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To: MEMBER OF THE PLANNING COMMITTEE
Councillors Blackwell (Chair), Wren (Vice-Chair), Botten,
Chotai, C.Farr, S.Farr, Gray, Montgomery, Moore, Prew and
Steeds

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Substitute Councillors: B.Black, Bilton, Cooper and Windsor

C.C. All Other Members of the Council

31 May 2023

Dear Sir/Madam

PLANNING COMMITTEE THURSDAY, 8TH JUNE, 2023 AT 7.30 PM

The agenda for this meeting of the Committee to be held in the Council Chamber, Council Offices, Station Road East, Oxted is set out below. If a member of the Committee is unable to attend the meeting, please notify officers accordingly.

Should members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

If a Member of the Council, not being a member of the Committee, proposes to attend the meeting, please let the officers know by no later than noon on the day of the meeting.

Yours faithfully,

David Ford
Chief Executive

AGENDA

- 1. Apologies for absence (if any)**
- 2. Declarations of interest**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) any Disclosable Pecuniary Interests (DPIs) and / or
- (ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or her staff prior to the meeting.

3. Minutes

- 3.1 Minutes from the meeting of 11 May 2023 (Pages 3 - 4)
- 3.2 Minutes from the meeting on 25 May 2023 (Pages 5 - 6)

4. To deal with questions submitted under Standing Order 30

5. Applications for consideration by committee (Pages 7 - 16)

- 5.1 2022/1614 - Former Green Hedges, Westerham Road, Limpsfield, RH8 0EE (Pages 17 - 36)
- 5.2 2022/1504 - Wolfs Wood Oxted RH8 0HJ (Pages 37 - 56)
- 5.3 2022/1299 - Land at Amy Road and Station Road East, Oxted (Pages 57 - 74)
- 5.4 2023/175 - Sports Pavilion Mill Lane Playing Field Mill Lane Hurst Green, Surrey RH8 9DF (Pages 75 - 84)
- 5.5 2022/1191 - Grange Meadow Playing Field, High Street, Bletchingley, Surrey, RH1 4PE (Pages 85 - 94)
- 5.6 2022/1415 - 10 Westerham Road, Oxted, Surrey, RH8 0ER (Pages 95 - 108)
- 5.7 2022/1015 - 18 Amy Road, Oxted, Surrey, RH8 0PX (Pages 109 - 118)

6. Any urgent business

To deal with any other item(s) which, in the opinion of the Chair, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972.

TANDRIDGE DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 11 May 2023 at 7:30pm.

PRESENT: Councillors Blackwell (Chair), C.White (Vice-Chair), B.Black, Botten, C.Farr, Gray, Moore, Prew and S.Farr (Substitute) (In place of Montgomery)

PRESENT (Virtually): Councillors

ALSO PRESENT: Councillors Allen and N.White

ALSO PRESENT (Virtually): Councillors Gillman

APOLOGIES FOR ABSENCE: Councillors Chotai, Montgomery and Steeds

302. MINUTES FROM THE MEETING HELD ON 18TH APRIL 2023

The minutes of the meeting were confirmed and signed by the Chair.

303. 2022/1161 - YOUNG EPILEPSY, ST PIERS LANE, LINGFIELD, SURREY, RH7 6PW

The Committee considered an application for the demolition of buildings and the redevelopment of the site to provide a residential care community (Use Class C2) comprising of 152 units of accommodation, with associated communal facilities, parking, landscaping, and associated infrastructure. The redevelopment included the extension and refurbishment of existing buildings for use by Young Epilepsy. The buildings would also have associated landscaping and parking.

The redevelopment also included works to an existing link between a farmhouse and a listed barn and the conversion of a vacant and redundant granary to a picnic barn which would have storage space within the upper floor. Further, a courtyard area to the south of the farmhouse, alongside the abovementioned barn and granary would be landscaped to form a new courtyard space to complement the existing and proposed uses in the listed buildings.

The recommendation of the Interim Chief Planning Officer was to permit planning permission and to grant the associated listed building consent.

Mr Mark Devlin, the Chief Executive of Young Epilepsy, spoke in favour of the application.

Councillor Sir Nicholas White requested that the following motions for refusal of the application for planning permission be considered by the Committee:

1. *The proposed development would constitute inappropriate development in the Green Belt causing significant harm to the openness and visual amenities of the Green Belt. No very special circumstances exist to clearly outweigh the harm by reasons of inappropriateness and other identified harm. As such, the proposal is contrary to the provisions of Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies, and the provisions of the National Planning Policy*

Framework 2021 with respect to protection from built development of Green Belts.

2. *The proposed development by reason of its location outside of an established settlement would constitute an unsustainable form of development resulting in its residents being reliant solely on private means of transport for trips away from the site and on deliveries of goods for a significant part of their shopping needs. As such, the development would not comply with the provisions of Policy CSP1 of the Core Strategy, DP1 of the Tandridge Local Plan Part 2 Detailed Policies and the National Planning Policy Framework 2021.*

Councillor Moore proposed both motions and they were seconded by Councillor Chris Farr. Upon being put to the vote, both motions were lost.

R E S O L V E D – that planning permission and listed building consent be granted, subject to conditions.

Rising 8.41 pm

TANDRIDGE DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 25 May 2023 at 9:15pm.

PRESENT: Councillors Botten, Blackwell, Chotai, C.Farr, S.Farr, Gray, Montgomery, Moore, Prew, Steeds and Wren

10. ELECTION OF CHAIR FOR 2023/24

RESOLVED – that Councillor Blackwell be elected Chair of the Committee for the 2023/24 municipal year.

11. ELECTION OF VICE-CHAIR FOR 2023/24

RESOLVED – that Councillor Wren be elected Vice-Chair of the Committee for the 2023/24 municipal year.

Rising 9.16 pm

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REPORT TO THE PLANNING COMMITTEE ON 8 JUNE 2023

AGENDA ITEM 5 APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the applications detailed in items 5.1 to 5.7

Notes:

- (i) All letters received commenting on applications adversely or otherwise will be available in the Council Chamber for inspection by Members prior to the meeting. Summaries of the public responses to applications are included in the reports although Members should note that non-planning comments are not included.
- (ii) Arrangements for public participation in respect of the applications will be dealt with immediately prior to the commencement of the meeting.

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Background papers: Surrey Waste Plan 2008; Surrey Minerals Plan Core Strategy 2011; The Tandridge Core Strategy Development Plan Document 2008; The Tandridge Local Plan: Part 2 – Detailed Policies 2014; Woldingham Neighbourhood Plan 2016; The Harestone Valley and Woldingham Design Guidance Supplementary Planning Documents 2011; Village Design Statement for Lingfield – Supplementary Planning Guidance; Woldingham Village Design Statement – Supplementary Planning Guidance; Conservation Area Appraisal of the Bletchingley Conservation Area Supplementary Planning Guidance; Limpsfield Neighbourhood Plan 2019

Government Advice: National Planning Policy Framework
Planning Practice Guidance (PPG)

PLANNING COMMITTEE – 8 JUNE 2023 – RECOMMENDATIONS

ITEM NO.	APPLICATION NO.	SITE ADDRESS	APPLICATION DETAILS	RECOMMENDATION
5.1	2022/1614	Former Green Hedges, Westerham Road, Limpsfield, RH8 0EE	Variation of Condition 3 (Approved Drawings) of planning permission ref: 2020/2170.	PERMIT (SUBJECT TO CONDITIONS)
5.2	2022/1504	Wolfs Wood Oxted RH8 0HJ	Demolition of existing garages and three apartment blocks. Erection of 12 residential units (x5 3-bedroom dwellings, x3 2-bedroom dwellings, x4 1-bedroom flats) and associated parking and landscaping works.	PERMIT (SUBJECT TO CONDITIONS)
5.3	2022/1299	Land at Amy Road and Station Road East, Oxted	Erection of 2 dwellings, parking and landscaping.	PERMIT (SUBJECT TO CONDITIONS)
5.4	2023/175	Sports Pavilion Mill Lane Playing Field Mill Lane Hurst Green, Surrey RH8 9DF	Installation of 20ft shipping container for storage of field maintenance and sports equipment.	PERMIT (SUBJECT TO CONDITIONS)
5.5	2022/1191	Grange Meadow Playing Field, High Street, Bletchingley, Surrey, RH1 4PE	Change temporary permission granted under planning permission 2019/843 to permanent, for a storage container on sports field located behind the pavilion & shielded by new planting.	PERMIT (SUBJECT TO CONDITIONS)
5.6	2022/1415	10 Westerham Road, Oxted, Surrey, RH8 0ER	Lowering of bank to front of the dwelling and formation of single parking space with retaining wall (retrospective).	PERMIT (SUBJECT TO CONDITIONS)
5.7	2022/1015	18 Amy Road, Oxted, Surrey, RH8 0PX	Removal of existing chimney and erection of a single-storey front extension with dormer to front roof slope. Erection of a two/single storey rear extension and lower ground floor annexe extension together with external stairs and retaining walls. Installation of solar array to rear roof slope. (Amended plans and description).	PERMIT (SUBJECT TO CONDITIONS)

SUMMARY OF RELEVANT POLICIES & NATIONAL ADVICE FOR PLANNING APPLICATIONS IN APPENDIX A.

Core Strategy

Policy CSP1 sets several strategic aims in terms of the location of development. It seeks to promote sustainable patterns of travel, make the best use of land within the existing built-up areas.

Policy CSP2 sets out the Council's approach to housing supply.

Policy CSP3 seeks to manage the delivery of housing when the Council exceeds its rolling 5-year supply by more than 20%. When such an oversupply exists, the Council will refuse development of unidentified residential garden land sites of 5 units and above or site larger than 0.2ha where the number of dwellings is unknown. Account must be taken of smaller sites forming parts of larger sites and infrastructure provision as well as significant social or community benefits.

Policy CSP4 is an interim holding policy pending the adoption of a substitute policy in an Affordable Housing DPD. It sets a threshold within built up areas of 15 units or more or sites in excess of 0.5ha and within rural areas of 10 units or more. The policy requires that up to 34% of units would be affordable in these cases with the actual provision negotiated on a site by site basis. There is a requirement that up to 75% of the affordable housing will be provided in the form of social rented or intermediate or a mix of both.

Policy CSP5 refers to rural exception sites and states that exceptionally, land adjoining or closely related to the defined rural settlements which would otherwise be considered inappropriate for development may be developed in order to provide affordable housing subject to certain criteria.

Policy CSP7 requires sites providing 5 units or more to contain an appropriate mix of dwelling sizes in accordance with identified needs.

Policy CSP8 sets out the Council's approach to the provision of Extra Care Housing, including its targets for such provision.

Policy CSP9 sets out the criteria for assessing suitable Gypsy and Traveller sites to meet unexpected and proven need.

Policy CSP11 sets out the Council's approach to infrastructure and service provision.

Policy CSP12 seeks to manage travel demand by requiring preference to walking, cycling and public transport; infrastructure improvements where required and use of adopted highway design standards and parking standards.

Policy CSP13 seeks to retain existing cultural, community, recreational, sport and open space facilities and encourage new or improved facilities.

Policy CSP14 seeks to encourage all new build or residential conversions meet Code level 3 as set out in the Code for Sustainable Homes and that commercial development with a floor area over 500sq m will be required to meet BREEAM "Very Good" standard. On site renewables are also required.

Policy CSP15 seeks to ensure that the design and layout of development is safe and secure, that new buildings are adaptable for the disabled and elderly, that information technology can be included, that all development is accessible to all groups and that grey water recycling and/or segregated surface and foul water disposal is used.

Policy CSP16 sets out the Council's position on aviation development in the District with specific reference to its position on development at Redhill Aerodrome.

Policy CSP17 requires that biodiversity is taken into account.

Policy CSP18 seeks to ensure that developments have a high standard of design respecting local character, setting and context. Amenities of existing occupiers must be respected. Wooded hillsides will be respected and green space within built up areas protected. Development on the edge of the Green Belt must not harm the Green Belt.

Policy CSP19 sets a range of densities for new development.

Policy CSP20 sets out the Council's principles for the conservation and enhancement of the AONBs and AGLVs.

Policy CSP21 states that the character and distinctiveness of the District's landscapes and countryside will be protected, and new development will be required to conserve and enhance landscape character.

Policy CSP22 sets out how the Council will seek to develop a sustainable economy.

Policy CSP23 set out specific aims for the town centres of Caterham Valley and Oxted.

Tandridge Local Plan: Part 2 – Detailed Policies – 2014

Policy DP1 sets out the general presumption in favour of sustainable development.

Policy DP2 sets out the policies for development in the town centres, including within the primary and secondary shopping frontages

Policy DP3 sets out the policies for development in local centres, other centres and villages

Policy DP4 sets out the circumstances under which proposals for the alternative use of commercial and industrial sites will be permitted.

Policy DP5 sets out criteria for assessing whether proposals are acceptable in relation to highway safety and design.

Policy DP6 sets out criteria for assessing proposals for telecommunications infrastructure.

Policy DP7 is a general policy for all new development. It outlines that development should be appropriate to the character of the area, provide sufficient parking, safeguard amenity and safeguard assets, resources and the environment, including trees.

Policy DP8 sets out a number of criteria for assessing whether the redevelopment of residential garden land will be acceptable.

Policy DP9 sets out the circumstances in which the erection of gates, walls and other means of enclosure will be permitted.

Policy DP10 confirms the general presumption against inappropriate development in the Green Belt and states that inappropriate development will only be permitted where very special circumstances exist which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm.

Policy DP11 sets out the circumstances in which development in the Larger Rural Settlements will be permitted.

Policy DP12 sets out the circumstances in which development in the Defined Villages in the Green Belt will be permitted.

Policy DP13 sets out the exceptions to the Green Belt presumption against inappropriate development in the Green Belt and the circumstances in which new buildings and facilities, extensions and alterations, replacement of buildings, infill, partial or complete redevelopment and the re-use of buildings will be permitted.

Policy DP14 sets out a number of criteria for assessing proposals for garages and other ancillary domestic buildings in the Green Belt.

Policy DP15 sets out criteria for assessing proposals for agricultural workers' dwellings in the Green Belt.

Policy DP16 states that the removal of agricultural occupancy conditions will be permitted where the Council is satisfied that there is no longer a need for such accommodation in the locality.

Policy DP17 sets out criteria for assessing proposals for equestrian facilities.

Policy DP18 sets out the circumstances in which development involving the loss of premises or land used as a community facility will be permitted.

Policy DP19 deals with biodiversity, geological conservation and green infrastructure.

Policy DP20 sets out the general presumption in favour of development proposals which protect, preserve or enhance the interest and significance of heritage assets and the historic environment.

Policy DP21 deals with sustainable water management, and sets out criteria for assessing development in relation to water quality, ecology and hydromorphology, and flood risk.

Policy DP22 sets out criteria for assessing and mitigating against contamination, hazards and pollution including noise.

Woldingham Neighbourhood Plan 2016

Policy L1 is a general design policy for new development

Policy L2 sets out criteria for assessing new development proposals in relation to the Woldingham Character Areas

Policy L3 relates to landscape character

Policy L4 relates to proposals for new community facilities

Policy L5 relates to development proposals for The Crescent and its regeneration

Policy L6 seeks to support improvements to the accessibility of Woldingham Station

Policy L7 relates to the development of broadband and mobile communications infrastructure

Policy L8 seeks to safeguard a number of Local Green Spaces as designated by the Plan

Policy C1 seeks to promote residents' safety

Policy C2 seeks to support proposals and projects which improve local transport services

Policy C3 supports the improvement of pedestrian and cycle routes

Policy C4 supports proposals which promote networking and residents' involvement on local societies and organisations

Limpsfield Neighbourhood Plan 2019

Policy LN1 sets out a spatial strategy for the Parish.

Policy LN2 requires that all new development provides an appropriate mix of housing types and size, including smaller units (3 bedrooms or fewer) for sites over a certain size.

Policy LN3 seeks a high quality of design, reflecting the distinctive character of particular areas of the Parish.

Policy LN4 relates to new development in the Limpsfield Conservation Area.

Policy LN5 relates to landscape character.

Policy LN6 identifies a number of Local Green Spaces, and seeks to protect their use.

Policy LN8 seeks to promote biodiversity.

Policy LN9 relates to business and employment, including in relation to Oxted town centre.

Policy LN10 relates to the rural economy.

Policy LN11 seeks to protect community services in Oxted town centre.

Policy LN12 seeks to protect community services in Limpsfield Village and other parts of the Parish.

Policy LN13 supports sustainable forms of transport.

Policy LN14 supports the provision of super-fast broadband.

Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021

Policy CCW1 – gives support to proposals identified for their Housing Site Availability during the period 2015-2026

Policy CCW2 – supports proposals for sub-division of larger residential properties into one, two, three-bedroom dwellings

Policy CCW3 – supports proposals for housing which optimise housing delivery in accordance with guidance contained in the Urban Capacity Study and outlines density range of 30-55 dwellings per hectare for land not covered in the Urban Capacity Report.

Policy CCW4 – sets out that development is expected to preserve and enhance the character of the area in which it is located.

Policy CCW5 – sets out that development proposals which integrate well with their surroundings, meet the needs of residents and minimise impact on the local environment will be supported where they demonstrate high quality of design and accord with the criteria of this policy.

Policy CCW6 – support proposals which incorporate measures to deliver environmentally sustainable design to reduce energy consumption and mitigate effects of climate change in line with building design measures contained in the policy.

Policy CCW7 – supports proposals which provide incubator/start-up business space and/or establishes enterprise/business park developments.

Policy CCW8 – resists the loss of local and neighbourhood convenience shops unless justification is present on viability grounds. Proposals to improve the quality and appearance of shop fronts and signage will be supported which have regards to CCW6.

Policy CCW9 – proposals for recreational and tourism development including a Visitor Centre will be supported where the criteria of this policy are met. Proposals for the improvement of signage for local facilities will be supported provided they integrate with their surroundings.

Policy CCW10 – supports development proposals which do not have a significantly detrimental impact on locally significant views as listed/mapped in the Neighbourhood Plan (Figures 7.1, 7.2-7.5, with detailed descriptions in Appendix A).

Policy CCW11 – sets out that there are 22 areas designated as Local Green Spaces on the policies map for the Neighbourhood Plan. Proposals which demonstrably accord with development appropriate in the Green Belt will be supported.

Policy CCW12 – proposals for provision of allotments and/or community growing spaces will be supported where accessible and within/adjacent to defined settlement areas. The loss of such space will not be supported unless alternative and equivalent provision is provided.

Policy CCW14 – encourages proposals for new/improved community facilities where criteria in the policy are met. The loss of such facilities will only be supported if alternative and equivalent facilities are provided.

Policy CCW15 – proposals for the expansion of existing public houses to develop appropriate community-based activities will be supported subject to compliance with other relevant policies and provide the design is in keeping with local character/distinctiveness. Proposals for the change of use of public houses will only be supported if the use is demonstrably unviable.

Policy CCW16 – supports proposals for provision of both traditional consecrated and green/woodland burial sites provided the criteria of this policy are met.

Policy CCW17 – supports proposals which facilitate or enhance the delivery of health services on a pre-set list of sites (contained within the policy), except for those within the Green Belt. Proposals for relocation/expansion of health services will be supported where they satisfy the criteria of this policy.

Policy CCW18 – except on Green Belt land, proposals which facilitate and enhance existing schools and associated playing fields will be supported subject to compliance with the criteria in this policy (sub-paragraph A). Proposals for new schools will be supported where they satisfy the criteria of this policy (sub-paragraph B).

Policy CCW19 – supports new residential, commercial and community development proposals being served by superfast broadband (fibre-optic). Where this is not possible, practical or viable, the development should incorporate ducting for potential future installation.

Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs)

SPG (Lingfield Village Design Statement), adopted in January 2002, seeks to ensure that the village retains its individuality and character through future development both large and small. It provides general guidelines for new development and requires amongst other things that the design of new buildings should be sympathetic to the style of buildings in the locality both in size and materials.

SPG (Woldingham Village Design Statement) adopted in September 2005 provides guidance for development within Woldingham. Residential extensions should respect the size and proportions of the original house and plot. Boundary treatments should maintain the rural street scene, imposing entrances are out of keeping, and front boundaries should be screened with plantings or have low open wooded fences.

SPD (Woldingham Design Guidance) adopted March 2011 and seeks to; promote good design, protect and enhance the high quality character of the area, and to apply design principles on a sub-area basis to maintain and reinforce character.

SPD (Harestone Valley Design Guidance) adopted March 2011 and seeks to; promote good design, protect and enhance the high quality character of the area, and to apply design principles on a sub-area basis to maintain and reinforce character.

SPD (Tandridge Parking Standards) adopted September 2012 sets out standards for residential and non-residential vehicular parking and standards for bicycle parking.

SPD (Tandridge Trees and Soft Landscaping) adopted November 2017 sets out the Council's approach to the integration of new and existing trees and soft landscaping into new development, and seeks to ensure that trees are adequately considered throughout the development process.

National Advice

The National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. It sets out the Government's planning policies for England and how these are expected to be applied. It states that there are three dimensions to sustainable development: economic, social and environmental, and confirms the presumption in favour of sustainable forms of development which it states should be seen as a golden thread running through both plan-making and decision-taking.

The Government has also published national Planning Practice Guidance (PPG) which is available online and covers a number of policy areas and topics.

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ITEM

Application: 2022/1614

Location: Former Green Hedges, Westerham Road, Limpsfield, RH8 0EE

Proposal: Variation of Condition 3 Variation of condition 3 (Approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units and to make the following amendments – front elevation - Flat 6, 8 9 and 10 bay windows changed to balconies; flat 9 alteration to internal configuration and addition of 2 rooflights. Rear elevation- addition of double dormer window at second floor, flat 11 addition of enclosed balcony.

Ward: Limpsfield

Constraints – AWOOD, D, B and A Roads, Urban, Ground Water Protection Zone 3, Biggin Hill Height Zone

1. This application is reported to Committee as it has been ‘called-in’ by Councillor Booth.

RECOMMENDATION: Grant Planning Permission

Summary

2. This is an application under Section 73 (s73) of the Town and Country Planning Act 1990 to vary condition 3 of the approved planning application (2020/2170) to allow for the following amendments – front elevation (facing A25) to change bay windows in flats 6, 8, 9 and 10 to balconies. On the rear elevation it proposes a double dormer window at second floor and flat 11 to have an enclosed balcony and the addition of 2 rooflights. The works would include internal alterations which have reduced the number of units from 13 to 11.
3. Internally there would be the repositioning of internal walls and changes to the positions of kitchen and dining areas to flats in conjunction with the external alteration to the windows to balconies and insertion of roof lights. However, it is considered that the changes to the approved plans would not result in any undue harm to neighbouring amenities nor would it detrimentally harm the character and appearance of the site and no other harm is identified.
4. Consequently, planning permission is recommended

Site Description

5. The application site is located on the north side of the A25 Westerham Road and is situated between detached two storey dwellings in generous plots. Originally the site comprised a detached dwelling set in a large plot. This section of Westerham Road has a verdant appearance where the loosely spaced buildings are dominated by landscaping. To the west of the site is a planned cul-de-sac (Padbrook) of mostly detached buildings which occupy smaller plots.

6. On each side of the road there is a cycle lane, although this is not physically separate from the main highway, and a public pavement on the north side, with grass verges on the south side. Opposite the site is a vehicular access that serves Court Langley.
7. Planning permission was granted on 17th March 2021 under 2020/2170 for two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works.
8. The construction of the building is largely completed, and the current site is bounded by gates hoarding and panelled wire fence on all aspects.

Relevant History

9. 2021/2120/Cond2 - Details pursuant to the discharge of condition 3 (Carbon Emissions) of planning permission ref: 2021/2120 dated 1st June 2022 (Variation of condition Variation of condition 3 (Approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units.). Approved.15.07.22
10. 2021/2120/Cond1 - Details pursuant to the discharge of condition 12 (Improvement Scheme) and condition 13 (Surface Water Drainage Scheme) of planning permission ref:2021/2120 dated 1st June 2022 Variation of condition Variation of condition 3 (Approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units. (Amended Description and application number) under consideration
11. 2020/2170/cond2 - Details pursuant to the discharge of condition 4 (Materials) of planning permission ref: 2020/2170 dated 17 March 2021 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works.).under consideration
12. 2021/2120/Cond3 - Discharge of condition 4 (Hard and Soft Landscaping) attached to pp 2021/2120 dated 1 June 2022 for "Variation of condition 3 (Approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units." Under consideration
13. 2021/2120/NMA1 - Ground floor door/window changes, porch, roof window changes, reposition of bin store and cycle store. Approved. 18.11.22
14. 2021/2020 - Variation of condition 3 (approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units (Major application – revised determination timeframe). Granted 01.06.22
15. 2020/2170/Cond1 - Details pursuant to the discharge of Condition 12 (Construction Transport Management Plan) of planning permission ref: 2020/2170 dated 22/03/2021 (Demolition of existing building and erection of a

two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works). Approval of conditions 05.05.22

16. 2020/2170 - Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works. Granted 17.03.21 subject to condition (15) requiring improvement to highway under S278.
17. 2020/741 - Demolition of existing building. Erection of two and a half storey building containing 12 No. 2 bed flats and 1 No. 1 bed flats including associated parking and external works. Refused
18. 2016/1639 - Demolition of existing dwelling. Erection 14 sheltered accommodation units and associated external works. Details of access, appearance, layout and scale. (Outline) (revised plans) – Refused and allowed at Appeal.

Proposal and Key Issues

19. Variation of Condition 3 Variation of condition 3 (Approved Drawings) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units and to make the following amendments – front elevation - Flat 6, 8 9 and 10 bay windows changed to balconies; flat 9 alteration to internal configuration and addition of 2 rooflights. Rear elevation- addition of double dormer window at second floor, flat 11 addition of enclosed balcony.
20. Given that the principal of the development has been accepted with the extant permission, the issues concerning the housing density, mix and affordability proposed and impacts on infrastructure, the character and appearance of the area (including arboricultural impacts), amenities of neighbouring properties (including noise emissions and the amenities of future occupiers), transport issues and highway safety (including parking, cycle and refuse/recycling storage provision), sustainable drainage, biodiversity, groundwater and renewable energy provision have already been assessed.
21. No changes are sought to the principal of the development in regard to parking/highways, cycle, refuse, trees, drainage, noise, renewable energy, and no changes are sought to the location.
22. Therefore, this report considers the changes now sought;
 - Reduction to unit numbers from 13 to 11 flats;
 - changes proposed to the front elevation: Flat 6, 8 9 and 10 bay windows changed to balconies;
 - Flat 9 alteration to internal configuration and addition of 2 rooflights; and
 - changes to the rear elevation: addition of double dormer window at second floor, flat 11 addition of enclosed balcony.
23. As such, the key issue is whether the proposed works will have a negative impact on neighbouring properties, the amenities for the future occupiers of the 11 flats now sought and the character and appearance of the surrounding area.

Development Plan Policy

- Tandridge District Core Strategy 2008 – Policies CSP 1, CSP 2, CSP 3, CSP 4, CSP 7, CSP 11, CSP 12, CSP 13, CSP 14, CSP 15, CSP 17, CSP 18, CSP 19.
- Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22.
- Woldingham Neighbourhood Plan 2016 (not applicable)
- Limpsfield Neighbourhood Plan (2019) Policies LNP1, LNP2, LNP3, LNP8, LNP13.
- Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 (not applicable)
- Emerging Tandridge Local Plan 2033 – Emerging Tandridge Local Plan 2033 - Policies TLP01, TLP02, TLP04, TLP05, TLP06, TLP10, TLP11, TLP12, TLP17, TLP18, TLP19, TLP35, TLP37, TLP38, TLP45, TLP46, TLP47, TLP48, TLP49, TLP50, TLP01 and TLP18.

National Advice

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)
- Technical housing standards – nationally described space standard (March 2015)

Statutory Consultation Responses

24. County Highway Authority (CHA) – Previous comments on variation to plans the CHA have undertaken assessment in regard of the likely net additional traffic generation, access arrangements and parking + satisfied that the proposal would not have material impact on the safety and operation of the public highway. As such the CHA have no highway requirements.
25. Limpsfield Parish Council – Objects to this application. On review of the above variation(s) Limpsfield Parish Council objects to the additional balconies proposed particularly on the north-facing aspect due to the elevated location of the site and its adverse effect on privacy on surrounding dwellings. Please refer to LNP3 of the Limpsfield Neighbourhood Plan.
26. Lead Local Flood Authority – previous comments on variation to plans - given no change to drainage or surface water no further comments.
27. Environment Agency – previous comments on variation to plans -application relates to conditions that were not requested by us therefore no comments.

TDC advice – N/A

28. Third Party Comments:

Character and appearance

- Building dominates Padbrook creating visual intrusion
- Outrageous and overbearing monstrosity
- Out of character – building does not fit in. Balconies considered to be poor design.
- Scale of building has surpassed worst fears.
- Balconies more intrusive given that the site is at top of slope, enclosed nature of the balcony will do little to reduce impact
- Balconies have been used for storing bikes, washing etc.
- Building is crammed into the corner of the site directly behind our garden meaning balconies are ridiculously close as well as ugly features that stick out of the building.

Amenity and privacy

- Loss of privacy - future residents would be able to look into our gardens and in some cases our rooms. Loss of privacy to 42 and 41 Padbrook.
- Please refer to Article 8 of Human Rights Act on Privacy Law before passing such a late change to the plan.
- Loss of privacy to Spinney Green as land next to us is higher and it is so close to our boundary.
- Development will have negative impact on amenity of other property due to noise, overlooking overshadowing smells light pollution loss of daylight, vibration and late night activities.
- Breach of privacy to Court Langley – any balcony would look directly into lit room of our property. Although bay windows allow for casual viewing an open balcony can view into our rooms.
- Refer to article 8 of Human Rights Act on Privacy law which clearly lays out the acceptable parameters for residential privacy.
- Please refer to the recent (Feb 2023) Supreme Court ruling at The Tate where a balcony was ruled to have violated privacy and nuisance laws of local residents

Parking

- Concerned re future parking issues.

Trees

- Concern re removal of trees on the shared boundary Spinney Green and Green Hedges site, some were cut down halfway along our side of the building these must be replaced together with trees up to the A25. *Officer response – the Principal Tree Officer and Senior Enforcement Officer have visited the site and met with David Archer the Arboriculture Officer for the developer. It has been agreed for replacement planting to take place once the scheme has been completed.*

Other matters

- Problem re the chimney/flue close to main bedroom

- Reference to previous Inspector's report that the 'taller and bulkier elements would be further away' not true.
- Surely the Council should be monitoring the site - scandalous that building is continuing despite decision not issued.
- How do I appeal against unsanctioned balconies?
- Devaluation of property + compensation.
- No criticism of Council planning officer however criticism of Aspire as submission has been misleading- drawing suggests building would be masked by trees and the 3 storeys described as two and a half.
- Would like to add future restrictions to future alterations – no further windows to be added to the rear and side facing Padbrook and hedge row adjoining 42 Padbrook property to be retained.
- Tandridge citizens rely on the Council to protect us from excesses of these companies. Planning process has been manipulated.

Officer response - the proposal is for a variation to the approved plans pertaining to the original planning consent. This was for 13 flats. The flat numbers have been reduced to 11 and previous changes to openings and internal alterations approved, also minor changes approved under non-material amendments to the scheme as is permitted under Planning Legislation. There is no right of Appeal for neighbours. The matter regarding values of property are not planning considerations. As regards monitoring the site, the Council's Enforcement Officer has been monitoring the site together with the Case Officer and Tree Officer. Turning to future restrictions on development, flats do not benefit from permitted development rights. Should planning consent be gained for the above detailed changes to this major application it would be subject to a fresh permission and conditions.

Assessment

Procedural note

29. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Location of Development

30. The site is within a category 1 settlement in the urban area of Limpsfield. Inter alia Policy CSP1 states 'within the built up areas it will be important to ensure that new development is of a high standard of design and that the character of the areas is protected'.

31. Proposal and Background

32. Planning permission was granted on 17th March 2021 under TA/2020/2170 for the Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works.

33. The application seeks to vary condition 3 of 2020/2170 to allow for the reduction in the units from 13 flats to 11 and to make the following amendments – front elevation - Flat 6, 8 9 and 10 bay windows changed to balconies; flat 9 alteration to internal configuration and addition of 2 rooflights. Rear elevation- addition of double dormer window at second floor, flat 11 addition of enclosed balcony.
34. Since the 2020 planning permission was granted there have not been any changes in the site circumstances or in the Development Plan, which has been updated to when the application was originally considered, would conclude differently in respect of the principle of development and matters not altered under this application. Consequently, no objection is raised in those regards, however, conditions applied under application TA/2020/2170 would be applied to this application if acceptable.
35. Character and Appearance
36. Policy CSP18 of the Core Strategy 2008 requires new development to be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Policy DP7 of the Local Plan 2014 provides the Council's general policy for new development and requires proposals to respect and contribute to distinctiveness of the area in which it is located and to have a complementary building design and materials. Inter alia Limpsfield NDP Policy LNP3 which considers High Quality Design in the Built-Up Area of Limpsfield advises 'the scale, height and form should result in the development fitting unobtrusively with ..the character of the street scene', it goes on to state that 'materials should be compatible with those used in the immediate area'
37. As is noted previously the principle of the development has been accepted with the granting of permission previously. The subject proposal is for revisions to the approved plans and would include the reduction from 13no. to 11no. units and to make the following amendments – front elevation - Flat 6, 8 9 and 10 bay windows changed to balconies; flat 9 alteration to internal configuration and addition of 2 rooflights. Rear elevation- addition of double dormer window at second floor, flat 11 addition of enclosed balcony.
38. In November 2022, alterations to the ground floor doors and windows plus the porch and roof window changes were accepted as non-material amendments to the approved scheme.

39. The proposed changes as currently sought are listed below:

First Floor

- Flat 6 – alteration of bay window to balcony to front.
- Flat 8 – internal alteration to layout repositioning of bathroom and en-suite bathroom to bedroom, alteration of bay window to balcony to front.

Second Floor

- Flat 9 (previously 11) – alteration to layout repositioning kitchen, and bedroom 2, alteration of bay window to balcony at front.
- Flat 10 (previously 9) – bedroom 1 - alteration of bay window to balcony at front.

- Flat 11 (previously 10) alteration of rear window to enclosed balcony to dining room, addition of two roof lights over.
40. The area is residential with two storey detached properties of varying designs and form. The proposal does not seek to increase the height or volume of the permitted structure and, given that the extant permission is in place, the principle of development has been accepted.
 41. Comments have been received regarding the unsightly nature of the balconies and the bulk of the building being a full three storeys, resulting in a prominent impact on the street scene and with the balconies appearing out of place. Further concerns include the use of the balconies for washing, storage of bikes and other similar uses.
 42. However, Officers consider that the amendments sought, to the frontage which include small balconies utilising existing openings at first floor and the alteration of a single window to a double dormer window to serve two bedrooms plus an enclosed balcony and rooflights over would not result in a level of harm to the character of the area and would therefore accord with the Local Development Plan Policies as detailed above. The external materials and general design would be as permitted.
 43. For the above reasons the proposal would not have significant impacts in terms of character and appearance and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy and the Limpsfield NDP Policy LNP3.
 44. Residential Amenity and amenity of occupiers of the 11 flats
 45. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals, which states 'the proposal does not significantly harm the amenity of neighbouring properties by reason of pollution (noise air or light) traffic or other general disturbance', in regard to distances it goes on to state that 'In most circumstances where habitable rooms of properties would be in direct alignment a minimum privacy distance of 22m will be required'..further that 'a minimum distance of 14 metres will be required between principal windows of existing dwellings and the walls of new buildings without windows'. Likewise the Limpsfield NDP Policy LNP3 criterion 6 advises 'the privacy, daylight or sunlight enjoyed by adjoining residents should not be significantly adversely affected by the proposed development'.
 46. In the previous Officer report, the Case Officer states that 'due to the location and orientation of the proposed units that the minimum privacy distance with the rear elevations of the properties in Padbrook would be achieved.' The report further states that 'there is already an element of mutual overlooking between these properties and this development would not detrimentally add to the situation', concluding 'as a result of the overall height and distance of separation with the rear elevations of surrounding residences the proposal would not be considered to result in an unacceptable overbearing impact or significant overshadowing of the rear elevations or gardens of these dwellings.'

47. With the subject proposal four modest balconies would be created on the front/south elevation facing towards the A25. Given the significant separation distance from the site frontage to neighbouring properties to the south it is not considered that significant harm would be caused to these properties. In regard to neighbours to the rear at Padbrook, the balcony as proposed is a covered/enclosed balcony serving a dining room to flat 11, as was noted at the site visit given that it is enclosed and covered views from this balcony would be distant views of properties in Detillens lane. However, given that the site is in the built up area, as the original case officer noted 'there is a degree of mutual surveillance'. It is not considered that the enclosed balcony would result in a significant adverse impact on neighbouring amenity or privacy as to warrant a reason for refusal. Similarly, regarding the double dormer window this would afford light and air to the two second floor bedrooms and as with the balcony this would not result in a significantly harmful impact on the privacy and amenity enjoyed by adjoining neighbours.
48. Policy DP7 of the Local Plan 2014 also requires that new development provides a satisfactory environment for the occupants of new development.
49. Turning to the amenity for future occupiers, as was noted in the previous officer report 'the proposal does not include private outdoor spaces for each flat. However, the development as a whole benefits from a large rear communal garden, which is considered to be of a suitable quality and privacy, 'this it was asserted, 'would be adequately sized and would have sufficient access to light. Furthermore, it is noted that the site is within a short walk (approximately 4 minutes) of open space. Given these factors, it is considered that the absence of private amenity space for each flat is acceptable in this instance.'
50. With the current scheme the number of units on the site is being reduced; as such the size and layout for several flats has been enlarged, thus improving the internal space and use of light to rooms. The additional balconies would improve the amenity for the future occupants in creating a semi-open space, the design of flats has altered since the Pandemic when it was realised city and town flats had little if any amenity space, thereby the improvements to these spaces would be highly beneficial to future occupiers. Thus, it is considered that the changes would benefit future occupiers and as the room sizes were previously deemed acceptable the proposed changes are also considered to be satisfactory.
51. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and amenity of future therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Conditions

52. It is noted that the 2020/2170 permission was granted subject to 4 pre-commencement conditions – condition 2 (approval of the landscaping), condition 7 (the tree protection measures to have been implemented) 12 (construction transport management plan), condition 16 (surface water drainage scheme).
53. Condition 2 (landscaping) has been submitted and is under consideration, condition 12 (construction transport management plan) and condition 16 (surface water drainage scheme) have been submitted and are under consideration. The other pre-commencement condition condition 7 (tree protection) is remaining. Condition 4 (materials) has also been submitted.

Conclusion

54. The proposed variation to the plans condition (3) of planning permission ref: 2020/2170 (Demolition of existing building and erection of a two and a half storey building containing 12no 2 bed flats and 1no 1 bed flat, including associated parking and external works) to seek reduction from 13no. to 11no. units and to make the following amendments – front elevation - Flat 6, 8 9 and 10 bay windows changed to balconies; flat 9 alteration to internal configuration and addition of 2 rooflights. Rear elevation- addition of double dormer window at second floor, flat 11 addition of enclosed balcony is considered acceptable and considered not to result in significant harm to neighbouring amenity and would provide suitable amenity for future occupiers and not harm the character and appearance of the site. As such, it is recommended that permission is granted.
55. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 and 219 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
56. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

Other Matters

57. There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

RECOMMENDATION:

PERMIT

1. This decision refers to the amended plans – 21.011-16D and 21.011-15D and block plan 21.011-17A received 9th February 2023 and the red edged site location plan received 30th January 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the development plan.

2. No works above ground level shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

3. No works above ground level shall commence until details demonstrating how the development would satisfy the 20% reduction of carbon emissions through renewable resources have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008.

4. No works above ground level shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- tree and hedgerow planting as compensation for those elements being removed, in order to achieve a net gain in tree and hedgerow population

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. **No development shall commence** until the tree protection measures detailed within the approved Tree Protection Plan (TPP05 dated Oct 2020) and

Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified arboricultural supervision or staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

In any event, the following restrictions shall be strictly observed unless otherwise agreed by the Local Planning Authority:

- (a) No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.
- (b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees.
- (c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

6. No [further] trees or hedges shall be pruned, felled or uprooted during site preparation, construction and landscaping works [except as shown on the documents and plans hereby approved] without the prior written consent of the Local Planning Authority. Any retained trees or hedges which within a period of 5 years from the completion of the development die are removed, or, in the opinion of the Local Planning Authority, are dying, becoming diseased or damaged shall be replaced by plants of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

7. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Westerham Road (A25) has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: To ensure that the development shall not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

8. The development hereby approved shall not be first occupied unless and until the existing access from the site to Westerham Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To ensure that the development shall not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

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

Reason: To ensure that the development shall not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

10. The development hereby approved shall not be first occupied unless and until the secure parking of a minimum of 13 bicycles within the development site has been provided in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development offers an array of sustainable transport options, in accordance with Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

11. The development hereby approved shall not be first occupied unless and until at least 3 of the available parking spaces are 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) and a further 3 spaces to be provided with power supply to provide additional fast charge sockets for future provision in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development offers an array of sustainable transport options, in accordance with Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

12. Prior to the first occupation of the development hereby approved a scheme for the improvement of nearby bus stops within 120 m of the site shall be implemented in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the development shall not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

13. **Within three months of this permission** details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development.

If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum Greenfield discharge rate, to be agreed by SCC as LLFA.

- c) 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.).
- d) 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.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) 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.

Reason: To ensure 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 in accordance with paragraph 170 of the NPPF and policy DP21 of the TLP Part 2: Detailed Policies (2014).

14. 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 the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with paragraph 170 of the NPPF and policy DP21 of the TLP Part 2: Detailed Policies (2014).

15. The development hereby approved shall be implemented in accordance with the recommendations set out within the "Assessment of Façade Sound Insulation at Green Hedge, Westerham Road, Oxted" (Dated November 2016), including the use of a suitable mechanical ventilation system to allow adequate summer ventilation without the need to open windows.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

16. Prior to the first occupation of the development refuse and recycling storage facilities shall be installed in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. The refuse/recycling storage facilities as detailed shall be permanently retained for its approved use and no alternative.

Reason: To protect the amenities of the future occupiers and the occupiers of adjoining properties in accordance with Policy CSP 18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and to ensure that the development shall not prejudice highway safety nor cause inconvenience to other highway users in accordance with Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019, Policy CSP 12 of the Tandridge District Core Strategy 2008 and Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

17. The development hereby permitted shall be carried out in accordance with the recommendations, enhancements and mitigation measures set out in section 5 of the “Preliminary Ecology Appraisal” (dated November 2020).

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

18. The roof areas of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council’s web site.
2. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.
3. Where details of materials are required please provide these via a link to a website or in another electronic format. Please make sure if providing a link that it is clear which material(s) is/are being proposed for use. Samples should not be provided unless specifically requested by the case officer.
4. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development

itself or the associated highway 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 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 (including Stats connections/diversions required by the development itself or the associated highway 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/floodingadvice.

5. The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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. 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).
7. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment: <https://www.theiet.org/resources/standards/cop-electric.cfm>.

8. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
10. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

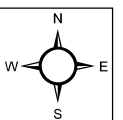
The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP 1, CSP 2, CSP 3, CSP 4, CSP 7, CSP 11, CSP 12, CSP 13, CSP 14, CSP 15, CSP 17, CSP 18, CSP 19. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2021), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.

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**Former Green Hedges
Limpsfield**



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Application: 2022/1504
Location: Wolfs Wood Oxted RH8 0HJ
Proposal: Demolition of existing garages and three apartment blocks. Erection of 12 residential units (x5 3-bedroom dwellings, x3 2-bedroom dwellings, x4 1-bedroom flats) and associated parking and landscaping works.
Ward: Oxted South

Constraints – Urban, A Wood500, Risk of Surface Water Flooding 1 in 1000, Biggin Hill Safeguarding

RECOMMENDATION: **GRANT subject to conditions**

1. This application is reported to Committee as the application site is Council owned land and the application has been submitted on behalf of the Council.

Summary

2. The application site is in a Category 1 settlement where the principle of development is considered acceptable.
3. The proposal is for contemporary style dwellings that does not match the character and appearance of the surrounding built form. However, the development is considered to be of good quality and will not detract from the character of the area or street scene.
4. The development is considered to be acceptable in terms of housing mix, residential amenity, drainage, highways and impact on trees.
5. Consequently it is considered that the proposal would accord with the requirements of the NPPF when taken as a whole and with the policies contained in the Development Plan. There are no adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. Accordingly it is recommended that permission is granted subject to conditions as outlined.

Site Description

6. The application site consists of 12 apartments and their associated amenity space, a garage parking area and access track all located to the north-western side of Wolfs Wood. The apartments are broken into 3 blocks containing four units each in a maisonette arrangement. A set of garages are located to the north of the site accessed from a separate access drive between 150 and 148 Wolf Wood.
7. The site is designated as an urban area forming part of Hurst Green. Residential properties border the site in each direction. Access is gained to the site from Wolfs Wood. Hurst Green Infants School lies to the south-east of the application site along Wolfs Wood.

Relevant History and Key Issues

8. There is no relevant planning history.

9. The key issues for this application are the principle of development, acceptability in terms of character and appearance, impact on neighbouring amenity and highway safety. Other considerations include renewable energy and ecology. Each of these will be addressed below.

Proposal

10. This application seeks approval for the demolition of existing garages and three apartment blocks. In turn, it proposes to erect 12 residential units with associated parking and landscaping works.
11. The dwellings proposed are 5no 3-bedroom dwellings, 3no 2-bedroom dwellings and 4no 1-bedroom flats. All 12 units fall within the category of affordable/social housing. One unit is proposed to be accessible meeting the building regulation M4(3) standard.
12. The units will be arranged in to two lines of dwellings both consisting of two blocks. 8no of the dwellings will have private amenity spaces. The proposal will create a new parking area centrally within the development and a further a parking courtyard within the existing garaging location. A total of 18no unallocated spaces are proposed along with 2no allocated spaces for the accessible unit. 2no visitor spaces are proposed in addition to the provision of 2no spaces for 150 Wolf Wood.

Development Plan Policy

13. Tandridge District Core Strategy 2008 – Policies CSP1, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19
14. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP19
15. Limpsfield Neighbourhood Plan 2019 – Not applicable
16. Woldingham Neighbourhood Plan 2016 – Not applicable
17. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 — Not applicable
18. Emerging Tandridge Local Plan 2033 – Policies – TLP01, TLP02, TLP04, TLP06, TLP10, TLP12, TLP18, TLP19, TLP35, TLP45, TLP47, TLP50

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

19. Tandridge Parking Standards SPD (2012)
20. Tandridge Trees and Soft Landscaping SPD (2017)
21. Surrey Design Guide (2002)

National Advice

22. National Planning Policy Framework (NPPF) (2021)
23. Planning Practice Guidance (PPG)
24. National Design Guide (2019)

Statutory Consultation Responses

25. County Highway Authority – The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed if permission is granted.
26. Oxted Parish Council – The Parish Councillors support this application and consider the proposal will be an improvement to the area.
27. Environment Agency: No comments
28. Surrey County Council Flood and Water Services Team (LLFA): We are satisfied that the proposed drainage scheme meets the requirements and are content with the development proposed, subject to our advice below.

Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below:

29. Surrey Wildlife Trust: Comments received. Summary table provided below.

Planning Stage	Recommendation
Prior to determination	Provision of further ecological information Demonstrate a biodiversity net gain
Prior to commencement	Landscape and Ecological Management Plan (LEMP)
Prior to occupation	N/A
Recommendations / Informatives	Consideration of breeding birds Incorporate biodiversity enhancements (include in LEMP)

TDC advice

30. Principal Tree Officer: The proposal requires the removal of two small hawthorn trees and a line of early mature BS5837 category 'B' sycamore and ash that currently bisect the site NW to SE. These are reasonably attractive trees, but quite young and not visible from outside the site, and if retained their presence would significantly reduce the space available for development. Provided compensatory planting can be agreed in the central amenity area then I would not object to the losses.

Works will also be necessary within the root protection area of a large multi stemmed oak tree to the north-east of plot 8, but these works can be undertaken sensitively with cellular confinement system installed, and I have no objections to that. Whilst the relationship between the tree and the gardens of plots 8 and 9-12 are not ideal, it is not sufficiently bad for an objection to be raised in the context of this development. The tree will also be located on communal managed land, and as such cannot be removed by residents who might be affected by it.

Tree protection measures and a preliminary arboricultural method statement have been submitted. However, we will need a more detailed method statement and soft landscaping scheme to be submitted under condition should you be minded to approve.

31. Environmental Health: I can confirm that I have no objections on Environmental Health grounds
32. Contaminated Land: The Southern Testing report supports my view that a site investigation will be required. This can be secured by condition.

Third Party Comments

33. Neighbour Letters and Site Notice. Comments received relate to the following;

- Impact on boundary through demolition of garage
- Highway- Access to the site for construction (verges and parked cars), Parking and traffic
- Impact on local services
- Overdevelopment
- Tree removal

Assessment

Procedural note:

34. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2019. However, paragraph 213 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.
35. In the absence of a five-year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
36. With regards to paragraph 11 (d) (i), footnote 7 explains the concept of those “specific policies” in the NPPF indicating that development should be restricted. In this case the application site is not within a protected area or impact on asset of particular importance as described in footnote 7. The test under paragraph 11 (d) (i) therefore does not apply and this report will apply the test under paragraph 11 (d) (ii) as to whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits which will be undertaken at the end of the report.

Location and principle of development

37. The application site lies within an Urban Area which Core Strategy Policy CSP1 identifies that development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel services is minimised. The principle of new development or redevelopment would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as will be assessed in detail later in this report.
38. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. As such, there is no objection in principle of the redevelopment of a site in this location under Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard.
39. Paragraph 120 of the NPPF supports the objective of promoting the development of under-utilised land and buildings which this scheme achieves.

Housing Mix and density

40. Policy CSP7 of the Core Strategy requires housing developments of 5 units and above to contain an appropriate mix of dwelling sizes in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments. It continues that the Council will resist an undue concentration of any one type of dwelling in a location that would cause an imbalance and adversely affect the community. It also sets out that in assessing the proposed mix of dwellings the Council will have regard to the density ranges set out in policy CSP19, the demand for affordable housing and the character of the area and may require the mix to be modified accordingly.
41. Policy CSP19 of the Core Strategy requires development within a built up area to have a density between 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate; such character and distinctiveness may also be identified in Village Design Statements, Conservation Area Appraisals or Supplementary Planning Documents.
42. The application site (excluding the access drive to the garaging) would have a density of approximately 40 dwellings per hectare and therefore would fall within this range to accord with Policy CSP19.
43. In terms of mix the Strategic Housing Market Assessment (2018) provides an indication of implied housing size requirements in general across Tandridge. The table below an extract from that report.

Figure 3.4: Size of Affordable Housing Needed

	Bedrooms				Total
	1	2	3	4+	
Backlog housing need	87	64	20	1	172
Newly arising future need	57	123	87	17	284
Net annual affordable housing need	144	187	107	18	456
%	32%	41%	23%	4%	–

Source: Turley, 2015

44. This indicated a highest need for 1, 2 and 3 bed with a modest requirement for 4 bed houses. The proposed redevelopment will replace the existing 1-bed units with a wider range including 2 and 3-bed. The proposed development would provide 33% 1-bed, 25% 2-bed and 41% 3-bed. Whilst this does not fully reflect the identified need the development would provide a better mix than the existing. Therefore, the proposal; would accord with the requirements of Policy CSP7.

Affordable Housing

45. The proposal includes the provision of 12 affordable units and, being at 100%, it meets the affordable housing requirements of the NPPF and the Local Plan.
46. As the land is owned by the Council a S106 agreement would not be appropriate and therefore the provision of affordable housing will be secured by way of condition.

Character and Appearance

47. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
48. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
49. Policy DP8 of the TDC Local Plan states that proposals involving infilling, back land or the complete or partial redevelopment of residential garden land will be permitted within the settlement of Oxted (including Hurst Green and Limpsfield), only if the development scheme: is appropriate to the surrounding area in terms of land use, size and scale, maintains or where possible, enhances the character and appearance of the area reflecting the variety of local dwelling types, does not involve the inappropriate sub division of existing curtilage to a size below that prevailing in the area, presents a frontage in keeping with the existing street scene of the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the area and does not result in the loss of biodiversity or an essential green corridor or network.

50. The NPPF sets out that design is integral to sustainable development and that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This was bolstered by the publication of the National Design Guide in 2019.
51. The dwellings to be demolished are constructed of brick with a pair of central gables and a dual pitch roof form. The adjacent dwelling on either side both have end gables with brick and tiling hanging at first floor. The area more generally has predominantly simpler dual pitch roofs with either gable end or hipped roofs. Therefore, whilst the materials within the existing buildings match the materials that are common within the surrounding area, the buildings are of different appearance and have different architectural features.
52. The proposal seeks to demolish the existing dwellings and provide 2no pairs of semi-detached dwellings and 2no terrace of dwellings set in a linear pattern between a new parking area and open space located centrally within the development. The dwellings are proposed to be of a dual pitch roof form with gable end parapets.
53. The proposal replaces the existing units with two banks of terraces and two pairs of dwellings. These are shown to be two storeys and set under pitched roofs. Instead of gables, the units are shown with projecting sections set under a flat roof behind a parapet. The projecting sections are placed either at the ends or centrally following the pattern of gables on the buildings to be demolished. The materials proposed for the built form is a combination of buff and darker coloured brickwork, together with grey vertical tile hanging and light grey powder-coated aluminium windows and doors. The design of the buildings is described within the planning statement as contemporary styled buildings constructed with contrasting, but complementary materials.
54. The proposed dwellings are quite simple in their form with the use of detailing and materials to provide a variety and interest across the development. The use of materials, whilst contrasting with those in the locality harmonise across the dwellings and provide a high-quality development. In terms of street scene the layout of the development proposed would remove the end built form fronting the highway in favour of a more open vista and opens up views of the trees on the north-east boundary. This will enable them to make a greater contribution to the locality and provided a benefit to the overall character of the area. The existing green space to the front of the properties will be replaced beyond the parking area further to the north-east Therefore whilst the proposed layout will not match the existing layout or that on the opposite side of Wolfs Wood the revised layout would provide some betterment to the character of the area. It would also to some degree minimise the visual prominence of the dwellings and their contrast with the existing built form.
55. Overall, the development is considered to be of a high quality and will not detract from the character of the area or street scene to accord with the requirements of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies, Policy CSP18 of the Core Strategy and Paragraph 130 of the NPPF.

Residential Amenity

56. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of

overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

57. The dwellings are proposed to be constructed in a linear form and will be slightly closer together than the existing. The proposal will extend the built form slightly further north than existing, but would retain suitable separation distances to all the adjacent neighbours as to not result in an adverse impact in terms of loss of light or overbearing impact to significantly impact the residential amenity of those neighbours. In terms of privacy, windows are proposed to face centrally within the site or towards the west and eastern boundary replicating 8 of the existing dwellings. It is noted that the proposal will extend built form further north and therefore offer different views towards the neighbours, particularly those in Pollards Oak Road. However the proposal retains a separation distance of at least 30m back to back and therefore meets the minimum standards set out within Policy DP7.
58. The proposal is not considered to result in a significant impact on the residential amenity of the adjoining neighbours in terms of loss of light, being overbearing or loss of privacy. The proposal would therefore accord with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Highways safety and parking

59. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
60. In support of the application on highways grounds the applicant has provided a transport statement produced by RGP dated September 2022. In response to comments by the Highway Authority the applicant has also provided a Transport Statement Addendum dated April 2023 and details regarding the existing garage occupation dated 04th April 2023. The Highway Authority have been re-consulted however have not yet provided their comments. In light of this the report will assess the application on highway safety grounds. If comments are received from the Highways Authority Members will be informed at the Committee.
61. The proposal seeks to redevelop the site, demolishing the 12 existing residential units and replacing with 12 larger residential units. The proposal will retain the existing access arrangements onto Wolfs Wood and re-use the existing access arrangements to the garage as additional parking. The key issues to consider in relation to highway safety are therefore whether the redevelopment of the site will remain acceptable in terms of traffic generation, whether there is sufficient parking available along with consideration of such as impact of the construction on the nearby road network.
62. In starting with traffic generation the applicant sought to clarify the proposed traffic generation for the development within their Transport Statement. Following comments from the Highways Authority they have utilised an updated TRICS database. The revised trip generation for the development therefore suggest a modest increase in trip generation due to the increase in the number of residents the development would generate however this is considered within the transport statement to be a nominal impact in trip generation terms. The increase trip

generation is not considered to be significant to result in a severe impact upon the local highway network as is the relevant test within the NPPF.

63. With regards to parking the Councils Parking Standards SPD would require the proposed development to provide 19 parking spaces for the residential units plus 6 visitor parking spaces (total 24). The proposed development would provide 18 unallocated spaces, 2no allocated parking spaces, 2no spaces for 150 Wolfs Wood and 2no visitor parking spaces (total 22 for the proposed development plus 2no for 150). In light of this the proposed development would result in a shortfall on Tandridge's adopted parking standards by 2 parking spaces. The transport statement however suggest that it would exceed Surrey County Councils Parking Standards which would only require 17 spaces plus an unspecified visitor parking allocation if considered necessary.
64. At present the 12no 1-bedroom units utilise the existing on-road parking to the front of the property with the garage spaces underutilised. Currently there would therefore be an undersupply of parking which would already be putting pressure on the highway network. Therefore, although the proposal would result in a shortfall on the Councils Parking Standard, given the existing pressure put on the highway network by the existing development, and the overall increase in usable spaces available to the occupants of the development, the shortfall of 2 spaces is not considered to result additional pressure on the on-street parking to cause an unacceptable impact on highway safety. The retention of the parking spaces and provision of electric charging points can be secured by condition. Cycle parking is indicated to be provide within the curtilage of the dwellings with a covered shelter provided for cycle parking for the flats. These details can also be secured by way of condition.
65. The Highways Authority have assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted subject to conditions.
66. An additional matter that has been raised in the consultation for the application is the impact of the construction phase of the development on the local road network. Wolfs Wood although accommodating two-way traffic is restricted in width by on road parking as well as potential conflict with the traffic for the adjacent school. It is therefore recommended that a construction management plan is secured by way of condition to consider deliveries, materials storage and contractor parking to ensure impact on the surrounding road network is minimised.
67. In light of the above considerations the development is not considered to be conflict with the requirements of Policy CSP12 of the Core Strategy and Policy DP5 of the Local Plan, subject to the suggested conditions.

Drainage

68. The application site lies within Flood Zone 1 and is therefore considered to have a low probability of flooding. A very small section of the site not proposed to be built on falls within an area identified by the Environment Agency as being at risk of surface water flooding in a 1-in-1000 year event. Although the site is therefore at low risk of flooding as a major development Paragraph 169 of the NPPF requires the development to provide a sustainable drainage system. Details of surface water drainage have been provided by the applicant to address the initial comments of the Local Lead Flood Authority and they are now raising no objection subject to conditions to secure the proposed scheme. Subject to the condition the development would therefore meet the requirements of Paragraph 169 of the NPPF.

Trees

69. The application site is not subject to any tree preservation orders nor is any of the trees on the site protected by way of other statutory designation. None the less the proposed development has the potential to impact on the trees which could give rise to harm to the amenity of the area and therefore this needs to be considered.

70. Core Strategy Policy CSP 18 (Character and Design) requires that:

Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

71. Paragraph 13 of Policy DP7 of the Local Plan states:

Where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

72. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).

73. The application is accompanied by an Arboricultural Implications Report produced by SJA trees dated September 2022 which assesses the impact of the proposed development on the existing trees on and around the site and provides the authors view on the potential impact. The report notes that the development will result in the proposed removal of individuals and groups of trees however in their view this will represent only a minor alteration to the main arboricultural features of the site, only a minor alteration to the overall arboricultural character of the site and will not have a significant adverse impact on the arboricultural character and appearance of the local landscape. It also acknowledges the incursions into the Root Protection Areas of trees to be retained however considers this to be minor and, subject to implementation of the measures recommended on the Tree Protection Plan (drawing number SJA TCP 21255-011 Rev A), considers no significant or long-term damage to their root systems or rooting environments will occur. It also offers the view that the main habitable rooms within the proposed dwellings are not likely to be shaded to interfere with their reasonable use or enjoyment by incoming occupiers and the sizes and dispositions of the proposed private gardens are such that in their view will not be unduly shaded and will receive reasonable sunlight and daylight

74. The Councils Principal Tree Officer has provided comments on the application as are outlined in full above. In those comments the loss of the two hawthorn trees, a line of early mature sycamore and ash that are considered to be reasonably attractive trees and contribute to the amenity of the area is noted. However, the advice acknowledges that they are quite young, not visible from outside the site and that their retention could significantly reduce the space available for development. It is therefore considered that, provided compensatory planting can be agreed in the central amenity area, no object should be raised to the loss of those trees. With

regards to the trees to be retained the Principal Tree Officer noted that works will be undertaken within the root protection area of a large multi stemmed oak tree to the north-east of plot 8 however is proposed to be undertaken with cellular confinement system installed and therefore raises no objection to that incursion. Finally it has been advised that, with respect to the relationship between the tree and the gardens of plots 8 and 9-12, the trees would not be sufficiently impactful for an objection to be raised in the context of this development.

75. The comments that have been provided by the Councils Principal Tree Officer therefore do not raise objection with regards to impact on the existing trees on the site however suggests a more detailed method statement and soft landscaping scheme need to be submitted. This can be secured by condition. Therefore subject to the condition the development is not considered to be contrary to Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) with regards to impact on trees.

Renewables

76. Policy CSP14 of the Core Strategy requires the installation of on-site renewable energy generation which would reduce the carbon dioxide emissions of the dwellings by a minimum of 10%.
77. The applicant has submitted an Energy Statement produced by SRE. This report sets out the energy strategy for the development including passive and active design measures to seek to achieve net zero carbon on site. Specifically with regards to renewable energy both Air Sources Heat Pumps and Photovoltaic panel arrays are proposed which will in excess of the 10% required by Policy CSP14. As such, the proposal would comply with and exceed the requirements of Policy CSP14 of the Core Strategy.

Biodiversity and Ecology

78. Paragraph 174 (d) of the NPPF requires that development should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
79. Policy DP19 of the Core Strategy places a presumption on proposals to protect, enhance or increase the provision of, and access to the network of multi-functional Green Infrastructure (GI), promote nature conservation and management, restore or create Priority Habitats and maximise opportunities for geological conservation but has no requirement to achieve a net gain.
80. The redevelopment of the site will result in the loss of number of trees which will impact on the biodiversity value on site. The applicant has provided a biodiversity net gain metric calculation which demonstrated a 21% loss. The development therefore does not at present achieve a biodiversity gain as required by Paragraph 174 of the NPPF as is contrary to this policy.
81. However, through the implementation of the mitigation measures and enhancements as outlined within the Preliminary Ecological Appraisal and Bat Survey Report, both of which can be secured by way of condition, the development will include some form of mitigation for the impacts arising from the loss of the existing features at the site. The proposal may also increase

biodiversity through landscaping however given the weight attributed to the trees within the metric a net gain will not likely be achievable on site.

82. On this basis, whilst the development will not conflict with Policy DP19 there is a conflict with Paragraph 174 by not achieving a net gain on site. As above conditions can be utilised to minimise the harm arising in this respect and, as such, the harm arising from the conflict with the national and local policies would be modest. This will be taken forward within the planning balance.

Planning Balance and Conclusion

83. In light of the above the proposed development would provide modern housing of improved appearance and energy efficiency, with more usable car parking, that would better reflect the housing needs of the Tandridge District, albeit not resulting in a net increase of housing supply. There would also be a social benefit of the provision of the larger units along with the economic benefits of the construction and additional occupation to the local economy should be given weight in the planning balance. The proposal also seeks to provide an accessible unit meeting the building regulation M4(3) standard which also forms a social benefit of the scheme. The visual impacts of the proposed additional parking on the area of publicly accessible soft landscaped area at the site would be mitigated through the replacement of this space beyond the parking area and the more open layout proposed that enables trees at the boundary of the site to make a greater visual contribution. Whilst the proposal would not result in a net gain in biodiversity terms, the harm arising from not doing so or causing the loss of existing features at the site could be mitigated to such a degree that the harm in this regard would be limited. As such the adverse impacts outlined above are not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. It is therefore officer recommendation that planning permission be granted
84. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
85. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: PERMIT subject to the following conditions

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered 28119-PD099 Rev A, 28119-PD100 Rev A, 28119-PD110 Rev C, 28119-PD111 Rev D, 28119-PD120 Rev D, 28119-PD122 received 14th November 2022 received 09th May 2023 and 28119-PD101 Rev P received 25th May 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. No development shall start until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development are appropriate to the character of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

4. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- tree and hedgerow planting as compensation for those elements being removed.

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014

5. No development shall start until a tree protection plan and arboricultural method statement, in full accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree, has been submitted to and agreed in writing by the Local Planning Authority. Specific reference should be made to the no dig permeable surfacing within the root protection area of T16, with existing and proposed levels, sections within the RPA of T16, surfacing and edge retention. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014

6. At least 28 days before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. Before commencement of development above ground the scheme of assessment shall be carried out at such points and to such depth as the District Planning Authority may reasonably stipulate, including suitable consideration of Asbestos and other contaminants appropriate to the site. All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the Government Guidance for Land affected by Contamination A scheme for decontamination and validation shall then be agreed in writing by the District Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014

7. 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 planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
 - b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events, during all stages of the development. If

infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.

- c) 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) 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.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) 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.

Reason: To ensure 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.

- 8. 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.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

- 9. The development hereby approved shall not be occupied unless and until the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

- 10. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the

development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

11. 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) measures to prevent the deposit of materials on the highway (e) before-and-after-construction condition surveys of the highway and a commitment to fund the repair of any damage caused (f) on-site turning for construction vehicles, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Construction Transport Management Plan.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users during the construction of the development. This condition is required to meet the objectives of the NPPF (2021), and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

12. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Preliminary Ecological Appraisal dated 13/10/2022 and Bat Survey Report dated 20/05/2022

Reason: To ensure the development does not cause undue harm to ecology

13. Before the development hereby approved is occupied the photovoltaic panels and air source heat pumps as specified in the application details shall be installed and this system shall thereafter be retained in perpetuity in accordance with the approved details.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with CSP14 of the Tandridge District Core Strategy 2008.

14. The affordable housing shall be provided in accordance with the approved scheme (x5 3-bedroom dwellings, x3 2-bedroom dwellings, x4 1-bedroom flats) and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2018 or any future guidance that replaces it.

Reason: To ensure that affordable housing provision is secured in accordance with the provisions of Policy CSP4 of the Tandridge Core Strategy 2008 and the National Planning Policy Framework.

15. No part of the development shall be commenced unless and until the proposed vehicular and pedestrian access to Wolfs Wood (D472) has been

constructed and provided with a means within the private land of preventing private water from entering the highway, in accordance with the approved plans (Drawing No. 28119-PD101 Rev M).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

16. The development hereby approved shall not be first occupied unless and until double yellow line road markings have been installed at the modified turning head on Wolfs Wood, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

17. 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 (Drawing No. 28119-PD101 Rev M) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Informatives

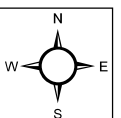
1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP20, DP21, DP22 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

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Wolfs Wood



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Application: 2022/1299
Location: Land at Amy Road and Station Road East, Oxted
Proposal: Erection of 2 dwellings, parking and landscaping.
Ward: Oxted North and Tandridge

Constraints – Biggin Hill Safeguarding, HSE Notifiable Hazard, Primary Shopping Area, Primary Shopping Frontage, C and D Roads, Tree Preservation Order, Urban Area.

RECOMMENDATION: GRANT PLANNING PERMISSION

1. This application is reported to Committee as the application has been called-in by Cllr Sayer on the grounds that the visual impact of the development, the relationship with neighbouring residents and the living conditions of future occupiers should be given detailed consideration by the Planning Committee due to the particular circumstances of this site and its surroundings.

Summary

2. Planning permission is sought for the erection of two dwellings with parking and landscaping. The proposed development is considered to be acceptable in principle and would make effective use of previously developed land at a sustainable urban location. The visual impact, impact on neighbours, parking and access arrangements, provisions for ecology and living conditions are all considered to be acceptable. Therefore, it is recommended that planning permission is granted.

Site Description

3. The application site is an unusually shaped, 0.1 hectare parcel of land located primarily between the properties of Station Road East and the rear gardens of the properties of Amy Road. The main part of the site is accessed from a strip of land that meets Station Road East adjacent to the building of 54 Station Road East. The site currently contains several substantial trees that are the subject of a Tree Preservation Order. The ground levels change across the site, falling from north to south. The site contains a garage structure but is otherwise free from buildings.

Relevant History

4. None of direct relevance to this proposal at this site. However, the application submissions indicate that the land is within the control of the property of 2A Amy Road which is the subject of the following planning history:

89/970 - Change of use of unused garden to car park with access from station road east. Approved

93/686 - Erection of detached store building to replace existing. Approved.

98/599 - Change of use of land to car park with 13 spaces and access from station road east for use by blades heating limited and other local business people during normal business hours (monday to saturday). Refused

2001/1100 - Demolition of timber shed/store. erection of single storey extension to existing retail showroom. Approved

2017/1737 - Change of use from redundant garden to private car park.
Approved

2022/1309 - Demolition of existing buildings and erection of 3 dwellings, parking & landscaping.. Approved.

Proposal

5. The application seeks permission for a pair of semi-detached dwellings which would each contain 2 bedrooms at first floor and a kitchen and lounge area at ground floor.
6. The 'T' shaped building would measure 14.2 metres wide, a minimum of 5.6 metres deep and a maximum of 6.2 metres deep. The cross wing that would project to the front and rear of the shallower part of the building would measure 6.9 metres wide. The eaves height of the building would be 4.3 metres and the ridges would be built to a height of 6.7 metres. Two dormers bisecting the eaves are proposed at the front elevation with two windows being proposed in the gable end, two rooflights are proposed to the rear with one window being proposed in the rear gable. One rooflight is proposed to the south east side but no windows are proposed on the north west facing elevation.
7. Unit A (to the north west) would be served by a garden measuring 47 square metres. The garden for Unit B is not clearly demarked but appears to measure 270 square metres.
8. Four parking spaces are proposed to serve the development, two in the open and one within a car port that would be provided to the south of the building, measuring 5.1 metres by 5.1 metres with a mono-pitched roof built to an eaves height of 2.1 metres and a maximum height of 2.8 metres.
9. Three trees would have to be removed at the frontage of the site to enable the proposed development. A fourth tree is shown to be removed by the applicant's submissions but that tree would be a result of the development and is the subject of different application 2022/1309 rather than this proposal.
10. The proposals have been amended since the application was first submitted with the dwellings changing from three bedroom dwellings and the size of the building being reduced. A further public consultation period has been undertaken.

Development Plan Policy

11. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP22, CSP23
12. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP2, DP5, DP7, DP19 and DP21.
13. Woldingham Neighbourhood Plan (2016) – Not applicable
14. Limpsfield Neighbourhood Plan (2019) – Not applicable

15. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Not Applicable.
16. Emerging Tandridge Local Plan 2033 - TLP01, TLP02, TLP04, TLP06, TLP10, TLP18, TLP19, TLP35, TLP37, TLP45, TLP47, TLP50

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

17. Harestone Valley Design Guidance SPD (2011)
18. Surrey Design Guide (2002)
19. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021
20. Tandridge Parking Standards SPD (2012)
21. Tandridge Trees and Soft Landscaping SPD (2017)

National Advice

22. National Planning Policy Framework (NPPF) (2021)
23. Planning Practice Guidance (PPG)
24. National Design Guide (2019)

Statutory Consultation Responses

25. County Highway Authority – No objection subject to the imposition of conditions.
26. Oxted Parish Council – With respect to the initial plans, no objection was raised. In relation to the amended plans, an objection has been raised on the grounds that *“It is not in keeping with the area, the scale, size, and density is overdevelopment of the site and there is a reduction in privacy levels for neighbouring properties. The proposal does not meet the 22-metre distance between properties, nor does it comply with the habitable living area specifications. The removal of trees will have a detrimental effect on the quality of life of residents which will also result in residents being faced with concrete walls and red brickwork.”*

Non-Statutory Advice

27. Surrey Wildlife Trust – Full comments can be viewed online, see summary table below:

Planning Stage	Recommendation
Prior to determination	N/A
Prior to commencement	An Ecological Enhancement Plan is sought and it is advised that any works to trees should be undertaken with supervision.
Prior to occupation	N/A
General/Recommendations and Informatives	No net increase in external lighting. Consideration of breeding birds. Precautionary measure for reptiles.

28. Tree Officer – A TPO was recently served to protect three trees (T1, T2, T4 of the submitted tree survey and report). None of the trees are of special quality but, being a group of trees in the centre of town, they do have quite significant amenity value, particularly when viewed through the access next to Boots, and the surrounding properties. The proposed layout shows these three trees retained, and also retained T3, which is not the subject of a TPO, but is a BS5837 category 'B' tree, and therefore should certainly be retained if possible.
29. The layout in relation to these retained trees is tight to say the least. However, the relationship with the existing garage is already tight, and the new car ports, proposed to be constructed using an above ground cellular confinement system, will not harm underlying roots. However, the trees will overhang the ports and it is inevitable that residents will wish to prune the trees to improve the relationship, and in particular where the crown of both T2 & T3 will come close to the SE elevation of the nearest dwelling.
30. Clearly the layout has been designed to push the dwellings as far from the trees as possible, and that is why the car ports are together. In that respect I do think the relationship with the dwellings is broadly sustainable, but of course it is not ideal. The principle of the tree protection required has been set out within the submitted report, but if consent were to be granted then a detailed arboricultural method statement would be required to show how the levels would work with the cellular confinement systems, and how harm to roots would be mitigated when constructing the ports.
31. With the above in mind, on balance, I raise no objection to the proposal, subject the conditions listed below:
- Arboricultural method statement
 - No tree works during development

Other Representations

32. With respect to the initial proposals, objections were raised on the following grounds –
- Loss of trees.
 - Impact on bats that are present at the site and within the locality.
 - Access on to Amy Road would be dangerous.
 - Increase of traffic.
 - Loss of parking.
 - Proximity to existing dwellings, causing overlooking and loss of light and not according with specified standards.
 - Noise and light pollution.
 - The loss of trees would enable views from within the existing properties of Station Road East.
 - Potentially contaminated land.
 - Dwellings would be overlooked to the degree that they would not be sold and are then likely to be vandalised and/or occupied by squatters.
 - Poor living environment for future occupiers.
 - Poorly lit area would encourage criminal behaviour.
 - The proposals do not accurately reflect the ground levels.
 - Impact of construction process on occupiers of neighbouring dwellings.

- Dwellings are not needed.
 - Within the objections, the following benefits of the proposal have been identified:
 - Potential reduction of commercial traffic.
33. Other Comment:
- Proposal will affect access to commercial properties.
34. Following the receipt of amended plans, a further publicity exercise was undertaken and further comments were received. These largely repeat matters that are specified above. The only additional points raised are that it would not be possible for vehicles to turn within the site and leave in a forward gear and that the construction might interfere with the operations at the neighbouring commercial premises.

Key Issues

35. The key issues are the principle and location of the development, the housing density and mix, character and appearance, residential amenities, transport impacts, biodiversity, renewable energy provision, flooding and drainage, and trees.

Assessment

Procedural note

36. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Location and principle of development

37. The site is located within Oxted Town Centre but, other than the part of the site that would be used for vehicle access, the site is outside of the Primary and Secondary Shopping Frontages and the Primary Shopping Area.
38. Policy CSP23 states that the Council will seek to protect and enhance the role of the town centre and the preamble to that policy sets out a number of 'Healthcheck' measures that have been identified as a way to do so as well as setting out the importance of protecting and supporting the shopping function. This proposal does not relate to land within the primary shopping area, would not conflict with any of the identified measures and does not conflict with any elements of Policy CSP23, particularly given that the land at the application site is not, in itself, used for commercial purposes other than for purposes that are ancillary to other uses.
39. Policy CSP22 states that the Council will seek to develop a sustainable economy. This proposal would make more effective use of previously developed land and not cause the loss of any employment uses as the land is currently largely clear and unused. As such, the proposal would not undermine the objective of developing a sustainable economy. The occupation of the

proposed dwellings would bring about some minor economic benefits, but not to a degree that would justify this factor being afforded more than limited weight.

40. The application site lies within an Urban Area which Core Strategy Policy CSP1 identifies that development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel services is minimised.
41. The proposal would result in the net gain of two dwellings on previously developed land which is a benefit to afford substantial weight, particularly given that the site is located within an urban area. As the proposal is for two dwellings, the benefits are limited but the proposal would contribute towards the provision of housing at a time where the Council is not able to demonstrate a 5 year housing land supply. In this context, paragraph 11 of the NPPF sets out that the development should be supported unless the harm from doing so clearly and demonstrably outweighs the benefits of the proposal. This weighting assessment shall be undertaken below.
42. However, for the reasons given, there is no objection in principle to the location of the development and Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Character and Appearance

43. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
44. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
45. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
46. Policy CSP19 of the Core Strategy states that within the framework for the character and design of density as set out in Policy CSP18, the density of new development within Oxted Town Centre would be within a range of 40 to 75 dwellings per hectare, unless the design solution for a higher density scheme is compatible with local character and distinctiveness.

47. The application site comprises mostly the land between the residential properties of Amy Road and the mixed use properties of Station Road East. The site and its immediate environs make a neutral contribution to the locality, with the tree coverage making a positive contribution but the 'service' areas to the rear of the commercial premises making a far lesser contribution to the character and appearance of the area. As a largely vacant plot, it is considered that the site is poorly utilised and has the potential to contribute more positively than the existing situation.
48. The proposal would see a wide, two storey building built in a constrained area. Whilst the dimensions of the site mean that development on the plot would be tight, the building would be inset from the side and rear boundaries to a sufficient degree to not appear unduly cramped, particularly as space would be retained to the side of the building which would be used for parking and the proposed car port which would be of much reduced scale than the remainder of the building. With respect to the frontage of the site, the dwelling would be set back by a sufficient distance to provide an area of soft landscaping which would provide defensible space for future occupiers but also a soft landscaped setting for the building.
49. By not having a frontage onto the public realm, the development would have a backland appearance and it is unavoidable that the development would appear constrained on the plot as specified above. However, as has been set out above and will be considered further below, it is considered that this would be expected of previously developed land in such a setting and, as such, should not necessarily be reason to prevent development.
50. As a result of its positioning, the building would not be viewed immediately next to any other building and would sit in the gap between the contrasting built form of Amy Road and Station Road East. In this context, it is not considered that the architecture or scale of the surrounding area should necessarily be followed as the building would appear in isolation. The building would be wide and proportionately low in height, but the pitched roof design, the inclusion of a cross wing, the eaves high dormers and the other architectural elements of the building ensure that the building would have an acceptable appearance.
51. The proposal would result in the loss of some trees which would take away a key positive feature of the site and significantly reduce tree coverage along the frontage. However, when a Tree Preservation Order was recently served at the site, it was not deemed appropriate to include those trees within the Order and, as such, they are not protected and could be removed without requiring the consent of the Local Planning Authority. On this basis, whilst unfortunate, it is not considered that the removal of trees could be a reason to refuse the application.
52. For these reasons, the scale, design and layout of the development is considered to be acceptable and not detrimental to the character and appearance of the site and the surrounding area. The proposal would, therefore, accord with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy in this respect.

Residential Amenity

53. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by

reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

54. The above policies reflect the guidance at Paragraph 130 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
55. To the northeast and east of the site are the residential properties of Amy Road. The submitted plans show that the closest residential property (6 Amy Road) is within 8.4 metres of the shared boundary and 12.7 metres from the proposed development at ground floor with the first floor being set a further 4 metres from the boundary. 4, 8, 10 and 12 Amy Road would be 16.1, 17.2, 17.5 and 18.5 metres from the proposed building respectively.
56. Following the amendments that have been made to the proposal, all of the windows on the side and rear elevations of the building would serve non-habitable rooms (bathrooms and landings). As such, each of these windows could be fitted with obscured glazing and be required to be fixed shut below the conventional height of 1.7 metres. A condition could also be imposed to prevent further windows being installed at first floor level. As a result of the ground levels and boundary treatments at the site and within the locality, it is not considered that the ground floor windows would cause an unacceptable loss of privacy within neighbouring properties. Consequently, conditions can ensure that the proposal would not have any unacceptable impacts in terms of overlooking those properties.
57. Policy DP7 states that *“a minimum distance of 14 metres will be required between principal windows of existing dwellings and the walls of new buildings without windows.”* Whilst this is under the heading of privacy, it is clear from the content of the policy that this is also seeking to avoid overbearing and overshadowing effects and, as such, it is considered that this distance should be applied even where an absence of clear-glazed windows ensures that neighbouring developments would not be overlooked. In this case, whilst windows are included in the rear elevation, given the potential to use the conditions that are set out above and the comments that have been made with respect to overlooking, it is considered that the 14 metre distance would be more applicable to use in the assessment of this application rather than the 22 metre distance that is applicable *‘where habitable rooms of properties would be in direct alignment’*.
58. From the distances set out above, it is clear that the development would be within 14 metres of the neighbouring dwelling of 6 Amy Road and, as such, would not accord with the abovementioned policy. However, the proposed dwelling would sit at a lower ground level than the dwellings of Amy Road and would be of a relatively low height as a result of the first floor being incorporated within the roof space of the building rather than being a building with a full two storeys plus a roof above. On this basis, it is considered that the 1.3 metre shortfall that has been identified above, is mitigated by other factors and, as such, whilst not in accordance with policy, the impact on outlook and sense of enclosure would not be such that the living conditions of the occupiers of that dwelling would be harmed to a degree that this should be a reason for the refusal of the application.

59. Due to the greater separation distances to the properties of 8, 10 and 12 Amy Road, in terms of the distance from the shared boundary and the rear elevations of the dwellings, it is considered that the proposal would comply with the policy that is set out above and that the buildings are less imposing and would not have an overbearing or overshadowing effect to an extent that would justify the refusal of the application.
60. The proposed development would be 20 metres from the rear elevation of 2 Amy Road and 16.2 metres from the rear of 4 Amy Road. As a result, the development would not cause an undue loss of light or outlook within those properties and the impacts on the amenity areas would be limited to the parts of the gardens that are furthest from the dwellings and, as such, would not be harmful to an extent that would justify the refusal of the application.
61. The properties of Station Road East are in commercial use at ground floor and the first floor accommodation is a sufficient distance from the proposed development to ensure that the development does not cause a loss of light, privacy or outlook with the properties to the west that would justify the refusal of the application.
62. For the reasons outlined, the proposal is considered acceptable in terms of the impact on the living conditions of nearby residents and, therefore, it is considered that the proposal would accord with Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) in this respect.

Living conditions for future occupiers

63. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical Housing Standards – nationally described space standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
64. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
65. The proposed dwellings would provide adequate internal living conditions to meet the abovementioned standards and ample garden space would be provided for both dwellings, particularly as they are now 2 bedroom units and so it would conventionally be expected that the dwellings are served by smaller gardens, particularly in an urban area. On balance, whilst limited in terms of size and being shaded by the remaining trees, the gardens are considered to be adequate for the future occupiers of the two dwellings that are proposed.
66. Whilst the outlook from the front of the dwellings would be towards the service area of the adjacent commercial units, given that a small area of soft landscaping would provide defensible space in front of the building and that the

service area is already used by other residents of flats within the locality, it is not considered that the living environment would be so unattractive that occupiers would not be afforded with an acceptable standard of living.

67. Refuse storage facilities are shown on the submitted plans and it is expected that the storage and collection arrangements would be usable and suitably accessible, particularly given the similarity of the facilities with those of other properties in the area.
68. For these reasons, the living conditions for future occupiers are considered to be acceptable.

Parking Provision and Highway Safety

69. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
70. The County Highway Authority has reviewed the proposal and raised no objection with regards to highway capacity, safety and access. The site would be accessed via the existing access road currently serving the site and the adjacent commercial uses and it is considered that the proposal would not lead to an unacceptable increase of vehicle movements. The site is located in a sustainable location close to bus stops, Oxted station, and the facilities of Oxted Town Centre and as such, it is likely that there would be lesser vehicle movements than in more remote locations.
71. The provision of two car parking spaces per dwelling is considered to be acceptable in this location and, whilst the concerns of an interested party are noted, it is considered that there is sufficient space at the site to enable vehicles to enter and leave the site in a forward gear.
72. Subject to the inclusion of suitable planning conditions, it is assessed that the proposal would not negatively impact upon highway safety and as such comply with the provisions of Core Strategy Policy CSP12 and Local Plan Policies DP5 and DP7.

Flooding

73. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 159 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.
74. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.

75. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
76. The site lies within Flood Zone 1. The risk of flooding on the site is therefore considered to be low and it can also be concluded that the proposals would not increase the risk of flooding elsewhere. The proposal therefore accords with the relevant flood risk policies that are set out within the NPPF and the development plan

Renewable Energy

77. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The energy statement that has been submitted with the application demonstrates that 10% of the energy requirements of the dwellings can be met through the use of PV panels. The application would be conditioned to ensure that the above is implemented and maintained in accordance with the details supplied.

Biodiversity

78. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
79. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
80. The applicant has submitted a Preliminary Ecological Appraisal Report and Arboricultural Implications Assessment and Method Statement to accompany the application. These have been reviewed by Surrey Wildlife Trust and are set out above. In respect of SWT's comments, should the application be approved, appropriately worded conditions will be imposed. With the inclusion of these conditions, the proposal would comply with the requirements of the NPPF and CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2- Detailed Policies 2014. For that reason, it is considered that the proposal is acceptable with regards to biodiversity.
81. It is noted that interested parties have identified that bats are regularly present within the locality and potentially at the site. However, given the findings of the specialist advisor and the evidence that has been provided, it is not considered that the application could reasonably be refused for this reason. In any event, as bats are a protected species, they would be statutorily protected moving forward.

Landscaping and Trees

82. Policy CSP18 of the Core Strategy required that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
83. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is *'essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves'*. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
84. The application is supported by an Arboricultural Impact Assessment which has been reviewed by the Tandridge Council's Tree Officer who has provided the comments that are set out above. Subject to the inclusion of the aforementioned planning condition, the application would comply with Local Plan Detailed Policy DP7 and the Tandridge Trees and Soft Landscaping SPD (2017).

Other matters

85. Interested parties have identified that the site could be the host of contaminated land. If contamination is identified in the future, its mitigation can be addressed through the imposition of a condition.

Planning balance and conclusion

86. The Council is currently unable to demonstrate a 5-year housing supply and as such, paragraph 11d of the NPPF becomes relevant. It sets out that planning permission in such circumstances should be granted unless the harm of doing so with significantly outweigh the benefits when looking at the policy context broadly set out in the NPPF.
87. As identified above, this proposal would represent a limited boost to housing supply, represent the use of previously developed land in a sustainable location and bring about minor economic benefits during the construction and occupation phases. Through amendments having been made, it is considered that the proposal would have an acceptable effect on the character and appearance of the site and the surrounding area and the living conditions of neighbouring residents and future occupiers. The proposal would be acceptable in all other respects. However, even if weight were to be applied to the conflict with Policy DP7 that results from there being less than 14 metres between dwellings, it is considered that the harm arising would be minimal and mitigated for the reasons set out above but, in any case, the harm caused would now be at a low level and clearly outweighed by the benefits of the proposal. As such, the NPPF, when taken as a whole, indicates that planning permission should be granted.
88. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in

accordance with paragraph 218 and 219 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

89. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered BH2208-02 B (Dated 14 April 2023) and BH2208-01 B (dated 14 April 2023) and the site location plan (received 03/10/2022). The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. Prior to their use within the development hereby approved, the materials to be used on the external faces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall only be undertaken using the approved materials.

Reason: To ensure the proposal would harmonise with the character of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

4. Prior to the commencement of the development hereby approved, details of the existing and resultant ground levels of the external areas and the finished floor levels of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with such details as are approved.

Reason: To ensure that the topography of the site is adequately addressed within the proposals in the interests of visual and residential amenity and in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

5. No development shall start until a detailed tree protection plan and detailed arboricultural method statement, in full accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree and arboricultural supervision and monitoring of these works, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works shall be carried out and

constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure the proposal would harmonise with the character of the area by not resulting in the unnecessary loss of trees, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

6. No [further] trees or hedges shall be pruned, felled or uprooted during site preparation, construction and landscaping works except as shown on the documents and plans hereby approved without the prior written consent of the Local Planning Authority. Any retained trees or hedges which are removed, or which within a period of 5 years from the completion of the development die are removed, or, in the opinion of the Local Planning Authority, are dying, becoming diseased or damaged shall be replaced by plants of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: To ensure the proposal would harmonise with the character of the area by not resulting in the unnecessary loss of trees, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

7. Prior to the first occupation of the dwelling hereby approved, a scheme of hard and soft landscaping to be undertaken at the application site and details of any means of enclosure to be provided at the site shall be submitted to and approved in writing along with a timetable for undertaking those hard and soft landscaping works and the provision of those means of enclosure. Subsequently, all elements of the hard and soft landscaping and all means of enclosure shall be undertaken in full accordance with the approved timetable. Subsequently, any soft landscaping that dies or is damaged within 5 years of its provision shall be replaced with soft landscaping of the same size and species.

Reason: To ensure the proposal would harmonise with the character of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

8. Prior to the first occupation of the dwelling hereby approved the measures shown to be serving that dwelling to reduce energy usage improve energy efficiency set out within the Energy Statement (prepared by Arcadian Architectural Services and Dated 04/10/2022) that has accompanied the application hereby approved shall be installed. Those fittings and installations shall be retained at all times thereafter.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008.

9. 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 4 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The condition is required in recognition of the highway safety objectives of the NPPF and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

10. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking and turning for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway
- (e) on-site turning for construction vehicles

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

Reason: The condition is required in recognition of the highway safety objectives of the NPPF and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

11. The development hereby approved shall not be occupied unless and until, the proposed dwelling is provided with an electric vehicle charging facility in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The electric charging facility shall thereafter be retained at all times.

Reason: The condition is required in recognition of the sustainable transport objectives of the NPPF and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

12. Prior to the first occupation of any of the dwellings hereby approved secure and covered parking of a minimum of 1 bicycle per dwelling within the development site together with a charging point for e-bikes next to the said facilities shall be installed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The approved and implemented facilities shall thereafter be retained at all times.

Reason: The condition is required in recognition of the sustainable transport objectives of the NPPF and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

13. Prior to the commencement of the development hereby approved, an ecological enhancement plan, including a timetable for any works, shall have been submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved ecological enhancements shall be undertaken in accordance with the approved timetable.

Reason: To ensure that the proposal has a beneficial impact on biodiversity and protected species in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 and the NPPF.

14. No external lighting shall be installed at the site unless details of any such lighting has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal has a beneficial impact on biodiversity and protected species in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 and the NPPF.

15. In the event that contamination is discovered during development, full assessment thereof should be undertaken and any necessary modifications made to the remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Before any part of the development hereby permitted is occupied written confirmation should be provided that all works were completed in accordance with the revised remediation scheme.

Reason: To ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions or alterations to the dwellings hereby permitted falling within Schedule 2, Part 1 Classes A, AA, B or C shall be carried out without the prior permission in writing of the Local Planning Authority.

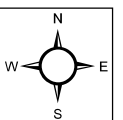
Reason: To control further development of the site in the interests of the character of the area and amenities of nearby properties, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

17. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no building or enclosure, swimming or other pool, within Schedule 2, Part 1, Class E, shall be carried out on the land the subject of this planning permission.

Reason: To preserve the openness of the Green Belt/to control further development of the site in the interests of the character of the area and amenities of nearby properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2.



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ITEM

Application: 2023/175

Location: Sports Pavilion Mill Lane Playing Field Mill Lane Hurst Green, Surrey RH8 9DF

Proposal: Installation of 20ft shipping container for storage of field maintenance and sports equipment

Ward: Oxted South

Constraints – Bigginhill Safeguarding, Gas pipeline(s) within 175m, Road_local d - Mill lane, risk of flooding from surface water – 100 / 1000, Urban Area

RECOMMENDATION:

PERMIT subject to conditions

1. This application is reported to Committee because the site is Council owned land.

Summary

2. The application site is in a Category 1 settlement where the principle of development is considered acceptable.
3. The proposed container is located within a discrete corner of the site and is not considered to detract from the character of the area or street scene. The development will not result in a significant impact on the residential amenity of the neighbouring properties. The development is not considered to impact on highways safety but requires a condition to protect adjacent trees which are not protected by a Tree Preservation Order.
4. Consequently it is considered that the proposal would accord with the requirements of the NPPF and with the policies contained in the Development Plan. There are no adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. Accordingly it is recommended that permission is granted subject to conditions as outlined.

Site Description

5. The site comprises a playing field, with running track, trim trail and outdoor recreation facilities. It is located within the urban area of Hurst Green and is surrounded by other fields to the south and west, with residential dwellings to the north and east.

Relevant History and Key Issues

6. The relevant planning history is as follows;

76/85 - EXTENSION TO PAVILION AND PROVISION OF HARD SURFACE CAR PARKING Approved with Conditions 23/03/1976

79/19 - ERECTION OF SHED FOR STORAGE OF SPORTS EQUIPMENT Approved with Conditions 26/02/1979

80/1182 - Erection of covered area for sports equipment Approved (full) 16/06/1981

85/582 - Demolish existing beer store and garage and erect addition to provide replacement beer and equipment store Approved (full) 31/07/1985

87/946 - Erection of extension to provide beer and crate store together with new entrance porch. Approved (full) 02/11/1987

85/362 - Retention of 2 poles with 500w floodlights Approved (full) 11/06/1985

2006/330 - Retention of single storey side extension providing covered access ramp. Approved (full) 23/05/2006

2007/982 - Change of use of land to allow stationing of 12.2m x 2.4m steel container Withdrawn/substituted 17/07/2007

2007/1188 - Stationing of 12.2m x 2.4m steel container. Approved (full) 30/08/2007

2016/42/TPO - TPO 27, 2013 (T) - Oak x 4 (TPO T6, T7, T8 & T9): Clean out to remove all dead, diseased, dying, broken hanging branches & stubs throughout the crown. Oak (TPO T7): Reduce lowest (forked) limb on SE side of stem back to beyond fork (as per submitted photograph) Approved 29/02/2016

2016/1762 - Formation of trim trail track. Approved 23/01/2017

2023/175 - Installation of 20ft shipping container for storage of field maintenance and sports equipment Not yet determined

7. The key issues for this application are the principle of development, acceptability in terms of character and appearance, impact on neighbouring amenity and highway safety and ecology. Each of these will be addressed in the report below.

Proposal

8. This application seeks approval for the stationing of a shipping container on the land for the storage of sports equipment associated with Holland Sports Junior Football Club. The shipping container is to measure 6m long by 2.4m wide and 2.5m tall. It will be green colour.
9. The container will be supported by 6 concrete pads which will sit approximately 100mm above the existing ground level. Each pad will have a foundation of approximately 300mm compacted type 1 hardcore, followed by 200mm concrete. Each pad will be no more than 800mm square.
10. The container is to be located to the south-east corner of the site some 3.2m from the east boundary and 4m from the southern boundary.

Development Plan Policy

11. Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP18
12. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7
13. Limpsfield Neighbourhood Plan 2019 – Not applicable

14. Woldingham Neighbourhood Plan 2016 – Not applicable
15. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – referendum version (Regulation 18) (2020) – Not applicable
16. Emerging Tandridge Local Plan 2033 – Policies – TLP01, TLP02, TLP04, TLP06, TLP10, TLP12, TLP18, TLP19, TLP35, TLP45, TLP47, TLP50

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

17. Tandridge Parking Standards SPD (2012)
18. Tandridge Trees and Soft Landscaping SPD (2017)
19. Surrey Design Guide (2002)

National Advice

20. National Planning Policy Framework (NPPF) (2019)
21. Planning Practice Guidance (PPG)
22. National Design Guide (2019)

Statutory Consultation Responses

23. Oxted Parish Council – In considering the planning application the Parish Council has found no material planning reasons for refusal.

TDC advice

24. TDC Parks: No comments received.

Third Party Comments

25. Neighbour Letters: Comments received relate to the following (where relevant);
 - Character- visible from dwellings, visually unattractive, eye sore. Concern over surrounding open storage.
 - Amenity- interrupt views
 - Mitigation- alternative location or visual mitigation.
 - Proximity to water course.

Assessment

Procedural note:

26. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2019. However, paragraph 213 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

27. This report will consider the application as submitted and alternatives/ mitigation will only be considered if reasonably justified to mitigate identified harm.

Location and principle of development

28. The application site lies within an Urban Area which Core Strategy Policy CSP1 identifies that development will take place to promote sustainable patterns of travel and to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel services is minimised. The principle of new development or redevelopment would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as will be assessed in detail later in this report.
29. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. As such, there is no objection in principle of the redevelopment of a site in this location under Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard.

Character and Appearance

30. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
31. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
32. The NPPF sets out that design is integral to sustainable development and that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This was bolstered by the publication of the National Design Guide in 2019.
33. The proposal seeks to station a shipping container on the land. The container will be 6m long by 2.4m wide and 2.5m tall and finished in a green colour. It will be located to the south-east corner of the playing field some 3/4m from the sites established boundary treatment to the south and east. The proposed location of the container is some 30m from Mill Lane however would not be overly visible from public vantage points outside the site. It will be visible within the site however by being located within a corner it will not be prominent and will be viewed in context with the establish outdoor recreational use of the site where such storage would be typically expected with an existing container already stationed elsewhere within the site.
34. The proposed container by virtue of its functional form and appearance will not enhance the character of the area. However it has been positioned in a location to not be visually prominent and through the choice of colour has been proposed to be as discrete as possible. I am therefore of the view that the proposal would not detract and, by virtue of its location and colour, it would adequately respect

the character of the area. The public comments with regards to view from private dwellings are acknowledged and will be considered later within the amenity section of this report. Comments received with regards to further visual mitigation are also noted however for the reasons above are not considered to be justified to mitigate visual harm in this case.

35. Overall the proposal will not detract from the character of the area or street scene to accord with the requirements of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies, Policy CSP18 of the Core Strategy and Paragraph 130 of the NPPF.

Residential Amenity

36. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
37. The container is proposed to be located to the south-east corner of the application site. The container will be 2.5m tall on top of a 100mm foundation pad. It will be 4m from the southern boundary with the closest residential neighbour and 3m from the eastern boundary with the adjacent Oxted Band building. The boundary treatment to the south and east elevation consists of established hedging in excess of 3m in height. Taking into account the height of the proposed container and its separation with the closest neighbour is not considered to result in a significant impact on the residential amenity of the neighbours in terms of loss of light or having an overbearing impact. The use of the container will result in some noise generated from this part of the site however would not be significantly greater than overall operation of the site and would not be to a degree to result in significantly harm to the residential amenity of the neighbouring properties.
38. The public comments received for the application has raised the issue of impact on view from the neighbouring residential properties and how the appearance of the proposed container will impact on their property. The right to or impact on a view is not a material planning consideration. The proposal is not considered to be harmful to the amenity of the neighbour in terms of loss of light or being overbearing and as above is not considered to be harmful to the character of the area. In light of this whilst the proposed container would be visible from the nearby dwellings is not considered to result in a significant impact on the residential amenity of the neighbouring properties. The proposal would therefore accord with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Highways safety and parking

39. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety. Policy LNP3 of the Neighbourhood Plan advised that safe pedestrian access should be sustained or improved.

40. The proposal seeks to station a container on the land. It will not alter the access or parking arrangements to the site, nor would it result in any additional traffic generation. The proposal is therefore not considered to raise any highway safety concerns to conflict with Policy CSP12 of the Core Strategy, Policy DP5 of the Local Plan.

Trees

41. The application site is not subject to any tree preservation orders nor is any of the trees on the site protected by way of other statutory designation. Nonetheless, by virtue of the location of the proposed container in close proximity to the root zones of a number of mature trees the proposed development has the potential to impact on those trees.

42. Core Strategy Policy CSP 18 (Character and Design) requires that:

Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

43. Paragraph 13 of Policy DP7 of the Local Plan states:

Where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

44. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).

45. The application has not been submitted with an arboricultural impact assessment to assess the potential impact on the adjacent trees. The pad foundations proposed for the container will minimise any impact on the root protection zones of the adjacent trees however it is recommended that an arboricultural method statement is required by way of condition. Therefore subject to the condition the development is not considered to be contrary to Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) with regards to impact on trees.

Conclusion

46. The principle of the development is acceptable within an urban area. The container would also not detract from the character of the area or amenity of the neighbouring properties. In light of the above, the Officer recommendation is to grant planning permission.

47. The recommendation is made in accordance with the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the

Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

48. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: PERMIT subject to the following conditions

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings Site Location Plan received 07th March 2023, Elevation received 27th March 2023, Site Plan received 11th April 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. The materials to be used on the external faces of the proposed development shall be in accordance with the details shown on the submitted application particulars.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. No development shall start until an arboricultural method statement, [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

Informatives

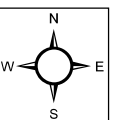
1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town

and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP12, CSP18, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.



**Sports Pavilion,
Mill Lane Playing Field,
Mill Lane, Hurst Green,
Surrey RH8 9DF**



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Application: 2022/1191
Location: Grange Meadow Playing Field, High Street, Bletchingley, Surrey, RH1 4PE
Proposal: Change temporary permission granted under pp 2019/843 to permanent, for a storage container on sports field located behind the pavilion & shielded by new planting
Ward: Bletchingley and Nutfield

Constraints – area of great landscape value, areas of special advertising consent, ancient woodland(s) within 500m, bigginhill safeguarding, conservation area(s), gatwick bird strike zone, Gatwick safeguarding 45m, green belt area, source_protection_zones 3, tpo 240/tan

RECOMMENDATION:

PERMIT

1. This application is reported to Committee because the site is Council-owned land.

Summary

2. Planning permission is sought for the permanent stationing of a storage container on a sports field located behind the existing pavilion. The proposal follows application 2019/843 that saw planning permission being granted for the storage container subject to a condition granting temporary use for three years.
3. The application would not result in inappropriate development within the Green Belt, as it would provide appropriate facilities for outdoor sport and recreation. The design and appearance of the development are considered acceptable and would not have a significant harmful impact to the character of the area. The proposal would not have a harmful impact on neighbouring amenity or on nearby trees. It is therefore recommended that planning permission be approved.

Site Description

4. The application site forms part of the Grange Meadow Playing field, which has an existing Pavilion, club house and playground, with the remainder of the site playing fields. The site is located within the Green Belt, where the defined village boundaries lie to the east and west side of the site. The area within the defined village boundaries are residential and built up in character.

Relevant History

5. GOR/296/71 – Pavilion - Approved

2019/843 - Installation of temporary storage container - Approved
23/08/2019

Key Issues

6. The site lies within the Green Belt. The key issue is whether the proposal constitutes appropriate development and, if not, whether there are any very special circumstances to justify permission. Also, whether the development is acceptable on character, appearance, and residential amenities grounds

Proposal

7. The application seeks full planning permission for the siting of a storage container on the land following the expiration of a temporary planning permission granted under 2019/843. The structure is located to the south of the pavilion building, along the boundary of the bowls area. The proposed structure measures 12.5 metres in length with a height of 2.8 metres and a width of 2.7 metres. Landscaping is proposed within this submission.

Development Plan Policy

8. Tandridge District Core Strategy 2008 – Policies CSP1, CSP18, CSP21
Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP18
Woldingham Neighbourhood Plan (2016) – Not applicable
Limpsfield Neighbourhood Plan (2019) – Not applicable
Caterham, Chaldon and Whyteleafe Neighbourhood Plan – Not applicable
Emerging Tandridge Local Plan 2033 - TLP01, TLP03, TLP18, TLP32

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

9. Tandridge Parking Standards SPD (2012)
Tandridge Trees and Soft Landscaping SPD (2017)
Bletchingley Conservation Area Appraisal (SPG) (2002)
Surrey Design Guide (2002)

National Advice

10. National Planning Policy Framework (NPPF) (2021)
Planning Practice Guidance (PPG)
National Design Guide (2019)

Statutory Consultation Responses

11. County Highway Authority – As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.

Bletchingley Parish Council – “No objection, We acknowledge that all members of the Parish Council have an interest in this application. The ‘No objection’ resolution was agreed unanimously at the Parish Council meeting of the 13th of March.”

Non-statutory Advice Received

12. Gatwick Airport (safeguarding) – “The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We, therefore, have no objection to this proposal.”

Sport England – “Sports England does not wish to raise an objection”

Other Representations

13. Third Party Comments

Assessment

Procedural note

14. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Green Belt

15. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 149 states that local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the exceptions to this is the provision of appropriate facilities for outdoor sport and outdoor recreation. A further exception is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would: not have a greater impact on the openness of the Green Belt than the existing development.
16. Policy DP10 of the Local Plan states that within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
17. Policy DP13 of the Local Plan states that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. The policy makes exceptions, one of which is the provision of appropriate facilities for outdoor sport and recreation.

18. The application proposes the permanent siting of an existing storage contained which is regarded as a 'building' for Green Belt purposes. The building provides storage for sports related equipment for use of the community facility. In this case, the size of the container is considered appropriate to its location and use. With regards to the impact upon the openness, the container is located close to existing built form with a maximum height of 2.5 metres. The applicant intends to soften the appearance of the building from the northwest side with soft landscaping which in the event of an approval, would be appropriately conditioned. As such, given the scale, location and landscaping proposed the building is not considered to significantly impact the openness of the Green Belt in this case.
19. The proposed storage structure, while being new development in the Green Belt, would provide appropriate facilities for outdoor sport and recreation. The massing and scale of the structure would result in the building preserving the openness of the Green Belt. Therefore, the building would not result in inappropriate development within the Green Belt and considered to accord with the provisions of the NPPF and of the Local Plan.

Character and appearance

20. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
21. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, integrate effectively with its surroundings, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
22. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
23. The proposed structure measures 12.5 metres in length with a height of 2.8 metres and a width of 2.7 metres. The proposal would be seen within the context of the existing buildings and a fence line to the east, where proposed soft landscaping is also proposed to the northwest side.
24. It is considered that the design, siting and appearance of the building would not a significant impact on the setting of the landscape of the character of the area. The application therefore accords with policies CSP 18 and CSP21 of the Core Strategy and policy DP7 of the Local Plan.

Residential amenities

25. Policy CSP 18 of the TDC Core Strategy states that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect.

26. Policy DP7 of the TDC Local Plan states that proposals should not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic, or other general disturbance. Furthermore, development should not significantly harm the amenities and privacy of occupiers of neighbouring properties (including their private amenity space) by reason of overlooking or its overshadowing or overbearing effect. The policy also states that all new development should provide satisfactory environment for the occupiers of both the existing and new development.
27. Given the distance to neighbouring properties, it is considered the proposal would not give rise to harm in this respect. As such, given the existing use of the site, scale and form of the development it is not considered the proposal would result in significant harm to neighbouring amenity.

Landscaping and Trees

28. Policy DP7 of the Local Plan Part 2: Detailed Policies relate to safeguarding landscaping and trees and the policy states landscaping should be an integral element in layout design and where trees are present, provision should be made for the retention of those that are important by virtue of their significance within the local landscape, either as a result of their size, form and maturity or because they are rare or unusual.
29. The applicant has proposed additional soft landscaping to the northwest side of the container to soften the appearance of the built form.
30. Tree officer: "Screening and planting specifications: No development shall start until full details of screening and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.
31. Details shall include specifications for screening of the container hereby approved and details of all proposed trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.
32. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which either during development or within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation."

Other Matter

33. It is acknowledged that the previous planning application allowed a temporary permission for this welfare cabin for a period of 3 years which has not expired. The PPG states the following:

34. "Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.
35. It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently."
36. As such, a further temporary permission would not be supported in this case; however, the applicant has provided sufficient justification for the intended purpose and therefore it is recommended to approve this permanently, subject to the removal should the use cease for a continued period of time.

Conclusion

37. In conclusion, the application would not result in inappropriate development within the Green Belt, as they would provide appropriate facilities for outdoor sport and recreation. The design and appearance of the development are considered acceptable and would not have a significant harmful impact to the character of the area. The proposal would not have a harmful impact on neighbouring amenity or on nearby trees.
38. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 and 219 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
39. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: PERMIT subject to the following conditions

1. This decision refers to drawings numbered 122/101A received on 5th September 2022, 122/102A, 122/103A 5th May 2023 122/100B received on 17th May 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

2. Within the first 3 months of this planning permission, full details of screening and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Details shall include specifications for screening of the container hereby approved and details of all proposed trees, hedges and shrubs; ground

preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which either during development or within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7, DP9, DP10 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

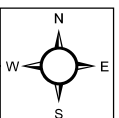
3. If the use in relation to outdoor sport and recreation and the need for the container ceases for more than 3 consecutive years, then, unless otherwise agreed beforehand in writing by the Local Planning Authority, the land should be reinstated to its original condition and a scheme of restoration of the site shall be submitted to the Local Planning Authority for its written approval. The approved scheme of restoration shall be fully implemented within 6 months of the written approval of the scheme by the Local Planning Authority.

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.

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**Grange Playing Fields
Bletchingley**



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ITEM X

Application: 2022/1415

Location: 10 Westerham Road, Oxted, Surrey, RH8 0ER

Proposal: Lowering of bank to front of the dwelling and formation of single parking space with retaining wall (retrospective)

Ward: Limpsfield

Constraints: Ancient Woodland, Biggin Hill Safeguarding, SPZ3, TPO10, Urban, Wooded Hillside

RECOMMENDATION: Grant Planning Permission

1. This application is reported to Committee following a call-in request from Cllr Blackwell.

Summary

2. Planning permission is sought for the lowering of the bank at the front of the dwelling and the formation of a single parking space with a retaining wall. Given that the works have largely been completed, the proposal is made retrospectively.
3. The site is also subject to a concurrent Appeal as submitted against the Council's decision to refuse permission for the erection of a dwelling in the rear garden under TA/2021/2067.
4. The current application follows on from the previous application TA/2021/2103 and seeks to overcome the previous reasons for refusal in respect of the design and external materials and the landscaping scheme which officers consider would assist in lessening the impact on the amenities and privacy of adjoining neighbours otherwise impacted by headlight glare.
5. It is considered that the amendments to the design of the development, including changes to the materials, plus a landscaping scheme would help to protect the amenities of adjoining neighbours and would lessen the impact on the character of the area and to neighbouring property amenities. There are no objections raised on any other ground, accordingly approval of planning permission is recommended.

Site Description

6. The site consists of two storey detached dwelling set within a generous plot, located on the south side of the A25 Westerham Road in the urban area of Oxted and in the parish of Limpsfield. The plot is set in a steep rising incline with land levels increasing from the front of the site at the north to the rear of the site at the south. Currently the rear of the plot has a fence erected subdividing the site. However, at the terminus of the shared drive is a single garage serving the subject dwelling – No 10 Westerham Road.
7. Access to the site is via a shared private drive which serves the site and a number of other dwellings. A further private drive runs behind a retaining wall and is parallel with the A25 facilitating access to the front of the site and the adjoining neighbouring property No 8.



Figure 1 site location plan

8. The subject car parking space is located within the parallel private driveway and is set forward of the front of the dwelling. The surrounding area is residential.

Relevant History

9. 2021/2103 - Retrospective permission for works to Lower bank to front of house to form parking space with retaining wall. Amended plan submitted 16.08.22 showing brick set base + Aco strip Drain. Refused 02.09.22.
10. TA/2021/2067 -Erection of a single detached three-bedroom house. Additional 'Highways evidence' from i- Transport submitted 05.07.22. refused.28.09.22 Appeal submitted.
11. 2021/1625 - Erection of a single detached three-bedroom house. Withdrawn 27.10.21
12. 99/535 - Demolition of existing single storey extension. erection of detached garage. Approved 21.07.99
13. PDE/94/183 –Further information requested regarding previous additions. likely not to require pp further info sent 9/12/94. confirmed pp not required

Proposal and Key Issues

14. The site is in a Category 1 settlement, Policy CSP1 states that in the built up areas where the majority of new development will take place and development will take place on previously developed land, it also affirms that within the built up areas it will be important to ensure that new development is of a high standard of design and that the character of the areas is protected.
15. The key issues for this application are whether the current proposal overcomes the previous reasons for refusal and if the development is acceptable with regards to character and appearance of the area, residential amenities and highway safety.
16. Planning permission is sought for a car parking space. Given that the works have largely been completed, the application is made retrospectively.

17. The earth and part of the site frontage have been excavated and due to the rising incline towards the rear of the site, a retaining wall has been positioned to prevent the earth slipping. Officers visited the site again and can confirm that the retaining wall has a single skin breeze block construction; the surface is tarmac. The submitted plan shows that the tarmac surface would be replaced with a permeable paving surface, which is necessary as the area exceeds 5m² - is circa 23.5m². The permeable surface and Aco strip drains would allow surface water to drain naturally. The plan also shows a retaining wall of less than a metre in height 0.9m which extends the width and depth of the trapezoid area of hard surface, the proposed surface includes brick sets and 2 x Aco style strip drains either side of the entrance/exit point. The parking space has a depth of 3.9m, a width of 5.2m nearest the dwelling and a maximum width of 7.7m for the entrance/exit. In support of the proposal a swept path analysis was also submitted to demonstrate the turning within the site to enable exit in forward gear.
18. A planting scheme and visual representation has been submitted following Officer comments. This shows a mix of climbing plants, tall evergreen shrubs, evergreen hedges and evergreen grasses.

Development Plan Policy

- Tandridge District Core Strategy 2008 – Policies CSP1 and CSP18
- Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8
- Woldingham Neighbourhood Plan 2016 – not applicable
- Limpsfield Neighbourhood Plan 2019 – Policies LNP4, LNP14.
- Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – not applicable
- Emerging Tandridge Local Plan 2033 – Policies TLP18, TLP37 and TLP50

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

- Tandridge Parking Standards SPD (2012)
- Surrey Design Guide (2002)

National Advice

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

Statutory Consultation Responses

County Highway Authority

19. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

20. Note to Case Officer – A vehicle is likely to undertake a number of manoeuvres to enter/exit the parking space however these will take place on private land and will not have any impact on the public highway.
21. Additional comments – It is noted that this application was previously refused and that additional information has now been provided by the applicant, relating to planting.
22. In our original response Officers noted that the development would not have an adverse impact upon the A25. The additional information/submission does not alter that position.
23. It is acknowledged that access to the parking space is compromised and that ease of access and egress to it may be difficult for some larger cars. However whilst this may sometimes result in a need for careful manoeuvring it does not impinge upon the free flow or safety of traffic on the A25. As a result our previous response of 'no objections' remains.

Limspfield Parish Council

24. On review of this application, as per our comments for the previous application (2021/2103) for the same/similar retrospective works, we do not feel the space created is sufficient and in an awkward position and agree the concerns registered by Surrey County Council.

Other Representations

Third Party Comments

25. Design, character:

- Brick slips on wall are veneers stuck on breeze block and will remain visible.
- Space is narrow between house and back wall.
- Quality of build – no foundation or vertical strengthening/steels. Single skin wall laid onto aggregate would slip on to drive.
- Adding planting will result in roots going under wall and it collapsing due to shrub roots pushing onto wall causing movement and cracking.
- Landscaping – unsuitable clematis is climbing deciduous and Jasminum is a climber so not appropriate as trailing plants are climbers and will not screen the wall.
- Hebe won't hedge and will take 5 years to grow and require more width swamping any other plants.
- Plants not in keeping with existing planting creating unmanageable mess. Visual representation shows delphinium and none of plants in scheme.
- Visual representation is full of errors and therefore not true.
- Permeable paving + Aco drains not yet added despite previous application drawing stating this.
- Excavations to form this space go below the foundations of the dwelling adding concern.
- Removal of garden frontage has had negative impact on the look of No 10 therefore request garden is reinstated.
- Far too small a space for modern car, even more so with greenery hanging over edges.

26. Safety:

- The parking space cannot be accessed and exited in a forward gear without encroaching on to the drive of No 8. Therefore, parking and turning will result in reversing out making it dangerous with risk of collision from anyone entering the drive from Westerham Road as the access road is on a blind bend. The swept path submitted with the previous refused scheme shows that reversing for 20m then performance a contorted multi point turn that would bring the driver into the path of oncoming vehicles and damaging the wall. The current submission has not changed the parking and turning, and the planting scheme will not improve this.
- Damage to wall, curb and green verge of No 14 – **Officer response: this is a civil matter and sits outside of the red line of the site – however, the concern about manoeuvrability is noted and considered in the Assessment under Highway Safety Issues.**
- Access to site is narrow + wall damage already evident.

27. Drainage:

- Aco drains not acceptable as they drain to soil.

28. Impact on neighbours:

- Light pollution from headlights at night in awkward manoeuvring, landscaping will not change this

29. Other matters:

- Cynical attempt by the developer to make significant changes in order to make the application for the dwelling at the back acceptable.
- No good reason for retrospective application, developer and applicant fully aware permission was needed to excavate land.
- Previous reasons for refusal not overcome – size awkwardness lack of front garden, prominence and biodiversity impact remain.
- Surprised to see planning scheme for refused parking space, more so as other criteria have not changed. Developer circumventing planning rules.
- No objection to amendment – planting scheme No 25016027, however retain concern as the swept path of entry entails reversing at base of Broom Hill junction. This road is used by 8-10 residents plus guests tradespeople, postal workers.
- Location plan - Applicant has submitted site location pan117/0004/100/A from refused scheme 2021/2067 with misleading information including parking spaces to the east of 10 is in different ownership or part of access and that no additional garage to the south at the top exists. **Officer response: this plan was superseded.**
- Applicant's Planning statement states 2021/2067 is under consideration this is not true it was refused on the 28th September 2022 prior to submission of the proposal.

Assessment

Procedural note

30. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply

because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Location of Development

31. The site is within a category 1 settlement in the urban area of Limpsfield. Inter alia Policy CSP1 states 'within the built up areas it will be important to ensure that new development is of a high standard of design and that the character of the areas is protected'. This will be assessed below, subject to the proposal being acceptable in those respects, no objection to the principle of the development.

Character and Appearance

32. The NPPF states that that good design is a key aspect of sustainable development, indivisible from good planning and should contribute positively to making places better for people. It also goes on to say that permission should be refused for development of poor quality which fails to take the opportunities available for improving the character and quality of an area and the way it functions.
33. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. It goes on to say that 'the Council will protect the wooded hillsides in the built- up areas by ensuring that new development does not adversely affect the character of these areas and that there is no overall loss of tree cover'.
34. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
35. Limpsfield NP Policy LNP4 has the same sets out to achieve high quality design and well-designed proposals. This section of Limpsfield parish is set adjacent to the wooded hillside and as such dwellings are dotted amongst the treed backdrop, the house styles in the locality are largely traditional in form and use a muted palette of materials. Thus the built form blends with the semi-rural surroundings and does not appear prominent.
36. In the immediate locality the properties adjacent to the site are set back from the highway with vehicular access on to private drive which then leads to the A25.
37. The subject dwelling is a detached post-war two storey dwelling, prior to the works having been carried out it had an attractive grass verge, soft landscaping in the form of low shrubs, a lawned frontage and stepped pedestrian access to the front door entrance. As is the current situation, vehicular access and discreet parking for two vehicles is to the side of the dwelling at the east flank elevation whilst at the rear of the dwelling is an established lawn with border planting and large trees, the upper level of the rear garden though currently segregated by a 2m close boarded fence, is approximately 4m higher than the rear of the dwelling. At the top of the shared drive is a single detached garage.
38. The current appearance of the front elevation of the property and car parking space shows a significant change from its original appearance, with the loss of

the soft landscaping. The breeze block wall and capping and tarmacadam surface does not readily blend with the attractive landscaped frontage which was previously in place.

39. With the previous application summary it was stated 'The stark appearance of the breeze block walls appear commercial and incomplete with a rough finish are considered to appear out of place in this location and to jar with this pleasant residential enclave. No details have been supplied that the 0.9m breeze block walls and flat capping is to be rendered nor has a landscaping scheme been submitted.' At the time of drafting that report, no details have been supplied that the 0.90m breeze block wall was to be rendered nor had a landscaping scheme been submitted'. Therefore, this weighed against the proposal and formed a reason for refusal based on harm to character.
40. The subject proposal seeks to overcome this and a landscape scheme has been submitted, with materials for the wall and for the base. Consequently, although the excavation would remain, the harsh breeze blocks will not be visible and would instead have brick setts over. The tarmacadam surface would be replaced with paved surface and Aco strip drains will be added. Set against the brick sets which would reflect the palette of materials on the dwelling, the landscaping would be placed behind and around the perimeter of the wall. The effect of this would be to soften the appearance of the car parking space; in this respect a 'visual representation' has been submitted to indicate planting and to provide officers with a fuller comprehension of the scheme as proposed.
41. It is considered that the landscaping scheme would enable the car parking space to assimilate with the verdant surroundings and, in time to blend with the character of the dwelling and the verdant character of the area.
42. For the above reasons the proposal would not have a significant impact in terms of character and appearance and would comply with the provisions of Core Strategy Policy CSP18, Local Plan Policy DP7 and Policy LNP4 of the Limpsfield Neighbourhood Plan 2019.

Residential amenities

43. The pre-amble to Tandridge Local Plan Policy DP7 states 'the Council will always seek to safeguard existing and secure good standards of new amenity for all current and future occupants of land and buildings. This is achieved through the application of policy criteria relating to amenity, privacy and the provision of appropriate facilities. It goes on to say that 'whilst it should be understood that the planning system does not exist as a means of protecting the private interests of an individual against the activities of another, the Council regards the application of the principles of equity and good neighbourliness as generally appropriate in considering the acceptability of a development proposal'
44. Tandridge Local Plan Policy DP7 advises that 'permission will be granted where the following matters are effectively addressed.. Criterion 6 states ' the proposal does not significantly harm the amenity of neighbouring properties by reason of pollution (noise air of light), traffic, or other general disturbance'.
45. The nearest identified neighbours to the site are No's 14, 12 and 10a to the east, to the rear/south is Brackenwood Brassey Road, to the immediate west is No 8 Westerham Road, opposite to the north are No's 17-23 Westerham Road.

46. Numerous third party and neighbour comments have been submitted regarding the retrospective works. These include the awkward manoeuvring within the drive to allow a safe entrance and exit in forward gear and the damage to the retaining wall from various vehicles, including builders vehicles serving No 10. Other concerns raised included comments regarding substandard design of the car parking space and the surface water flowing from the garden and tarmacadam surface on to the driveway, vehicle noise and headlights glare.
47. Impact on No 14 – from the outlook of this neighbouring property there is the oblique view of the excavated car parking space from first floor windows and from entering the shared drive. Also, from this neighbouring property there would be a view of the additional car movements as they enter and exit the drive.
48. Impact on No 12 – from the outlook of this neighbouring property there would be a partial oblique view of the car parking bay, also the additional traffic movements from users of the parking space. However, on further review officers are of the view that the development would not result in a significant impact as to warrant a reason for refusal on privacy and amenity grounds.
49. Impact on 10a – from the outlook of this neighbouring property there would be a view of the car parking space as excavated upon entry to the driveway, however, due to the orientation and separation distance it is not considered that the amenities or privacy of this neighbour would be significantly impacted.
50. Impact on Brackenwood – as with No 10a, although the car parking space would be visible from entering the shared drive, due to the position of this neighbour and the separation distance it is not considered that the amenity and privacy of this adjoining neighbour would be significantly affected.
51. Impact on No 8 – from the outlook of this adjoining neighbour and due to its forward position currently there is a view of the car parking space as excavated, although it has been noted that a close boarded fence delineates the two property boundaries. This close boarded fence serves to screen part of the view of the car parking space and to protect the neighbouring amenity.
52. The comments of the neighbour regarding being blocked in by builder vehicles and users of the car parking space and noise and disruption are noted, however the access drive is shared by both neighbours. Moreover, the builder vehicles were on site during the renovation work to No 10 which, at the last site visit appeared to have been completed.
53. Regarding light and disruption it is considered that the planting/landscaping scheme which includes climbing plants, some of which are tall are considered to lessen the impact of headlight glare and shield oblique views of the parking space from this neighbour. The planting/landscaping would be controlled by the imposition of a condition to ensure that it would be maintained for 5 years.
54. Impact on 17- 23 Westerham Road – from the outlook of these adjoining neighbours the car parking space is not visible as it is located behind the boundary wall and hedges; as such it is not considered to have a detrimental impact on the amenity or privacy to these neighbours.
55. However, on balance officers consider that although the profile and location of the car parking space has not been altered that the use of the car parking space as for one domestic vehicle would not result in a significant level of harm on neighbouring amenities to justify a reason for refusal. Although it is accepted that

there would be increased traffic and light from the use of the car parking space, that these matters have been addressed as far as is practicable with the improvement to the design of the car parking space and that the development does not significantly harm the amenity of neighbouring properties by reason of pollution (noise air of light), traffic, or other general disturbance' and thereby accords with the provisions of DP7 as detailed above.

56. With conditions imposed the development as proposed is considered acceptable in terms of impact on the residential amenities and privacy. Therefore, no objection is raised in respect of the provisions of Core Strategy Policy CSP18, Local Plan Policy DP7 and Policy LNP3 of the Limpsfield Neighbourhood Plan 2019.

Highway safety issues

57. The NPPF paragraph 111 states 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
58. Core Strategy Policy CSP12 advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
59. As noted above, the excavation and construction of the breeze block wall and tarmac surface – to be replaced has been completed. The plans show that a paved parking surface is to replace the tarmac surface and two Aco strip drains would be placed along the frontage. The landscaping scheme shows the mix of planting which would serve as a backdrop to the parking space as created. Given the nature of the proposal the views of Surrey County Highway Authority were sought. The response provided was that the development as located on private land was outside of the jurisdiction of the CHA.
60. The note to the case officer affirmed 'A vehicle is likely to undertake a number of manoeuvres to enter/exit the parking space. However, these will take place on private land and will not have an impact on the public highway'.
61. Comments have been received by neighbours and other third parties, also the Parish Council regarding concerns in respect of the development impacting on highway safety due to the narrowness of the drive and small space therefore requiring either multiple manoeuvres or reversing or using land outside of the site in order to exit in a forward gear.
62. The latest comments received on the 18th May affirm the following:
- 'We acknowledge that access to the parking space is compromised and that ease of access and egress to it may be difficult for larger cars. However, whilst this may sometimes result in a need for careful manoeuvring it does not impinge upon the free flow or safety of traffic on the A25. As a result, our previous response of 'no objections' remains.'*
63. The swept path analysis submitted with the previously refused scheme was reviewed by the County Highways Authority (CHA). The application details and

primarily the turning overlay suggested that the applicant had demonstrated that the necessary manoeuvre can be performed together with appropriate mirrors. Whilst the manoeuvre might not be ideal, it would not impact upon the A25, and thus the CHA have not objected on this basis.

64. Therefore, although the neighbour comments and Parish Council comments are noted, the CHA have not raised objections to the development as shown on the plans. The swept path analysis as submitted with the refused scheme TA/2021/2103 has been deemed to establish that although awkward the parking, turning and exiting in forward gear would be possible. The CHA had further noted that the manoeuvring site is on private land and therefore not in their jurisdiction.
65. In respect of public highway safety and as per the NPPF the proposal 'would not result in an unacceptable impact on highway safety, or the residual cumulative impacts on the road network' and although the damage to the wall is noted and the manoeuvring difficult, as the CHA Officer has noted this is on private land and therefore a highway safety reason for refusal could not be substantiated.

Conclusion

66. The design of the development is considered to respect the character and appearance of the site and area and would not result in significant harm to neighbouring property amenities. Although the parking space is awkwardly profiled and not ideally located, it is the view of officers that the landscaping scheme improves the aesthetic appearance of the scheme and enables it to assimilate with the verdant surroundings and established gardens.
67. In respect of highway safety notwithstanding the comments received, the site is on private land and the manoeuvres to achieve exiting in a forward gear have been demonstrated. Therefore, although it is accepted the parking space is not ideal, no objections have been received from the County Highway department in regard to Highway Safety impact and to such a degree that an objection is raised. No other objections are raised on any other ground and it is therefore recommended that planning permission be approved.
68. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2021 and the Limpsfield Neighbourhood Plan 2019. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
69. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

Other Matters

70. There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief;

sex and sexual orientation. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

RECOMMENDATION: PERMIT subject to the following conditions

Conditions:

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawing numbered PLAN 117/005/P/100B dated Oct 2022 including the block plan and red-edged site location plan received on 26th October 2022, Driveway planting scheme rev A received on the 15th March 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. Notwithstanding the details as submitted, no further development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- tree planting as mitigation for trees removed prior to planning permission being sought

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or,

in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. Notwithstanding the details submitted, no further development shall start until details of the materials to be used in the construction of the external surfaces of the walls, paved surface and Aco strip drains hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

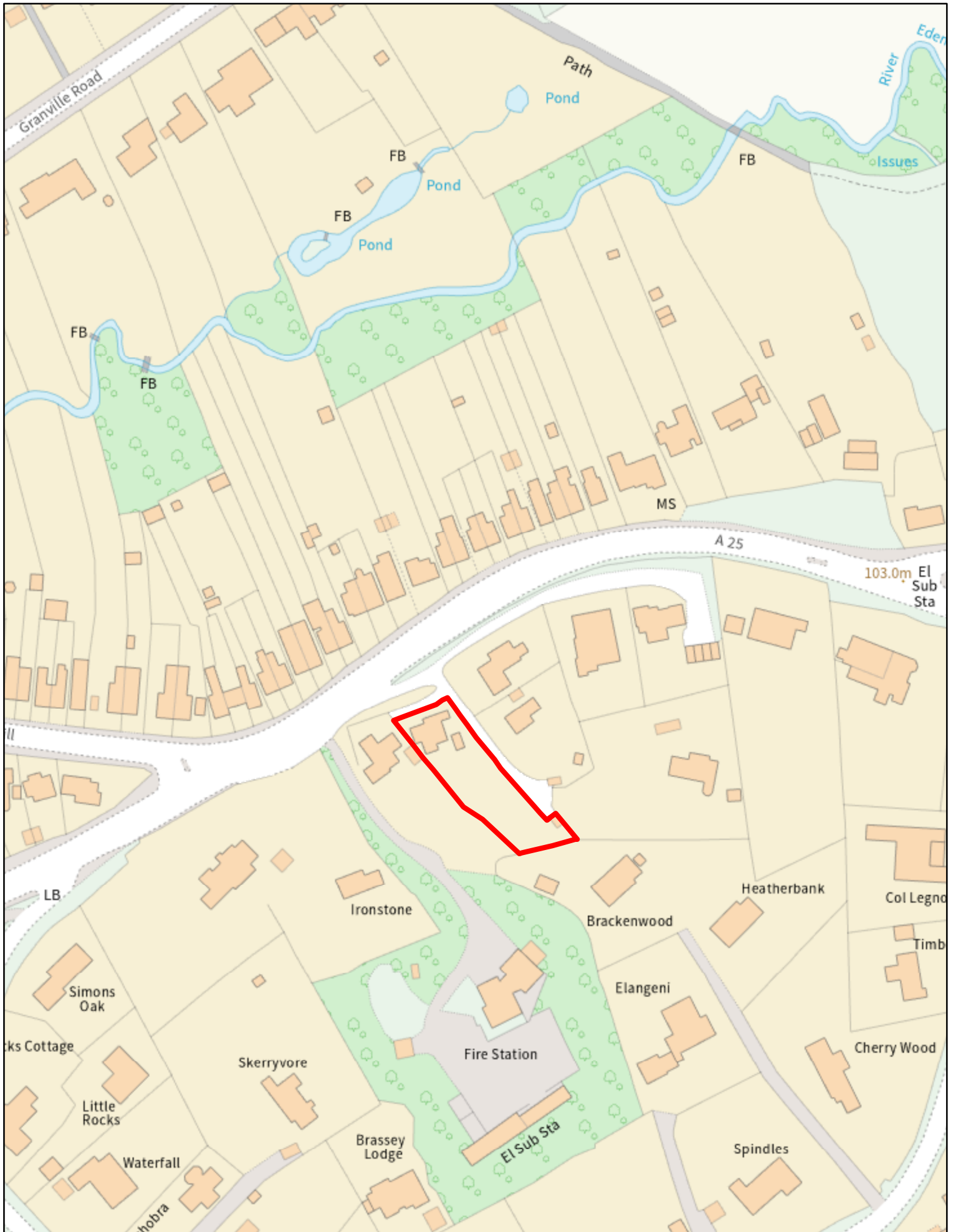
Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development [and to ensure that the new works harmonise with the existing building and are appropriate to the character of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

Informatives:

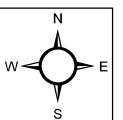
1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP18, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP7, DP10, DP12, Limpsfield NDP LNP 3 and 4 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2021), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.



**10 Westerham Road
Limpsfield**



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Application: 2022/1015

Location: 18 Amy Road, Oxted, Surrey, RH8 0PX

Proposal: Removal of existing chimney and erection of a single-storey front extension with dormer to front roof slope. Erection of a two/single storey rear extension and lower ground floor annexe extension together with external stairs and retaining walls. Installation of solar array to rear roof slope. (Amended plans and description).

Ward: Oxted North and Tandridge

Decision Level: Planning Committee

Constraints – Biggin Hill Safeguarding, HSE Notifiable Hazard, Road Local D - Amy Road, Risk of Flooding from Surface Water – 1 in 1000, Source Protection Zones 3, Urban Area(s)

RECOMMENDATION: Approved subject to conditions

1. This application is reported to Committee following a call in by Cllr Sayer.

Summary

2. Planning permission is sought for the erection of a single-storey front extension with dormer to front roof slope and the erection of a two/single storey rear extension and lower ground floor annexe extension together with external stairs and retaining walls. A solar array to the rear roof slope is also proposed to this existing residential dwelling.
3. The design of the proposal would respect the character and appearance of the site and surrounding area and would not result in harm to neighbouring amenities. It is considered necessary to restrict the use of the ground floor annexe to prevent the creation of a separate unit of accommodation and also restricting the glazing and opening of the east facing (side) windows of the proposed extension in order to protect the amenity of neighbouring occupiers. It is recommended that planning permission is approved.

Site Description

4. The site comprises a two storey semi detached dwelling located to the southern side of Amy Road within an urban area of Oxted. The site slopes downwards from the front of the dwelling towards the rear boundary. The site is bound to the east by a mixture of timber fencing and hedging, to the west by hedging of around 2m in height and to the rear by a brick wall. The frontage of the site is reasonably open where there is a small front garden. The surrounding area is residential.

Relevant History

5. No relevant history.

Key Issues

6. The site lies within an urban area where the key issues are whether the proposal would have a negative impact upon the amenities of neighbours and the character and appearance of the site and surrounding area.

Proposal

7. Planning permission is sought for the erection of a single storey extension to the front (north facing elevation) of the existing dwelling with a depth of approximately 1.2m and similar eaves height to the existing dwelling together with a small, pitched roof dormer. A single/two storey extension is proposed to the rear (south facing elevation is shown to have a depth of 3m towards the western boundary and 4m towards the east with an overall total width of approximately 7.9m. In addition, there will also be a lower ground floor extension which is shown to be 4.6m towards the western boundary and 4m towards the east and the resultant space will serve as an annexe to the existing dwelling which is accessed internally from the main dwelling. A solar array is proposed to the rear (south facing) roof slope.
8. The proposal has been amended following Officer comments and includes a reduction in depth of the two-storey extension from 5.97m to 4m and removal of the rear balcony area. The recessed two storey extension originally proposed has been reduced to a single storey extension with a catslide style roof. An internal access to the annexe has also been provided within the existing dwelling.

Development Plan Policy

9. Tandridge District Core Strategy 2008 – Policies CSP1, CSP18,
10. Tandridge Local Plan: Part 1 – Detailed Policies 2014 – Policies DP1, DP7,
11. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP06, TLP18,
12. Woldingham Neighbourhood Plan 2016 – Not applicable.
13. Limpsfield Neighbourhood Plan 2019 – Not applicable.
14. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Not applicable.

National Advice

15. National Planning Policy Framework (NPPF) (2021)
16. Planning Practice Guidance (PPG)
17. National Design Guide (2019)

Statutory Consultation Responses

18. As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.
19. Oxted Parish Council – The Councillors consider the mass and scale of proposed extension is overbearing, overlooking neighbouring property by balcony and window. Overdevelopment of the site. Being lower ground level could be liable to flooding. The plans were poor and difficult to read.

Other Representations

20. Third Party Comments –

- TLP (2014) and Core Strategy (2008) give relevant guidance for proposed development and DP7 sets out that residential extensions should have respect for neighbouring amenity and privacy and complement the character of the house, street scene and setting. This proposal does not follow the guidance nor does it have respect for amenity and privacy of our property.
- The construction and excavations would cause massive disruption and noise pollution with the proposed structure causing significant loss of light
- Overlooking, overshadowing and overbearing.
- Where habitable rooms would be in direct alignment a minimum privacy distance of 22m will be required. Our house and garden are within 2.7m of the proposed development and our boundary fence is a mere 1.2m from 18 Amy Road.
- Distance may need to be increased to protect those parts of gardens which immediately adjoin dwellings or where sites are sloping – our ground level is 1.3m below the ground level of 18 Amy Road so the view from our house of the proposed extension will be 2.5 storeys in height not 2 storeys as stated. Proposed terrace will be 1.3m above our garden and will also be overbearing.
- Extension extends 5m from the rear of 18 Amy Road with an additional 3m length of terrace. Overall length will impact over three-quarters of the length of our garden.
- In most circumstances a minimum distance of 14m will be required between principal windows of existing dwellings and the walls of new buildings without windows – The proposal will overlook garden, living room and kitchen. Will remove right to privacy. Our windows will be less than 4m from the new extension.
- Proposal does not complement the character of the house, street scene and setting in that it will amount to an increase of 97% of the present square metres and height of the existing property. This is equivalent to another house being built on site.
- Impact upon streetscene, character and appearance of the property and 16 Amy Road. Negative impact on passersby of Ellice Road and Boots car parks.
- Would set a harmful precedence for future overdevelopment of residential properties in the area.

Assessment

Procedural note

21. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Location and principle of development

22. The application site lies within an Urban Area within which Core Strategy Policy CSP1 identifies that development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and

where the distance to travel services is minimised. The principle of new development would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as assessed below. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. As such, there is no objection in principle to the location of the development and Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard.

Character and appearance

23. Policy CSP18 of the Core Strategy requires new development to be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness.
24. Policy DP7 of the Local Plan provides the Council's general policy for new development and requires proposals to respect and contribute to distinctiveness of the area in which it is located and to have a complementary building design and materials.
25. Characteristically, the site and surrounding area consists of a mix of dwelling types and designs set within good sized plots. The road slopes down from the junction with Station Road East down towards the entrance to the Ellice Road car park. There is a small amenity space to the front of the dwellings within Amy Road with some off-street parking to a few of the properties. This site forms one half of a semi-detached pair of dwellings with features including a half hip gabled roof to the front and a gabled outrigger to the rear with the dwellings finished in a white render.
26. The topography of the site is such that the land slopes down from the front of the dwelling towards the rear garden which gives more visual height to the existing built form to the rear elevation of the dwelling. The existing rear projection has an eaves height of approximately 5.5m with the proposed extension having an eaves height of approximately 6.4m when measured from the lower ground floor level. The works proposed to provide the lower ground level includes a retaining wall and stairs leading up to the existing garden, therefore the eaves height of the proposed extension when measured from the existing ground level towards the eastern boundary will remain at 5.5m. The proposed extension would increase the overall height of the existing rear projection from 7.5m to 8m when measured from the existing ground level. However, the overall height of the proposed extension increases to 9m when measured from the lower ground floor level. The proposed rear extension has been designed to include a half hip gabled roof which would maintain the design features of that within the front elevation.
27. Whilst the proposed front extension would project 1.2m from the existing recessed entrance area, it would maintain the existing eaves height and its subservience to the main dwelling. This extension would be visible from within the street scene although it would maintain the character of the existing dwelling the attached neighbour at No. 16 Amy Road. The relationship between the host and neighbouring dwellings is such that the proposed rear extension would not be readily visible from within the streetscene.
28. The rear garden has a depth of around 21.2 metres from the furthest most projection of the existing dwelling to the walled boundary with Boots car park to the south. This would be reduced with the proposed extension to the rear

although a significant amount of amenity space will remain for the current and future occupiers of the property. It is accepted that the degree of built form will increase on the site although its visual appearance is maintained and would not appear prominent within its location from the Boots and Ellice Road car parks.

29. The submitted design and access statement confirms that the material finishes will remain as existing to 'ensure a coherent appearance'. No objection is raised to the proposed materials.
30. For the above reasons, it is considered that the proposed development would be acceptable in terms of character and appearance and would therefore comply with the provisions of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies and Policy CSP18 of the Core Strategy.

Impact on neighbouring amenity

31. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect.
32. Policy DP7 part (6) states that proposals should not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic, or other general disturbance. Part (7) of Policy DP7 states that proposals should not significantly harm the amenities and privacy of occupiers of neighbouring properties (including their private amenity space) by reason of overlooking or its overshadowing or overbearing effect.
33. The proposal as submitted sought the erection of a two-storey flat roofed extension on the boundary with the attached neighbour at No. 16 Amy Road. The design showed the flat roof higher than the existing eaves and with its two-storey nature was considered overbearing on this neighbour. The reduction in bulk of the proposed extension to a single storey extension of the same depth, albeit finished with a catslide style roof, is considered to have reduced the overshadowing and overbearing impact upon this neighbour. The current arrangement to the rear of the existing dwelling shows a set of doors which lead out onto a raised deck area leading down to the garden. The decking is screened from the neighbour by an existing timber fence on the boundary. There is also a platform area proposed above the lower ground floor projection which will primarily carry a similar function to the existing although will be reduced in area. A screen has been included on the boundary to ensure privacy with this neighbour is maintained.
34. The detached neighbour to the east of the site is No. 20 Amy Road which, due to the sloping nature of the area, is sited lower and slightly further to the rear than the host dwelling at No. 18. The separation distance between the existing dwelling and the boundary is approximately 1.2m and although the two storey extension will project 4m from the rear elevation it will be built no closer to the boundary than the existing dwelling. Given the existing relationship between the two dwellings the proposed extension would project beyond the neighbour's rear wall by approximately 3m.
35. There are changes proposed to the existing fenestration arrangement within the eastern elevation at ground floor level where five windows are shown on the plans to serve a study/snug, WC, utility and stairwell. A window is also

proposed serving the stairwell to the lower ground floor accommodation. The third party has quoted DP7 (7) which requires that where habitable rooms of properties are in direct alignment a minimum distance of 22m will be required and goes on to state that in most circumstances a minimum distance of 14m will be required between principal windows of existing dwellings and the walls of new buildings without windows. It is noted that there is a dormer within the west facing roof slope of the neighbouring dwelling which looks out onto the roof of the application site and no other windows within their west flank wall. As there are no principal windows within the neighbouring flank wall or within the eastern flank wall of the proposed extension and no windows within direct alignment between the two sites, the minimum distance for windows would not apply in this instance. However, it is proposed to add an obscure glazing condition to the windows within the extension to ensure privacy to the neighbour. There is already a degree of mutual overlooking between the two properties onto the amenity space with from the current arrangement and this is not considered to increase significantly from the proposed extensions. There will be very limited harm from the lower ground floor level and with a 2m fence proposed along the boundary with the neighbour, this will reduce the impact from the ground floor.

36. A further condition restricting the use of the lower ground floor level is considered reasonable to protect the amenities of neighbours.
37. For the reasons above, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies and Policy CSP18 of the Core Strategy.

Other Matters

38. A third party has commented that the Council's planning software programme shows a loss of light from 3:30pm. However, it is pertinent to note that this is a guidance tool provided on a website at suncalc.org. The 'loss of light' to a property can only be demonstrated through a light and shade survey which has not been provided as part of this application.
39. There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

Conclusion

40. In conclusion, the proposal is considered to be acceptable in all respects and, as such, it is recommended that planning permission is granted.

RECOMMENDATION:

Grant subject to conditions

Conditions

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered 0087-SK-300 Rev P2, 0087-SK-101 Rev P7, 0087-SK-200 Rev P6, 0087-SK-010 Rev P3, 0087-SK-030 Rev P1, 0087-SK-020 Rev P3 received on 11th May 2023, 0087-SK-100 Rev P9 received on 19th May 2023 and red-edged site plan received on 12th September 2022. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. The materials to be used on the external faces of the proposed development shall be in accordance with the details shown on the submitted application particulars.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. Before the development hereby approved is occupied the windows within the lower ground and ground floor eastern flank elevation of the proposal shall be fitted with obscure glass and shall be non-opening unless the part(s) of the window(s) which can be opened is/are more than 1.7m above the floor of the room in which the window(s) is/are installed and shall be permanently maintained as such.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. The lower ground floor annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 18 Amy Road, Oxted RH8 0PX or as otherwise renamed in the future.

Reason: To ensure that the accommodation remains at all times incidental to the main use of the property as a single, family dwelling and ensure a satisfactory form of development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

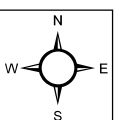
Informatives:

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission.

Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.



18 Amy Road,
Oxted



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