

Planning Committee

Thursday, 2nd November, 2023 at 7.30 pm

Council Chamber, Council Offices, Station Road East, Oxted

Agenda

The agenda for this meeting is set out below.

Members of the Planning Committee

Councillor Claire Blackwell (Chair)	Councillor Jackie Wren (Vice-Chair)
Councillor Christopher Botten	Councillor Perry Chotai
Councillor Chris Farr	Councillor Sue Farr
Councillor Jeffrey Gray	Councillor Katie Montgomery
Councillor Judy Moore	Councillor Keith Prew
Councillor Lesley Steeds	

Substitute Members

Councillor Bryan Black	Councillor Helen Bilton
Councillor Michael Cooper	Councillor Helena Windsor

If a member of the Committee is unable to attend the meeting, they should notify Democratic Services. If a Member of the Council, who is not a member of the Committee, would like to attend the meeting, please let Democratic Services know by no later than noon on the day of the meeting.

If any clarification about any item of business is needed, contact should be made with officers before the meeting. Reports contain authors' names and contact details.

David Ford

Chief Executive

Information for the public



This meeting will be held in the Council Chamber, Council Offices, Oxted and the public are welcome to attend. Doors for the Council Offices will open 15 minutes before the start of the meeting.



The meeting will also be broadcast online at tinyurl.com/webcastTDC. In attending this meeting, you are accepting that you may be filmed and consent to the live stream being broadcast online and available for others to view.



Information about the terms of reference and membership of this Committee are available in the Council's Constitution available from tinyurl.com/howTDCisrun. The website also provides copies of agendas, reports and minutes.



Details of reports that will be considered at upcoming Committee meetings are published on the Council's Committee Forward Plan. You can view the latest plan at tinyurl.com/TDCforwardplan.

democraticservices@tandridge.gov.uk Tel: 01883 722000

www.tandridge.gov.uk/Your-council/Councillors-and-committees

Tandridge District Council, Council Offices, 8 Station Road East, Oxted, Surrey, RH8 0BT

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 his staff prior to the meeting.

3. Minutes from the meeting held on the 5th October 2023 (Pages 3 - 6)

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

- 4.1 2022/1638 - Hollow Lane garages (Pages 17 - 42)
- 4.2 2023/595 - Caterham School, Harestone Valley Road, Caterham, CR3 6YA (Pages 43 - 54)
- 4.3 2022/1659 - 63 to 78 Featherstone, Blindley Heath, Lingfield, Surrey, RH7 6JY (Pages 55 - 74)
- 4.4 2023/1044 - Scout Hut, Mill Lane, Hurst Green, Oxted, Surrey, RH8 9DF (Pages 75 - 82)

5. Recent appeal decisions received

To receive a verbal update from officers relating to appeal decisions by the Planning Inspectorate resulting from previous committee decisions.

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.

THE DISTRICT COUNCIL OF TANDRIDGE

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 5 October 2023 at 7.30pm.

PRESENT: Councillors Blackwell (Chair), Wren (Vice-Chair), Botten, Chris Farr, Sue Farr, Gray, Moore, Prew, Steeds and Black (Substitute) (In place of Montgomery)

ALSO PRESENT: Councillors Gillman and Nicholas White

APOLOGIES FOR ABSENCE: Councillors Chotai and Montgomery

136. MINUTES FROM THE MEETING HELD ON THE 7TH SEPTEMBER 2023

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

137. 2023/839 - RIDGEWAY, HOLLOW LANE, DORMANSLAND, RH7 6NR

The Committee considered a retrospective application for the demolition of existing dwelling and construction of replacement dwelling and the erection of new single storey rear extension with a pitched roof.

The Officer recommendation was to permit, subject to condition.

Sarah Kemp-Powell, an objector, spoke against the application.

Councillor Liz Lockwood of Dormansland Parish Council spoke against the application.

Carl Morris, the applicant's agent, spoke in favour of the application.

During the course of the debate, Councillor Sir Nicholas White requested that the Committee consider three motions for refusal. The reasons for refusal were as follows:

- 1. The proposal in seeking to replace the original dwelling as approved in 2013, with the subsequent approved extensions and including increased proportions to the extension to these previously approved schemes, cumulatively adds unacceptable build form and bulk which is detrimental to the openness of the Green Belt and visual harm to the adjacent protected landscapes of the High Weald AONB and the Heritage Asset of a protected Historic Parkland. As such the proposal with the increased built form is contrary to Policies CSP18 and CSP20 of the Tandridge District Core Strategy (2008), Policies DP10 and DP20 of the Tandridge District Local Plan Part 2: Detailed Policies (2014), the High Weald AONB Design Guide (2019) and para 176 of the NPPF (2023).*

2. *The proposal perpetuates the adverse relationship between it and the adjacent properties by being overbearing, overshadowing and dominant. The additional extension amendments sought add to the overbearing and intrusive relationship especially to the property, and its amenities, adjacent to the north of Ridgeway. As Such the proposal is contrary to the Policy CSP18 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies (2014), and the High Weald AONB Design Guide (2019).*

3. *The proposal, by reason of its siting, scale, bulk and design would result in significant harm to the residential amenities of No.54 Beacon Hill by reason of dominance, overbearing and overshadowing effects. As such the proposal would be contrary to Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) and Policy CSP18 of the Tandridge District Core Strategy (2008).*

Councillor Steeds proposed all three reasons for refusals, which were seconded by Councillor Chris Farr. Upon being put to the vote, all three motions were carried.

RESOLVED – that the application be refused.

138. 2023/806 - ALWYN, GREEN LANE, SHIPLEY BRIDGE, HORLEY, RH6 9TJ

The Committee considered the erection of a single storey flat roofed rear extension, along with a pitched roof over a flat roofed rear extension.

The Officer recommendation was to permit, subject to conditions and Section 106 agreement.

Rachel Farrow, the applicant, spoke in favour of the application.

RESOLVED – that the application be permitted subject to the conditions and a Section 106 agreement.

139. 2022/1255 - BLUE MEADOW, BIRCHWOOD LANE, CHALDON, CATERHAM, SURREY, CR3 5DQ

The Committee considered an application for the erection of an agricultural barn for livestock accommodation.

The Officer recommendation was to authorise delegated authority to the Chief Planning Officer to grant planning permission subject to the completion of a Section 106 Agreement.

Mr Adem Mehmet, the applicant's agent, spoke in favour of the application.

RESOLVED – that delegated authority be authorised to the Chief Planning Officer to grant planning permission subject to the completion of a Section 106 Agreement.

140. RECENT APPEAL DECISIONS RECEIVED

The Committee received a short update on the following appeal decisions:

TA/2022/889 - Wayside, 542 Limpsfield Road, Warlingham, Surrey CR6 9DS. The application was refused by notice dated 13 December 2022. The appeal was dismissed on 2 October 2023 (Appeal Reference: APP/M3645/W/22/3313522).

TA/2021/2149 - 6 Beadles Lane, Oxted RH8 9JJ. The application was refused by notice dated 16 June 2022 following the Planning Committee meeting on 9 June 2022. The appeal was allowed on 2 October 2023 (Appeal Reference: APP/M3645/W/22/3307368).

TA/2022/245 - 5 Queens Park Road, Caterham, Surrey CR3 5RB. The application was refused by notice dated 1 September 2022. The appeal was allowed on 28 September 2023 (Appeal Reference: APP/M3645/W/22/3311144)

TA/2022/98 - Hut 1, Harestone Drive, Caterham, Surrey CR3 6YQ. The application was refused by notice dated 5 August 2022 following the Planning Committee meeting on 28 July 2022. The appeal was dismissed on 11 September 2023 (Appeal Reference: APP/M3645/W/22/3309224).

Rising 8.33 pm

This page is intentionally left blank

REPORT TO THE PLANNING COMMITTEE ON 2 NOVEMBER 2023

AGENDA ITEM 4

APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the applications detailed in items 4.1 to 4.4

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.

Contacts:

Mark Berry, Interim Head of Development Management
01883 732799
Email: mberry@tandridge.gov.uk

Ian Harrison, Principal Planning Officer
01883 732755
Email: iharrison@tandridge.gov.uk

Peter Lee, Principal Planning Officer
01883 732851
Email: plee@tandridge.gov.uk

Paul Batchelor, Senior Planning Officer
01883 732861
Email: pbatchelor@tandridge.gov.uk

Hannah Middleton, Senior Planning Officer
01883 732890
Email: hmiddleton@tandridge.gov.uk

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 – 2 NOVEMBER 2023 – RECOMMENDATIONS

ITEM NO.	APPLICATION NO.	SITE ADDRESS	APPLICATION DETAILS	RECOMMENDATION
4.1	2022/1638	Hollow Lane Garages, Hollow Lane, Dormansland, Surrey, RH7 6NT	Demolition of existing garages and construction of one bungalow and one building containing four apartments with new parking court at New Farthingdale.	PERMIT, subject to conditions
4.2	2023/595	Caterham School, Harestone Valley Road, Caterham, CR3 6YA	Variation of condition 2 (hours of opening) on application reference 94/499/D3/A (Continued use of Sports centre and swimming pool by external clubs/organisations) to allow a variation to the hours.	PERMIT, subject to Deed of Variation and conditions
4.3	2022/1659	63 To 78 Featherstone, Blindley Heath, Lingfield, Surrey, RH7 6JY	Demolition of 2 existing buildings containing 16 no. apartments. Erection of 7 houses and 1 building containing 9 apartments.	PERMIT subject to conditions
4.4	2023/1044	Scout Hut, Mill Lane, Hurst Green, Oxted, Surrey, RH8 9DF	Installation of a 20ft shipping container for storage of large scale Scouting equipment such as tents, kayaks etc.	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.

This page is intentionally left blank

ITEM 4.1

Application: 2022/1638

Location: Hollow Lane Garages, Hollow Lane, Dormansland, Surrey, RH7 6NT

Proposal: Demolition of existing garages and construction of one bungalow and one building containing four apartments. New parking court at New Farthingdale.

Ward: Dormansland and Felcourt

Decision Level: Committee

Constraints – area of great landscape value, areas of special advertising consent, ancient woodland(s) within 500m, Defined Village in Green Belt, gat bird strike yes Gatwick bird strike zone, Gatwick Safeguarding 90m, TDC legal land terrier 9/26, C Road Class, risk of flooding from surface water – 100, rights of way footpath 610, special protection area(s)

RECOMMENDATION: **PERMIT, 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. Planning permission is sought for the development of two pieces of land to the rear (west) of 135-139 and 1 and 2 St Claire Cottages, Hollow Lane and to the south of 77-93 New Farthingdale. The two main parts of the site are linked by a footway. The proposal would result in the demolition of the garages located to the west of Hollow Lane and the construction of an apartment building which would accommodate 4 flats, each with two bedrooms, along with one detached bungalow. This would be sited on land immediately adjacent to the rear of 1 and 2 St Claire Cottages. This part of the development site would also accommodate 14 parking spaces. The further 18 parking spaces would be sited on land located south of 77 and 83 New Farthingdale.
3. It is considered that the development would not harm the character and appearance of the area, nor would it harm the amenities of nearby residents, and is acceptable in principle given the built-up context of the site and surrounding area. The development is considered to be acceptable in terms of housing mix, renewables, drainage, highways and impact on trees.
4. 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. Therefore, it is recommended that permission is granted subject to conditions as outlined.
5. This application was presented to Planning Committee on 7 September 2023 where Members resolved to defer the application to allow:

- The applicant to review the proposed development with the view to lowering the height of the building containing 5 apartments.
 - Allow officers time to establish the verge ownership and to consider parking solutions for parking issues on site.
6. The applicant has amended the scale of the proposed apartment building removing the top floor and therefore reducing the number of units to 4 residential flats. The height has been reduced from 10 metres (originally 10.5 metres) to 8.9 metres with a design to reflect.
 7. It has been confirmed that all land within the red edging is within the Councils ownership. Land beyond the red-edging with regards to the highways and verges are owned by Surrey County Council. The applicant has proposed two additional spaces to be included at New Farthingdale resulting in a total number of 18 parking spaces to accommodate the displaced parking. The applicant has also proposed low railings to serve the access of the new parking area to prevent parking on verges and the obstruction of traffic. The low railings are proposed within the application site only.
 8. An assessment has been made by Officers with regards to additional parking along Hollow Lane; however, it is concluded that the additional parking provided by the applicants at New Farthingdale is appropriate to sufficiently accommodate the displaced parking. Therefore, entering a legal agreement to request off-site parking is not considered justified. It is noted that the Transport Statement produced by GTA dated July 23 concluded a displacement of only 9 vehicles, therefore the 18 spaces would sufficiently accommodate these and some more.

Site Description

9. The application site comprises two pieces of land located to the rear (west) of 135 to 139 and 1 and 2 St Claire Cottages, Hollow Lane and to the south of 77-83 New Farthingdale. The two main parts of the site are linked by a footpath which also forms part of the application site. The application site is within Dormansland which is designated as a "Defined Village" within the Green Belt.
10. The site at New Farthingdale consist of a large grass verge surrounding by semi-detached properties, a footpath runs between No.85 and 87 New Farthingdale which provides access to the other part of the site which comprises of a garage court; this land is set slightly lower than the site at New Farthingdale. This part of the site is hard surfaced with a combination of tarmac and concrete.
11. The land surrounding the site is mostly in residential use and has a somewhat suburban character, reflecting its edge at the settlement of Dormansland. The character of the locality changes in close proximity to the site, being far more rural to the east where the settlement makes way to the countryside.

Relevant History

12. Application GOR/228/68 proposed 24 garages and was approved. Application GOR/568 and subsidiary applications A to D related to the surrounding developments of Hollow Lane and New Farthingdale, all being approved between 1952 and 195

Proposal

13. Planning permission is sought for the development of two pieces of land to the rear (west) of 135-139 and 1 and 2 St Claire Cottages, Hollow Lane and to the south of 77-93 New Farthingdale. The two main parts of the site are separated by a footway. The proposal would result in the demolition of the garages (18) located to the west of Hollow Lane and the construction of an apartment building which would accommodate 4 flats, each with 2-bedrooms, along with one detached bungalow. The bungalow would be sited on land immediately adjacent to the rear of 1 and 2 St Claire Cottages. This part of the development site would also accommodate 14 parking spaces. The further 18 parking spaces would be sited on land located south of 77 and 83 New Farthingdale.
14. The apartment block would cover a total footprint of 200sqm with two flats at ground floor, two flats on the first floor and one flat within the loft space. Four of the flats would be served by front facing balconies with privacy screens and all side windows would be obscured glazed. The height of the building would measure a maximum of 10 metres, with a barn end designed roof where two dormer windows would be positioned within the front roof slope.
15. The bungalow would be located north of the site, in the section to the rear of No.1 and 2 St Clair Cottages. The bungalow would have an 'L' shape layout with a maximum height of 4.8 metres, the floor area would total 71sqm.

Key Issues

16. 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.

Development Plan Policy

17. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19
18. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP12, DP19, DP21
19. Woldingham Neighbourhood Plan (2016) – Not applicable
20. Limpsfield Neighbourhood Plan (2019) – Not applicable
21. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Not applicable
22. Emerging Tandridge Local Plan 2033.

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

23. Tandridge Parking Standards SPD (2012)
24. Tandridge Trees and Soft Landscaping SPD (2017)

25. Surrey Design Guide (2002)

National Advice

26. National Planning Policy Framework (NPPF) (2023)

27. Planning Practice Guidance (PPG)

28. National Design Guide (2019)

Consultation Responses

29. *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 the following conditions be imposed in any permission granted:

1. No part of the development shall be commenced unless and until the proposed vehicular and pedestrian access to Hollow Lane and New Farthingdale 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. 28121-PD110 Rev M).
2. 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.
3. The development hereby approved shall not be occupied unless and a minimum of 50% of all available parking spaces, are provided with a fast charge Electric Vehicle charging point (No.1 visitor parking and No.1 disabled parking bay inclusive) (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). To be 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.
4. 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. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.”

30. *Dormansland Parish Council* – “Dormansland Parish Council acknowledge very small changes to the profile of the building plans but still have the same concerns as to the initial application and repeat their objection to these plans and recommend the same ideas as previously suggested, additionally the need for a Construction Management Plan is highlighted. Whilst welcoming plans to develop this derelict site the Dormansland Parish Council object to this proposal. DPC has considered the many concerns reported by the residents and asks that alternative plans be considered that would be in keeping with the surrounding area and have less impact on neighbouring properties and crucially to address the parking issues in the area which have been understated in the transport assessment. It is suggested that small terrace of two storey houses with their own amenity space would be more appropriate. In summary the concerns with regards to the current application are as follows: The block of flats would be dominant and overbearing

causing loss of amenity to surrounding properties which would be overlooked. The surrounding properties are significantly lower in height than the proposed block, which will be more dominating because of the slope of the land. This style of accommodation is completely out of keeping with immediate area and indeed the entire village. The parking assessment has failed to recognise the existing parking pressure around New Farthingdale Green where some vehicles are currently regularly parking on the grassed area causing damage. The 8:00 start of the parking survey (para 3.8) would have missed a number of vehicles parked overnight in the garage area. The loss of green space to create a new parking court is regretted but recognised as necessary. The proposed area for 16 spaces retains a small grassed area that would be used as unauthorised spaces – it would be better to increase the parking areas of 20 spaces to avoid this. Conversion to parking bays of some of the grassed verges on Hollow Lane is another possibility to relieve the parking pressure that will inevitably result from the development of this area. DPC requests that a longer and more in depth parking survey, which includes the additional pressure from the school drop off and collections, be undertaken and would welcome being involved. Earlier consultation stated that the issue with the tight turning circle on the main New Farthingdale Green would be addressed. Currently large vehicles have to ride up onto the green in order to negotiate the turn. Confirmation is requested that this will be addressed as part of the creation of the parking area. The addition of a new bungalow with very few windows is felt to be insufficient light for the future occupants and will be surrounded by high fencing, further restricting availability to day light. The whole proposal offers insufficient amenity space for what is likely job or family accommodation.”

31. *Environment Agency* – “We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.”
32. *Environmental Health* – “I can confirm that I have no objections on Environmental Health grounds.”
33. *Surrey Wildlife Trust* – “As per our letter dated 6th March 2023 (reference 406420/KB/001), the NPPF (2021) makes it clear (para 179) that plans should “*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*”. Loss or deterioration of a HPI would not therefore be in accordance with these objectives.

The Preliminary Ecological Appraisal submitted in support of this application states that a native species hedgerow is located along the northern boundary of the access road within the site. It appears that it is probable that this hedgerow contains 80% or over of at least four native woody species, and if so, it meets the criteria to be a HPI. It appears from the submitted Tree Constraints Plan that the western section of this hedge is to be removed. We therefore advise that any loss of this hedgerow should be compensated for by the provision of an equal or more length of hedgerow located elsewhere in the site. We also recommend that should the LPA be minded to grant planning permission, the LPA request details of how the retained HPI hedgerow will be adequately protected from development prior to commencement. This could be done through the implementation of a Construction Environment Management Plan (CEMP).”

34. *Local Lead Flood Authority* – “We have reviewed the submitted documents as listed above, the Applicant has considered the surface water flood risk to and from

the site and has suggested appropriate mitigation measures to inform the Planning Application.”

35. *Locality Team* – “I note the amended plan with double yellow lines and drop kerb and that the bitmac and manhole covers etc being suitable to withstand a 26T refuse vehicle, and that should be sufficient for collections to take place.”
36. *Contamination Officer* – “The southern testing desk study and site walkover is noted along with the conclusion that a site investigation is required. The following condition is recommended: 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. 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”

Other Representations

37. Third Party Comments

- Car Park not sufficient for level of parking
- Lack of local infrastructure to accommodate
- Concerns with overlooking and privacy
- Height is excessively tall
- Entrance to side too narrow/inadequate
- Site behind garden boundary of neighbour and dominate view
- Development close to tree and root protection areas
- Request a revised overshadowing survey
- Inadequate highway safety survey and parking assessment
- Existing on-street parking issues
- No passing place on access road/access not suitable
- Concerns over drainage and flooding
- The design of the three-storey building is out of keeping
- Concerns over light pollution
- Concerns over access to existing access track along rear of New Farthingdale properties
- Parking will be displaced to nearby streets
- Highway safety concerns over visibility
- Light and noise intrusion
- Lack of safe space for people to drop kids to school
- Overdevelopment of site
- Parking solution is not suitable/does not accommodate for all displaced vehicles

- The building is too high/three storey building overbearing
- No provision for electric charging points
- Disturbances from housing development
- New parking will not benefit people who need them/how will it be managed
- Issues with increased traffic
- Removal of green reducing areas for children to play/loss of greenery
- Eco system will be distributed
- Construction traffic and disturbances
- Concerns over turning circle
- Lack of consideration for the community/lack of thought over proposal
- Change in views/outlook
- Bungalow is cramped and inappropriate
- Impact to water, sewage and flooding
- Apartment block is unattractive in its design
- Development contravenes CSP18 by harming amenity
- Ground levels impact overlooking
- Development is close proximity to primary school, concerns over safety of school children
- Development would set a precedent
- Tower block will dominate landscape
- Development does not fit it with its surroundings
- Not sufficient time to respond to letter and little engagement with community
- Concerns over removal of trees
- Facilities are not adequate locally

38. It has been identified that a property adjacent to the application site (3 St. Clair Cottages) did not receive a notification letter in respect of the application. However, site notices were posted at the site and as such, the Council has undertaken sufficient publicity to comply with the statutory requirements set out within the Town and Country Planning (Development Management Procedure) Order 2015. It is noted that the resident of the property has written to object to the application on two occasions and, as such, it is clear that the resident is aware of the application and has not had their ability to comment on the application unduly prejudiced.

Assessment

Procedural note

39. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2023. 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.

40. 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.
41. 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 regard, it is the case that the site is within the Green Belt but, as will be discussed below, this designation does not provide a clear reason for refusing the proposed development. Therefore, in line with (d)(ii) above, it is necessary to apply the test of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. This assessment will be undertaken at the end of the report.

Principle of Development

42. The site is located within a defined village in the Green Belt where Green Belt policies, including policy DP12 applies. This policy gives positive encouragement to infilling within an existing substantially developed frontage, but which does not include the inappropriate subdivision of existing curtilages to a size below that prevailing in the area. It also gives encouragement to the partial or complete redevelopment of previously developed land, even if this goes beyond the strict definition of infilling. In this particular case the site on which the proposed buildings would be erected cannot be described as one which is set within a developed frontage. However, it is previously developed land and as such its redevelopment is in accordance with policy DP12.
43. As well as involving the redevelopment of previously developed land, the scheme meets the NPPF objective of making the best use of land and meets the terms of policies CSP1 and DP1 as the site is within an already built up and sustainable location.
44. The proposal would result in a net gain of 5 units on the site. This would assist the Council in meeting its housing need. Therefore, the development accords with policies CSP2, CSP3 and CSP4 of the adopted plan. It also accords with the NPPF which seeks to substantially boost the supply of housing. Significant weight is given to this in the overall assessment of the proposal.

Housing balance, Mix and Density

45. Policy CSP7: Housing Balance sets out that all housing developments of 5 units and above are required to contain an appropriate mix of dwellings in accordance with current identified needs for particular areas. The Council’s evidence base includes a Strategic Housing Market Assessment 2015 and its 2018 update.
46. The SHMA and its outputs are reflected in Housing Strategy Policy HS1: Market Housing, which is contained in the Council’s most recent Housing Strategy (A Place to Call Home; 2019) which sets the direction for a variety of housing typologies. It has also informed emerging Local Plan policy TLP10: Responsive Housing Strategy.
47. This indicates that for most schemes the majority of housing should be provided in the form of houses (79%) rather than flatted accommodation (21%). However, it is recognised that in some instances the provision of flatted accommodation

may be the most appropriate type of accommodation given other requirements e.g. the need to take into account an area's character. In terms of size, the SHMA highlights that the smallest need across the district is likely to be for 1-bed units (10%), with need for 2-bed units (across flats and houses) amounting to 26% followed by 29% need for 4+ bed-units and the greatest need for 3-bed units at 35%. When broken down for flats, it sets out a 38%/62% split between 1-bed and 2- or-more-bed units.

48. The scheme proposes a total of 4 flats with 2-bedrooms and a 1-bedroom bungalow. Whilst focussing on smaller units, the development would provide housing which there is indisputably a need for. It is therefore considered that the proposed development would provide a mix of housing which would meet the needs of the district and would therefore comply with Core Strategy CSP7.
49. Policy CSP19 of the Core Strategy requires development within rural areas to have a density between 30 to 40 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.
50. The Council also needs to have regard to the NPPF as a material consideration, which, at para 119, requires decisions to promote an effective use of land and should support development that makes efficient use of land (para 124), making optimal use of the potential of each site (para 125). A balance therefore needs to be struck between ensuring sites are used to their optimal level whilst ensuring the character and appearance of the locality is not harmed.
51. The application site (excluding the parking court at New Farthingdale) would have a density of approximately 28 dwellings per hectare and the development would therefore now fall slightly below this range to accord with Policy CSP19.

Affordable Housing

52. Planning Policy (CSP4) sets a threshold of 10 units or more within rural areas. Given that this scheme is for 5 units, it is recognised that this does not trigger the threshold for the inclusion of affordable housing. However, it is recognised that the scheme would provide 100% affordable housing as set out within the submitted application form.

Character and appearance

53. 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.
54. 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.

55. 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.
56. The existing character of the site can be described as suburban, being surrounded on all sides by residential development. The buildings on it provide garaging to serve the surrounding occupied dwellings. The garages are run down and detrimental to the overall visual amenity of the site which is of poor quality and fails to contribute to the appearance of the area. The buildings themselves are single storey, concrete panelled blocks set under a tin mono-pitched roof and the majority of the site is hard surfaced with vehicles sporadically parked.
57. The dwellings within the surrounding area are typical in appearance and construction with a residential area, mostly 2 storeys in nature with brown brick to the external elevation and tiles roofs. Locally, there are examples of properties which feature dormer windows and roof lights. Most properties are either semi-detached or terraced, although further south along Hollow Lane there are examples of larger detached dwellings of varying design and styles.
58. The proposal will involve the demolition of the existing garages and allow for the construction of an apartment building to provide 4 units with associated parking, and a detached 1-bedroom bungalow at the north of the site. It is also proposed to erect a car park at New Farthingdale to site displaced vehicles following the demolition of the garages. The proposed car park would provide a further 18 parking spaces.
59. The apartment building would be located reasonably centrally on site, approximately 17 metres from the northern boundary (between No.26/28 The Meades), 7 metres from the eastern boundary (between 133-139 Hollow Lane), 11.5 metres from the southern boundary (between No.85 New Farthingdale) and 7 metres from the western boundary (between 83 New Farthingdale). The building would be orientated with its principal façade facing the north and rear elevation facing the south. The majority of parking to serve the apartment building would be located along the northern boundary with some spaces also provided to the south and west sides of the building. Between No.85 and the building there would be lawned amenity space landscaped to provide some privacy and a distinct boundary demarcation. Refuse and storage sheds would be located to the southeast side of the building. Whilst the massing of development in this section of the site will be substantially increased it will regenerate the area and improve its appearance to the benefit of its overall character. The building would be taller than its neighbours comprising of three floors; however, the design and roof form has been carefully designed to reflect the local pattern of two storey buildings. The eaves would measure a height of 5.1 metres (from the side elevation) which is not dissimilar to its neighbours. The application site itself varies in height, dropping from the south to north, and the gradient and varying levels has been taken into account when considering the character with it being considered that a building of this scale, massing and height is appropriate for this site and area.
60. The proposed materials to the apartment building would comprise of red multi-facing brick, red hanging tiles and matching roof tiles. Whilst traditional in nature, the use of red brick and tiles opposed to brown will result in the building standing out within the context of the site. However, the building would be set behind the row of properties fronting Hollow Lane and separated from New Farthingdale, the

views to and from the site will therefore be largely obscured. The design of the building itself would comprise of a rectangular shape with most of the modelling to the principal elevation through the addition of balconies, dormer windows and material variations (hanging tile to the mid stepped in section). The rear of the building would remain fairly blank with limited modelling and, whilst this offers little contribution to the design, given the location of the site where each side is surrounded by other residential dwellings and various built form it is considered acceptable within the context of the site.

61. The proposed bungalow would be located to the north of the application site, directly to the rear of No.1 and 2 St. Clair Cottages. The bungalow would be the first building seen from the approach on the western side of Hollow Lane, infilling an irregularly shaped part of the application site. To the front of the bungalow would be parking, with an access ramp down given the dropping gradient of land on this side of the site. There would be a side access with a garden to the rear of the building. The bungalow is modest in scale with an appropriate height and roof form. There are other examples of bungalows locally and the design and materials would reflect the typical appearance of such building. It is considered that the building can be accommodated at the site without appearing cramped or overdeveloped.
62. The development will involve soft landscaping to enhance the visual appearance of the site and mitigate the harsh impact of built form, planting will also be used to denote areas such as the amenity area to ensure that this will remain private for the occupants of the apartment building. The existing site currently offers limited soft landscaping with almost the entire site being covered by hardstanding of various forms and limited opportunity to alter this given the use for parking. The redevelopment of the site will therefore offer the opportunity for significant levels of soft landscaping which can be conditioned in the event of an approval.
63. The proposed parking area to New Farthingdale would significantly increase the level of hardstanding at an area that is currently undeveloped. A new access point would be created to the north of New Farthingdale to serve an area 15.6 metres by 20.8 metres which would provide 18 spaces to replace those lost through the removal of the garages along with parking for existing residents at New Farthingdale. The hardstanding would be contained within the existing grassed area where soft landscaping would continue to be present to all sides.
64. The applicant also proposes low railing to the new access point at New Farthingdale to prevent vehicles from parking on the verges and obstructing the access. These are to be contained within the application site only and will be conditioned with regards to height and design.
65. Whilst this proposal would result in a loss of an amenity area to the front of dwellings fronting this road, it is considered that the locality is well served by public amenity areas and, as such, the overall open character of the locality would be retained. The character of this part of the site would inevitably be different and more developed, but soft landscaping areas would be retained and provided to mitigate the visual impact as far as possible. As such, when considered as a whole and in addition to the benefit arising from the redevelopment of the existing garage and car parking area at the site, it is considered that the impact in this area is outweighed by the overall visual benefit to the wider site.
66. For these reasons, the scale and design of the development is considered to be acceptable and would not have a harmful impact on the character and appearance of the site and the surrounding area, thereby being of sufficient

quality whilst also making appropriate use of previous developed land. For the above reasons the proposal would have an acceptable impact in terms of character and appearance and would therefore be contrary to the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy.

Residential Amenity

67. 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.
68. 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.
69. The surrounding area is residential in character, where side and rear boundaries of neighbouring sites abut the plot. The existing site, as garages, are currently utilised by nearby residents where access is also provided through the site to the rear of properties along Hollow Lane and New Farthingdale. This access would be retained as a result of the development. The proposed arrangement of the site would therefore be different to the reasonably linear pattern of building within the immediate area. Along all sides of New Farthingdale and also along the most part of Hollow Lane, there is a fairly established building line. As such, given the arrangement of the site and its relationship to existing neighbours, any form of development is likely to be in view and change this relationship.
70. In terms of the apartment building, the development would be closest to the neighbours at No.83 and No.85 Farthingdale. The building would be positioned approximately 7 metres from the western boundary with No.83 (noting that this property is a bungalow) and set behind the rear building line of this neighbour. The apartment building will therefore be in view from the rear outlook of this property and amenity space. However, the positioning of the building would ensure an adequate degree of separation between the built form and this boundary. Moreover, the roof design and a reasonably low eaves (for such a development over three floors) would mitigate overbearing harm. The building is set far enough away to not result in significant harm whilst the hedge along this boundary would be retained to protect privacy. The side facing windows to the western elevation of the proposed apartment building would be conditioned to remain obscure glazed and fixed shut to ensure that no adverse overlooking could result from the proposal to this side.
71. It is noted that the location of the building was moved following Officer comments to increase the separation from the southern boundary to approximately 11.5 metres (when measured from the midpoint); the building has also been significantly reduced in height. Whilst the rear elevation would be in direct alignment with the side boundary of No.85 along a substantial proportion of the garden depth, the adequate separation along with soft landscape would reduce the impact of the built form and is therefore not considered to result in significant overbearing or overshadowing impacts. It is also noted that due to the site gradient, this neighbour is located on higher land where the building would appear smaller in height from the nearby property. The internal arrangement of the

building is such that all bedrooms at ground and first floor would be located to the rear. Whilst the separation between the rear facing bedroom windows and side boundary to No.85 is limited, the usage of the rooms are likely to be less intense than a living room or kitchen and at ground floor and soft landscaping could be used to obscure some views. The significance of this impact would therefore only result in limited harm and not harm to an extent that would make the living conditions of neighbouring occupiers unacceptable.

72. The rear boundaries of properties at Hollow Lane, namely 139-133, would abut the application site. The orientation of the apartment building is such that the side flank would face these rear boundaries where there are existing trees to be retained. Given the separation of approximately 27 metres from the rear building line and proposed apartment block, overshadowing or overbearing impacts would not be considered significant. Likewise, to the western flank, all windows would be obscure glazed and fixed shut to mitigate harm arising with regard to overlooking and privacy.
73. The apartment block would demonstrate the largest separation to the north boundary of 17 metres, with a total in excess of 30 metres to the rear building line of No.26 and 28 The Meades. The principal elevation would consist mostly of primary openings serving living spaces, along with 4 balconies/terraces to serve the ground and first floor units. Local Plan Detailed Policies DP7 requires a minimum separation of 22 metres between principal windows, in this case the policy is met and considered an acceptable relationship taking into account topography.
74. The bungalow to the northern corner would occupy a small space to the rear of No. 1 and 2 St. Clair Cottages. The bungalow would also fall adjacent to the side boundary at 3 St. Clair Cottages and 28 The Meades. Whilst the bungalow would have limited separation to these neighbouring sites, the scale would be modest with a height more akin to an outbuilding. The use of this part of the site would be greater with the rear garden area utilised for the occupants of the dwelling. However, given that the building would serve a 1-bedroom unit, in a residential area where general neighbourly disturbances are common, it is not considered that the bungalow would significantly result in harm by reason of overbearing, overshadowing or noise disturbances to such degree where a refusal could be warranted. The building would remain single storey with few openings where overlooking is not considered a concern.
75. The proposed parking court to New Farthingdale would be located to the front of the dwellings along the end side of the cul-de-sac and therefore impact the outlook for these neighbours. However, given the limited built form, this element of the development is not considered to significantly harm amenity of these occupiers. The rearrangement of parking and displacement from the garages will result in parking where there currently is none, although parking to the front of properties is not uncommon within residential areas and in this case, a parking area to the front grassed area within the road is not considered to harm amenity. The use will be greater, although not uncommon within residential areas.
76. 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).

Living conditions for future occupiers

77. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. 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.
78. 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.
79. The proposed bungalow (as show on the submitted drawings) would have a gross internal floor space (GIA) of approximately 58sqm. As a result, the proposed bungalow would conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the bungalow and the garden area provided to the rear of the building is considered sufficient.
80. The apartment building would provide the 4 remaining units and have a gross internal floorspace of 71sqm each. As a result, the proposed flats would conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. The fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms and outdoor amenity would be provided to the south of the building. All of the flats would also benefit from a front facing private balcony or terrace.
81. Given the above conclusion the quality of the accommodation is considered acceptable on balance.

Parking Provision and Highway Safety

82. 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.
83. The proposal seeks to redevelop the site, demolishing 18 existing garages and replacing with 5 residential units, 4 of which would be within an apartment building and one detached bungalow. The proposal incorporates the development of an area within New Farthingdale to provide parking to serve the displaced vehicles. 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.
84. The County Highway Authority has reviewed the revised plans and raises no objection with regards to highway capacity, safety and access. Their comments

can be found above. It is also noted that third party comments have raised concern with the access and the fact that there is no passing point, this is noted; however, the relationship is existing where the road provides access to 18 garages which has the potential to be utilised to a similar capacity to the proposed development.

85. In support of the application on highways grounds the applicant has provided a Transport Statement produced by GTA dated July 23. The statement takes into account the existing situation, local and national transport policies and considers the likely transport impact of the proposed development. The results from the completed parking survey have demonstrated that despite the proposed loss of the garages, there is sufficient parking space for the 9 displaced cars (average taken from the survey) within the proposed scheme. This has been reviewed by the Highway Authority and is considered that there are no unacceptable highway or transport impacts as a result of the proposed development.
86. With regard to trip generation, the development is likely to 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 not result in a material impact on the highway network. The increase trip generation is therefore not considered to be significant to result in a severe impact upon the local highway network as is the relevant test within the NPPF.
87. Parking provision should be provided in accordance with the parking Standards set out in the Councils SPD. In this case, a total of 11 allocated or 9 unallocated for the proposed development. In conjunction with this, some efforts should be made to replace the parking lost as a result of the demolition of garages. In this case, 14 spaces are provided to serve the apartment building and bungalow and the parking court at New Farthingdale would provide a further 18 spaces. The development would therefore comply with the parking Standards as set out in the Councils SPD.
88. The proposed access to the site would be improved to allow two-way traffic in order to ensure that the highway at hollow Lane is not obstructed which would have the potential to lead to a safety issue. Double yellow lines are proposed to the sides of the access road. Highways have reviewed this and not objected.
89. Subject to the inclusion of the aforementioned 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.

Renewables

90. 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%.
91. 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 achieve 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

92. 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.
93. 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.
94. 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.
95. The redevelopment of the site will result in the loss of some trees on site; however, the submitted Arboricultural Implications Report summarises that *'Both silver birch no. 5 and G8 are small specimens of species of limited ultimate life span. Additionally, these trees are only publicly visible from narrow views down the access road from Hollow Lane. As such, removal would have a negligible impact on the character of the local landscape.'* As such, the trees proposed to be removed are of little value whilst the larger more important trees would be retained. It is recognised that plans should *"promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity"*. The loss or deterioration of a HPI (Habitat of Principal Importance) would not therefore be in accordance with these objectives.
96. The applicant has also provided a Preliminary Ecological Appraisal undertaken by Greenlink Ecology Limited on 17th June 22. Surrey Wildlife Trust (SWT) has reviewed the proposal and makes the following observations (in summary, including comments made):

"The Preliminary Ecological Appraisal submitted in support of this application states that a native species hedgerow is located along the northern boundary of the access road within the site. It appears that it is probable that this hedgerow contains 80% or over of at least four native woody species, and if so, it meets the criteria to be a HPI. It appears from the submitted Tree Constraints Plan that the western section of this hedge is to be removed. We therefore advise that any loss of this hedgerow should be compensated for by the provision of an equal or more length of hedgerow located elsewhere in the site. We also recommend that should the LPA be minded to grant planning permission, the LPA request details of how the retained HPI hedgerow will be adequately protected from development prior to commencement. This could be done through the implementation of a Construction Environment Management Plan (CEMP)."
97. Through the implementation of the mitigation measures and enhancements as outlined within the Preliminary Ecological Appraisal undertaken by Greenlink Ecology Limited on 17th June 22, 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. In the event of an approval a condition will also be imposed to require to submission of soft landscaping details which can address the loss of the hedgerow as indicated by SWT.

98. Overall, whilst the development will not conflict with Policy DP19 there is a conflict with Paragraph 174 by not achieving a net gain on site. However, 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.

Landscaping and Trees

99. 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.

100. 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.

101. 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.

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

103. The application is accompanied by an Arboricultural Implications Report produced by SJA trees dated July 2023 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 concludes that *'no mature, veteran or ancient trees, no category 'A' or 'B' trees, and no trees of high landscape or biodiversity value are to be removed. None of the main arboricultural features of the site are to be removed. The proposed removal of one individual and one group of trees will represent no alteration to the main Arboricultural feature 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'*. The report also concludes that *the amenity spaces are considered acceptable with regards to shadowing with reasonable enjoyment from occupiers.*

104. The Councils Principal Tree Officer has provided the below comments on the application:

"I did have some pre application involvement with this, so the impact on trees has been a significant consideration from the outset. no trees of high landscape or biodiversity value are to be removed, and none of the main arboricultural features of the site are to be removed. The proposed removal of one individual and one group of trees will have no significant adverse impact on the arboricultural character or appearance of the local landscape. Provided the protection measures outlined within the submitted Tree Protection Plan and method statement are adhered to then the impact of the proposal will be negligible. I therefore raise no objections, subject to the following compliance condition. I would also recommend that a hard and soft landscaping condition is applied:

No development shall start until the tree protection measures detailed within the approved SJA Trees Tree Protection Plan (SJA TPP 21253-041) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified methods of construction, 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:

No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.

No further trenches, drains or service runs shall be sited within the RPA of any retained trees.

No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

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."

105. 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. 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.

Planning Balance and Conclusion

106. The proposal would contribute a net gain of 5 residential units to the local housing supply which weighs in favour of the proposal at a time when the Council cannot demonstrate a 5-year housing land supply. It is considered that the development would not harm the character and appearance of the area, nor would it harm the amenities of nearby residents, and is acceptable in principle given the built-up context of the site and surrounding area. The development is considered to be acceptable in terms of housing mix, renewables, drainage, highways and impact on trees. Whilst there would be a modest degree of harm caused to potential habitats at the site, the harm caused would be able to be mitigated. As such, any adverse impacts arising from the development are not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in

this Framework taken as a whole. From this basis, applying the presumption in favour of sustainable development, it is the officer recommendation that planning permission be granted.

107. 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. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

108. 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 the following drawing numbers:

Drawing Title	Drawing Number	Date Received
Location Plan	28121-PD109C	13/12/22
Detail Survey	21/093/01B	13/12/22
Existing Site Plan	28121-PD108A	13/12/22
Proposed Floorplans Plot 1 - Bungalow	28121-PD113E	13/12/22
Proposed Cross Sections	28121-PD201G	12/10/23
Block Plan	28121-PD111C	12/10/23
Proposed Floorplans and Elevations – Plots 2-6	28121-PD112K	16/10/23
Landscape Proposals	2358-TF-00-DR-L-1001	02/08/23
Site Layout Plan	28121-PD110V	02/10/23
Refuse Vehicle Tracking	11883/2200P2	14/08/23

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 above ground level (excluding the demolition of the existing garages) shall occur 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.

Subsequently, 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 above ground level (excluding the demolition of the existing garages) shall occur 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.).
- Compensation for loss of hedgerow

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.

5. No development shall start until the tree protection measures detailed within the approved SJA Trees Tree Protection Plan (SJA TPP 21253-041) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified methods of construction, 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 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. No part of the development shall be occupied unless and until the proposed vehicular and pedestrian access to Hollow Lane and New Farthingdale 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. 28121-PD110 Rev M).

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 (2023), 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.

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

Reason: The 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 (2023), 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.

8. The development hereby approved shall not be occupied unless and until a minimum of 50% of all available parking spaces are provided with access to a fast charge Electric Vehicle charging point (No.1 visitor parking and No.1 disabled parking bay inclusive) (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The provisions shall thereafter be 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 (2023), 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.

9. 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. 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 (2023), 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 for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials (including the use of banksmen)
 - c) storage of plant and materials
 - d) provision of boundary hoarding behind any visibility zones
 - e) measures to prevent the deposit of materials on the highway 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. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the Council's adopted standards, in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies 2014.

11. Prior to the commencement of development, 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. 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.

12. No development above ground level (excluding the demolition of the existing garages) shall occur 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 NPPF and the accompanying PPG. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.5l/s.

Reason: To ensure the development does not increase flood risk on or off site to be in accordance with Policy DP21 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

13. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Preliminary Ecological Appraisal dated July 2023, all measures of biodiversity enhancement specified within those recommendations being provided prior to the first occupation of any building at the site.

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.

14. Before the development hereby approved is occupied the bat boxes and bird nesting boxes as recommended within the Preliminary Ecological Appraisal dated July 2023 (5.2 Enhancement Measures) shall be provided and retained in perpetuity of the development.

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.

15. 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.

16. Prior to the commencement of development a Construction Ecological Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first occupation of the dwelling and retained at all times thereafter.

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

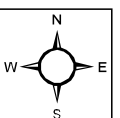
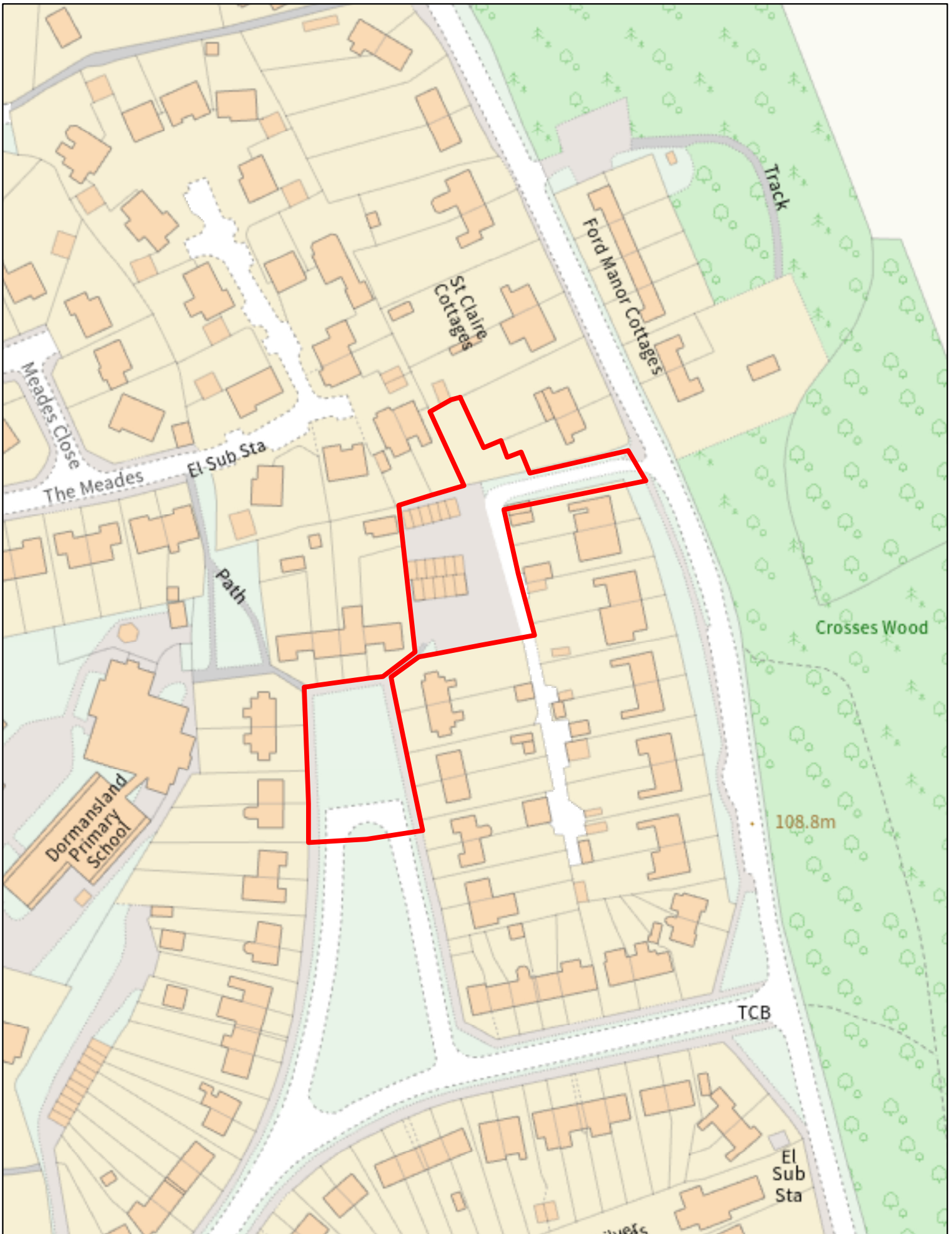
17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no further enlargement of the bungalow under Classes A, B, C and/or E shall be carried without the express permission of the Local Planning Authority.

Reason: 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 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, CSP2, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, DP8, DP10, DP12, DP19, DP20, DP21 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.



This page is intentionally left blank

ITEM 4.2

Application: 2023/595

Location: Caterham School, Harestone Valley Road, Caterham, CR3 6YA

Proposal: Variation of condition 2 (hours of opening) on application reference 94/499/D3/A (Continued use of Sports centre and swimming pool by external clubs/organisations) to allow a variation to the hours.

Ward: Harestone

Decision Level: Committee

Constraints – Proposed Area of Outstanding Natural Beauty, Areas of Special Advertising Consent, Ancient Woodland within 500m, Biggin Hill Safeguarding 91.4m, Green Belt Area, Parish: Caterham Valley, Risk of Flooding from Surface Water – 1 in 30, 100, & 1000, Rights of Way: BDW 21, 182, 183, 158, 160, Site of Nature Conservation Interest, Source Protection Zone 3, Special Residential Character Area, Tree Preservation Order(s) within 10m: TPO 11/Tan And TPO 21/2006/Tan, Urban Area

RECOMMENDATION: Permit, subject to Deed of Variation and conditions

1. This application is reported to Committee as it is subject to a Deed of Variation to a Section 106 Agreement.

Summary

2. This is a planning application under section 73 of the Town and Country Planning Act 1990 for minor material amendments to planning permission 94/499/D3/A (the 'Original Permission').
3. The Original Permission was granted on 8 November 1994 for the “*demolition of existing covered pool & erection of new 3 storey classroom block; 2 storey extension to science block & 1st floor extension to art block; general refurbishment of existing facilities & improvements to parking & circulation together with erection of new sports centre*”.
4. This S73 planning application seeks to extend the opening hours of the School Sports Centre as controlled by Condition 2 of the Original Permission. The School Sports Centre contains a gym, badminton courts, a swimming pool, gym, function room and associated ancillary spaces.
5. This application follows a recent extension to the School sports centre as permitted under ref. 2021/1886 granted 5 January 2022 and this permission has been implemented. It is understood that besides being a dedicated School Sports Centre it also serves a variety of external sports clubs and is available for use by the wider community.

Site Description

6. The application site is located at Caterham School, within Harestone Valley to the south of Caterham Town Centre and largely within the Green Belt. The school site spans both sides of the valley with the majority of school buildings located in a cluster on the eastern side of Harestone Valley Road. Due to the substantial changes in levels the buildings are positioned up the side of a slope.

The Sports Centre is located on the western side of the Harestone Valley Road alongside playing fields and sports pitches.

Relevant History

7. There is an extensive planning history on this site, the most relevant planning history for this proposal is set out below:
 - 94/499 - Demolition of existing covered pool & erection of new 3 storey classroom block; 2 storey extension to science block & 1st floor extension to art block; general refurbishment of existing facilities & improvements to parking & circulation together with erection of new sports centre - Outline Permission 08/11/1994.
 - 94/499/D - Erection of sports centre with sports hall, swimming pool & associated changing support & plant accommodation - Approval Details 31/01/1995.
 - 94/499/D3 - Proposed use of sports centre & swimming pool by external local clubs and organisations pursuant to condition 2 during the evenings, weekends and school holidays - Approval Details 14/10/1997.
 - 94/525 - Demolition of existing covered pool & erection of new 3 storey classroom block; 2 storey extension to science block & 1st floor extension to art block to include 6th form studies in roof space - Approved (full) 08/11/1994.
 - 94/499/D3/A - Continued use of sports centre and swimming pool by external local clubs/organisations - Approved (full) 27/07/1999 [Officer Comment: This is a variation and is referred to as the Original Permission for the purposed of the subject assessment)
 - 2016/1905 - Retention of artificial grass all-weather sports pitch and 2.75m high perimeter fence, associated excavation works and 6x 13m high floodlights serving pitch and continued use by Caterham School and external local clubs and organisations. Approved 02.03.2017
 - 2021/1886 - Erection of rear extension to existing Sports Centre building. Granted 05/01/2022
 - 2021/1886/Cond1 - Details pursuant to the discharge of condition 5 (Tree Planting) of planning permission ref:2021/1886 dated 5 January 2022 (Erection of rear extension to existing Sports Centre building) Approval of conditions details 16/05/2022
 - 2023/497 - Creation of new internal road and pick-up/drop-off area for Prep-School Granted 08/09/2023

Key Issues

8. The proposal makes no physical changes and only seeks to vary the opening hours of the sports centre. The key considerations in this case are the impact on residential amenity and Parking, Access and Highway safety including traffic.

Proposal

9. This S73 planning application seeks to extend the opening hours of the School Sports Centre as controlled by Condition 2 of the Original Permission. A detailed comparison between what is approved and what is proposed is set out below to give an indication of the increase in hours throughout the week.

As approved under Original Application		As proposed within this application	
Days of the week	Hours of operation	Days of the week	Hours of operation
Tuesday to Friday (school term time)	18.00 and 21.30	Monday to Thursday (school term time)	06.30 and 22.00
Saturday (school term time)	12.00 and 17.00	Friday (school term time)	06.30 and 21.00
Monday (school holidays)	09.00 and 17.00	Monday to Thursday (school holidays)	06.30 and 22.00
Tuesday to Friday (school holidays)	09.00 and 21.30	Fridays (school holiday)	06.30 and 21.00
Saturday (school holidays)	09.00 and 17.00	Saturday & Sunday (term times & school holidays)	08.00 and 20.00

10. It should be noted that the proposal relates solely to the School Sports Centre building only and does not seek any extension of the operating hours of any external sports pitches or illumination of floodlighting.

Development Plan Policy

- Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP18, CSP20, CSP21
- Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13
- Woldingham Neighbourhood Plan 2016 – Not applicable
- Limpsfield Neighbourhood Plan 2019 – Not applicable
- Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 –Policies CCW1, CCW4, CCW5, CCW6
- Emerging Tandridge Local Plan 2033

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

- Tandridge Parking Standards SPD (2012)
- Harestone Valley Design Guidance SPD (2011)

National Advice

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

Consultation Responses

11. 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.

Environmental Health Officer:

12. No objection on Environmental Health grounds.

Surrey County Council – Surrey Hills AONB Planning Adviser:

13. Does not consider the proposal will harm the Surrey Hills AONB.

Caterham Valley Parish Council:

14. Object as follows:

- Application is considered to be environmental vandalism in a dark skies residential area. Extended hours will mean extended lighting on the all-weather outside pitch which is already intrusive to residents;
- The increased light pollution due to the proposed extension of opening hours must be mitigated or else this proposal should be abandoned;
- Light pollution from Caterham School is already apparent in the nearby Surrey Hills AONB and the proposed extension to the AONB which is currently under consultation;
- The application appeared to try and hide the intention of extending the hours and thus the floodlighting on the all-weather outside pitch;
- The light pollution will be detrimental to wildlife, particularly bats, and there is no evidence this impact has been assessed by the applicant;
- The cumulative impact of the extended hours will be detrimental to the mental and physical health of residents;
- Proposal appears to be a commercial venture and not an application for the benefit of the community or pupils and certainly not for the local residents;
- Accommodating customer parking is not explained. The Parish Council considers that parking should only be on the school grounds when the facilities are open;
- Any extension of service by this leisure facility will only add to what are considered by local residents to be already, at times, “chaotic” traffic conditions in this area;
- The time comparisons with other sporting facilities are not applicable as comparable facilities are not located within a residential area;
- Residents are going to be affected by parked cars and in winter, extra extended lighting;
- No consultation with local residents.

Public Representations/Comments

Third Party Comments

15. 28 letters of representation have been received from local residents raising objections relating to:

- Impact of lighting;
- Traffic generation and parking issues;
- That the benchmark organisations are not comparable;
- Environmental impact of the proposals;
- That the facility is becoming a leisure complex rather than a school facility.

Assessment

Procedural note

16. The Tandridge District Core Strategy and Local Plan Part 2: Detailed Policies predate the NPPF as published in 2021. 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.

Principle of Development

17. Policy CSP13 of the Core Strategy seeks to safeguard existing community, recreational, sports facilities and services. The Policy encourages new or improved facilities to meet the needs of all sections of the community.
18. Caterham School is an established independent school and already operates a Sports Centre within the campus primarily for the use of its students. As indicated earlier in this report, beyond the use of the School, the facilities are also made available to members or the public as well as sports teams and it is understood that this has been the case for more than 20 years.
19. Officers are satisfied that the proposal would achieve the aims of Policy CSP13. The facilities form part of the school and there is no change of use. The proposal represents an extension of the operating hours of these facilities. Therefore, the proposal is deemed to be acceptable in principle.

Residential Amenity

20. Policy CSP18 of the Core Strategy requires 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 (inclusive) of Policy DP7 of the Local Plan Part 2: Detailed Policies 2014 seeks to safeguard amenities of neighbouring properties, including minimum distances that will be sought between existing and proposed buildings.
21. The Council's Environmental Health Team has been consulted in relation to the proposal and no objections have been raised on environmental health grounds. Officers have also spoken with Environmental Health informally and can confirm that there are no known noise nuisance issues from these facilities.
22. The closest residential properties outside of the ownership of the applicant are some distance away. Notably the closest residential neighbours when measured from the edge of the School Sports Centre building to residential boundaries are:
- to the south: 192 Hare stone Valley Road – at least 100 metres;

- to the west: 28 Dome Hill – at least 200 metres;
 - to the north: properties at 56 Underwood Road, and 2 and 6-14 Harestone Lane – more than 60 metres; and,
 - to the east: this is mainly the school campus, but there are properties more to the north-east at 149-165 Harestone Valley Road – more than 100 metres.
23. Given that the main purpose of users of the School Sport Centre will be to undertake activities within the envelope of the Sport Centre building, officers are not of the view that there will be any notable or undue harm noise impact from the building itself.
24. It is recognised there is likely to be traffic associated with the Sports Centre. However, the users of the site are likely to have interspersed travel patterns. It is expected that the majority of users will commonly undertake activities individually or in small groups. While teams may also use the site, it is noted that the users of the site have access to the on-site parking facilities. While there may be small clusters of arrivals it is not considered to generate undue levels of noise.
25. The school roll is limited to 1,300 pupils and this is secured by way of a 2018 Deed of Variation to the S106 Agreement which formed part of the Original Application. Having reviewed the proposed times, the most notable change is that the facilities would open until 22:00 Monday to Friday (all year around), so therefore the facilities would operate on an additional day (Monday), open at 06.30 and for an additional half hour (until 22.00). The earlier and later opening times are for the most part, at times when Harestone Valley Road is not at its busiest.
26. It is not expected that the Sports Centre would be at its busiest at these times and the usage of the facilities would not be intensive as there are various sporting facilities in the District and beyond. The scale of the facilities is unlikely to draw significant numbers of people at any one time.
27. The access for the School Sports Centre is via Harestone Valley Road, onto Harestone hill and then onto a private access road within the site. There is likely to be some further vehicular movement as a result of the increase in operating hours. While this will indeed cause some noise, particularly to the properties identified above in 'the north' and the 'north-east' this increase in movement is not considered to be significantly harmful to amenity.
28. A planning condition to secure the hours of operation is proposed. As the facilities would be closed to the public between 22.00 and 06.30 as a worst-case scenario. Officers are of the view that there would be sufficient quiet time for residents.
29. Concerns have been expressed by both the Parish Council and local residents regarding potential light pollution and disturbance due to extended use of the outdoor floodlit sports pitch. This matter has been raised as a result of an error in the submitted Planning Statement which indicates, in the Summary of the proposal that: "This application to vary the hours of usage by external clubs and organisations of the sports centre and all weather pitch." However, the artificial grass all-weather pitch and associated floodlights are subject through specific restrictions on hours of use and illumination by conditions 2 and 3 of planning permission reference number 2016/1905. These conditions state that:

“2. The all-weather pitch hereby approved shall not be used by external clubs or organisations outside the following times:

- Monday to Friday (including school holidays) 08:00 hours to 21:00 hours*
- Saturday 10:00 hours to 18:00 hours*
- On no more than 12 Sundays per year between 08:00 hours and 18:00 hours, unless otherwise agreed by the District Planning Authority; and*

3. The floodlighting hereby approved shall not be illuminated outside the following hours and shall be extinguished as soon as practicable when the pitch has finished being used each day:

- Monday to Friday (including school holidays) 08:00 hours to 21:00 hours;*
- Saturday to Sunday 08:00 hours to 19:00 hours.”*

30. No application has been received to amend these conditions.

31. Notwithstanding the above, an additional condition is proposed to be added to the current application making it explicit that variation in hours does not apply to the internal facilities of the Sports Centre only. This is necessary because the application to which the condition proposed to be varied is attached is the parent permission for all of the sports centre facilities, both internal and external.

32. Subject to this, the proposal is not considered to be likely to result in any unacceptable adverse impacts on the residential amenity to the neighbours and would conform to Core Strategy Policy CSP18 and Local Plan Policy DP7.

Parking, Access and Highway safety

33. 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.

34. The Original Application includes Condition 3 which ensures that the existing parking and turning area at the school shall be made available and used by visitors. Officers are happy that the increase in hours would not intensify the use of the car park more than the existing situation as permitted by the Original Application. It is advised that Condition 3 remains in place if permission is granted (noting that the numbering may change).

35. Officers also note that planning permission (2023/497) was granted in September 2023 to make improvements to provide a new drop off/pick area to seek to manage the current traffic demand for the prep school. While this is located on the eastern side of the School campus, there is likely be an improvement in traffic management across the site as a result.

36. Therefore, on balance the proposal is considered to be acceptable in terms of highway safety concerns to conform to Core Strategy Policy CSP12 and Local Plan Policy DP5.

Conclusion

37. Overall, the proposed development is considered to be acceptable in principle and will not result in undue harmful impacts to residential amenity or highways. Therefore, it is recommended that this planning application under section 73 of the Town and Country Planning Act 1990 for minor material amendments to planning permission 94/499/D3/A (the 'Original Permission') is granted.
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 the NPPF 2023. 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 variation of the S106 Agreement and the following conditions:

Section 106 Agreement

Deed of Variation to secure (1) the on-going restriction on pupil numbers to 1,300 students.

Conditions:

1. Details of external local clubs and organisations, their membership and car numbers shall be kept and made available to the Council as required.

REASON: To comply with the terms of the application and minimise the effect upon the amenities of nearby residential properties.

2. The letting of the Sports Hall shall be restricted to the hours between:
 - 06:30 and 22:00 on Mondays to Thursdays during school term time
 - 06:30 and 21:00 on Fridays during school term time
 - 06:30 and 22:00 on Mondays to Thursdays during school holidays
 - 06:30 and 21:00 on Fridays during school holidays
 - 08:00 and 20:00 on Saturdays and Sundays during term time and school holidays

REASON: To comply with the terms of the application and minimise the effect upon the amenities of nearby residential properties.

3. The Sports Hall shall be vacated in the evenings before the end of the approved session.

REASON: To comply with the terms of the application and minimise the effect upon the amenities of nearby residential properties.

4. The existing parking and turning areas at the School shall be made available and used by visitors.

REASON: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

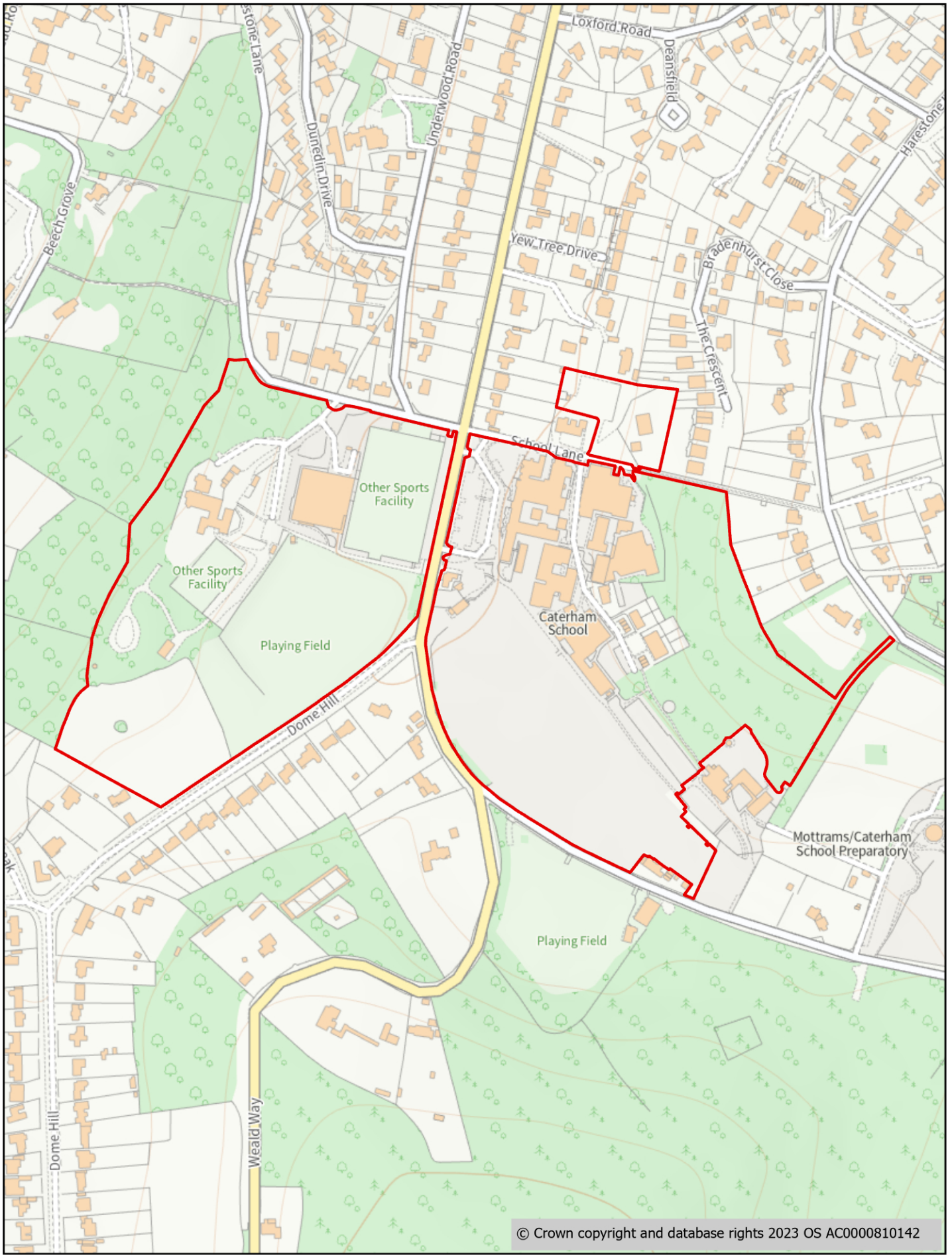
5. This permission relates solely to the authorised hours of use of the internal facilities of the existing Sports Centre building only and does not authorise any changes to the approved nature and hours of use of the adjacent artificial grass all-weather sports pitch or to the authorised hours for the illumination of the floodlights around the all-weather pitch which are separately controlled by conditions 2 and 3 of planning permission reference number 2016/1905.

REASON: In order to protect the residential amenities of nearby residential properties and to limit any impact on the environmental character of the area.

INFORMATIVES:

1. The applicant is asked to advise all participants to park only on school grounds and not at any time on local roads. Failure to do so should result in discontinuance of membership and participation in the sporting activities available.
2. The development has been assessed against Tandridge District Core Strategy 2008 Policies 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.
3. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2023), 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.

This page is intentionally left blank



This page is intentionally left blank

ITEM 4.3

Application: 2022/1659

Location: 63 To 78 Featherstone, Blindley Heath, Lingfield, Surrey, RH7 6JY

Proposal: Demolition of 2 existing buildings containing 16 no. apartments.
Erection of 7 houses and 1 building containing 9 apartments.

Ward: Godstone

Constraints – Area of high archaeological potential, ASAC, Bigginhill Safeguarding, Defined Village in the Green Belt, Green Belt, Gatwick Bird Strike Zone, Gatwick Safeguarding, Road_local d – Featherstone.

RECOMMENDATION:

PERMIT 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 lies within Blindley Heath, a defined village within the Green Belt. The development would accord with the requirements of Policy DP12 and Paragraph 149 (e) of the NPPF and therefore considered to be not inappropriate within the Green Belt
3. The proposal would alter the position and scale of built form within the area however is considered to be of a high quality and will not detract from the character of the area or street scene.
4. The development is considered to accord with the relevant policies in relation to residential amenity, highway safety, trees, renewable energy and archaeology.
5. The proposal would not result in an unacceptable impact on protected species and will secure a biodiversity net gain through 'off-site' habitat enhancements.
6. Consequently it is considered that the proposal would accord with the requirements of the NPPF and with the policies contained in the Development Plan. Accordingly it is recommended that permission is granted subject to conditions as outlined.

Site Description

7. The application site consists of 16 no apartments, their associated amenity space, parking and turning areas. The site is located to the south-east corner of Featherstone. The apartments are broken down into 2 blocks arranged in an L-shape, one orientated facing north and the other facing west.
8. The site is designated as Green Belt and falls within the confines of Blindley Heath which is a designated settlement within the Green Belt. Residential properties border the site to the west and the south. The communal open space associated with Featherstone lies to the north and the A22 to the east. Access to the site is gained via the Featherstone Road which runs to the west of the site.

Relevant History and Key Issues

9. The relevant planning history for the site is as follows:

- GOR/2941 - ERECTION OF 3 BLOCKS OF 4 FLATS AND 2 BLOCKS OF 8 AGED PERSONS FLATS Approved 24/06/1957
- GOR/2941A - ERECTION OF TWO BLOCKS OF FOUR FLATS AND TWO BLOCKS OF EIGHT FLATS Approved 18/10/1957

10. The key issues for this application are the principle of development within the Green Belt, 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 in the report below.

Proposal

11. This application seeks approval for the demolition of the 2 existing buildings containing 16 no. apartments and the erection of 7 houses and 1 building containing 9 apartments.
12. The proposal seeks to erect 16 residential units on the site, consisting of 9 apartments contained within a single block and 7no houses broken up into 2 blocks of terrace properties. The mix of the development is to provide 1 no. 1-bed 2 persons apartment, 2 no. 2-bed 3 persons apartments, 6 no. 2-bed 4 persons apartments, 3 no. 2-bed 4 persons houses, and 4 no. 3-bed 5 persons houses.
13. Each of the dwellings are to have their own private amenity space. The scheme will provide 30 car parking space, 26 of which are unallocated, and 4no visitor spaces.

Development Plan Policy

14. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19
15. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, D10, DP12, DP19, DP20
16. Limpsfield Neighbourhood Plan 2019 – Not applicable
17. Woldingham Neighbourhood Plan 2016 – Not applicable
18. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – referendum version (Regulation 18) (2020) – Not applicable
19. 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

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

National Advice

23. National Planning Policy Framework (NPPF) (2023)
24. Planning Practice Guidance (PPG)
25. National Design Guide (2019)

Statutory Consultation Responses

26. 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 the conditions be imposed in any permission granted.
27. Godstone Parish Council – Godstone Parish Council supports this application.
28. Surrey County Council Flood and Water Services Team (LLFA): We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents 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.

29. Surrey County Council Archaeology: A pre-application trial trench evaluation was carried out by the applicant's archaeological consultants the Surrey County Archaeological Unit. A report detailing the results of the evaluation, dated January 2023, has been submitted in support of the application.

The single trench evaluation revealed a ditch of uncertain date but most likely Roman in origin. The purpose and a definitive date for the feature could not be confirmed during the evaluation. The location of the ditch beneath made ground associated with the construction of the modern buildings that are to be demolished indicate it is of some antiquity. The evaluation results are of local significance and require further work to establish if the feature is an isolated feature or whether it forms part of a wider pattern of utilisation or settlement in the near vicinity. The possibility that such evidence may be present and that it will be compromised or destroyed by the planned development work means that there is the need for further targeted archaeological work in relation to the development.

The report recommends that further work should take the form of a programme of archaeological monitoring (a watching brief) of the groundworks associated with the proposed development. I agree with this recommendation as it will allow any further Heritage Assets of archaeological significance that may be present to be identified and recorded before they are destroyed by the development.

The extent of the archaeological monitoring will need to be defined based on the impacts of the proposed development but should include as a minimum, the monitoring of the foundation and service trenches. The access and car park areas should also be monitored unless it can be clearly evidenced that the groundworks and construction activities associated with their construction will not impact the expected archaeological horizon.

The scope of the archaeological monitoring will need to be defined in a Written Scheme of Investigation (method statement) that has been submitted to and approved in writing by the Local Planning Authority.

To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and should be attached to any planning permission that may be granted.

30. Surrey Wildlife Trust: Summary recommendation:

Planning Stage	Recommendation
Prior to determination	<ul style="list-style-type: none"> • Further information to demonstrate a biodiversity net gain
Prior to commencement	<ul style="list-style-type: none"> • Biodiversity enhancement plan
Prior to occupation	<ul style="list-style-type: none"> • n/a
General recommendations	<ul style="list-style-type: none"> • Consideration of breeding birds

TDC advice

32. Principal Tree Officer: There are six trees to be removed in order to facilitate development of the proposal, but they are all either low quality or unremarkable BS5837 'C' category trees and considering the scope for compensatory planting I agree with the submitted impact assessment's conclusions and I am satisfied that their loss will not represent any significant loss of amenity.

There will be some incursions into RPAs, including a footpath coming into very close proximity to a large, and mature oak tree (T12). Whilst the principle of no dig surfacing near trees is sound, the devil is frequently in the detail, and as such we will need a detailed arboricultural method statement to be submitted under condition, which gives existing and proposed levels, edge retention and surfacing details, and with sections where the footpath crosses the RPA of the tree. Details of any necessary pruning would also be required.

My assumption is that services would not need to cross RPAs and would connect to the existing services within Featherstone, but this will also need to be confirmed as we would not wish any trenches to cross the RPA of T12 in particular.

A landscape masterplan has been submitted, which outlines the general arrangement, but we will require a detailed landscaping scheme under condition, which includes specific planting details.

I have no objections subject to the conditions.

33. Contaminated Land: No comments re contamination. The site is at low risk from contamination and no further action is required.

34. Asset Management: No objection

Third Party Comments

35. Neighbour Letters and Site Notice. No representations received.

Assessment

Procedural note:

36. The Tandridge District Core Strategy and Local Plan Detailed 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.
37. 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.
38. With regards to paragraph 11 (d) (i), footnote 7 explains the concept of “specific policies” in the NPPF indicating that development should be restricted. This includes development relating to sites within the Metropolitan Green Belt. It is therefore necessary to assess whether the proposal would be appropriate within the Green Belt before applying an assessment under Paragraph 11 (d) (i) which will be undertaken at the end of this report.

Green Belt

39. The NPPF 2023 supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.
40. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions. Exceptions to this include Limited infilling in villages.
41. Policy DP10 of the Local Plan reflects paragraphs 147-151 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.
42. The site is within a Defined Village in the Green Belt as defined by the policies of the Tandridge Local Plan: Part 2 – Detailed Policies. Policy DP12 set out that development will be permitted in the defined villages subject to the meeting a list of acceptable development. This list includes;

2. The partial or complete redevelopment of previously developed land, even if this goes beyond the strict definition of infilling;
 3. The development of sites within the villages boundaries following allocation for affordable housing;
43. It also set out that (b); in all circumstances, infilling, redevelopment and other forms of development must be in character with the village, or that part of it, and will be subject to any other relevant Development Plan policies.
44. Annex 2 of the NPPF (2023) sets out a number of definitions and includes the following as a definition of previously developed land;

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

45. This application will see the demolition of the existing residential blocks and the re-development of the site. The site would meet the definition of previously development land, as outlined in annex 2 of the NPPF, as it contains existing permanent structures and the curtilage of those buildings. The proposal could therefore be considered acceptable in green belt terms under point 2 of Policy DP12. In addition as the site is to provide social/affordable housing it could also be considered under point 3 of Policy DP12. Section B of Policy DP12 requires that development must be in character with the village, or that part of it, and will be subject to any other relevant Development Plan policies. No concerns are raised with regards to character of other material planning consideration as will be discussed later in this report.
46. The development is therefore considered to accord with the requirements of Policy DP12 and Paragraph 149 (e) and is not inappropriate within the Green Belt.
47. In light of the above assessment the proposal will not conflict with any policies in the Framework as listed under footnote 7 (Green Belt) that protect areas or assets of particular importance provides. The presumption in favour therefore remains to be applied. An assessment of the tilted balance under Paragraph 11(d)(ii) will therefore be undertaken at the end of this report.

Housing Mix and density

48. 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.

49. Policy CSP19 of the Core Strategy required development within 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.
50. The proposal seeks to demolish the 16 residential units on the site and replace them with 16 units. The density of the site would therefore remain as current (57dph) which is considered acceptable.
51. 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

52. 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 16no 1 bed flats with 8no 2-bed and 1no 1-bed flats. In addition 3no 2-bed and 4no 3-bed dwellings. Whilst this does not fully reflect the identified need the development would provide a far improved mix than the existing. Therefore, the proposal; would accord with the requirements of Policy CSP7.

Character and Appearance

53. 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.
54. 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.

55. 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.
56. The proposal seeks to demolish two existing buildings on site. These are two storey buildings with gable end front projections finished in a mix of brick and render with concrete tiled roofs. Whilst these buildings are not out of keeping, they add little to the character of the area. The proposal will replace these with a building containing the 9no apartments to the north of the site and 2 terraces of dwellings to the south.
57. The apartment building would have accommodation set over 3 storeys including 2 apartments within the roof space. The building contains the 9 apartments along with an integrated bin and cycle store. Materials for the building are to be facing brick at ground floor, hanging tiles at first floor and a tiled roof. Solar panels are to be located on the roof set behind a false pitch. The houses are proposed as two terraces of 3 and 4 dwellings respectively. These buildings are of a simple dual pitch roof design with front projecting gables shared between 2 dwellings with a smaller gable for the off dwelling on the terrace of three. Both these blocks are constructed of facing brick with tile hanging to the front elevations on the first floor. The terrace of 3 has tile hung front gables with the terrace of 4 proposing render. Solar panels are to be mounted to the south roof slopes. The general character and appearance of these buildings are considered to be appropriate for the character of the area.
58. With regards to scale, each of the buildings are to be taller than the adjacent built form in the region of 0.5m to the eaves and 2m to the ridges. Whilst taller the proposed properties would be set behind the adjacent built form when approaching Featherstone from the west and would not be prominent in views. The apartment building is to be located to the north of the site and differs from the existing built form in terms of its height (as above) and general form. It would however represent a high-quality proposal with materials proposed to reflect its village setting. Therefore, whilst different, it would not be out of keeping with the character of the area or the street scene.
59. Overall, the development is considered to be of a high quality and it will not detract from the character of the area or street scene. This accords 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

60. 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.
61. The closest residential neighbours to the application site lie to the west along Featherstone or the south on St Johns Meadow. The terraces of dwellings are to sit in a similar position to one of the existing buildings. The applicant has included a sunlight study within their design and access statement which, due to the

orientation in relation to the closest residential neighbours shows a modest level of overshadowing. Taking this into account although the proposed houses, and the apartment building would be of a larger overall mass than the existing buildings, they would not result in a loss of light or overbearing impact to significantly impact on the residential amenity of the neighbours.

62. With regards to privacy as above the terrace of dwellings will sit in a similar position to one of the existing buildings. Whilst it would have windows facing south towards those neighbours this would not be materially different from what is currently experienced. The apartment building would introduce windows further west than at present however it would be some distance from the closest neighbours and would have an oblique angle to the front elevation of 61/62 Featherstone. The proposal is therefore not considered to result in a loss of privacy such that it would significantly or unacceptably impact on the residential amenity of the neighbours.
63. In summary, 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

64. 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.
65. The redevelopment of the site will result in a change to parking and access arrangements to the site. The existing parking/turning head to the east of Featherstone will be removed and replaced with a new parking courtyard retaining the same access point from the highways.
66. In terms of Parking the Councils Parking Standards SPD would require 1.5 unallocated spaces per 1 or 2-bed flats and 1.5 unallocated spaces per 2 and 3-bed house. The standards would also require 1 visitor parking space per 4 dwellings proposed. A total of 24 spaces plus 2 visitor spaces would therefore be required to meet the standard. The parking area is to provide 26 being unallocated, and 4 being visitor spaces and therefore will exceed the required standards.
67. Surrey County Councils Highways have been consulted on the application and, having assessed the application on safety, capacity and policy grounds, they are not raising any concerns subject to the imposition of conditions relating to provision of parking spaces, electric car charging, cycle parking and a the submission of a construction management plan. These conditions are considered to be reasonable and can be imposed if minded to approve.
68. Taking into account the above and with the conditions imposed as recommended by the Highways Authority the proposal is considered to accord with the access, parking and highway safety aspirations of policy CSP12 of the Core Strategy and policies DP5 and DP7 of the Local Plan.

Drainage

69. 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 to 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.
70. The applicant has provided a Flood Risk and Drainage Assessment Report dated 13th October 2023. This report has been updated to reflect the Lead Local Flood Authorities comments with an outline drainage strategy (and appendix) now also submitted. The above report acknowledges that the post development peak rate of discharge and volume of run-off would be greater than existing built form, so suggests mitigation in the form of attenuation and a control device to control the flow before continuing on to the existing drainage routes. These details have been reviewed by the LLFA who have now confirmed they are satisfied with the scheme subject to securing the schemes implementation and maintenance through a condition. This would be reasonable and the condition is recommended to be imposed.

Trees

71. The application site is not subject to any tree preservation orders nor are any of the trees on the site protected by way of any other statutory designation. Nonetheless, 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.
72. 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.
73. 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.
74. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).
75. 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. This report states that none of the main arboricultural features of the site are to be removed. It acknowledges that the

proposed removal of individuals and groups of trees (6 trees in total) but concludes that this will represent no alteration to the main arboricultural features of the site and only a very minor alteration to the overall arboricultural character of the site. It considers that proposed removed trees will not have a significant adverse impact on the arboricultural character and appearance of the local landscape. It also comments that the incursions into the Root Protection Areas (RPAs) of trees to be retained are minor, and subject to implementation of the measures recommended on the Tree Protection Plan, no significant or long-term damage to their root systems or rooting environments will occur.

76. The Councils Principal Tree Officer has been consulted and considers that the six trees to be removed are all either low quality or unremarkable BS5837 'C' category trees and considering the scope for compensatory planting he agrees with the submitted impact assessment's conclusions and is satisfied that their loss will not represent any significant loss of amenity. He notes there will be some incursions into RPAs, including a footpath coming into very close proximity to a large mature oak tree (T12) and that the principle of no dig surfacing near trees is sound. However, he suggests that a detailed arboricultural method statement would be required by condition to establish further details. Confirmation will also be required in relation to services to ensure they do not impact on the RPAs of the retained trees.
77. Subject to the imposition of the suggested conditions the Councils Tree Officer is raising no objection. I would agree with these comments and consider that the conditions would be justified. 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

78. 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%.
79. 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 the scheme proposes to use maximised photovoltaic arrays to achieve in excess of the 10% required by Policy CSP14. As such, no objection would be raised in relation to Policy CSP14 of the Core Strategy.

Archaeology

80. Local Plan policy DP20 requires that; D) Any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP), or is for a site larger than 0.4 hectares located outside these areas, must be accompanied by an archaeological desk-top assessment.
81. As the sites is located partially within an Area of High Archaeological Potential a pre-application trial trench evaluation was carried out with the result contained within a submitted within an Archaeological Trial Trench Evaluation report. Given the finds of this trench evaluation the report recommends that further work should take the form of a programme of archaeological monitoring of the groundworks associated with the proposed development.

82. Surrey County Councils Archaeological Officer has been consulted on the application and agrees with this recommendation within the report. He outlines that the extent of the archaeological monitoring will need to be defined based on the impacts of the proposed development but should include as a minimum, the monitoring of the foundation and service trenches. The access and car park areas should also be monitored unless it can be clearly evidenced that the groundworks and construction activities associated with their construction will not impact the expected archaeological horizon. He therefore suggests that the scope of the archaeological monitoring will need to be defined in a Written Scheme of Investigation (method statement) that has been submitted to and approved.
83. Subject to the suggested condition which is reasonably justified and is recommended the proposal is not considered to offend the requirements of Policy DP20.

Ecology/Biodiversity

84. 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.
85. Policy DP19 of the Local Plan Part 2: Detailed Policies 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.
86. The applicant has provided various supporting information with the application including a Landscape Master Plan Strategy, Preliminary Ecological Appraisal, Arboricultural Impact Report, Bat Survey Report and Biodiversity Net Gain Metric. Comments received from Surrey Wildlife Trust indicate they are satisfied, subject to securing the mitigation measures outlined within the Preliminary Ecological Appraisal, that the development would not harm protected species. This can be secured by way of condition. However, Surrey Wildlife Trust are requesting further clarification on how biodiversity net gain will be achieved.
87. In terms of achieving biodiversity net gain the applicant has provided a revised site location plan (below) with a newly identified area shown in blue. The section on biodiversity net gain contained within the Preliminary Ecological Appraisal report outlines that whilst hedgerow enhancements are proposed an overall net gain would not be achievable on site (within the red line) and therefore an off-site habitat enhancement will be required. The land shown in blue has been identified to achieve this. It is proposed to enhance this area from its current condition as a 'modified grassland' to a 'rural trees' habitat which will achieve an enhancement in habitat units sufficient to achieve an overall net gain within the development.



Figure 1

88. The details submitted with this application do demonstrate that an off-site habitat enhancement from 'modified grassland' to 'rural trees' would achieve a net gain for the development however no details have been provided of the current condition of the land nor any proposed habitat maps or supporting statement to outline exactly what is required to achieve the identified net gain. Taking into account that a biodiversity net gain for the development is likely to be achievable to meet the requirements of the NPPF further details in the form of habitat maps and an enhancement plan can be required and secured by condition to ensure a net gain would be achieved for the development.
89. Subject to securing the mitigation measures outlined within the preliminary ecological appraisal reports and further details regarding the habitat enhancement to achieve net gain secured by way of condition the proposal is considered to accord with the requirements of Policy CSP17 of the Core Strategy and Policy DP19 of the Local Plan Part 2: Detailed Policies.

Planning Balance and Conclusion

90. In this case, the tilted balance that falls to be considered under Paragraph 11 of the NPPF does not need to be applied as the proposed development is in accord with the development plan in any case. The proposal is appropriate development within an existing settlement and on previously developed land albeit within the Green Belt. There are no adverse impacts of granting planning permission which cannot be mitigated by conditions which would significantly and demonstrably outweigh the benefits of this sustainable form of development.
91. The proposal does not seek to provide any additional units on the site but would provide some houses and larger flats to achieve a more appropriate mix of residential units within the site. This social benefit along with the economic benefits of the construction and additional occupation to the local economy should be given weight in the planning balance.

92. As such 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 applies. It is therefore recommended that planning permission be granted.
93. 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.
94. 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 28120-PD-100 Rev E, 28120-PD-101, 28120-PD-110 Rev G, 28120-PD-111 Rev E, 28120-PD-112 Rev A, 28120-PD-115 Rev A, 28120-PD-116, 28120-PD-117, LLD2741-LAN-DWG-010 received 21st December 2023, 28120-PD-099 Rev B received 12th October 2023 and P21058-HZL- 00-DR-D- 2200 received 13th October 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 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 T12, with existing and proposed levels, sections within the RPA of T12, 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. 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: In the interest of highway safety and in accordance with the requirements of NPPF 2023.

7. The development hereby approved shall not be occupied unless and until each of 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: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023.

8. 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. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023.

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway 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: In the interest of highway safety and in accordance with the requirements of NPPF 2023.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interest of archaeology to accord with the requirements of Local Plan policy DP20

11. Before the development hereby approved is occupied the photovoltaic arrays 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.

12. 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) 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) 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 of 1.5l/s.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Preliminary Ecological Appraisal update by Greenlink Ecology dated 11th October 2023.

Reason: To ensure the development does not cause undue harm to ecology in accordance with Policy CSP17 of the Core Strategy and Policy DP19 of the Local Plan Part 2: Detailed Policies.

15. Prior to the first occupation of the dwellings hereby approved full details of the proposed rural trees habitat and its maintenance shall be submitted to and approved by the Local Planning Authority. This should include existing and proposed habitat maps and a site-specific biodiversity net gain assessment to demonstrate how the identified net gain will be achieved. Such habitat enhancement should be implemented in accordance with these details prior to the first occupation of any dwelling on site and maintained in accordance with the approved details.

Reason: To ensure the development will achieve a net gain in accordance with Paragraph 174 of the NPPF.

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 has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, D10, DP12, DP19, DP20 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.
3. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2023), 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.



© Crown copyright and database rights 2023 OS AC0000810142



This page is intentionally left blank

ITEM 4.4

Application: 2023/1044

Location: Scout Hut, Mill Lane, Hurst Green, Oxted, Surrey, RH8 9DF

Proposal: Installation of a 20ft shipping container for storage of large scale Scouting equipment such as tents, kayaks etc

Ward: Oxted South

Constraints – Biggin Hill Safeguarding, TDC_legallandterrier, Road_local d - Mill Lane, EA_rofsw_1_in_100 yes risk of flooding from surface water – 100, 100, 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 to the south-east of the site which will to some degree be visually shielded from public views 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.
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. Accordingly, it is recommended that permission is granted subject to conditions as outlined.

Site Description

5. The application site comprises the land containing the Scout Hut and its associated curtilage located to the west of Mill Lane. The site is located within the urban area of Hurst Green. The Oxted Band building lies to the south with Mill Lane Playing fields to the west. Residential properties lie to the east of the site across Mill Lane.

Relevant History and Key Issues

6. The relevant planning history is as follows:

GOR/352/71 - EXTENSION TO SCOUTS HALL Approved 02/06/1972

2006/904 - Demolition of scout hut. erection of replacement scout hut. Approved (full) 09/08/2006

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. The shipping container is to measure 6m long by 2.4m wide and 2.5m tall. The container is proposed to be painted green in colour.
9. The container is to be located to the south-east corner of the site some 1.2m from the east boundary and 1m from the southern boundary.

Development Plan Policy

10. Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP18
11. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7
12. Limpsfield Neighbourhood Plan 2019 – Not applicable
13. Woldingham Neighbourhood Plan 2016 – Not applicable
14. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – referendum version (Regulation 18) (2020) – Not applicable
15. Emerging Tandridge Local Plan 2033

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

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

National Advice

19. National Planning Policy Framework (NPPF) (2023)
20. Planning Practice Guidance (PPG)
21. National Design Guide (2019)

Statutory Consultation Responses

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

TDC advice

24. None sought.

Third Party Comments

25. Neighbour Letters: Comments received relate to the following (where relevant);

- Character- please can the container be painted dark green like the container used by the Oxted Band Hut.

Assessment

Procedural note:

26. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2023. 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.

Location and principle of development

27. 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.
28. 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

29. 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.
30. 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.
31. 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.
32. 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 painted in a green colour. It will be located to the south-east corner of the Scout Hut building in close proximity to the

container within the Oxted Band site. Whilst the proposed container would be larger than the one adjacent it would be seen in context with this structure and therefore not out of keeping with the area. The site has established vegetation on the eastern boundary of the site. It is noted there are gaps in this vegetation and therefore the container will not be totally obscured from public views along Mill Lane, however it would soften the appearance of the container and therefore not be overly prominent or harmful to the character of the street scene.

33. It is noted that the container proposed to be stationed on the land has been donated to the Scouts and is currently blue in colour. It is their intention through the Scouting program to have the Scouts paint the container green to be in keeping with the environment and hedgerow beside it. This would be necessary to mitigate the visual impact of the container and therefore will be secured by way of condition with a reasonable timeframe given to facilitate its painting.
34. 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

35. 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.
36. The container is proposed to be located to the south-east corner of the application site and would be 2.5m tall. The site is directly bordered by the playing fields to the west and band building to the south and would not significantly impact on the amenity of the uses of those sites. The closest residential properties are some 17m across Mill Lane to the east and 23m to the south beyond the adjacent land. As above the proposal will not adversely impact on the users of the adjacent sites nor as a result of the distance to the closest residential neighbours adversely impact on their residential amenity. The container will therefore have no significant impact on the amenity of the neighbours.
37. 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

38. 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.
39. 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.

Conclusion

40. 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.
41. 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.
42. 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, Planning Drawings and Block Plan received 28th August 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. Within one calendar month of the container being stationed on the land it will be fully painted dark green. Thereafter it will be maintained in this colour unless otherwise agreed by the Local Planning Authority.

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.

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 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.
3. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2023), 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.



© Crown copyright and database rights 2023 OS AC0000810142



This page is intentionally left blank