

LOCATION: 469 LONDON ROAD, CAMBERLEY, GU15 3JA
PROPOSAL: Erection of a three storey building (with accommodation in the roof) to provide retail (Class A1) and office (Class B1a) space at ground floor and residential (Class C3) use on remaining floors comprising 6 no one bed and 4 no two bed flats with associated parking, cycle/bin store and landscaping. (Amended information recv'd 2/8/18) (Additional info rec'd 09/08/2018) (Amended plans rec'd 08.03.2019) (Description changed 13.03.2019)
TYPE: Full Planning Application
APPLICANT: NYM Properties Ltd
NYM Properties Ltd
OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This planning application relates to the provision of a three storey building, with accommodation in the roof, to provide commercial accommodation at ground floor (retail/offices) with residential flats over in the form of 4 no two bedroom and 6 no one bedroom flats with associated parking, bin/cycle store and landscaping. The site is located on the south side of A30 London Road within the A30 Commercial Corridor character area as defined within the Western Urban Area Character SPD 2012 with access onto Tuscam Way at the rear.
- 1.2 The proposal is considered to be acceptable in terms of its impact on local character, residential amenity, highway safety, SPA, infrastructure and affordable housing provision. The application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the south side of A30 London Road within the A30 Commercial Corridor character area as defined within the Western Urban Area Character SPD 2012 and an Employment Revitalisation Area, as defined within Policy E6 of the Surrey Heath Local Plan 2000 (as saved); with access onto Tuscam Way at the rear. The four storey office building, 459 London Road lies to the east flank with the two storey commercial unit 471-3 London Road to the east flank. The Royal Military Academy/London Road Conservation Area and defined Countryside lie opposite the site with listed properties in The Terrace set behind a heavily landscaped frontage (onto London Road) with commercial properties, within the trading estate, on land beyond Tuscam Way at the rear.

- 2.2 The application property is locally listed and is a former public house (last used as a restaurant) with living accommodation (a six bedroom HMO) over. The existing building is part two storey, part three storey with the third floor within a mansard roof with front dormers and a two storey flat roof element at the rear and a large metal flue for the previous principal restaurant use of the building. The building is in a poor condition and has been vacant since June 2017. The land levels drop from the front to the rear of the site.

3.0 RELEVANT HISTORY

- 3.1 None relevant to this application.

4.0 THE PROPOSAL

- 4.1 This planning application relates to a mixed use development including the provision of a three storey building, with accommodation in the roof, to provide commercial accommodation at ground floor (retail/offices) with residential flats over in the form of 4 no two bedroom and 6 no one bedroom flats with associated parking, bin/cycle store and landscaping. The proposed building would have a maximum height of 11.9 metres, reduced to 8.7 metres at the eaves providing a crown roof over with a width of 12.5 metres and a depth of 22.0 metres.
- 4.2 Four parking spaces would be provided with bin/cycle store and access at the rear; with two spaces provided with access at the front. An existing access to the west side of the plot would be retained. The proposed building would be set back, in its amended form by about 7 metres, with soft landscaping and parking to the front, and a set-in of from 1 to 2 metres from the east flank boundary and from 2 to 3.1 metres from the west flank boundary. Recessed balconies would be provided to the five units facing the rear.

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highway Authority | No objections subject to the imposition of conditions. |
| 5.2 | Environmental Health | No objections. |
| 5.3 | Scientific Officer | No objections. |
| 5.4 | Environment Agency | No objections. |
| 5.5 | Thames Water Utilities | No objections, subject to the imposition of informatives. |
| 5.6 | Local Lead Flood Authority | No objections subject to the imposition of conditions. |

5.7 Conservation Officer No objections subject to the justification for the loss of the locally listed building.

6.0 REPRESENTATION

At the time of preparation of this report no representations have been received in support or raising an objection to the proposal.

7.0 PLANNING CONSIDERATION

7.1 The proposal is considered against Policies CP1, CP2, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy E6 of the Surrey Heath Local Plan 2000 (as saved) (SHLP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework 2019 (NPPF); as well as advice within the Western Urban Area Character SPD 2012 (WUAC); the Residential Design Guide SPD 2017 (RDG); the Yorktown Landscape Strategy SPD 2008 (YLS); and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (SPAAS).

7.2 The main considerations for this application are:

- Principle for the development;
- Impact on local character, landscape strategy and loss of locally listed building;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on drainage and flood risk;
- Impact on the SPA,
- Impact on affordable housing provision;
- Impact on infrastructure; and
- Impact on land contamination.

9.3 Principle for the development

9.3.1 Policy CP8 of the CSDMP indicates that in areas outside of the core employment areas, the loss of employment land will only be permitted where the wider benefits to the community can be shown. Policy E6 of the SHLP indicates that mixed development for business use, office and retail with residential accommodation would be encouraged in the Employment Revitalisation Areas. The proposal relates to mixed development, including offices/retail at ground floor (with residential above) and as such the principle for this development is established in this location.

9.4 Impact on local character, landscape strategy and loss of locally listed building

- 9.4.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects and enhances the local or historic character of the environment paying regard to scale, materials, massing, bulk and density. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without compromising local character. Principle CC1 of the WUAC indicates that new development should continue the mix of uses with commercial uses particularly welcomed, provide high quality design sand up to five storeys of development with scale and massing to be proportionate to its surroundings and high quality landscaping provided.
- 9.4.2 The proposal would provide a three storey building, with accommodation in the roof, in this location set close to the flank boundaries and would have a significant depth. The general character in this location includes a number of very large buildings including the adjoining office building, 469 London Road, and other large buildings further to the east including Basepoint Business Centre (377-399 London Road), Belgravia Mansions (on the siting of 373 London Road), Victoria Court (409 London Road) and Jacobs Well (423-437 London Road), and Agincourt Hall (487 London Road) to the west all within the Employment Revitalisation Area and A30 Commercial Character Area.
- 9.4.3 The proposed building's setback would also reduce its impact on the streetscene particularly against the backdrop of these more imposing neighbouring buildings and would be seen as step-down between the larger, three storey adjoining office building (469 London Road) and the two storey terrace of predominantly commercial properties (471-481 London Road). The proposed building would be smaller in width than these larger buildings, and whilst there are groups of smaller buildings interspersed in the local area, such as 471-481 London Road, the current proposal would not be out of character with this general pattern of development in this area.
- 9.4.4 Policy DM17 of the CSDMP indicates that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting. In determining proposals affecting Heritage Assets or their setting, regard will be had as to whether the asset is a Designated Heritage Asset or a Local Heritage Asset in determining whether the impact of any proposed development is acceptable. Principle CC2 of the WUAC indicates that the retention of good quality Victorian/Edwardian buildings will be strongly encouraged. Where it is not viable to retain these buildings, the replacements are expected to be of high quality and reflect historic references.
- 9.4.5 The existing locally listed building, as a Local Heritage Asset, would be lost by this proposal. The Council's Conservation Adviser had suggested that justification for the loss of the building was required. In this regard the applicant has provided evidence concerning the poor quality of this building, with a layout including multiple floor levels, that does not lend itself easily to its reuse and the conclusion drawn is that the cost of such works to achieve conversion of the upper floors into flats (it has been demonstrated that four small units could be provided in this

manner) would not be viable. As indicated above, the building has remained vacant since June 2017 and is in a poor condition.

- 9.4.6 The proposed building would provide a large building but with detailing to reflect the locally listed status of this building. These details includes stone quoins, bullnose blind window detailing and stone and brick detailing around windows, sash windows, dormers, front projecting gable/pediment, raised stone course (above ground level) and brick plinth. It is considered that, noting its location and the status of the existing building on the site, the proposed building can be considered to be an acceptable replacement in this location.
- 9.4.7 Principle YK3 of the YLS sets out the expected building setback for new development in the Yorktown area. This includes, for a building of this size, a setback of 8 metres on major routes and 10 metres for the London Road, to allow planting to become more dominant in the streetscene.
- 9.4.8 In this case, the setback of 7 metres is acceptable where it would sit between development setback of about 10 metres, for 459 London Road and no setback for the adjoining terrace (471-481 London Road). This would provide sufficient setback to allow significant landscaping to be provide to the site frontage, and away from the building footprint.
- 9.4.9 As such, no objections are raised to the proposal on these grounds with the proposal complying with Policies DM9 and DM17 of the CSDMP; and advice in the WUAC, YLS and RDG.

9.5 Impact on residential amenity

- 9.5.1 Policy DM9 of the CSDMP indicates that development should provide sufficient private and public amenity space and respect the amenities of the occupiers of neighbouring properties and uses. Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents. Principles 8.5 and 8.6 of the RDG sets out the requirements to provide private and communal amenity space for flatted developments, including balconies (subject to environmental conditions).
- 9.5.2 The application site lies adjacent to commercial buildings and no adverse impact on any nearby residential properties is envisaged from this proposal.
- 9.5.3 The current proposal would provide some outdoor amenity space in the form of recessed balconies to the rear and rear amenity area varying in depth from 2.8 to 4.4 metres. Noting its location, which is affected by noise from the A30 to the frontage and to a lesser degree by industrial and other commercial uses at the rear, the proposal would provide sufficient outdoor amenity space in this instance.
- 9.5.4 As such, the proposal is considered to be acceptable in residential amenity terms, complying with Policy DM9 of the CSDMP; and the RDG.

9.6 Impact on highway safety

- 9.6.1 The proposal would provide six parking spaces on the site with accesses to the front and rear of the site. However, most of the parking and the principal access would be from the rear (Tuscam Way). Refuse vehicles would utilise this access with bin stores provided at the rear. The County Highway Authority has raised no objections to the proposal on parking capacity and highway safety grounds, noting its fairly sustainable location, on a good bus service and a principal route through the Borough (and beyond).
- 9.6.2 As such, no objections are raised on these grounds with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

9.7 Impact on drainage and flood risk

- 9.7.1 The application proposal would provide residential accommodation above a commercial use; a similar arrangement albeit on a smaller footprint (and less residential floorspace/accommodation) as existing. The information previously provided by the Environment Agency has indicated that the application site falls within Flood Zone 3b, i.e. functional flood plain. However, the applicant has provided evidence that between the application site and the Wish Stream (lying about 190 metres from the site), the land rises and, in addition, the application site is on higher land (than previously assumed) such that it falls within Flood Zone 1 (i.e. low flood risk). These conclusions have been accepted by the Environment Agency, and they raise no objections on this basis.
- 9.7.2 The existing site is predominantly covered by building footprint and hardstanding. The current proposal would provide some limited soft landscaping and infiltration potential. The LLFA has raised no objections to the drainage strategy, subject to the imposition of conditions, for the proposed development and no objections are raised on these grounds.
- 9.7.3 As such, the application proposal is acceptable on these grounds, complying with Policy DM10 of the CSDMP and the NPPF.

9.8 Impact on the SPA

- 9.8.1 The application site partly about 1.2 kilometres (approx.) from the Thames Basin Heaths Special Protection Area (SPA) [Hawley Common]. In January 2012, the Council adopted the SPAAS which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity. The proposal is CIL liable and this provision would normally be provided under the CIL charging scheme.
- 9.8.2 Policy CP14 of the CSDMP indicates that developments of 10 or more net new dwellings will only be permitted within the identified catchment areas of SANGs. The proposal would provide a net gain of less than 10 dwellings and therefore does not need to fall within the catchment of any specific SANG within the Borough. Sufficient SANG capacity is also currently available within the Borough.

9.8.3 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project does not form part of the CIL scheme and a separate contribution is required through an upfront payment or a planning obligation to secure this contribution. The contribution (£3,630) is required and has been received.

9.8.4 On this basis, no objections to the proposal are raised on these grounds with the proposal complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the SPAAS.

9.9 Impact on affordable housing provision

9.9.1 Policy CP5 of the CSDMP indicates that development of 5-9 (net) dwellings require to provide 20% on-site provision. However, Paragraph 63 of the NPPF confirms that affordable housing provision should not be sought for developments which provide a gain of less than 10 dwellings, as in this case. As such, no objections are raised on these grounds with the proposal complying with Policy CP5 of the CSDMP and the NPPF.

9.10 Impact on infrastructure

9.10.1 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council in July 2014. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. This Council charges CIL on residential development and it is estimated for this development to be around £61,000. CIL is a land charge that is payable at commencement of works. An informative advising of this is to be added.

9.10.2 It is therefore considered that the proposal would not have an adverse impact on infrastructure delivery and complies with Policy CP12 of the CSDMP and the NPPF.

9.11 Impact on land contamination

9.11.1 The proposal relates to land previously developed for which land contamination is expected due to the existing car repair use and former petrol station/car repair use of the site. The Scientific Officer has advised the taking of a precautionary approach such that a process needs to be undertaken if any contamination is encountered or suspected during the operations relating to this use. This process is set out by condition. Under these circumstances, no objections are raised to the proposal on these grounds with the proposal complying with the NPPF.

10.0 POSITIVE/PROACTIVE WORKING

In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included the following:-

a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

11.0 CONCLUSION

11.1 The proposal is considered to be acceptable in terms of its impact on local character, residential amenity, highway safety, SPA, infrastructure and affordable housing provision. The application is recommended for approval.

12.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 17-J2153-02 and 17-J2153-03 received on 26 June 2018 and 17-J2153-01 Rev A, 17-J2153-04 Rev A and 17-J2153-05 Rev A received on 8 January 2019, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. No development above slab level shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. The parking spaces shown on the approved plan 17-J2153-01 Rev A received on 8 January 2019 shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5.
 1. No development above slab level shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
 3. A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. No development shall take place until a Method of Construction Statement, 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

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. Development (excluding demolition) shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2019.

8. Details of a noise attenuation scheme for sound proofing the residential units from exterior noise shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to first occupation and retained thereafter.

Reason: In the interests of residential amenity and to comply with Policy

DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

9. The development hereby approved 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 SuDS hierarchy and be compliant with the national Non-Statutory Technical Standard for SuDS, National Planning Policy Framework 2019 and Ministerial Statement on SuDS. The required drainage details should include:

- Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during);
- 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 sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc.);
- 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 systems is operational;
- Details of drainage management responsibilities and maintenance regimes for the drainage system; and
- 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.

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

10. 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 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).

Reason: To ensure that the design meets the national Non-Statutory Technical Standards for SuDS and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

11. The development hereby approved shall not be occupied unless and until at

least 2 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: To promote more sustainable modes of transport and to comply with the National Planning Policy Framework 2019.

12. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. Prior to the first occupation of the development hereby approved, the cycle and bin storage area(s) and access thereto shown on drawing nos 17-J2353-01 Rev B and 17-J2353-05 Rev A received on 9 January 2019 shall be provided and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. In relation to Condition 7 above and for the avoidance of doubt, the following definitions apply:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination

Verification of Remediation Report: This shall include:-

- (i) Design, implementation and verification of remediation
- (ii) Validation testing
- (iii) Substantiating evidence
- (iv) Agreement with the Local Planning Authority on verification Requirements.

2. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The development falls within 15 metres of Thames Water underground assets and as such the development could cause the assets to fail if appropriate measures are not taken. It would be expected that the developer demonstrates what measures will be undertaken to minimise groundwater discharge into the public sewer.

A Ground Water Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. As the site is being redeveloped, there may be public sewers which either cross or are close to the siting of the proposed development. If a sewer is discovered it is important to minimise any risk of damage.

It will need to be confirmed that the development does not reduce capacity, limit repair or maintenance activities, or inhibit such services. Further advice can be sought from Thames Water direct.

3. Party Walls (etc) Act 1996 DE3

