposals so as to ensure openness, transparency and consistency of decision making.

- 1.3 The Committee must therefore approach this planning application in the same manner as is required to deal with any other application – that is to do so having regard to the ‘development plan’ unless material planning considerations indicate otherwise.

2. **Development Plan**

- 2.1 The following policies in the Council’s Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- TC1 (Staines Town Centre)
- CO2 (Provision of Infrastructure for New Development)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN4 (Provision of Open Space and Sport and Recreation Facilities)
- EN5 (Buildings of Architectural and Historic Interest)
- EN6 (Conservation Areas, Historic Landscapes, Parks and Gardens)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN9 (River Thames and its Tributaries)
- EN11 (Development and Noise)
- EN13 (Light Pollution)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

- 2.2 The following policy of the Allocations Development Plan Document December 2009 is considered relevant to this application:

- Site Allocation A9 for the redevelopment the Bridge Street Car Park – see paragraph 7.1

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

- RU11 (Site of Nature Conservation Importance)
- BE26 (Archaeology)

3. **Relevant Planning History**

W/85/607	Erection of a three-storey headquarters office building with basement car park, two-storey car park, residential development comprising 20 units adjoining Church Street, erection of two-storey replacement building for the Sea Cadets, relocation of existing access to Bridge Street, and construction of pedestrian link between new car park and Bridge Street.	Approved 04/04/1986
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(Officer note: this application covers both the current planning application site and land to the north)

08/00762/FUL	Erection of 143 No. residential units, new Sea Cadets' facility and café with associated parking, access and landscaping, following the demolition of the existing car park and sea cadets building.	Resolved to Approve 07/01/2009
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08/00763/CAC	Conservation Area Consent application for the demolition of the existing multi-storey car park and Sea Cadet building	Approved 12/01/2009
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Officer note: The above planning application (08/00762/FUL 08/00763/CAC) was reported to the Planning Committee on the 07/01/2009. It was resolved to approve the planning application subject to the completion of a legal agreement. The legal agreement was never completed and consequently the planning permission was not issued and has since been lapsed.

3.1 The following applications, whilst not on the application site, are of relevance since they provided alternative accommodation for the Sea Cadets at the Lammas Park:

08/00761/FUL	Erection of a modular building raised above a boat storage area for the Staines Sea Cadets, with associated construction of boat ramp to the River Thames, for a temporary period of 3 years [The Lammas Park, Wraysbury Road, Staines]	Approved 20/10/2008
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12/00426/FUL	Retention of temporary two-storey modular building and temporary use of the building	Approved 07/06/2012
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for the Staines area Sea Cadets and boat ramp to the River Thames for a further period of five years

- 3.2 The Sea Cadets occupy a site owned by the Council and there were never plans for them to return to the Bridge Street site and necessity for them to be accommodated within this new development.

4. Description of Current Proposal

- 4.1 This planning application seeks permission for the demolition of existing unlisted car park, sea cadet building, access ramp, deck and steps in Staines Conservation Area and redevelopment of the site to provide buildings ranging from 4 to 12 storeys in height comprising 358 sqm (GIA) ground floor commercial floorspace (Use Class A1/A2/A3) and 205 residential units (Use Class C3), together with ancillary residents' gym, associated car parking, open space, landscaping and infrastructure.
- 4.2 Application 15/01718/LBC seeks Listed Building Consent for minor alterations and works to the Grade II Listed Staines Bridge in association with the redevelopment of the adjacent Bridge Street Car Park.

Car park history

- 4.3 The site lies in the urban area. It is occupied by the Bridge Street Car Park and the former Staines and Egham Group Sea Cadets building, which was originally built in the 1980s as part of a comprehensive redevelopment in association with the former Courage Brewery Offices (now Strata) which is located to the north. It comprises two levels of parking, of which the first floor deck is broadly level with the adjacent Staines Bridge approach road. It provides a total of 275 parking spaces, 86 of which were licenced to a local business Monday to Friday until the end of October 2015. As part of the original redevelopment, the Courage Brewery offices were given a licence to use 100 of the 275 spaces on weekdays. These spaces have only ever been available to the public during weekends (regardless of whether the building has been occupied or not). The number of weekday spaces available to the public has fluctuated over the years, between a maximum of 175 and a minimum of 89 space (until September 2014).
- 4.4 The site is currently owned by Spelthorne Borough Council and, with the exception of the office parking provision, is used for public parking purposes. The site also includes the former Staines and Egham Group Sea Cadets' building, which is a two storey building that was erected at the same time as the car park. The building is located to the west of the car park and faces River Thames and has not been used for its original purpose since around 2009. The application site also incorporates Bridge Close and the footpath along the eastern side of the car park. The site area is 0.67 hectares.

Surrounding area

- 4.5 To the north are Bridge Close and the 3-storey Strata office building which was built in the 1980s and has recently been refurbished with a modern

appearance. To the south is River Thames. To the south-east is Staines Bridge, which is a Grade II Listed Building erected in 1832. On the eastern side of the bridge's approach road and facing onto the river is Thames Edge Court which is a part 4-5 storey building that comprises a mixture of commercial units at ground levels and flats above. At the site's eastern boundary are Bridge Street (B rated classified road) and the Staines Bridge/Clarence Street junction which forms part of the A308. There are several commercial properties on the east side of Bridge Street. Immediately to the west of the application site, and facing the river, is Hanover House, which is a two storey office building with a traditional pitched roof design and brick built elevations and parking to the rear. Further to the west is Island Close with two and three storey terraced dwellinghouses facing onto the river.

- 4.6 The site lies at the edge of Staines upon Thames Town Centre and is characterised by a mixture of residential and commercial properties. There are 14 trees within the site and none of them are subject to a Tree Preservation Order.

Planning constraints

- 4.7 The site has a number of planning constraints reflected in policies in the Development Plan. It is included in the Spelthorne Allocations Development Plan Document 2009 as a specific site allocation (Allocation A9) for housing. The document states that:

Residential development of approximately 75 dwellings is proposed including retention of an element of public car parking beneath. (...) Redevelopment would provide an opportunity to create a high quality development that makes the most of this visually important site, offering the potential to enhance both the town centre and the setting of the river.

- 4.8 The site is located within the Staines Conservation area and is situated close to several Listed Building including Staines Bridge and 41 Clarence Street. The Hythe Conservation Area (in the administrative area of Runnymede Borough Council) is located on the south-west bank of the river, downstream of Staines Bridge.
- 4.9 The site is also within an area liable to flood (part Zone 3a and 3b) and the River Thames and its riverbank in the vicinity of the site are a designated Site of Nature Conservation Importance.

Proposal

Block A

- 4.10 A twelve storey building with an elliptical footprint is positioned in the south-eastern corner of the site, closest to Staines Bridge (Block A). The building will measure up to 29m in length and 18m in width. The building will have a maximum height of 42.4m from the ground level at the riverside and 39.6m from the bridge approach.
- 4.11 The ground/lower ground floor space will be commercial and can be accessed from Bridge Street and from the public space within the site. There will be residential use above.

- 4.12 Block A will be constructed with a pre-cast Portland stone framework with bronze coloured concrete panels. The light coloured Portland stone will contain mica chips and be polished to have a slight sparkle when sun-lit and the contrasting bronze coloured panels will be polished to have a light sheen. The 11th and 12th floors will be recessed and clad in bronze anodised aluminium to match the bronze concrete panels and anodised aluminium handrails and balusters on the balconies on the floors below.

Block B

- 4.13 Block B is located to the north of Block A. It will be broadly L-shaped with a frontage along Bridge Street and towards Block A to create a public thoroughfare between the two buildings. Its southern extent is positioned to appear as a continuation of the Clarence Street frontage. It will have a maximum width of 40.2m and depth of 15.8m. There will be a 97 sqm gym at ground floor level at the southwestern end of the building, enclosed waste storage and residential flats on the remainder of the ground floor and on upper floors. Block B will be 4-5 storeys in height along Bridge Street, with the fifth floor set back from the street. The building then rises to six storeys towards the centre of the site and up to eight storeys where it meets Block C. The seventh and eighth floors will be set back and Block B will have a minimum height of 12m (four storeys) and maximum height of 25.2m (eight storeys).
- 4.14 Block B will be constructed of brick-clad pre-cast concrete panels with sections of slate-coloured zinc panels and oiled western red cedar panels. The set-back fifth storey along Bridge Street and sixth to eighth set-back floors in the centre of the site will be clad in a mixture of brick, zinc and wood panels.

Block C

- 4.15 Block C is located along the western and northern edges of the site and will be solely residential. The northern elevation will face onto Strata and will be separated by Bridge Close. The western elevation will face Hanover House and will be separated by a landscaped cycle path. The block will have a maximum length of 54.4m and depth of 8.8m along Bridge Close and maximum length of approximately 54m and depth of 15.8m adjacent to Hanover House.
- 4.16 The northern arm of the block will be 6-7 storeys and will have a height of 18.2 - 21.2m as measured from Bridge Close. The western arm of Block C will be 5-6 storeys in height and will have a height of up to 25.2m measured from the public space within the site, and 18.2m closest to the river.
- 4.17 Block C have the same design characteristics as Block B and will be constructed of brick-clad pre-cast concrete panels with sections of slate-coloured zinc panels and oiled western red cedar panels. The set back sixth and seventh floors will be clad in a mixture of brick, zinc and wood panels.

Use

4.18 A summary of the different uses and their size/floorspace is set out below:

Residential

4.19 A total of 205 flats are to be provided comprising 23 studio units, 49 1-bedroom, 100 2-bedroom, and 33 3-bedroom units. The flats will be situated on all floors except the ground floor of Block A. A total of three enclosed refuse storage areas are provided in Block B and C along with an enclosed refuse holding area in Block C. The proposed mix and tenure is as follows:

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
Studio unit	23	0	0	23
One bed	49	0	0	49
Two bed	100	0	0	100
Three bed	33	0	0	33
				205

4.20 23 (11%) of the units have been designed to be wheelchair adaptable.

Commercial space

4.21 The scheme includes a commercial unit with a Gross Internal Area (GIA) of 358 sqm in the ground floor of Block A. The unit will face Staines Bridge and the River Thames and a range of use classes are at this stage proposed (Use Class A1/A2/A3).

Residents' only gym

4.22 There will be a 97 sqm gym at ground floor level at the southwestern end of Block B to be used by the residents of the development.

Private/public amenity space

4.23 Private amenity spaces will be provided in the form of balconies. In addition, units on the top floor will have private terraces. The combined area of the balconies and terraces is 1316 sqm. There will also be a communal garden located in the courtyard created by Block B and C that measures approximately 528 sqm. The total area of private floorspace is therefore 1844 sqm.

4.24 Public amenity space will be provided in the form of a public walkway between Block A and B that leads to the riverbank with shallow steps, trees and planters with perimeter seating along the route. It is proposed to resurface the river path with compacted gravel to match the path to the west. There will also be a landscaped cycle and footpath that runs along the western boundary of the site, connecting the river path with Bridge Close.

4.25 There are 14 trees on site which will all be removed. The landscape plan includes substantial tree planting both within the site and along the boundary to compensate for the loss of the existing trees.

Parking

- 4.26 A total of 134 parking spaces will be provided in an underground car park accessed from Bridge Close. There will also be 16 motorcycle and 205 secure bicycle spaces in the car park.
- 4.27 Site layout and elevation plans are provided as an Appendix.

5. Consultations

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

Consultee	Comment
County Highway Authority	Raises an objection in relation to the proposed service bay adjacent to the restaurant and the highway safety and congestion impacts of this.
Historic England	No objection. The proposal would cause some harm to the significance of the Staines and Egham Hythe Conservation Areas. It is for the Council to determine if the harm has been both minimised and justified and to carry out the weighing exercise to balance residual harm and public benefit, required under the terms of the NPPF.
Environment Agency	No objection subject to conditions
Head of Street Scene	No objection
Crime Prevention Officer	No objection. Requests a condition to be imposed to require the development to achieve the Secured by Design award.
Valuation Advisor	Comments will be reported orally at the meeting.
Head of Asset Management	No objection
Sustainability Officer	No objection. Is satisfied that 10% renewable energy can be achieved on site.
Local Lead Flood Authority (Surrey County Council)	No objection. Is satisfied that the proposed drainage scheme meets their requirements. Requests that conditions are attached to ensure that the SuDS Scheme is properly implemented and maintained.
County Archaeologist	No objection subject to a condition
Spelthorne Museum	This is an important archaeological area

	probably covering the Roman wharf and possibly much earlier settlement. Requests that all relevant guidelines regarding archaeological sites are in place.
Surrey County Council (Planning)	Requests a financial contribution of £674,608 towards Early Years, Primary and Secondary education infrastructure.
BAA	No objection. Provides comments regarding cranes during construction which will be attached as an informative to the decision notice.
SCAN	Raises several concerns regarding disabled access. A copy of the response was forwarded to the applicant.
Urban Design Consultant (Design South East)	Made various comments on the impact on Staines and Egham Hythe Conservation Area, effect on adjacent listed buildings, and general design comments. Considers the proportions and design of the tower is not slender enough which will have an adverse impact on long distance views in both conservation areas. Requests further detailing be submitted regarding public and private realms, changes to the materials and detailing and other design matters. (<i>Officer note: following their comments the scheme has been further amended to address the points.</i>)
Spelthorne Borough Council Conservation Officer	No objection.
Natural England	No objection. Does not consider that this application poses any likely or significant risk to features of the natural environment but that it is important that the Thames Path is not obstructed during the course of the development of this site.
Surrey Wildlife Trust	No objection. The applicant should be required to ensure that no activities are carried out immediately adjacent to the River Thames and Towpath Site of Nature Conservation Importance (SNCI). The river should be protected from accidental pollution from, for example, waste water. Recommends that removal of any dense shrubbery is undertaken outside the main bird nesting season (March to August inclusive).

<p>Runnymede Borough Council</p>	<p>No objection and comment that: -</p> <p><i>“The conclusions of the Heritage Statement are considered acceptable, and that the limited harm to heritage assets in Runnymede would be outweighed by public benefit of redevelopment subject to the transport impacts being fully addressed. Therefore a holding objection is raised to give the applicant an opportunity to consider the wider highway implications of the proposal. Further consultation with Runnymede BC will be required when a revised Transport Assessment has been carried out.”</i></p> <p>Following receipt of the consultation response from the County Highway Authority confirming that the development will not have a material impact on traffic generation, Runnymede Borough Council have removed a holding objection on this matter.</p>
<p>Tree Officer</p>	<p>No objection. The existing trees have been graded in line with BS5837:2012 with 11 classed as C grade and 3 classed as B grade. Most of the trees only have a limited useful life and replacement planting can adequately compensate for their removal.</p> <p>The landscaping offers a reasonable mix of species and heights giving colour and interest and will be an improvement to the existing streetscene. The trees can be adequately managed by a proactive pruning regime to ensure they are in keeping with their surroundings. Subject to the landscaping scheme being fully implicated the proposal will lead to the enhanced long-term tree cover of the area.</p>
<p>Thames Water</p>	<p>Requests a ‘Grampian style’ condition to be imposed in relation to drainage works. Advises that no ‘impact piling’ shall take place until a piling method statement is submitted for approval. An impact study should be undertaken to ascertain the impact on local sewer infrastructure. Also requests that informatives are attached</p>

	regarding trade effluent, petrol/oil interceptors, fat traps on catering facilities and measures to minimise groundwater discharges into the public sewers.
National Grid	No objection. Has identified that it has apparatus in the vicinity of the proposed development and will comment further once a recommendation is made.
Environmental Health (Pollution Control)	<p>With regard to contaminated land, no objection subject to the imposition of conditions.</p> <p>With regard to air quality, recommends a condition in relation to mechanical ventilation to the residential units, emission rates of the communal combined heat and power boiler, and a revised demolition method statement to be submitted. Supports the implementation of a travel plan and other sustainable transport measures recommended by the County Highway Authority. Raises some concern that the proposed development could impede the widening of Staines Bridge at some point in the future.</p> <p>Raises concern about the lack of information regarding the kitchen extraction scheme submitted with the application and that cooking odours from a possible restaurant use could have a significant impact on surrounding residential properties.</p>
Environmental Health (Noise)	<p>No objection subject to conditions. Strongly advises that fencing with acoustic properties of a suitable height is provided around the site boundary during construction to minimise noise impact. Strongly advises against hardcore crushing on site due to the proximity of noise sensitive premises.</p>

6. **Public Consultation**

- 6.1 1333 neighbouring properties were notified of the planning application, including within the Borough of Runnymede on the south side of the river. Furthermore, statutory site notices were displayed and the application was advertised in the local press. 177 people have written in regarding the proposal, as well as representatives from Staines Town Society, Staines Village Residents and Traders Association Committee, Hanover Housing Association, the Friends of the Hythe, and the Strata building.

6.2 Reasons for objecting include:

- Overdevelopment of the site.
- The development is too tall and out of scale with adjacent properties. It does not respect local context, street pattern, building heights and density.
- Impact on Staines Bridge, Bridge Street Conservation Area and Hythe Conservation Area.
- Development is not sympathetic to the Green Belt (*Officer note: Site is not in the Green Belt*).
- Does not enhance River Thames and will dominate the riverside and dwarf Staines Bridge.
- Poor design and quality of materials.
- More public open space is required.
- Poor standard of amenity. Some of the flats do not meet minimum floor areas.
- Loss of light and privacy to properties on Church Street and Thames Edge Court.
- Overbearing impact on Thames Edge Court.
- Loss of light to dwellings on south side of the river.
- Light, noise and CO2 pollution.
- Tall buildings may cause wind tunnels.
- There is no demand for another restaurant.
- Commercial premises would increase litter and antisocial activities in the area.
- Lack of parking and concern that the development will lead to people parking in nearby residential roads and put a strain on existing car parks.
- The current car park is not heavily utilised so the development would increase traffic and cause congestion and reduce air quality.
- Concerns regarding the loss of the public car park.
- Concerns regarding access to the site for delivery vans and rubbish collection.
- Poor disabled access to public spaces, central courtyard and flats as well as lack of disabled parking on site.
- Gravel is not a suitable material for the footpath – poor disabled access.
- Concern about the impact on flooding and sewage system.
- Impact of the development on the adjacent Strata building in terms of loss of visual amenity and outlook, overall scale, loss of sunlight and daylight, and potential conflict/management of Bridge Close.

6.3 The representations above also include three letters in support of the proposal. The main comments made were:

- The current development is an eye sore.
- Development would bring life and vitality to a prime riverside location and would help support local retail and catering.
- The development, including the landscaping, pathways and cycleways would have a positive visual impact.
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6.4 135 of the letters were received from Spelthorne residents, 31 from people resident outside of Spelthorne and a further 10 from people at unknown

addresses. Of the representations received from outside the borough, 16 (52%) of them live less than 500m from Bridge Street Car Park, with the remaining 15 (48%) living further away. Of the representations received from Spelthorne residents, 88 (65%) are from less than 500m from the site, with the remaining 47 (35%) living further away but within the borough, see table below.

Distance*	Less than 100m	100-249m	250-499m	500-1000m	More than 1000m	Total
Spelthorne	12	44	32	19	28	135
Outside of the borough	0	0	16	3	12	31
Unknown address	-	-	-	-	-	10
Total	12	44	48	22	40	176

*Approximate distance as measured from the centre of the site

7. Planning Issues

- Principle of the development
- Loss of existing car park
- Housing density
- Design and appearance, and the effect on the Staines Conservation Area and The Hythe Conservation Area (Runnymede).
- Effect on the setting of nearby Listed Buildings
- Residential amenity
- Highway issues
- Parking provision
- Affordable housing
- Flooding
- Renewable energy
- Ecology
- River Thames
- Open space
- Dwelling mix
- Loss of trees
- Archaeology
- Air quality
- Kitchen extraction system
- Listed Building Consent

8. Planning Considerations

Principle of the development

- 8.1 Site Allocation Policy A9 (Bridge Street Car Park) of the Council's Allocations Development Plan Document 2009 allocates the site for residential development of approximately 75 dwellings including retention of an element of public car parking beneath. The justification for the Site Allocation (paragraphs 6.71 and 6.72 of the DPD) states:

“Redevelopment would provide an opportunity to create a high quality development that makes the most of this visually important site, offering the potential to enhance both the town centre and the setting of the river

Housing is considered the most appropriate use for the site in view of the need for housing, reflected in Core Strategy priorities, and other housing development along the river frontage”

- 8.2 In addition to the site’s ‘allocation’ for development, the Council has previously agreed in January 2009 to demolish the current buildings and redevelop the site for housing (planning application and conservation area consent 08/00762/FUL & 08/00763/CAC). Whilst the allocation suggests residential development of approximately 75 dwellings, this is only a guide and reflected a cautious assessment of the site’s capacity in the absence of a detailed design. The allocation does not preclude a greater number of dwellings, provided other aspects of the scheme are acceptable.
- 8.3 Allocation A9 also requires the retention of an element of public car parking to meet the needs identified in 2009. The Council has subsequently reassessed the need for public parking provision in the town centre as a whole and has concluded that there is sufficient public parking spaces on alternative sites to meet the town’s need and public parking on this site does not need to be retained. This issue is explained in more detail in the following paragraphs.

Approach to the Development

- 8.4 The site is at a key ‘gateway’ point into the town centre, of which it is functionally an integral part of, and is also close to a wide range of town centre uses. It is adjoined by modern office development on its west and north side with the Strata office development to the north representing a high density use. The Thames Edge Court development to the east is a relatively high density with commercial uses at ground floor and residential above. The street pattern was created in the 1830s reflecting the location of the then new Staines Bridge and this has determined the layout of development in the immediate locality.
- 8.5 In terms of overall urban design the scheme has been conceived as an integral part of the street scene coming to the back of the pavement on the Bridge Street/Staines Bridge approach. It also creates a new pedestrian route/open space through the scheme to the river Thames in a way that the buildings on the north side of the scheme (block B) intentionally ‘read’ as a continuation of the Clarence Street frontage.
- 8.6 The buildings to the north of the site (blocks B & C) reduce in height toward Bridge Street so that from the perspective of ground level views westward along Clarence Street the change in scale of the existing buildings on the north side of Clarence Street are contained to reduce an otherwise more abrupt perception of the difference in heights.
- 8.7 The elliptical tower adjacent to Staines Bridge has been designed in a manner to emphasise this ‘gateway’ point into the town centre. Its detailed design is in the projecting vertical elements of its frame and recessed horizontal element

and wall panels/windows achieves, with appropriate use of materials, a slender appearance. This is accentuated by the elliptical form of its footprint. The top two floors have an open frame/recessed facade to further accentuate the intended slender form. Only once on Staines Bridge or at the western end of Clarence Street is a full view of the building achievable. At all distant views it remains partly/substantially obscured by buildings in the foreground. From the Thames many distant views are filtered by trees on the riverbank.

8.8 Considerable attention has been given to the layout and design with extensive evolution of this through pre-application discussion and two pre-application public consultations to optimise the key design elements to genuinely complement and enhance this varied part of the town centre. The aim has been to achieve an 'exceptional' design and it is believed this has been achieved.

8.9 The scheme involves a high density development and, apart from the tower whose scale intentionally acts as a 'gateway' marker to the town, the remaining buildings are of a scale closer to other more modern developments in its vicinity including Thames Edge, on the downstream side of Staines Bridge.

8.10 The principle of a high density development is consistent with the Government's core planning principles are set out in paragraph 17 of the National Planning Policy Framework 2012 (NPPF). There are 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles (8th bullet point) is:

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

8.11 This is further reflected in paragraph 58 (3rd bullet point) which emphasises the importance of optimising the potential of sites to accommodate development. This principle is echoed in Policy HO1 (g) of the Council's Core Strategy:

"ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing"

8.12 The NPPF provides further relevant context at paragraph 23, 9th bullet point:

"recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites"

8.13 At paragraph 47 the NPPF emphasises the government's overall housing objective to *"boost significantly the supply of housing"*.

8.14 Policy HO5 in the Core Strategy deals specifically with density. It sets out density ranges for particular context but prefaces this at paragraph 6:25 by stating:

“Making efficient use of potential housing land is an important aspect in ensuring housing delivery. Higher densities mean more units can be provided on housing land but a balance needs to be struck to ensure the character of areas is not damaged by over-development.”

- 8.15 Paragraph 6:28 makes clear the density ranges are “broad guidelines”. The last paragraph of Policy H05 is particularly pertinent in this instance:

“Higher density development may be acceptable where it is demonstrated that the development complies with Policy EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non-car-based modes of travel.”

Loss of existing car park

- 8.16 The proposal involves the loss of the existing public car park, which comprises 275 car parking spaces. Up until recently, 86 of those parking spaces were licenced by the Council to the BUPA offices in The Causeway in Runnymede (weekdays). However, this was terminated in October 2015. Furthermore, there is a Licence in place to provide for the Strata Building (formerly Courage) during weekdays (day time only). The original requirement of 100 spaces was revised downwards in 2014, and prior to redevelopment those reduced number of spaces will be permanently relocated to one of the Council’s remaining town centre car parks. With the various licences that have been in place over the years, the number of weekday spaces available to the public has fluctuated between a maximum of 175 and a minimum of 89 spaces (until September 2014).
- 8.17 The principle of the loss of much of the public parking provision was accepted in Allocation A9. The Allocation does states that an element of public car parking should be provided in the new development, whilst the proposed parking provision is entirely private serving the new residential units. However, it is not considered that an objection could be raised to the lack of any replacement public parking in the scheme. A car park study (2015) has confirmed the town’s parking needs can be met without this site. There are several other existing public car parks within the town centre that are located closer to the main shopping area and are better utilised by the public and have spare capacity overall. Riverside Car Park is only 300m away and the Two Rivers shopping centre car park approximately 200m away. Other town centre car parks include Tothill and the Elmsleigh surface and multi-storey car park. The County Highway Authority has not raised an objection to the loss of the existing public car park. Accordingly, the loss of the existing public car park is considered acceptable.

Housing density

- 8.18 Policy HO5(d) of the Core Strategy and Policies DPD 2009 (CS & P DPD) states that within Staines upon Thames town centre development should generally be at or above 75 dwellings per hectare. I have already referred in para 8.15 above to the further references in the Policy to higher density development. The supporting text to Policy HO5 states that Staines upon

Thames town centre for the purposes of the policy is defined by the fullest extent of the designated Shopping and Employment Areas as shown on the proposals map. The application site is located just outside the Staines designated Employment Area which abuts the east and north of the site, but its current use is functionally an integral part of the town centre and the proposed development is designed to be a part of it. It is located a short walking distance away from the High Street and the rest of the town centre. It is surrounded by typical town centre commercial development to the north and east, and is adjacent to the relatively high density mixed use development of Thames Edge. It is also within walking distance of the railway station, which has a fast and frequent service, and a short distance away from Staines upon Thames Bus Station. For this reason Policy HO5(d) can be applied to this site.

- 8.19 The proposal involves the creation of 205 residential flats and the proposed housing density is 306 dwellings per hectare (dph). It is important to note that any mathematical density figure is in part a product of the mix of units proposed. In this case some 84% of the units are either studio, 1 bed or 2 bed and accordingly it is possible to accommodate many more small units within a given floorspace and an acceptable numerical density can be much higher. Therefore, whilst the development is substantially above 75 dph, it is considered that the proposed density is acceptable in this particular location given my conclusions on the acceptability of the scheme in design terms.

Design and appearance, and effect on the Staines Conservation Area and The Hythe Conservation Area (Runnymede)

- 8.20 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.*”
- 8.21 Policy EN6 of the CS & P DPD states that the Council will seek to preserve and enhance the character of conservation areas by requiring the retention of buildings, trees and other features, including open spaces, views and vistas, which are important to the character of the area. Where new development affecting a conservation area is proposed, the Council will ensure that it contributes to its preservation or enhancement by:
- e) requiring proposals for new development to be submitted as full planning applications, including details of materials and full elevational drawings, showing where appropriate the relationship with adjoining buildings,*
 - f) requiring any proposal for demolition to be accompanied by detailed plans for the future for the site showing how the area will be preserved or enhanced, and controlling by legal agreements the timing of demolition and commencement of construction of the replacement building.*

- 8.22 Paragraph 129 of the National Planning Policy Framework (NPPF) states that:

“Local Planning Authorities should identify and assess the particular significance of any heritage asset [Officer note: a conservation area is a heritage asset] that may be affected by the proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”

8.23 There is a statutory duty of the Local Planning Authority (Listed Buildings Act 1990 Section 72) when dealing with a planning application to give:

“special attention to the desirability of preserving or enhancing the character or appearance of a conservation area”.

8.24 The Staines Conservation Area was designated in September 1975. It comprises the old village area around the church and western end of Church Street, the riverside including Island Close and Church Island, part of the town centre around Market Square, Clarence Street and the eastern end of Church Street, as well as the area along Bridge Street. The applicant has submitted a Heritage Statement which includes an extensive appraisal of the Staines Conservation Area. The Appraisal concludes that there are four very different character areas within the Conservation Area:

- Character Area 1 – Riverside Residential
- Character Area 2 – Town Centre
- Character Area 3 – Church Street Residential
- Character Area 4 – Commercial/Industrial

The Appraisal states that the application site is located with Character Area 4. This also comprises the Strata Building to the north, the industrial buildings to the rear of 96 – 104 Church Street, and the other commercial buildings within Bridge Street. The Appraisal does however state that the proposed redevelopment also will impact upon Character Area 1 and Character Area 2.

8.25 Whilst I am generally in agreement with the applicant’s Conservation Area Appraisal, a large part of the proposed development will face onto the river and will be viewed in context with the riverside properties. It is recognised that most of the surrounding buildings are relatively large scale on large plots. This includes the office building of Hanover House, which acts a buffer between the application site and the residential properties in Island Close. The development will also be seen in context with the Thames Edge, again a relatively large building, but one that comprises commercial and residential use and largely faces onto the river. The highest building is Thames Edge which is 5-storeys. Many of the other buildings surrounding the site are only 2/3-storey in scale, although some are 3/4 storey (it needs to be remembered however, that when making such comparisons floor to ceiling heights in commercial buildings are much greater than in residential buildings). The buildings immediately opposite the site on the other side of the river within Runnymede Borough are in commercial use and are relatively large in scale and generally 2 storey (commercial floor to ceiling).

- 8.26 It is considered that there can be no objection to the demolition of the existing car park structure. Although the structure is relatively low in height, it is not considered to make any positive contribution to the Staines Conservation Area. Indeed, I consider that the car park currently has a negative impact on the Conservation Area, particularly alongside the riverside footpath where the dark lower ground floor parking area is uninviting for passers-by, especially at night. Furthermore, the projecting columns partly conceal the view through and of the historic pedestrian archway on the riverside walk that passes under Staines Bridge, which is part of the Listed Building. The car park was built in the 1980's and has no historic or architectural value.
- 8.27 The proposed development is substantial overall and the height of the 12 storeys tower will be much greater in height compared to the surrounding buildings. It is considered that the proposed development will have a significant impact on 3 main views in the area. These key views are highlighted in Historic England's consultation response and refer to:
- (a) Views westward along Clarence Street
 - (b) Looking north across Staines Bridge
 - (c) Views towards the bridge from the Egham Hythe Conservation Area
- 8.28 Historic England have commented on the design and scale of the proposed development and its impact on each of these key views. However, it is relevant to note they do not raise objection overall to the proposal. They consider that the proposal will cause some harm to these views and both the Staines and Egham Hythe Conservation Areas. These comments are set out below:

"In views along Clarence Street, the proposed development would be highly visible as the tower along with blocks on the north of the site would be very prominent. The sharp transition in the scale of the townscape would cause some harm to the significance of the conservation area as it would overwhelm the much more intimately scaled three storey development along Clarence Street. The intense urban nature of the proposed development would also be at odds with the modest development currently on the site that more closely reflects the historic townscape towards the western end of the conservation area.

The tower would also feature prominently in views north across the bridge. While we do not think this would impact to any great degree on the bridge's historic significance, which is primarily derived from its value as a high quality piece of early 19th century engineering and from an understanding of its primary function as a crossing point on the river, we do nonetheless think the development would harm an understanding of the modest origins of the western edge of Staines Conservation Areas which is appreciable in this view.

It is also likely the tower and to an extent the adjacent riverside block would be visible from the Egham Hythe Conservation Area rising up behind the bridge. In this view the proposed development has the potential to be a dominant skyline feature that causes some harm to an appreciation of the

bridge, (possible from many riverside properties in the conservation area) which forms the foreground of the view and is currently the most prominent feature in this view.”

- 8.29 The Local Planning Authority has received a consultation ‘Advice Note’ from Design South East (DSE), who have been employed by the Council to advise them on conservation and design matters in relation to this planning application and who have been involved in the pre-application discussions on the form and design of the scheme. DSE do not object to the principle of a tall building on the site. Indeed, they state that they consider the proposed siting of the 12-storey tower in the south-eastern corner of the site is an appropriate location for a tall building, sitting next to the bridge and making the riverside gateway to Staines upon Thames. However, they have advised that the proportions of the tower element (as submitted) are not slender enough, and that it lacks the elegance necessary to create an exceptional building. They state that this will have an adverse impact on the long distance views in the Staines Conservation Area, particularly those where the wider side of the tower are seen. With regard to the Egham Hythe Conservation Area, DSE state that the proposed development will not affect its historic significance as the settlement relates more to the location of the original bridge, which was further downstream. The present form of the tower will not, however, enhance views from this Conservation Area.
- 8.30 The proposed development due to its substantial height will also be visible from the part of the Staines Conservation Area around the church. It will also be seen from along Bridge Street, Island Close, and the western and eastern stretches of the Staines riverside. However, given distances involved and the existing buildings located in between, I do not consider that views from these parts of the Staines Conservation Area will be adversely affected.
- 8.31 With regard to the 12-storey tower and the design concerns raised by Design South East, amended plans have since been submitted showing an increase in the vertical emphasis of the design. In particular, the vertical reconstituted stone piers that run up the tower have been increase in depth by 200mm and the horizontal floor plates are consequently more recessed. Other changes have been made to the detailing to improve its vertical emphasis and increase its contrast with the rest of the development. It is considered that these amendments help to address Design South East’s concerns and improve the design of the development.
- 8.32 The Council’s Conservation Officer was also consulted on the planning application and agrees that the amendments to the design address DSE’s concerns. He has made the following comments:

“I have seen and agree with the advice from Design: South East and note that they confirm that “the development will not affect the historic significance of nearby Heritage Assets”. They did consider the slenderness of the tower should be enhanced, this has been achieved by careful adjustment of architectural detail and the double storey height of the ground floor riverside proportion; this is emphasised by the prominence of the vertical members which are carried up the full height of the tower. They take visual prominence over the horizontal elements of the building at floor

levels and in so doing emphasize the slenderness of the block. I consider the detail amendments satisfy D:SE's comments.

Historic England, (HE), note that "some harm" will occur to the conservation but also comment that this part of the conservation area has "limited importance" due to many recent examples of re-development.

All interventions of change to historic areas will have some effect - this is obvious, some will cause gross harm, some little harm and others might be 'neutral' in their effect.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'special regard' is given to the effects of development which could affect the special character of such areas, case law also requires that 'considerable weight' is given to any such effects when carrying out the balancing exercise.

In the light of this and the advice provided by other consultees, I consider that on balance the amended scheme would have a broadly neutral effect on the character of two conservation areas and on the setting of nearby listed buildings.

However I also agree with H E 's views that the scheme "forms a new gateway to the town" and that it has "some heritage benefits".

- 8.33 The comments from Historic England and DSE need now to be considered in the context of the further improvements to the design made by the applicant in response. Whilst Historic England identify some harm they do not raise objection overall (they do in fact state some heritage benefits, particularly opening up views of the bridge's flank elevation which is currently obscured by the car park). The detailed design points made by DSE in relation to the tower and materials generally in my view overcomes their initial concerns. There is some residual harm to both the Staines and Egham Hythe Conservation Areas. It is necessary to weigh up the public benefits the development will bring against the harm to the Conservation Areas. Indeed, paragraph 134 of the NPPF states that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

- 8.34 The proposal will bring some significant public benefits. These are:

- The creation of a public landscaped walkway and steps down to the riverside. This is clearly a substantial improvement on the rather negative environment that the car park creates adjacent the riverside. It will bring more activity, create improved landscaping and generally make a very positive contribution to this part of the riverside and its contribution to the Conservation Area.

- Setting the riverside building line back improves the setting of the pedestrian archway on the Listed Staines Bridge.
- Creation of a new public walkway alongside the western side of the development linking Bridge Close with the riverside walk. This provides a much more attractive landscaped route with natural surveillance for cyclists and disabled people to access the riverside from Staines Bridge and Bridge Street.
- New commercial unit will bring more vitality to the bridge approach and riverside area.

8.35 In my view, substantial weight can be attached to these enhancement to the Conservation Area and other public benefits and they outweigh the limited harm caused to the Conservation Areas. On balance, it is considered that the overall impact on the character and appearance of the Conservation Areas will be positive and the development accords with Policy EN6 of the CS & P DPD and Section 12 of the NPPF.

Effect on the setting of nearby Listed Buildings

8.36 Policy EN5 of the CS & P DPD states that the Council will require that development proposals for any sites affecting the setting of a listed building to have special regard to the need to preserve its setting. In addition, Section 66 of the Listed Buildings Act 1990 states that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

8.37 There are two statutory listed buildings located in closed proximity to the development, both of which are Grade II Listed. These are Staines Bridge and 41 Clarence Street, which is the 2-storey building located on the corner of Clarence Street and Bridge Street. There are some additional Grade II Listed buildings further down Clarence Street including Nos. 35, 33, 31, 29, 25 and 27, 15 and 17, and the Bridge over the River Colne. With regard to Staines Bridge, it is not considered the proposed development will harm its setting and historical significance. Views of the main structure on both sides of the river will remain unimpeded. By setting the proposed riverside building line further back, the setting of the existing pedestrian archway will be improved. With regard to 41 Clarence Street, the proposed development attempts to echo the corner setting of this property by providing a similar corner of built development on the other side of Bridge Street. Furthermore, the proposed building line and public walkway into the site from Bridge Street continues the existing building line and highway of Clarence Street. This corner element steps down in height from the rest of the development. It is therefore considered that sufficient regard has been given to the setting No. 41 and other Listed buildings in Clarence Street and is acceptable. It is also considered that the setting of other listed buildings further away from the site including the old Town Hall to the south-east, the church and the listed

buildings in Church Street, and the listed buildings within the Egham Hythe Conservation Area will not be adversely affected. Indeed, Design South East state explicitly that the main historic parts of the Conservation Area, around the church and the town hall will not be significantly compromised by the development. Both Historic England and Design South East have raised no objection to the impact of the development on the setting of Listed Buildings.

Impact on neighbouring residential properties and other buildings

8.38 Policy EN1b of the CS & P DPD states that:

“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”

8.39 With any town centre there will be an interface at the edges between town centre uses and larger scale buildings generally and the more suburban scale of development that surrounds them. This is particularly the case with Staines upon Thames. There are already large commercial buildings (e.g. Strata) close to residential development. At its western side, in particular closest to the existing residential property in Island Close, the scheme is contained to between 6 – 8 floors. At this point the existing office building of Hanover House sits in the approximate 43m gap between the new development and the first houses in Island Close. I am satisfied this distance, the in-between building, and the design of the new building avoids any ‘significant’ harmful impact in terms of scale.

8.40 With regard to daylight, the Council’s Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) states that no extension (or new dwelling) should break a 25° line as measured from the centre of the main window to a habitable room at a point 2 metres above ground level. The SPD states that the purpose of the 25° guide is to ensure that in the area to the front or rear of a property no extension (or new dwelling) is so close that a significant view of the sky is lost. Importantly the introduction to the SPD sets out the approach to applying the document’s requirements:

“Meeting the minimum requirements set out in this document will not guarantee that a scheme will automatically be acceptable. The acceptability of a scheme can only be judged by careful assessment of how it fits in with the immediate area. Often several issues will need to be carefully weighed which will dictate design solutions well above the minimum requirements. Occasionally there may be good reason why a particular requirement can be relaxed but this will need to be carefully justified.”

8.41 There are no existing residential properties that immediately adjoin the application site. However, there are a number of flats on the upper floors of Thames Edge, which is located on the eastern side of the approach to Staines Bridge. In particular, there are 4 floors of flats on the western wing of Thames Edge, some of which have windows facing directly across to the existing car park beyond. Some of these flats are single aspect. The proposed

development, and in particular, the new 12-storey tower in the south-eastern corner will have some impact on the outlook and light levels of the neighbouring flats. The Council has received letters of objection from the owners of some of the units in Thames Edge on the loss of amenity as a result of the development.

- 8.42 The proposed 12-storey tower will break the 25° guide in the SPD when measured from all of the windows of Thames Edge that directly face onto it. This measure is used to assess daylight. Consequently, there will be some loss of daylight compared to the existing situation. This 25° guide is normally used assuming a wide obstructing structure and a 'sky view' is only obtained over the top of that structure. This guide figure is taken from the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight – A guide to good practice' 2011. At paragraph 2.1.4 it states:

“Good daylighting may still be achievable with a tall obstruction, provided it is not continuous and is narrow enough to allow adequate daylight around its sides.”

This is an important consideration in this case. The 'tower' is located some 26 metres from the flats at Thames Edge and is 29 metres in length when viewed from this point and curves away at each side because it is elliptical. Consequently, at its edges it is approximately 36 metres distance from Thames Edge when measured square to Thames Edge. The tower is clearly relatively narrow and allows daylight to come round it to windows on those elevations on Thames Edge facing it.

- 8.43 In terms of impacts on sunlight the tower element lies to the north east of Thames Edge and would not cast a shadow across Thames Edge at either the spring or autumn equinox at which time such measurements should be taken as they represent average sunlight conditions. There would be a slight impact on part of Thames Edge late in the evening in the height of summer. I am satisfied there would be no significant sunlight impact of the tower on any nearby residential properties.
- 8.44 The applicant has submitted a Daylight and Sunlight Report which assesses the impact of the development on the Thames Edge flats using more detailed measures (also commended in the BRE document referred to). The Report states that 29 (45%) of the 64 windows overlooking the proposal will retain at least 0.8 times their former Vertical Sky Component (VSC) value. There are therefore 35 windows that retain less than 0.8 times their former VSC value with the proposed development in place. The units in the central part of the western elevation that have a sole western outlook will be particularly affected with a 0.6 times their former VSC value. Other measures of calculating daylight and sunlight (e.g. No Skyline Contour – NSC) also show a reduction in the Report. These measures provide a relative assessment of light levels. Currently the views across from Thames Edge are uninterrupted with high levels of natural light. The narrowness of the Tower is such that good levels of daylight will still be achieved and I do not consider the light impacts are significant overall.

- 8.45 It is noted that Provident House in Bridge Street is currently being converted into flats with the addition of a new top floor to provide further residential accommodation. Whilst a small part of the proposed eastern flank elevation of the northern wing would break a 25° line in relation to the windows in the neighbouring building's western elevation (when measured 'head on'), the majority of Provident House's front elevation faces onto Bridge Close and I consider the relationship to the new development to be acceptable in this town centre location with good daylight coming around the side of the new building.
- 8.46 It is recognised that the proposed development will have an impact in relation to the neighbouring building of the Hanover House, which is an office building, in that the buildings are much larger. It is noted that a letter of objection has been received from this property. However, as this building is in commercial use with its main elevations facing north-east and south-west (i.e. not directly facing the development) I consider the relationship in terms of daylight and sunlight to be acceptable. With regard to the commercial Strata building, there will be a separation distance between its southern elevation and the proposed northern elevation of 22.8 metres. It is relevant to note that the Strata building is raised up so that its ground floor is approximately 2 metres above the ground. Furthermore, the length of its southern elevation is 87 metres, which is substantially greater than the length of the proposed northern elevation (54.4 metres) on the new development. Consequently, the proposal will not create a continuous barrier of built form in relation to Strata's southern elevation. Strata's orientation is arranged so that it will also receive good daylighting and also some morning and evening sunlight on its eastern and western elevations. Whilst the Strata building currently has uninterrupted views south westward across the single decked Bridge Street car park the scale and proximity of the new development are in my view such that Strata will continue to receive acceptable levels of light appropriate to a town centre site. I also consider the impact on and the other adjacent properties in Bridge Street to the east, to be acceptable.

Amenity Space

- 8.47 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 sqm per unit for the first 5 units, 10 sqm for the next 5, and 5 sqm per unit thereafter and allows useable balcony space to be counted. On this basis some 1200 sqm would be required for the 205 units. These requirements are however, generally applicable to suburban sites. In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 states:

“Such schemes will usually involve high density flatted development. Mixed use schemes will only be appropriate on sites in town or local centres which are already identified for employment or retail use. The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate.”

Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”

8.48 Nevertheless, in this case the proposal involves the provision of a communal courtyard garden located towards the northern part of the site. Unlike the landscaped open space around the public walkway, steps and riverside area, the communal garden will be used solely by the residents. It comprises some 528 sqm in size.

8.49 The proposal involves the provision of a relatively high number of balconies and roof terraces, all of which are capable of being used as a sitting out area. The combined area of all the balconies and terraces is 1,316 sqm. When this is added to the size of the communal garden, the total amenity space provision is 1,844 sqm. This is substantially above the minimum SPD standard of 1200 sqm and is therefore acceptable. It is relevant to note that many of the proposed balconies/terraces face towards (or have an oblique view of) the river and they consequently have a high visual amenity value and some weight also needs to be given to this.

Proposed dwelling sizes and outlook

8.50 The proposed dwelling mix for the site in terms of bedroom numbers and tenure is set out in table below.

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
Studio	23	0	0	23
One bed	49	0	0	49
Two bed	100	0	0	100
Three bed	33	0	0	33
Total	205	0	0	205

8.51 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sqm.

8.52 The Government has since published national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD. However, they do provide smaller minimum standards specifically for a 1-bedroom, 1-person dwelling of 39 sqm (or 37 sqm if the property includes a shower room rather than a bathroom). This national document must be given

substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council's Standards.

- 8.53 The vast majority of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards. Even the proposed studio flats, which comprise shower rooms and a bedroom area suitable in size for 1 person (i.e. less than 11.5 sqm), comply with the minimum standard of 37 sqm. A few of the proposed 2-bedroom 2-person flats are slightly below the minimum standard of 70 sqm. However, given the high quality of the development and good outlook that these particular flats will enjoy I consider their standard of amenity overall to be acceptable.
- 8.54 It is noted that some of the proposed studio flats that face onto the communal courtyard garden are single aspect and northward facing. Whilst this is not ideal, given the high quality of the development and that these flats will face directly onto the private landscaped amenity space, on balance I do not consider that an objection could be sustained on this particular issue.

Highway/Servicing issues

- 8.55 Strategic Policy SP7 of the CS & P DPD states that:

"The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non car-based travel."

- 8.56 Policy CC2 of the CS & P DPD states that:

"The Council will seek to secure more sustainable travel patterns by: ...(d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety."

- 8.57 The proposal itself has less parking than currently exists (134 proposed, 275 existing) and the traffic impact of the site itself would be less overall. Nevertheless, the existing public parking use will be displaced to other car parks and the impact of those movements need to be considered. Surrey County Council agrees with the applicant's assessments that there will be no material impact on existing traffic flows in this part of Staines/Staines Bridge and have verified this by reference to their own traffic modelling. The County Council has recommended that if the proposal is to be approved the following should be required by legal agreement:

- A contribution of £6150 for auditing the travel plan
- Provision of two car club vehicles

- Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
- Provision of public transport vouchers.
- Provision of vouchers for purchasing a bicycle.

8.58 The County Council has only one point of objection to the proposal which is the servicing bay for the commercial unit at the base of the tower and is proposed adjacent to the north bound carriageway on the tower side of Staines Bridge and close to the traffic signals controlling the Clarence Street/Bridge Street junction. Whilst the applicant has sought to define a space large enough to accommodate a lorry with associated manoeuvring space and are prepared to accept it is not used between 07.00 - 10.00 and 16.00 – 19.00, Surrey County Council consider the issues enforcing the hours of use, unauthorised use, risks to highway safety of poor manoeuvring mean than it is inappropriate. There is a second service bay for the development off Bridge Close. Discussions are continuing with the developer on how to ensure the development has safe and appropriate servicing facilities but in my view this requires detailed consideration of effective management measures for the development as a whole. I am satisfied appropriate provision can be made one way or another and the matter can be safely covered by a planning condition (Condition no. 41) requiring a Servicing Management Strategy. This avoids delaying the determination of the proposal which would otherwise be required.

8.59 The agents acting for the owners of the Strata building have brought to our attention that the layby on the north side of Bridge Close is in their direct ownership and they raise concerns about servicing. The proposed Servicing Management Strategy (Condition 41) will be required to ensure the effective and appropriate use of the new development's servicing facilities

8.60 Subject to this condition, other standard highway related conditions, and the matters proposed for the legal agreement, I am satisfied the highway and access arrangements will be acceptable.

Parking provision

8.61 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.

8.62 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against the distance from a "public transport node", frequency of public transport,

availability of pedestrian and cycle routes, and the range and quality of facilities supportive of residential development within reasonable walking distance. Another exceptional situation is in Conservation Areas, where the character or appearance of the Conservation Area would be harmed by the impact of parked cars.

- 8.63 The proposed parking provision is 134 spaces, of which 15 spaces are to be for disabled users. This represents a parking ratio of 0.65 spaces per unit (i.e. significantly below 1 space per flat). Whilst the proposed parking provision is well below the Council's residential Parking Standards of 315, it is considered that there are sufficient grounds for justifying a shortfall of this level in this particular case. The site adjoins the town centre and is a very short walk from the shops and services on the High Street and the Two Rivers Shopping Centre. It is also within walking distance of Staines Railway Station, which has a fast and frequent service. Moreover, the bus station is a short walk away. There are several bus services in the vicinity. These include the bus routes on both sides of the river. The County Highway Authority was consulted on the planning application and has raised no objection to the proposed parking provision. They have made the following comments on this issue:

"The developer is providing 134 car parking spaces as shown on the planning application drawings. According to Spelthorne Parking Standards the type and mix of residential development proposed requires a minimum of 315 parking spaces. The proposed number of parking spaces is equivalent to 0.66 parking spaces per residential unit, none of which is proposed to be allocated. A turning overlay within the Transport Assessment accompanying the application shows there is adequate space to park and turn within the site.

If demand for parking is higher such that people would have to seek on street parking, there is an appropriate mix and extent of parking restrictions to prevent inappropriate parking. The extent of area with parking restrictions would also mean residents would have to walk further than the 200 metres, which is the maximum walking distance that drivers would be prepared to walk to a parking space according to the Lambeth Parking Survey Methodology report.

Furthermore a lower level of parking is permitted in town centre locations which have good access to public transport, leisure, retail, employment and education land uses within and out side town centres and further afield. This is the case with the location of the proposed development.

Having assessed the above issues, the proposed car parking provision of 0.66 spaces per unit is considered adequate."

- 8.64 As mentioned above, it is relevant to note that the roads in the surrounding area are subject to on-street parking restrictions (i.e. single and double yellow lines), which limit the scope for on-street parking demand. A material consideration in this report is the provision of 206 secure cycle parking spaces to be provided on the site (at least 1 space per unit), which will facilitate some non-car based journeys and those who choose not to have a car.

- 8.65 No parking spaces are to be provided for the proposed ground floor commercial unit. Given the town centre character of the site and surrounding area and other nearby restaurants do not have dedicated parking, I consider that no parking provision for this unit to be acceptable. There are public car parks at Two Rivers and Thames Street.

Affordable housing

- 8.66 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability, including the availability of any housing grant or other subsidy, of development on the site. Negotiation is conducted on an 'open book' basis. The policy also states that in proposals for housing development a financial contribution in lieu of provision for affordable housing will only be acceptable where on-site provision is not achievable and where equivalent provision cannot readily be provided by the developer on an alternative site.
- 8.67 It can be seen in the accommodation schedule in paragraph 8.50 above that there will be no affordable housing provided on the site. All of the units will be privately owned.
- 8.68 By way of background the Committee should note that, prior to the potential sale of the site being advertised, the Council's Cabinet agreed on 26 November 2013 to the principle of not providing on-site affordable housing on this particular site, and accepting a financial contribution in lieu to provide affordable housing elsewhere in the Borough.
- 8.69 Nevertheless, it is the duty of the Planning Committee in making a decision on behalf of the Council in its statutory role as the Local Planning Authority to consider this application in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Material considerations must be relevant planning considerations.

- 8.70 The applicant has not proposed any on-site affordable housing provision because in their view it would be unviable to do so. They have instead offered a cash sum in lieu of £5 million. Depending on the mix of social housing tenure (rent or shared ownership) the sum is capable of delivering between 40 and 107 units. 107 units would represent the equivalent of a 52% affordable housing provision and which is more than could be insisted on-site even if it were a viable option.
- 8.71 In support of their proposed off-site cash sum they provide the following justification:

1. The requirement for an exceptional design quality due to the site's location in a Conservation Area, close to listed buildings, frontage to the River Thames and enhancement requirements imposes additional costs due to a) high quality design and quality materials, and b) exceptional public realm with superior communal areas and distinguished landscaping.
2. Any on-site provision of affordable housing would require the additional costs of further entrances and lift/stair cores to secure mortgage funding and reduce the number of units achieved in the floorspace and further impact on viability.
3. Unsustainable service charges for on-site affordable housing arising from management costs of a) maintaining the high quality public realm: c) managing services and occupiers' cars in the basement/lower ground floor level in terms of flood risk, and b) managing waste storage and collection.
4. Costs of providing a resident only gym and which would be expected in a scheme of this stature.
5. On site provision of affordable housing is not feasible.

8.72 Some of the points made are agreed as genuinely exceptional to this site but others are not.

Point 1 – Agree. Whilst any scheme is expected to achieve a high standard of design, there are particular cost implications of the scheme arising from the combination of the Conservation Area, Listed Building and River Thames setting.

Point 2 – Agree the provision of affordable housing would add to construction costs and reduce the number of units overall but of itself this would not prevent *some* affordable housing provision.

Point 3 – Agree service charges would be higher on this site because of points (a) and (b) but point (c) is not accepted as all large sites wherever they are require appropriate arrangements to manage their waste.

Point 4 – Cost of residents' only gym – whilst this may be desirable no evidence has been provided to demonstrate it is essential to make the scheme work in commercial terms or its costs would not otherwise be covered by enhanced sales prices.

Point 5 – Because of the above reservations on certain points it is not conclusive that *any* on-site provision is unviable.

8.73 It is clear in this case that there are unique design and associated cost implications of this development due to its location and which would not ordinarily apply to other developments. Arguably the offer of £5 million could be used to make some on-site provision but it is accepted this would be limited due to the scheme's costs and associated service charges would need

to be borne largely by the private units and impact on viability. Also the net residential floorspace (and number of units) would be less given the need for separate accesses.

- 8.74 In the particular circumstances of this case the choice is between a cash in lieu sum which is capable of providing off-site an equivalent of up to a 52% affordable housing provision or very limited on-site provision the viability of which for a Registered Provider to operate is in doubt. In my view the issues need to be carefully balanced. Overall I consider the balance just falls in favour of accepting the cash in lieu sum. This conclusion recognises the unique circumstances of this development in planning terms and which by definition are not generally applicable elsewhere.

Flooding

- 8.75 Policy LO1 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 not permitting residential development or other 'more vulnerable' uses within Zone 3a where flood risks cannot be overcome. The policy also states that the Council will support the redevelopment of existing developed sites in the urban area in Zones 3a and 3b for 'less vulnerable' uses [e.g. commercial] where a minimum increase of flood storage capacity of 20% can be secured, and it reduces impedance to the flow of flood water where there would be flowing flood water.
- 8.76 The Council's Supplementary Planning Document (SPD) on Flooding 2012 provides further guidance regarding the Council's policy on flooding. Paragraph 4.36 of the SPD states that circumstances can arise where a site straddles Flood Zone 3a and Zone 2 or immediately abuts Zone 2. In such cases a 'dry route' of escape in a 1 in 100 year event may exist or can be created without adding to flood risk to allow people to leave the building safely. The precise extent of flood risk for the site must be demonstrated with information based on a detailed topographical survey of existing ground levels and modelled flood levels provided by the Environment Agency. Neither the development nor means of ensuring a 'dry escape' in a 1 in 100 year event must involve either the impedance of the flow of flood water, loss of flood storage capacity or in any way add to the risk of flooding elsewhere.
- 8.77 The site is mainly located within Flood Zone 3a, which has between a 1 in 20 year and 1 in 100 year chance of flooding. There is a relatively small area of the site close to the river that is located within Flood Zone 3b, which has a greater than 1 in 20 year chance of flooding. The applicant has submitted a Flood Risk Assessment & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.
- 8.78 In terms of flood risk the development is on piers and the lowest occupied floor levels are above the 1:100 year flood level plus an allowance for climate change and further 300mm for freeboard. The ground floor level is at the street level of the top end of Bridge Street and Clarence Street which sits above the flood risk level. In terms of flood storage capacity, the ground floor of the existing car park is mostly open in nature with relatively small areas of solid built form (or footprint) at ground level comprising piers/stairs to the

upper parking deck. There is, however, the existing Sea Cadets building with a footprint of 131 sqm which has some existing impact on flood storage capacity. The proposal involves the lowering of the existing ground level by approximately 1 metre to reduce the level of the basement car park. Whilst the basement will accommodate some new built footprint in the form of staircase cores, the Combined Heat and Power boiler room and other facilities and supporting piers to the development above, the proposed lowering of ground level will overall provide a net increase in flood storage capacity on the site in lower order flood events. Consequently, the proposal will not increase flood risk elsewhere in the area. The new development will be set back further from the riverside walk than the existing Sea Cadet building and car park by some 1.2 metres to 4.6 metres thereby reducing the impedance to the flow of flood water in its approach to Staines Bridge.

- 8.79 Whilst the proposal will introduce new residential development into Flood Zone 3a, there exists an established dry means of escape that avoids the higher risk flood areas and leads to an area entirely outside the flood plain. This is identified in the Council's Strategic Flood Risk Assessment 2006 and runs from Bridge Street, over Staines Bridge, along The Causeway.
- 8.80 In terms of surface water drainage, the applicant is proposing an underground attenuation tank comprising geocellular storage crates as a suitable sustainable drainage system. The purpose of this is to hold large quantities of surface water in the event of short spells of very heavy rain, rather than it being discharged immediately into the river, which could impact on flooding in the area.
- 8.81 The Environment Agency (EA) were consulted and have raised no objection on flooding subject to the imposition of a condition requiring the proposed flood mitigation measures to be carried out in accordance with the submitted FRA. Furthermore, the Lead Local Flood Authority at Surrey County Council has raised no objection to the proposed sustainable drainage scheme, subject to conditions. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 8.82 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sqm 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. It is relevant to note that Combined Heat and Power (CHP) is recognised by the Council as an acceptable type of renewable energy for the purposes of Policy CC1 and the 10% renewable energy requirement.
- 8.83 The applicant has submitted an Energy Statement, which considers various renewable energy options for the site. The report concludes that the proposed development is sufficiently large and has sufficient heat density to make CHP an efficient method of providing heat and electricity to the scheme. Moreover, the report confirms that a total energy reduction of at least 10% (10.17%) can

be achieved through the use of a CHP system on the development. The proposed CHP plant will be located within the basement area. The Council's Sustainability Officer was consulted on the application and has confirmed that he is satisfied that the 10% renewable energy requirement can be met by the proposed CHP. Accordingly, the renewable energy proposals are acceptable.

Ecology

- 8.84 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest. It is also important to note the guidance regarding protected species in Circular 06/2005. This states that *"it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*
- 8.85 The application site is almost entirely built upon and has little ecological value. There are however, a number of existing trees to be removed to make way for the new development. Furthermore, the site is located adjacent to the River Thames and its banks, which is a Site of Nature Conservation Importance (SNCI) as designated by Saved Local Plan Policy RU11. The Appendix attached to the Policy states that the entire length of the River Thames through Spelthorne was selected as a SNCI (ref. N26) due to number of macroinvertebrates species present, that the fringing habitats provide a corridor for species migration and act as a buffer zone to protect the riverine environment. It also states that the Thames provides an important highway for migratory fish as well as an important corridor for migratory birds. It is important to note that there are no statutory designations (e.g. Sites of Special Scientific Interest - SSSI, or Special Protection Areas) affecting the site. Indeed the nearest SSSI is Staines Moor/King George VI Reservoir which is located some 750m away. The Council issued a Screening Opinion prior to the submission of the planning application which confirms that an Environmental Impact Assessment is not required for the proposed development. Natural England were consulted on the planning application and have raised no objection on ecological grounds.
- 8.86 A "Phase 1 Habitats Survey (extended) with Biodiversity Report" has been submitted with the application. The report concludes that the site is of low nature conservation importance. The site is poor in biodiversity and there would be no loss of habitat with the proposed development. Furthermore, internal and external surveys of the existing buildings and trees were carried out to ascertain the presence or otherwise of bats. The survey provided no evidence of bats (protected species) on the site and concluded that the site is regarded as having a low potential for roosting bats. The survey did not reveal any other protected species on the site. The report does, however, recommend biodiversity enhancement measures through the implementation of appropriate landscaping, installation of bird and bat boxes, and other measures, which can be secured through conditions. The report confirms that the proposed landscape scheme will be sympathetic to boosting biodiversity.

The Surrey Wildlife Trust were consulted and have responded by raising no objection. Subject to the imposition of the conditions to enhance wildlife, the proposed development is considered acceptable on ecological grounds. I am satisfied that the presence or otherwise of protected species in line with Circular 06/2005 has been fully investigated prior to a decision and there will be no adverse impact on protected species.

River Thames

8.87 Policy EN9 of the CS & P DPD states that:

“The Council will seek to maintain and look for opportunities to enhance the setting of the River Thames and its tributaries. In considering development proposals it will:

(b) seek to protect and enhance existing views of the rivers.

(c) pay special attention to the design of development located in riverside settings to ensure that it respects and makes a positive contribution to the setting of the rivers.

(e) seek opportunities to improve public access to and alongside the rivers and ensure that existing public access is maintained.”

8.88 The proposal involves the removal of the unattractive existing car park, which has an adverse impact on the setting of the River Thames. It provides an opportunity to enhance the riverside walk at this point by setting development further back and making long views along the path possible and thereby adding to the amenity value of the walk. The development also provides a much improved pedestrian and cycle access to the riverside. Whilst the proposal introduces buildings of a large scale they are not in principle inappropriate for a town centre including one on the Thames. Overall it is considered the proposal has a positive benefit on the setting of the River Thames.

Open space

8.89 Policy CO3 of the CS & P DPD requires the provision of public open space for residential developments where existing provision in the locality is inadequate or would become inadequate because of the development. A financial contribution towards the cost of new off-site provision can be made in lieu. In addition, new housing development of 30 or more family dwellings (i.e. 2-bed or greater units) the Council requires a minimum of 0.1ha of open space to provide for a children’s play area. Such provision is to be increased proportionally according to the size of the scheme and in this case some 0.4 ha. would normally be required.

8.90 To the west of the site the Lammas Recreation Ground is only 400m away. This park has a substantial children’s play area and other family friendly facilities, and extensive open space. This nearby facility is such that on-site provision of a children’s equipped play area is not justified, neither is other on-site open space. The proposed development nevertheless has a small area of

public open space in the form of a landscaped 'public thoroughfare' from Bridge Street, and the terraced landscaped space and steps down to the riverside. This area is rather elongated and difficult to measure precisely, but is broadly some 0.1 hectares. The site adjoins part of the existing riverside towpath, which I regard as form of public open space of high amenity value. The towpath area in front of the new development will be widened, following the demolition of the former Sea Cadets building and car park. The proposed public steps and public landscaped space will have a southerly orientation overlooking the river and be of high amenity value. The river itself and its landscaped banks also has a very high visual amenity value. The new residents will have easy access to the adjacent stretches of the towpath, including the open space in front of Thames Edge and the Memorial Gardens further to the east. Taking into account what is provided on site, the proximity of the nearby Lammas Recreation Ground and other forms of nearby open space, I consider that good open space provision is available for this edge of town centre site.

Dwelling mix

- 8.91 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units.
- 8.92 The proposal complies with the requirements of Policy HO4. In particular, the number of proposed 1-bed (including studio) and 2-bed flats is 172, which represents 83.9% of the total units.

Archaeology

- 8.93 Whilst the site is not located within an Area of High Archaeological Potential it is more than 0.4 hectares in size and consequently the applicant has submitted an Archaeological Desk-Based Assessment as is required by Saved Local Plan Policy BE26. The Assessment states that the site has been previously developed (to create the existing car park) which is considered to have had a severe negative archaeological impact. However, the site is considered likely to have potential for the Neolithic, Bronze Age, Roman, Anglo Saxon and Medieval remains and it is recommended that further investigation in the form of trial trench evaluation across the site is carried out, with the scope and nature of further works dependent upon the outcome of the evaluation.
- 8.94 The County Archaeologist was consulted on the application and agrees with the submitted Assessment. He has recommended a condition is imposed to secure the proposed archaeological works. Subject to the imposition of the condition the impact of the development on archaeology is considered acceptable.

Loss of Trees/Landscaping

- 8.95 The proposal involves the removal of all the existing trees on the site (14 in total). The applicant has submitted a tree survey which grades the value of

these trees in line with the advice in BS [British Standard] 5837:2012. 11 of the trees are classed as 'C grade' (low quality and value) and 3 are classed as 'B grade' (moderate quality and value). The 3 no. 'B grade' trees are the 2 no. Horse Chestnuts and 1 no. Ash, all located in the north-eastern corner of the site. The Council's Tree Officer was consulted and has raised no objection to the removal of the existing trees. He considers that most of the trees only have a limited useful life and that the replacement planting can adequately compensate for their removal and in the longer term provide a better treed setting to the development with trees of individual high quality/value.

- 8.96 A full landscape plan has been submitted with the application and includes some substantial tree planting within the site and on the riverside footpath. This includes landscaping within the public walkway and steps, and the private courtyard. The Council's Tree Officer considers the proposed landscape scheme to be acceptable and compensates for the loss of the existing trees. He states that:

“The new scheme proposes some substantially sized new planting especially on the river frontage and on Bridge Street and I consider this to be an improvement to the existing street scene. The landscaping in general is quite comprehensive and offers a reasonable mix of species and heights giving colour and interest.”

- 8.97 Staines Town Society has raised concerns about the proposed evergreen tree adjacent to the public walkway (*Metasequoia glyptostroboides* – Dawn Redwood) and that it is fast growing and may outgrow the site. The Tree Officer has commented on this point and does not consider the proposed tree is an inappropriate species in this location. He states that the tree can be adequately managed by a proactive pruning regime and that an ongoing programme of management can suitably control the tree (and other trees on the site) so that it is in keeping with the surroundings.
- 8.98 Agents acting for the Strata building consider that environmental improvements be made to Bridge Close. The layout plans show new landscaping will be provided on the north elevation and to include trees. Details of this are required by a planning condition on hard and soft landscaping (Condition 10).
- 8.99 The loss of the existing trees and the proposed replacement planting is considered acceptable.

Contaminated Land

- 8.100 The applicant has submitted a contamination assessment report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site and reflects our standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable.

Noise

- 8.101 Policy EN11 (Development and Noise) of the CS & P DPD states that the Council will seek to minimise the adverse impact of noise by a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level, and b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 8.102 The Council's Environmental Health section were consulted and have raised no objection on noise grounds subject to the imposition of conditions. With regard to the demolition of the existing car park, the applicant has submitted a Demolition Method Statement. Whilst the statement is relatively detailed, the Environmental Health Officer has raised concerns about the lack of an acoustic fence around the site during construction to minimise noise impact to nearby noise sensitive premises. The Officer strongly advises against any hardcore crushing (Condition 31) taking place on the site. Consequently, it is considered necessary to require a revised Demolition Method Statement to be submitted, which can be covered by imposing a suitable condition. With regard to the new development, the Officer has requested conditions to control the hours of construction, hours of operation of the commercial unit, noise from associated plant, and noise attenuation measures to protect the new flats from external noise, including noise from the proposed commercial unit. Subject to these conditions, the impact of noise is considered acceptable.

Air quality

- 8.103 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. With regard to the demolition and construction phase, the AQA recommends that a site specific Construction Environmental Management Plan (CEMP) is implemented to minimise the impact on air quality, particularly dust. With regard to the completed development, the AQA concludes that the proposal will result in a negligible increase in daily traffic flows overall. Therefore no significant operational traffic air pollution impacts are anticipated as a result of the development. The AQA does however, state that the site is located in an area which consistently exceeds the annual mean objective for Nitrogen Dioxide and that it is recommended that mitigation measures to protect the new residents from poor air quality (e.g. mechanical ventilation) is implemented into the development.
- 8.104 The Council's Pollution Control section were consulted on the application and has raised no objection subject to a condition relating to the installation of mechanical ventilation (Condition 43). The Pollution Control Officer supports the Travel Plan and other sustainable transport measures recommended by the County Highway Authority (e.g. funding of two cars for a 'car club'). She also concurs with the County Highway Authority's concern regarding the development's impact on precluding the potential future widening of Staines Bridge. However, there are no developed proposals for this by the County

Council to establish what it would entail or exactly what is feasible or necessary. This is not an issue that could justify the refusal of planning permission and indeed, the County Highway Authority has not recommended refusal on this issue in their formal consultation response.

- 8.105 The Pollution Control Officer has recommended the imposition of a condition to control the emission levels of the Combined Heat and Power boiler. (Condition 33).
- 8.106 The Pollution Control Officer has also made comments regarding the submitted Demolition Method Statement. The Officer has requested some additional detail to be provided. For example, more substantial boundary fencing is required to minimise the impact of dust (the acoustic fence will double up as a dust and screen as well). Consequently, it is considered necessary to impose a condition requiring a more detailed Demolition Method Statement to be submitted for approval to address these issues (in addition to the noise issues) (Condition 30).

Kitchen Extraction System

- 8.107 The planning application proposes that the new commercial unit be approved to enable it to be used for a purpose within either Use Class A1 (retail), A2 (financial and professional services) or A3 (Restaurant or cafes). As there is a possibility that it could be occupied by a restaurant some form of kitchen extraction system would need to be installed. The applicant has stated that in this event, the proposed ductwork would run through the basement car park. However, no plans or other details have been submitted of the ductwork. The Council's Pollution Control Officer was consulted and has raised strong concerns about this issue and has advised that full details of the proposed kitchen extraction system should be submitted. She has advised that the combination of the proximity of the residential units to the restaurant, the discharge of the ducting (and therefore the cooking odours) into the basement car park and not at a high level (which would not be feasible), the size of the kitchen, and the fact that the type of cooking is unknown at this stage. She has therefore as a precaution assumed the worst case scenario that it is likely to have an impact on the amenity of the area.
- 8.108 Whilst the concerns from the Pollution Control Officer are noted, it is not known at this stage how the commercial unit will be used (it may not even be occupied by a restaurant) and it is therefore difficult to see what scale of kitchen extraction system (if any) would be required. However, because of the scope for only a low level extraction system and the concerns raised by the Pollution Control Officer, a restaurant that generates a high level of cooking odours is not likely to be acceptable in this location. Only a café or restaurant with a relatively low intensity of cooking is likely to be acceptable. Consequently, I propose attach an informative to the decision notice informing the applicant of this situation. A condition is to be imposed (Condition 26) requiring full details of any kitchen extraction system to be submitted for approval.

Refuse Storage and Collection

- 8.109 Three main storage areas are to be provided on the ground floor of the development to accommodate the communal waste bins. The proposed plans show that the storage areas are capable of accommodating a total of 99 'Euro Bin' type communal bins (1100 litre sized), which is sufficient capacity for Spelthorne Council's general waste, recycling, and kitchen waste requirements. In terms of collection, this will take place from Bridge Close, adjacent to the access to the car park. A 'Refuse Holding Store' is to be provided in the basement which will store the bins on collection day. As the collection of general and recycling waste is carried out on alternate weeks, the holding store's capacity is half that of the main refuse storage areas. The applicant confirms that a management strategy will be put in place requiring the bins to be moved to the holding area and back again when required. The Council's Head of Street Scene has been involved at the design stage and has raised no objection to the arrangement now proposed. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse store and collection facilities are considered acceptable.
- 8.110 Agents acting for the owners of the Strata building raise concerns about the location and design of the refuse storage in terms of visual amenity on the street scene – Bridge Close. The function of Bridge Close is that of an access point for reaching the application site, Strata and Hanover House including servicing of the premises. The access to the basement parking and refuse storage area represent only a small element of the ground floor frontage to Bridge Close and will be partly obscured by new planting. I am satisfied in design terms this aspect of the proposal is appropriate and will not lead to any significant adverse impact on the street scene.

Listed Building Consent

- 8.111 The applicant has separately submitted an application for Listed Building Consent (15/01718/LBC), as the proposal will involve some relatively minor works to the northern approach of Staines Bridge, which is Grade II Listed. The Statutory Listing describes Staines Bridge as follows:

“Opened and dated 1832 (Engineer-architects: George Rennie and John Rennie). Built of rusticated granite ashler. Three segmental arches with side pylons, which have roll-mould cornice and parapet, and which contain arched footway. Rounded breakwaters. Modern railings to parapet above roll-mould cornice. To north are 4 modern approach arches in brick and 2 to south. Opened by William IV and Queen Adelaide.”

- 8.112 Currently there is a gap of 4.2 metres between the side of the Bridge's northern approach and the existing car park. The new scheme will provide a paved deck between the new buildings and Bridge Street/approach to Staines Bridge. This deck will provide a widened footway/sitting out area for the commercial unit and a service bay, and new tree planting. The deck will join up with the pavement of the existing bridge. The existing modern railings will be removed, together with the modern plinth in which they are located. Other works include replacement paving, and the installation of a glass balustrade

supported by anodized aluminium balusters, and associated plinth, to protect the drop to the riverside footpath. Beneath the deck, the ground level of the basement car park is to be lowered by 1.34 metres and a concrete retaining wall installed alongside the foundations of the bridge approach. In addition, the existing concrete blockwork that fills the western elevation of three of the arches under the approach road is to be removed and replaced with new blockwork and metal gates.

- 8.113 This abutting of the new structure to the side of the bridge approach and new block work to the existing areas, although minor, requires listed building consent. It must be considered in accordance with Policy EN5 of the CS & P DPD. In making the decision on this Listed Building application the Council must have regard to the duty in Section 66(2) of the Listed Building Act 1990:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

It is important to note that whilst the main part of Staines Bridge is constructed of granite (as described in the listing) the bridge approach is on a series of 4 brick built arches. The view of them is very limited and 3 of them have been infilled with modern block work for many years and the addition of a modern cantilevered pavement either side of the bridge in the 1950's has added further structure over/in front of parts of the brick arches. The arches of themselves are of limited inherent architectural merit or of historic merit relative to the main bridge. Their infilling and cantilevered concrete footways have further detracted from their appearance.

- 8.114 There will be no direct connection/damage to the arches by the new deck, as it will be joined to the bridge by “compressible fill material”. Indeed the proposed redevelopment will improve the visibility of Staines Bridge from the north side by moving the existing building line back from the river and thereby providing a full view of the western elevation of the pedestrian granite ashlar faced archway (see above).
- 8.115 Historic England has raised no objection to the Listed Building works, subject to the imposition of a condition requiring the submission of a method statement for the excavation of the car park to ensure that the structural integrity of the bridge is safeguarded during construction.

Other Matters

- 8.116 With regard to the Crime Prevention Officer's comments, I do not consider it is appropriate to impose a condition, as requested, relating to “Secured by Design”. Many of the requirements are very detailed (e.g. standards of windows, doors and locks), elements which are not normally covered and enforced under the planning regulations. Conditions are to be imposed requiring an external lighting scheme to be implemented and full details of cycle parking facilities to be submitted, partly for security purposes. However, a copy of the officer's response has been forwarded to the applicant and it is

proposed to add a relevant informative to the decision notice (see below – Informative No. 5).

- 8.117 With regard to the third party representation regarding wind turbulence, the applicant addresses this issue in the Design and Access Statement:

“The prevailing (average direction of) wind in Staines upon Thames is south westerly, but common with most locations in the UK there are many seasonal variations both in direction and speed. Whilst the effects of wind on the local environment caused by development are difficult to predict, there are generally accepted principles for designing out the risk of gusts posed during high-wind situations.

As there are clear benefits in opening up public space to the south-west for aspect and sunlight, the development proposals will include light tree planting along the river path and within the public space to break up air currents. The opening up of the same public space at its north-eastern side will provide a release for the wind to prevent it having to flow over the top of any barrier blocks and dropping down the other side, which causes gusts. Most trees will be placed on Bridge Street, again to break up air currents that pass through the site.

The shape of buildings can also have an effect on the wind. Flat-sided buildings facing the prevailing wind can cause high-velocity air to drop down the building’s elevation to find a path around the barrier, again causing gusts. Previously discussed opportunities to curve the buildings’ plan can allow air currents to move around the buildings more easily.”

- 8.118 With regard to the response from the Surrey County Council (Planning), since the introduction of the Community Infrastructure Levy (CIL), it is no longer legally possible to require a financial contribution towards education places as part of a Section 106 agreement. The developers are required to pay a Community Infrastructure Levy, and it would be for the Council to direct those monies to appropriate infrastructure (which does include education facilities) in due course through yet to be agreed governance arrangements.
- 8.119 It is not considered that the proposal will cause any adverse impact on the Green Belt. The application site and the surrounding area (including the River Thames) is not located within the Green Belt. The nearest part of designated Green Belt is Church Island, which is located some 180 metres to the north-west.
- 8.120 Whilst Thames Water has raised no objection to the proposal, they have requested that the applicant carries an impact study to ascertain whether the proposed development will lead to overloading of existing infrastructure. A copy of the Thames Water response has been forwarded to the applicant and they have been requested to investigate this issue. However, it is relevant to note that Thames Water have not provided any evidence to demonstrate that the development will indeed overload the existing infrastructure. Thames Water’s requirement of an assessment is a standard and sensible practice for larger developments.

- 8.121 No public right of way or public footpath will be affected by the development. The Thames Path trail runs past the site and the existing route down adjacent to the western side of the bridge will be filled-in by the new deck. The national cycle network is also accessed through the site. However, there will continue to be access via the steps and walkway on the eastern side of the bridge. Once the development is completed, there will be two routes down to the trail/route: one via the new 'public thoroughfare' and a second route avoiding any steps through Bridge Close (and therefore suitable for cycles) and along the new path on the western side of the development. Overall, public access to the riverside from Bridge Street/Clarence Street and vice versa will be significantly improved.
- 8.122 With regard to disabled access, a new public level access route will be provided linking Bridge Street and the riverside path. Furthermore, the scheme has been designed to provide level access to the residential units and commercial unit from Bridge Street via the new public thoroughfare. 23 of the proposed dwellings (11%) are designed to be wheelchair adaptable. The majority of the units are located within Block A1 (the tower) with direct access to the car park from within a short distance. A large proportion of the disabled parking spaces are located close to the lift in Core A1.
- 8.123 The agents for the owners of the Strata building wish to be fully engaged on the demolition/construction method statements and transport management plan. The agents can be consulted on these proposals required by Conditions 30, 32 and 38

Conclusion

- 8.124 With most complex planning applications such as this there are a range of issues which have to be weighed up in the overall consideration of the proposal. There will be some which add weight in favour of the scheme and some weigh to some degree against it and some may be neutral. It is unusual in schemes of this nature for every aspect of the Council's standards/policies to be fully complied with.
- 8.125 In this case, the residual harm to the Staines and Egham Hythe Conservation Areas, the reduction in daylight and outlook in relation to a few flats at Thames Edge weigh to some extent against the development. However, each of these issues are not considered to cause sufficient harm to recommend refusal of planning permission for the reasons given in the report.
- 8.126 These factors need to be considered alongside those elements that weigh strongly in favour of the development. The proposal will secure the redevelopment of a site allocated for housing, make effective use of urban land and meet a need for housing. The development will secure substantial public benefits by creating a public open space/walkway and a much more attractive environment along this part of the riverside. Moreover, the development will improve the setting of the pedestrian archway on the western approach to the listed Staines Bridge and enhance this site in the Conservation Area. The proposal will secure a substantial financial sum to be used to provide affordable housing elsewhere in the Borough.

8.127 In my view, this is a high quality development in design terms and will make a positive contribution overall to its immediate locality and at this important 'gateway' into Staines-upon-Thames. The application is recommended for approval.

9. Legal Agreement

9.1 There are highway and affordable housing matters which need to be secured by way of a legal agreement pursuant to Section 106 which are to be delivered as part of the development. It is important that any legal agreement runs with the land and therefore ensuring that the obligations are enforceable under the terms of Section 106 and are also enforceable against any successors in title (if any). As the Council has agreed Bellway will not purchase the site until planning permission is granted they will be unable to enter into a legal agreement as landowner in advance of permission being issued – as is the usual procedure. The Council, will still be landowner at the time of permission being granted and as such land owner, cannot enter into a legal agreement between itself as land owner and as the Local Planning Authority. Therefore without the proposed condition the Section 106 agreement will not bind the land. For this procedural reason it is proposed instead that what is called a 'Grampian' condition is imposed requiring that the developer has entered into a Section 106 agreement once ownership of the land has transferred to secure the required highway and affordable housing matters before construction work commences.

10. Recommendation

15/01718/FUL

10.1 GRANT subject to the following conditions:-

1. Excepting demolition works; site clearance; ground investigations; site survey works; temporary access construction works; access and highway works; construction of any landfill gas works; archaeological investigation; and erection of any fences and hoardings around the development, no development shall take place until a Section 106 Agreement is entered into so as to bind the land as shown edged in red ink on drawing number A10875/F 0002 Rev. P2 received 22 December 2015 and to secure: -
 - (a) Payment of an affordable housing contribution of £5,000,000 (£5 million)
 - (b) Payment of a travel plan audit fee of £6,150
 - (c) Provision of two cars for an on-site 'car club'
 - (d) Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
 - (e) Provision of public transport vouchers for the residential users
 - (f) Provision of vouchers for purchasing a bicycle for the residential users

Reason: The above condition is required to secure the off-site affordable housing contribution and sustainable travel measures.

2. 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.

3. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

A10875/D0099 Rev. P1; /D0100 Rev. P1; /D010 Rev. P1; /D0102 Rev. P1; /D0103 Rev. P1; /D0104 Rev. P1; /D0105 Rev. P1; /D0106 Rev. P1; /D0107 Rev. P1; /D0108 Rev. P1; /D0109 Rev. P1; /D0110 Rev. P1; /D0111 Rev. P1; /D0112 Rev. P1; /D0300 Rev. P1; /D0302 Rev. P1; /D0303 Rev. P1; /D0304 Rev. P1; /D0501 Rev. P1; /D0503 Rev. P1 received 22nd December 2015

A10875/F0001 Rev. P2; /F0002 Rev. P2; /F0200 Rev. P1; /F0201 Rev. P1; /F0202 Rev. P1; /F0203 Rev. P1 received 22nd December 2015

A10875/D0200 Rev. P2; /D0201 Rev. P2; /D0202 Rev. P2; /D0203 Rev. P2; /D0301 Rev. P2; /S0305 Rev. P2; /D0502 Rev. P2 received 15th February 2016.

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

4. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and other external surfaces of the development be submitted to and approved by the Local Planning Authority.

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.

5. No development shall take place until:-

(a) 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.

(b) 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.

(c) 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:-

(a) 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" providing guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

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

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

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

7. No construction on the buildings shall commence until a report has been 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 and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

8. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community

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

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

10. No construction shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

11. No construction shall commence until the developer:-
 - i) Obtains written consent from Spelthorne Borough Council Asset Management that they have consent to carry out tree planting on the adjacent riverside footpath

ii) Sends a copy of Spelthorne Borough Council Asset Management's written consent to the Local Planning Authority,

iii) Submits full details of a tree planting scheme on the riverside footpath to be approved in writing by the Local Planning Authority

The development shall not be occupied until the tree planting scheme has been carried out in accordance with the approved details and have been certified in writing as complete by the Local Planning Authority.

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

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

13. Demolition works and construction of the development hereby approved must only be carried out on site between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and none at all on Sunday, Public Holidays or Bank Holidays.

Reason:- In the interest of amenity

14. That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

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

15. Before any construction commences, details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site shall at all times accord with the approved details.

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

16. Prior to the commencement of construction, a scheme to provide bird, bat and insect boxes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be

implemented before the buildings are occupied and thereafter maintained.

Reason:- To encourage wildlife on the site.

17. Prior to construction of the development hereby approved the following drawings need to be supplied:

- Long or cross sections of each Sustainable Drainage System (SuDS) Element including the associated elements such as manholes, hydrobrake, pumping station, and other associated works

These must be submitted to and approved by the local planning authority.

Reason: To ensure the drainage design meets the technical standards

18. Before the commencement of the construction of the buildings hereby approved details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

Reason: To ensure that the proposal has fully considered flood events exceeding design capacity.

19. Prior to construction of the development, details of the proposed maintenance regimes for each of the Sustainable Drainage System (SuDS) elements and confirmation of who will own and maintain these features must be submitted to and approved by the local planning authority.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

20. Before the commencement of the construction of the buildings hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

21. Prior to operation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is built to the approved designs.

22. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is capable of containing archaeological remains and it is important that the archaeological information should be preserved as a record before it is destroyed by the development.

23. No development shall take place until a method statement detailing the excavation and lowering of the ground level of the car park has been submitted to an approved in writing by the Local Planning Authority. The method statement shall demonstrate that the proposed works will not adversely affect the structural integrity of the Grade II Listed Staines Bridge. The excavation/ground lowering works shall be carried out in accordance with the approved method statement.

Reason: To safeguard the structural integrity of the Grade II Listed Staines Bridge.

24. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) and Surface Water Drainage Strategy reference number 3869-FR0001, revision B, dated November 2015, prepared by Structa LLP and the following mitigation measures detailed within the FRA:

1. Compensatory flood plain storage to be provided as shown in Appendix C, drawing number 3869-1600 of the Flood Risk Assessment;

2. With the exception of the basement carpark, all finished flood levels will be set no lower than 16.31 metres Above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF). It seeks to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, that flood water flows will not be impeded and where possible seeks to reduce the risk of flooding to the proposed development and future occupants.

25. Any plant installed in association with the proposed development shall be at least 5dB(A) below the background noise at the nearest noise sensitive property as assessed using the guidance contained within BS 4142 (1997).

Reason:- To safeguard the amenity of neighbouring properties

26. 1) Prior to the occupation of the commercial unit hereby permitted:
- a) Details of suitable ventilation and filtration equipment to be installed shall be submitted to and approved by the Local Planning Authority. This should comprise odour abatement and sound attenuation measures (so that the noise levels are 5 dBA below background).
 - b) The specific maintenance schedule for the approved abatement system shall be submitted to and approved by the Local Planning Authority. This must be based on the manufacturer's recommendations, taking food type and hours of cooking into account.
 - c) The approved details shall be installed prior to the occupation of the premises for the use hereby permitted. Proof of correct installation and correct function shall be submitted.
- 2) The installed ventilation and filtration equipment shall thereafter be operated and maintained to the satisfaction of the Local Planning Authority. Maintenance records should be kept for a period of two years. These should include receipts for consumables, certificates of cleaning, and staff records of cleaning and changing filters.

Reason:- In the interests of the amenities of the area and the amenities of the occupiers of nearby premises.

27. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), the commercial premises shall be used only for purposes within Use Class A1, A2 or A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason:-.To safeguard the amenity of neighbouring properties.

28. That the commercial premises shall not be used for the purposes hereby permitted before 8.00am or after 11.00pm on any day.

Reason: To safeguard the amenity of neighbouring properties.

29. Prior to the commencement of construction, details shall be submitted and approved in writing to demonstrate that the chosen construction materials will achieve the required sound insulation performance to ensure that acceptable internal noise levels in all habitable rooms of the new development are achieved, that is:

- 30dB LAeq at night (between 23.00 and 07.00 hours) in bedrooms;
- 35dB LAeq daytime (between 07.00 and 23.00 hours) in bedrooms;

- 35dB LAeq in living rooms daytime (between 07.00 and 23.00 hours)
- 40dB LAeq in dining rooms daytime (between 07.00 and 23.00 hours)

The development shall be constructed in accordance with the agreed details.

30. No demolition, site clearance or building operations shall commence until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall be carried out strictly in accordance with the approved method statement.

To safeguard the amenity of neighbouring properties and in the interest of highway safety.

31. There shall be no crushing of concrete and other materials on the site, unless otherwise agreed in writing by the Local Planning Authority.

To safeguard the amenity of neighbouring properties.

32. No building operations shall commence until a method statement detailing dust suppression, measures to minimise noise, and mitigation measures during construction shall be submitted to and approved by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details and thereafter maintained.

Reason:- To safeguard the amenity of adjoining neighbouring properties against noise and dust nuisance.

33. Prior to commencement of construction details of the specification of the Combined Heat and Power (CHP) unit to include details of emission performance of the proposed plant, of any necessary abatement equipment, and of chimney height calculations, shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the unit will achieve a NO_x rating of less than 40 mgNO_x/kWh. The Combined Heat and Power unit and associated equipment shall be implemented in accordance with the approved details

Reason:- To protect local air quality within an air quality management area.

34. Before the first occupation of any part of the development, a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The waste management strategy shall be carried out as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the

appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

35. Details of demolition of Staines bridge car park abutting the bridge and construction of the proposed development abutting the bridge shall be submitted to and approved in writing by the local planning authority before commencement of demolition of Staines bridge car park. The demolition of the car park and the construction of the proposed development shall be carried out next to the bridge in accordance with the approved details.

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

36. Details of the concrete slab between the eastern elevation of the proposed development and Staines Bridge and associated supporting structures shall be submitted to and approved in writing by the local planning authority before commencement of the construction. The construction of the slab and supporting structures shall be carried out in accordance with the approved details.

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

37. Notwithstanding the submitted plans, the development hereby approved shall not be first occupied until space has 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 a minimum of 205 bicycles to be stored in a secure, covered and accessible location. Thereafter the bicycle storage area shall be retained and maintained for its designated purpose.

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

38. No demolition shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)

- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (h) measures to prevent the deposit of materials on the highway
- (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

39. Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide".

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

40. The development shall not be occupied until the proposed cycle route along the Bridge Street site frontage to its junction with Bridge Close has been provided in accordance with the approved plans including the "I Transport Plan" numbered IBT11172 GA 012.

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

41. The development shall not be occupied and no service bays laid out at the site until a Servicing Management Strategy with associated plans for both the commercial and residential (including the gym) uses is submitted to and approved in writing by the Local Planning Authority. The Service Management Strategy shall demonstrate that there will be no adverse impact on highway and pedestrian safety, that there is adequate capacity, and include measures to prevent unauthorised use of such service bays and any unauthorised use of service/delivery vehicles outside of agreed bays. The Servicing Management Strategy shall include:

- (a) Appropriate location, size, design of servicing bays
- (b) Hours of use of the service bays
- (c) Management of such provision having regard to competing service requirements from local authority and other refuse collection.

The development shall not be occupied until the agreed measures in the Service Management Strategy have been fully implemented, and shall be permanently maintained as approved.

42. The proposed public thoroughfare, riverside steps, widened riverside walkway, and the cycle path adjacent to the western boundary, as shown on the approved plans shall be permanently available and accessible as public open space and there shall be no installation of gates or other means of enclosure within these areas, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the public thoroughfare, riverside steps, widened riverside walkway, and cycle path are accessible at all times for the public.

43. Prior to the commencement of construction of the buildings hereby approved a detailed air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify the need for mechanical ventilation which is required to protect the occupiers of the development from poor air quality. The development shall not be occupied until the agreed mechanical ventilation measures have been provided and they shall thereafter be retained and maintained in accordance with the approved details

Reason:- The site is situated within an Air Quality Management Area and these measures are required to protect future occupiers of the development from the effect of poor air quality.

Listed Building Consent Application 15/01718/LBC

8.1 GRANT subject to the following conditions:-

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

Reason:- This condition is required by Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

A10875/D0099 Rev. P1; /D0100 Rev. P1; /D010 Rev. P1; /D0102 Rev. P1; /D0103 Rev. P1; /D0104 Rev. P1; /D0105 Rev. P1; /D0106 Rev. P1; /D0107 Rev. P1; /D0108 Rev. P1; /D0109 Rev. P1; /D0110 Rev. P1; /D0111 Rev. P1; /D0112 Rev. P1; /D0300 Rev. P1; /D0302 Rev. P1; /D0303 Rev. P1; /D0304 Rev. P1; /D0501 Rev. P1; /D0503 Rev. P1 received 22nd December 2015

A10875/F0001 Rev. P2; /F0002 Rev. P2; /F0200 Rev. P1; /F0201 Rev. P1; /F0202 Rev. P1; /F0203 Rev. P1 received 22nd December 2015

A10875/D0200 Rev. P2; /D0201 Rev. P2; /D0202 Rev. P2; /D0203 Rev. P2; /D0301 Rev. P2; /S0305 Rev. P2; /D0502 Rev. P2 received 15th February 2016.

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

3. No development shall take place until a method statement detailing the excavation and lowering of the ground level of the car park has been submitted to an approved in writing by the Local Planning Authority. The method statement shall demonstrate that the proposed works will not adversely affect the structural integrity of the Grade II Listed Staines Bridge. The excavation/ground lowering works shall be carried out in accordance with the approved method statement.

Reason: To safeguard the structural integrity of the Grade II Listed Staines Bridge.

Informatives to be attached to the planning permission

1. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
2. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
3. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
4. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site

dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

5. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.
6. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

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

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

7. The applicant is advised that any removal of dense shrubbery is undertaken outside the main bird nesting season (March to August inclusive).
8. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policysafeguarding.htm>
9. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

10. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
11. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. 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 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/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
12. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
13. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
14. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
15. The applicant is advised that a restaurant that generates a high level/intensity of cooking and consequent cooking odours is not considered suitable in this location due to the proposed kitchen extraction system discharging within the basement car park and the proximity of it to the proposed residential units. The installation of a high level external flue is not likely to be acceptable due to it detracting from the design of the development in this sensitive location within the Staines Conservation Area. Only a restaurant or café that has a low level/intensity of cooking is likely to be able to function appropriately with the scale and position of the extraction equipment that could be installed.

Decision Making: Working in a Positive and Proactive Manner

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

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