



Appeal Decision

Hearing Held on 13 December 2022

Site visit made on 13 December 2022

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 January 2023

Appeal Ref: APP/Y3615/W/22/3304434

Lantern House and Carriage House, Walnut Tree Close, Guildford GU1 4TX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Watkin Jones Group and Gillitas Limited against the decision of Guildford Borough Council.
 - The application Ref 21/P/00956, dated 28 April 2021, was refused by notice dated 9 March 2022.
 - The development proposed is redevelopment for a mixed-use scheme comprising a part 5 and 6 storey building including purpose-built student accommodation bedrooms (use class sui generis) and 683.75m² of commercial office space (use class E) at the ground floor to be provided as incubator space. Alongside the provision of, a landscaped courtyard area, and provision of 4 no. disabled parking spaces and cycle parking for both the student and commercial use following demolition of the existing buildings (as amended by plans and information received on 05/08/2021, 25/10/2021 and 08/11/22).
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Decision

1. The appeal is allowed and planning permission is granted for redevelopment for a mixed-use scheme comprising a part 5 and 6 storey building including purpose-built student accommodation bedrooms (use class sui generis) and 683.75m² of commercial office space (use class E) at the ground floor to be provided as incubator space. Alongside the provision of, a landscaped courtyard area, and provision of 4 no. disabled parking spaces and cycle parking for both the student and commercial use following demolition of the existing buildings (as amended by plans and information received on 05/08/2021, 25/10/2021 and 08/11/22) at Lantern House and Carriage House, Walnut Tree Close, Guildford GU1 4TX in accordance with the terms of the application, Ref 21/P/00956, dated 28 April 2021, subject to the conditions in the attached schedule.

Procedural Matters

2. The Council has confirmed in their appeal submissions that, due to a material change in circumstances since the original planning application was determined, they no longer propose to pursue any of the Reasons for refusal relating to this appeal, subject to the receipt of amended plans reflecting the external design of the current planning application (ref. 22/P/01094) for a mixed use scheme submitted by the appellant on the appeal site in June 2022 and the completion of a satisfactory Section 106 Agreement. I will return to these matters later.

3. The appellant's appeal submissions include amended plans received on 08/11/22 reflecting the external design of the current planning application (ref. 22/P/01094) for a mixed use scheme on the appeal site. The amendments were the subject of public consultation in November 2022. Having regard to the 'Wheatcroft' principles, as all parties have been consulted and provided with an opportunity to provide comments on the amended plans, I consider that there would be no prejudice to any party by considering the amended plans. I have determined the appeal on the basis accordingly.
4. A revised description of development was agreed in a Statement of Common Ground between the main parties to reflect the proposed development in the amended plans received on 08/11/22. I have used the revised description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form.
5. A signed and completed S106 Agreement was submitted by the appellant. This would secure contributions towards a road safety improvement scheme and strategic mitigation measures on the Thames Basin Heaths Special Protection Area and I return to this matter later.
6. Since the hearing took place on 13 December 2022, the Council has provided an update on the Council's latest Housing Land Supply position and the emerging Guildford Local Plan Development Management Policies. The appellant has been provided with an opportunity to comment on these updates and I return to these matters later.

Main Issues

7. By the time of the Hearing, agreement had been reached, in the form of planning obligations, on two of the main issues (Thames Basin Heaths Special Protection Area and local infrastructure) which formed part of the basis for the reasons for refusal. Consequently, only two main issues remain for consideration, which are:
 - (i) Whether the proposed development would result in the loss of employment floorspace on a designated strategic employment site in the Borough; and
 - (ii) The effect of the proposed development on the area's character and appearance, including the neighbouring Compton House site.

Reasons

Loss of Employment Floorspace

8. The appeal site comprises of 2no. two storey commercial office buildings located within a designated strategic employment site within the Guildford Local Plan 2019 (Local Plan).
9. Policy E3 of the Local Plan seeks to protect the strategic employment sites within the Borough. Parts 10 and 11 of the Policy requires applications that involve the redevelopment or change of use to a non-employment use to submit evidence of active and comprehensive marketing of the site for its current use for a continuous period of at least two years for a strategic employment site. Evidence of active and comprehensive marketing of the site, as defined in Appendix 4 of the Local Plan, should also include alternative

B class employment use and other employment generating uses, before change of use to residential or other use with no on-going employment use will be permitted.

10. Whilst the proposed development shown on the amended plans would provide an element of commercial office space (use class E) at the ground floor level to provide as incubator space, it is common ground between the appellant and the Council that the proposed development would result in the loss of employment space from the designated strategic employment site and that evidence of active and comprehensive marketing of the site for a continuous period of at least two years is required in accordance with the requirements of Policy E3 and Appendix 4 of the Local Plan.
11. The appellant in their submitted evidence considered that they have demonstrated that the site had been marketed for a continuous period of 20 months since April 2021 in accordance with the Policy requirements. The appellant in their evidence and at the hearing indicated that, during the marketing, they had received no genuine interest or offers for either the leasehold or freehold interest in the property for its continued use as offices or alternative suitable B class and other employment uses. They indicated that the main enquiries have been from residential developers, predominantly for the residential redevelopment of the site.
12. The appellant questioned the suitability of the site for continued office and employment use. Given the surrounding residential uses, the current one-way traffic system in operation and its location, they considered it was unattractive to such uses and had insufficient critical mass as a key office location. The appellant also questioned the suitability of the appeal site on the basis that it formed part of designated Industrial (B1c, B2 and B8) strategic employment site as opposed to a strategic employment site designated for office and Research and Development use within the Local Plan.
13. The Council, however, consider that insufficient marketing has been undertaken and that it has only been marketed for a period of nine months in accordance with the requirements of Policy E3 and Appendix 4 of the Local Plan. The Council also argued that the site provided a suitable location and opportunity for the continued commercial office use in this location.
14. However, fundamentally these complications and the dispute between the parties over the difference in the scope and the time period for the marketing and the suitability of the site for continued commercial office use in this location are not crucial to my determination of the appeal. Both parties agreed that there is a partial breach of the Policy E3, relating to the policy requirement for active and comprehensive marketing of the site for a continuous period of at least two years and I have no reason to disagree with this assessment based on the evidence before me.
15. Consequently, I conclude that the proposal would result in the loss of employment floorspace on a designated strategic employment site that has not been fully justified in this case. I find conflict with Policy E3 of the Local Plan as set out above, which includes the requirement for a comprehensive and active marketing exercise for a continuous period of at least two years for its current use and alternative suitable B class and other employment uses before the change of use to residential will be permitted for a strategic employment site.

Character and Appearance

16. The appeal site comprises of 2no. vacant two storey commercial office buildings with associated surface car parking areas at the rear located on the north-western side of Walnut Tree Close. The immediate area is mixed use in character with a mixture of office accommodation, residential apartments and Purpose Built Student Accommodation (PBSA) of varying heights and designs and does not have a clearly defined architectural character.
17. The appeal site is bordered by Compton House a two storey commercial premises to the south-west and Riverview, 2/3 storey office buildings to the north-east. An elevated railway line is located to the north-west of the site. A number of the large scale 4/5/6 storey residential apartments and PBSA are located on the opposite side of the road and 4 to 8 storey PBSA located further to the south-west and south of the site. These buildings, that have been constructed in recent years, show an emerging character of taller residential and PBSA buildings being built in the surrounding area.
18. The significance of the surrounding buildings are derived from their substantial scale and modern design covered in large expanses of brick, metal cladding and render, which contrasts with the lower, brick built commercial office buildings on the appeal site and adjacent sites at Compton House and Riverview. This provides a varied context and palette of materials in the immediate surroundings.
19. The proposal shown on the amended plans would involve the demolition of the existing buildings and the construction of 3no. part 5 and part 6 storey buildings built around an internal landscaped courtyard with an element of commercial office space at the ground floor level and PBSA above. The large scale buildings would be set back from the road and constructed with a staggered built frontage with double height arched colonnades at ground floor within the buildings fronting onto Walnut Tree Close. The external finish of the buildings would be predominantly constructed from red/brown brick with high levels of vertical glazing with horizontal brick banding, top floor brick detailing and a series of valleyed pitched tiled gabled roofs.
20. Whilst the proposed buildings would be taller than the adjacent buildings at Compton House and Riverview, the overall height and bulk of the building has been reduced during the pre-application and planning application process. The scale and massing of the proposed five and six storey buildings would be seen in the context of the current varied architectural styles around the proposed buildings and in the surrounding area, including the modern large scale residential apartments and PBSA on the opposite side of the road and further to the south-west and south of the site. Given this context, to my mind, the development would not be unsympathetic to the streetscene nor would it appear out of place when taking into account the overall character of the area.
21. Turning to the layout of the development. The layout of the development has been subject of a master planning process to look at the site and its relationship to the adjacent sites at Compton House and Riverview. Compton House is subject to a current planning application, that is yet to be determined, for a PBSA building of a similar scale to the appeal proposal. The appellant and landowners of the adjacent site, at Compton House presented in their evidence and at the hearing, that they worked constructively together through the

- master planning process to allow for the comprehensive redevelopment of the appeal site and the adjacent sites.
22. The layout and design of the development shown on the amended plans, accords with the submitted master plan. Block A would be set back from the side western boundary of the adjacent Compton House and would be designed with oriel windows on the western elevation to mitigate overlooking. Blocks B and C would be separated, to reduce the massing of the buildings and built with a staggered built frontage to match the existing street pattern in the area.
23. Against this backdrop, the scale, layout and design of the proposed development would not look out of place or excessive in relation to the existing and emerging built form of the adjacent properties. The design and layout of the proposed development, set back and staggered, together with the use of materials, fenestrations, landscaping and boundary treatment would ensure the proposal would sit relatively unobtrusively against the built form of the adjacent properties and would not have a significant impact on the character and appearance of the surrounding area.
24. Consequently, I conclude that the proposed development would not have an unacceptable harmful effect on the character and appearance of the area, including the neighbouring Compton House site. It would not conflict with Policy D1 of the Local Plan and Policy G5 of the saved Guildford Local Plan 2003. These policies, amongst other things, seek to ensure that development proposals are of a high quality design that respond to the distinctive local character, have regard to the local context and respect the scale, height, form, built layout, established street patterns and relationships with other buildings in the surrounding area. In addition, the proposal would accord with the National Planning Policy Framework (the Framework) that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

Other Matters

25. The majority of the site is located in Flood Zone 2 as defined in the Environment Agency's Flood Mapping for the area, where there is a medium probability of fluvial flooding. A proportion of the site is located within Flood Zone 3 where there is a high probability of fluvial flooding. The development of the site would inevitably increase the need for appropriate measures to deal with potential flood risk. The appellant has provided a Flood Risk Assessment and Exception Test report setting out mitigation measures for the site.
26. These flood risk measures have been updated at the hearing and during the course of this appeal in the light of the latest Environment Agency's flood modelling and advice. I am mindful that the Lead Local Flood Authority and the Environment Agency raised no objections to the proposal shown in the amended plans, subject to planning conditions being attached to cover appropriate mitigation measures. These measures include setting minimum finished floor levels and compensatory flood storage in forms of voids within the development together with reducing the amounts of impermeable surfaces on the site through increased landscaping and soft areas to assist with surface water drainage and biodiversity. The identified measures represent a moderate benefit of the appeal proposal.

27. Consequently, I consider that the appellant has adequately demonstrated that the proposed development would not adversely impact on flood risk, in accordance with the aims of the Framework that seek to reduce the potential risk of flooding and ensure that, where development is necessary in areas at risk of flooding, it should be made safe for its lifetime without increasing flood risk elsewhere (paragraphs 159, 164 and 167).
28. Given the location of the appeal site adjacent to the Wey and Godalming Navigation Conservation Area (CA), which contains three listed buildings to the east and the Grade II* listed Guildford Cathedral located further to the south-west, special attention must be paid to considering the impact of the development on the significance of the designated heritage assets and to the desirability of preserving or enhancing the character or appearance of the CA and the setting of the listed buildings.
29. However, due to the separation distance and topography of the surrounding area, together with the intervening buildings between the appeal site and the CA and the listed buildings, there is only limited inter-visibility. The proposed development would have a neutral material impact on the significance of the CA and the listed buildings and therefore would preserve the character and appearance of the CA and the setting of the listed buildings.
30. Paragraph 57 of the Framework and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) require that planning obligations should only be sought, and weight attached to their provisions, where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
31. The signed and completed Section 106 Agreement provided by the appellant shows a financial contribution of £347,265 towards Suitable Alternative Natural Green Space (SANG) and £46,256 towards Strategic Access Management and Monitoring (SAMM) in accordance with the Thames Basin Heaths Special Protection Area (SPA) Accordance Strategy to mitigate for additional impacts from the proposed development on the Thames Basin Heaths SPA.
32. Having had regard to the characteristics of the proposed development and the evidence before me, including the advice from Natural England, in making an appropriate assessment, I am satisfied that the proposed financial contribution towards the strategic mitigation measures identified in the Thames Basin Heaths SPA Accordance Strategy is sufficient to ensure it will not adversely affect the integrity of the Thames Basin Heaths SPA. I am satisfied that the proposed contribution is necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with the Framework and the CIL Regulations.
33. The S106 Agreement requires the appellant to make a contribution of £29,500 towards the implementation of a road safety improvement scheme within the vicinity of the site and Yorkies Bridge. This would be necessary to mitigate the impact of the development on the local traffic infrastructure.
34. I am satisfied that the proposed contributions set out above are necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with the Framework and CIL Regulations. The contributions in the S106 Agreement and how they would be spent are

supported by the relevant local plan policies, representations from the Council's consultees, and appeal statements and the Statement of Common Ground between the main parties. As, however, these obligations constitute mitigation, they do not constitute material benefits.

35. I have considered the appellant's statement and Council's submissions on the fall-back position on the appeal site and the appellant's options to implement the prior approval (20/W/11142) granted for the change of use of the existing two storey commercial office buildings to residential use. Based on the evidence before me, there is a reasonable likelihood that this prior approval and change of use would be implemented if this appeal is dismissed. I judge that the proposed fall-back development would result in the complete loss of all of the employment floorspace on the site and as such would have a significantly greater impact on the employment floorspace on the designated strategic employment site than the appeal proposal. This is a material consideration to which I attach significant weight.
36. I have noted the Council's update on the emerging Guildford Local Plan Development Management Policies (LPDMP), following receipt of the Planning Inspector's letter, concluding that the LPDMP can be found sound, subject to main modifications. In accordance with paragraph 48 of the Framework weight may be given to emerging policies subject to the stage of preparation and extent of unresolved objections. The LPDMP is at an advanced stage. However, as these main modifications are still the subject of public consultation and there is still a degree of uncertainty on whether these policies will change and the Plan is yet to be adopted, I give these policies in the emerging LPDMP moderate weight as a material consideration.
37. I have noted the objections raised by third parties to the proposal. These include the impact on the amenities of neighbouring properties, character of the area, overdevelopment, traffic and parking, lack of need for further PBSA, need for more affordable family homes in the area and the comprehensive redevelopment and masterplanning of the site and the adjacent sites.
38. However, I have addressed the matters relating to the loss of employment floorspace and the character and appearance of the area, including the neighbouring Compton House site in the main issues above. No objections were received from the Local Highways Authority, subject to appropriate planning conditions being applied to the proposal. The other matters raised did not form part of the Council's reasons for refusal. I am satisfied that these matters would not result in a level of harm which would justify dismissal of the appeal and can be dealt with by planning conditions or through the Section 106 Agreement where appropriate. In addition, I have considered the appeal entirely on its own merit and, in the light of all the evidence before me, this does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Planning Balance

39. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.
40. In terms of the adverse impacts, I find harm in relation to the loss of employment floorspace on a designated strategic employment site and

consequent conflict with a Local Plan Policy, although tempered by the fact that the proposal would involve the re-provision of an element of new commercial office floorspace. My findings in respect of the effect on character and appearance, flood risk, and designated heritage assets and the local infrastructure are of neutral consequence to my assessment. The proposal accords with the overall aims of the relevant development plan policies set out in the Local Plan and the Framework in respect of these matters. Other potentially adverse effects would be overcome or satisfactorily mitigated by planning conditions and the Section 106 Agreement.

41. It is common ground between the main parties that the additional student housing would be a welcome benefit, both in terms of its direct provision close to the University of Surrey Campus and also the indirect benefits of freeing up housing elsewhere in the area. It is appreciated that the appeal proposal could be brought forward more quickly through the early deliverability of the site. This provision attracts positive weight, also paying regard to the emphasis the Government places on the delivery of housing in the Framework. Nevertheless, based on the evidence before me, including the Council's latest Housing Land Supply position, the Council is able to demonstrate a five year housing land supply and there is not a significant need nor shortfall in PBSA in the area. Bearing all of these points in mind, the new student accommodation in this sustainable location would have social and economic benefits to which I attribute moderate weight.
42. The development of the proposed mixed use scheme would provide jobs through the construction, re-provision of commercial office floorspace and the new student accommodation. Furthermore, there would be a reliance on associated goods and services that would help support local businesses and tradespeople. The additional student population would increase spending in the local economy to provide long term support for local shops and services, supporting a prosperous economy. This is another key objective of the Framework and are economic benefits that carries moderate weight.
43. The proposed development would make the effective use of a previously developed site in an accessible sustainable location, a key Framework environmental objective carrying moderate weight. The site is of limited ecological value and the open space and landscape planting would offer the opportunity for net biodiversity gains in the area, together with the sustainable urban drainage and flood risk prevention measures, which are environmental benefits carrying moderate weight.
44. The commitment to higher energy efficiency, high standard of design and accessible and sustainable transport measures are clear environmental benefits, representing a move towards a low carbon economy and promoting more sustainable means of travel. These are key objectives of the Framework and are environmental benefits that carry moderate weight.
45. Overall, in my view, I consider that collectively the material considerations in this particular case, including the fall-back position, when set against the particular policy context and the absence of any technical barriers to the development of this site, clearly outweigh the harm as a result of the partial breach of Policy E3 of the Local Plan. Furthermore, the adverse impacts of granting permission in this particular instance are significantly outweighed by the benefits. Therefore, there is no justified basis to resist the appeal proposal.

Conditions

46. Having regard to the Framework and Planning Practice Guidance, I have considered the suggested planning conditions submitted and agreed by the Council and the appellant. In addition to the standard time limit condition, I have specified the approved plans and details as this provides certainty (1 & 2). Those conditions relating to the detailing of the external materials, site levels and hard and soft landscaping works are necessary in order to safeguard the character and appearance of the area (3, 4 & 5).
47. A condition relating to the existing trees and tree protection measures in accordance with the appellant's tree protection plan and arboricultural method statement (dated 19 April 2021) is necessary in order to ensure their survival and to protect the visual amenity of the trees (6). A condition relating to the submission of an ecological management plan is necessary to ensure the protection and enhancement of biodiversity on the site (7). A condition relating to external lighting is necessary to protect wildlife in the area (8).
48. For the construction period, in order to mitigate the environmental impact of development works and to protect the amenities of occupants of neighbouring properties, the submission of a Construction Transport Management Plan, Dust Management Plan and a condition restricting the hours of construction are necessary (9, 10 & 11). A condition relating to the appellant's submitted Construction Management Plan (dated April 2021) is necessary in order to protect the amenities of neighbouring properties (12).
49. A condition relating to the noise attenuation measures required in accordance with the recommendations of the appellant's submitted Acoustic Report by PDA (dated 26 April 2021) is necessary in order to protect the amenities of future occupants of the development and local residents (13).
50. Details of water, surface water and sustainable urban drainage arrangements, and flood risk measures are necessary in order to ensure adequate water network and drainage facilities are provided and to mitigate against potential flooding and the pollution of the water environment (14, 15, 16 and 17). A condition to deal with any unexpected contamination found on the site is necessary in the interest of public safety (18).
51. A range of highway improvements are necessary to limit highway impact and to encourage and promote sustainable transport including access visibility zones (19), parking and vehicle turning arrangements (20), cycle parking, (21) and submission of a travel statement (22). The travel statement will include a student management plan for the new development that is necessary to safeguard the amenities of the occupants of neighbouring properties. A condition relating to electric vehicle charging points is necessary in order to promote sustainable transport and reduce greenhouse gas emission (23).
52. Conditions relating to the details of the BREEAM energy efficiency, secure by design and park mark accreditation are necessary in order to ensure a sustainable, accessible and adaptable built development (24, 25 and 26). A condition to deal with high speed broadband is necessary in order to ensure an high quality broadband services and digital connectivity (27).

53. A condition restricting the employment use is necessary in order to retain the employment floorspace on the Strategic employment site and ensure compatible with the residential element of the proposed development (28).
54. In light of my findings, given that the proposal is acceptable on its own merits for the reasons above, there are no exceptional circumstances in this instance that would justify the removal of permitted development rights in connection with the purpose-built student accommodation (use class sui generis) that are reasonable and necessary to make the development acceptable.
55. I consider all the conditions to be reasonable and necessary to the development of the site. I have reworded some of them for consistency and have reordered them for clarity. Some of the particular requirements involve work to be done before development can start on site or before the development can be occupied. These measures are so fundamental to the acceptability of the proposal that it would be otherwise necessary to refuse planning permission.

Conclusion

56. For the reasons given above, I consider that collectively the scheme's benefits and other material considerations in this particular case, when set against the particular policy context, clearly outweigh the harm as result of the partial breach of Policy E3 of the Local Plan. There are no other policies within the development plan and Framework when read as a whole that indicate that the appeal proposal should be refused. Consequently, overall, in my view, the factors above provide the material considerations to grant planning permission other than in accordance with the development plan in this particular case.
57. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

James Maurici KC	King's Counsel, Landmark Chambers
Matthew Henshaw	Solicitor, Addleshaw Goddard LLP
Matthew Roe	Director, ROK Planning
Tim Groom*	Director, Tim Groom Associates
Paul Dowson	Head of Guildford Office, Lambert Smith Hampton
Keelan Serjeant*	Director, KRS Enviro
Daniel Botten	Senior Planner, ROK Planning
Ben Wrighton	Head of Planning, Watkin Jones
Poppy Church*	Development Manager, Watkin Jones
Barry Coltrini*	Development Director, Watkin Jones

*Attended virtually

FOR THE COUNCIL:

Esther Drabkin-Reiter	Counsel, Francis Taylor Building
Jo Trask	Senior Planning Officer, Guildford Borough Council
Gavin Stonham	Senior Planning Policy Officer, Guildford Borough Council
Nick Thomas	Policy Officer, Planning Policy Urban Design, Guildford Borough Council
Sakina Khabhai	Planning Officer, Guildford Borough Council

INTERESTED PARTIES:

Bea Anwar	SNB Investments Ltd
Penny & Derek Corden	Interested Parties
Nick Buckland	Interested Party
Tom Hickman	Interested Party

DOCUMENTS SUBMITTED DURING THE HEARING:

- Doc 1 Draft Section 106 Agreement for the appeal proposal submitted by the Local Planning Authority.
- Doc 2 Suggested Walking Route Map for the Site Visit submitted by the Appellant.
- Doc 3 Design Powerpoint Presentation of the appeal proposal by Tim Groom Architects (December 2022) submitted by the Appellant.

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Site location plan 1108-TGA-XX-XX-DR-A-0202

GA Ground Floor Plan @1:100 @A0 (drawing no. 1108-TGA-XX-00-DR-A-0300) Rev P7

GA Level 1 Plan @1:100 @A0 (drawing no. 1108TGAXX-01-DR-A-0301) Rev P6

GA Level 2 Plan @1:100 @A0 (drawing no. 1108TGAXX-02-DR-A-0302) Rev P6

GA Level 3 Plan @1:100 @A0 (drawing no. 1108TGAXX-02-DR-A-0303) Rev P6

GA Level 4 Plan @1:100 @A0 (drawing no. 1108TGAXX-02-DR-A-0304) Rev P6

GA Level 5 Plan @1:100 @A0 (drawing no. 1108TGAXX-02-DR-A-0305) Rev P6

GA Level 6 Plan @1:100 @A0 (drawing no. 1108TGAXX-02-DR-A-0306) Rev P5

Flood Void Design @1:200 @A1 (drawing no. 1108TGA-XX-XX-DR-A-0200) Rev P3

Room Schedule @A3 (drawing no. 108-TGA-XX- XXSA-A-0600) Rev P3

Section AA @A0 (drawing no. 1108-TGA-XX-XX-DRA0400) Rev P3

Section BB @A0 (drawing no. 1108-TGA-XX-XX-DRA0401) Rev P3

Section CC @A0 (drawing no. 1108-TGA-XX-XX-DRA0402); Rev P3

Section DD @A0 (drawing no. 1108-TGA-XX-XX-DRA0403) Rev P3

Street Sections @A1 (drawing no. 1108-TGA-XXXXDR-A-0410) Rev P3

South East Elevation @A0 (drawing no. 1108-TGAXXXX-DR-A-0500) Rev P4

North East Elevation @A0 (drawing no. 1108-TGAXXXX-DR-A-0501) Rev P3

North West Elevation @A0 (drawing no. 1108-TGAXXXX-DR-A-0502) Rev P3

South West Elevation @A0 (drawing no. 1108-TGAXXXX-DR-A-0503) Rev P3

Block A Elevations 01 @A0 (drawing no. 1108-TGAXXXX-DR-A-0510) Rev P4

Block A Elevations 02 @A0 (drawing no. 1108-TGAXXXX-DR-A-0511) Rev P4

Block B Elevations 01 @A0 (drawing no. 1108-TGAXXXX-DR-A-0512) Rev P5

Block B Elevations 02 @A0 (drawing no. 1108-TGAXXXX-DR-A-0513) Rev P2

Block C Elevations 01 @A0 (drawing no. 1108-TGAXXXX-DR-A-0514) Rev P4

Block C Elevations 02 @A0 (drawing no. 1108-TGAXXXX-DR-A-0515)
Rev P3
Block C Elevations 03 @A0 (drawing no. 1108-TGAXXXX-DR-A-0516)
Rev P2

SuDS Pro-forma, Jubb UK, October 2021;
Drainage Strategy, Jubb UK, October 2021, revision P04, document
reference: 20160.
Flood Risk Assessment reference TL/1267/FRA Revision 1.4 dated
21/10/2021
Exception Test report reference TL/1267/SEQ Revision 1.2 dated
21/10/2021

- 3) No development shall take place above slab level until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.
- 4) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details
- 5) No development (excluding demolition) shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the Local Planning Authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.
- 6) No demolition, site clearance or building operations shall start on site until the protective fencing and other protection measures shown on the Tree Protection Plan and Arboricultural Method Statement (dated 19 April 2021) have been installed, and a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the Local Planning Authority Tree Officer.

At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

- 7) Prior to commencement an ecological management plan (EMP) shall be submitted to and approved in writing by the Local Planning Authority. The EMP shall be informed by the recommendations within the Preliminary Ecological Appraisal (PEA) April 2021, Bat Emergence Survey Report September 2022 and Biodiversity Impact Assessment April 2021, all by Greenage. To include but not limited to the installation of integrated bird and bat boxes on the buildings. The development shall be implemented in accordance with the approved details.
- 8) Before the development hereby approved is first occupied, a Lighting Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall set

out how lighting on the site has been designed to minimise any potential impacts on bat foraging and commuting. The development shall be implemented in accordance with the approved and retained in perpetuity.

- 9) 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) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (j) 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.
- 10) Prior to any demolition works a Dust Management Plan shall be submitted to the Local Planning Authority for approval. The works shall be carried out in strict accordance with the approved details.
- 11) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 and 1330 Saturdays and at no time on Sundays or Bank or National Holidays.
- 12) The development shall be carried out in accordance with the details set out in the submitted Construction Management Plan (CMP) dated April 2021.
- 13) The development shall be carried out in strict accordance with the recommendations detailed in the submitted Acoustic Report by PDA dated 26 April 2021.
- 14) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the Sustainable Urban Drainage System (SuDS) Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of

1.6 l/s for a 1 in 1 year storm event. Rising to 20.9 l/s for return periods up to and including 1 in 100 year +40% climate change.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross 2 sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc).

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

- 15) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.
- 16) The development shall be carried out in accordance with the submitted flood risk assessment (ref Flood Risk Assessment, by TIER consult, dated 21/10/2021, Revision 1.4) and the submitted Exception Test report (ref TL/1267/SEQ Rev 1.2 dated 21/10/2021) and shall include the following mitigation measures:
- Finished floor levels shall be set no lower than 32.53 metres above Ordnance Datum (AOD)
 - Compensatory storage shall be provided in the form of voids and the following design:
 - Notwithstanding condition 2 void openings will be set as per a revised version of drawing number 1108-TGA-XX-XX-DR-A-0200 Rev P3 (Appendix E of the Exception Test report) (revised to reflect the minimum openings of the void specified below), which is submitted to, and approved in writing by the Local Planning Authority in consultation with the Environment Agency.
 - Void opening will be set no smaller than 2.3m wide with vertical steel bars for security if needed placed no closer than 100mm centres.
 - underside of the void and external face of the openings to the void will be raised to a minimum of 31.95mAOD
 - voids are to be maintained empty and free of obstructions
 - Grills or screens will not be used to cover the entrances to the voids.

- 17) The development hereby approved shall not be occupied beyond the 131st student unit until the applicant can demonstrate that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
- 18) Prior to commencement (excluding demolition to ground level) of the development a scheme of remediation shall be provided to restore the site to a standard suitable for use, including works to address any unsuspected contamination. This scheme shall be carried out as detailed in the applicant's submission. Documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the development hereby permitted is occupied by any person not directly involved in constructing the development. This shall include both contaminated land and gas protection measures.
- 19) The development hereby approved shall not be first occupied unless and until the proposed vehicular accesses to Walnut Tree Close have been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.4656-SK-06, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.
- 20) 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 plan, Drawing No. 4656-SK-06, 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.
- 21) The development hereby approved shall not be first occupied unless and until space has been laid out within the site for covered bicycles to be parked in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. Thereafter the parking areas for bicycles shall be retained and maintained for their designated purposes.
- 22) Prior to the occupation of the development a Travel Statement shall be submitted for the written approval of the Local Planning Authority. The Travel Statement should include, but not exhaustive to, the following:
 - (a) a firm commitment to notify Surrey County Council of the Travel Plan Co-ordinator's name and contact details when appointed;
 - (b) the student management plan is to be attached to the Travel Statement.

The student Management Plan shall include details of how potential noise and disturbance from residents will be managed, as well as providing full details of the Moving In / Out Management Strategy.

- The approved details shall be implemented upon first occupation and for each and every subsequent occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.
- 23) The development hereby approved shall not be occupied unless and until at least one of the available parking spaces is provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 24) Within three months of work starting on site, a BREEAM Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or equivalent authorising body, must be submitted to the Local Planning Authority and approved in writing to show that a minimum Excellent rating will be achieved.
- 25) Within 6 months of first occupation of the buildings, a BREEAM Final (Post-Construction) Certificate, issued by the BRE, must be submitted to the Local Planning Authority and approved in writing to demonstrate that an Excellent rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.
- 26) Prior to first occupation, the commercial and residential developments and parking areas shall achieve and submit proof of a Secured by Design Accreditation and a Park Mark Accreditation to the Local Planning Authority.
- 27) No development shall commence (excluding demolition and construction of the access) until details including plans, have been submitted to and approved in writing by the Local Planning Authority for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of each building where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP.
- 28) The floor space identified on the approved drawings as office space shall only be used as offices and light industrial space (Class E(g)) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and not for any other use /or any changes of use as permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or any future amendments to that Order.