Representations: 17 letters of objection from 13 addresses and 1 letter of observation have been received raising the following points:

- Proposal out of character in this area
- Loss of views of the river
- Disagreement with the supporting statements
- Not enough on-site parking to accommodate proposed use
- Parking pressure in wider area
- Exacerbate congestion in the area/impact on highway safety
- Impact on wildlife
- Insufficient neighbour notification
- Loss of openness
- Increase in light pollution
- Previous planning history on site
- Issues submitting objections on Council website

***This application qualifies for public speaking***

Description

1. The application site comprises part of Thames Ditton Marina, which is located on the northern side of Portsmouth Road. The site currently contains a large building at the northern part of the site which houses a café, bike shop and marina office. The rest of the site is occupied by a car park. The site is bordered to the north by the River Thames.

Constraints

2. The relevant planning constraints are:
   - Flood Zone 2
   - Classified ‘A’ Road
   - Strategic view
   - Potential contaminated land
3. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:

Core Strategy 2011
CS1 – Spatial Strategy
CS8 – Thames Ditton, Long Ditton, Hinchley Wood and Weston Green
CS12 – The River Thames Corridor and its tributaries
CS15 – Biodiversity
CS17 – Local Character, Density and Design
CS23 – Employment land provision
CS26 – Flooding

Development Management Plan 2015
DM1 – Presumption in favour of sustainable development
DM2 – Design and amenity
DM5 – Pollution
DM6 – Landscape and trees
DM7 – Access and parking
DM8 – Refuse, recycling and external plant
DM11 – Employment
DM13 – Riverside development and uses

Design & Character SPD 2012
& companion guide: Thames Ditton, Long Ditton, Hinchley Wood and Weston Green

Flood Risk SPD 2016

4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/4061</td>
<td>4 detached single storey buildings for Office use (B1a) (350sqm) with associated parking and landscaping and retention and remodelling of existing boathouse</td>
<td>Pending consideration</td>
</tr>
<tr>
<td>2016/4060</td>
<td>4 detached single storey buildings for Office use (B1a) (160sqm)</td>
<td>Refused</td>
</tr>
<tr>
<td>2014/2699</td>
<td>Change of use from A1 (Retail) to A3 (Restaurant and Cafes) (119 sq m) and single storey detached building for B1 office use (40 sqm)</td>
<td>Grant permission</td>
</tr>
</tbody>
</table>

5. Permission is sought for the erection of 4 detached single-storey buildings for Office Use (B1a) (160sqm). The buildings are of a comparable design to that which was refused permission by application 2016/4060, but the siting of the buildings within the site has now been amended in an effort to overcome the reason for refusal of that application.

6. Environment Agency – Following an initial response which identified the site as being in a higher risk flood zone, the EA raised no objection, subject to compliance with their standing advice.
7. Surrey County Council (Highways) – No objections subject to conditions in relation to car parking and a construction transport management plan.

8. Environmental Health (Contaminated Land) – No objection subject to imposition of condition in relation to ground investigation to determine if any contamination is present on site.


10. Surrey Wildlife Trust – Raises no objections subject to condition to ensure recommended mitigation measures are carried out.

Positive and Proactive Engagement

11. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

12. Informal advice was received following refusal of application 2016/4060.

Planning Considerations

13. The main planning considerations in the determination of this application are

- The principle of the development
- The design of the proposal and its impact on the character of the area and the streetscene
- The impact on the amenity of neighbouring properties
- Impact upon the highway
- Impact on Flooding
- Impact on ecology
- Potential contaminated land

The principle of the development

14. The application site known as the northern wharf currently benefits from an existing detached office building along with a commercial building which comprises of three separate uses, including a café and bike rental/shop. As a result, it is considered that the site has an established history of commercial use and this proposal would only increase the commercial potential of this site.

15. Application 2016/4060 was for 4 No. detached office buildings on the same part of the marina site (the northern wharf). This application was refused on the basis of the appearance, layout and design and adverse impact this would have on the area. No objection was raised in regard to the principle of the proposal. The reason for refusal is repeated below for clarity:

The proposed development due to its appearance, layout and design would fail to satisfactorily integrate into the surrounding area and would have detrimental impact on the character of the area, contrary to Policies CS1, CS8 and CS17 of the Core Strategy 2011, Policy DM2 of the Development Management Plan 2015, the Design and Character SPD and the NPPF 2012.

The design of the proposal and its impact on the character of the area and the streetscene

16. The existing character of the area is one that varies considerably, given that Hampton Court Palace and its grounds and the River Thames are located to the north with BMW and Mini garages to the south. There are also residential dwellings to the south and south east (Prospect Road and Simpson Way). Given this mixed character, the proposed single storey
office buildings located within a site already in commercial use is not considered to represent any adverse impact upon the general character of the area.

17. The previous application which was refused on this part of the site (ref 2016/4060) was refused due to the appearance, layout and design which was considered to fail to integrate into the surrounding area. That scheme proposed 4 detached office buildings, but these were sited closer to the Portsmouth Road, with 2 of the buildings abutting the site boundary. The proposed development would now see the proposed buildings located further away from the sites boundary with the road. one building would be located north of an existing detached office building on the site, which would help to screen it, and the other three would be located along the eastern site boundary, which abuts the settling basin to the east of the site. There would be a separation of some 18m between the site boundary to the road and the nearest proposed building (previously refused scheme this distance was only 0.8m). It is considered the amended siting of the proposed buildings has satisfactory overcome the reason for refusal of application 2016/4060 in relation to the impacts on appearance, layout and design.

18. The proposed new office buildings would be of a comparable design and appearance to the existing detached office building currently sited within the existing car park area of the site, with a dual pitched roof over. They would be some 3.6m in height, with eaves some 2.4m. Whilst these would be higher than that which was previously refused it is considered their location within the site, the existing boundary wall/raling which screens the site from the Portsmouth Road and the lower ground level of the site when compared to the street the proposed buildings would not appear dominant or have a harmful impact on the character of the area.

19. It is therefore considered the proposal would overcome the reason for refusal of application 2016/4060, and the proposal would have an acceptable impact and would integrate appropriately with the character of the area.

The impact on the amenity of neighbouring properties

20. Due to the physical separation between the proposed buildings and the nearest neighbouring residential properties in conjunction with the change in the land levels it is considered that this proposal will not result in any adverse loss of light, privacy or amenity being created.

Impact upon the highway

21. The proposal would allow for a total of 73 parking spaces within the site (including provision for disabled parking), the number of marked spaces will not change, and as a result it is considered that the proposed use of these new buildings (B1a) the number of parking spaces available would be acceptable and not impact upon the existing commercial units within the site or lead to pressure to park off site in adjoining roads. The submitted Transport Statement considers the proposal to have an acceptable impact on parking and highway safety and to provide sufficient on-site parking.

22. The County Highway Authority was consulted on the proposal and raised no objections in regard to highway safety or capacity subject to the imposition of conditions to secure the retention of the proposed parking layout for the lifetime of the development and for the submission of a construction transport management plan to ensure the construction does not prejudice highway safety.

Impact on Flooding

23. The application site is located within Flood Zone 2 and the Environment Agency have assessed this proposal and concluded that provided the proposal complies with their standing advice no objection is raised.

24. In this regard, it is identified that buildings used for Shops, Financial, Professional and other services are classified as less vulnerable development and as a result of the proposal would be an acceptable use within Flood Zone 2 using the sequential test. The applicants have
provided a suitable Flood Risk Assessment (FRA) to assess the impact of the proposal on flood risk.

25. The submitted FRA identifies the northern wharf part of the site is above the above the modelled 1 in 100 year event plus 20% allowance for climate change and so the proposal would be at low risk of fluvial flooding. This form of development is considered acceptable and accords with the flood risk compatibility table in the NPPG which identifies development for ‘less vulnerable’ proposals in Flood Zone 2 are appropriate. As such, it is not considered that this proposal would have a material increase in flood risk.

Impact on Ecology

26. The Surrey Bat Group and Surrey Wildlife Trust have raised no objection to this proposal subject to condition to ensure protection to ecology as set out in the submitted report, as a result it is unlikely that an adverse impact will be created on any existing protected species.

Potential contaminated land

27. The Council’s Contaminated Land Officer has assessed the historic records for this site and identified that the site was once an inlet and therefore has been infilled with unknown material. The area has also been part of a water treatment site, as such there is a risk of contamination in the material beneath the site. As a result the suggested condition proposed by the Contaminated Land officer is considered appropriate.

Matters raised in Representations

28. The material planning considerations have been covered in the above report.

29. In regard to neighbour notification a site notice was placed to advertise the application at the front of the site, and the Council did write to adjoining properties advertising the application. The Council therefore has fulfilled its duty under Article 15 of the Development Management Procedure Order 2015 ‘Publicity for applications for planning permission’.

Conclusion

30. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.

Recommendation: Grant Permission

Conditions/Reasons

1. TIME LIMIT (FULL APPLICATION)
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. LIST OF APPROVED PLANS
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: 000, 003, 004, 006 received on 25.01.2018. 007 received on 31.01.2018.

Reason: To ensure that the development is carried out in a satisfactory manner.
3 MATERIALS - APPROVED
The development hereby approved shall not be erected other than in the following list of materials as indicated on the application form:
Walls - Stained Timber
Roof - Tiles
Doors & Windows - UPVC
Or such other materials as have been approved in writing by the borough council.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

4 PARKING MAINTAINED
The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

5 CONSTRUCTION TRANSPORT MANAGEMENT PLAN
No development shall commence until a Construction Transport Management Plan, to include details of:
(a) parking for vehicles of site personnel, operatives and visitors
(b) loading and unloading of plant and materials
(c) storage of plant and materials
(d) programme of works (including measures for traffic management)
(e) measures to prevent the deposit of materials on the highway
(f) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction of the development.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

6 POTENTIAL LAND CONTAMINATION
To ensure the potential for contamination has been investigated and the necessary action taken to make the development site suitable for its proposed use, the following steps must be completed to the satisfaction of the Council. No demolition or site clearance shall be commenced until step (a) has been completed by a competent person. Furthermore there shall be no occupation of any part of the site by any end user prior to meeting the terms of this condition in full.

a) Preliminary Investigation of the Site
A preliminary investigation shall be carried out by a competent person prior to any site clearance or demolition, to assess the condition of the land to be re-developed, in respect of contamination. The preliminary investigation must, as a minimum, include a desk-based evaluation, site walkover and Conceptual Site Model and may include intrusive investigation. A written report of the investigation shall be submitted to the Council for written approval.

If the Council are satisfied that there is a significant possibility that the site could pose a significant risk to future occupiers under its proposed redevelopment use as a result of contamination, then the following additional steps shall also be carried out.

b) Site Investigation, Method Statement and Remediation
(i) A written site specific investigation plan using the information obtained from the preliminary investigation, providing details of the investigation for soil, gas and controlled waters where appropriate, shall be submitted to, and approved by, the Council.
(ii) The site investigation shall be undertaken in accordance with the scheme agreed by the Borough Council. The results of the site investigation, a refined conceptual model and a risk
assessment of any contamination found shall be submitted in writing to, and approved by, the Council.

(iii) A written Method Statement detailing any remediation requirements shall be submitted to, and approved by, the Council.

c) Development in accordance with the Method Statement
The development of the site shall be carried out in accordance with the approved Method Statement, and any addenda submitted by the developer, and agreed in writing by the Borough Council. Any post remediation monitoring identified in the Method statement, shall be installed by the developer within the timescales identified in the Method Statement and maintained and operated for as long as identified by the Method Statement.

d) Unsuspected Contamination
If, during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and had approved by the Council, a written addendum to the Method Statement detailing how the unsuspected contamination shall be dealt with.

e) Imported material
Clean, uncontaminated rock, soil, brick rubble, crushed concrete or ceramic only shall be permitted as infill material. The developer shall not import any material until a sampling program, including appropriate import criteria for the proposed end use and frequency of sampling, has been submitted in writing, and approved by, the Council. The Developer shall carry out the approved sampling program to check that all imported material conforms to the agreed criteria. Where the permitted end use is residential, the sampling program shall also include samples taken from the imported material after final placement. Written confirmation of the suitability of all imported materials shall be provided to the Council as part of step (g). This shall include both the results of the sampling program and also details of the origin, transport, final deposition and any temporary stockpiling of the imported materials.

f) Completion of Remediation and Verification Report
Verificaiton by an independent, competent person must be carried out prior to occupation of any part of the site by any end user.
Upon completion of the remediation detailed in the Method Statement, and before occupation of any part of the site by any end user, a written Verification Report shall be submitted to, and agreed in writing by, the Council providing verification that the required works regarding decontamination and installation of post remediation monitoring, have been carried out in accordance with the agreed Method Statement and any addenda thereto. The verification shall be carried out and reported by an independent, competent person, stating that remediation was carried out in accordance with the approved remediation scheme and that the site is suitable for the permitted end use.

Reason: To avoid adverse effects from pollution on the environment, harm to human health or general amenity, in accordance with Policy DM5 of the Elmbridge Development Management Plan 2015 and the NPPF.

7 ECOLOGY
The development hereby permitted shall be carried out in accordance with the recommendation actions identified within the Nocturnal Emergence Bat Survey Report dated April 2016 and Preliminary Ecological Assessment prepared by Middlemarch Environmental dated March 2016.

Reason: To ensure that the development is carried out in accordance with Policy CS15 of the Elmbridge Core Strategy 2011 and the NPPF.

8 FLOOD RISK
The development hereby permitted shall be carried out in accordance with the Mitigation Measures identified within the submitted Flood Risk Assessment prepared by Mayer Brown dated April 2016.
Reason: To ensure that the development is carried out in accordance with policy CS26 Flooding of the Elmbridge Core Strategy 2011 and the NPPF.

Informatives

1. ADVICE TO DEVELOPERS REGARDING CONTAMINATION ASSESSMENTS
   Before carrying out any contamination investigation or remediation of a site, the developer is strongly recommended to contact the Environmental Health & Licensing Team for guidance on the requirements for such investigations or remediation. Investigations, in particular, which do not adequately fulfil these recommendations, may result in additional work having to be carried out.

2. LIGHT SPILLAGE
   The approved development shall ensure any external lighting should incorporate the advised guidance from the Bat Conservation Trust to demonstrate preferably nil light spill onto adjacent waterbodies.
Figured dimensions only are to be used. All dimensions to be checked onsite.
Thames Ditton Marina
New Commercial Development

AR 001-2018

Proposed Floor Plan & Front Elevation

Scale @ A3: 1:50

Jan 2018
Stage: Preliminary

Approval

Target

Information

Proposed Rear & Side Elevations