

# Planning Committee

## 10 December 2024



<b>Application No.</b>	24/00790/FUL
<b>Site Address</b>	Hitchcock And King, Station Yard, Stanwell Road, Ashford, TW15 3DT
<b>Applicant</b>	Mr Philip Offer
<b>Proposal</b>	Erection of a self-storage building (Use Class B8) with associated access, landscaping, parking and circulation space.
<b>Case Officer</b>	Matthew Clapham
<b>Ward</b>	Ashford Town
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid: 15.07.2024	Expiry: 14.10.2024	Target: Extension of time agreed 13.12.2024
<b>Executive Summary</b>	<p>The proposal is for the erection of a new commercial building for the use as a self-storage facility. The site is located outside of a designated Employment Area although it is in an existing commercial use and has been so for a number of years. The principle of erecting a new commercial building with more floorspace compared to the previous building is considered to be acceptable.</p> <p>The design reflects the use as a storage building but has limited active frontages facing the road due to its location to the rear of a Lidl supermarket and adjoining Church Road where it rises up to pass over the railway line and Ashford Station. A mix of colours and materials to the façade is proposed and the design, which includes small landscaped areas is considered to be acceptable. The proposed parking provision, located to the front of the building is acceptable.</p> <p>The existing access through the supermarket car park will be retained. The impact on the amenity of neighbouring properties is considered to be acceptable. Matters relating to flooding, renewable energy, ecology and biodiversity, trees and landscaping, contaminated land, air quality, and crime and design are all acceptable.</p> <p>The proposal accords with the Council's policies in the Core Strategy and Policies Development Plan Document 2009 (CS &amp;P DPD).</p>		
<b>Recommended Decision</b>	Approve the application subject to conditions, as set out at paragraph 8 of this report.		

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- SP6 (Maintaining and Improving the Environment)
  - EN1 (Design of New Development)
  - EN8 (Protecting and Improving the Landscape and Biodiversity)
  - EN15 (Development on Land affected by Contamination)
  - SP3 (Economy and Employment Land Provision)
  - EM2 (Employment and Development on Other Land)
  - SP7 (Climate Change and Transport)
  - CC1 (Renewable Energy)
  - CC2 (Sustainable Travel)
  - CC3 (Parking Provision)
- 1.2 The National Planning Policy Framework (NPPF) December 2023 is also relevant. The Government also published a draft revised NPPF in July 2024, which has not currently been adopted. The draft NPPF is given limited weight currently.
- 1.3 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.4 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the emerging Local Plan. After the three months pause, the Council would decide what actions may be necessary before the Local Plan Examination should proceed.
- 1.5 At the meeting of the Council on 19 July 2023, it was agreed that Catriona Riddell & Associates be appointed to provide 'critical friend' support to inform the options for taking the Local Plan process forward.
- 1.6 On 14 September 2023, the Council considered a report following the deferral in June. The report listed three options; to continue with the local plan to include further work (especially on design codes), to request a further pause, or to withdraw the local plan. On the day of the meeting, a letter was received from the Housing Minister stating that the Housing Secretary was directing the Council "not to take any step to withdraw the plan from examination..." The Council resolved to extend the pause in the Examination timetable until the

proposed changes to the NPPF had been published before determining the next steps.

- 1.7 On 22 September 2023, the Inspector agreed to a further pause to the Examination and requested that the Council continue to address the issues that he identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.
- 1.8 On 10 November 2023, the Environment Agency (EA) provided comments on Spelthorne's Level 1 and Level 2 Strategic Flood Risk Assessment (SFRA) seeking additional information, amendments and updates to the assessment.
- 1.9 Following the Environment & Sustainability Committee meeting on 29 February 2024, it was resolved to propose to the Planning Inspector, modifications to the emerging Local Plan, including the removal of all Green Belt site allocations, with the exception of two allocations that meet the need for Gypsy, Traveller and Travelling Showpeople, the removal of site allocations at high risk of flooding and to move some higher flood risk sites to the later plan period (years 11-15), and the withdrawal the Staines Development Framework as a core document.
- 1.10 On 19 March 2024 the Council published updated Level 1 and Level 2 SFRA. On 2 May 2024 the EA provided comments, including a request for additional clarification which was provided on 17 May 2024
- 1.11 On 18 July 2024, Council considered a report into the resumption of the Local Plan Inquiry which had previously been agreed by the Corporate Policy and Resources Committee on 8 July 2024. The report set out the recent response from the Environment Agency, and the options for deciding whether or not Council agreed a request for further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption. Council agreed the option to progress the local plan and officers have now requested this from the Inspector.
- 1.12 The NPPF policy states at para 48:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Section 38(6) the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.

1.13 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS1: Responding to the Climate Emergency
- PS2: Designing Places and Spaces
- EC1: Meeting a Need for Employment Land
- E2: Biodiversity
- ID1: Infrastructure and Delivery
- ID2: Sustainable Transport for New Developments

1.14 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process of this current planning application. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

## 2. Relevant Planning History

2.1 The site has the following planning history:

Ref. No.	Proposal	Decision and Date
20/00780/FUL	Sub-division of existing retail warehouse, and change of use to create two Class E commercial units, with reconfiguration of the site car park, elevational changes, installation of plant equipment, and other ancillary works. (This relates to the adjoining site to the west which was formerly Hitchcock & King but now occupied by Lidl).	Granted 12/11/2021
14/00804/FUL	Extension to existing commercial building	Grant 20/10/2010

## 3. Description of Current Proposal

### The application site and surrounding area

3.1 The application site is a 0.5047 hectare site on the western side of Church Road and north of Ashford railway station. To the west is a Lidl supermarket

and to the north is an open area of land under the long term leasehold ownership of Spelthorne Borough Council - Scott Freeman Gardens. To the east on Church Road is the St James School, the school building and the gate lodge and railings being Grade II listed buildings.

- 3.2 The site is currently occupied by a detached building operating as a builders and timber merchants with associated external storage with some structures providing covered areas and parking areas and loading / turning space. It is accessed through the Lidl supermarket car park and the access road onto Stanwell Road to the west.
- 3.3 The nearest residential properties are in Station Crescent to the west which back onto Stanwell Road and the flats above the commercial uses on the roads on the other side of the railway line.

### Proposal

- 3.4 This proposal involves the erection of a larger building on the southern part of the site, in place of the existing builders and timber merchants and the various other structures and external storage areas for trade materials. The building will be 14.1m high to the ridge of a shallow pitched roof. The top of the parapet walls, which effectively serve as the eaves, will be 12.7m. in height. The building will initially contain no additional floor levels other than ground floor, although the building has been designed to allow for the installation of up to three mezzanine floors for storage purposes on the upper floors to potentially respond to increased demand following the opening of the premises. The building will provide limited active frontages to Church Road and Scott Freeman Gardens with a visible frontage also from the railway station. The building will initially provide a total of 2,323sq.m. of floor space for storage.
- 3.5 The proposed storage facility is to be operated by Cinch, a self-storage company set up in 2017. The Planning Statement confirms that Cinch operates from 20 stores providing self-storage floorspace available to local residents and local businesses, with more than 50% of the storage space within a store being taken by business customers. Typical businesses include; e-market traders, eBay traders, mobile salespeople, entrepreneurs, new businesses and archive storage for existing businesses.
- 3.6 In terms of parking provision, the proposed development will provide a total of 19 parking spaces to the north (front) of the building, comprising 17 standard spaces and two blue badge bays (equating to 10% of the total provision). Four of the spaces will be provided with electric vehicle charging points from the outset (21%) with the remaining having passive provision. All parking spaces are 6m x 3m in size to accommodate larger cars and small vans used to transport goods to and from the site. Two loading bays will be provided with a service area where vehicles can park whilst waiting for a loading bay to become available, in the event of both loading bays being occupied. A total of ten short-stay cycle parking spaces are to be provided within the external area, and space for two bicycles will be stored safely within the building for staff.

- 3.7 The opening hours when the reception area will be staffed are 8.30am – 6pm on Monday to Friday, 9am – 4pm on Saturday and 10am – 2pm on Sundays. Key holding customers that pay a premium are permitted to access the units by swipe card access on a 24/7 basis.
- 3.8 The full set of proposed plans are provided as an Appendix.

#### 4. Consultations

The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
<b>Surrey Wildlife Trust</b>	Requested a bat survey on trees on surrounding land and further details regarding Biodiversity Net Gain.
<b>Natural England</b>	No response to date.
<b>Thames Water</b>	No objections.
<b>Surrey CC Highways</b>	No objections subject to conditions.
<b>Surrey CC SuDS</b>	Satisfied that the proposed drainage scheme meets the requirements subject to conditions.
<b>Heathrow Safeguarding</b>	No objections.
<b>SBC Sustainability</b>	Meets renewable energy requirements.
<b>Surrey CC Archaeology</b>	No archaeological concerns.
<b>Environment Agency</b>	No response to date.
<b>Environment Health - Contamination</b>	Recommend conditions.
<b>Environment Health – Air Quality</b>	Recommend conditions.
<b>National Highways</b>	No objections.
<b>Network Rail</b>	No objections.
<b>Esso Pipelines</b>	No objections.
<b>Tree Officer</b>	No objections but requested revised Method Statement

#### 5. Public Consultation

- 5.1 A total of 260 properties were notified of the planning application and a statutory site notice was displayed.
- 5.2 The Council has received no third-party letters.

## 6. Planning Issues

- Principle of Development / Employment Use.
- Design and Appearance
- Residential Amenity.
- Parking and Highway Safety.
- Flooding.
- Renewable Energy.
- Ecology and Biodiversity.
- Trees and Landscaping.
- Contaminated Land
- Air Quality.
- Crime and Design.
- Impact on the setting of the Listed Buildings at St. James School.

## 7. Planning Considerations

### Principle of the development / Employment Use

7.1 The application site is located on the northern side of Ashford Railway Station where Station Approach, to the south of the railway is the boundary to the designated Ashford Town Centre Employment and Shopping Areas. The site itself is an existing commercial use as a builders and timber merchants. The proposed use is for a new self-storage facility (Use Class B8). The existing building has an employment floorspace of some 566sq. m with additional external covered and uncovered storage areas for building materials. The proposal will have an employment floor space of some 2323 sq. m. It will also however, have the potential to increase the floorspace by the introduction of mezzanine floors within the main building, which can be introduced at a later date (without the need for planning permission).

7.2 The NPPF in section 6 refers to Building a Strong Competitive Economy and para 85 states: -

*'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'*.

7.3 Policy EM2 of the Spelthorne Core Strategy and Policies Development Plan Document (CS&P DPD), in relation to 'Employment Development on Other Land' states that

*'The Council will allow further employment development on existing employment land outside designated Employment Areas where it can be demonstrated the development can take place in an acceptable way'*.

7.4 The proposal does increase the total amount of floorspace on the site, albeit in a self-storage use which will not necessarily generate large amounts of employment. The application form states that the proposal will be served by three full time employees. However, the proposed use and development is considered to have the potential to generate employment elsewhere as it involves warehousing /self-storage, which in the applicant's planning

statement, is as much for business users as the general public storing private items. For the reasons set out in the report below, it is considered that the proposal can take place in an 'acceptable way'. Therefore, as the development is for an employment use on an existing employment site and within a parcel of land that consists of a retail unit and two smaller vacant units, the proposal is considered acceptable in principle and does comply with Section 6 of the NPPF and Policy EM2 of the CS&P DPD.

### Design and appearance

7.5 The National Design Guide (NDG), "*Planning practice guidance for beautiful, enduring and successful places*", 2021, sets out guidance for well designed places. Paragraphs 43 and 44, note that well designed buildings do not need to copy what is already in existence but do need to integrate with the surroundings in a number of ways including physically, socially and visually:

*"Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:*

- *the landscape character and how places or developments sit within the landscape, to influence the siting of new development and how natural features are retained or incorporated into it;*
- *patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, grain, form and scale – see Built form;*
- *the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development – see Identity.*
- *uses and facilities, including identifying local needs and demands that well-located new facilities may satisfy; and public spaces, including their characteristic landscape design and details, both hard and soft.*

*However, well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems."*

7.6 Policy EN1a of the CS&P DPD states that

*"The Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land."*

7.7 The existing building on the site is a functionally designed building with cladding. The proposed building is substantially larger and is also of a functional design to reflect its use. The proposed storage building is



effectively four storeys in scale, initially with a single floor with the capacity to add three additional mezzanine floors of storage use. The site is located on an open area of land that has limited active frontages. To the north, the boundary is tree lined to Scott Freeman Gardens. To the west is the Lidl Supermarket which was a conversion of the existing building on the site and involved cladding and adding glazing to the building, although it remains relatively functional in appearance terms. To the south is Ashford Railway Station and the five storey Ash House beyond on Station Approach. To the east is Church Road, which by virtue of the railway bridge rises up alongside the site limiting some views of the site from this road, with vegetation and trees along the side embankment. The proposed building is of a commercial use and large in scale, taking up much of the site compared to the existing building, although other parts of the site are currently covered with externally stored building materials. The proposed building will be set back from the boundaries with over 2m maintained to the southern, western and eastern boundaries and over 20m to the northern boundary to Scott Freeman Gardens.

- 7.8 The proposed design is of intermediate vertical panels in contrasting shades of light grey and dark grey to the façade, which helps to break up the building's mass and adds some visual interest to a functional building. A brick plinth is proposed around the base of the building's façade which further breaks up the external appearance of the building in those areas where the full height of the façade may be viewed. In addition to the vertical panels, metal cladding in Cinch's corporate colours is used on parts of the building and, in particular, to emphasise the entrance area to the north west corner of the building. There are also areas of glazing with corridors behind it. The roofing, commonly used in light industrial and self-storage warehouses, has been specifically selected for its ability to span large spaces efficiently with a very shallow pitched roof which is concealed behind the parapet, will remain out of sight from eye level, The choice of materials is, as stated by the applicant, to ensure durability but also provide an acceptable exterior appearance. There are elements of existing landscaping that are being retained and some additional landscaping areas proposed around the building.
- 7.9 As such the proposed design is considered to accord with Policy EN1 in that the proposal is creating a building that is '*...attractive with their own distinct identity*'. It is also considered to be in keeping with the character of the area and will make a positive contribution to the street scene, providing a new larger employment building, on an existing commercial site. As such, the proposed development is considered to be acceptable in design terms and generally conforms with Policy EN1.

#### Impact on neighbouring residential properties

- 7.10 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."*

- 7.11 The closest residential properties are located to the south on the opposite side of railway line on Station Approach. These are approximately 50m away from the proposed building. The largest building in this location is a five storey block of flats, partly facing towards the application site. The nearest properties to the west are some distance away and back onto Stanwell Road beyond the Lidl supermarket and face onto Station Crescent.
- 7.12 The proposed building at over 14m in height is substantially larger than the existing building on the site which is approximately 7m in height. However, due to the separation distances and relationships with the nearest residential properties, no adverse impacts upon residential amenity are considered to arise in terms of any loss of light, overbearing or privacy. Whilst the facility is open for users for 24 hours a day, this is an existing commercial site, adjoining a railway station and a supermarket, no significant harm is considered to arise from any noise and disturbance from the proposed use.
- 7.13 The building would be in close proximity to the London bound platform at Ashford Station and the platform opposite. However, due to the transient nature of the railway station no harm to the amenity of users of the railway is considered to arise and no objection has been received from Network Rail. The building is located on the other side of Church Road to the St James School. However, due to the embankment to the bridge the building will be partially screened from the school and in any event, it is school grounds and playing fields that are closest to the proposed development. The proposal preserves the listed building and its setting in accordance with s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To the west is the service yard to the Lidl supermarket and two vacant units and part of the car parking area. It is considered that due to the siting and design of the proposal, the relationship is acceptable on these non-residential buildings and facilities.
- 7.14 The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring properties, including residential properties on Station Approach and Station Crescent, conforming to Policy EN1.

#### Parking and Highway Safety

- 7.15 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.”*

- 7.16 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.*

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.

- 7.17 The Council's Parking Standards Supplementary Planning Guidance (SPG) refers to business development. It notes that development for Warehouses used solely for storage requires 1 car space per 100 sq. m floor area, plus 1 lorry space per 200 sq. m floor area. These standards are applied as maximum standards. The Parking Standards stipulate a maximum parking provision of 24 car parking spaces and 12 lorry parking spaces for a scheme of this size and mix. A total of 19 car parking spaces and 2 light good vehicles spaces at the loading bays and one waiting space are to be provided on the site. It is recognised that the proposal is for a self-storage facility where as the applicant has suggested, *'whilst self-storage does fall into the Class B8 use class, trip rates tend to be far lower and more evenly spread throughout than a standard warehouse use'*. The parking spaces are also larger than would generally be provided in a standard car park to allow for larger vehicles to park in them. Therefore, it is considered that the parking provision is acceptable.
- 7.18 The County Highway Authority (CHA) has been consulted and made the following comments: *'The applicant has demonstrated to the satisfaction of the CHA that the development will not lead to a significant or severe impact on highway safety and capacity on the local highway network. The location of the site is particularly sustainable with bus stops situated within 350 metres walking distance of the site, and Ashford Rail Station within 600 metres whilst Ashford Centre is situated within 700 metres walking distance'*.
- 7.19 Subject to the recommended conditions, the proposed impact on highway safety and parking is considered to be acceptable in terms of Policies CC2 and CC3.

### Flooding

- 7.20 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 requiring all development proposals within Zones 2, 3a and 3b and development outside these areas (Zone 1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.21 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and where no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment (FRA) & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.

- 7.22 In terms of flood risk, the site is located outside of the high flood risk area and, as displayed in the FRA, there is no risk to the proposed development or other existing properties from flooding.
- 7.23 With regards to surface water drainage, the applicant is proposing to implement infiltration drainage devices to improve surface water drainage than currently on parts of the site.
- 7.24 The Lead Local Flood Authority at Surrey County Council (SCC) has been consulted on the proposed sustainable drainage scheme (SuDS). They were initially not satisfied that sufficient detail had been provided. Following the submission of further detail, SCC has been reconsulted and is now satisfied, subject to the imposition of conditions. Therefore, it is considered that the proposal complies with the requirements of Policy LO1 of the CS & P DPD.

### Renewable Energy

- 7.25 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 sq. m to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.26 The applicant proposes to use Photovoltaic panels installed on the roof to generate renewable energy, with an air source heat pump being installed in the reception area. The Council's Sustainability Officer has been consulted and has raised no objection. A condition for renewable energy will be imposed and it is considered that the proposal accords with Policy CC1.

### Ecology

- 7.27 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by 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.
- 7.28 A Preliminary Ecological Appraisal (PEA) has been carried out, which recommends a number of measures to mitigate any adverse impacts and includes measures to be incorporated into the development to ensure a biodiversity net gain, including increased soft landscaping on site and some existing trees to be retained.
- 7.29 Surrey Wildlife Trust (SWT) were consulted and have raised concerns about the biodiversity net gain (BNG) being provided. Notwithstanding this, the site is already laid out almost entirely in hardstanding and the proposals do include some additional planting in the form of two trees, hedgerows and shrub planting in three landscaped areas. The PEA and updated documents have confirmed that BNG is applicable on the site and that the proposal will provide the required 10%. It is considered that a suitable condition should be imposed requiring that no development shall take place until a Biodiversity

Net Gain Plan following the Government's Biodiversity Net Gain Template has been approved by the Local Planning Authority.

- 7.30 The applicant has also submitted a bat survey which demonstrates that no bats would be affected by the demolition of the existing building. SWT did request that an enhanced bat survey be submitted which has been received to demonstrate that no bats occupy the existing building. SWT also requested that a bat survey be carried out on a tree that is shown to be retained on the edge of the site. As the survey has demonstrated that there is no evidence of bat roosts within the existing buildings there is no objection to the demolition and redevelopment of the site. With regard to the existing tree, this is proposed to be retained and it is therefore considered that no further bat survey work is required.

#### Impact on Trees/Landscaping

- 7.31 The applicant has carried out a tree survey at the site and adjacent land, although a tree on the site will be removed, another will be retained and others on the northern boundary are to be retained and protected.
- 7.32 The applicant has submitted a full landscape plan with details of planting including mixed species hedges, shrubs and native species of trees. This will be in three separate landscaped areas, two to the front of the site and one to rear / southeast corner of the site. The Council's Tree Officer has not raised any objections to the proposal although has requested a condition requiring an updated Arboricultural Method Statement.
- 7.33 The proposed planting and landscaping will help to enhance the proposed development and is considered to be acceptable and will be secured by the imposition of a condition.

#### Contaminated Land

- 7.34 The applicant has submitted a *Geo-Environmental Assessment* Report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. The Council's Pollution Control Officer has raised no objection subject to conditions being imposed. As such subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15.

#### Air Quality

- 7.35 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. The AQA assesses the impact of construction impacts of the proposed development. The Council's Pollution Control section was consulted on the application and raised no objection on air quality subject to a condition.

#### Crime and Design

- 7.36 The Crime Prevention Officer was consulted, and it is considered appropriate to impose an informative rather than a condition, in line with government

advice on the use of planning conditions relating to “Secured by Design”. Many of the requirements are very detailed (e.g., standards of windows, doors and locks), elements which are not covered and enforced under the planning regulations.

### 7.37 Impact upon the setting of the listed buildings at St. James School

To the east of the site, on the other side of Church Road is St James School. The main School building, the Chapel and the Railings and Gates Lodge are Grade II listed buildings. The gates lodge and railings are closest to the application being at an entrance to the school off Church Road to the north east of the application site. Due to the separation distance and the relationship between the proposed building and the school site, including the raised road over the railway line which partially screens the proposed building from the school grounds and the Gates Lodge, it is not considered that the proposal will result in harm to the setting of the listed buildings and grounds of the school site. The proposal preserves the listed building and its setting in accordance with s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Other matters

- 7.38 In relation to noise, Policy EN11 states that the Council will seek to minimise the adverse impact of noise. An Acoustic Assessment has been carried out and submitted in support of this application. The assessment concludes that given the nature of activities associated with the self-storage facility and the existing noise environment, and the reduction in vehicular movements compared to the previous use, the proposed operations will not have an adverse impact at the nearest sensitive receptors. There are no objections on noise.
- 7.39 Policy EN13 relates to lighting and seeks to minimise the adverse impact from light pollution on the environment, only permitting lighting proposals which would not adversely affect amenity or public safety. The proposal is not considered to cause unacceptable levels of light pollution as many of the surrounding properties are commercial. However, a lighting condition will be imposed for details of external lighting to be submitted and agreed.

### Equalities Act 2010

- 7.40 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

- 7.41 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.

The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development and the proposal is acceptable in regard to the equalities act.

#### Human Rights Act 1998

- 7.42 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.43 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.44 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.45 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

#### Financial Considerations

- 7.46 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the

benefit is material to the application or not. The proposal will generate Business Rates which is not a material consideration in the determination of this proposal.

### Conclusion

- 7.47 The proposed development is considered to be an acceptable employment use on existing employment land. The proposal will have an acceptable design and appearance and an acceptable impact on the amenity of neighbouring properties. The impact on highways is also considered to be acceptable and the proposal accords with the National Planning Policy Framework and Policies EN1, EN8, EN15, EM2, LO1, CC1, CC2 and CC3 of the Spelthorne Core Strategy & Policies Development Plan Document.

## **8. Recommendation**

- 8.1 GRANT planning permission subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 230074-3DR-XX-00-DR-A-08 001 rev P01; 230074-3DR-XX-00-DR-A-08 002 rev P01; 230074-3DR-XX-00-DR-A-08 003 rev P01; 230074-3DR-XX-00-DR-A-08 004 rev P01; 230074-3DR-XX-00-DR-A-08 005 rev P01; 230074-3DR-XX-00-DR-A-08 006 rev P01; 230074-3DR-XX-00-DR-A-08 007; 230074-3DR-XX-00-DR-A-08 008 rev P01; 230074-3DR-XX-00-DR-A-08 009 rev P01; 230074-3DR-XX-00-DR-A-08 010 rev P01; 230074-3DR-XX-00-DR-A-08 011 rev; 230074-3DR-XX-00-DR-A-06 100 rev P02; 230074-3DR-XX-00-DR-A-06 101 rev P02 received on 03.07.2024.

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

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

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

4. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local



Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

Reason: - To ensure that the proposed development does not prejudice the 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.

5. The trees and shrubs shall be planted on the site in accordance with the scheme hereby approved, within a period of 6 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/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.

Reasons: - To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development. In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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

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

7.
  - i) Should any Made Ground or signs of contamination (such as ashy material, odour, staining of soil, sheen on groundwater or surface water) be discovered at any time during the development, sampling will be required. This 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.
  - ii) 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.

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

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

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

8. 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 occupiers 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.

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

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
  - a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 12.0l/s for the 1in100 year storm event with the 1in1 year storm event discharge rate to be agreed.
  - b) Evidence that the existing private sewer connection is fit for purpose for the lifetime of the development.
  - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

- 10 Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water 4 attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

- 11 The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans 230074-3DR-XX-00-DR-A-08 005 RevP01 by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason:- 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 2023 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

- 12 The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:- In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2023, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

- 13 The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket, and a further 20% of available spaces to be provided with power supply to provide additional past charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2023, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

- 14 a) No development including groundworks and demolition shall take place until a revised Arboricultural Method Statement is submitted to and approved in writing by the Local Planning Authority. The protection methodology agreed in this Statement shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.

(b) The destruction by burning of materials shall not take place within 6 m (19 ft 8 ins) of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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

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

- 16 No development including groundworks and demolition shall take place until, a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall follow the Government's Biodiversity Net Gain Template and include details in line with the Biodiversity Net Gain/Net loss report dated October 2024 by Ecology & Land Management, November 2024 and incorporate the following:

a) At least 7 trees and 0.0142ha of wildlife-beneficial native mixed scrub to be to be planted and tree T14 to be retained.

b) Hedgerows comprising native species will be planted along part of the southern site boundary of the application site as part of the soft landscaping proposals.

c) Bat and Bird boxes to be provided.

The approved details shall be implemented prior to occupation of the development and be permanently maintained thereafter.

Reason:- To comply with the requirements of the Environment Act 2021 and the Levelling Up and Regeneration Act 2023.

### Informatives

1. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
2. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
3. Due to the site being within Heathrow Airports crane circle, the crane operator is required to submit all crane details such as maximum height, operating radius, name, and phone number of site manager along with installation and dismantling dates to the CAA Airspace Coordination and Obstacle Management Service (ACOMS) system. For notification, please follow the link via CAA website: Crane notification | Civil Aviation Authority ([caa.co.uk](http://caa.co.uk)) Once crane notification has been received from the CAA, Heathrow Works Approval Team will assess and issue the necessary crane permit. No cranes should operate on site until a crane permit has been issued. Specific CAA guidance for crane lighting/marketing is given in CAP1096: Guidance to crane users on the crane notification process and obstacle lighting and marking ([caa.co.uk](http://caa.co.uk)).
4. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
5. 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).
6. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. As per Condition 4, we

require Electric Vehicle Charging Points for 50% of available parking spaces to be fitted with a fast charge socket (active supply), and a further 50% of available spaces to be provided with power supply, i.e. cable routes, to provide additional fast charge sockets in future (passive supply). Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

7. The need to improve alternative sustainable transport options was highlighted by the CHA in an earlier pre-application consultation, in view of the lack of a more direct and attractive route to the site for non-motorised users. Condition 1 shall require the Applicant to provide mitigation in the form of a demarcated pedestrian route running along the northern edge of the access road which would negate the need for those pedestrians arriving from the north, to have to cross in front of vehicles.
8. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).