

COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.22/1894
LOCATION	8A Crabtree Road, Thorpe Industrial Estate, Egham, Surrey, TW20 8RN
PROPOSAL	Industrial redevelopment to replace and extend existing warehouse (following demolition) for B8 use (storage and distribution) with ancillary office accommodation, parking, bin and cycle store, landscaping, gates and fencing along with the retention and regularisation (for use Class E) and making good of the existing office to the front of the site.
TYPE	Full Planning Permission
EXPIRY DATE	01/2/2024
WARD	Thorpe
CASE OFFICER	Ruth Menezes
REASON FOR COMMITTEE DETERMINATION	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

It is recommended the Planning Committee authorises the HoP:

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| 1. | The HoP be authorised to grant planning permission subject to the development and completion of a section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) and conditions as recommended within section 11 of this report. |
| 2. | The HoP be authorised to refuse planning permission should the s106 not progress to his satisfaction or is any significant material consideration arises prior to the issuing of the decision notice that in the opinion of the HoP would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the HoP. |

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 1.1 The application site is located within the Thorpe Industrial Estate and is located to the south of Crabtree Road, the main vehicle access in and out of the estate. The site occupies approx 0.57ha and is largely rectangular in shape, with a private service road running along

the east boundary and providing vehicle access to the site. To the front of the site is a two-storey office building with rear warehouse building attached which is part open to the rear with open hard standing beyond. To the very rear is a small, wooded area with planting up to the far rear boundary which forms the boundary with Green Road.

- 1.2 Currently separate businesses utilise the site with offices and separate parking to the front and a part open warehouse to the rear with hard standing beyond in B8 use (storage and distribution). An internal wall between the offices and warehouse area, divides the site. Existing site operations fall within employment use.
- 1.3 Neighbouring buildings comprise 'Maranello Classic Parts' on the east side of the existing service road. This business is formed of a brick building is to the front with large metal warehouse behind. To the west is a complex of smaller units known as 'Egham Business Park' these comprise two storey brick-built buildings with metal roof of an industrial nature. The wider Thorpe Industrial estate has a range of industrial/office style buildings ranging from single to three storeys in height. To the far south of the site outside the Industrial estate boundary, runs Green Road, two residential properties sit some 30m from the application site itself.
- 1.4 The site is a designated strategic employment area within the urban area and flood zone 2.

3. APPLICATION DETAILS

- 3.1 According to the submitted plans the applicant seeks permission to demolish the rear half of the existing building and retain and make good the existing smaller brick-built building to the front of the site. The existing office use would be retained, the proposed floor area comprising approx. 1,700 sqm. A small increase in footprint of some 100 sqm is proposed due to the 'making good' of the rear wall which is increased in depth (thickness), the actual usable office space remains the same as existing. Separate parking for this building would be to the rear of the retained building along with a cycle shelter area.
- 3.2 Further to the rear of this a separate warehouse building would be erected to operate within B8 use (storage and distribution). The existing warehouse would be removed (currently comprising some 1610 sqm of floor space). Within the new warehouse would be a mezzanine level to the front for ancillary offices. The ground floor would comprise some 3300sqm with 600sqm of mezzanine space at first floor. The height of this building would be some 13.2m within dual pitched roof and an eaves height of 11.5m.
- 3.3 Further to the rear of the proposed warehouse building would be a service yard and parking area along with bin store. A plant building is proposed to the side elevation close to the service road and parking entrance with the front office. Additional landscaping is proposed to the rear in the existing woodland buffer strip as well as additional landscaping to the side (along the existing private service road) and front of the site.
- 3.4 Boundary treatment would comprise acoustic fencing to the far rear of the site with new metal fencing and access gating to replace the existing to the east (along the existing private service road) and metal fencing to the west of the site.
- 3.5 According to the applicant the end user for the site is as yet, unknown therefore the applicant is seeking a B8 use overall that could operate on a 24/7 basis for the rear of the site. The existing offices to the front of the site would continue to operate as existing, the applicant is seeking regularisation for a continued Class E use.

4. RELEVANT PLANNING HISTORY

4.1 The following history is considered either recent or relevant to this application:

Reference	Details
RU.02/1079	Erection of extractor fan along the front elevation of the building Grant 12/11/2002
RU.00/0610	Installation of ventilation and cooling system Grant 21/06/2000
RU.97/0084, RU.98/0334, RU.97/0519, RU.97/0071	Various discharge of conditions applications relating to RU.96/0255 as outlined below.
RU.96/0255	Part demolition of existing warehouse unit and provision of Class B2 (general industrial) unit using existing warehouse with extensions and new Class B8 (storage or distribution) use unit. (Revised plans received 13.5.96. Grant 12/6/23
Further applications relating to the sites industrial use extend back to the 1970's	

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 might 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)

6. CONSULTATIONS CARRIED OUT

Consultees responses

Consultee	Comments
Environment Agency	Provide guidance for flood risk, groundwater protection, pollution preventions and foul drainage/wastewater. The Council has consulted the EA twice with regards to this application (the second consultation related to additional flood storage information submitted by the applicant). The initial response from the EA referred the Council to their standing advice. At the time of writing, no

	response has been received by the EA regarding the additional information received.
Natural England	Do not object to the proposal and considers the proposal would not have significant effects on nearby European Sites (South West London Waterbodies SPA) or SSSI (Thorpe Hay Meadow and Thorpe Park No 1 Gravel Pits).
National Highways	Initial response requested further information in relation to trip distribution in relation to the Strategic Road Network (SRN) particularly in relation to J11 and J13 of the M25. The applicant subsequently submitted a Transport Statement Addendum. National Highways raise no further objection.
Lead Local Flood Authority	Following the submission of additional details the LLFA do not object to the proposed scheme but do recommend conditions in relation to Sustainable Urban Drainage (SuDs)
SCC Highways	Do not object to the proposal providing conditions are secured in relation to Electrical Vehicle charging, details to be provided for secure cycle storage, and parking layout to be secured.
SCC Archaeology	No objection and no additional requirements given the site is on previously developed land.
SCC Minerals and Waste	Does not object providing conditions relating to permitted development and waste facilities (during and post construction).
RBC Contaminated Land Officer	Initial objections due to insufficient information and further testing requested. The applicant provided the requested monitoring, consequently the officer recommends conditions to ensure any land contamination matters are adequately addressed.
RBC Tree Officer	No objection subject to conditions being secured for a landscaped plan and scheduled of planting.
RBC Drainage Engineer	Initially objected due to insufficient/unclear information in relation to SuDs but following the submission of further information no further comments arise. RBC Drainage engineer notes that the LLFA is the lead on the application.
RBC Planning Policy	Does not object to the proposal and considers the application accords to IE2, IE3 and SD8.
RBC Environmental Health	Concerns raised regarding the hours of operation and nearest neighbours particularly as the end user is unknown. However, it is recommended that suitable conditions can overcome these concerns. Therefore, a condition to provide an acoustic fence to the rear of the site will be included along with an Operational Noise Management Plan (OPMP). The OPMP will be secured by a legal agreement to allow for continued management and monitoring.
RBC Deputy Direct Services Manager	No comments received.
Surrey Wildlife	Does not object providing an Ecological Enhancement Plan condition is

Trust	secured.
Thames Water	Do not object in relation to wastewater or sewage treatment.

Representations and comments from interested parties.

- 6.2 46 Neighbouring properties were consulted (to include immediate neighbours and neighbours within the closest residential properties along Green Lane) in addition to being advertised on the Council's website and no letters of representation have been received.

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 key planning matters are considered to be:

- Principle of development
- Flood Risk
 - *Sequential Test*
 - *Other matters including SuDs*
- Design Matters
 - Highways Consideration
- Neighbouring Amenities
 - *Lighting and noise*
- Renewable Energy
- Ecology & Biodiversity
- Archaeology
- Contaminated Land
- Air Quality and Waste Management
- Economic benefits

7.2 Principle of development and presumption in favour of sustainable development

Paragraph 2 of the NPPF (2021) highlights that the National Planning Policy Framework is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

- 7.3 Paragraphs 11 of the NPPF (2021) deals with the "presumption in favour of sustainable development" and sets out that:

"For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the*

benefits, when assessed against the policies in this Framework taken as a whole.”

- 7.4 Paragraph 81 of the NPPF (2021) sets out that decisions should help create the conditions in which businesses can invest, expand and adapt. The NPPF also states that 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.
- 7.5 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 SEA4: Thorpe Industrial Estate. In accordance with policy IE2, the refurbishment and redevelopment of such sites, and proposals for the intensification of sites for employment use will be permitted subject to compliance with the relevant Development Plan policies.
- 7.6 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.
- 7.7 The proposal is for the redevelopment of the site to provide a total of 3900sqm of employment floor space to the rear within a new warehouse. This falls under a B8 use (storage and distribution) use, with ancillary office accommodation within the mezzanine on the first floor (approx. 600sqm of the total 3900sqm). The proposal also seeks the retention and regularisation of a Class E use for the existing office to the front of the site.
- 7.8 In terms of the principle of the proposed development, the proposed development results in an increase of 2300 sqm of floor space and the Council's policies seek to support proposals such as this which aim to intensify employment generating uses. It is widely recognised that since the covid pandemic businesses operate differently there being a greater market for delivery services which require the use of large warehouse and storage and distribution centres.
- 7.9 The applicant seeks part retention of the existing offices for Class E use. Whilst not identified within the application description, it is clear from the supporting information submitted for RU.96/0255 that ancillary B1 offices existed at the site. B1 uses have been superseded and now fall under Class E (Commercial businesses and Services) of the Town and Country Planning (Use Classes) Order 1987 (as amended). In their consultation response, Surrey County Council Minerals and Waste team raise concerns that the broad category of uses within Class E could prejudice other industrial, commercial or waste uses and therefore request a restrictive condition to ensure only suitable uses are able to use the site. It is accepted that Class E covers a broad category of uses, however offices are an accepted use within a designated Strategic Employment Area. Nevertheless, given the broad category of uses within Class E a restrictive use condition will be included to ensure that an appropriate use is maintained within the building and the Strategic Employment Area or other industrial, commercial or waste uses are not compromised.
- 7.10 As such the principle of the development accords with the Development Plan policies and is appropriate development subject to wider considerations set out below.
- 7.11 **Flood Risk**
- 7.12 The site is in flood zone 2 and due to its size, is considered a 'major' application. Major applications require Flood Risk Assessments (FRA) to be produced to accompany any forthcoming planning application. The NPPF (2021), as well as policy EE13 of the Local

Plan sets out how to consider the principle of such development in the flood zone.

7.13 Policy EE13: Managing Flood Risk identifies that development must not materially impede the flow of floodwater, reduce the capacity for the flood plain to store water or cause new or exacerbate existing flood problems. In addition, the NPPF (2021) requires that development should only be allowed in areas at risk of flooding where; the most vulnerable development is located in areas of lowest flood risk within the site; is appropriately flood resistant and resilient; incorporates sustainable drainage systems, any residual risk can be safely managed, and safe access and escape routes are included where appropriate.

7.14 A Flood Risk Assessment (FRA) has been submitted to accompany the planning application, along with a Sequential Test as required by policy. As set out in the National Planning Guidance which supports the NPPF (2021) the Exception Test is not required.

7.15 *Sequential Test*

7.16 The Sequential Test (ST), ensures that a proposal is located in the most suitable site (with regards to flooding matters). The ST looked at site's borough wide of a suitable, comparable size and within land designated as strategic employment area. A total of seven borough wide sites were identified and assessed. Out of the seven sites, five were discounted as being within equal or higher flood risk category. A further site was discounted due to its location within the greenbelt. The final site at Longcross Park was discounted due to there being no land purchase opportunities and that an extant permission exists. The applicant has therefore demonstrated that none of these sites are suitable sites for the development proposed under this application. As such the application site is considered the only suitable site for the development.

7.17 *Further flooding matters and Sustainable Urban Drainage Systems*

Further information has been provided from Furness Consulting Engineers regarding the need for flood compensation and whether the proposal would increase flooding elsewhere. Furness Consulting state that as the site is largely situated within flood zone 2 (small area to the north in flood zone 1) and that no part of the site forms a floodplain or is at risk of flooding from any other flood source that site modelling for flood compensation is not necessary. Mapping for surface water, has been sought by the applicant and provided by the EA for the application site, which shows low risk when considering surface water flooding. Additionally, as site levels remain the same across the site, hard standing amounts and type remains unchanged, overland flow routes remain unchanged; Furness Consulting believes the proposed development does not create any additional risk of flooding elsewhere. In the absence of information from the Environment Agency the information provided appears to demonstrate that the proposal is located in the most sequentially preferred site, that storage capacity remains unchanged, and the proposal does not increase the risk of increasing flooding elsewhere.

7.18 The proposal includes Sustainable Urban Drainage Systems (SUDS) which is considered a benefit of the scheme. The FRA provides details of this provision. An attenuation tank is proposed which will discharge into the existing ditch that runs along Green Lane. Initial concerns raised by the LLFA and RBC Drainage have been overcome. The LLFA have provided conditions in relation to SuDs that would satisfy the SuDs Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs advice within the NPPF and the Ministerial Statement on SuDs. With the inclusion of these conditions the proposal would comply with EE13.

7.19 **Design Matters**

- 7.20 The NPPF (2021) sets out that there is a clear focus that proposed developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. The NPPF (2021) sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with an emphasis that development should function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.21 Policy EE1 sets out that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land. In particular development proposals will be supported where they:
- Create attractive and resilient places which make a positive contribution to the Borough's townscape, public realm and/or landscape setting.
 - Create developments which promote social interaction and design out crime
 - Contribute to and enhance the quality of the public realm/ and/or landscape setting through high quality and inclusive hard and soft landscaping schemes.
- 7.22 The application site is located in a commercial/industrial area with a variety of building types, with a range of single storey to three storey buildings. There are a number of significant buildings on the site and the applicant has provided a massing study within the Design and Access Statement which state that the surrounding property heights range from 4.8m to 13.3m. The larger buildings being industrial in appearance, the smaller buildings appearing either industrial or office like in their design. The majority of the roof treatments are either flat roofed or gable ended.
- 7.23 The existing office fronting Crabtree Road will remain as existing. Whilst the 'cut-off' design may appear unusual it would only be visible upon entering the private service road to the side of the application site. This building will sit against the backdrop of the larger warehouse building to the rear.
- 7.24 The proposed new building seeks a roof height of 13.2m. This would be more visible than the existing building and is a substantially larger building overall. The roof would be dual pitched. This roof treatment reduces the overall mass and bulk of the scheme and 'breaks – up' the overall scale. It is clear from the street scene views provided within the Design and Access Statement that whilst the building would be increased in height and scale, the key views taken from within the industrial site would be limited given the backdrop of neighbouring buildings and other large buildings/warehouses within the estate. The view from Green Road has not been included but given the setback position of the warehouse within the site and the existing screen of vegetation forming the rear boundary along with the wider sites industrial backdrop, the overall increase in height and mass would not give rise to undue harms in light of design matters overall. Materials are grey in colour with a metal appearance which is common given the industrial characteristics of the surrounding area.
- 7.25 The application also seeks smaller structures such as a plant building, bin store and cycle store. No details of the finished design have been provided; however the location of these elements is considered suitable. Subject to a condition securing the design and materials for these smaller structures, these elements of the proposal are considered acceptable.
- 7.26 Landscaping is proposed to the front of the site which will help to soften the appearance overall. Additional landscaping is proposed to the eastern side of the site to include trees

and grassing to soften the edges of the site and improve connectivity for biodiversity. A condition will be imposed to secure the additional landscaping to ensure these benefits are met. The woodland to the rear is to be retained. It is considered that the proposed building and retained existing building would not materially harm the character of the area, nor would they unduly impact on the visual amenities of the existing street scene. With regards to design matters the proposal is considered to accord to this element of EE1.

7.27 Highways Considerations

7.28 Highway Design Considerations as stated in Policy SD4 considers that the Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of the needs of all highway users for safe access, egress and servicing arrangements. The NPPF (2021) is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.29 The applicant seeks Class B8 use for storage and distribution to the rear warehouse with ancillary office accommodation. There is no end user known and the applicant seeks 24/7 hours of operations. This means that full consideration of matters dealing with highway safety, capacity and parking are considered from the onset given the wide range of uses considered to be within B8 use.

7.30 The applicant seeks to retain the existing parking to the front of the site for the existing office which consists of 24 spaces with 2 disabled bays. The extended warehouse site will have 34 parking spaces and 5 disabled bays. Out of these 34 bays, 7 will be electrical vehicle charged (EV bays). Additionally, there is a securely covered cycle store proposed for 8 bikes which is situated in between the existing office and new warehouse. A further 12 cycle bays will be provided for the existing office within the same cycle store. The cycle and parking provisions accords to the Surrey County Council Vehicular, Cycle and Electrical Vehicle Parking Guidance for New Development (Nov 2021).

7.31 The National Highways Authority requested additional Transport data to consider the strategic road network particularly in relation to the M25 and J11 and J12 and given that no end user is known. The applicant provided this data in a Traffic Assessment Addendum which concluded that the traffic distribution for both junctions would be insignificant and would have no impact on the functionality of the junctions. That the trips would not significantly impact the operational capacity of the M25, J13 or J11. Consequently, the National Highways Authority have advised that they do not object to the proposal, that the development would not materially affect the safety, reliability and/or operation of the strategic road network.

7.32 Surrey County Council Highways (SCCH) have also provided comments. SCCH state that as the road is a private road, it falls out of their jurisdiction. However, that the wider impact of the proposed development has been considered and that the proposed development would not have a material impact on the safety and operation of the adjoining public highway. Given the Government drive to promote sustainable transport and reduce carbon emissions, conditions are recommended to include Electric Vehicle charging, provision of a secure cycle parking and facilities for those cycling to work and the laying out of parking spaces. With the inclusion of these conditions the proposal is considered to accord to policy SD4 and SD3.

7.33 Neighbouring Amenities

7.34 The nearest neighbours to the site are the Maranello Unit to the north-east on the opposite side of the service road serving the application site. To the south-west the Egham

business Village, a range of small units sits. Both these units are uses associated with Industrial site uses and both benefit from their own parking and separate site accesses. The proposal considered under this application would not harm the amenities of either of these neighbouring businesses.

- 7.35 The nearest residential neighbours are two dwellings located to the rear (south) of Thorpe Industrial Park along Green Lane. These properties are located in excess of 36m from the site and over 60m from the rear building line of the new proposed warehouse. The retention of the existing office for Class E use would not cause harm to these neighbours. Given the separation distance of the new warehouse from the residential properties, there would be no overbearing or loss of privacy as a result of the proposal.
- 7.36 In considering noise matters, the existing lawful use is as identified within the planning history under RU.96/0255 (B2 (General Industry) with ancillary offices (former B1 use) and Class B8 (Storage and Distribution). Planning history shows that to the rear of this site a compactor to process waste was present accordingly there was a specific noise condition relating to the operation hours of this compactor to restrict hours of working in relation to preserving neighbouring residential amenities.
- 7.37 The proposal sought remains as B8 use (with the retention of the Class E offices, formally under B1 use) for storage and distribution. The hours of use are requested to be 24 hours over 7 days a week as an end user is unknown. This allows for greater flexibility of use. It is also noted that, Thorpe Industrial Estate is a designated employment area which caters for this type of business need.
- 7.38 Notwithstanding the above, the Councils Environmental Health Officer has reviewed the Noise Impact Assessment Report (NIAR) which concludes that the proposed warehouse general operations (located to the central/rear of the site) would be expected to have some probability of adverse impact to residents during the nighttime. The NIAR considers there could be only 1 HGV per 15 mins using the rear warehouse area. However, the EHO officer raises the concerns that as the end user is not known the actual HGV trip frequency has not been established. Consequently, the EHO considers that given the 24/7 proposed operational hours, any noise impact must be properly mitigated via an Operational Noise Management Plan (ONMP). An ONMP can allow ongoing monitoring and control over noise impacts. As such conditions securing the retention of the rear woodland buffer, proposed rear acoustic fence and a legal agreement to secure the ONMP are considered necessary. The applicant has agreed the heads of terms for this legal agreement, these include noise control measures for future users of the site and are considered necessary and acceptable to mitigate any noise nuisance experienced particularly given the proposed 24/7 operations. This is also considered necessary given the unknown end use for the rear warehouse is closest to the nearest residential neighbours.
- 7.39 In addition, the applicant has provided a light assessment which the Environmental Health Officer has reviewed and agrees with the conclusion of the report which considered that light spillage would be minimal. Therefore, the lighting design would have little or detrimental effect on the existing residents.
- 7.40 There would be no harms arising in terms of neighbouring amenity (immediate neighbours within the industrial park and residential neighbours along Green Road) in establishing the continued use of the existing Office to the front of the site as a Class E use.
- 7.41 With the inclusion of these conditions the proposal is considered to comply with policy EE1 and the relevant noise section in relation to policy EE2.

7.42 Renewable Energy

- 7.43 Policy SD8: Renewable and Low Carbon Energy sets out that new development will be expected to demonstrate how the proposal follows the energy hierarchy (Be lean; use less energy, Be clean; supply energy efficiently and Be green; use renewable energy). For a scheme of this scale, it is also expected for the development to incorporate measures to supply a minimum of 10% of the development's energy needs from renewable and/or low carbon technologies.
- 7.44 The applicant has provided a Sustainability Statement. Which concludes that the proposed development will achieve 61.3% regulated CO2 reduction and 41.3% of the developments total energy needs via a renewable source (photovoltaic system). In conclusion with the provision of these measures (which can be secured by condition), the proposed energy and sustainability measures are acceptable in order to achieve the requirements of Policies SD7 and SD8.

7.45 Ecology and Biodiversity

- 7.46 Paragraph 174 of the National Planning Policy Framework states that planning decisions should minimise impacts on and provide net gains for biodiversity and paragraph 180 sets out that opportunities to improve biodiversity in and around developments should be integrated as part of their design.
- 7.47 Policy SD7 of the Runnymede 2030 Local Plan sets out that development proposal will be supported where they protect existing biodiversity and include opportunities to achieve net gain in biodiversity. Policy EE9 of the Runnymede 2030 Local Plan also sets out that the Council will seek net gains in biodiversity, through the creation/expansion, restoration, enhancement, and management of habitats and species.
- 7.48 The site is largely covered by hard landscaping. However, to the rear is a small buffer strip of woodland which backs onto Green Lane. To the west site boundary is vegetation along with limited ornamental planting in patches along the east boundary. Whilst protected habitats and species are present locally and in the wider area, the site itself is considered to be of low ecological value with no protected species or habitats present. Natural England have been consulted and raise no objection to the proposal.
- 7.49 In line with policy requirements, the applicants have provided a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment. The recommendations of the Ecological survey provided include protection and enhancement of the strip of woodland, inclusion of a biodiverse roof, landscaping that encourages bats, inclusion of bird and bat boxes and a new hedge with planted with nectar rich native species. Surrey Wildlife Trust consider that with the inclusion of these enhancements (which should be secured through a condition to provide an Ecological Enhancement Plan) this document would provide the full detail and proposed management for the biodiversity net gain. With the inclusion of this condition the proposal is considered to accord to EE9.

7.50 Archaeology

- 7.51 Given that the application site is over 0.4ha an archaeological assessment and evaluation is required under policy EE7 of the Local Plan. A desk-based assessment prepared by RPS has been submitted in support of this planning application that contains a review of information currently held in the Surrey Historic Environment Record (HER) together with other relevant sources in order to determine the potential for significant archaeological remains to be present.

7.52 It is clear from the report that the site had been quarried in the early to mid 20th century. Consequently, this would have removed the potential for archaeology. Surrey County Councils Archaeological Officer has reviewed the application and relevant information and has concluded that for the above reasons no further archaeological works is required. The proposal is considered to accord to policy EE7.

7.53 **Contaminated Land**

The site has a former use as a landfill site, which was capped. The Phase 1 Environmental Assessment classified the risk from contamination on site as moderate and moderate to high risk of ground gas emissions. During the course of the application, at the request of the RBC Contaminated Land Officer, further monitoring of the site was undertaken, and details submitted. The Council's Contaminated Land Officer has reviewed the report. The report identifies some ground contamination matters and states that gas protective measures are required inside 'new structures', and these should be independently verified once installed, continued monitoring is also recommended. Conditions have been recommended to secure this. With the addition of these conditions the proposal is considered acceptable with regards to the Land contamination element of EE2.

7.54 **Air Quality & Waste Management**

7.55 The proposed development site is not located within an Air Quality Management Area (AQMA); however, it is located within 580m of the M25 (AQMA). Accordingly, an Air Quality impact assessment which covers both the construction phase and operational impacts of the development has been provided. This concludes that during the construction phase through good practice and the implementation of suitable mitigation measures any impacts are likely to be negligible. The Councils Environmental Health Team have reviewed this information and has recommended a condition be secured to ensure the mitigation measures are carried out.

7.56 With regards to operational impacts, the report reviews traffic impacts and that the baseline air quality is likely to be below the relevant air quality objectives. Overall, with the inclusion of the condition to ensure mitigation measures are carried out during the construction phase, it is considered that the effects on air quality as a result of the proposed development are negligible.

7.57 Waste matters have been identified within the response from Surrey County Council Minerals and Waste Team. The applicant has submitted a Construction Transport Management Plan which identifies within section 7.19 that the waste hierarchy of eliminate, reduce, reuse, recycle, recover and dispose will be adopted. Consequently, a condition will be secured to ensure the applicant adheres to the methodology proposed within the CTMP. With the inclusion of this condition it is considered that the proposal satisfies waste matters and adheres to policy EE2.

7.58 **Economic benefits**

The proposed development is for employment generating uses on land that is designated as a strategic employment area. As such the principle of the development is acceptable. Additional economic benefits are likely to be realized through the development of this site.

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

- 8.1 In line with the Councils Charging Schedule the proposed development would be CIL Liabile. However, the rate for such a development in our adopted charging schedule is £0.
- 8.2 As set out above a legal agreement will also need to be submitted in order to ensure the scheme is acceptable in relation to noise. The applicant has agreed the draft heads of terms for the Operation Noise Management Plan:

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.
- 9.2 Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes 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 AND PLANNING BALANCE

- 10.1 The principle of the development is considered to be acceptable. The proposal seeks refurbishment and redevelopment of a plot within a designated strategic employment area. This proposal will provide economic benefits being of an employment generating use. This is a key benefit of the scheme. Following the submission of additional information, no objections from consultees have been received. The development would not be detrimental to the character of the area and would maintain the residential amenities of neighbouring properties and businesses. The proposal introduces some landscape enhancements which is of benefit to the scheme. All other technical matters can be dealt with 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

The HoP be authorised to grant planning permission subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:

Prior to the occupation of the new warehouse to the rear of the site an Operational and Delivery Service Management Plan to be submitted to deal with the following:

- Provide x1 notice board in a publicly accessible location displaying any information on the site deemed appropriate to its operation including a point of contact for local residents for any issues which may arise.
- Continue to monitor and provide 6 monthly reporting on noise levels to the Local Planning Authority for the first 5 years from when the site is at least 50% occupied, or 3 years from being 100% occupied, whichever is longer. Where noise impact exceeds those within the submitted Noise Report provide details of mitigation measures proposed to reduce noise levels and additional monitoring as required
- Demonstrate that goods and services can be achieved, and waste removed, in a safe, efficient way at operational stage.
- Identify deliveries that could be reduced, re-timed or even consolidated, particularly during busy periods.
- Improve the reliability of deliveries to the site.
- Reduce the noise impact of freight activity on local residents and the environment.

And the subject to the following planning 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;

- P_0200 01
- P_0210 01
- P_0300 01
- P_0600 01
- P_0601 00
- P_0602 00
- P_0700 00
- P_0701 00
- P_0710 00
- P_0711 00

- P_0800 00
- P_0302 02
- P_2000 02
- P_2001 01
- P_2002 01
- P_2100 00
- P_2101 01
- P_2120 01
- P_2110 01
- P_2111 01
- P_2200 01

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

- 3 The development hereby permitted shall be constructed entirely of the materials as stated in the submitted Design and Access Statement unless otherwise agreed in writing by this local planning authority.

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

- 4 Dust from site (method statement)

The development shall be carried out in strict accordance with all measures set out in Appendix C (Construction Mitigation Measures, at pages 26-28) of the Air Quality Assessment, in order to reduce the impact of emissions during the demolition and construction phase of the proposed development. The development shall be carried out fully in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the environmental quality of the area and of people living and working in the area and to comply with Policy EE2 of the Runnymede 2030 Local Plan and guidance in the NPPF.

- 5 Landscaping

a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out as recommended within Arborclimb July 2022 and Urban Edge Environmental Consulting report March 23 and details of the measures to be taken to protect existing features during the construction of the development.

b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement

of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6 Tree protection

Prior to the removal of fencing to the rear of the site which protects G1 trees as identified within Arborclimb July 2022 reports, a Tree Protection Plan shall be submitted to the Local Planning Authority for approval and when subsequently approved these tree protective measures shall be installed in accordance with the approved Tree Protection Plan. Once in place, photographic evidence of the protective measures shall be submitted to the Local Planning Authority (LPA) for approval.

The tree works and methodology proposed within Arborclimb July 2022 report shall be carried out in accordance with this report and method statement. Protective measures shall be used to protect the G1 group of trees to the rear of the site. Protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall 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, enhance the appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

7 Biodiversity

The above ground construction of the development hereby approved shall not commence until an Ecological Enhancement Plan with details on how to enhance the retained rear woodland habitat as part of the biodiversity net gain strategy, written by a suitably qualified ecologist has been submitted to and approved in writing by the Local Planning Authority. Such details as to be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

8 Electric vehicle charging points (20% of spaces)

The rear warehouse development hereby approved shall not be occupied unless and until at least 20% of all available parking spaces within the site location plan are provided with a fast-charge Electrical Vehicle charging point. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. In addition, a further 20% of the available spaces shall be provided with a power supply (feeder pillar or equivalent) permitting future connection for electric vehicle charging. The charging points shall be retained for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

9 Parking and turning/retention of parking and turning

Prior to the first occupation of the rear warehouse development space shall be laid out within the site in accordance with the approved plans for the parking of vehicles, for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward. Thereafter the parking, loading and unloading and turning areas shall be retained and maintained for their designated purpose(s).

Reason: 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 Cycle storage

Prior to the first occupation of the rear warehouse development the following facilities shall be provided in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority for:

- a) The secure parking of bicycles for a minimum of 20 cycles within the development site,
- b) Facilities within the development site for cyclist to change into and out of cyclist equipment and shower (s)
- c) Facilities within the development site for cyclists to store cyclist equipment.

and such facilities shall thereafter be retained.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11 Acoustic measures

The acoustic measures identified within section 6.0 of the Noise Impact Assessment Report 25216.NIA.01 -Rev C, and with the position of the acoustic barrier in plan P_0302 02, shall be implemented prior to first occupation of the rear warehouse development and shall thereafter be retained.

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.

12 Renewable energy (as approved)

The development hereby permitted shall be built in accordance with the approved Energy and Sustainability Statement by FHPESS Revision C1 and thereafter retained, maintained and operational for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policies SD7 and SD8 of the Runnymede 2030 Local Plan and guidance within the NPPF.

13 Plant and equipment (as approved)

Prior to the first occupation of the rear warehouse development, *elevation details and* materials to be used for buildings identified within the Key Plan as 2, 11, 30 on plan number P_0302 Rev 02 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: To protect the visual amenities of occupiers of nearby properties and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

14 SuDS (scheme for approval - pre-development)

The development hereby permitted shall not commence (excluding any site clearance, demolition or ground investigation works) until details of the design of a surface water drainage scheme have been 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. 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. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate 2.4l/s.

b. Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, 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.

c. Evidence that the existing on-site drainage is fit for purpose for the areas to be drained as existing.

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 that the design meets the national Non-Statutory Technical Standards for SuDS and that the final drainage design does not increase flood risk on or off site and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

15 SuDS (verification)

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

Reason: To ensure that the drainage system is constructed to the national Non-Statutory Technical Standards for SUDS and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

16 Surface water drainage

The surface water drainage strategy shall be constructed in strict accordance with the details shown within drawing: 0910 Rev P05 by Furness Partnership, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the drainage system is constructed to the national Non-Statutory Technical Standards for SUDS and to comply with Policies SD7, EE12 and EE13 of the Runnymede 2030 Local Plan and guidance within the NPPF.

17 Remediation scheme (implementation)

As detailed within the Ground Contamination Investigation report J23152 gas protection measures shall be implemented prior to occupation of the new, rear warehouse building. Within 3 months of the completion of the chosen gas protection measures and prior to the occupation of this building, a verification report (or validation report) that demonstrates the effectiveness of the gas protection measures must be submitted to the Local Planning Authority in writing for approval.

Reason: To ensure that risks from land contamination to the future users of the 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 Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

18 Encountered 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 the Local

Planning Authority 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 the local planning authority 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 an 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.

Reason: To ensure that risks from land contamination to the future users of the 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 Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

19 Contamination land (watching brief)

During construction works for the extension hereby approved a watching brief shall be maintained at the site for visual or olfactory signs of migrated contamination. In the event that contamination is found at the site during construction, work shall stop immediately, a site investigation shall be carried out by a competent person and a report shall be submitted in writing to the Local Planning Authority for Approval (LPA). No further works shall be undertaken unless otherwise approved in writing by the LPA.

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 Policy EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

20 Restriction on use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modifications) the premises to be retained to the front of the site as identified on plan reference P_2000 Rev 02 and P_2001 Rev 01 shall only be used for office use Eg(i) and for no other purpose (including any other purpose in Class E of the Schedule of the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, without the prior approval in writing of the Local Planning Authority.

Reason: To ensure the retention of the land as a Strategic Employment Area and to comply with Policies IE2 and EE2 of the Runnymede 2030 Local Plan and guidance within the NPPF.

21 Construction Transport Management Plan (CTMP)

The development hereby approved (including demolition) shall be undertaken in accordance with the Construction Transport Management Plan by GTA Civils and

Transport 12135 October 22, or such other document submitted and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details for the construction of the development.

Reason: To achieve sustainable development and protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Draft Local Plan and guidance within 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. SCC Informative - Dirt or Damage on Highway

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).

3. Damage to the highway

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.

4. Highway impact of contractor's vehicles

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) 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. Habitat Trees

Many trees contain wildlife such as bats and nesting birds that are protected by law. The approval given by this notice does not override the protection afforded to these species and their habitats. You must take any necessary steps to ensure that the work you are carrying out will not harm or disturb any protected species or their habitat. If it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please go

to www.naturalengland.gov.uk

6. Nature Conservation Informative - Bats, Badgers etc

The applicant/developer is advised that before undertaking any construction work you should check any buildings or land to ensure that there are no bats, badgers, wild birds or other protected plant and animal species. It is an offence to kill, injure or disturb bats and badgers or intentionally damage, destroy or obstruct their places of shelter. If you find any protected species you should not start any work until you have contacted English Nature and got the appropriate consent.

7. Nature Conservation Informative (Roosting on Site)

The applicant is advised that should bats be found to be roosting on the site, it will be necessary to undertake further works under a DEFRA licence. Bats are protected species.

8. SuDs

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on our website.

9. SuDs

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.

10. SuDs

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

11. Environment Agency

The applicant is advised to contact the Environment Agency on 03708 506 506 to establish if any other consents are required for the works they are proposing.

12. Environment Agency

The applicant is advised to review the email sent by the Environment Agency 5th May 2023 which is available online to view under the planning reference cited on the front page of this report. This letter provides further advice and guidance for the works in relation to Flood Risk, Ground Water Protection, Potential Polluting Activities, Foul Drainage and Other Consents.

13. Thames Water

The applicant is advised to review the email sent by Thames Water 8th February 2023 which is available online to review under the planning reference cited on the front page of this report. This letter provides further advice in relation to Waste Water and Sewage Treatment.

Recommendation Part 2:

The HoP be authorised to refuse planning permission should the s106 not progress to his satisfaction or is any significant material consideration arises prior to the issuing of the decision notice that in the opinion of the HoP would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the HoP.