

## ITEM NUMBER 1

APPLN. NO. : 10/00017/OUT  
VALID DATE : 21/01/2010  
EXPIRY DATE : 22/04/2010  
CTTEE DATE : 23/06/2010 (EJS)  
TARGET : OVER 13 WEEKS

Land including the former Majestic House site to the North of High Street, extending to Mill Mead and Fairfield Avenue and land to the west of Mill Mead, Staines.

Outline planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 39,750 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3; Class D2; Class A1, A2, A3, A4, A5. Such development to include: Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.

As shown on drawing nos. 1071/PL/11000 Rev. B, 1071/PL/12000, 0171/PL/11303 Rev F, 1071/PL/11302 Rev B/1071/PL/11304 Rev D and illustrative Masterplan, 14/08/2009 for Deutsche International Custodial Services/Bank Nominees Jersey) Ltd.

WARD :Staines

### 1. **Development Plan**

- SP1 (Strategic Development)
- LO1 (Flooding Implications of Development)
- SP2 (Housing Provision)
- HO1 (Providing For New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Density of Housing Development)
- SP3 ((Economy and Employment Land Provision)
- EM1 (Employment Development)
- EM2 (Employment Development on Other land)
- SP4 (Town Centres and Retail Development)
- TC1 (Staines Town Centre)
- TC2 (Staines Town Centre Shopping Frontage)
- CO2 (Provision of Infrastructure For New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (development and Noise)
- EN15 (Development on Land affected by Contamination)

- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (sustainable Travel)
- CC3 (Parking Provision)
- BE25 (Archaeology) – saved policy
- BE26 (Archaeology) – saved policy

## **2. Relevant Planning History**

- 2.1 The site has a very detailed planning history which is contained as Appendix 1. Of particular note is an outstanding consent for the redevelopment of the site for a mixed use scheme comprising 35,022 sq m of floorspace (6/00884/FUL) and the two most recent planning applications for mix use developments, 09/00566/OUT (35,022 sq m) and 09/00567/OUT (39,750 sq m). The latter (09/00567/OUT) was approved subject to the completion of a Section 106 agreement. The former (09/00566/OUT) was refused permission on air quality and highway grounds and is the subject of an appeal which will be heard by public inquiry.

## **3. Description of Current Proposal**

- 3.1 The application relates to the former Majestic House, a five-storey office building and nos. 122-140 (even) High Street, Staines. The High Street properties were in Class A1, A2 and A3 uses and there was first floor accommodation above. The site also encompasses nos. 1, 4, 6 and 8 Millmead which were in office use and an undeveloped area of grass adjacent and also a small area used for parking opposite. In addition it includes the former Postal Sorting office, some office accommodation, the Careers office and a pair of semi-detached properties (nos.10 and 12), all of which formerly fronted onto Fairfield Avenue. All of these properties have been demolished and the site is currently flattened.

- 3.2 Outline planning permission is sought, with access details only to be considered at this stage, to redevelop the site. The matters relating to layout, scale, landscaping and appearance are reserved for submission at a later date. The applicants have submitted two parameter plans for consideration showing:

- Maximum heights, setback and footprint at AOD (ground level), and
- Maximum extent of the basement (below finished ground floor level).

In addition, the following two parameter plans have been submitted for illustrative purposes to assist with the consideration of the applications:

- Axonometric plan, and
- Ground floor masterplan.

- 3.3 The proposal seeks to redevelop the site for Class B1 use with other A, C and D classes as follows:

To provide up to 39,750 sq m gross external area of built floorspace (in total) for Class B1(a) (offices); Class C1 (hotels); Class C3 (residential); Class D2 (assembly/leisure); Class A1 (shops), A2 (financial and professional services), A3 (restaurants/cafés), A4 (drinking establishments) and A5 (hot food takeaway). Such development will include: highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking at basement levels, and a new link road which

will be constructed, at the applicant's expense from Fairfield Avenue to Millmead (to adoptable standards). It also includes the laying out of open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.

- 3.4 The applicant has indicated that the total floorspace within the proposed development as a whole will not exceed 39,750 sq m gross external area, of which the floorspace within the use classes will not exceed that set out in the following table:-

<b>Use Class</b>	<b>Maximum Floorspace (sq m GEA)</b>
B1(a)	29,604
A1	2,750
A2, A3, A4, A5	2,750
D2	2,000
C3	14,000 (c.150 units)*
C1	10,000

\*including the provision of up to 50% affordable housing

- 3.5 The built development is shown to be divided between five Development Zones which is illustrated on the applicant's submitted Parameter Plan. The applicant has provided maximum floorspace figures across each of the development zones and the total built floorspace across the development zones will not exceed the stated figures in the table below or the overall maximum of 39, 750 sq m for the application site as a whole:

<b>Development Zone</b>	<b>Maximum Floorspace (sq m GEA)</b>
1	15,000
2	900
3	26,000
4	550
5	100

- 3.6 The maximum extent of the ground floor building footprint is shown on the applicants' parameter plan, as contained in Appendix 2 attached to this report. The building comprising development zone 1 would front the High Street and Fairfield Avenue. Zone 3 would be on the northern part of the site and would extend across the site from Mill Mead to Fairfield Avenue. Zone 2 will provide an upper ground link between zones 1 and 3 on levels 2, 3, 4 and 5. There would be a public open square to the front of the site facing the High Street which would be not less than 400 sq m in area. There would also be an open area between zones 1 and 3 described as a court and which extends underneath zone 2. Zone 4 is shown to be positioned to the west of the square facing the High Street and between the public square and no. 120 High Street which is a residential property. The last zone which is the smallest one of all is positioned on the western side of Mill Mead and to the east of the railway line.

- 3.7 The proposal also includes a new link road from Fairfield Avenue to Millmead. The road would be located on the northern side of the site, adjacent to the Mill Mead industrial estate and the BT building, the latter of which fronts onto Fairfield Avenue. The link road would be required to be built to adoptable standards. The proposal also includes up to 520 car parking spaces at basement levels. The basement levels would extend to 20 m below AOD and will be accessed via a new ramp from Mill Mead.

3.8 The parameter plan in Appendix 2 shows the maximum heights, setbacks and footprint and is displayed in the following table:

<u>Development Zone</u>	<u>Finished Ground Floor Level</u>	<u>Maximum height of zone (AOD) (excluding setbacks)</u>	<u>Height above Ground Floor Level</u>	<u>Indicative storeys (inclusive of plant)</u>
1	16m	50.5m	34.5m	8 (commercial)
2	n/a	42.3m	26.3m	6 (commercial)
3	16m	54.6m	38.6m	9 (commercial) 12 (residential)
4	16m	26m	10m	2 (commercial/retail/leisure)
5	16m	26m	10m	2 (commercial/retail/leisure)

It should be noted that the heights represent the maximum and in many places within zones 1 and 3 parts of the building are shown to be lower. Within zone 1 the building steps down from 34.5m to 30.4m, then to 26.3m on the boundaries of the building and 13.8m fronting the High Street. Likewise on zone 3, the height steps down from 38.6m to 34.5m, then 30.4m and the lowest point would be 26.3m on parts of the edge of the building closest to the western side. The implications of these varying height parameters are illustrated in the applicants' axonometric plan.

3.9 The illustrative masterplan shows that the proposal will have frontages to the High Street to the south, Fairfield Avenue to the east and the new link road to the north. The plan shows (for illustrative purposes only) retail on the ground floor in zones 1 and 4. The main entrance to the offices above in zone 1 will be via an atrium off the newly formed public square. Part of the ground floor of zone 3 is shown to be in restaurant use and the main entrance to the offices above will also be via an atrium off the public square. The other areas of ground floor are mainly shown to be for plant and storage. There are a number of areas of bicycle storage around the site adjacent to the buildings. There are some areas where tree planting is proposed although some are believed to be located outside of the site on public highway.

3.10 The applicant has submitted an Environmental Statement in support of the planning application. This was not requested by the Planning Officers during pre-application discussions and no screening or scoping opinions under the EIA (Environmental Impact Assessment) regulations were requested by the applicant. The Environment Statement addresses the following:

- Application site and proposed development
- Alternatives and Design Evolution
- Construction Programme
- Socio Economics
- Townscape and Views
- Transport and Access

- Air Quality
- Noise and Vibration
- Flood Risk and Water Resources
- Contamination
- Archaeology
- Mitigation/Monitoring

In addition, the applicant has submitted the following documents:

- Planning Statement
- Design and access Statement
- Daylight/sunlight report
- Sustainability Statement
- Travel Plan
- Renewable Energy Statement
- Ventilation Statement
- Site waste Management Plan
- Statement of Community Involvement
- Draft Heads of Terms (for a S106 legal agreement)

These documents will be referred to under Section 7 of this committee report.

- 3.11 It should be noted that this application has been submitted following the refusal of 09/00566/OUT. The amended proposal differs only in one respect; that the maximum total floorspace for use class B1a has been reduced from 33,790 sq m to 29,604 sq m.
- 3.12 A copy of the two parameter plans showing the maximum heights, setbacks and footprints and the maximum extent of the basement are attached as Appendices. Also attached are the two illustrative parameter plans showing the axonometric 3D development envelope and the illustrative masterplan.

#### **4. Consultations**

- 4.1 South East England Partnership Board – No substantive comments to make as principle of mixed use development of similar scale has been established. Makes a number of comments to ensure that it does not prejudice or there is no conflict with the South East Plan May 2009.
- 4.2 County Planning (Strategic Consultation) – No objection to the principle of mixed use development including residential which has been established. Also comments that

development should be sustainable, the Environment Agency should be satisfied and transportation issues resolved. Requires a financial contribution of £601,350 for education provision.

- 4.3 Highways Agency (HA) – Directs a condition be imposed to ensure that the B1 office element does not exceed 29,604 sq m and that the maximum number of residential units should not exceed 195.
- 4.4 County Highway Authority – No objection subject to financial contributions and a number of conditions.
- 4.5 County Archaeological Officer – No objection. Recommends a condition be imposed in accordance with PPS 5 “Planning for the Historic Environment”.
- 4.6 Environment Agency – Raises objection on flooding grounds.
- 4.7 Thames Water – Comments that the existing waste water infrastructure is inadequate to accommodate the needs of the proposal and requires a condition be imposed relating to drainage strategy details. Also makes comments relating to surface water drainage and water supply.
- 4.8 Network Rail – Comments awaited.
- 4.9 Surrey Police – Makes a number of comments to assist in designing out crime and requires the development to achieve the Secured by Design award.
- 4.10 Head of Environmental Health – raises objection on air quality grounds for 09/00566/OUT. Recommends a contaminated land, ventilation and dust, and noise conditions be imposed for both applications.
- 4.11 Council’s Environment Services Senior Environmental Project Officer – No objection on Renewable Energy
- 4.12 Natural England – No objection.
- 4.13 Staines Town Society – Comments awaited. However on previous application, 09/00566/OUT made no objection to principle of mixed use scheme but raised concerns of overdevelopment of site excessive size, tall buildings/adverse visual impact (BT Telephone exchange is set well back), inadequate room for landscaping and affect on air quality in a hotspot of poor air quality. In addition, there were concerns over traffic impact including in Fairfield Avenue and the High Street and also when combined with the two Centrica Sites which would result in more traffic/cars and pollution.

## 5. Public Consultation

- 5.1 No letters of representations have been received.

## 6. Issues

- Principle of Office/Retail/Leisure/Residential use
- Mix of use
- Link Road
- Impact on street scene and surrounding development
- Impact on residential amenity
- Traffic Generation - Movement policy and sustainability

- Air Quality
- Flooding
- Loss of Surrey Services Service Office
- Education
- Archaeology
- Contamination
- Renewable Energy
- Noise

## 7. **Planning Considerations**

### Principle of development

7.1 In terms of the principle of the office element of this proposal, the site lies within Staines Town Centre where the under Policy SP1 of the Core Strategy and Policies DPD 2009 (CS&P DPD) larger well sited employment areas will be retained and increases in employment development accommodated in those locations and particularly in Staines Town Centre. This stance is reaffirmed in policy EM1. Policy TC1 deals with the Town Centre and states that the Council will maintain the role of Staines as the principal town centre serving north Surrey by encouraging developments that contribute to the vitality and viability of the centre and that are of a scale and character appropriate to its role.

7.2 A schedule of approximate floorspaces for the floorspace which existed on site prior to demolition, the current proposals and the most recent previous planning applications, 06/00884/FUL, 09/00566/OUT and 09/00567/OUT is set out below.

All dimensions in sq m	Previous floorspace of current application site**	06/00884/FUL	09/00566/OUT*	09/00567/OUT*	10/00017/OUT
<b>Uses</b>					
<b>B1 Office Use</b>	4,184.5	29,604	33,790	29,604	29,604
<b>A1 Use</b>	1,355.78	863	2,750**	2,500****	2,750**
<b>A2/A3/A4/A5 Uses</b>			2,750**	2,500****	2,750**
<b>Leisure (D2) Use</b>		759	2,000**	2,000	2,000**
<b>Affordable Housing</b>		1450	14,000*** (c. 150 units)	14,000***** (c. 150 units)	14,000*** (c. 150 units)
<b>Private Housing</b>	200	1,365			
<b>Hotel C1</b>			10,000	10,000	10,000
<b>Plant room/loading bay</b>		981			
<b>Industrial warehousing</b>	1,034 sq m				
<b>Total</b>	<b>6,774.28</b>	<b>35,022</b>	<b>39,750*</b>	<b>35,022*</b>	<b>39,750*</b>

\* Maximum Floorspace. The total floorspace for each use will not exceed that stipulated and not every use will necessarily be used. However, the maximum for every use will not be fulfilled because the total built floorspace on site will not exceed that specified in the "total" row.

This figure includes all internal plant but excludes all external/open plant on the roof or in the car park basement.

\*\* A minimum of 1,788.75 sq m of the total gross floorspace will be provided as retail and leisure uses.

\*\*\* A minimum of 4173.75 sq m of the total gross floorspace will be provided for residential use.

\*\*\*\* A minimum of 1,622 sq m of the total gross floorspace will be provided as retail and leisure uses. (NB Check with applicant if leisure included)

\*\*\*\*\* A minimum of 2,815 sq m of the total gross floorspace will be provided for residential use.

7.3 The above table indicates that, as with previous planning provisions on the site, the current proposal would result in a mixed use development. The proposal would result in significant increase in class B1 use compared with the current use. However, given that new business development is acceptable in principle in this location in the commercial area, as verified by the previous application 09/00567/OUT and also planning permission, 06/00884/FUL, the key issues to consider with this application is whether the proposal in its entirety complies with development plan policy. This will be considered below:-

#### Mix of uses

7.4 The proposal would result in a maximum of 74.5% in Class B1 use. The remainder would be in Residential and Classes A1/A2/A3/A4/A5/C1/D2 uses. The previous planning application, 06/00884/FUL proposed 84.53% in Class B1 use and the figures for 09/00556/OUT was 85% and 87.3% for 09/00567/OUT. Central Government Policy set out in Planning Policy Statement 3 (PPS3) "Housing", November 2006 seeks to encourage mixed use development and residential provision. Other important Policy guidance is contained in Planning Policy Statement 4 (PPS4) "Planning For Sustainable Economic Growth" which replaces PPS6 "Planning for Town Centres".

7.5 Para 10 of PPS4 states that to help promote sustainable economic growth, the Government's aims to:

*"promote the vitality and viability of town and other centres as important places for communities. To do this, the Government wants:*

*– new economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities...".*

Policy EC4 states that:

*"Local planning authorities should proactively plan to promote competitive town centre environments and provide consumer choice"* by a number of ways including:

*“supporting a diverse range of uses which appeal to a wide range of age and a. social groups, ensuring that these are distributed throughout the centre”.*

7.6 Policy EC10 of PPS4 deals with determining applications for economic development. It states that:

*Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.*

*All planning applications for economic development should be assessed against the following impact considerations:*

- *whether the proposal has been planned over the lifetime of the development to a. limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change,*
- *the accessibility of the proposal by a choice of means of transport including b. walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured,*
- *whether the proposal secures a high quality and inclusive design which takes the c. opportunities available for improving the character and quality of the area and the way it functions*
- *the impact on economic and physical regeneration in the area including the d. impact on deprived areas and social inclusion objectives,*
- *the impact on local employment.”*

7.7 Paragraph 36 of Planning Policy Statement 3 “Housing” (November 2006) states:

*“In support of its objective of creating mixed and sustainable communities, the Government’s policy is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. This should be achieved by making effective use of land, existing infrastructure to create mixed use developments. The priority for development should be previously developed land.”*

Paragraph 38 states that new housing should take into account:

*“The contribution to be made to cutting carbon emissions from focusing new development in locations with good public transport accessibility and/or by means other than the private car and where it can readily and viably draw its energy supply from decentralised energy supply systems based on renewable and low-carbon forms of energy supply, or where there is clear potential for this to be realized”.*

Paragraph 40 of PPS3 states that: *“A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed.”*

Paragraph 69 of PPS3 states that:-

*“In general, in deciding planning applications, Local Planning Authorities should have regard to:*

*– Achieving high quality housing.*

- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.”

- 7.8 Policy EM1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document, February 2009 (CS&P DPD), is concerned with Employment Development. The policy supports in principle proposals within Staines Town Centre for employment development. The policy also encourages proposals for redevelopment and extensions that enable business needs to be met and makes the most effective use of available employment land. Policy TC1 deals with retail development within Staines Town Centre and seeks to encourage developments that contribute to the vitality and viability of the centre and are of a scale and character appropriate to its role.
- 7.9 As indicated earlier, the proposal would result in some 74.5% of the floorspace in Class B1 use. The remainder would be in Residential and Classes A1/A2/A3/A4/A5/D2/C1 uses. This proportion of B1 is less than both of the most recently approved schemes, 09/00/567/OUT and 06/00884/FUL. I refer to the acceptability of the mix below.
- 7.10 The site is located within the town centre where the principle of redevelopment has already been established with previous planning permissions, most recently, as indicated above, under 09/00567/OUT (subject to the final completion of the legal agreement). It is also an accessible and sustainable location (although transport issues will be considered in more detail later). It is acknowledged that the large majority of the proposal will be for Class B1 Office use with 25.5% for other uses. However, the amount of Class B1 use proposed, up to 29,604sq m, is identical to that approved under 09/00567/OUT and 06/00884/FUL. In addition the applicant has confirmed that a minimum of 1788.75 sq m of retail/leisure and a minimum of 4173.75 sq m residential floorspace will be provided. The remaining floorspace (if the maximum floorspace for the other uses do not equate to the total floorspace proposed) would be for hotel purposes. The B1 floorspace proposed is acceptable in employment policy terms and the proportion of non B1 uses is actually an improvement on previous approvals. This is, of course providing all other matters including likely scale/massing and other issues including those relating to transportation are acceptable and these issues will be considered below.
- 7.11 The illustrative masterplan indicates that the retail uses will be located on the ground floor facing both the High Street and the newly proposed open square. This, when considered together with the other uses proposed on the site, would assist in the vitality of Staines Town Centre and concur with the advice in PPS4 set out above. However, it is important for any permission to be conditional to ensure that these uses are provided on the ground floor with pedestrian access via the High Street. In addition, in order to safeguard the Class A1 use in accordance with the requirements of Policy TC2 of the CS&P DPD, it is suggested that there should be a planning condition on the proposal to ensure that a total of 32m of A1 Frontage is provided. This reflects the condition which was imposed on the last planning application, 09/00567/OUT.

- 7.12 The provision of housing in a commercial development in a town centre location, including affordable housing, is to be welcomed. Policy HO1 of the CS&P DPD deals with new housing development. The Council will ensure provision is made for housing by a number of measures including encouraging its inclusion in mixed use schemes where housing can be accommodated in an acceptable manner without compromising other planning objectives. Policy HO4 requires proposals of four or more dwellings to include at least 80% of their total as one or two bedroom units. Policy HO5 is concerned with the density of housing development and states that within Staines Town Centre development should generally be at or above 75 dwellings per hectare. The proposal includes up to 14,000 sq m (c. 150 units) for residential purposes and the applicant has indicated that the completed development will have a minimum of 4,173.75 sq m residential floorspace. The size/type of units has not been specified although bearing in mind the town centre location, they are likely to comprise small units in accordance with policy HO4 and this could be a requirement of any planning permission. It is also a high density development in accordance with the requirements of policy HO5. The minimum amount of total housing (10.5%) is proportionately greater than that agreed under 09/00567/OUT and is to be welcomed.
- 7.13 Policy HO3 relates to affordable housing and requires 50% of housing on sites of 15 dwellings or more to be affordable and of that 50%, at least 65% should be rented housing. The Council will seek to maximise the contribution to affordable housing, having regard to the individual circumstances and viability and negotiation will be conducted on an “open book” basis. The policy also advises that a financial contribution in lieu of affordable housing provision will only be acceptable where on site provision cannot readily be provided by the developer on an alternative site.
- 7.14 With reference to affordable housing, paragraph 29 of PPS3 states:
- “In seeking developer contributions, the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.”
- 7.15 The applicant has indicated that they will make provision of up to 50% affordable housing on the site with the unit size and tenure mix to be determined following discussions with the LPA. They have suggested that this could form part of a section 106 agreement. However, the Council’s Head of Housing Benefits and Housing Options has requested flexibility on this town centre site to enable the authority to provide either on site affordable housing or alternatively a financial contribution for off- site provision depending on the housing needs of the authority. This is the approach taken to the extension of the Elmsleigh Centre (phase 3) – 08/00790/FUL and is acceptable.
- 7.16 Very careful consideration has been given to national and local plan town centre policy and whether the proposed mix of uses is acceptable in this location. The site is located within the town centre where the principle of redevelopment has already been established with previous planning permissions. It is also an accessible and sustainable location (although transport issues will be considered in more detail later). It is acknowledged that the large majority of the proposal will be for Class B1 Office use with 24.5 % for other uses. However, this is less than other approvals on the site. It should also be borne in mind that the proposal also provides a new link road which has been a long standing aim of the Council (see below). In overall terms, the

proposal would provide an acceptable mixed-use development with new housing and uses which should create lively street frontages which would add to the vitality and viability of Staines Town Centre.

#### Link Road

- 7.17 Previous planning applications for this site, proposed a new road giving access for all traffic from Fairfield Avenue to Millmead with the closure of the Millmead/High Street junction although maintaining pedestrian access along Millmead. The existing vehicular access to Millmead adjacent to the rail bridge (Iron Bridge) is considered to be unsatisfactory and the Fairfield Avenue link road would enable the closure of the junction of Millmead and the High Street to vehicular traffic.
- 7.18 The provision of the new link road has already been agreed in principle by previous applications including 02/01084/OUT, 06/00884/FUL and 09/00567/OUT. The current application proposes the road in a northerly location adjacent to Millmead Industrial Estate and the BT building. In terms of the design of the link road, the County Highway Authority raises no objection to the plans. It will be constructed by the applicant and handed to the County Highway Authority to become an adopted road, at no cost to the Council. The provision of the road is a positive planning benefit and a long standing aim of the Council and is to be welcomed.

#### Scale/Design and Impact on Surroundings

- 7.19 Another major issue to consider is whether the scale and design of the scheme is appropriate to the site and has an acceptable impact on the surrounding area. This has been the subject of much discussion with the applicants. It should be noted however, that massing/scale is very much a reflection of the total floorspace proposed. The current proposal is for the same amount of floorspace as 09/00566/OUT and although that was refused planning permission, the reasons related to highways and air quality and not design/scale/massing. There are a mixture of buildings in terms of style, design and massing within the vicinity of the site. The buildings to the south, fronting the High Street, to the west on Millmead and to the east are generally 2 storeys in height. However, the former Majestic House was 6 storeys, the Telephone Exchange to the north comprises 7 storeys. In addition, the new development recently completed further to the east at 1 London Road covers a fairly large area and is 5 storeys with plant on roof. Beyond this is the former British Gas (Centrica) building which rose up to 10 storeys. This has now been demolished and planning permission to redevelop the site under 06/00887/OUT, 07/00637/RMA, 07/00639/RMA and 07/00744/FUL included three new buildings, one of which was a ten storey hotel. The buildings have a variety of designs with no particular theme or concept which dominates.
- 7.20 The application is in outline with all matters apart from access, reserved at this stage. The applicants have, however, submitted a parameter plan showing the maximum heights, setbacks and footprint over the site. They have also submitted an illustrative axonometric plan illustrating the parameters and have confirmed that the floorspace represented in this plan is approximately 8778 sq m more than that proposed under 09/00567/OUT at 43,800 sq m. The maximum heights and storeys have been set out in the table under 3.8 above. The development could rise to a maximum of 8 storeys fronting High Street/Fairfield Avenue, and 9 storeys (commercial) or 12 storeys (residential) on the northern part of the site, which would be the highest part of the development. The greater number of storeys for the residential reflects the lower floor to ceiling heights for domestic properties as the maximum height for both is still

38.6m. The development also covers a large part of the site and therefore it is not only the height but also the scale and mass of which needs to be assessed.

- 7.21 It is acknowledged that the building would result in a very large and substantial development within Staines Town Centre. It is also acknowledged that the application is in outline with all matters relating to scale and appearance reserved at this stage. However, the parameters proposed by the applicants including the maximum heights and setbacks could be the subject of planning controls. In addition, as the maximum parameters shown on the plans represents more floorspace than that proposed, the bulk of both proposals will be less than that illustrated on the submitted plans. One of the main areas that discussions have focused on is along the High Street and Fairfield Avenue. Whilst the building includes eight storeys on this part of the site, it is stepped away from the High Street and Fairfield Avenue frontages at the upper levels. It is shown to be stepped back slightly from the High Street at the third floor (fourth level) and set back further on the sixth floor (seventh level). This element is very similar to that approved under 06/00884/FUL and was the subject of much pre-application discussions between the officers and applicants. On Fairfield Avenue it will be set back slightly from the highway and will also be set back slightly on the top two floors. The building will be higher on the northern part of the site adjacent to the new link road and is shown to be set back on the western side closest to Millmead. The proposals are clearly bulkier than the surrounding buildings. This is partly explained by the applicant's wish to propose a new square fronting the High Street and a court area facing Fairfield Avenue, both of which the public will have access to and which could provide attractive areas of public open space in this part of town. The effect of these areas will necessitate higher buildings being provided, although it should be noted that the highest parts of the development will be similar to the BT tower and grouped alongside it. Hence the application will provide higher buildings than that approved under 06/00884/FUL despite the floorspace being the same. However, it is considered that with the stepping back at various points, the impact on surrounding existing development would be acceptable and I do not consider that the proposal could be refused on this basis. Indeed as indicated earlier, it is identical to 09/00566/OUT which was not refused on design/bulk/massing grounds. The application has been considered in terms of it possibly creating, alongside with the Centrica 2 proposals (08/00228/OUT – not yet determined) a canyon effect, but it is thought that the impact would be acceptable. The provision of tree planting along Fairfield Avenue would soften the appearance at pedestrian eye level and is to be welcomed. The proposal, in terms of scale and massing would not have an unacceptable impact on the surrounding townscape in this part of Staines for reasons which could be refused permission and would more generally reflect the scale of development currently emerging on the built up commercial areas of modern town centres.

#### Residential Amenity

- 7.22 The nearest residential properties are 120 High Street and opposite the site in Fairfield Avenue. There are also some dwellings further to the north in the Moormede Estate. No. 120 has a frontage onto the High Street and also a rear back garden. The proposed development would lie to the east and north east of this dwelling. The layout and form of the development in relation to no 120 differs from the previously approved scheme. There is shown to be a two storey building immediately to the east of no. 120 where the building rose to 3 storeys in the consented scheme. To the north of the rear garden of no. 120, the current proposals show the development much closer to the boundary than that previously approved. However, on the eastern side, due to the proposed Square, the width of which is a fixed parameter, the building would be further away from the boundary with no 120 than that previously

approved. In view of this, it is possible that the light penetration to no. 120, particularly in the summertime, could result in an improvement to the rear garden when compared with the previous scheme. There would, however, be more of a feeling of enclosure to the garden of no. 120 from the proposed building on the northern side. However, bearing in mind the location with the Town Centre and given the previous planning permissions on this site, it is my view that the proposal could not be refused on the ground of loss of light or outlook to no. 120. Although windows could be located which overlook the rear garden of this property, it is recognised that office windows previously overlooked this garden from the six storey Majestic House which has recently been demolished. In view of the location of the site within the Town Centre and the position of the existing Majestic House, it would be difficult to raise objection to this commercial proposal on overlooking grounds. However, a condition should be imposed requiring details of the fenestration on the western elevation to be submitted in order to minimise the impact, where possible.

- 7.23 The building would be close to the road fronting Fairfield Avenue. However, there would still be a distance of approximately 20m across the road separating the proposal from the properties in Fairfield Avenue. The applicant's Daylight/Sunlight report assesses the impact on these residential properties to the east of the site. Whilst not all the Building Research Establishment (BRE) levels are achieved, some levels are exceeded. These properties in Fairfield Avenue may well be demolished if the application to redevelop these under what is known as Centrica 2 (08/00288/OUT) is permitted. However the report concludes that even if these buildings were not demolished "*good levels of daylight will be retained in the proposed condition as the windows of the affected properties are large.*" In addition, the proposed building would have a very similar set back from Fairfield Avenue than the previously approved scheme (with the exception of the small set back at the upper levels which is not now proposed) and I consider the impact on these properties in Fairfield Avenue to be acceptable. The nearest dwellings in Moormede would be in excess of 90m away and I do not consider they would be adversely affected in terms of loss of amenity, outlook, light and privacy.

#### Movement Policy/Sustainability

- 7.24 The site is located within the Town Centre and close to existing public transport provision. The Government Policy relating to Transport is set out in PPG13 "Transport". The objective of this PPG is to promote more sustainable transport choices and to reduce the need to travel, especially by car. The applicants have submitted a Transport Assessment of the proposal and a Travel Plan which have been analysed by the County Highway Authority and the Highways Agency. The Transport Assessment examines the existing travel characteristics and local highway network, the opportunities for non car access to the site, the development proposals in relation to transportation matters, transport policy considerations, development traffic generation and anticipated person trips and the highway implications of the scheme. A consideration is also provided in terms of the layout of the proposed link road from Fairfield Avenue. The Travel Plan aims to promote more sustainable modes of transport other than private cars and sets out measures to be implemented across the site, addresses the promotional measures to be implemented to encourage the uptake of sustainable modes and details of recovery measures in the event of targets not being met.
- 7.25 The proposal provides some 520 car parking spaces for the entire development. The Assessment states that it is expected that parking will be provided on the basis of 1 space per dwelling for the residential element. In addition, the assessment states that on street parking bays are proposed by way of parallel parking which will be

provided adjacent to Fairfield Avenue and this would also act as a service bay which will be subject to parking restrictions. In addition, up to 79 cycle parking stands will be provided which offer parking up to 158 bicycles and additional cycle parking will also be provided for the hotel/residential building. Finally 25 motor cycle parking spaces will be provided within the car park. Access to the car park is via Millmead on the western side. A service yard/bay is shown to be located off the new link road on the western side.

- 7.26 The total of 520 spaces is the same number as that proposed under 06/00884/FUL and 09/00567/OUT. Given the proposed parameters and the flexibility required by the applicants, it is not possible to identify the exact parking provision for each use at this stage particularly as the number of residential units could be up to 150-195 but may be as low as 4173.75 sq m (approximately 40+ units). However, it should be noted that the Class B1 floorspace proposed is the same as that approved under 06/00884/FUL and 09/00567/OUT whilst the number of spaces remain the same at 520 in total.

Planning Policy Guidance 13 "Transport" states that:

*"Reducing the amount of parking in new development ..... is essential, as part of a package of planning and transport measures, to promote sustainable travel choices".*

The advice states further that:

*"Policies in development plans should set maximum levels of parking for broad classes of development. Maximum standards should be designed to be used as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion. There should be no minimum standards for development, other than parking for disabled people."*

Given this advice and that the numbers of parking spaces remains as previously approved, it is considered that it would be difficult to refuse this planning application on excessive parking from a transportation perspective. The associated concern with the impact of excessive parking on air quality will be considered later in this report.

- 7.27 The previous application for the same amount of floorspace, 09/00566/OUT was refused planning permission on the advice of the Highways Agency and Surrey County Council Highways Authority. The reasons for refusal were:
- 1 The applicants have failed to demonstrate, to the satisfaction of the Highways Agency, that the proposed development would not have a detrimental traffic impact on the operation of the Strategic Road Network, namely the Crooked Billet roundabout and is therefore unacceptable in highway terms and contrary to policy CC2 of the Core Strategy and Policies DPD 2009 (CS & P DPD).
  - 2 The applicants have failed to demonstrate to the satisfaction of the Highways Agency and County Highway Authority that the proposed travel plan framework would satisfactorily contribute towards improving non car modes of transport within the vicinity of the site. The proposal would, therefore, result in an increased reliance upon the private car, contrary to PPG13 "Transport" and policy CC2 of the Core Strategy and Policies DPD 2009 and would likely lead to unacceptable traffic congestion within the local area.

It should be noted that just before the Planning Committee meeting when this application was due to be considered, the applicant submitted amended information which addressed the objections from the Highways Agency and the County Highway Authority. However, in accordance with the Council's policy, due to the late submission of this information and given that it would lead to a change to the recommendation which would result in a deferral from the Committee meeting and the application exceeding the statutory time period for determination, the late information was not accepted and the application was refused. As indicated previously, the applicants have now appealed against this decision.

- 7.28 With the revised application, the concerns of the Highways Agency and the County Highway Authority have been overcome. The Highways Agency have directed that two conditions should be imposed; one to restrict the B1 office element of the scheme to 29,604 sq m (i.e. the same amount as approved under 06/00884/FUL and 09/00567/OUT) and the second to ensure that the maximum number of residential units does not exceed 195. The reason for these conditions is in the interest of the free flow of traffic. In accordance with several other large commercial schemes which have recently been granted planning permission, it is considered appropriate to seek a separate payment from the applicant to assist in promoting non-car modes of transport within Staines Town Centre. It is also considered reasonable to require the applicant to finance controlled parking zones and special parking areas in Fairfield Avenue and the Moormede Estate which would assist in improving car parking controls in the town centre. In the previous planning application, 09/00567/OUT, a financial contribution of £294,000 towards improving non car modes of transport was agreed with the applicant. Part of this money was to be used by Spelthorne for the provision of CCTV cameras within the vicinity of the site to promote greater pedestrian accessibility. In addition, £10,000 for implementing CPZ in the area and £6150 to monitor the Travel Plan was agreed. With the current application which has a greater floorspace, the financial contribution has increased by £39,700 to £333,700.
- 7.29 As indicated above, this application proposes a new link road which is a significant planning benefit and has been a long term aim of the Council, in terms of improving traffic flows and highway safety at the junction of High Street and Millmead. . These works will include resurfacing part of Millmead and the closing off of Millmead to vehicular traffic.
- 7.30 In conclusion on the highway issues, it is considered that as the parking accords with the Borough Standards the provision is acceptable. The proposed new link road represents a planning benefit and is to be welcomed. The revised application, with the conditions and legal agreement recommended by the Highways Agency and Surrey County Council overcomes the previous concerns and is now acceptable in highway terms. However, the impact of the proposal on air quality is an important and related issue and will be considered below.

#### Air Quality

- 7.31 The proposed development is within an Air Quality Management Areas (AQMA) which is an exceedance area for the annual objective for nitrogen dioxide. Further, nitrogen dioxide levels within Staines have not followed a national downward trend and have remained high at roadside locations and the proposed development will contribute further to the poor air quality. Under the previous planning application, 09/00567/OUT, mitigation measures were required to ensure that this development did not contribute to poor air quality (so that it is development neutral), or better still, mitigation that will result in an improvement in the air quality of the area. Mitigation would be in the form of both hard and soft measures. The advice is that the health of

the occupiers of the buildings should be protected from the harmful impacts of poor air quality through the use of mechanically assisted ventilation with filtration fitted to remove pollutants within incoming air. It is also advised that other measures such as reduced parking rates, controlled parking zones, and the development, implementation and regular review of effective transport plans should also be used. Where travel plans are concerned, these should be measurable in terms of comparison against reduced nitrogen dioxide levels, and monitored on an annual basis [minimum] for effectiveness. Mitigation measures should be implemented through the use of both enforceable Planning Conditions and agreements.

- 7.32 The Council's Assessment of Air Quality and Action Plan for the Reduction of Nitrogen-Dioxide was approved by DEFRA until 10 March 2005. This followed consultation with a number of bodies including the Highways Agency, Environment Agency, Surrey County Council, and the Primary Care Trust in December 2004. In addition, Government Policy is also an important consideration. Planning Policy Statement 23: "Planning and Pollution Control" (PPS23) was published in November 2004 and advises that:

*"any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use".*

Appendix A lists a number of matters which may be material in the consideration of individual planning applications where pollution considerations arise, including:

- the possible impact of potentially polluting development (both direct and indirect) on land use, including effects on health, the natural environment or general amenity
- the existing, and likely future, air quality in an area, including any AQMAs or other areas where air quality is likely to be poor (including the consideration of cumulative impacts of a number of smaller developments on air quality, and the impact of development proposals in rural areas with low existing levels of background air pollution). The findings of air quality reviews and assessments will be important in the consideration of local air pollution problems and the siting of certain types of development;
- the need for compliance with any statutory environmental quality standards or objectives (including the air quality objectives prescribed by the Air Quality 2000 Regulations and Amending Regulations 2002.

- 7.33 Central Government advises that Annexe 1 to PPS 23, "Pollution Control, Air and Water Quality" should be read alongside PPS23 and carries equal weight. The planning, transport and air quality control departments in Local Authorities should liaise when taking any development control decisions which may have a direct or indirect bearing on existing air quality or creating exposure to poor air quality. The advice goes on to state that:

*"Any air quality consideration that relates to land use and its development is capable of being a material planning consideration. Wherever a proposed development is likely to have significant air quality impacts, close co-operation between LPAs and those with responsibilities for air quality and pollution control will be essential. The impact on ambient air quality is likely to be particularly important:*

- where the development is proposed inside, or adjacent to, an air quality management area (AQMA) designated under Part IV of the Environment Act 1995;
- where the development could in itself result in the designation of an AQMA; and
- where to grant planning permission would conflict with, or render unworkable, elements of a LA's air quality action plan."

The advice states further that:

*"It is not the case that all planning applications for developments inside or adjacent to AQMAs should be refused if the developments would result in a deterioration of local air quality. Such an approach could sterilise development, particularly where authorities have designated their entire areas as AQMAs. LPAs, transport authorities and pollution control authorities should work together to ensure development has a beneficial impact on the environment, for example by exploring the possibility of securing mitigation measures that would allow the proposal to proceed. Road transport is recognised as a significant contributor to poor local air quality, particularly in urban areas. LPAs can play a key role by ensuring that developments reduce the need to travel and encouraging more sustainable travel choices.*

*All such applications, however, should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area."*

The advice goes on to indicate that:

*"In some planning applications, the most significant impact on air quality is congestion, for example at exits and entrances. The emissions from vehicles in such cases are highly dependent on local climatic and terrain characteristics. Any Air Quality Assessment for a particular development should as far as possible take account of congestion predictions"*

The advice also states that:

*"It may be appropriate in some circumstances for the developer to fund mitigation measures elsewhere inside the AQMA to offset any increase in local pollutant emissions as a consequence of the proposed development. These measures could be secured through Section 106 Agreements."*

The advice on Section 106 Agreements indicates that

*"Properly used, Section 106 Agreements can be used to improve air quality, make other environmental improvements before a development goes ahead or offset the subsequent environmental impact of a proposed development. Planning obligations should be relevant to planning in land use terms and directly related to the proposed development if they are to influence a decision on a planning application. Measures which it might be possible to consider for Section 106 Agreements include:*

- limiting car parking, car-free developments, supporting public transport, other transport infrastructure such as walking and cycling routes/paths.....;
- the purchase, installation, operation and maintenance of air quality monitoring equipment or provision of other assistance or support to enable authorities to implement any necessary monitoring or other actions in pursuit of an Air Quality Action Plan."

- 7.34 A revised air quality assessment has been submitted by the applicants and has been referred to the Council's Environmental Health Department for consultation purposes. The assessment uses a number of different receptors within the vicinity of the site along the High Street/London Road and at proposed residential units on site and at 3 Fairfield Avenue. The methodology of the air quality assessment was discussed with Environmental Health. The assessment considers the potential impacts of construction dust and traffic pollutants from the operational phase of the and the model has been verified against the 2005 monitoring data and traffic data.
- 7.35 The following table provides the modelled annual mean nitrogen dioxide (NO<sub>2</sub>) concentrations for scenarios with and without the proposed development in 2013. The biggest impacts have been predicted at receptors two to six:

Receptor	Predicted Annual average NO <sub>2</sub> concentration (ug/m <sup>3</sup> )			
	2013 base	2013 with	Change	%
R2 (129/131 High Street)	38.6	39.2	0.6	1.6 %
R3 (151 High Street)	39.1	39.9	0.7	1.8 %
R4 (3 Fairfield Avenue)	33.7	34.7	0.9	3 %
R5 (Linden Place)	41.3	43.8	2.5	6%
R6 (85 London Road)	36.1	37.1	10.9	2.5 %

The magnitude of the changes are described as extremely small to small.

- 7.36 The Environmental Health Officer provides the following analysis of the submission. The amended proposed development (including Centrica I and Elmsleigh) is predicted to have a negative impact on air quality with a change in the annual mean NO<sub>2</sub> concentration of up to +2.5 ug/m<sup>3</sup>, equating to a 6.0% percentile increase. The assessment concludes that the likely significant effects of the proposed development traffic exhaust emission against a no development scenario are slight adverse, direct, long term effects on a local scale.
- 7.37 The significance has again been considered against NSCA (2006) guidance. This considers the magnitude of the increase or decrease in levels with the scheme against the absolute concentration of the pollutant in relation to the relevant national air quality standard (NAQS). The standard for annual mean NO<sub>2</sub> (to be achieved by 2010) is 40 ug/m<sup>3</sup>. The assessment has predicted extremely small, very small and small magnitude of changes at the receptor locations. Where the local air quality is below the NAQS with the scheme a slight adverse impact could be considered the appropriate conclusion. However, at receptor 5 the air quality levels are above the standard in 2013 even without the scheme – and so in accordance with the NSCA guidance the conclusion should be that there is a substantial adverse impact. In addition, at receptors 2 and 3 the development impacts are extremely close to causing a breach of the standard and so a moderate adverse impact is more appropriate.
- 7.38 The assessment also considers cumulative development impacts by adding in the Centrica II development impacts (which has not yet been granted planning permission). Under this scenario the magnitude of change between the 2013 no development baseline and the 2013 with development situations is increased. This scenario adds up to a further + 1.0 ug/m<sup>3</sup> change (equivalent to a total 8.5% increase in pollutant levels), specifically at receptor 5, Linden Place on London Road at the junction with Fairfield Avenue (east). This will make the Council's action planning efforts to bring air quality below NAQS harder, as the breach is worsened. The

assessment details that the cumulative impacts would be categorised as substantial adverse under the NSCA criteria but dismisses this as the objective is breached at this location with or without the proposed development. The Environmental Health Officer considers that this stance is contrary to the principles of the guidance.

- 7.39 The air quality assessment concludes that the increases in levels of traffic pollutants due to the proposed development traffic have been predicted to be negligible to small with a minor adverse effect and so the consultants do not recommend any mitigation measures as necessary. However, the Environmental Health Officer does not agree with the conclusion that the development impacts are of only minor adverse effect. In her opinion, as detailed in the comments provided above, there are substantial adverse impacts of the proposed development of the site and from cumulative impacts with other developments. Therefore for any planning permission to be granted, measures will be required to mitigate against the adverse impacts. The air quality assessment refers to the Travel Plan for a range of measures to reduce traffic impacts.
- 7.40 The air quality assessment (which has already used traffic flows factoring in a 10% reduction in car use) has indicated that the measures of the Travel Plan, on their own, will not likely to be sufficient to offset all the impacts of the development. Therefore, it remains appropriate that a financial contribution is made, via a S.106 legal agreement, towards the Council's action planning projects in the area. Without the financial contribution through an adopted legal agreement, there would be insufficient mitigation of the air quality impacts and it is likely that refusal of planning permission on air quality grounds would be appropriate. It should be noted that as part of the approval of the smaller application, 09/00567/OUT, the applicants have agreed a financial contribution within the draft S106 agreement.
- 7.41 In terms of dust, in respect of both applications the construction phase dust impacts have been assessed to be minor adverse and short-term with effect at the local scale only. There were multiple nuisance complaints received by Environmental Health during demolition and site clearance at the application site. Therefore, it is considered appropriate that should either application be granted planning permission that a condition be attached requiring preparation of a dust mitigation method statement and an action plan of criteria for increasing the level of measures to protect health and against nuisance if required.

### Renewable Energy

- 7.42 The applicant has submitted an Energy Strategy document which has been assessed by the Council's Sustainability and Waste Policy Officer. The report makes the following conclusions:
- Energy saving measures would be used to ensure that the proposed development exceeds the compliance requirements of the Building Regulations.
  - Highly efficient condensing boilers will be installed.

The following renewable energy technologies are proposed:

- Zone 1 – a Ground source heat Pump to produce heating and cooling at the building. The GSHP will save 17% of the overall energy demand and a 21% saving in carbon dioxide emissions.

- Zone 2 – a Ground source heat Pump to produce heating and cooling at the building. The GSHP will save 12% of the overall energy demand and a 17% saving in carbon dioxide emissions.
- Residential element – Approximately 170 sq m of solar thermal panels to produce hot water to save 17% and a 25% saving in carbon dioxide emissions.

7.43 Policy CC1 of the Core Strategy and Policies DPD 2009 will support the provision of renewable energy, energy efficiency and promote sustainable development. This will be by requiring residential development of one or more dwellings and other new development exceeding 100 sq m to:

- Optimise design, layout and orientation of development to minimise energy use
- Include measures to provide at least 10% of the development's energy demand from on site renewable energy sources, and
- Encouraging measures including attaining high energy efficiency and minimum impact on the environment to at least Code for Sustainable Homes – 3 star or BREEAM "very good" standard, encouraging high standards of sustainable construction and encouraging appropriate freestanding renewable energy schemes.

It is considered that the proposal does indicate a sufficient range of measures at the outline planning stage to enable the 10% renewable energy requirement to be met and the Council's Sustainability and waste Policy Officer is satisfied with the proposals at this outline planning stage. The measures would be subject to more detailed analysis at the reserved matters stage and a condition should be imposed at this stage which will require the applicant to provide 10% of the energy requirements as a whole using renewable energy methods.

#### Loss of Surrey Careers Service Office

7.44 The loss of the Surrey Careers Service Office is noted. However, this was also the case when the previous planning applications were considered, including the most recent application, 09/00567/OUT and the building has been demolished. In the assessment of these applications, it was stated in the officer's report to Committee that "it is not considered an objection which would be substantiated on appeal could be raised to the loss of the Surrey Career's Service". There have been no material changes in circumstances since that time and it is considered that this is also the position with the current application.

#### Education

7.45 The County Education Officer has requested a financial contribution of £3,432 per residential unit (2 bed+) for Primary schools and £673 per unit (2 bed +) as an Early Years contribution. A request for a contribution for the previous planning applications, 09/00566/OUT and 09/00567/OUT was also requested. However, it was not felt reasonable to pursue it with these earlier applications as at that time Surrey County Council were proposing to close Shortwood School by July 2010. However, the County Council has since reversed its decision to close Shortwood School and this represents a material change in circumstances since the last applications were determined. The applicant has been informed of the requirements of the County Education Officer and Members will be updated at the Planning Committee meeting.

## Flooding

- 7.46 The site contains areas of flood zone 2 (land having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% - 0.1%) and zone 3a (land having 1 in 100 or greater annual probability of river flooding >1%). PPS25 "Development and Flood Risk" states that *"the aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall."* In addition, in determining planning applications, LPAs should *"ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed."* It also stresses the importance of giving *"priority to the use of SUDS"*.
- 7.47 As a consequence, the applicant has submitted a Flood Risk Assessment (FRA) which has been considered by the Environment Agency. Flooding and water resources are also considered in the applicants' Environment Statement. As set out in PPS25 "Development and Flood Risk", the Sequential Test should be considered to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. In response to this, the EA has been advised that the site falls within Staines Town Centre and the key planning objective for town centres is to promote their vitality and viability by promoting and enhancing existing centres by focusing development there and encouraging a wide range of services in a good environment, accessible to all. It was a previously developed site (the buildings have recently been demolished) and the policy aim is for Local Planning Authorities to make effective use of land by re-using land that has previously been developed and by making more efficient use of land and buildings within existing centres and aiming to increase the density of development, where appropriate. In addition, the Majestic House site has an extant planning permission for a mixed use scheme to include 35,022 sq m of floorspace.
- 7.48 On previous applications on this site, the EA confirmed that planning permission should only be granted to the proposed development as submitted if a number of planning conditions are imposed. Without these conditions, the EA considered that the proposed development poses an unacceptable risk to the environment would wish to object to the application. However with this recent planning application, different flood levels now apply and the FRA has not been updated to reflect this. The EA indicate that it is important that correct flood levels are used as this will affect matters including safe access and finished floor levels. As a consequence the EA have recommended that in the absence of an acceptable FRA they object to the grant of planning permission and recommend refusal on this basis that the FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS25). The submitted FRA does not, therefore, provide a suitable basis for assessment to be made for the flood risks arising from this development. In particular, the EA advise that the FRA fails to be supported by appropriate information as it does not include the recent flood modeling data from the Lower Thames reach 3 study. These new flood levels will inform the design of the building, including safe access route, finished floor levels, basement waterproofing measures and flood plain compensation scheme. This matter has been raised with the applicant and the EA has advised that further information is due to be submitted very shortly. Members will be updated should there be any further progress on the information required by the EA following the finalisation of this report.

## Archaeology

- 7.49 The site partly lies within a designated Area of High Archaeological Potential and the applicant has re-submitted previous archaeological reports. The County Archaeological Officer has been consulted on this proposal. He comments that an evaluation of the site carried out to an agreed specification in 2007 when the previous planning application was being considered, involved the excavation of nine trial trenches. The evaluation revealed a large linear feature of Roman date (thought to be a flood protection ditch) and prehistoric features in the north western corner of the site, and medieval and post-medieval remains elsewhere. The County Archaeological Officer advises that similar and associated deposits are likely to be present in certain parts of site, and these remains are clearly under threat of destruction from the proposed development. Given this, the County Archaeological Officer recommends that there is the need for further archaeological mitigation on the site.
- 7.50 This mitigation will comprise a programme of excavation within a designated area surrounding the location where the features of prehistoric and Roman date were revealed (with contingency within this to extend the area excavated to the south and east should archaeological deposits be revealed to be extending beyond the limits of the area designated), and a watching brief in those parts of the site (outside of the area to be excavated) where the archaeological horizons have not been demonstrated to have been destroyed by past development works (this includes underneath the current buildings as it is unknown how deep the foundations of the existing buildings are and whether deposits survive below these structures).
- 7.51 To secure the excavation and watching brief, it will be necessary to maintain the archaeological condition on the planning permission. The County Archaeological Officer has previously agreed a specification for both the excavation and watching brief (which was one of the reports submitted with this application), and the archaeological work will need to be undertaken in accordance with the specification. When all the fieldwork has been carried out satisfactorily, and agreement has been reached between the developers and their archaeological consultants on the funding and timescale of any post-excavation work, the County Archaeological Officer will be able to recommend discharge of the condition. The condition can be attached to any planning permission.

## Contamination

- 7.52 The submitted Environmental Statement assesses the likely significant effects of the proposed development in terms of contaminated land. The report describes the assessment methodology, the current baseline conditions, the likely significant environmental effects the mitigation measures required and the likely significant environmental effects. This report has been considered by the Council's Pollution Control Officer. Based on the submitted information there are requirements for additional intrusive site investigation and likely mitigation and remedial measures to be specified prior to commencement of development.
- 7.53 The supplied report comprised a desk top study which identified potential for residual asbestos to be present within underlying soil, the possibility that underground storage tanks may still be present in subsurface as well as several hot spots areas. It also indicated that a ground gas survey is required as this has not been carried out at this site to date. The land on which the proposed development is to be situated has had a previous use that may have resulted in the land being contaminated. There has also

been historical land uses nearby which may have also resulted in land contamination. The potential for land contamination on and off site may represent a risk to the proposed site use. As such the applicant would be required to undertake a contaminated land site investigation prior to commencement of the development. This can be dealt with by means of a condition.

### Noise

- 7.54 The Environmental Statement considers noise and vibration associated with the development and this has been assessed by the Council's Pollution Control Officer. The report assessed the effects of noise from the completed development on existing residential properties as well as environmental noise on the proposed development. Traffic flow noise levels with and without the proposed development taking place were assessed and were likely to have insignificant effects on the surrounding network. The effects of construction site noise will be adverse in the local vicinity but the report refers to the fact that this is short term and will be controlled by best practice and operating hours. In addition, the report provides recommendations for mitigation to ensure insignificant effects on existing and future receptors. Finally the report assesses the effects of vibration from the London-Waterloo-reading and possible plant on the proposed development and concludes that they are likely to have negligible effect. The comments from the Council's Environmental Health Department on plant noise and construction noise are awaited and Members will be updated at the Planning Committee meeting.

### Kitchen Extraction

- 7.55 The applicant has provided a ventilation statement for each application. This describes the application site in terms of four zones and the basement car parking – it is not clear how this corresponds with the labelling of Buildings A to D in the Design Statement. The statement does set out that any kitchen extraction ventilation will be discharged at roof level. Building D at the south west corner of the application site is relatively low rise in nature and careful design will be required for any kitchen extraction ventilation from this building to ensure that the discharge does not impact on nearby residential properties nor any windows or intakes to other buildings. Consequently the Environmental Health Officer recommends that if planning permission is granted for either application that it be conditional to a requirement to submit kitchen extraction details for approval, and installation and maintenance in accordance with the approved scheme.

### Conclusions

- 7.56 In conclusion, the principle of the proposed uses is acceptable and an acceptable mix of uses is proposed within a town centre location. The design and massing, although very substantial, are considered to be acceptable in the street scene and surrounding development, including residential amenity. The proposal would include a new link road provide at no cost to the Council which is a long standing aim of the Borough Plan. In terms of transportation matters, both the County Highway Authority and the Highways Agency have confirmed that this amended proposal overcomes their previous objections subject to conditions and a legal agreement. On the air quality issues, the amended submission overcomes the previous objection subject to the applicant making a financial contribution, via a S.106 legal agreement, towards the Council's action planning projects in the area. Without the financial contribution through an adopted legal agreement, there would be insufficient mitigation of the air quality impacts and the application should be refused permission. The County Education Officer has requested a contribution and members will be updated on the

applicant's response at the Committee meeting. On the flooding issue, the Environment Agency has raised objection as the FRA has not been updated to reflect the different flood levels which now apply to this site. At the time of writing this report it is understood that information will be submitted shortly and Members will be updated at the Planning Committee meeting.

### **Recommendation**

#### 8.1 Subject to:

- The Environment Agency raising no objection on flooding grounds and
- The education contribution being satisfactorily resolved:
- The applicant entering into a legal agreement in respect of:
  - 1 The construction and completion of the link road at no cost to the Council to an adoptable standard and to be dedicated as public highway between Fairfield Avenue and Millmead all as generally shown on parameter plan number 1 received August 2009 and as agreed with the Council prior to substantial completion of the development.
  - 2 The widening of the footway on Fairfield Avenue and High Street and its dedication as public highway in accordance with details to be agreed with the Local Planning Authority.
  3. The closing off of Millmead to vehicular traffic following the completion of the link road and the repaving and/or resurfacing of Millmead in accordance with details to be agreed by the Council including the funding of the road closure order for vehicular traffic. Pedestrian access to be retained.
  4. The repaving of the High Street and Fairfield Avenue and also Millmead between the application site and the High Street in accordance with details to be agreed by the Local Planning Authority.
  5. Provision of 50% of the residential units to be affordable properties with no more than 35% shared ownership. The details of this are to be based on an open book assessment to be submitted to the Council immediately prior to the commencement of the housing element of the proposal. The housing shall be built in accordance with current housing standards, the details of which (including timing) shall be agreed with the Council's Head of Housing Strategy. The affordable housing shall comply with the Council's nomination criteria. Alternatively the provision of a commuted sum in lieu of on site affordable housing provision.
  - 6 To provide a public work of art to a value of not less than £118,000 (excluding VAT and installation costs) in accordance with details to be agreed with the Local Planning Authority.
  7. To provide a financial contribution of £333,700 towards improving non-car modes of transport within Staines Town Centre, including CCTV provision.
  8. Prior to the first occupation of the development the applicant shall:
    - submit for the written approval of the County Highway Authority a Travel Plan in accordance with the Framework Travel Plan and pay to the County Highway Authority a single payment of £6150 towards their ongoing expense in auditing the effectiveness of the Travel Plan.

- To implement the approved Travel Plan on the first occupation and for each subsequent occupation of the premises. The applicant shall thereafter retain and/or develop the Travel Plan to the satisfaction of the County Highway Authority.
  - To provide adequate lighting along the link road and Millmead in accordance with details to be agreed with the Local Planning Authority.
  - To provide £10,000 to fund waiting restrictions in Fairfield Avenue and the Moormede Estate.
9. To provide tree planting as generally shown on the illustrative masterplan received in August 2009 and in accordance with a specification to be agreed with the Local Planning Authority.
  10. To provide mitigation measures as set out in the submitted Air Quality Assessment and a financial contribution towards mitigation within the AQMA.
  11. To ensure that the Square/Court is accessible to the public in perpetuity.
  12. To provide an education contribution of £3,432 per eligible dwelling for primary schools and £673 per eligible dwelling as an early years contribution.
  13. To permit alterations to the drafting of the agreement to be delegated to the Deputy Chief Executive in consultation with the Chairman of the Planning Committee.

GRANT, subject to the conditions set out below:-

- 1) DURATION OUTLINE (C001).
- 2) DETAILED DRAWINGS (C004) insert "appearance, landscaping, layout and scale".
- 3) Unless otherwise agreed in writing by the Local Planning Authority, each application for the approval of details of reserved matters shall be accompanied by the following for the approval of the Local Planning Authority and the development of that reserved matters zone shall not be commenced until such details have been so approved and shall not be carried out otherwise than in accordance with the details approved:

A statement to demonstrate that such details of reserved matters generally accord with the design principles referred to in the design and access statement (August 2009) and compliance with the development parameters dated August 2009 have been incorporated including:

- a) Building massing;
- b) Relationship of the reserved matters zone with the rest of the site;
- c) Urban form and architectural treatment;
- d) Public realm and amenity space;
- e) Accessibility for all;
- f) Footpaths and cycleway;
- g) Car parking and cycle parking including the number of spaces and location;
- h) Vehicular accesses and circulation;

- i) Service arrangements;
  - j) Principles of landscaping both hard and soft;
  - k) Infrastructure including drainage and public utilities
  - l) Existing and proposed levels;
  - m) Security and safety
  - n) Principles of energy efficiency.
- 4) No plant shall be erected on the outside of the development hereby approved, without the prior written permission of the Local Planning Authority.
  - 5) Subject to the approval of all submission of reserved matters, the maximum amount of floorspace and development hereby permitted for which planning permission is required (as contained in the development parameters schedule) shall be 35,022 sq m gross. Subject to 39,750 sq m gross external floorspace not being exceeded, the mix of land uses shall not exceed the following:
    - a) 29,604 sq m Class B1a
    - b) 2,750 sq m Class A1
    - c) 2,750 sq m Classes A2, A3 , A4, A5
    - d) 2,000 sq m Class D1
    - e) 14,000 sq m Class C3
    - f) 10,000 sq m Class C1
  - 6) MATERIALS (after “areas” add “within that reserved matters submission approval area shall” (CO34)
  - 7) ADEQUATE FACILITIES FOR REFUSE DETAILS REQUIRED (CO37)
  - 8) WHEEL WASHING FACILITIES DETAILS REQUIRED (CO46)
  - 9) SITE INVESTIGATION CONTAMINATED LAND (CO94)
  - 8) The development hereby approved shall be carried out in accordance with the Development Parameters Schedule set out in the Planning Application Booklet dated August 2009.
  - 9) PROVISION OF DUCTING after “permitted” add “ by a reserved matters submission approval” and after “installed” add “within that reserved matters submission approval area” (CO89)
  - 10) ARCHAEOLOGY – PROGRAMME OF WORK (CO85)
  - 11) With the exception of the works required in connection with the construction of the new link road, before any other operations are commenced the proposed vehicular accesses to the new link road shall be constructed and provided with visibility zones in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.
  - 12) (a) The means of vehicular access to the development shall be from the new Link Road (Servicing) and Millmead (Parking) only.

- (d) With the exception of the work in connection with providing access and the link road referred to above, the existing accesses from the site to Fairfield Avenue shall first be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority, and thereafter maintained as such.
- 13) No part of the new development within a reserved matters submission approval area shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to provide secure, safe, convenient and lit cycle parking and shall thereafter be permanently maintained.
- 14) METHOD OF CONSTRUCTION STATEMENT (HC8).
- 15) Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out
- 16) The development hereby approved shall not be occupied until the footway on Fairfield Avenue and the High Street has been widened in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, as generally shown on plan SP7504/04 Rev C and then dedicated as part of the public highway prior to the occupation of the proposed dwellings.
- 17) Before the development is occupied the proposed vehicular access to Mill Mead shall be constructed and provided with visibility zones in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.
- 18) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 520 cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.
- 19) The development shall not be occupied until details of the management and use of the proposed parking have been submitted to and agreed in writing by the Local Planning Authority, this will include a hierarchy for priority of use (e.g.: disabled, parents & toddlers, visitors, high occupancy vehicles, electric/hybrid/ and/or ethanol/petrol cars).  
The management of the proposed spaces shall be in accordance with the approved details and be included in the Travel Plan.
- 20) PROTECTION OF HIGHWAY FROM MUD ETC (HC18)
- 21) Before the residential development hereby permitted is first occupied, the buildings shall be so constructed as to provide a sound attenuation in the habitable rooms of not less than 35dB against the external noise to which they

will be exposed in accordance with details to be submitted to and approved by the Local Planning Authority before any work is commenced.

- 22) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 23) The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

No infiltration of surface water drainage into the ground is permitted unless where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

- 24) Details of works of public art shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The public art, as agreed, shall be implemented prior to the first occupation of the development and in accordance with a timetable to be agreed with the Local Planning Authority.
- 25) The Class A1/A2/A3/A4/A5/ floorspace uses shall be provided on the ground floor in accordance with the submitted illustrated masterplan received August 2009 with pedestrian access onto the High Street. The Class A1 use shall take up no less than 32 metres of the High Street frontage and the Classes A1/A2/A3/A4/A5/D2 uses shall be completed and available for use prior to the completion of the offices (Class B1). Any deviation shall be the subject of the prior written approval of the Local Planning Authority.
- 26) Prior to the commencement of the details of the fenestration on the elevations facing 120 High Street, shall be designed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details. Any obscure glazing which may be agreed as part of these details shall be fitted and maintained thereafter.
- 27) RENEWABLE ENERGY (CO97)
- 28) DISABLED ACCESS (CO87)
- 29) MEANS OF ENCLOSURE DETAILS REQUIRED after "development" add "in a reserved matters submission approval area" (CO32)
- 30) The part of the development comprising the new buildings at numbers 122-132 High Street, Staines shall not commence until the section of the highway maintainable at public expense that is enclosed by the new building has been stopped up under Section 247 of the Planning Act.
- 31) Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the

public system until the drainage works referred to in the strategy have been completed".

- 32) Prior to the commencement of the development within a reserved matters submission approval area, details of the proposed mitigation measures, to control noise and dust from the construction works for that reserved matters approval area shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with those approved details.
- 33) The development shall provide a minimum floorspace of 1789 sq m retail/leisure use and 4174 sq m of residential floorspace in accordance with a phasing plan to be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the agreed details.
- 34) Prior to the commencement of the development hereby approved, the applicant shall submit, for the approval of the Local Planning Authority, a dust mitigation method statement and an action plan of criteria for increasing the levels of measures to protect health and against nuisance. The approved details shall be implemented and retained.
- 35) NO EXTERNAL STORAGE (CO60)
- 36) The Class B1 Office element of the scheme shall not exceed 29, 604 sq m.
- 37) The maximum number of residential units shall not exceed 195.

#### REASONS

- 1) R002
- 2) R004
- 3) To ensure the development is carried out in accordance with the approved details.
- 4) To ensure that the development is carried out in accordance with the approved details.
- 5) In the interest of visual amenity.
- 6) RO34
- 7) RO37
- 8) RO46
- 9) RO94
- 8) To accord with the terms of the planning application and to ensure an acceptable development.
- 9) RO89

- 10) RO85
- 11-12) HR1 The conditions above are required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users
- 13) In recognition of Planning Policy Guidance Note 13 "Transport".
- 14-18) HR1 The conditions above are required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users
- 19) In recognition of Planning Policy Guidance Note 13 "Transport".
- 20) In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users
- 21) To protect the occupants of the proposed building from noise.
- 22-23) To protect controlled waters.
- 24) In the interest of visual amenity.
- 25) In the interest of the vitality of Staines Town Centre.
- 26) To safeguard the privacy of the adjacent property no. 120 High Street and in order to assess the implications of any alterations.
- 27) RO97
- 28) RO87
- 29) RO32.
- 30) To ensure the public highway is not obstructed or encroached upon.
- 31) The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.
- 32) To minimise noise disturbance and dust during the construction period.
- 33) To ensure that a mixed use development is provided to assist in the viability and vitality of Staines Town Centre.
- 34) To protect against dust nuisance.
- 35) RO36
- 36) In the interest of the free flow of traffic.
- 37) In the interest of the free flow of traffic

#### INFORMATIVES TO APPLICANT

- 1. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade

effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.

2. The applicant is required to consult with the Environment Agency on Conditions 22, 23 and 24.
3. The Environment Agency advises that activities carried out at this site in the past may have caused contamination of soils, subsoils and groundwater (water in both unsaturated and saturated zones). Therefore it is recommended that to carry out in carrying out the site investigation to consult with the Environment Agency to determine the nature and extent of contamination. In the event that contamination of the site is confirmed the developer should liaise with the Environment Agency on measures required to protect surface water and groundwater.
4. The applicant is requested to contact Thames Water to discuss their waste and water requirements prior to any work commencing on site.
5. H(Inf)3
6. H(Inf)5
7. H(Inf)7
8. H(Inf)12
9. H(Inf)13
10. H(Inf)14
11. H(Inf)15
12. H(Inf)16
13. H(Inf)18
14. H(Inf)23
15. S14
16. S15
17. The applicant's attention is drawn to the information and advice to the applicant as set out in the e mail from Thames Water dated 21/09/09 and forwarded to the applicant's agent on the same day.
18. I07 REASONS FOR GRANT OF PERMISSION

#### **Summary of Reasons For Decision**

1. You are advised that this application was determined by the Local Planning Authority with regards to the policies in the Council's Core Strategy and

Policies DPD 2009, and was considered to comply with these policies. In particular the following policies were used:

#### Core Strategy and Policies DPD

- SP1 (Strategic Development)
- LO1 (Flooding Implications of Development)
- SP2 (Housing Provision)
- HO1 (Providing For New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Density of Housing Development)
- SP3 ((Economy and Employment Land Provision)
- EM1 (Employment Development)
- EM2 (Employment Development on Other land)
- SP4 (Town Centres and Retail Development)
- TC1 (Staines Town Centre)
- TC2 (Staines Town Centre Shopping Frontage)
- CO2 (Provision of Infrastructure For New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (development and Noise)
- EN15 (Development on Land affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (sustainable Travel)
- CC3 (Parking Provision)

#### Spelthorne Borough Local Plan (saved Policies)

- BE25 (Archaeology) – saved policy
  - BE26 (Archaeology) – saved policy
2. The material circumstances of the case, including site history, location and impact on the surrounding area were considered. In addition, consideration was given to the principle of office/retail/leisure/residential use, Mix of use, the new Link Road, impact on street scene and surrounding development, impact on residential amenity, traffic generation - movement policy and sustainability, air quality, flooding, loss of Surrey Services Service Office, education, archaeology, contamination, renewable energy and noise
3. It was considered that there was no adverse impact upon the character or appearance of the area that would justify a refusal in this case.

#### APPENDICES

- Appendix 1 Planning History
- Appendix 2. Parameter Plan – Maximum heights, setbacks, footprints
- Appendix 3 Parameter Plan – Maximum extent of basement
- Appendix 4 Illustrative Parameter Plan – axonometric 3D development envelope
- Appendix 5 Illustrative Parameter Plan – Masterplan (ground floor)

Appendix 1

Planning History

The more recent history for the site is set out below:-

PA/96/0489	Land to the north west of High Street/Fairfield Avenue). Demolition of existing building and erection of 2, 3 and 4 storey development comprising 4656 sq m offices, retail and residential units associated parking and access/link road.	Withdrawn 03/06/1997
PA/97/0165	10-12 Fairfield Avenue. Erection of 900 sq m of new offices and 36 car parking spaces (Outline application).	Appeal lodged against non-determination subsequently withdrawn.
PA/97/0570	10-12 Fairfield Avenue. Erection of new office building and ancillary car park comprising 900 sq m (Outline application).	Withdrawn
PA/97/0628	Majestic House and 122-132 High Street, Staines. Enclosure and conversion of ground floor of Majestic House to provide additional office accommodation. Recladding of external façade of building and two new external lifts and landing. Creation of enlarged glazed office entrance fronting High Street involving loss of Class A2 use. External alterations to properties fronting High Street and reduction of office floorspace at first floor. Amendment and extension of parking layout following demolition of Surrey Careers Services building.	Resolved to approve 28/04/1999 subject to a legal agreement (not yet completed).
PA/98/0478	Former Postal Sorting Office, Fairfield Avenue, Staines. Demolition of existing buildings and erection of a 5-storey office block comprising 3210 sq m with associated car parking and landscaping.	Resolved to approve 27/05/1998 Decision Notice issued 27/05/1999.
DEM/99/0012	Demolition of dwelling at 12 Fairfield Avenue.	Approved 21/12/1999
PA/99/0059	8, 10 and 12 Fairfield Avenue. Erection of a three storey building comprising 1110 sq. m	Resolved to approve 10/11/1990 Subject to a legal agreement.

PA/00/0547	12 Fairfield Avenue. Erection of 800 sq m of Class B1 (Business) floorspace on three floors with undercroft access and parking.	Approved 18/10/2001
PA/00/0302	Majestic House, 122-132 and rear of 132A-140 High Street, 4-10 Fairfield Avenue and land fronting Millmead, Staines.  Redevelopment of site with a total of 19447 sq m floorspace, comprising 16573 sq m Class B1 (Offices), 1650 sq m Classes A1 (Retail) and/or A2 (Financial and Professional Services) and/or Class A3 (Food and Drink), 1224 sq m residential together with 427 car parking spaces at basement levels and surface level and provision of service areas and new Link Road from Fairfield Avenue to Millmead, following demolition of existing building (Outline application).	Resolved to approved subject to legal agreement 03/01/2001. Decision notice issued 13/12/2001.
PA/01/0136	132A -140 High Street, 2 Fairfield Avenue, Staines. Erection of a four storey building following demolition of 134-140 High Street and 2 Fairfield Avenue comprising Classes A1 (Retail) and/or A2 (Financial & Professional Services) and/or A3 (Food and Drink) on the ground floor with Class B1 (Office) accommodation above and erection of two new floors of office (Class B1) accommodation above existing Post Office building (No. 132A High Street).	Resolved to approve 27/03/2002 subject to a legal agreement (not yet completed).
PA/01/0316	Majestic House, 122-140 (incl) High Street, 2-12 Fairfield Avenue and land fronting Millmead, Staines, Middlesex. Redevelop site with Class B1 (Office), Class A1 (Retail), and/or Class A3 (Food and Drink), Class D2 (Leisure) use, 18 no. affordable flats, 7 no. private flats, car parking at surface and basement levels and new link road from Fairfield Avenue to Millmead, following demolition of existing buildings.	Resolved to approve 09/10/2002 subject to a legal agreement (not yet completed).
02/01084/OUT	132A-140 High Street, 2-12 Fairfield Avenue, 4-10 Fairfield Avenue and no.8 and land fronting Millmead, Staines. Redevelop site to provide Class B1 (Office); Class A1 (Retail) and/or Class A2 (Financial and Professional Services) and/or Class A3 (Food and Drink), Class D2 (Leisure) use; residential units, car parking at ground and basement levels and new link road from Fairfield Avenue to Millmead following	Resolved to approve Feb. 2004. Decision Notice issued 19/05/05

	demolition of existing buildings.	
06/00884/OUT	Redevelopment of site to provide offices (Class B1), Shops (Class A1) and/or Financial and Professional Services (Class A2) and/or Restaurants & Cafes (Class A3) and/or drinking Establishments (Class A4) and/or Hot Food Take-away (Class A5) Leisure Use (Class D2) and 25 residential units (including affordable housing) together with car parking at basement levels and ground floor level and provision of servicing and loading facilities and new link road from Fairfield Avenue to Millmead, following demolition of existing buildings.	Resolved to approve 27/09/06. Decision Notice issued 25/04/07
09/00566/OUT	Land including the former Majestic House site to the North of High Street, extending to Mill Mead and Fairfield Avenue and land to the west of Mill Mead, Staines. Outline planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 39,750 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3; Class D2; Class A1, A2, A3, A4, A5. Such development to include: Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.	Refused 11/11/09. Appeal lodged.
09/00567/OUT	Land including the former Majestic House site to the North of High Street, extending to Mill Mead and Fairfield Avenue and land to the west of Mill Mead, Staines. Outline Planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 35,022 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3; Class D2; Class A1, A2, A3, A4, A5. Such development to include; Highways and public transport facilities; pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.	Resolved to approve 11/11/09 subject to a S106 agreement (not yet completed)

