

12 APRIL 2023 PLANNING COMMITTEE

6b PLAN/2022/0959

WARD: Byfleet And West Byfleet

LOCATION: Unit 2, Canada Road, Byfleet, West Byfleet, Surrey, KT14 7JA

PROPOSAL: Erection of a detached industrial unit with mezzanine floor for Class B8 (Storage and distribution) and associated parking following demolition of existing B2 (General Industry) two storey Industrial unit

APPLICANT: Mr Peter Fromson

OFFICER: Brooke Bournague

REASON FOR REFERRAL TO COMMITTEE

The application is for major development and is therefore outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

Erection of a detached industrial unit with mezzanine floor for Class B8 (Storage and distribution) and associated parking following demolition of existing B2 (General Industry) two storey Industrial unit.

PLANNING STATUS

- Employment Area
- Thames Basin Heaths SPA ZoneB (400m-5km)
- Urban Area
- Adjacent to Green Belt

RECOMMENDATION

That authority be delegated to the Development Manager (or their authorised deputy) to Grant planning permission subject to:

- (i) No letters of representation being received from the current consultation period which expires on 20.04.2023; and
- (ii) Planning conditions set out in this report.

SITE DESCRIPTION

The application site relates to a B2 industrial building with parking along the south west boundary adjacent to the M25. The application site is accessed from Canada Road and located in the Byfleet Industrial Estate surrounded by industrial and commercial buildings.

PLANNING HISTORY

None relevant

CONSULTATIONS

Byfleet, West Byfleet, Pyrford Residents Association: No comments received

Local Lead Flood Authority: No objection subject to conditions

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Runnymede Borough Council: No objection

Contaminated Land Officer: No objection subject to condition

Environmental Health: No objection

National Grid Asset Protection Team: No response received

UK Power Network: No objection

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021)

Woking Core Strategy (2012):

CS1 - A spatial strategy for Woking

CS9 - Flooding and water management

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's Landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (2016):

DM5 - Environmental Pollution

DM6 - Air and Water Quality

DM7 - Noise and Light Pollution

DM8 - Land contamination and hazards

DM13 - Buildings in and Adjacent to the Green Belt

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2022)

Parking Standards (2018)

Climate Change (2013)

PLANNING ISSUES

Principle of development

1. The application site forms part of the Byfleet Industrial Estate and is in a designated employment area. The land is safeguarded for employment use under Policy CS15 of the Woking Core Strategy (2012).
2. The proposal is for the demolition of an existing building and erection of a new industrial building with mezzanine floor that would be in B8 use. The proposal building would retain a B use, but would result in the loss of approximately 618sqm of floorspace due to a reduction in the size of the mezzanine floor. The applicant has advised that the existing building is outdated and reached the end of its life. Due to the design of the existing building with single glazing and little insulation it is inefficient and has significant heat loss. The applicants have advised that the existing tenants are vacating the building as it no

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longer meets their needs and they are moving to a more sophisticated building in a more economical location. The proposed building would cater for modern business needs and provide a more efficient and sustainable building. It is noted that there is known demand for small scale floorspace in industrial areas and this building would attract new business to the industrial estate and support small and medium sized enterprise (SME). The applicant has advised that the building would be constructed as a shell and core to allow any future occupier to fit the building out to meet their business needs.

3. Overall, it is considered that the proposal would provide a new building that would cater for modern business needs and comply with Policy CS15 of the Woking Core Strategy (2012).

Character of the Area

4. Policy CS21 of the Woking Core Strategy (2012) states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located.
5. The existing building to be demolished is a two-storey building with a barrel style roof. The proposed building would be sited in the same position as the existing building but would have a slightly larger footprint. The building would be approximately 42m deep and 25m wide with a pitch roof measuring approximately 10.9m. The ground floor would accommodate the majority of the floorspace with a mezzanine floor providing an additional 524sqm of floorspace. The proposed building would be clad in profiled metal cladding to reflect its use as an industrial building. The north and south elevations would have two roller shutters to provide access to the ground floor open plan warehouse. The proposal is considered to be of a typical design of building sited within an industrial estate and will be viewed within the context of the industrial location.
6. Overall, it is considered that the proposed building would not detract from the character and appearance of the streetscene. The application is considered to accord with Policy CS21 of the Woking Core Strategy (2012) and the National Planning Policy Framework (2021).

Impact on Neighbours

7. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
8. The application site is located in the Byfleet Industrial Estate employment area. There are no residential properties which immediately adjoin the application site. An approximate 68m would be retained to the rear gardens of the nearest residential properties at Berry Lane. The industrial units at Glen Court are sited between the proposed building and the dwellings at Berry Lane. Due to the separation distance it is considered that there would not be a significant impact on the properties at Berry Lane in terms of overlooking, loss of privacy or overbearing impact.
9. The existing building to be demolished is in Class B2 use and the proposed building would be in Class B8 use. Environmental Health have been consulted and raised no objection. It is considered that the proposal would not have a significant noise impact on neighbouring properties.
10. Overall, the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and

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accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022) and the policies in the NPPF.

Impact on highways and parking

11. The proposed building would use the same access as the existing building.
12. Supplementary Planning Document 'Parking Standards' (2018) requires warehouse (storage) to provide a maximum of 1 car park space per 100m² and 1 lorry space per 200m² and warehouse (distribution) and cash and carry to provide a maximum of 1 car park space per 70m² and 1 lorry space per 200m². It is not known who will occupy the building, the most onerous parking standards would require the proposal to provide a maximum of 23 car parking spaces and 8 lorry spaces.
13. The proposed building including mezzanine would have a total floor area of approximately 1,582sqm. The proposed building would be served by 20 parking spaces (including 2 accessible spaces) and 6 lorry parking spaces. The proposed car and lorry parking would be below the maximum spaces required by Supplementary Planning Document 'Parking Standards' (2018). Any future occupiers would know would the level of car and lorry parking prior to occupying the building. SCC Highways have been consulted and advised that the car and lorry parking is compliant with maximum standards and raise no objection subject to conditions requiring the parking and turning area to be retained and for the site to be laid out so vehicles can enter and leave the site in a forward gear.
14. Overall the proposal is therefore considered to have an acceptable impact on parking and accords with Supplementary Planning Document 'Parking Standards' (2018) and the policies in the NPPF.
15. Supplementary Planning Document 'Parking Standards' (2018) requires a car park with more than 20 spaces to provide 5% active charging points and 10% passive charging points. A condition is recommended to require the proposal to provide 2 active charging points and 3 passive charging points.

Impact on flooding

16. The proposal site is not within a designated Flood Zone however parts of the site and surrounding area are classified as being at medium risk of surface water flooding. The NPPF (2021) and Core Strategy (2012) policy CS9 state that Local Planning Authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SUDS). As per the guidance issued by the Department of Communities and Local Government (DCLG) all 'major' planning applications must consider sustainable drainage systems (House of Commons: Written Statement HCWS161 - Sustainable drainage systems).
17. The application has been supported by a surface water drainage strategy. No details of a sustainable drainage systems (SuDS) have been submitted with the application. In this instance the Local Lead Flood Authority have advised due to the site, type and location of development details of a surface water drainage scheme and verification report can be secured by condition.
18. Subject to conditions to ensure the submission of additional information the proposal is considered to have an acceptable impact on drainage and flood risk.

Contamination

19. Paragraphs 183 and 184 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies

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DPD (2016) relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.

20. The Council's Contaminated Land Officer has been consulted on the application and has raised no objection subject to a condition requiring contamination not previously identified, but subsequently found to be present at the site to be reported to the Local Planning Authority as soon as is practicable. In this regard the proposed development would comply with Policies DM5 and DM8 of the DM Policies DPD and also the policies in the NPPF.

Sustainable construction

21. Policy CS22 of the Woking Core Strategy (2012) requires new non-residential development of 1,000m² or more to comply with BREEAM 'very good' standard. A condition is recommended to ensure that BREEAM 'very good' standard is achieved.

Community Infrastructure Levy (CIL)

22. The proposed building is for industrial use and therefore the relevant CIL rate is nil.

CONCLUSION

23. Overall, the proposal is considered to be acceptable impact on the employment area, amenities of neighbours and parking. The proposal therefore accords with Policies CS15, CS21 of the Woking Core Strategy (2012), Policies DM5, DM6, DM7 and DM8 of the DM Policies DPD (2016), Supplementary Planning Documents 'Parking Standards' (2018), 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015) and the National Planning Policy Framework and is recommended for approval.

BACKGROUND PAPERS

1. Site visit photographs

RECOMMENDATION

That authority be delegated to the Development Manager (or their authorised deputy) to Grant planning permission subject to:

- (i) No letters of representation being received from the current consultation period which expires on 20.04.2023; and
- (ii) Planning conditions set out in this report.

Conditions

01. The development hereby permitted shall be commenced not later than three years from the date of this permission.

Reason:

To accord with the provisions of Section 91 (1) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice.

22-06/10 Rev A received by the Local Planning Authority on 07.11.2022

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22-06/100 Rev A received by the Local Planning Authority on 07.11.2022

22-06/101 Rev A received by the Local Planning Authority on 07.11.2022

22-06/102 Rev B received by the Local Planning Authority on 23.03.2023

22-06/103 Rev A received by the Local Planning Authority on 07.11.2022

22-06/104 Rev B received by the Local Planning Authority on 06.03.2023

Reason:

For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

03. (Notwithstanding the material details outlined on the approved plans), No above ground development associated with the development hereby permitted shall commence until details and/or samples and a written specification of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority

Reason: To protect the visual amenities of the area.

04. The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose(s).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users in.

05. The existing vehicle parking and turning area at the premises (as shown on the application drawing 22-06/104 Rev B) shall be permanently retained and maintained for their designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users in.

06. No above ground development associated with the development hereby permitted shall commence until details of 3no. passive electric vehicle and 2no. active charging points charging points to be provided have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

Reason:

In the interests of achieving a high standard of sustainability with regards to electric vehicle charging infrastructure requirements.

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07. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority. Any plant/equipment shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

08. Contamination not previously identified, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until a remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that it may specify). The development shall then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

09. ++The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national NonStatutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the existing on-site drainage is fit for purpose.
- b) 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 Flood Risk reducing features (silt traps, inspection chambers etc.). This should include details of the water butts and permeable paving.
- c) 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.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

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

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

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11. No above ground development associated with the development hereby permitted shall commence until details of secure cycle parking and any associated facilities for the occupants of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

12. The development hereby approved shall not be subdivided into separate units without the prior written approval of the Local Planning Authority.

Reason:

In the interests of preventing an over-intensification of the use of the site.

13. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) and the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any Order(s) revoking and/or re-enacting these Order(s) with or without amendment(s)) the use of the building hereby permitted must only be for purpose(s) falling within Class B8 as defined within The Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose(s) whatsoever, without express planning permission from the Local Planning Authority first being obtained.

Reason: To restrict the use of the premises to one which is compatible with the surrounding area and to safeguard the amenities of the adjoining premises.

14. Notwithstanding the provisions of Article 3 and Schedule 2 Part 7 and Class A of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Orders amending or re-enacting that Order with or without amendments) no extension to the building hereby approved shall be erected without the prior written consent of the Local Planning Authority.

Reason: To avoid over-development of the site and to ensure the satisfactory provision of vehicle parking and turning facilities.

15. No display or storage of goods, materials, plant or equipment shall take place within the site curtilage other than within the building.

Reason:

To avoid the loss of car parking and vehicle circulation space and in the interests of visual amenity.

16. No above ground development associated with the development hereby permitted shall commence until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted to and agreed in writing by the Local Planning Authority indicating that the development can achieve at least a BREEAM "Very Good" rating.

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Unless otherwise agreed in writing by the Local Planning Authority, no building shall be occupied until a final Certificate has been received and acknowledged by the Local Planning Authority certifying that at least BREEAM rating "Very Good" has been achieved for this development (or such equivalent national measure of sustainable building which replaces that scheme).

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements the National Planning Policy Framework 2021.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday
8.00 a.m. - 1.00 p.m. Saturday
and not at all on Sundays and Bank Holidays.

4. The applicant's attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT(S). Failure to observe this requirement will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
5. 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.
6. If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.