

## COMMITTEE AGENDA REFERENCE: 5A

<b>APPLICATION REF:</b>	<b>RU.22/1613</b>
<b>LOCATION</b>	Causeway Business Park, Staines-upon-Thames,
<b>PROPOSAL</b>	Full planning permission for redevelopment and erection of commercial buildings consisting of flexible light industrial uses (Use Class B2 or E) and/or storage floorspace (Use Class B8), landscaping, car parking and associated works.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	17/01/2023
<b>WARD</b>	Egham Hythe
<b>CASE OFFICER</b>	Justin Williams
<b>REASON FOR COMMITTEE DETERMINATION</b>	Major Application.
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### 1. SUMMARY OF RECOMMENDATION

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
<b>A.</b>	<b>To approve the application subject to the Environment Agency and HSE withdrawing their objections to the development and the completion of a section 106 to secure infrastructure improvements and recommended planning conditions.</b>
<b>B.</b>	<b>To refuse planning permission at the discretion of the CHDMBC should the S106 Agreement not progress to their satisfaction.</b>

### 2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site includes the Orbis building and land to the east of the site and covers an area of 3Ha. The site is accessed off Lovett Road, with the Staines to Egham railway line along the southern boundary of the site and Green Lane and other residential properties to the west behind an area of existing landscaping. To the North of the site is the A30. The site lies within the urban area and mostly within Flood zone 2 and partially within flood zone 3a. The M25 Air Quality Management Area lies to the west and north of the site. There is also a public footpath to the north of the site which links Lovett Road to Green Lane. The site is also within a Strategic Employment Area.

### 3. APPLICATION DETAILS

- 3.1 The applicant has applied for Full Planning Permission for the demolition of the existing office building and the erection of three detached commercial units with associated parking and landscaping. The units would be of differing sizes, but with a similar style, all having a rectangular shape and of a similar height between 10 and 15 metres. The buildings would also have living walls on the southern elevations. Apart from plot 3 the servicing areas would be to the east of the units, and acoustic fencing would be provided adjacent to the boundaries of the servicing areas which would have a height of 5 metres along the southern and western boundaries. The buildings would be set off the western boundary by approximately 5 metres and between 2 and 5 metres from the Southern boundaries.
- 3.2 The submitted Planning Statement notes that the current office building subject to this application has been vacant since 2020 and they have not been able to find tenants with the building now being 20 years old. In addition, an adjacent newly built office building is currently vacant. The proposal would introduce alternative employment uses with industrial and storage space creating between 183-374 jobs.
- 3.3 The application site would be accessed from Lovett Road. The Transport Assessment identifies that the three buildings would provide a total of 167 car parking spaces, with 35 EV charging spaces spread across the three units. The proposal would result a total of 92 movements in the morning peak hour and 62 in the evening. This would be less than the previous approved situation and extant permission RU.19/0465 at the site which would be 124 and 178 respectively, (NB this does include the retail and self-storage facility currently under construction.)
- 3.4 In accordance with the adopted Statement of Community Involvement, where the Council encourages applicants to engage with communities prior to an application, the applicant undertook a consultation event. This ran for two weeks in August 2022. This included the creation of a website which outlines the rationale for the proposal and differences between the extant permission and proposal.

### 4. RELEVANT PLANNING HISTORY

- 4.1 The following history is considered relevant to this application:

Reference	Details
<b>RU.22/1768</b>	EIA Screening Opinion in respect of the proposed development of the site subject to planning application RU.22/1613. Not EIA development. December 2022
<b>RU.19/0465</b>	Hybrid planning application consisting of 1) full planning permission for redevelopment and erection of commercial buildings consisting of a retail supermarket (Use Class A1), light industrial uses (Use Class B1(b)/B1(c)B2/ B8), multi-storey car park, refurbishment of Celsur House, associated landscaping and works; and 2) outline planning permission for redevelopment and erection a hotel development (Use Class C1) with access to be

	determined and all other matters reserved. (revised plans received 21 October 2019. Granted May 2020
<b>RU.19/0550</b>	EIA Screening opinion for the redevelopment of the site subject to planning application RU.19/0465. Not EIA development October 2019
<b>RU.19/0207</b>	Prior Notification for the demolition of a two storey office building and 2 No. reservoir tanks under Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior Approval Granted March 2019
<b>RU.99/1365</b>	Erection of three buildings for B1 office use along with associated car parking and landscaping. Appeal allowed November 2000

## 5. SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.3 SPDs which can be a material consideration in determination:
- Runnymede Borough Parking Guidance (2022)
  - Runnymede Design Supplementary Planning Document (2021)
  - Green and Blue Infrastructure Supplementary Planning Document (2021)
  - Infrastructure Delivery and Prioritisation (2020)
  - Parking Strategy: Surrey Transport Plan (2020)
- 5.4 Other material considerations include the Runnymede Strategic Flood Risk Assessment (2016 and 2017)

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
Environment Agency	<p>Outstanding objection</p> <p>The applicant has not adequately assessed the flood risks posed by the development.</p> <p>The FRA fails to</p> <ul style="list-style-type: none"> <li>• Identify how the development will impact on flood levels within the site and off site</li> </ul>

	<ul style="list-style-type: none"> <li>Consider how people will be kept safe from the identified flood hazards</li> <li>Identify flood mitigation measures to address flood risk for the lifetime of development</li> </ul> <p>The development proposes inadequate</p> <ul style="list-style-type: none"> <li>Flood storage compensation</li> <li>Maintenance of flood alleviation</li> <li>Safe access and egress routes</li> </ul> <p>Officer comment – The applicant has provided an updated FRA. The EA have been consulted and we are awaiting a response.</p>
Health and Safety Executive	<p>Outstanding objection</p> <p>The site is within consultation distance of a major hazard site and there are sufficient reasons on safety grounds for advising against the granted of planning permission in this case.</p> <p>Officer comment – The Council has written to the SOS asking for a revocation of a Hazardous consent and we are awaiting the SoS's decision.</p>
National Highways	No objection
Surrey County Highways	No objection – subject to conditions regarding travel plan, parking layout and EV charging.
Lead Local Flood Authority	No objection
Surrey Archaeology	No objection
RBC Environmental Health Officer	No objection providing the measures identified in the acoustic report and air quality report (during the construction phase) are implemented.
RBC Contaminated Land Officer	No objection subject to condition
RBC Tree Officer	No objection
Thames Water	No objection
Surrey Wildlife Trust	Additional information required - this information has been requested and an update will be reported in the planning addendum
Network Rail	No objection

### Representations and comments from interested parties

6.2 75 Neighbouring properties were consulted in addition to being advertised on the Council's website, site notices have been displayed and advertised in the local press. 18 letters of representation have been received 15 from different households. Their concerns can be summarised as follows:

- There are too many underused commercial buildings in Staines. More homes are needed no higher than two storey.
- The proposal is in Flood Zone 3 and the increase in built footprint is a concern
- The proposal would be operational 24 hours a day which will be noisy for the nearby residents.
- The offices have been vacant since the covid pandemic.
- The office building should be repurposed instead of demolished.
- The heights of the proposed buildings should be limited to not be overbearing to the occupiers of the adjacent neighbouring properties.
- The proposal would result in an increase in traffic especially HGV's and LGV's
- The design would spoil the view from adjacent properties
- There is a reduced amount of landscaping from the previous approved scheme
- The removal of the approved hotel would change the character of the area to be more industrial
- The proposal would result in an increase in flood risk
- The units would have limited parking and no designated waiting areas for HGV's and LGV's which would impact on road and highway safety
- The proposed buildings would result in overlooking
- The applicant's statement of community involvement refers to a period in August when people are on holiday and insufficient time has been given for people to give their views on the proposal.
- The proposal would create light pollution
- The proposal would destroy existing landscaping at the site
- The proposed building works would result in dust pollution

## **7. PLANNING CONSIDERATIONS**

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The following key planning matters are also considered relevant:

- Principle of development
- Character of the area and visual impact
- Neighbouring Amenities
- Lighting noise and air quality
- Highways
- Renewable Energy
- Flooding and Sustainable Urban Drainage
- Biodiversity- Ecology

- Trees and Landscaping
- Archaeology
- Hazardous Substances Consent

### **The principle of the development**

- 7.2 The application site is located on designated Strategic Employment Land. Policy IE2: Strategic Employment Areas of the Local Plan identifies this site as forming part of SEA3: The Causeway and Pinetrees Business Park. Within such areas the refurbishment and redevelopment of sites in these areas for employment use, and proposals for the intensification of sites for employment use will be permitted subject to compliance with the relevant Development Plan policies.
- 7.3 Policy IE3 seeks to attract businesses to the Borough; support the retention, creation and development of local businesses, promote business competitiveness and allow for flexibility to cater for the changing needs of the economy. The current office building subject to this application has been vacant since 2020 and they have not been able to find tenants. With reference to the above planning history, under planning permission RU.19/0465 permission was granted for a hybrid planning application for the following:

*1) full planning permission for redevelopment and erection of commercial buildings consisting of a retail supermarket (Use Class A1), light industrial uses (Use Class B1(b)/B1(c)B2/ B8), multi-storey car park, refurbishment of Celsur House, associated landscaping and works; and 2) outline planning permission for redevelopment and erection a hotel development (Use Class C1) with access to be determined and all other matters reserved. (revised plans received 21 October 2019. Granted May 2020*

This is a strong material consideration as this fall back position could still be implemented. The submitted Design and Access Statement refers to the proposal creating 377 jobs which would be more than the approved and extant permission RU.19/0465 for plots A and B.

- 7.4 Accordingly, the principle of the development is not only one which is acceptable, but that would bring vacant offices back to an employment generating use. This is a benefit which weighs in favour of the proposed development.

### **Character of the area and visual impact**

- 7.5 The application site is located in a commercial area with a variety of building types. The site includes an existing office building which has been vacant since 2020 and two other plots, one which housed an underground reservoir and another an office building, both of which have been demolished. Opposite the site is another vacant office building which is has recently been finished and a multi storey car park.
- 7.6 The proposal would be visible in the area, but its height would be less than that of the existing properties in the estate. Furthermore, the height would also be less than the extant outline permission for a hotel which was approved under RU.19/0365. In addition, the proposal would include landscaping to soften the appearance of the buildings from the road outside of the site with green walls on the Southern elevation. These assist in greening the environment of the area and reduce the prominence of the buildings in the area. It is considered that the proposed buildings would not materially harm the character of the area, nor would they unduly impact on the visual amenities of the street scene.

### **Neighbouring Amenities**

- 7.7 The site is located in an existing industrial area with the closest neighbouring properties to the site being to the south (other side of the railway) and to the west of the site approximately 10 metres and being a similar separation as the existing and previous buildings on site. The proposed buildings would be set off the boundaries of the site and would be split up with car parking/servicing areas between the buildings. There would also be an acoustic fence along the boundaries to limit any noise pollution. This would have a height of 5 metres. In addition, landscaping would be provided along the southern boundary and the existing landscaping to the western boundary would be retained.
- 7.8 The proposed units would be visible from the adjacent neighbouring properties. However, the buildings would have a height of 15 metres which would be comparable to the existing and previous situation and substantially less than the extant approved situation which included outline permission for a hotel with a maximum 30m and full permission for other buildings with heights ranging from 10 to 21 metres. It is considered that the proposed buildings would not be over dominant or overbearing or result in the significant loss of light to the detriment of the occupiers of the adjacent neighbouring properties. Furthermore, the proposal would not include any windows in the elevations facing the southern and western boundaries and the proposal would comply with Policy EE1 of the Runnymede Borough Local Plan in this aspect.

#### **Lighting, Noise and Air Quality**

- 7.9 In addition to the above considerations the justification for policy EE1 highlights how the Government's Noise Policy Statement (NPSE) for England sets out the importance of promoting good health and quality of life through the effective management of noise in relation to sustainable development. The NPPF (2021) requires new development to be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 7.10 In terms of the activities associated with the proposed use. The closest residential properties are to the west, along Green Lane (and those across the railway line). As set out above, the site forms part of a wider established business park and trading estate where currently vehicles and deliveries can come to and from sites without any limitations or restrictions. Vehicles would utilise Lovett Road with no vehicle access to this site from the nearby residential roads. The proposed building closest to nearby residential properties is proposing a 5m high acoustic fence along the site boundaries, behind proposed planting to ensure that the activities associated with the proposed use and service yard would not have a detrimental impact on the amenities of the occupiers of nearby residential properties in terms of noise and/ or disturbance.
- 7.11 The proposal would incorporate sensitive lighting at the site which would have automatic timing switches and PIR sensors. The submitted lighting plan shows minimal spillage from the site and given the boundary treatments and lighting controls it is considered that the proposal would not materially result in light pollution to the detriment of the occupiers of adjacent neighbouring properties.

- 7.12 The proposal would include air conditioning units (Ac units) and ventilation along with an area of external hard surfacing to allow for the movement of equipment. The ac units would be located further away from the sensitive locations of the site and would have acoustic silencers with machinery working at the site having low level beepers. The surrounding area already experiences high level of noise pollution from the nearby road network, train line and overhead aircraft. The proposal would not exceed existing background noise levels and providing the mitigation is carried out as per the noise assessment the Council's Environmental Health Officer raises no objection to the application.
- 7.13 The site abuts an Air Quality Management Area which runs along the western parameters of the site. Policy EE2 of the Local Plan refers to development proposals in air quality areas only being granted permission where mitigation measures to reduce impacts to acceptable levels can be secured and implemented. The submitted Air Quality Assessment notes that the proposal would not introduce any sensitive uses at the site and the proposed uses would not materially impact on air quality. The construction of the site may affect air quality, particularly the demolition, but this can be controlled by dust suppression mitigation measures. The Council's Environmental Health Officer raises no objection to the application, and it is considered that the proposal would comply with Policy EE2 of the Runnymede 2030 Local Plan

### **Highways**

- 7.14 The application site is located in a strategic employment area which is accessed via a private road from The Causeway A308. This is a busy main road which connects Staines and Egham and leads to the M25 and A30 interchange. The applicant has submitted a Transport Assessment as part of the application. The site currently has a vacant office building and includes other parcels of land where there was an office and underground reservoir. These have since been demolished. The site is also close to National Cycle Route 4 and there are bus stops along the Causeway.
- 7.15 The Transport Assessment also includes trip rates to and from the site. This states that the proposal would generate 92 movements in morning peak and 62 movements in evening peak hours. The applicant has confirmed that the movements include HGV's however the applicant has advised that there would be an anticipated increase in HGV movements over the course of the day, this would be approximately 24 additional HGV movements over the approved permission. However, vehicular movements during peak time at the site would be less than the peak movements in the extant permission.
- 7.16 The proposed development would provide 167 car parking spaces across the site of which 35 spaces would incorporate EV charging. 30 cycle parking spaces would also be provided across the development. The proposal is for an open mixed use of Use Class E, B2 and B8. The proposed number of car parking spaces would comply with the adopted car parking spaces for Use Class B8 (storage), but would not comply with B8 Distribution, B2 and Class E. However, the standards are flexible standards, and the applicant has carried out a parking accumulation exercise to establish peak parking demand for an industrial estate and using this, it is considered that the demand for parking would be sufficient for the amount of parking spaces proposed at the site. The number of EV charging spaces and cycle parking spaces will also comply with the adopted standards.



- 7.17 The County Highways Authority have reviewed the application and consider that the potential trip generation and parking levels at the site would be acceptable. However, the Highway Authority has recommended that the provision of a travel plan and improvements to local bus stops to encourage other methods of sustainable travel to the site are secured.
- 7.18 The National Highways raise no objection to the application but recommend a condition regarding the submission of Construction Traffic Management Plan to co-ordinate deliveries and plant to and from the site to avoid adverse impact on the Strategic Road Network. Subject to these conditions, it is considered that the proposal would comply with Policy SD4 of the Runnymede 2030 Local Plan.

### **Renewable Energy**

- 7.19 Policy SD8 of the Runnymede 2030 Local Plan refers to Renewable and Low Carbon Energy. This states that major development proposals will be required to submit an energy statement demonstrating how the energy hierarchy has been applied and implemented. The energy hierarchy is
- 1) Be lean: use less energy
  - 2) Be clean; supply energy efficiently
  - 3) Be green; use renewable energy

The policy further states that development proposals of 1,000 square metres additional floor space 10% of energy requirement of the building would need to be generate from renewable or low carbon technologies. The submitted statement outlines that the proposed units would include air source heat pumps along with PV panels on the roof and would provide at least a 20% of the energy requirement for the proposed units.

- 7.20 The proposed development would also include water efficiency measures and be designed with Energy efficient lighting and insulation. It is therefore considered that the proposal would comply with Policy SD8 of the Local Plan in this respect.

### **Flooding and Sustainable Urban Drainage**

- 7.21 The site is mostly within Flood Zone 2 and partially within flood zone 3a. Policy EE13 of the Local Plan requires new development to be guided to areas of lowest flood risk through the application of the sequential test. National guidance states that the sequential test should be applied to major development in proposed areas at risk from flooding. However in this case weight must be given to the “fallback position” which is that there is an extant permission for a hotel use on the site which in flooding terms is classified as a more vulnerable use than that currently proposed. Given that this proposal is considered a betterment with regard to vulnerability of user it is considered that a pragmatic approach can be taken and the sequential test it not required.
- 7.22 The applicant has submitted a Flood Risk Assessment (FRA) in support of this application. This details that the floor levels of the buildings would be set above the 1 in 100 year plus 35% flood levels with external areas lowered to provide compensation for flood water storage. The new buildings would incorporate flood resistance and resilience measures.

- 7.23 The Environment Agency objected to the proposals on grounds of how the proposal would impact flood levels within the site and off site, how people will be kept safe from flooding and mitigation measures to address flood risk for the lifetime of the development. In addressing concerns from the EA, the applicant submitted additional information. This notes that flood levels at the site would not change, with any land increase being compensated by lowering levels elsewhere on the site. The floor level of the building will incorporate flood protection and a flood evacuation plans has been prepared for users of the buildings. The proposal will also include measures to reduce surface water runoff, with permeable paving, cellular storage, green roofs and water control devices. Feedback from the Environment Agency is outstanding and members will be updated via an addendum, should a response be received prior to the Committee meeting.
- 7.23 The submitted FRA also refers to measures of how Sustainable Urban Drainage Systems (SUDS) can be controlled at the site. This notes that the proposal would include green roofs over the office elements of the proposed buildings, these will retain and absorb rainwater thereby reducing run off. Soakaways. Geocellular storage, permeable surfaces and swales will also be included to store run off water. The Lead Local Flood Authority raise no objection to the application.

### **Biodiversity – Ecology**

- 7.24 The applicant has submitted an Ecological Appraisal of the site, this states that an ecological survey has been carried out at the site. This notes that the site has a low potential to support reptiles, hedgehogs and stag beetles with negligible potential for newts, bats, badgers, dormice, water voles and otters and only moderate potential for breeding birds. Therefore, it is considered that the site has limited opportunities for any protected species. However, a precautionary approach to vegetation clearance is recommended to minimise any potential adverse impact. Additional landscaping is also proposed which would help provide green corridors through the site and enhance the existing biodiversity on the site and this would incorporate the installation of bird and bat boxes. To ensure the protection of environmental matters at the site going forward and during construction a Landscape Ecological Management Plan and Construction Environmental Management Plan are recommended to be submitted by condition.
- 7.25 The applicant has also submitted a Biodiversity Net Gain Assessment, and this notes that the proposed development would result in a loss of hedgerow/linear units, but an increase in habitat area. This has resulted in an increase in biodiversity at the site of more than 30%.
- 7.26 Surrey Wildlife Trust recommend that additional information be submitted for the application, and this includes additional surveys for bat roosts and reptiles and an updated Biodiversity Net Gain Assessment. The trust also advises that Natural England be consulted because the net additional floor area would be more than 1000 sq metres and the site is within a SSSI Impact Risk Zone of the Staines Moor SSSI. However, when comparing the existing floor area and that which has been demolished the net additional floor area is less than 1000 sq metres. The applicant has submitted additional information for roosts and reptiles. An updated survey was carried out in January this year and the outcome did not result in any change in potential for the site providing roost potential or presence of reptiles. Surrey Wildlife Trust have been consulted on the revisions; however, no comments have been received to date. Notwithstanding this, as the proposal would create an increase in biodiversity on the site it is considered that the submitted information complies with Policy SD7 of the Local Plan, subject to conditions detailed above.

### **Trees and Landscaping**

7.27 The applicant has submitted an Arboricultural Impact Assessment which includes a tree survey and tree protection details. The document outlines that a number of trees are to be felled for the proposal. Some of which have been previously approved for removal under the previous application RU.19/0465. Although it is noted that there are no Tree Preservation Orders on the site, nor is the site within a Conservation Area the plan does detail a number of trees to be retained. Notably those closest to the nearest adjacent residential properties in Green Lane. In addition, the applicant has submitted a landscaping scheme showing areas where trees and shrubs are to be planted. The retention of the trees assists in reducing the prominence of the building and its impact on the amenities of the occupiers of the adjacent neighbouring properties. The Council's Tree Officer raises no objection to the application subject to conditions regarding tree protection and landscaping as per the submitted information. Subject to these conditions it is considered that the proposal would comply with policy EE11 of the Runnymede 2030 Local Plan.

### **Archaeology**

7.28 The site area exceeds 0.4 Ha and therefore in accordance with Policy EE7 an archaeological Assessment will be required. The site has been reviewed under an archaeology assessment under RU.19/0465 and an evaluation carried out that demonstrated that the site no archaeological potential. Whilst the application site includes an additional area than that evaluated under RU.19/0465. The County Archaeology officer raise no objection to the application, and it is therefore considered that the proposal complies with Policy EE7 of the Local Plan.

### **Hazardous Substances Consent**

7.29 With reference to consultation responses. Through discussions with the Health and Safety Executive (HSE) regarding the above it has been highlighted that the site is within the consultation zone for a Hazardous Substances Consent (HSC) for the storage of chlorine at the nearby waterworks. A HSC was granted to the North Surrey Water Company, this company is no longer in existence. Affinity Water now run/ own the waterworks. They have confirmed that they have not stored chlorine on any of their sites for over 15 years. Separate to this the Local Planning Authority are currently seeking to revoke the HSC under sections 14(2) of The Planning (Hazardous Substances) Act 1990 which enables this where the substance has not been stored on the site for at least 5 years. Once this HSC has been revoked the in principle objection form the HSE will fall away.

## **8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 8.1 In line with the Council's Charging Schedule the proposed development would be CIL liable- the rate for such a development in our adopted charging schedule is however £0.
- 8.2 As set out above a legal agreement will also need to be submitted to secure the monitoring fee for the Travel Plan and works to nearby bus stops.

## **9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS**

- 9.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposed a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 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.

It is considered that the decision would have regard to this duty.

## 10. CONCLUSIONS

- 10.1 The proposal would replace an existing office building and develop land which is currently vacant. The site is within a Strategic Employment Area and would continue to provide employment use in the area. Policy IE3 refers to catering for modern business needs. The office building to be demolished has been vacant for the last three years and the wider parcel vacant and subsequently demolished with the units vacant since 2007. The proposal would assist in providing updated employment floorspace in an existing employment park. The proposal would retain boundary screening to the west of the site with additional planting to the south with green walls to reduce prominence to adjacent neighbouring properties. With the height of the proposal being less than the approved and extant scheme and existing buildings on the site. County Highways, National Highways and the Council's Environmental Health Officer raise no objection to the application and the additional landscaping would improve biodiversity at the site. The development would enhance the character of the area, would maintain the residential amenities of the occupiers of adjacent neighbouring properties. All other technical matters can be secured and controlled by condition.
- 10.2 The development has been assessed against the relevant policies in the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

### ***Recommendation Part A:***

***The CHDMBC be authorised to grant planning permission subject to the Environment Agency and HSE withdrawing their objection to the development and the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations and the following conditions:***

- 1) Travel Plan monitoring fee of £6150
- 2) To secure through a S278 agreement with the Local Highways Authority measures to improve the Hawthorne Road Bus Stops on the Causeway (eastbound and west bound). The works shall include the following

- The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure
- level access onto / off buses for those with mobility issues,
- Clearways with a 23m bus cage to protect the bus stop,
- New large bus shelters,
- RTPI displays to be installed within both bus shelters,

***And the subject to the following planning conditions:***

**Recommended conditions**

1. Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2. List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans and documents: List of submitted drawings dated: 001, 002,003, 010, 011, 012, 013, 014, 015, 016, 017, 018, 030, 031, 022 Rev B, 021 Rev B, 020 Rev A received 18 October 2022

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF

3. External materials (as approved plans)

The development hereby permitted shall be constructed entirely of the materials, details of which are shown on plan No's 013, 014 and 015 and Design and Access Statement September 2022

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF

4. Lighting

External lighting at the site shall be installed prior to first occupation and retained in accordance with the submitted External Lighting Proposal Issue 1 Planning and shall thereafter be retained.

Reason: To protect the amenities of the occupiers of nearby properties and to protect wildlife and to comply with Policies EE2 and EE9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

5. Acoustic measures

The acoustic measures identified within the Noise Impact Assessment PJB9353/18416/V1.0 and with the position of the acoustic barriers in Plan 003, shall be implemented prior to first occupation and shall thereafter be retained.

Reason: To protect the amenities of the occupiers of nearby properties and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

6. Biodiversity

The development hereby approved shall not be occupied until the biodiversity enhancement measures proposed as set out in the Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment, plans 002 Rev B, 021 Rev B and 020 Rev A.

Reason: To protect the habitat of bats, any invertebrates, badgers, the flora, fauna and ecological value of the site and to comply with Policies EE9 and SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

7. Dust suppression and air quality

Prior to commencement of development (including demolition) details of a dust suppression scheme shall be submitted to and approved in writing by the Local Planning Authority with such details operational throughout the construction period of the development.

Reason: To minimise the potential dust soiling effects on the occupiers and users of the adjacent neighbouring properties and to comply with Policy EE2 of the Runnymede 2030 Local Plan

8. Construction Transport Management Plan

Prior to the commencement of the development (including demolition), 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,
- (g) Vehicle routing,
- (h) Measures to prevent the deposit of materials on the highway,
- (i) Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused,
- (j) On-site turning for construction vehicles,

Shall be 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: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

9. Construction Environment Management Plan

Prior to the commencement of the development (including demolition), a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP Plan shall include, but not be limited to:

- a) Construction Traffic Management Plan (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday/Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);
- b) an estimate of the daily movement of the construction traffic;
- c) the hours of construction work and deliveries;
- d) area(s) for the parking of vehicles of site operatives and visitors;
- e) area(s) for the storage of plant and materials used in constructing the development;
- f) details of waste management arrangements;
- g) consideration of emissions to air, water and land. Including noise and vibration, dust, general discharges and appropriate mitigation strategies;
- h) the storage of materials and construction waste, including waste recycling where possible;
- i) Risk Assessments and Method Statements for the works; and
- j) contact details of personnel responsible for the construction works.

The CEMP shall thereafter be implemented in accordance with the approved details.

Reason: To mitigate any adverse impact from the development on the M25, the A30 and M25 Junction 13, to ensure that the M25, the A30 and M25 Junction 25 continue to be effective parts of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance within the NPPF.

10. Land Affected by Potential Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (i) to (iv) or otherwise agreed remedial measures have been complied with. If unexpected contamination is found after development has

begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until Condition (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

No development must take place (including demolition) until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and shall assess any contamination on the site whether or not it originates on the site. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination.
- (b) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - ground waters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments

(ii) Submission of Remediation Scheme

If found to be required no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal and remedial options, proposal of the preferred option(s), a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme

If found to be required, the remediation scheme shall be implemented in accordance with the approved timetable of works. Upon completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to the local planning authority.

(iv) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing



immediately to the local planning authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of Condition (i) or otherwise agreed and where remediation is necessary, a remediation scheme, together with a timetable for its implementation must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition (ii) in the form of a Remediation Strategy which follows the .gov.uk LCRM approach. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation (verification) plan and report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition (iii)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF.

#### 11. SuDS

Prior to commencement of development (excluding demolition) details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The confirmation of groundwater levels across the site taken during the seasonal high for groundwater.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% 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. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off
- 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- 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.

12. Landscaping

Notwithstanding the approved plans or any indication given otherwise, prior to any works above ground level full details of hard and soft landscaping scheme (including full details of acoustic boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority.

This shall include a 'schedule of undertaking' the proposed works and samples of all hard surfacing, as well as a plan for the long terms management of the landscaped areas.

All approved landscaping details shall be undertaken and completed in accordance with the approved 'schedule of undertaking.'

All approved landscaping works shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written permission to any variation.

Reason: To ensure the development is adequately landscaped and to comply with Policy EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

13. Verification Report

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 attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

14. Landscape and Ecological Management Plan

Prior to first occupation of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should be based on the proposed impact, avoidance, mitigation and enhancement measures specified in the above Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment, and plans 002 Rev B, 021 Rev B and 020 Rev A and should include but not be limited to the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: In the interest of protecting potential ecological value and species in the site as required by policy EE9 of the Local Plan.

15. Parking layout

The development hereby approved shall not be first occupied or first opened for trading unless and until space has been laid out within the sites in accordance with the approved plan for vehicles and cycles to be parked and for the loading and unloading of number vehicles and for vehicles to turn so that they may enter and leave the sites in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes. All cycle parking should be covered secure and lit.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

16. Travel Plan

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, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Framework Travel Plan, dated February 2019' document.

And then the approved Travel Plan shall be implemented on occupation, and for each and every subsequent occupation of the development, thereafter, maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to

comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

17. EV charging points

The development hereby approved shall not be occupied unless and until 20% of available spaces have been provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and a further 20% have been provided with a power supply to provide an additional fast charge socket and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and to promote sustainable transport and to comply with Policies SD3, SD4, SD5 and SD7 of the Runnymede 2030 Local Plan and policy within the NPPF.

18. Tree Protection

Prior to the commencement of any development including before any equipment, machinery or materials relevant to commencement of development, including demolition, the tree protection details as specified in the submitted Arboricultural Impact Assessment and tree protection plans shall be installed. These protective measures shall remain in place until all the works are complete and machinery have left the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, not tipping, refuelling, disposal of solvents, or cement mixing carried out and ground levels within those areas not be altered, nor shall any excavation or vehicular access other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To protect the trees to be retained and to protect the appearance of the surrounding area and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Informatives:

1) Summary of Reasons to Grant Consent

The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

2) Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

3) Advertisement Control

The applicant is advised that advertisement consent may be required for any new signs on the property.

4) Hours of Construction Works

The applicant is advised that the council has established the following guideline hours for noisy works:

8am to 6pm Monday to Friday; and

8am to 1pm on Saturday.

There should be no noisy work on Sundays or Public Holidays.

Further information is available from the Council's Environmental Health Department.

- 5) 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 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 6) There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/workingnear-our-pipes>
- 7) 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.
- 8) 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. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

- 9) The applicant is expected to ensure the safe operation of all construction traffic in order 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. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
- 10) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>. 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](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
- 11) 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.
- 12) Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/assetprotection-and-optimisation/> ). This website also provides more information about our Asset Protection team and the services they offer.

- 13) Where applicable, the applicant must also follow the attached Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

**Recommendation Part B:**

The CHDMBC be authorised to refuse planning permission should the S106 not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the CHDMBC.