

Mr Martin Dale
Design Works Studios
Unit A
59 The Overhangs
Peach Street
Wokingham
RG40 1XB

Town and Country Planning Act 1990

Prior Approval

Proposal: Prior Approval Schedule 2, Part 20, Class A: Additional storeys above existing block of flats to create 12 dwellings.

Applicant: Lorienwood Limited

Location: Two Oaks Castlevue Road Weybridge Surrey KT13 9AA

The decision of Elmbridge Borough Council on the proposal received as valid by the Council on 11/02/2021 and described above is **Prior Approval**, subject to the following conditions, if any, set out below:

Conditions/Reasons

- 1 **PRIOR APPROVAL - TIME LIMIT (Part 20 Class A)**
The development shall be completed within a period of 3 years starting with the date of this decision.

Reason: In order to comply with the provisions of paragraph A.2(2) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 **PRIOR APPROVAL - APPROVED DETAILS (Part 20 Class A)**
The development shall be carried out in accordance with the information provided under Part 20 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reason: In order to comply with the provisions of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3 **PRIOR APPROVAL - METHOD OF CONSTRUCTION/TRANSPORT MANAGEMENT PLAN (PART 20 CLASS A)**

Prior to the commencement of development, the developer shall provide the Local Planning Authority with a report for the management of the construction of the development which sets out the following:

1. The proposed development hours of operation;
2. Parking for vehicles of site personnel, operatives and visitors;
3. Loading and unloading of plant and materials;
4. Storage of plant and materials;
5. Programme of works (including measures for traffic management)
6. Measures to prevent the deposit of materials on the highway
7. Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
8. On-site turning for construction vehicles or equivalent traffic management.
9. How any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

Development shall be carried out in accordance with the approved details.

Reason: In order to comply with the provisions of paragraph A.2(3) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to satisfy policy DM7 of the Elmbridge Local Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National Planning Policy Framework 2019.

4 **PRIOR APPROVAL - COMPLETION OF DEVELOPMENT (PART 20 CLASS A)**

The developer shall notify the Local Planning Authority of the completion of the development as soon as practicable after completion in writing including the name of the developer, address or location of the development and date of completion.

Reason: In order to comply with the provisions of paragraph A.2(4) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5 **PRIOR APPROVAL - USE AS A DWELLINGHOUSE (PART 20 CLASS A)**

Each new dwellinghouse is to remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Reason: In order to comply with the provisions of paragraph A.2(6) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6 PRIOR APPROVAL - NOISE AND INSULATION STANDARD - BS 8233:2014

The design and structure of the development shall be of such a standard (BS 8233:2014) that it protects residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 180 of the National Planning Policy Framework and the Noise Policy Statement for England and to comply with the provisions of paragraph A.2(1)(g) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7 PRIOR APPROVAL - POST COMPLETION INTERNAL NOISE ASSESSMENT

Prior to first occupation, the applicant shall carry out a post completion internal noise assessment, and submit this in writing to the Local Planning Authority, to show that the development complies with the requirements of BS 8233:2014 in that it protects residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

If the development does not comply with the aforementioned standards, the developer will be required to provide mitigation measures to ensure compliance for the lifetime of the development.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 180 of the National Planning Policy Framework and the Noise Policy Statement for England and to comply with the provisions of paragraph A.2(1)(g) of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

8 CYCLE PARKING

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 bicycles to be parked. Thereafter the parking area shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to satisfy policy DM7 of the Elmbridge Local Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National Planning Policy Framework 2019.

Approval

Application No: 2021/0395

Type: Prior Approval Additional
storeys above existing block of flats

9 **ELECTRIC VEHICLE CHARGING PROVISION**

The development hereby approved shall not be occupied unless and until the site is provided with 12 fast charge sockets (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants, and to satisfy policies DM5 and DM7 of the Elmbridge Development Management Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National Planning Policy Framework 2019.

Informative(s): (if applicable)

1 **COMMUNITY INFRASTRUCTURE LEVY**

Prior approvals and lawful development certificates

Development commenced under a general consent is liable to pay a Community Infrastructure levy (CIL) if a new dwelling is being created (including via change of use); a new annex is being created, or if an extension has a new build floorspace of 100sqm or more. A general consent includes permitted development rights granted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

If you intend to commence development under general consent you must submit a CIL Form 5: Notice of Chargeable Development to Elmbridge Borough Council before you commence the development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended).

The only exception to the requirement to submit CIL Form 5 is where the development creates less than 100sqm of new build floorspace and no new dwelling or annex is created, or if the CIL rate for the use is £0 per sq. m in the CIL Charging Schedule

Formal determination of the CIL liability will be made by the council following the receipt of Form 5. Failure to adhere to the CIL Regulations and commencing work without notifying the council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges.

For further information see our webpage elmbridge.gov.uk/planning/the-community-infrastructure-levy-cil-process or elmbridge.gov.uk/planning/development-contributions

2 **CONSTRUCTION PHASE ONLY - NOISE AND POLLUTION**

To control noise and pollution during the construction phase where sensitive premises are nearby it is advised that:

(a) Work which is audible beyond the site boundary should only be carried out between the following hours:

Monday to Friday 08:00 hrs to 18:00 hrs

Saturday 08:00 hrs to 13:00 hrs

and not at all on Sundays or Bank Holidays.

(b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.

(c) Deliveries and collections should only be received within the hours detailed above.

(d) Adequate steps should be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsters and wheel washes.

(e) There should be no burning on site that causes nuisance to local residents.

(f) Only minimal security lighting shall be used outside the hours stated above.

3 WORKS TO THE HIGHWAY

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

4 MUD/DEBRIS ON THE HIGHWAY

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).

5 ACCOMMODATION WORKS

The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

6 DAMAGE TO THE HIGHWAY

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

7 STATUTORY UTILITY WORKS

The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

Please read the important notes attached.



Kim Tagliarini
Head of Planning Services

Date: 26 May 2021

Important Notes

Approval of details reserved by conditions

Attention is drawn to the conditions that have been attached to the planning permission together with the reason for their imposition. Particular attention is drawn to those conditions that require the submission of further information to the local planning authority and its approval of such further information before building works commence. In the case of a reserved matters approval you must also take account of the conditions imposed on the outline permission.

Appeals to the Secretary of State

If you are aggrieved by a decision to refuse permission or to grant it subject to conditions you can appeal to the Planning Inspectorate. Appeals can be made using a form which you can get online at: gov.uk/planning-inspectorate

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. Only the applicant has the right of appeal. In some circumstances the Planning Inspectorate may refuse to consider an appeal.