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To: MEMBER OF THE PLANNING COMMITTEE  
Councillors Blackwell (Chair), Wren (Vice-Chair), Black,  
Botten, Chotai, Chris Farr, Sue Farr, Gray, Moore, Prew and  
Steeds

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Substitute Councillors: Bilton, Cooper, Montgomery and  
Windsor

C.C. All Other Members of the Council

3 January 2024

Dear Sir/Madam

## **PLANNING COMMITTEE THURSDAY, 11TH JANUARY, 2024 AT 7.30 PM**

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

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

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

Yours faithfully,

David Ford  
**Chief Executive**

## **AGENDA**

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

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

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

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

- 3. Minutes from the meeting held on the 7th December 2023** (Pages 3 - 6)
- 4. Applications for consideration by committee** (Pages 7 - 16)
  - 4.1 2023/443 - 5 Narrow Lane, Warlingham, Surrey, CR6 9HY (Pages 17 - 42)

4.2 2023/422 - Avante, 71 Croydon Road, Caterham, Surrey, CR3 6EX (Pages 43 - 58)

4.3 2023/1251 - Communal Block, Newhache, Dormansland, Lingfield, Surrey, RH7 6PX (Pages 59 - 70)

**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.

## TANDRIDGE DISTRICT COUNCIL

### PLANNING COMMITTEE

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

**PRESENT:** Councillors Blackwell (Chair), Wren (Vice-Chair), Black, Botten, Chotai, Chris Farr, Sue Farr, Moore, Prew and Steeds

**ALSO PRESENT:** Councillors Allen, Bloore and Pursehouse

**ALSO PRESENT (Virtually):** Councillors Gillman

**APOLOGIES FOR ABSENCE:** Councillors Gray

#### **197. MINUTES FROM THE MEETING HELD ON THE 2ND NOVEMBER 2023**

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

#### **198. 2022/1658 - DEVELOPMENT SITE AT PLOUGH ROAD, SMALLFIELD, SURREY**

The committee considered an application for outline planning permission, with all matters reserved save for access, for the development of up to 120 residential dwellings with associated infrastructure, open space, vehicular and pedestrian access. The application also contained additional engineering works to provide for flood relief.

The officer recommendation was to approve, subject to conditions.

Councillor Hale of Burstow Parish Council spoke in favour of the application.

Erik Pagano, representing the applicant, spoke in favour of the application.

**RESOLVED** – that the application be permitted subject to conditions and:

1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and
2. The completion of a Section 106 agreement to secure the following matters:
  - A. The delivery of 40% of the dwellings hereby approved as affordable housing in accordance with an Affordable Housing Delivery Plan (which shall be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted) with provisions to secure the freehold being transferred/granted to a Registered Provider. All affordable housing shall be subject to nomination rights.
  - B. The implementation of the Flood Relief Scheme in accordance with details that will be required to be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted. The details of the Flood Relief Scheme shall

accord with principles submitted with the planning application. The subsequent maintenance and management of the Flood Relief Scheme will also be secured.

- C. The provision of a financial contribution (£50,000) towards off site flood risk reduction measures including, but not limited to, works or repair and maintenance to the wider drainage network in Smallfield.
- D. The provision of financial contribution (£5,000) related to Traffic Regulation Orders.
- E. The implementation of a Travel Plan and the payment of the Travel Plan Monitoring Contribution (£4,600).
- F. The provision of Open Space in accordance with a timetable that shall be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted. The management of the Open Space would also be secured with the formation of a Management Company also included.

### **199. 2022/267 - FORMER SHELTON SPORTS CLUB, SHELTON AVENUE AND LAND ADJACENT TO 267 HILLBURY ROAD, WARLINGHAM, SURREY, CR6 9TL**

The committee considered an application for outline planning permission, with all matters reserved except access, for a residential development of 150 dwellings including 45% affordable housing, with vehicular access from Hillbury Road with provision of public open space and associated ancillary works.

The officer recommendation was to approve subject to conditions.

Elizabeth Wallace, an objector, spoke against the application.

A recording of representations from Councillor Cindy Steer of Warlingham Parish Council speaking against the application, was replayed to the Committee.

Billy Clements, representing the applicant, spoke in favour of the application.

Councillor Prew proposed that the application be deferred on the basis of the lack of clarity of the ownership of Shelton Close and therefore the Council's ability to implement the Condition 4 or secure the S106 agreement, such that parking restrictions are provided for Shelton Close. The motion was seconded by Councillor Chotai. Upon being put to vote, the motion was lost.

Councillor Prew also proposed the following three motions for refusal:

1. *The proposed development of 150 dwellings would constitute overdevelopment of the site, the emerging Tandridge Local Plan evidence for HSG 15 gave an estimated site yield of 110 dwellings for that site, this application seeks to increase the number of dwellings by 36% over and above the Council's yield estimation which would constitute an overdevelopment of the site. The proposed development is therefore contrary to CSP 18 of the Tandridge Local Plan, Core Strategy 2008 and Tandridge Local Plan, Part 2 DP 7, which defines the framework for the character and design of density.*

The motion was seconded by Councillor Chotai. Upon being put to the vote the motion was lost.

2. *The proposed development of 150 dwellings, would have a severe cumulative impact on the capacity of the local road network. The junction of Hillbury Road, Westhall Road and the A22 Whyteleafe Hillbury Road roundabout junction regularly suffers severe congestion at peak times. The additional vehicle movements generated by the 150 dwellings will result in increased congestion and present a road safety highway issue.*

The motion was not seconded and therefore did not proceed to a vote.

3. *The proposed location of the replacement pitches on land that lies to the north-west of the development and would abut the designated ancient woodland of Tithepit Shaw, causing harm to that woodland by failing to protect a valuable environment. The proposed development is therefore contrary to CSP 18 of the Tandridge Local Plan, Core Strategy 2008 and Tandridge Local Plan, Part 2 Detailed Policy DP7, 2014.*

The motion was not seconded and therefore did not proceed to a vote.

**RESOLVED** – that the application be permitted subject to conditions and:

1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and
2. The completion of a Section 106 agreement to secure the following matters:
  - A. The delivery of 45% of the approved dwellings as affordable housing (up to 67 dwellings). The mix and tenure of Affordable Housing will be in line with the table below:

Unit Type & Size	Shared Ownership	Affordable Rent	Discount Market Sale	Total
3 bed house	4	6	2	12
2 bed house	9	2	8	19
2 bed flat	0	15	5	20
1 bed flat	0	15	1	16
	13	38	16	67

- B. The provision of On-Site Open Space, in broad accordance with the Illustrative Masterplan submitted with the outline application, and the appropriate use and management thereof for the lifetime of the development.
- C. To secure the provision of a Play Area within the Development.
- D. The enhancement of off-site sporting facilities including the transfer of the Off-Site Sports Pitch Land to Warlingham Rugby Football Club, financial contributions towards local sports facilities of £500,000 (five hundred thousand pounds) towards the laying out of the Off-Site Sports Pitch Land and/or the improvement of existing pitches and facilities at Warlingham Rugby Football Club and £150,000 (one hundred and fifty thousand pounds) towards the provision of an Artificial Grass Pitch or Multisport surface games area at Warlingham Sports Club, or such other improvements at Warlingham Sports Club
- E. To secure the carrying out of the Enhancement Strategy, maintenance and management of Off-Site Biodiversity Land in accordance with the report by LC Ecological Services (dated 30 October 2023)

- F. To secure the provision for the reimbursement of reasonable fees incurred by the County Council in drafting, promoting, consulting upon and implementing a Traffic Regulation Order (TRO) in respect of proposed parking restrictions on Shelton Close
- G. To secure the provision of 2No. bus stops on Westhall Road (as indicated on drawing 2006038-07) through an agreement under Section 278 of the Highways Act 1980 (as amended)
- H. To secure the submission and approval of a Final Travel Plan for the Development and reasonable Travel Plan Monitoring Fee, payable to the County Council.

Rising 9.39 pm

## REPORT TO THE PLANNING COMMITTEE ON 11 JANUARY 2024

### AGENDA ITEM 4

### APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the applications detailed in items 4.1 to 4.3.

Notes:

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

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

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

**PLANNING COMMITTEE – 11 JANUARY 2024 – RECOMMENDATIONS**

<b>ITEM NO.</b>	<b>APPLICATION NO.</b>	<b>SITE ADDRESS</b>	<b>APPLICATION DETAILS</b>	<b>RECOMMENDATION</b>
<b>4.1</b>	2023/443	5 Narrow Lane, Warlingham, Surrey, CR6 9HY	Demolition of the existing dwelling and erection of 4 dwellings with associated access, parking and landscaping.	<b>PERMIT (subject to conditions)</b>
<b>4.2</b>	2023/422	Avante, 71 Croydon Road, Caterham, Surrey, CR3 6EX	Addition of 2 storeys of residential accommodation to existing residential and commercial building to provide 7 additional flats.	<b>REFUSE</b>
<b>4.3</b>	2023/1251	Communal Block, Newhache, Dormansland, Lingfield, Surrey, RH7 6PX	Conversion of disused community space on the ground floor of a two storey block of flats, into a two bedroom flat.	<b>PERMIT (subject to conditions)</b>



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

### Core Strategy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy CSP17 requires that biodiversity is taken into account.

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

Policy CSP19 sets a range of densities for new development.

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

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

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

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

## **Tandridge Local Plan: Part 2 – Detailed Policies – 2014**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Woldingham Neighbourhood Plan 2016**

Policy L1 is a general design policy for new development

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

Policy L3 relates to landscape character

Policy L4 relates to proposals for new community facilities

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

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

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

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

Policy C1 seeks to promote residents' safety

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

Policy C3 supports the improvement of pedestrian and cycle routes

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

### **Limpsfield Neighbourhood Plan 2019**

Policy LN1 sets out a spatial strategy for the Parish.

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

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

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

Policy LN5 relates to landscape character.

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

Policy LN8 seeks to promote biodiversity.

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

Policy LN10 relates to the rural economy.

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

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

Policy LN13 supports sustainable forms of transport.

Policy LN14 supports the provision of super-fast broadband.

## **Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **National Advice**

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

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

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## ITEM 4.1

**Application:** 2023/443

**Location:** 5 Narrow Lane, Warlingham, Surrey, CR6 9HY

**Proposal:** Demolition of the existing dwelling and erection of 4 dwellings with associated access, parking and landscaping.

**Ward:** Warlingham West

**Decision Level:** Committee

*Constraints – Urban Area, Ancient Woodland within 500m, D Road Classification, Source Protection Zones 2 and 3*

**RECOMMENDATION:** **PERMIT (subject to conditions)**

1. This application is reported to Committee following a request from Councillor Bloore.

### Summary

2. The site lies within an Urban Area in Warlingham, located off the east side of Narrow Lane, where in principle, there is no objection to development providing it meets the requirements of the Development Plan. Planning permission is sought for the demolition of the existing dwelling and the redevelopment of the site to accommodate 4 detached dwellings, each with 5 bedrooms.
3. The key issues are whether the proposal would be appropriate with regard to the impact on the character of the area, including the impact on the streetscene, the impact on the adjoining properties, highways and renewable energy provision. It is considered that the proposal would lead to an appropriate subdivision of the plot concerned and would reflect the character and appearance of the site and its setting within this part of Warlingham. The proposal would not have an unacceptable impact on the amenities of the occupants of neighbouring properties. It has also been demonstrated that the proposal would not have an unacceptable impact on protected and important species, as well as meeting the minimum energy provision. No objections have been raised with regards to highway safety in terms of the access and the parking provision on site is considered acceptable given the sustainable location.
4. As such, it is recommended that planning permission be granted.

### Site Description

5. The application site is located on the eastern side of Narrow Lane, within the Urban Area of Warlingham. The application site currently comprises a large, two storey, detached dwelling with an attached single storey garage. A detached, single storey summer house is located to the south of the dwelling and a detached, single storey garden room is located to the east of the dwelling at the rear of the site. The site is accessed via an existing entrance at the southwest corner of the site. The road is relatively narrow having no footpaths on the southern section. Number 5 originally formed the back-garden area of number 19 Landscape Road.
6. The existing two-storey house is set back from the road by some 26.5m, has landscaped front and rear gardens with vegetation on all boundaries. The

house is largely hidden by a high conifer hedge broken only by the driveway access.

7. The surrounding area is predominantly residential with generally individual and well-spaced dwellings on good sized verdant plots. Notwithstanding some newer developments which are more closely spaced, the attractive residential area has retained a spacious and verdant character and appearance.

### **Relevant History**

8. CAT/4355 – Detached House - Approved with Conditions 13/10/1960
9. 2022/1097 - Demolition of existing dwelling and erection of 13 flats with associated access, parking and landscaping. Refused 13/02/2023

This was refused for the following reasons:

1. The proposal, by reason of its scale, design and bulk would represent a development that is not of high quality design, would not be sympathetic to the local context and would result in overdevelopment of the site and the unacceptable intensification of the use of the site given the number of units proposed and extent of on-site parking provision. The proposal would result in significant harm to, and fail to reflect and respect, the character and appearance of the site, street scene and surrounding area. This would be contrary to Policy CSP18 of the Tandridge Core Strategy 2008, Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and the NPPF (2021).
2. The proposal, due to the siting and proximity of the proposed vehicle access to the neighbouring property at No.3 Narrow Road, would lead to unacceptable levels of noise and disturbance associated with the movement of vehicles which would adversely impact on the amenities of the occupiers. Moreover, the proposed side facing dormer and the balconies, particularly at the rear of the property, would cause a harmful increase of overlooking of neighbouring properties. The effect on the living conditions of neighbouring residents would, therefore, be unacceptable and contrary to Policy CSP18 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014) and the NPPF (2021).
3. The proposal would provide a shortfall in on-site parking which would not accord in full with the adopted Parking Standards SPD (2012), potentially resulting in additional on-street parking which could cause congestion and potentially causing harm to amenity of existing neighbouring residents and future residents of the proposed development. Therefore, the proposal would be contrary to Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.
4. The application has been accompanied with insufficient information to demonstrate that the proposal would not have an unacceptable effect on wildlife, habitats or protected species. Therefore, it has not been demonstrated that the proposal would be acceptable in these respects, contrary to Policy CSP17 of the Tandridge District Core Strategy (2008), Policy DP19 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) and the NPPF.

5. The application has been accompanied with insufficient information to demonstrate that the proposal would be acceptable in terms of flood risk and drainage. As it has not been demonstrated that the proposal would be acceptable in this respect, the proposal is contrary to Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) and the NPPF.
10. Officer Note - The revised NPPF has subsequently been published. The 2021 Version of the NPPF was applicable at that time.

### **Proposal**

11. When first submitted, the applicant had proposed 6 dwellings. This would have taken the form of 2 detached dwellings and 2 pairs of semi-detached dwellings. Following Officer comments, the number of units have been reduced and amended plans submitted to be considered within this submission.
12. The proposed development would comprise the erection of four detached two and a half storey dwellings; two to the front and two to the rear with associated access and parking.
13. The proposed dwellings to the front of the site would reflect the building line of No.3 Narrow Lane and would not exceed the height of the existing dwelling. The design of the proposed dwellings would comprise a traditional form and character. Materials would include hanging tiles, clay roof tiles, timber details and red brick.

### **Key Issues**

14. The site is located within the Urban Area of Warlingham where the principle of development is acceptable. The key issue is the impact the development would have on the character of the site and the surrounding area, the residential amenities of neighbouring occupiers, the living conditions of future occupiers, highway safety and parking, flooding, the provision of renewables, biodiversity and landscaping.

### **Development Plan Policy**

15. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19
16. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22
17. Woldingham Neighbourhood Plan (2016) – Not applicable
18. Limpsfield Neighbourhood Plan (2019) – Not applicable
19. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Not applicable

### **Emerging Tandridge Local Plan 2033**

20. At present, the emerging Local Plan “Our Local Plan 2033” technically remains under examination. However, no weight can be given to policies in the

emerging Local Plan due to the Inspector's findings that the emerging Local Plan 2033 cannot be made sound. Therefore, the adopted Local Plan remains the 2008 Core Strategy, the Local Plan Part 2: Detailed Policies 2014-2029, the Caterham, Chaldon & Whyteleafe Neighbourhood Plan, the Limpsfield Neighbourhood Plan and the Woldingham Neighbourhood Plan.

21. The evidence base published alongside the emerging Local Plan 2033 does not form part of the proposed Development Plan. The eventual non-adoption of the emerging Local Plan does not place more or less weight on the emerging Local Plan 2033 evidence base than on any other evidence base published by the Council. Until such time that evidence base studies are withdrawn, they remain capable of being a material consideration for planning applications.

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

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

### **National Advice**

25. National Planning Policy Framework (NPPF) (December 2023)
26. Planning Practice Guidance (PPG)
27. National Design Guide (2019)

### **Consultation Responses**

28. 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 access to Narrow Lane has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 m high.
  2. The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Narrow Lane the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
  3. 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 / turning area shall be retained and maintained for its designated purpose.
  4. 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.

5. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of 18 bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
6. Pedestrian improvements to be provided across the junction of Narrow Lane, Clovelly Avenue, Westhall Park and Westhall Road to include dropped crossings and tactile paving to improve pedestrian access to the bus stops and Upper Warlingham Station to the South and Warlingham to the north in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.”

29. Warlingham Parish Council - “Warlingham Parish Council has reviewed this revised application for four dwellings and objects to this proposal for the following reasons (in no particular order):

- This is an unprecedented example of back garden development
- The development equates to over-development of the site by the extent of built environment (e.g. buildings, hard-standing) and it would add significantly to the number, and density, of properties on this minor, yet busy road.
- There is a lack of outdoor amenity space for future occupants (particularly for houses of this size and scale)
- The proposal is out-of-character with the area with a design and layout that would adversely impact the street-scene with large properties close to the front boundary with car parking and a roadway to the front.
- The creation of a roadway and parking to the rear of the site would create disturbance and result in a loss of amenity for neighbouring gardens areas.
- There is a lack of on-site parking in an area with no capacity for on-street parking. As a result, there would be insufficient space for visitors and vehicles moving through the site such as delivery and service vans/lorries
- Narrow Lane is often very busy during peak periods as it provides a popular access route to and from the A22 via Succombs Hill. Councillors ask that you liaise with Surrey County Council about the safety and adequacy of the access (and sight-lines) and establish whether there would be sufficient room for larger vehicles, including emergency vehicles, to enter and leave the site in forward gear.

As a result of the issues above, Councillors ask and expect that you will refuse this application. However, if you are minded to permit, we ask that this case be passed to the Tandridge District Council Planning Committee for review and decision. The local District Councillors for the ward will be notified of this request too.”

30. Surrey Wildlife Trust – “In correlation to our advice in June, we would advise that the LPA (Local Planning Authority) review whether they require more information on biodiversity net gain, prior to determination. We do note that Section 4.4 of the Bat Scoping Report and Preliminary Ecological Appraisal

(October 2023) does have regard for enhancements. If the LPA review that the current submission on biodiversity net gain is sufficient in outline, then we would advise that an Ecological Enhancement Plan is secured through a planning condition.”

31. Local Lead Flood Authority – “In the event that planning permission is granted by the Local Planning Authority, suitably worded conditions should be applied to ensure that a suitable surface water drainage scheme is properly implemented and maintained throughout the lifetime of the development.”  
*Officers note this is addressed at paragraph 86 below, the condition is not considered to be necessary in this case for reasons outlined.*
32. Environmental Agency – “We have no comments to make on this planning application as it falls outside our remit as a statutory planning Consultee”.
33. Locality Team – “Tandridge Waste response - All general waste and recycling bins, including food caddies and garden bins (if residents subscribe to the garden service), will need to be presented on Narrow Lane, by 6am on collection day, at the closest point to the adopted highway. The location of the bin store does not make a difference to the collection services as we do not collect from bins stores for individual properties. The location of the bin store is over the prescribed 15 meters as is stated in the Tandridge waste and recycling guide for developers. All general waste and recycling bins, including food caddies and garden bins (if residents subscribe to the garden service), will need to be presented by the residents on Narrow Lane, by 6am on collection day, at the closest point to the adopted highway.”
34. Environmental Health – “I can confirm that Environmental Health has no objections to this planning application.”
35. Surrey Police – “The development has a good layout and the development car parking appears to have good levels of natural surveillance. I note that the cycle storage is provided by means of wooden sheds in gardens. I Advise to the developer to see the current advice provided for such structures in the Secure by Design residential guides.”

### **Public Representations/Comments**

36. Third Party Comments:
  - Houses appear to be 3 storeys / Scale mass and height would impact neighbouring amenity
  - Development not in keeping/out of character/ Plot sizes are not in keeping
  - Overdevelopment of the site/ cramped appearance
  - Impact to privacy of neighbours /neighbouring amenity/ Overbearing impact and loss of privacy/overlooking into neighbouring gardens /harm to outlook
  - Overdevelopment and over crowded, high density
  - Surrounding area is a lower density
  - Velux windows are unnecessary
  - Noise, light and pollution disturbances
  - This would set a benchmark for development
  - Bins and waste will cause issue for pedestrians / Noise disturbance and smells arising from bins

- Surrounding sites characterised by generous plots / Surrounding area is a lower density
- Backland development is out of keeping
- 70% plot coverage is not in keeping
- Development to rear is incongruous
- Density higher than surrounding sites
- Too many dwellings permitted in the area
- Departure from established pattern of development in the surrounding area
- Greater mass within the plot/ Mass, scale and siting is inappropriate
- Significant intensification of the use of the site
- Residents hedge should not be considered to mitigate harm
- No details of surface water run off
- Concerns over flooding and drainage
- Concerns over drainage
- No pavement along highway
- Highway is narrow safety concerns/ Increase of vehicle movements
- Narrow Lane is heavily congested
- Second access causes safety concern
- Number of parking spaces is excessive
- Significant area of hardstanding
- Inadequate parking shows overdevelopment /Inadequate parking and turning
- High traffic generation from development and danger to highway safety
- No weight should be given to boundary treatments outside of applicants control
- EV charging points or renewable details not submitted
- No planning statement or Design and Access Statement
- Concerns over tree removal which will have an environmental impact

## **Assessment**

### Procedural note

37. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2023. However, paragraph 225 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 NPPF document. Instead, due weight should be given to them in accordance to the degree of consistency with the current NPPF.

### Principle of development

38. The application site lies within the urban area of Warlingham a defined Category 1 Settlement within which development is encouraged on sustainability grounds. The development would sit within an established residential area with local amenities close by. Therefore, being in the urban area, the principle of residential development is acceptable and would accord with the requirements of Core Policy CSP1 which seeks to promote sustainable patterns of travel and in order to make the best use of previously developed land. The scheme would also be consistent with the provisions of the NPPF.

39. Tandridge is currently unable to demonstrate a five-year housing land supply. Thus, in accordance with the NPPF (paragraph 11d and footnote 8), the presumption in favour of sustainable development applies in Tandridge and in

principle housing applications should be approved unless it is in a protected area (NPPF, paragraph 11d(i), footnote 7)) or the harms caused by the application significantly outweigh its benefits (NPPF, paragraph 11d(ii)). This is sometimes known as the 'tilted balance'.

40. The development would enable the provision of 4 additional dwellings at the site at a time when the Council cannot demonstrate a 5 year housing land supply. This housing provision is a benefit of the proposal that can be afforded substantial weight and leads it to be concluded that paragraph 11d) of the NPPF is applicable. This will be considered further below.

#### Affordable Housing and Housing Mix

41. The site lies within the built-up area of Warlingham. Current Planning Policy (CSP4) sets a threshold for affordable units stating that, should the development exceed 15 units, there will be a requirement that 34% of the development would be affordable.
42. 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.
43. Given that this scheme is for 4 units, it is recognised that this does not trigger the thresholds above.

#### Density

44. Policy CSP19 sets out the density ranges for different areas of the district. This site falls within the criteria of a built-up area. For built-up areas it sets out that the density should be in the range of 30-55 dph, unless the design solution would conflict with the local character and distinctiveness of an area. The supporting text to policy CSP1 (para 6.8) similarly notes this density range but acknowledges that a lower density may be appropriate to ensure there is no adverse impact on the special character of particular areas. In residential areas with good accessibility to public transport and services, including convenience shopping, higher densities may be possible, but subject to the overriding need for good design and the protection of character.
45. The Council also needs to have regard to the NPPF as a material consideration, which, at para 123, requires decisions to promote an effective use of land and should support development that makes efficient use of land, making optimal use of the potential of each site. 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.
46. The proposal has a density of 23.5dph (dwellings per hectare) which is lower than the range deemed acceptable for this location. However, when considering the character of the area, where neighbouring dwellings are mostly located on large spacious plots, a higher density would be detrimental to the character of the area and therefore in this case, the density is considered acceptable.

#### Character and Appearance

47. 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.

48. 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.
49. 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.
50. Policy DP8 of the Local Plan Part 2: Detailed Policies states that proposals involving infilling, back land or the complete or partial redevelopment of residential garden land will be permitted within the settlements of Caterham, Oxted (including Hurst Green and Limsfield), Warlingham, Whyteleafe and Woldingham, only if the development scheme (Criterion A):
  1. Is appropriate to the surrounding area in terms of land use, size and scale;
  2. Maintains, or where possible, enhances the character and appearance of the area, reflecting the variety of local dwelling types;
  3. Does not involve the inappropriate sub division of existing curtilages to a size below that prevailing in the area\*, taking account of the need to retain and enhance mature landscapes;
  4. Presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road; and
  5. Does not result in the loss of biodiversity or an essential green corridor or network.
51. Criterion B states that within the settlements as listed in criterion 'A' (above), proposals that would result in the piecemeal or 'tandem' development of residential garden land, or the formation of cul-de-sacs through the 'in-depth' development of residential garden land will normally be resisted, particularly where they are likely to prejudice the potential for the satisfactory development of a larger area or result in multiple access points onto the existing frontage.
52. The site is located on Narrow Lane, a thoroughfare linking Succombs Hill with Westhall Road. The road is relatively narrow having no footpaths on the southern section. The dwelling at No.5 originally formed the back-garden area of number 19 Landscape Road. The existing site comprises a two-storey detached dwelling set in a large plot. The dwelling is set back from the road by some 26.5 metres, has landscaped front and rear gardens with vegetation on all boundaries. The house is largely hidden by a high conifer hedge broken only by the driveway access.

53. To the north side of the application site is No.3 Narrow Lane, which unlike the other properties along this stretch of highway, has a much smaller plot and comprises of a single storey bungalow. The property at No.1 Narrow Lane is two and a half storeys and, like other houses set back from the road frontage, in a generously wide plot. Houses on the opposite side of the road are all detached, two-storey units set well back within their plots. Other properties such as those along 19 Landscape Road are large two storey/two and a half storey dwellings, some with loft accommodation. There is no established building line with No.21 Landscape Road located behind the neighbour at No.19; however, it is recognised that these properties generally benefit from larger rear gardens and generous spacing to boundaries. Moving to those opposite the application site and along the western parts of Landscape Road, there are examples of dwelling on smaller plots and block of flats and apartments. Given the vast differences in plot sizes and property types locally, there is no established pattern of development or style.
54. In this instance, the development would result in the formation of back-land development. The purpose of Policy DP8 is to protect the character of an Urban Area and allow greater resistance to inappropriate back-land development.
55. Locally, there are other examples of back-land development such as the developments at 21 Westhall Park (2017/198), 36 Homefields Road (2011/321) and 94 Westhall Road (2014/924). Whilst these sites are not directly comparable and most of which are larger in scale, it provides a varied pattern of development which forms an intrinsic part of the established character of Warlingham. Whilst it is noted that some neighbouring sites are more generously sized (such as those along Landscape Road), the presence of back-land development present in this surrounding area in Warlingham and therefore not an uncommon characteristic of pattern of development.
56. Policy DP8 also states that development should be appropriate to its surroundings in terms of size and scale and should not involve the inappropriate subdivision of the plot. In terms of plot sizes, whilst smaller than those immediately surrounding the development, with the exception of No.3 as an anomaly, it is considered that the smaller plot sizes would not be uncharacteristic when looking at the local area as a whole. The siting and orientation of the new dwellings within their plots would allow for sufficient separation to boundaries and amenity space along with areas of soft landscaping.
57. The arrangement of the site would include two dwellings to the front, access through the middle and two dwellings to the rear. The two dwellings to the front will therefore be located further forward than existing built form and therefore more prominent within the streetscene. Given the layout and orientation of sites along this part of Narrow Lane, there is no particular established building line. The re-arrangement of the site, resulting in built form further forward than existing, is therefore not considered to impact the building line and if anything, would create a more consistent frontage that is more respectful to No.3 Narrow Lane, with built form having a better alignment to the footprint of this neighbouring dwelling.
58. The design of the buildings would reflect traditional form and construction with hanging tiles, clay roof tiles, timber features and red brick. The dwellings fronting Narrow Lane would be no higher than existing (9.3 metres at their highest point) which is also considered to be commensurate with other dwelling within the area. The neighbouring property directly adjacent to the application

site at No.3 Narrow Lane is a bungalow. However, when taking into account that the existing dwelling to be demolished is two storeys expanding a total width of 16.2 metres, the impact of the development within the streetscene is not considered to be significantly harmed and the dwellings, as a result of their height and design, would not be uncharacteristic of the area. The dwellings would maintain appropriate separation to each other along with boundaries to ensure that the development would not appear cramped within its setting.

59. Redevelopment of the site would moreover provide further scope to improve the overall appearance of the site and landscape quality of the site, which currently features a dwelling of no particular design merit, an overgrown front garden and a garage structure to the side of the existing dwelling that is of low amenity value.
60. To facilitate the development, access would remain as existing with an access road positioned between the two-front facing dwellings to serve the dwellings to the rear. It is noted that this has been amended following the original submission which had proposed two separate access points. An appropriate level of soft landscaping has been proposed along the front boundary with the dwelling set back an appropriate distance separated by proposed parking areas and the bin store. The access and arrangement is considered acceptable in this case.
61. It is considered that whilst the development would result in backland development, it would not be uncharacteristic of the area, and therefore no objection is raised in principle. The design and layout of the site is considered acceptable having regard to the residential area to which the site lies and would not result in overdevelopment or a cramped appearance. For these reasons, the proposal would not have significant impacts in terms of character and appearance and would therefore comply with the provisions of Policy DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy.
62. It is noted that a previous application was refused on the grounds of character and appearance, neighbouring amenity, shortfall in parking and lack of ecological and drainage details. However, given that the proposed development is entirely different, that decision is not considered to be informative or determinative in relation to the assessment of this proposal.

#### Impact on Neighbouring Amenity

63. 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.
64. 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.
65. The site is located within an established residential area where other properties adjoin each side of the site. The closest neighbouring property directly adjacent to the site is No.3 to the northern boundary. The application site backs onto the

rear boundaries of No.19 and No.20 Landscape Road and corner boundaries of No.12 Westhall Park and No.23 Landscape Road. There are other properties located opposite the site at No.4 and No.6 Narrow Lane.

66. In terms of House 1, this dwelling is sited towards the front of the site. The flank elevation of this dwelling would be approximately 1.2 metres from the southern boundary shared with the neighbouring site at No.19 Landscape Road. The depth of the dwelling along this boundary would measure 9.6 metres with a total height of 9.3 metres. Given the internal arrangement of the dwelling, a first-floor side window would be proposed on the southern flank towards this neighbour; however, in the event of an approval this would be conditioned such that it was obscure glazed and non-opening over a certain height. Whilst the positioning of the dwelling is within close proximity to the boundary, in excess of 30 metres is demonstrated to the closest point of the rear elevation of this neighbour which is considered to sufficiently mitigate harm with regards to overbearing and overshadowing effects. Policy DP7 of the Local Plan refers to a minimum distance, in most circumstances, of 14 m between principal windows of existing dwellings and the walls of new buildings without windows. In this instance, the policy is sufficiently met.
67. House 2 would be located adjacent to House 1 towards the northern side, also at the front of the site. Both properties are detached with a separation of 6.3 metres between them. House 2 would have a separation of approximately 5 metres to the northern boundary with the neighbouring property at No.3 Narrow Lane. The dwelling at No.3 is a bungalow located on a small and restricted site. The layout and positioning of House 2 has been carefully considered to ensure that the closest part does not extend beyond the rear building line at No.3, thereby reducing the impact of built form upon the amenity space of this neighbour. This proposed dwelling would be two and a half storeys; however, would provide a larger separation than the existing dwelling which is two storeys. The proposed positioning of the dwelling is also considered to be in an improved location where it is further forward with a larger separation to mitigate harm. This relationship is considered acceptable, and therefore no significant harm is considered as a result by reason of overbearing or overshadowing effects. There are no concerns raised with regards to overlooking given the limited openings to the northern flank; the roof light will be conditioned to ensure that it is above the required height to be clear glazed and opening.
68. House No.3 and 4 would have a similar arrangement, set behind the gardens of Houses No.1 and 2. The dwellings would demonstrate a minimum separation of 2.1 metres to the north and southern boundaries where no first floor windows are proposed to the boundary facing elevations. In terms of House 3, a separation in excess of 35 metres will be demonstrated between No.8 Westhall Park to ensure that amenity is not adversely overshadowed. The rear wall of the proposed building would also have a separation of 10.5 metres to the rear boundary of the site which adjoins No.12 Westhall Park, whilst this separation is limited, the relationship is such that it would have the potential to overlook the rear parts of the garden of this adjoining neighbour. Given the extensive tree screening, whilst noted during the winter months is likely to be less dense, it is not considered that significant overlooking would be achieved from first floor openings to justify a reason for refusal on these grounds.
69. The relationship between House 4 and the neighbour at No.21 Landscape Road is unlike any others surrounding the development. Whilst No.21 is located on a large spacious plot, the dwelling is set further back into the site limited the separation between the rear elevation and rear boundary. As such, the flank

wall to House 4 would be within reasonably close proximity to this neighbour. Policy DP7 of the Local Plan refers to a minimum distance, in most circumstances, of 14 m between principal windows of existing dwellings and the walls of new buildings without windows. In this instance, 18.8 metres is demonstrated, which is in excess of the policy requirement. Further to this, when considering where the sun rises and sets, it is not considered that the development would result in significant harm by reason of overbearing or overshadowing effects.

70. Within the development, the dwellings are sufficiently spaced to mitigate harm between the amenities of future occupiers. Whilst the distance between principal windows is limited to 20 metres, given the landscaping proposed this is considered acceptable. It is also noted that the occupier would be aware of this relationship prior to purchase; nonetheless, the arrangement is considered acceptable in policy terms.
71. Whilst there would be a degree of views between the proposed and neighbouring dwellings, it is considered that on balance this would not result in significant loss of privacy to neighbouring residents due to the separation distances demonstrated. In terms of the significant addition of built form, it is considered that as a result of the siting and orientation the proposed dwellings it would not result in significant harm on the amenities of neighbouring properties by reason of overbearing or overshadowing effects. As set out above, the effects on all other nearby residents has been considered but, due to the scale, orientation and positioning of the development and the separation distances between properties, it is not considered that the living conditions of the occupiers of any other properties would be effected to an extent that would justify the refusal of the application.
72. It is noted that a previous application was refused on the grounds of the impact on neighbouring amenities, particularly that caused unacceptable levels of overlooking and disturbance associated with the movement of vehicles. However, given that the proposed development is entirely different and the access and arrangement of the dwellings and the parking provision is entirely different, that decision is not considered to be relevant to the assessment of this proposal.
73. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

#### Living conditions for future occupiers

74. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical Housing Standards – Nationally Described Space standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
75. 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.

76. Each dwelling will measure approximately 156m<sup>2</sup> in terms of floorspace. As a result, the proposed dwellings would all conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space.
77. The amenity areas of each dwelling are located to the rear of each property with side access. The dwellings to the rear of the site are smaller in terms of plot sizes; although it is considered that an acceptable level of outside amenity is provided to serve the 5-bedroom units.
78. Given the scale and number of bedrooms, this is considered sufficient to serve the future occupants of the dwellings. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the dwelling.

#### Parking Provision and Highway Safety

79. 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.
80. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway subject to conditions and informatives.
81. The proposal includes a total of 10 car parking spaces. In this case, a total of 12 spaces would be required, 3 per dwelling and therefore the proposal has a shortfall of 2 parking spaces. When taking into consideration the sustainable location with regards to its proximity to bus stops (Clovelly Avenue Bus Stop – 3-minute walk, Homefield Road Bus Stop – 4-minute walk) and Upper Warlingham and Whyteleafe Train Station (both 16-minute walk), it is not considered that the small shortfall would lead to significant parking pressures where a refusal would be warranted on these grounds.
82. The County Highways Authority recommended a condition for pedestrian improvements to be provided across the junction of Narrow Lane, Clovelly Avenue, Westhall Park and Westhall Road. These would include dropped crossings and tactile paving. The reason being is to improve pedestrian access to nearby bus stops, Upper Warlingham Train Station to the south and access into Warlingham to the north. Given the sustainable location, it is important to ensure that access is safe in order to encourage residents to use public transport.

83. The development is therefore considered to accord with Policy CSP12 of the Core Strategy and Policies DP5 and DP7 of the Local Plan with regarding to highways safety and parking.

### Flooding

84. One of the twelve land-use planning principles contained in the NPPF and relates to taking full account of flood risk. Paragraph 159 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.
85. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
86. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
87. The Local Lead Flood Authority had suggested the imposition of a condition to require a suitable surface water drainage system to be implemented. The application is not a Major, not located in a Flood Zone. Whilst suitable drainage would be requirement of Building Regulations, it is not considered necessary to impose a condition requesting additional information given the scale and nature of the scheme.
88. The development is therefore considered acceptable in accordance with Local Plan Detailed Policy DP21.

### Renewable Energy

89. Policy CSP14 requires the reduction of carbon dioxide (CO<sub>2</sub>) emissions by means of on-site renewable energy technology. To ensure that the envisaged carbon emissions savings are achieved, in the event of an approval it would be considered necessary to impose a condition requiring the submission and approval of further information relating to renewable energy technology provision and its installation prior to the occupation of the development.

### Biodiversity

90. 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.

91. 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.
92. Surrey Wildlife Trust have reviewed the ecology details submitted. With the inclusion of the above-mentioned conditions, the proposal would comply with the requirements of the NPPF and CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2- Detailed Policies 2014. For that reason it is considered that the proposal is acceptable in regards to biodiversity.

### Landscaping and Trees

93. Policy CSP18 of the Core Strategy required that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
94. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is '*essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves*'. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
95. The Tree Officer was consulted, and his comments are below:

*"Whilst several trees are to be removed in order to facilitate the proposed development, none of the trees are of significant quality - all being BS5837 'C' category. All trees of moderate value are to be retained and protected, and there are no trees of high quality growing within the site.*

*Whilst the tree protection details are detailed enough to demonstrate the principle of development, and the protection of the trees, there are no details with regards to levels where no dig construction is proposed, and nor are there any details with regards to service routes, which is not unusual at this stage of the planning process. A detailed arboricultural method statement will be required under condition.*

*I am satisfied that there is sufficient space available for robust tree planting to compensate for the tree losses, but a detailed landscaping scheme will be required under condition. You may wish to amend the suggested condition in terms of hard landscape requirements.*

*I have no objections, subject to condition."*



96. This conclusion of the specialist is considered sound and therefore, subject to these conditions, no objection would be raised on the grounds of the impact on trees or landscaping.

### Other Matters

97. Third Party comments pertaining to noise and pollution arising from additional residents and traffic movements are noted. It is recognised that the intensified residential use would generate greater movement of vehicles and the potential for more noise with increased domestic activities. However, the impact is mitigated to a certain extent by boundary screening (subject to condition) and is not considered so significant to warrant a reason for refusal in this case.
98. Amended plans were received during the process of the application to reduce the number of units from 6 to 4 units in total. Following this, further plans were received to increase the separation of Houses 3 and 4 to the boundaries in order to address third party comments. This relationship is now considered acceptable in accordance with comments made above.
99. Third Party comments refer to the lack of a Design and Access Statement and Planning Statement. It is noted that revised statements were received on the 18<sup>th</sup> October and published on the Council's website. Comments also refer to the removal of existing trees on site. The site is not located within a Conservation Area nor are there any protected trees on-site. The removal of trees cannot therefore be controlled. However, condition 3 requests the submission of a Tree Protection Plan to be submitted and development will therefore be required to be carried out in accordance with details subject to the discharging of this planning condition.

### Conclusion

100. Tandridge is currently unable to demonstrate a five-year housing land supply. Thus, in accordance with the NPPF (paragraph 11d and footnote 8), the presumption in favour of sustainable development applies in Tandridge and in principle housing applications should be approved unless it is in a protected area (NPPF, paragraph 11d(i), footnote 7)) or the harms caused by the application significantly outweigh its benefits (NPPF, paragraph 11d(ii)). This is sometimes known as the 'tilted balance'.
101. For the reasons set out above, it is considered that the proposed development would not be out of character within this locality, it would not result in significant harm to the amenities of neighbouring residents and would provide reasonable living conditions for future occupier of the site. No harm with respect to highway safety to biodiversity is envisaged subject to the imposition of appropriate conditions. It is therefore recommended that planning permission be granted.
102. The recommendation is made in light of the 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 December 2023. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
103. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

**RECOMMENDATION:****PERMIT (subject to 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 J004382-DD-01, J004382-DD-02, J004382-DD-03, J004382-DD-04, J004382-DD-05, J004382-DD-06 received on 6<sup>th</sup> April, J004382-DD-14A, J004382-DD-13A, J004382-DD-12A, J004382-DD-17A, J004382-DD-11A, J004382-DD-16A, J004382-DD-15A, J004382-DD-20A, J004382-DD-19A, J004382-DD-18A, J004382-DD-23, J004382-DD-22 received on 18<sup>th</sup> October 2023, J004382-DD-21C received on 17<sup>th</sup> November 2023 J004382-DD-10C, J004382-DD-09C, J004382-DD-08C received on 20<sup>th</sup> November 2023, 0318-1000D received on 29<sup>th</sup> November 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

3. Notwithstanding the details already submitted, no development shall start until a Tree Protection Plan and detailed Arboricultural Method Statement, relating to all stages of development, for the protection of all trees and hedges to be retained on site or trees located offsite within 12 metres of the site boundary, has been submitted to and approved in writing by the Local Planning Authority. These details shall observe the principles of BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations), shall be implemented prior to any works commencing on site, shall be retained during 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.

4. No part of the development shall be commenced unless and until the proposed vehicular access to Narrow Lane has been constructed and provided with visibility zones in accordance a scheme to be submitted to and approved by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 m high.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with policy CSP12 of the Core Strategy DPD (2008) and Policy DP5 of the Tandridge Local Plan: Part 2.

5. Prior to the commencement of development an Ecological Enhancement Plan 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 Ecological Enhancement Plan, all measures set out within the approved Ecological Enhancement Plan 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 Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

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

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

7. No development shall start above ground level 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, no dig systems and sub base 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 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.

8. No development above ground level shall start until details demonstrating how the development would satisfy the 10% reduction of carbon emissions through renewable resources have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision serving any of the dwellings shall thereafter be installed prior to the first occupation of that dwelling and retained in accordance with the approved details.

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

9. The development hereby approved shall not be occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Narrow Lane the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with policy CSP12 of the Core Strategy DPD (2008) and Policy DP5 of the Tandridge Local Plan: Part 2.

10. The development hereby approved shall not be 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 / turning area shall be retained and maintained for its designated purpose.

Reason: To ensure adequate parking provision and to that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with policy CSP12 of the Core Strategy DPD (2008), Policy DP5 of the Tandridge Local Plan: Part 2 and the Tandridge Parking Standards.

11. 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: The above condition is required in recognition of Section 4 "Promoting Sustainable Transport" in the NPPF 2012.

12. The development hereby approved shall not be occupied unless and until facilities for the secure, covered parking of 12 bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in recognition of Section 4 “Promoting Sustainable Transport” in the NPPF.

13. Prior to the first occupation of any of the dwellings hereby approved, a scheme of pedestrian improvements within the public highway at the junction of Narrow Lane, Clovelly Avenue, Westhall Park and Westhall Road (to include dropped crossings and tactile paving) shall have been submitted to and approved in writing by the Local Planning Authority. All measures within the approved scheme shall be implemented, (in accordance with a S278 agreement if required by the Highway Authority) prior to the first occupation of any dwelling.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

14. The development hereby permitted shall be carried out only in accordance with the recommendations and mitigation measures set out in Bat Scoping Report and Preliminary Ecological Appraisal (October 2023).

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 permitted is occupied, the first floor flank windows to dwellings 1, 2, 3 and 4 (and any subsequent replacement of these windows) shall be fitted with obscure glass (Pilkington Glass level 3 or above, or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

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

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the dwelling(s) hereby permitted under Schedule 2 Part 1, Class A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without the express permission of the Local Planning Authority.

Reason: To control further development of the site in the interests of the character of the area and amenities of nearby properties, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 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 permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Mini Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice). When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
3. The development hereby approved shall not be occupied unless and until each of the proposed dwelling(s) 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.
4. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway

surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

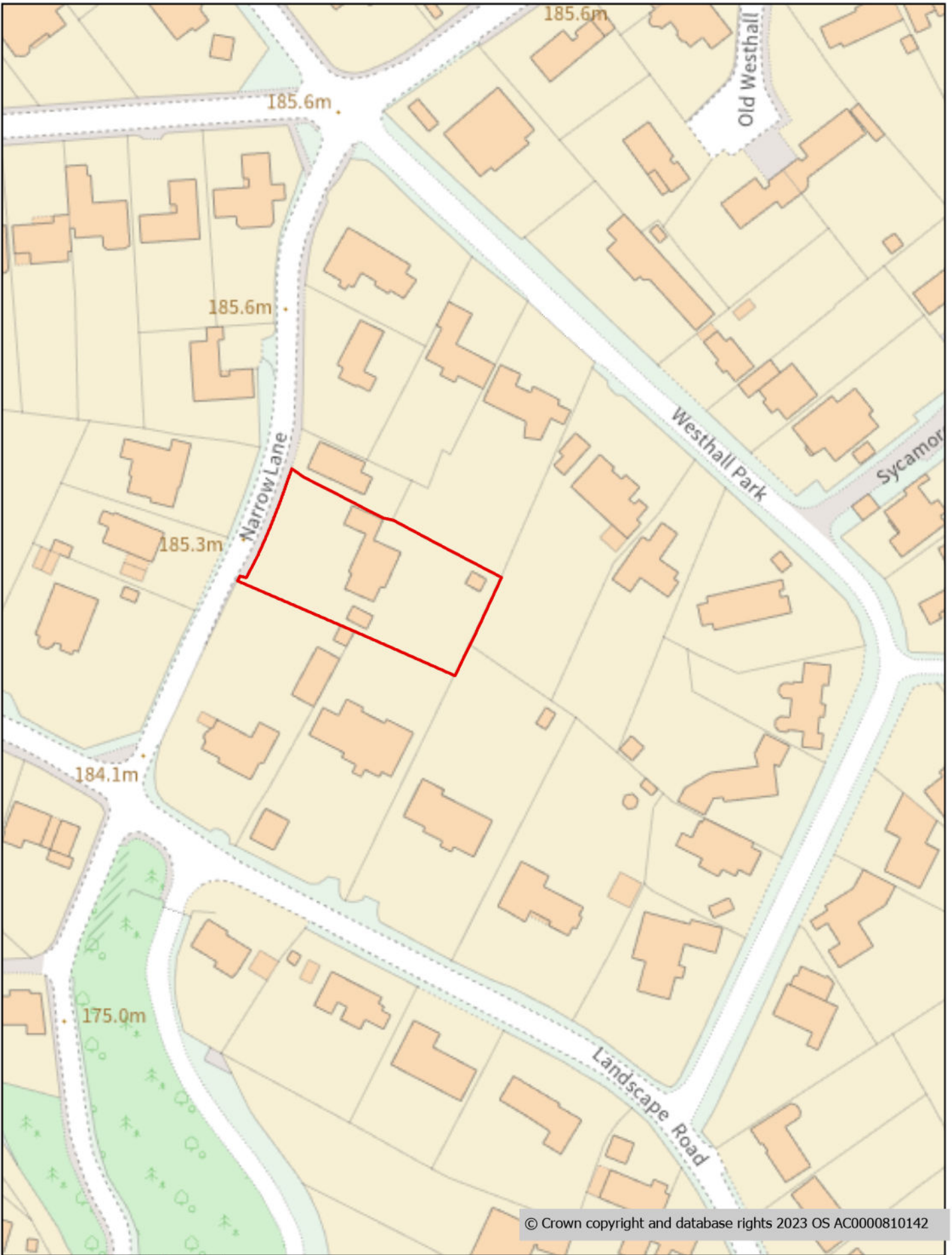
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
7. The permission hereby granted shall not be construed as authority to obstruct the public which a licence must be sought from the Highway Authority Local Highways Service.
8. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP3, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (December 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.

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## ITEM 4.2

**Application:** 2023/422

**Location:** Avante, 71 Croydon Road, Caterham, Surrey, CR3 6EX

**Proposal:** Addition of 2 storeys of residential accommodation to existing residential and commercial building to provide 7 additional flats.

**Ward:** Valley

**Decision Level:** Committee

*Constraints – Urban Area, Biggin Hill Safeguarding, Flood Zone 2 and 3, Railway Line(s) within 30m, B Road Classification, Source Protection Zones 2 and 3*

**RECOMMENDATION:**

**REFUSE**

1. This application is reported to Committee following a Member request from Councillor Gaffney.

### Summary

2. Planning permission is sought for the erection of two additional floors on an existing building to increase the number of units from 14 to 21 (an increase of 7). The development would be sited within a sustainable location and would make efficient use of urban land. However, the resultant building would significantly harm the character and appearance of the site and area and would not respect the prevailing streetscene. Moreover, it is considered that inadequate refuse storage facilities are provided. For these reasons, it is recommended that planning permission be refused.

### Site Description

3. The site comprises an existing 4 storey building located on the western side of Croydon Road within the Urban Area in Caterham. The existing building features 14 units and parking which is located beneath the building, being partly submerged below ground level given the sloping land. The site backs onto the railway line, with a combination of residential and commercial premises bordering each side of the site.
4. To the south of the application site is the adjacent development at the Rose and Young site. This site comprises of a commercial unit at ground floor (Lidl) with 4 additional residential storeys over. The height of this development is greater than the existing building at 71 Croydon Road even when considering the dropped down design of the northern section. To the north of the application site is a two-storey building (with additional accommodation in the roofspace), again serving commercial at ground floor and residential above. The subject building at the application site therefore offers a transition between these two neighbouring buildings within the prevailing streetscape.
5. Vehicular access to the rear is via a service road which abuts the site to the north. This provides access to the parking and the bin stores which are at the basement and the rear part of the site.

### Relevant History

6. 80/969 - Formation of a new shop front Approved (full) 08/12/1980

84/559 - Demolition of existing & erection of new shops and offices. Outline Permission 14/08/1984

86/152 - Change of use of 1st and 2nd floors from residential to office use. Refuse 07/05/1986 Appeal Allowed

98/881/A - Conversion of first and second floors to provide 2 x 1 bed flats; formation of replacement front & rear dormers & alterations to shop front - amended rear elevation incorporating enlarged dormer. Approval Of Amendment 21/06/2000

2000/764 - Change of use of ground floor and basement to a2 use (employment agency). Approved (full) 25/07/2000

2005/681 - Demolition of 71, 73 & 75 Croydon Road. erection of 4 storey building with offices on part ground floor and 13 flats above, with basement parking (17 spaces) (outline). Outline Permission 09/06/2005

2008/1544 - Sub-division of existing third floor 3-bed flat to 1 x 2-bed flat and 1 x 1-bed flat. Approved (full) 19/01/2009

2009/560 - Retention of underground vaults. Approved (full) 30/07/2009

2009/1324 - Change of use from office (class a2) to retail (class a1). Approved (full) 15/12/2009

2013/1505 - Change of use from a1 retail to sui generis Approved (full) 18/12/2013

### **Proposal**

7. Addition of 2 storeys of residential accommodation to existing residential and commercial building to provide 7 additional flats.
8. The existing building comprises a commercial unit at ground floor, with three residential storeys above, the top two stepped back from the principal building line. The proposed additional storeys would be located over a similar footprint, with balconies located to the front elevation and further windows and Juliet balconies to the side and rear elevations. Part of the footprint has been stepped back on the top floor where a larger balcony is located. The total height would increase from 14.8 metres to 20.1 metres.

### **Key Issues**

9. The site is located within the Urban Area of Caterham where the principle of development is acceptable. The key issue is the impact the development would have on the character of the property and the surrounding area, the residential amenities of neighbouring properties, the provision of renewable technologies, highway safety and parking.

### **Development Plan Policy**

10. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19, CSP23

Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP21

Woldingham Neighbourhood Plan (2016) – Not applicable

Limpsfield Neighbourhood Plan (2019) – Not applicable

Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Policies CCW1, CCW2, CCW3, CCW4, CCW5, CCW6

### **Emerging Tandridge Local Plan 2033**

11. At present, the emerging Local Plan “Our Local Plan 2033” technically remains under examination. However, no weight can be given to policies in the emerging Local Plan due to the Inspector’s findings that the emerging Local Plan 2033 cannot be made sound. Therefore, the adopted Local Plan remains the 2008 Core Strategy, the Local Plan Part 2: Detailed Policies 2014-2029, the Caterham, Chaldon & Whyteleafe Neighbourhood Plan, the Limpsfield Neighbourhood Plan and the Woldingham Neighbourhood Plan.
12. The evidence base published alongside the emerging Local Plan 2033 does not form part of the proposed Development Plan. The eventual non-adoption of the emerging Local Plan does not place more or less weight on the emerging Local Plan 2033 evidence base than on any other evidence base published by the Council. Until such time that evidence base studies are withdrawn, they remain capable of being a material consideration for planning applications.

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

13. Tandridge Parking Standards SPD (2012)
  - Tandridge Trees and Soft Landscaping SPD (2017)
  - Surrey Design Guide (2002)

### **National Advice**

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

### **Consultation Responses**

15. 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. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said

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

2. The development hereby approved shall not be first occupied unless and until bin stores facilities have been in accordance with the approved plan named Revised Basement Floor drawing number PD-A-100 Rev 1 and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.”

16. Caterham Valley Parish Council – The Parish Council object to the application, their reasons have been summarised below:

- “The proposal is not compatible with local character and distinctiveness contrary to policy
- Overdevelopment of site due to greater density
- The proposal will significantly harm the amenities of occupier of neighbours properties
- Photos in statement make building look taller than it is
- The scale of the development will impact neighbours obscuring light from habitable rooms
- The location of windows and balconies will impact privacy of neighbours
- The lack of parking will impact the amenity of residents on surrounding roads
- Parking assessment excludes areas which does not show a true representation of the local parking stress
- 5 of the proposed flats have no accessible outside space
- A number of the flats have habitable rooms without windows
- The extra flats will put strain on the local sewerage system
- Concerns over the ability of the local medical practice
- Provision of rubbish bins are insufficient
- The proposal will result in a step up from the Rose and Young site which is already over dominating the streetscene
- The rear of the building has the aesthetic of a container ship
- The proposal contravenes policy DP7, the building form is domineering on the streetscene and parking provision is inadequate
- There is no additional parking and already insufficient parking
- Lack of parking is contrary to planning policies
- Parking is a major concern and the parking survey does not take all streets into consideration
- The bicycle spaces would reduce the number of parking spaces in total which is a concern
- Local bus services are limited
- The site is already 14 units, a total of 21 with no affordable housing is unacceptable
- Access to the bin store will be restricted
- Fire alarms are faulty
- Consideration needs to be given to construction traffic in the event of an approval
- Security needs to be a consideration in the event of an approval.”

17. Environmental Health – “The report shows that the new accommodation will be strongly affected by traffic noise, from both the road and the railway, and that the noise guideline values as specified within British Standard 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings can only be achieved with closed windows. I do not believe that the use of trickle vents, whether acoustic or otherwise, is going to be sufficient for summer ventilation, but if the applicant

agrees to install a suitable mechanical ventilation system to reduce the requirement of residents to open windows for ventilation purposes, I would have no objection on noise grounds.”

18. Network Rail – “Due to the close proximity of the proposed development to Network Rail’s land and the operational railway, Network Rail requests the applicant / developer engages Network Rail’s Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. Where applicable, the applicant must also follow the attached Asset Protection informatives. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.”

19. Locality Team – “The bin store is too small with the wrong bin capacity and bin types that are indicated on the plans. The revised plan attached shows the bin store to accommodate 5 x 360L (1800L total) recycling bins – which is under the required capacity for recycling that is required by Tandridge Council.

3 x 1100L general waste bins

And 1 x 360L food bins

Total Capacity 5240 Litres.

Under capacity for adequate and Tandridge policy waste storage and collection by 2105.80 litres.

Under capacity means the bin store will more than likely overflow with loose waste / bags out of containers, and internal access blocked on a weekly basis, resulting in the collection operatives not being able to enter the bin store to retrieve and empty the bins in a safe and accessible manner.

This could also result in the risk of vermin and other health risks to the residents, as well as blocked access and it would be the responsibility of the managing agent to clear the bins store before we could provide regular scheduled collections.”

20. Further comments were received from the Locality Team on the 29<sup>th</sup> December in response to a query raised by the agent with regards to the internal recycling storage spaces – “The additional recycling storage spaces internal to the individual properties are not the same as the external storage at the collection point. The internal storage is not counted as part of the external overall waste & recycling capacity allowance.”

## **Public Representations/Comments**

21. Third Party Comments

- No parking, demand for off-street parking
- Overcrowded and overdevelopment
- Impact from scaffolding during construction
- Disruption during construction
- Issue with existing waste and overflowing of rubbish
- Issues with existing services not able to provide for existing residents
- Issues for existing leaseholders
- Parking has not been considered
- Lacking structural details
- Building will block light to neighbours

- Increase in congestion and traffic limited parking locally
- Existing bin room is inadequate
- Impacts to physical and mental health
- Noise disruption from development
- Public transport links are limited
- Building will be overbearing and out of character
- Building is taller than neighbours to the north
- The development will cause an inconsistency within the streetscene
- Overlooking from balconies
- Concerns over access to bin shed
- Security risks during construction
- No Flood Risk Assessment
- No space for construction traffic
- Issues with light, utilities and noise
- Development will change landscape features
- Complications with parking arrangements
- Issues with manoeuvring vehicles or emergency vehicles

## **Assessment**

### Procedural note

22. The Tandridge District Core Strategy 2008 and Local Plan Detailed Policies 2014 predate the NPPF as published in 2023. However, paragraph 225 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 NPPF document. Instead, due weight should be given to them in accordance with the degree of consistency with the current NPPF.

### Location and principle of development

23. The application site lies within an Urban Area where Core Strategy Policy CSP1 identifies that development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel services is minimised. The principle of new development would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as assessed below.

24. 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.

25. The principle of further residential units on this urban site is in accordance with policies CSP1 and DP1 of the adopted plan and those housing policies of the NPPF which seek to boost the provision of housing. The main issues in this case relate to the design of the building, impact of the proposal on the streetscene, impact on amenity of surrounding properties and the adequacy of ancillary accommodation to serve the development.

### Housing balance and Mix

26. 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.

27. The scheme proposes 7 additional units to the existing building comprising of x5 2-bedroom and x2 1-bedroom flats. Whilst not including a mixture of houses that accords with the Strategic Housing Market Assessment (SHMA), it is considered that the inclusion of larger units would be impractical given that the proposal can only feasibly include flats. Although a need for larger units is not met by this proposal, there is a large need for smaller units as identified within the SHMA and this proposal would assist towards meeting that requirement. Therefore, whilst not wholly according with the requirements of Policy CSP7, it is considered that the proposal is acceptable in relation to the mix of housing proposed and it would not be reasonable to object to the housing mix that is proposed in this case.

### Character and Appearance

28. Paragraph 131 of the NPPF 2023 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.
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. Policy CSP19 of the Core Strategy states that within the NPPF for the character and design of density as set out in Policy CSP18, the density of new development within the built-up areas would be within a range of 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.
32. Caterham, Chaldon and Whyteleafe Neighbourhood Plan Policy CCW4 relates to the character of development and states that development is expected to preserve and enhance the character area in which it is located. Policy CCW5 relates to the design of development which is expected to be of high quality integrating well with its surroundings.
33. The existing building features a commercial premises at ground floor, with a basement to accommodate parking below and residential flats over. The building, dating from around 2006/2007 is of a reasonably contemporary style with a design whereby each floor is set back from the plane of the principal elevations and an arched shaped roof over.

34. The existing building in its current form offers a transition between the development to the south at the Rose and Young site (which is closer to the town centre), and the more modest 2 storey row of buildings to the north. To the north, buildings are more subservient in scale and is generally more residential in nature. This creates a difference in character between the main town centre area in Caterham and the outskirts of this defined area. The existing building is considered to offer an important contribution to this transition in character.
35. Given the location of the application site along Croydon Road, the building is reasonably visible within the streetscene especially from the northern approach. The service road, whilst separating the bulk from its neighbour, results in the side elevation being fairly open and visible from within the public domain.
36. Planning permission is sought for the construction of two additional floors over the footprint of the existing building. The layout would accommodate for 7 additional units, a combination of 1 and 2 bedrooms, and the front facing units would benefit from private balconies.
37. In terms of scale, the height of buildings within this locality is not consistent, but it is a relatively constant feature of the area that the heights of buildings change in a phased manner, with the height of built form rarely increasing by more than 2 full storeys across neighbouring sites. In this regard, the transition from 5 storeys to 4 storeys across the building to the south at the Rose and Young site, the building at the site and the building to the north is reflective of the general pattern of the area. The presence of 3 storey buildings opposite the site also contributes to the transitional building height character.
38. By increasing the height to match the height of the built form to the south, the difference in height between the built form at the site and the built form to the north (which is two storeys) would be significantly exaggerated, to the point of being a stark difference. The presence of the vehicle access means that the side of the site is relatively open to views and this, therefore, exaggerates the visual impact of the increase in height and bulk and the contrast with the neighbouring building. Moreover, as the approach to Caterham from the North is an important route into the town centre, it is considered that the side elevation would be particularly prominent. This would emphasise and exaggerate the impact of the building height on the character of the locality.
39. In terms of the design, the additional floors would appear bulky and interrupt the balance and rhythm of the existing staggered design of the building. The resultant building would appear disproportionate and top heavy, with a lack of modelling other than windows to the side and rear elevations failing to break up the large expanse of wall. Whilst it is accepted that the Applicant has attempted to follow the stepped back design to the front elevation, the proposal would not respect the same pattern and therefore would not appear subordinate to or complement the design and appearance of the existing building.
40. In terms of the appearance, it is also important to consider how this is viewed within the wider context. Given the topography of the area, the Valley ('Caterham Valley') is naturally lower, leaving surrounding roads higher in level with the potential for greater views from and to the site. Stafford Road is located to the west, beyond the railway line and benefits from views across towards the Valley. Whilst built up in nature, it is important to consider the appearance to the rear of the site as well as the impact on the streetscene to which the development fronts. To the sides and rear, the development would have a limited separation to the boundary, increasing the height from 14.9 metres to 20.1 metres with a flat roof over and lack of

modelling as outlined above. As such, the increase of built form would result in an overly large building which also impacts views from surrounding roads such as Stafford Road.

41. The Caterham, Chaldon and Whyteleafe Neighbourhood Plan states that development should have regard to both the character of the area in which it is set and to the character of the area overall. The Neighbourhood Plan also states that development should exhibit design reflecting local context, character and vernacular of the area. For the reasons outlined above, the design is not considered consistent with the existing form nor would it positively reflect the character of the area, failing to complement the streetscene. The policies expand on other design features to encourage high quality, locally responsive design that is in keeping with the townscape character and context. It is not considered that the design would integrate well in its local context and therefore does not support high quality design. The application is therefore considered contrary to the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021.
42. For these reasons, the proposed development would harm the character and appearance of the site and area failing to contribute to the prevailing streetscene contrary to the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies, Policy CSP18 of the Core Strategy and the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021.

#### Residential Amenity

43. 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.
44. The above policies reflect the guidance at Paragraph 135 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.
45. The closest neighbouring properties to the site are those located within the existing unit, future occupiers at the Rose and Young site (currently under development) and the first-floor residential flats between 77 to 83 Croydon Road. Whilst the proposal would significantly increase built form on site, this would extend upwards and not increase the footprint of the total building. Given the orientation to the development at the Rose and Young site, it is not considered that the development would cause significant harm as the bulk would be positioned within the front and rear building lines of this neighbouring block and therefore not greatly overbearing to these future neighbours.
46. The development is likely to result in a change to the relationship between the neighbours north of Croydon Road. However, given the separation notably as a result of the service road, the increase in height is not considered to result in significant harm in this case. It is also noted that there is no increase to the footprint of the building. The number of openings to the side boundary would increase as a result; however, this is also not considered to significantly alter the existing relationship where existing windows and Juliet balconies are already located to the side. Whilst the increase in openings would have the potential to overlook the side of No.77 and the parking area to the rear, it is not considered significant in this case.

to justify a reason for refusal given the existing relationship and built-up nature of the locality.

47. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014), Policy CSP18 of the Core Strategy (2008) and the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021.

#### Living conditions for future occupiers

48. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical Housing Standards – Nationally Described Space Standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
49. 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.
50. The proposed units (as show on the submitted drawings) would have a gross internal floor space (GIA) of approximately 41sqm to 71sqm. On the basis that the smallest 1-bedroom flat would occupy a single occupancy (as confirmed within the Design and Access Statement), then the units 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 dwelling.
51. It is noted that not all units provide private amenity space; however, the site is located within a short walk from accessible open spaces. The lack of private amenity space is therefore acceptable given the number of units in this case.
52. Overall, it is considered that the proposal would provide suitable living conditions for future occupiers and accord with the abovementioned policy and the NPPF in this respect.

#### Parking Provision and Highway Safety

53. 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.

54. The County Highway Authority has reviewed the revised plans and raises no objection with regards to highway capacity, safety and access. Their full comments and list of recommended conditions can be found above.
55. The existing building at the site was approved to have 17 parking spaces to serve the 13 flats that were approved. The later sub-division of a flat added a further flat. This proposal would see the provision of 7 further flats but no extra parking spaces. The Council's adopted Parking Standards set out that parking spaces should be provided at a rate of 1.5 space per flat unallocated, or 2 spaces allocated. Consequently, the resultant development would have a shortfall of 10.5 (unallocated) spaces relative to the Council's adopted standards.
56. The application is accompanied by a Transport Statement (TS). The TS concludes that *'the parking impact of the proposed development is not expected to result in conditions prejudicial to parking, safety or neighbourhood amenity and is not deemed to have a significant impact on the adjoining highway.'* This is largely owing to the location of the site within a sustainable area where there is a magnitude of public transport within a short walk from the application site. Whilst there is no off-street or on-street parking options given the restrictions locally, future occupiers would be discouraged from owning cars entirely and encouraged to use from sustainable modes of transport. In such a location, this is achievable where the train station is less than a 10 minute walk with various bus stops with frequent buses on various timetables.
57. Paragraphs 108 and 109 of the NPPF, in the section entitled 'Promoting sustainable transport' are of particular relevance in this regard. Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals.
58. Paragraph 109 makes it clear that the planning system should actively manage patterns of growth in support of these objectives, explaining that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Taken together, these NPPF paragraphs indicate that regard should clearly be had to matters of scale when sustainability is being considered.
59. Overall, the proposal would be a suitable site for development having regard to national and local policies which seek to promote sustainable patterns of development. The development would accord with the principle of the NPPF to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be made sustainable. From this basis, whilst there is a shortfall of parking and a conflict with the abovementioned policies as a result of this, it is considered that other material considerations, most notably the nature of the proposed accommodation and the particularly sustainable location, is reason to conclude that harm would not arise that would make the development unacceptable.
60. 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.

## Renewable Energy

61. Policy CSP14 requires the reduction of carbon dioxide (CO<sub>2</sub>) emissions by means of on-site renewable energy technology. There are limited details with regards to renewables; however, further details could be supplied to ensure that the development could meet the minimum requirements outlined in Policy, which is a 10% reduction in carbon emissions. In the event of an approval, this could be conditioned appropriately.

## Refuse Collection

62. The Councils Locality team have been consulted on the proposals and have noted that the bin store could not accommodate for the total 21 units. Whilst it is not the applicant's duty to rectify an existing issue, they would need to ensure that the bin store could sufficiently accommodate for the increase in 7 units. The applicant has not sufficiently demonstrated this.

63. In some instances, this could be dealt with by condition; however, given the constraints of the site it is not considered that there could be an acceptable solution. The agent was given the opportunity to address the comments made by the Refuse Officer and had provided amended plan, although this did not suitably address the concerns raised. The applicant has responded further to the comments of the Refuse Officer and highlighted that internal provisions within each additional flat have been shown to address some requirements and that a further food waste provision could be addressed through a condition. These comments have been passed on to the Refuse Officer who maintains an objection on the grounds that inadequate refuse provision has been demonstrated.

64. Third Party comments raise concerns with bin capacity and note that this is an existing issue. It is the Applicants responsibility to ensure that the bins provided would meet the needs of the 7 additional units, not solve an existing issue. The residents should contact the owner of the site to resolve any existing issues which are not in control of the planning department.

65. In this case, the increase in units would have a consequential impact on the capacity of the bin store and it is not considered that the provision would be sufficient to serve the additional units. For this reason, the development is contrary to Local Plan Detailed Policy DP7.

## Planning balance and conclusion

66. Tandridge District Council is currently unable to demonstrate a five-year housing land supply. Thus, in accordance with the National Planning Policy Framework (NPPF) 2023 (paragraph 11d and footnote 8), the presumption in favour of sustainable development applies in Tandridge District Council and in principle housing applications should be approved unless it is in a protected area (NPPF, paragraph 11d(i), footnote 7)) or the harms caused by the application significantly outweigh its benefits (NPPF, paragraph 11d(ii)). This is sometimes known as the 'tilted balance'.

67. The proposal would result in harm to the character of the existing building failing to respect the existing rhythm of the staggered design of the building. Furthermore, the significant increase in height would be detrimental to the appearance of the building within the prevailing streetscene which as existing, contributes to the transition of building heights along the street. Paragraph 134 of the NPPF requires

development that is not well designed to be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Moreover, harm would arise from inadequate refuse storage in conflict with Policy DP7. In these respects, the policies and guidance with which the proposed development conflicts are in strong conformity with the NPPF. Overall, even affording substantial weight to the benefit arising from the provision of seven units, it is considered that the harm that has been identified clearly and demonstrably outweighs the benefit. The proposal does not, therefore, accord with the NPPF when taken as a whole and the NPPF does not represent a reason to reach a different decision than that which the development plan indicates should be reached.

68. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

**RECOMMENDATION:**

**REFUSE**

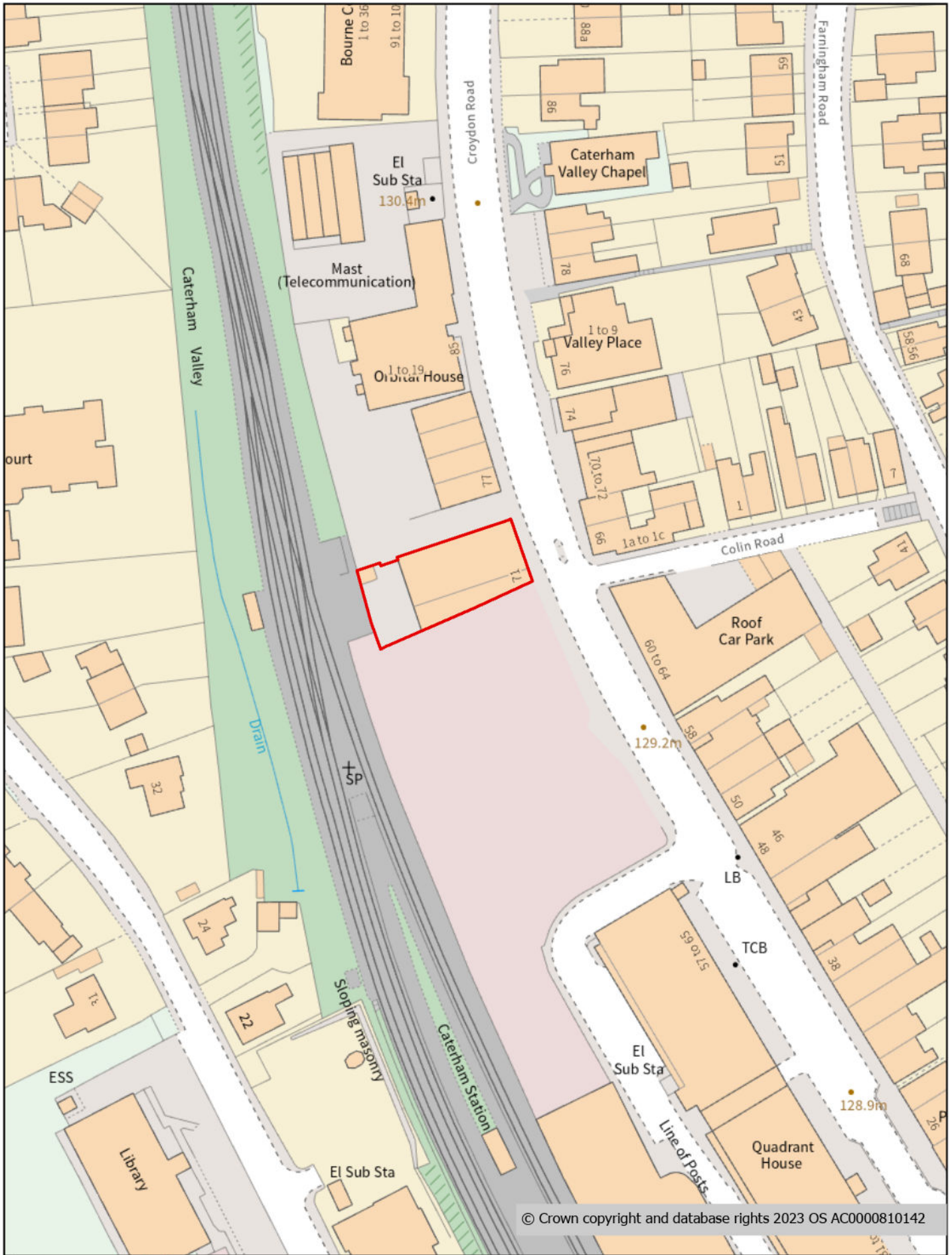
1. The proposal, by reason of its design, scale and bulk, failing to respect the rhythm of the staggered design of the building and prevailing streetscene, would result in significant harm to, and fail to reflect and respect, the character and appearance of the site, street scene and surrounding area. This would be contrary to Policy CSP18 of the Tandridge District Core Strategy 2008, Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014, Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) and the NPPF (2023).
2. The proposal would not provide appropriate facilities for the storage of refuse and recycling materials for the 7 additional units in accordance with current Tandridge District Council's standards. As a result, the development is contrary to Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19, CSP23, Tandridge Local Plan Part 2, Detailed Policies 2014, Policies DP1, DP5, DP7, DP21, Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) Policies CCW1, CCW2, CCW3, CCW4, CCW5, CCW6 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

The Tandridge District Council 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 decision relates to drawings numbered PD-A-002 1 (existing elevations), PD-A-001 1 (existing floorplans), the red-edged site location plan received on 3<sup>rd</sup> April 2023 and PD-A-100 3 (proposed floorplans), PD-A-200 3 (proposed elevations) received on 4<sup>th</sup> December 2023.





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## ITEM 4.3

**Application:** 2023/1251

**Location:** Communal Block, Newhache Dormansland, Lingfield, Surrey, RH7 6PX

**Proposal:** Conversion of disused community space on the ground floor of a two storey block of flats, into a two bedroom flat.

**Ward:** Dormansland and Felcourt

**Decision Level:** Committee

### Constraints

ASAC, Ancient woodland(s) within 500m, Green Belt settlement area(s), Gatwick Bird Strike Zone, Gatwick Safeguarding 90m, Green Belt area, Legal Land Terrier 9/32, Local D Road – Newhache, Local D Road- Locks Meadow, Risk of flooding from surface water – 1000, Special Protection Area(s).

### **RECOMMENDATION:**

**PERMIT**

1. This application is reported to Committee as it is Council owned land.

### **Summary**

2. Planning permission is sought for the conversion of disused community space to a two bedroom flat. While the loss of community space is contrary to Policy, it is recognised that this type of use is redundant in this location and that the community facility formed an ancillary function within an area of sheltered housing.
3. In terms of Green Belt Policy, the proposal would be compliant with the requirements of Policy DP12. The development proposal would be acceptable in terms of the impact on the character and appearance of the area, neighbour amenity and the amenities of future occupiers. With regard to parking, while there would be a shortfall in this regard, the application site is located in a sustainable area and the development of 1 unit is unlikely to result in an adverse impact on parking in the locality. Furthermore, it is noted that the proposal would utilise redundant space within social housing flats and provide an additional property to the Council's social housing stock which would be a benefit. For these reasons the recommendation is for conditional approval.

### **Site Description**

4. The application site is located within Dormansland, a defined village within the Green Belt. It is also within 500 metres of Ancient Woodlands and an area at risk of surface water flooding at 1:1000 years.
5. The site itself is located to the west of Dormans High Street to the south of a subsidiary residential Road, Newhache. The proposed dwelling would be located within an existing residential building with one flat on the first floor, utilising the vacant community space on the ground floor.
6. There is a communal garden space with mature landscaping to the south of the property, and parking comprises a car park of 26 spaces and on street parking.

## **Relevant History**

7. Erection of two blocks of eight aged persons flats on about 1 1/4 acres of land Approved 16/01/1960
8. GOR/3152A  
Erection of 18 flats in three blocks on approx. 1 1/5 acres of land Approved 22/04/1958
9. GOR/3152  
Housing Approved 10/02/1958

## **Key Issues**

10. The site is located within Dormansland, a defined village in the Green Belt. The key issue is whether the development proposal constitutes inappropriate development and, if so, whether there are any Very Special Circumstances which would outweigh the harm to the Green Belt. Other key issues would include loss of community floorspace, character and appearance, neighbour amenity and the amenities of future occupiers, highway safety and parking.

## **Proposal**

11. The development proposal would comprise the conversion of disused community space on the ground floor of a two storey building, into a two bedroom flat.
12. The flats in this locality make up part of Tandridge District Council's social housing supply. Originally, the housing was used for elderly residents as sheltered accommodation and included community space. However, approximately 5 years ago the flats changed to accommodate general housing needs and, consequently, the community space is no longer required.
13. On this basis, the ground floor within the block is intended to be utilised to provide an additional two bedroom flat. The changes would be largely internal with no extensions required. The gardens in this locality are communal, and there is currently a car park and roadside parking which is used by all residents.

## **Development Plan Policy**

14. Tandridge District Core Strategy (2008) Policies CSP1, CSP12, CSP13, CSP18.
15. Tandridge Local Plan – Part 2: Detailed Policies (2014) Policies DP1, DP2, DP5, DP7, DP10, DP12, DP18

## **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. Woldingham Design Guidance SPD (2011) N/A

19. Woldingham Village Design Statement SPD (2005) N/A
20. Harestone Valley Design Guidance SPD (2011) N/A
21. Lingfield Village Design Statement (SPG) N/A
22. Bletchingley Conservation Area Appraisal (SPG) (2002) N/A
23. Surrey Design Guide (2002)

### **National Advice**

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

### **Consultation Responses**

27. County Highway Authority

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

28. Dormansland Parish Council

Dormansland Parish Council has no objections so long as adequate parking spaces are made available for the new residents / flats.

### **Public Representations/Comments**

29. Third Party Comments

None received.

### **Assessment**

#### Procedural note

30. The Tandridge District Core Strategy and Tandridge Local Plan Part 2: Detailed Policies predate the NPPF as published in 2023. However, paragraph 225 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 NPPF document. Instead, due weight should be given to them in accordance with the degree of consistency with the current NPPF.

#### Sustainability

31. The application site lies outside the settlement areas of the district, and development is not generally encouraged on sustainability grounds as it would not accord with the requirements of Policy CSP1 which seeks 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 NPPF sets out similar requirements. 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. However, Dormansland is identified within DP12 as one of the defined villages in the Green Belt where some development, including the partial or complete re-development of previously developed land, is considered to be acceptable in principle subject to it being in character with the village and complying with any other relevant policies.

#### Loss of community floorspace

32. Policy CSP13 of the Core Strategy seeks to safeguard the loss of community space. Paragraph 97 of the NPPF reflects this and, in particular part C sets out the importance of 'guarding against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'
33. Policy DP18 permits the loss of community facilities where there is no longer a demand for it. This should be demonstrated through
  - an active 12 month marketing exercise, where the building has been offered for sale or letting on the open market at a realistic price and no reasonable offers have been refused;
  - there are similar facilities nearby or alternative provision can be made on another site to the same or a higher standard;
  - The current use will be retained and enhanced by the development
34. The flats were originally constructed for use as sheltered housing with a community space provided comprising 77 square metres to allow the occupants to socialise in comfort. The community space is known to have been an ancillary feature of the sheltered housing accommodation. However, approximately 5 years ago the use of the buildings were altered and the sheltered housing in this locality is now used to fulfil general housing needs. As such, the community area is now unoccupied, and the space is vacant. For this reason, it is considered that the space is better suited as an additional flat which would provide another dwelling for use as social housing which is in short supply. Officers note that some facilities are still provided, for example, a laundry room.
35. The provision of community use facilities for sheltered housing is no longer required. Tandridge District Council is striving to increase its supply of social housing so letting or selling this building would not be an option.
36. In this instance the community space is an ancillary feature of a use that is no longer in operation. As the remainder of the premises is being used as self-contained residential accommodation it would not be appropriate to use this area for community activities as any use is likely to result in amenity concerns for occupiers. Selling or leasing the space for outside use when there is a pressing need for social housing would not be considered a viable option in this case.
37. As such, the development proposal, while not entirely compliant with the above- mentioned policies, would be considered an acceptable alternative to the community use.

## Green Belt

38. The NPPF supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 142 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.
39. Paragraph 155 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes at section (d) “the re-use of buildings provided that the buildings are of permanent and substantial construction.”
40. Policy DP10 of the Local Plan reflects paragraphs 152 - 153 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.
41. Policy DP12 sets out appropriate development in the Green Belt including, among other things, infilling, re-development and other forms of development providing they are in character with the village and comply with other relevant policies. This policy also allows for any other form of development that is defined by the National Planning Policy Framework as not being inappropriate in the Green Belt which is the case here as a result of paragraph 155 of the NPPF.
42. As set out earlier, the development proposal seeks to re-use a redundant space within an existing building. The conversion would not require any extensions, although there would be some alterations to fenestration.
43. As such, there would be no increase in volume and no impact in terms of openness within the Green Belt. The development is not, therefore, inappropriate development in the Green Belt.

## Character, appearance and design

44. Paragraph 139 of the NPPF states that development should reflect local design policies and guidance taking into account supplementary planning documents. Significant weight should be given to this and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design generally, providing it fits in with, or enhances, the character and appearance of the locality.
45. 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.
46. 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.

47. Policy DP12 of the Local Plan Part 2: Detailed Policies advises that development in the Defined Villages in the Green Belt will be permitted where the proposal comprises one of six forms of development. Of relevance to this proposal is Criterion (2) 'The partial or complete redevelopment of previously developed land, even if this goes beyond the strict definition of infilling.' Part B sets out that, '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'.
48. The development proposal would utilise the now redundant community area within the building and, as such, the majority of the alterations would be internal. In terms of design, there would be some alterations to the fenestration serving the living area on the northern elevation, and the bathroom, hallway and bedroom two on the southern elevation. However, the changes would be in keeping with the existing 1950's building, and the character and appearance of the area as a whole.
49. For these reasons, the proposal would not have a significant impact in terms of character and appearance and would therefore comply with Core Strategy Policy CSP18 and Local Plan Part 2: Detailed Policies DP7 and would not result in harm to the visual amenity of the area.

#### Residential Amenity

50. 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.
51. The above Policies reflect the guidance at Paragraph 135 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.
52. As set out earlier in the report, there would be no increase in the bulk and massing of the building. The fenestration would look out onto the highway at the front of the building, and the communal gardens at the rear, like the neighbouring flats in the block. As such, any impact on neighbouring properties would be minimised.
53. All other properties in neighbouring accommodation would be a sufficient distance for any impact in terms of amenity to be minimised, and any views between the future occupiers and houses to the rear (south) of the application site would be obscured by existing boundary treatment.
54. For the reasons outlined, the proposal would be considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan Part 2: Detailed Policies (2014) and Policy CSP18 of the Core Strategy (2008).



#### Living conditions for future occupiers

55. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwelling.
56. The proposed 2 bedroom flat (as shown on the submitted drawings) 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 dwelling.
57. The garden space for the proposed dwelling would be located to the south on land currently used communally for amenity purposes for the occupiers of the flats in this location. This space would also be available for future occupiers of the development proposal and would provide adequate amenity space for them.
58. Bins would also be stored within the external amenity area, and there is sufficient space for this without impacting on the amenity of future occupiers or the occupiers of neighbouring properties.
59. For the above reasons, the proposed development would provide acceptable accommodation for future occupiers and would comply with Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

#### Parking Provision and Highway Safety

60. 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 Part 2: Detailed Policies 2014 also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
61. Paragraph 109 of the NPPF makes it clear that the planning system should actively manage patterns of growth in support of these objectives, explaining that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Taken together, these NPPF paragraphs indicate that regard should clearly be had to matters of scale when sustainability is being considered.
62. It is noted that Dormansland Parish Council raise no objection to the development proposal providing parking spaces were supplied for future occupiers.
63. The flats in this location (32 in total) do not comply with Tandridge Parking Standards, providing 26 spaces within a car park and designated parking bays. The flats were originally used for sheltered housing, and the Parking Standards requirements are lower for such a use (one parking space per unit or individual assessment/justification) than for non-sheltered housing.
64. The Parking Standards for general housing require 1.5 spaces per 1 and 2 bedroom unit (for unallocated parking). This would suggest that a total of up to 48 car parking spaces should be available for the occupants of the entire development. Notwithstanding this, on-street parking is available on Newhache

and Lockmeadow which could potentially provide sufficient parking and therefore alleviate any local parking demand.

65. Furthermore, there is a bus stop at the junction of Newhache and Dormans High Street, and facilities such as a village shop, church and school are available some 350 metres along this road, which is paved and lit. As such, the proposed development would be considered to be in a sustainable location with access to facilities to support day to day living.
66. In summary, it is recognised that there is a shortfall of parking and a conflict with the abovementioned Policies as a result of this. However, it is considered that other material considerations, most notably the increase in social housing accommodation and the sustainable location give reason to find the available parking provisions acceptable. Given the modest scope of this development, officers do not consider that the addition of 1 unit would result in the locality being overwhelmed by parking need in the locality. With this in mind, officers conclude that harm would not arise that would make the development unacceptable.
67. As such, the development proposal is considered to be compliant with Policy CSP12 of the Tandridge Core Strategy 2008 and DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

## **Conclusion**

68. Planning permission is sought for the conversion of disused community space (situated within a former sheltered housing block) in order to create a two bedroom flat. The community space formed an ancillary part of sheltered housing accommodation which has now ceased to operate (as the premises now provides self-contained accommodation). Given the ancillary nature of the community space, and the inappropriateness of alternative community use on amenity grounds, it is considered that there is no significant conflict with Policy DP18 in this instance.
69. In terms of Green Belt policy, the proposal would be compliant with the requirements of Policy DP12. The development proposal would be acceptable in terms of the impact on the character and appearance of the area, neighbour amenity and the amenities of future occupiers. With regard to parking, while there would be a shortfall in this regard, the application site is located in a sustainable area and the development of 1 unit is unlikely to result in an adverse impact on parking in the locality. Furthermore, the proposal would serve to add another property to the Council's social housing stock which would be a benefit. For these reasons the recommendation is for conditional approval.
70. 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 CSP1, CSP12, CSP13 and CSP18 within the Tandridge District Core Strategy 2008 and Policies DP1, DP5, DP7, DP10, DP12 and DP18 of 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.
71. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

## Conditions

### 1. Three year time limit

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. Plans

This decision refers to drawings and information received:

Proposed north elevation	No 2.1.2	Rec: 19.12.2023
Proposed south elevation	No 3.1.2	Rec: 19.12.2023
Proposed east elevation	No 4.0	Rec: 13.10.2023
Proposed west elevation	No 5.0	Rec: 13.10.2023
Proposed ground floor plan	No 1.1.2	Rec: 19.12.2023
Proposed site plan		Rec: 13.10.2023
Location plan		Rec: 13.10.2023

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. Matching materials

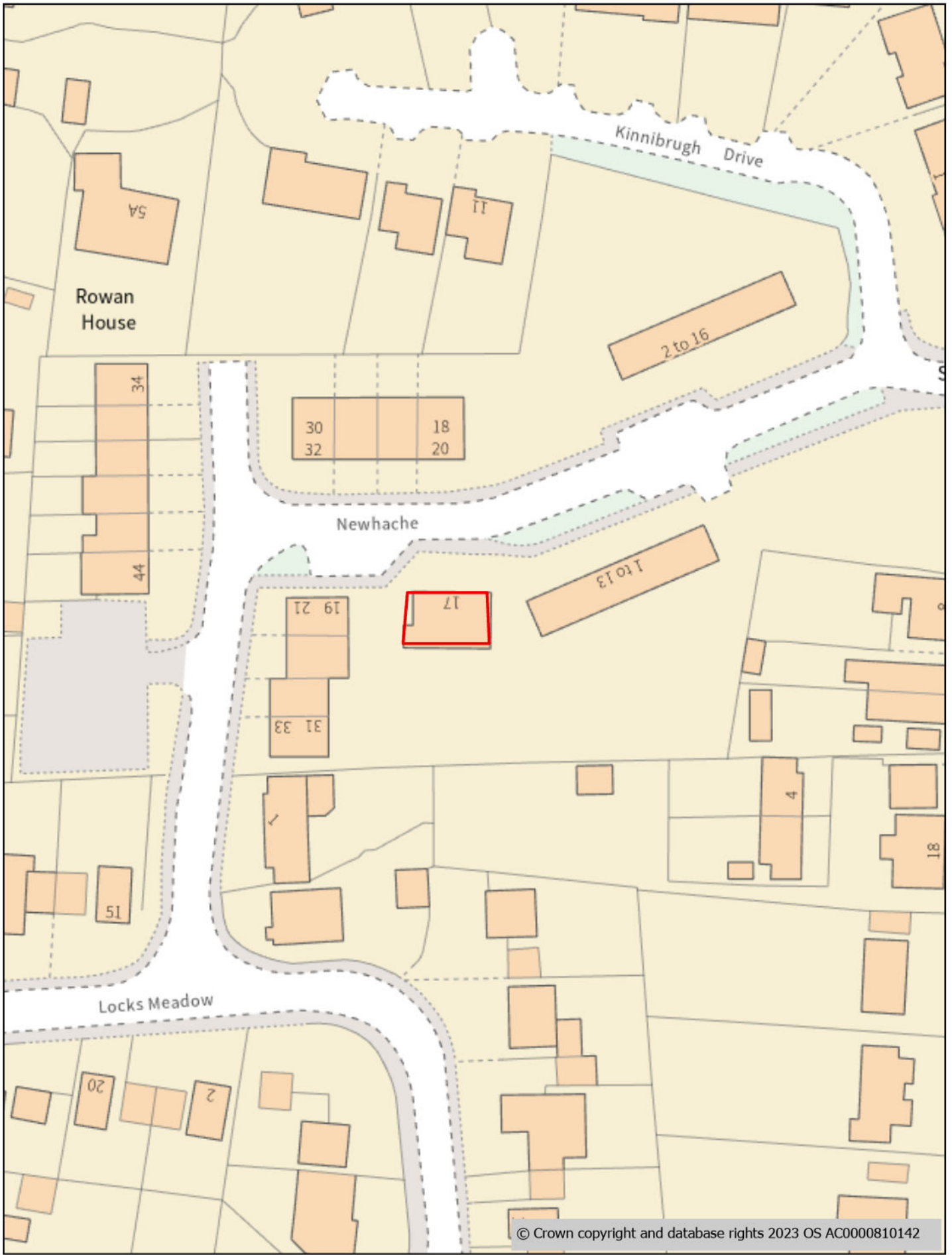
The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing dwelling.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge Local Core Strategy 2008 and Policy DP7 and DP10 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, CSP13 and CSP18, Policies DP1, DP5, DP7, DP10, DP12 and DP18 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023 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.



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