

Application Number	Expiry Date	Parish	Ward
230219	12/05/2022	Earley	Bulmershe and Whitegates

Applicant	Abrdn
Site Address	Unit 31-33 Suttons Business Park, Suttons Park Avenue, Earley, RG6 1AZ
Proposal	Full planning application for the demolition of existing building and erection of new building to provide new class B2/B8 industrial unit with ancillary office space plus associated storage areas, car parking, access and landscaping.
Type	Full
Officer	George Smale
Reason for determination by committee	Major Application

FOR CONSIDERATION BY	Planning Committee on Wednesday, 10 May 2023
REPORT PREPARED BY	Assistant Director – Place
RECOMMENDATION	APPROVAL subject to conditions and informatives

SUMMARY
<p>This planning application is before the committee as it is a Major planning application recommended for approval.</p> <p>This is a proposal for the replacement of three existing B Class use units (1x B2 and 2 x B8) with a new B8/B2 unit. The proposed replacement building will be smaller in its width and depth reducing its floor space, but would be taller than the existing building. However, given that the proposal would be only 0.5m taller, that there are variations in the heights of the buildings along the street and the wider industrial estate, and that the proposal is set within the site, that the proposal would not be harmful to the character of the area.</p> <p>The proposal would also not result in a harmful loss of B Class floor space.</p> <p>The proposal would not result in harm to residential amenity and would not result in issues of highway safety or parking stress.</p> <p>As such, the proposal would accord with the development plan and is recommended for approval.</p>

PLANNING STATUS
<ul style="list-style-type: none"> • Major development location • Contaminated land consultation zone • Core Employment Area • Consultation Zone - Major Nuclear Site- AWE 12km • Environment Agency Surface Water Flood Zones • Bat Roost Habitat Suitability • Sites of Special Scientific Interest Impact Risk Zones

RECOMMENDATION
That the Committee authorise the GRANT OF PLANNING PERMISSION subject to conditions.

PLANNING HISTORY		
Application ref	Description	Outcome
181642	Full planning application for the demolition of existing building and erection of new building to provide new class B2/B8 industrial unit with ancillary office space plus associated storage areas, car parking, access and landscaping.	Conditional Approval-13 September 2018
TP/2001/5098	Temporary permission for storage building for unit 31 and 32.	Conditional Approval-30 January 2002
22133	Change of use lind electronics (unit 32, 33).	Conditional Approval-23 August 1984
45259	Change of use of unit 32 from B1(c) to B8.	Conditional Approval-21 December 1995
96/64771/A	Non-illuminated facia sign.	Conditional Approval-15 January 1997
96/64572/7	Antenna.	Conditional Approval-3 December 1996
30470	Car parking spaces, mezzanine floor/offices.	Conditional Approval-10 June 1988
28516	External and internal alterations (add office space).	Conditional Approval-2 September 1987
22133	Unit 32 & 33- Change of use from industrial to electronics.	Conditional Approval-23 August 1984
15101	Gatehouse and store.	Conditional Approval-9 April 1981

Application ref	Description	Outcome
09044	3 Warehouse units.	Approved. 31 August 1978

SUMMARY INFORMATION	
For Commercial	
Site Area	1.4 ha
Previous land use(s) and floorspace(s)	2 x units B8 and 1 x B2 totalling 8,114 m ²
Proposed floorspace of each use	Mixed B2 and B8 totalling 7,314 m ²
Change in floorspace (+/-)	-800 m ²
Number of jobs created/lost	N/A
Existing parking spaces	99 car parking spaces
Proposed parking spaces	129 car parking spaces (+30), 6 motorcycle parking spaces, and 37 bicycle spaces

CONSULTATION RESPONSES	
WBC Ecology	No objection, subject to conditions.
WBC Drainage	No objection subject to condition.
WBC Environmental Health	No objection subject to condition.
WBC Highways	No objection subject to conditions.
WBC Tree & Landscape	No objection subject to conditions.
West Berks Emergency Planner	No comments.
WBC Emergency Planner	No comments.
Berkshire Archaeology	No objection subject to conditions.
Network Rail	No objection and recommend informatives.
The Environment Agency	No comments.

REPRESENTATIONS
Town/Parish Council: No objection.
Local Members: No comments received.
Neighbours: No comments received.

APPLICANTS POINTS
<ul style="list-style-type: none"> Application seeks to continue the broader rejuvenation of Suttons Business Park by redeveloping the site to create a new and attractive modern unit to replace the current deteriorating building. The site sits within a recognised core employment area, where development for business, industry, or warehousing should be encouraged. The proposed scheme will attract a wide range of potential occupiers, which will improve the attractiveness of Suttons Business Park from a market point of view. The existing units are no longer fit for use for industrial occupiers because the service yards are insufficient in depth and the units have limited eaves height.

- The proposal responds well to the character of the surrounding buildings in the Business Park, incorporates sustainable design solutions, and protects the amenity of the adjoining occupiers.
- The scheme encourages sustainable forms of travel due to its proximity to public transport links and pedestrian routes. There is also provision of secure cycle storage facilities.

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
National Planning Policy Guidance	PPG	
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP4	Infrastructure Requirements
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
	CP15	Employment Development
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB04	Development in vicinity of Atomic Weapons Establishment (AWE), Burghfield
	TB11	Core Employment Areas
	TB12	Employment Skills Plan
	TB21	Landscape Character
	TB23	Biodiversity and Development
	TB25	Archaeology

Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

PLANNING ISSUES

Description of Development

1. The proposal is for the demolition of the existing industrial units, 31, 32, and 33 (1 x B2 and 2 x B8 use) Suttons Business Park, and their replacement with a single B2/B8 unit with ancillary office in a mezzanine level.
2. The proposed building would be smaller in its width and depth than the existing building but would be taller and is set back into the site towards the railway line. It would have dual pitched roof with a ridge height of 17.1 metres and an eaves height of 15.5 metres.
3. A new service yard and parking area will be located to the south of the site in front of the new unit with for 129 car parking spaces (+30), 6 motorcycle parking spaces, and 37 bicycle spaces. There will also be the creation of two new accesses to the front and the side of the site, and an integrated landscape scheme.
4. It is acknowledged that this proposal similar in the nature, scale, and form to a previous consent on the site (ref: 181642) for a single B2/B8 unit with ancillary office space which was approved by the council's planning committee on 13/09/2018. This permission was never implemented. The main difference with the current application is the small decrease to the ridge height (-0.4m) and eaves height (-0.5m) of the building, and alterations to parking arrangements.

Principle of Development

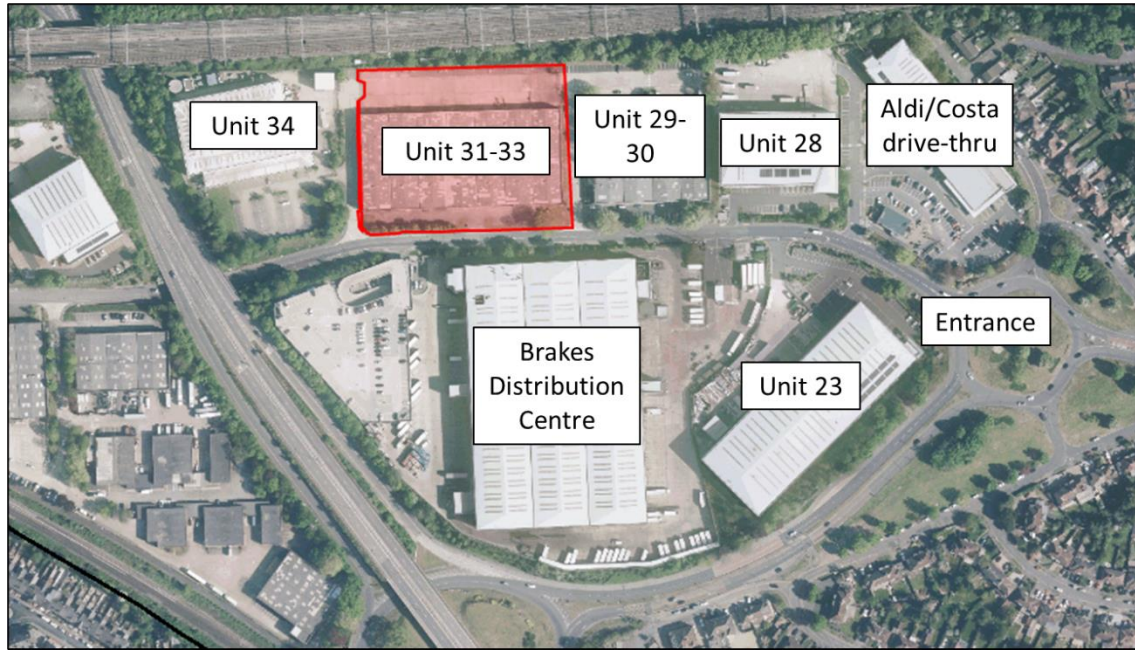
5. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. Paragraph 81 of the NPPF states that decisions should help create the conditions in which businesses can invest, expand and adapt. It goes on to confirm that **significant weight** (officer emphasis) should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
6. The site is located in a Core Employment Area and therefore the application needs to be assessed against policies CP15 and TB11. Specifically, these policies encourage the provision of B use floor space in Core Employment Areas as well as supporting a range of types of buildings (e.g., start-up, expansion and investment). The proposal would result in an overall loss of around 800sqm of B class floor space. Notwithstanding, the proposal would replace a dated building which is more attractive to future occupiers. The significant increase in height and overall volume of the building in comparison to the existing building will allow for a more flexible use to serve the modern-day requirements of large-scale commercial units. In addition, the new service yard is sufficient in depth to the front of the property is more accessible than the existing position to the rear. As such, the

principle of development is considered in accordance with local and national policy.

Character of the Area

7. Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that 'maintain or enhance the high quality of the environment'.
8. Policy CP3 of the Core Strategy states planning permission will be granted if development is '...of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life'. Proposals should provide a functional, accessible, safe, secure, and adaptable scheme that uses the full potential of the site.
9. Section 7.2 of the Wokingham Borough Design Guide SPD states that non-residential development should be designed to respond to and exploit key features or characteristics of the site and the local context. Views should not be limited to arrival at the site by car and proposals should create well designed and attractive environments that people enjoy using, as well as being successful in attracting occupants. Section 7.5 states that car parking should be positioned unobtrusively and should be well designed and landscaped. Boundary treatments should form an integral part of design proposals.
10. MDD Policy CC03 states that: Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:
 - a) Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development
 - b) Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways
 - c) Promote the integration of the scheme with any adjoining public open space or countryside
 - d) Protect and retain existing trees, hedges and other landscape features
 - e) Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.
11. MDD Policy TB21 states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.

12. Suttons Business Park consists of 61 individual business and commercial units, totally an area size of approximately 12 hectares. The Park is contained within the two railway lines running along the northern and southwestern boundary, and is partly split into two by the connecting road of the A4 and A3290(M), connected via a vehicular underpass. Many of the units remain undeveloped from their original 1980s condition, but others have been either retrofitted or replaced entirely to provide more attractive and functional buildings for modern-day multi-purpose usage.



13. The existing site comprises of one large 8,114 sqm building with three separate industrial units on the eastern side of the Business Park. The buildings existing 1980s materials consist of external brick walls, glazed windows to the front, and steal roofing. To the rear of the site is the service area and beyond that is the railway line that delineates the edge of the business park. The main car park is located to the front of the buildings, with additional parking to the sides.
14. The new site layout will set the new building further back to the rear of the plot in proximity to the railway line, retaining a 3.8m distance to the northern boundary. Servicing and car parking areas will be located to the front of the site. The servicing area will be accessed from the eastern side of the site and would be seen as an extension of the main car park. Retained mature trees and proposed soft landscaping along the front boundary will soften the visual impact of the service yard from Suttons Park Avenue Road. Furthermore, the front facing orientation of car parks is a common characteristic of the surrounding business park, such as at Unit 34, 27, and 23.
15. The proposed building would have a typical industrial design being rectangular in shape with a double pitched roof form, reflective of their intended purpose. In terms of scale and massing, the development would be slightly smaller in terms of width and depth than the existing unit (4.16m narrower, and 7.7m less deep), but it would be taller by around 8.1m to the ridge than the existing building. It is acknowledged that the ridge height is 0.4m lower and the eaves height is 0.5m lower than the previous planning consent- 181642, with the same width and depth.

	Width	Depth	Height	Approximate Volume (m3)
Existing	128.45m	61.4m	9m (ridge), 8m (eaves)	67,000
Proposed	124.29m	35.7m	17.1m (ridge), 15.5m (eaves)	110,000
Increase/ Decrease	-4.16m	-7.7m	+8.1m (ridge), +7.5m (eaves)	+43,000

16. Whilst the height of the proposal is a notable increase when compared to the existing and immediate neighbouring units, industrial units often have taller ridge and eaves height for modern-day functionality that typically allows the occupier to make the most efficient use of the internal space available for commercial purposes. Utilising the most efficient space for logistics companies by maximising cubic capacities is a pull for potential occupiers which will increase the economic competitiveness of the site and surrounding business park.

17. The building height of the proposed development is comparative to the height of several industrial units on the surrounding site. For reference, the Brakes Distribution Centre, Unit 24, located to the south of the site, has an external ridge height of 16.5m. Elsewhere across the site, there is variation of different building heights. The development is also well contained within the plot and retains a sufficient separation distance between both the site boundaries and the neighbouring units. Given the above, there would be no adverse impact to the character of the business park as a result of the proposal.

18. In terms of materials, the main building will be clad in metal with the pitched roof clad in a light grey colour to match the appearance of the newer buildings to the east of the park. The offices on the principal elevation of the building will be finished in glazing and a dark grey metallic profiled cladding finish and buff brickwork will be used around the office entrance. The extensive glazing will be set in powder coated aluminium frames with a Brise Soleil above. This will have a contemporary and appealing appearance.

Residential Amenities

19. The site is located around 274 metres away from the nearest residential dwelling and there are other uses and buildings situated between these dwellings and the site. As such, no harmful impact would occur with regard to overbearing impacts or impacts with regard to daylight or sunlight. Given such distance, the proposal would also not result in harm by way of noise from deliveries. As such, the proposal would be acceptable in this respect.

Sustainable Design/ Construction

20. Paragraph 153 of the NPPF requires local plans to “take a proactive approach to mitigating and adapting to climate change...” which footnote 53 makes clear should be in line with the Climate Change Act 2008 and Paragraphs 157 – 158 deal with individual development and emphasise the importance of energy efficient, low carbon development.

21. Policy CC04 of the MDD LP Sustainable Design and Construction and the Sustainable Design and Construction SPD require that all new non-residential proposals of more than 100m² gross non-residential floorspace shall achieve at least the necessary BREEAM requirements or national equivalent. The interpretation to this policy, in light of the changes to Building Regulations, has been clarified in the WBC's Climate Change Interim Policy Statement (December 2022).
22. The Interim Future Buildings Standard, which came into force on 15 June 2022, requires that new non-residential buildings achieve a 27% reduction in carbon emissions to secure compliance with Building Regulations. The appropriate BREEAM rating required under Policy CC04 of MDD LP is one that reflects the levels of reduction in carbon emissions stipulated in the Future Buildings Standard (i.e. the 27% reduction). The corresponding BREEAM rating, which seeks requires this minimum level of reduction in carbon emissions, is BREEAM 'Excellent' rating. Therefore, the proposal needs to demonstrate that it will achieve the BREEAM rating 'Excellent' or higher. This interpretation to Policy CC04 is further supported by the Council's Climate Change Interim Policy Statement adopted by the Council in December 2022.
23. The submitted Design and Access Statement states that the new development aspires to achieve a BREEAM 2018 New Construction- Industrial 'Very Good' rating. This aspiration is one level below the BREEAM 'Excellent' rating. Whilst the proposed development will not meet the minimum level of reduction in carbon emissions, on balance, this shortfall must be weighed against the identified economic and social benefits the scheme will bring. In any event, a condition requiring a 'Very Good' BREEAM rating can be secured should approval be obtained.
24. Policy CC05 requires non-residential proposals of more than 1,000 square metres gross floor space to deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology. An Energy Statement has been submitted which states that the carbon saving achieved from the photovoltaic panels (0.644kg CO₂/m²) and the DX Air Source Heat Pumps (0.021kg CO₂/m²) achieve the 10% carbon offset from the actual building carbon emission rate (BER). As such, it is considered necessary to condition that the development is carried out in accordance with this statement.

Access and movement

25. Core Strategy Policy CP6 indicates that proposals should allow for transport choice, improve infrastructure, provide appropriate parking, mitigate adverse effects, enhance road safety and not cause highway problems. CC07 of the MDD Local Plan contains the Borough parking Standards. The NPPF advises at paragraph 111 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
26. The WBC Highways Officer recognises that the proposed scheme is similar to a previous approved application (181642) which had not been implemented. For the previous consultation Highways had no objections subject to conditions. Since

then, the only changes for this current application in terms of Highways impact have been a small reduction in the parking provision on the site.

27. It is proposed that the main car park would be accessed off Sutton Park Avenue. The service access would be off the existing service road to the west of the site. It is also proposed that an emergency access to the east of the site will be provided. Highways understands that the main access into the site would utilise the existing access from Sutton Park Avenue. The other accesses will be from the existing private service roads. The Highways Officer has no objection to this.
28. Swept paths of a large articulated lorry have been submitted for the service yard entrance as well as manoeuvring in the site. These are acceptable.
29. In terms of impact on traffic, Highways have carried out a comparative assessment and conclude that when compared to the existing use of the site, the level of trips to and from the site will be lower. As such, there would be no traffic impact that would have an adverse impact on the highway network.
30. It is proposed that there would be 129 parking spaces, 6 disabled spaces and 6 motorcycle spaces on site. Based on Borough standards for B2/B8 use for the development of this size, the minimum requirement of car parking would be 98 spaces. It is proposed that there will be 129 spaces, 31 above the level required. There is ample space on site for parking and safe manoeuvring. Furthermore, the level of motorcycle and disabled parking are in line with standards and are acceptable.
31. The site is already well served by public transport and is within suitable distance to rail and road links. A Travel Plan would also help ensure other transport modes than the private car would be used, the submission of which will be secured by a condition. 37 cycle parking spaces are proposed which complies with the councils standard. These spaces would need to be sheltered and secure and Highways is content that the details of these spaces can be secured through a planning condition.

Trees and Landscaping

32. A Tree Survey and Constraints Plan by Davies Landscape Architects, dated December 2022, has been provided along with a Tree Removal Plan. This indicates that the application would only require the removal of three 'Category U' trees (very poor quality), and all other trees can be retained and protected as shown on the Tree Protection Plan. The WBC Tree and Landscape Officer has no objection in principle to this subject to the submission of an accompanying Arboricultural Method Statement. This can be secured through a condition.
33. A Soft Landscape Proposal drawing has been provided indicating additional and replacement tree and hedgerow planting along the southern boundary of the site with Suttons Park Avenue which will have a positive impact on the landscape character of the area. Further details of all hard surfacing, fencing and retaining walls are needed. Therefore, landscape and boundary conditions will be secured.
34. Proposed site levels, including the finished floor level of the new industrial unit, have not been supplied as part of this application. An understanding of what the

levels will be across the site is important to ensure the inclusion of new car parking spaces along the eastern boundary of the site. A levels condition will therefore be secured to provide this information.

Flooding and Drainage

35. The development is in Flood zone 1 and is of low risk from surface water flooding according to the EA mapping. Surface water drainage from the site currently discharges off-site to the east and into the main public sewer network.

36. A Flood Risk Assessment (FRA) has been submitted as part of the application. A drainage strategy for the site, prepared by Structa and presented in Appendix 611, has also been submitted. As the strata underlying the site has inadequate infiltration potential, the proposed strategy is to drain by gravity to the existing surface water sewers in the southeast and southwest corners of the site. The combined surface water discharge from the site will be at a greenfield rate of 6.8 l/s. The development utilises geocellular storage and porous sub-base to provide the necessary attenuation storage volume to prevent flooding from a 1 in 100+40% climate change event.

37. Thames Water have been consulted on the available capacity within their sewers to accommodate both the foul and surface water discharges. Thames Water have confirmed available capacity for both and will accept a surface water discharge of 6.2 l/s.

38. The WBC Drainage Officer therefore has no objection to the principle of the scheme subject to a condition.

Ecology

39. This application is supported by an up to date Ecology Report (Applied Ecology, version 3.0, December 2022) and separate Biodiversity Net Gain Assessment (Applied Ecology, version 1.0, January 2023). Sufficient ecological survey information has been supplied for the local planning authority to be able to consider the impact of the proposed development on protected species and biodiversity.

Impact on protected species

40. The WBC Ecology Officer has recommended that it is unlikely that the protected species of Bats and Great Crested Newts will be adversely impacted by the development, and no mitigation measures will be required.

41. Paragraph 2.33 of the Ecology Report recommends that clearance of trees, shrubs and the building on site should be completed outside the breeding bird season or, if during the breeding season, immediately after a check by an experienced ornithologist that verifies nesting bird absence from the site. This is an appropriate recommendation to avoid committing a wildlife crime, but given the survey findings reported, it would be unreasonable for this to be imposed as a planning condition. An informative will therefore be added to highlight the matter.

Species enhancements

42. It is appropriate under paragraph 174(d) of the NPPF for the local planning authority to seek biodiversity enhancements in the course of development. The applicant's ecologist has recommended species ecological enhancements in section 3 of the Ecology Report. The WBC Ecology Officer has recommended that information provided in paragraph 3.3 and figure 3.1 of this report is detailed enough for implementation of appropriate enhancements for breeding birds. A condition is applied to secure the implementation of this enhancement proposal.

Biodiversity Net Gain

43. The WBC Ecology Officer has confirmed the development proposal is likely to result in a habitat biodiversity net gain on-site. A condition has been recommended to ensure that soft landscaping is implemented and maintained to secure this.

Environmental Health

44. To assess the site for potential contamination, a Phase I Environmental Site Assessment report (ref: 1700001845) and subsequent Phase II Assessment (1620012254), dated December 2022, has been submitted for this application.

45. Due to the limited potential sources of contamination identified during the investigation, risks to human health (i.e., future site users and construction workers) is considered to be low assuming appropriate re-use of excavated materials and control measures. The risks to the water environment (i.e. controlled waters) is considered to be low assuming removal of the diesel underground storage tank (UST) and potentially impacted soils during development. Risks to the built environment (i.e. migration of vapours and gases into buildings) is considered low.

46. The WBC Environmental Health Officer has been consulted and is satisfied with the conclusions and recommendations of the Environmental Site Assessment reports. As such, there is no objection on environmental health grounds subject to conditions. This will include the submission of a Verification Report to confirm the final status of the site in terms of ground contamination.

Archaeology

47. TB25 of the MDD Local Plan relates to Archaeology. Paragraph 205 of the NPPF (2021) states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

48. The application site falls within an area of archaeological significance and archaeological remains may be impacted by ground disturbance for the proposed development. In order to mitigate the impacts of development, Berkshire Archaeology recommend no objection subject to conditions.

Network Rail

49. The proposed new building is located approximately 8.2m from the main railway line between Reading and Paddington. Network Rail have been consulted and request that prior to commencing the development, the applicant engages with the Network Rail's Asset Protection and Optimisation team to ensure that the works can be completed without operational risk to the railway. They have also recommended that the applicant follows informatives to reduce risk to the operational railway.
50. It is the applicant's responsibility to contact the Asset Protection and Optimisation team of Network Rail, which is a separate consent to planning. The other informatives provided will be added to the decision notice.

Employment Skills Plan

51. Policy TB12 *Employment Skills Plan* of the MDD LP indicates that proposals for major development should be accompanied by an Employment and Skills Plan to demonstrate how the proposal accords opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal. This will be secured by condition.

Atomic Weapons Establishment ('AWE')

52. Policy TB04 Development in the Vicinity of Atomic Weapons Establishment of the MDD LP allows development in the vicinity of the AWE at Burghfield but only where the increase in density can be safely accommodated. Whilst the site lies within AWE Special Case Zone, the proposal does not fall within the range of special cases as identified by Office for Nuclear Regulation. Therefore, the proposal does not raise further considerations in this regard.

CONCLUSION

53. The proposal seeks to replace the existing and dated industrial units with an attractive, modern, and functional commercial building that will result in substantial economic and employment opportunity for the site and wider improvement to Suttons Business Park. The proposed development would have a reduced floor area of 800 sqm, but would have a larger cubic capacity by virtue of the increased eaves and ridge height. This is considered to make the most effective use of land within an existing major employment location and is afforded great weight in accordance with the NPPF. The development is well contained within the plot and achieves appropriate separation distances with the neighbouring properties. Materials utilised are also attractive and relate well to the contemporary appearance of other upgraded commercial units within the park. Despite the shortfall for the development to reach the BREEAM 'Excellent' rating, the identified economic and social benefits are considered to outweigh the conflict with local plan sustainability standards. The application is therefore recommended for condition approval.

The Public Sector Equality Duty (Equality Act 2010)

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

APPENDIX 1- Conditions and Informatives

Conditions:

1. Timescale

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

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans

This permission is in respect of the submitted application plans and drawings numbered 31819-PL-210, 31819-PL-211, 31819-PL-212, and 31819-PL-213, received by the local planning authority on 30 January 2023. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. Materials External

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be those as stated on the approved plans, unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory.

Relevant policy: Core Strategy policies CP1 and CP3.

4. Additional floor space

No additional floor space, including mezzanine floors, shall be constructed within the building/s hereby approved without prior written permission of the local planning authority.

Reason: To prevent an over-development of the site and to ensure adequate parking.

Relevant policy: Core Strategy policies CP1, CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.

5. Vehicle parking and turning

No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

6. Travel Plan

No building shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained and reviewed as so approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 9 (Promoting Sustainable Transport) and Core strategy policy CP6.

7. Cycle Parking

Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

8. Construction Method Statement

No development shall take place, excluding any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors,
- ii. lorry routing and potential numbers
- iii. types of piling rig and earth moving machinery to be utilized
- iv. installation of temporary lighting
- v. loading and unloading of plant and materials,
- vi. storage of plant and materials used in constructing the development,
- vii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- viii. wheel washing facilities,
- ix. measures to control the emission of dust and dirt during construction,
- x. a scheme for recycling/disposing of waste resulting from construction works.

Reason: In the interests of highway safety & convenience and neighbour amenities. Relevant policy: Core Strategy policies CP3 & CP6.

9. Hours of work

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

10. Ground and building levels

No development shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished roof levels shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be fully implemented prior to the occupation of the building(s).

Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.

11. Details of boundary walls and fences

Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

12. Landscaping

Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 (and TB06 for garden development).

13. Retention of trees and shrubs

No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which

are of amenity value to the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

14. Protection of trees

- a) No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).
- b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.
- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

15. Exceedance Route

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

16. Special Enhancements

The ecological enhancements specified in paragraph 3.3 and figure 3.1 of the submitted Ecology Report (Applied Ecology, version 3.0, December 2022) shall be implemented in full and maintained for a minimum period of 10 years, unless otherwise agreed by the local authority in writing.

Reason: To secure biodiversity enhancement as per the National Planning Policy Framework paragraph 174(d) and MDD local plan policy TB23.

17. Land Contamination

Prior to the commencement of the development, the applicant shall submit to the planning authority a remediation statement as recommended in the conclusions and recommendations in the PHASE II ENVIRONMENTAL SITE INVESTIGATION, dated December 2022, by Ramboll UK Ltd. This must follow the guidelines set out in BS10175 'Code of Practice for the Investigation of Potentially Contaminated Sites' and CLR11 Model Procedures for the Management of Land Contamination. A watching brief must be implemented during ground works for any unforeseen contamination, any found should be reported immediately to the planning authority. Once the remediation method has been agreed and then carried out, a verification report shall be submitted to the local planning authority to confirm the work as completed and the land free from risk to human health.

Reason: To ensure that future users of the site are protected from the potentially harmful effects of contamination.

18. Archaeology

The Development shall take place in accordance with the WSI (Written Scheme of Investigation) document ref 18e29ev 'Planning Application Site: 31-33 Suttons Park Avenue' by TVAS, submitted with the application, allowing for a full programme of archaeological works. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. Dependent on the results of the evaluation, further work, which would need an additional WSI, may be required.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with National Planning Policy Framework paragraph 205 and Managing Development Delivery Local Plan Policy TB25.

19. BREEAM

The new building shall achieve BREEAM level 'Very Good' in accordance with the requirements of BREEAM [or such national measure of sustainability for non-residential design that replaces that scheme].

Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policy CC04.

20. Energy Efficiency

The approved scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources as set out within the Dunwoody Energy Statement, issue 1, referenced '20861/REP/004' and dated January 2023 shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1, Managing Development Delivery Local

21. Employment and skills plan

No building shall be occupied until an Employment and Skills Plan shall be submitted to and approved in writing by the local planning authority. The Employment and Skills Plan shall show how the development hereby permitted provides opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills and shall be implemented in accordance with the approved details.

Reason: To ensure training opportunities are available for local workers. Relevant policy: Managing Development Delivery Local Plan policy TB12.

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.
2. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear, please contact the case officer to discuss.
3. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
4. Breeding Birds
This permission does not derogate the need for compliance with the Wildlife and Countryside Act 1981 (as amended). Attention is drawn to the advice given in the Ecology Report (Applied Ecology, version 3.0, December 2022) paragraph 2.33 to avoid committing an offence.
5. Network Rail informatives
The applicant may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

To start the process with our Asset Protection team, the applicant should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-andoptimisation/>).

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/ or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any thirdparty access to its land.

Plant & Materials: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

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