

Planning Committee

Thursday, 7th March, 2024 at 7.30 pm

Council Chamber, Council Offices, Station Road East, Oxted

Agenda

Members of the Planning Committee

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

Substitute Members

Councillor Helen Bilton	Councillor Robin Bloore
Councillor Michael Cooper	Councillor Katie Montgomery
Councillor Jeremy Pursehouse	Councillor Helena Windsor

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

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

David Ford

Chief Executive

Information for the public



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



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



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



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

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

AGENDA

1. Apologies for absence (if any)

2. Declarations of interest

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

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

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

3. Applications for consideration by committee (Pages 3 - 12)

- 3.1 2023/1306 - 14 Stanstead Road, Caterham, Surrey, CR3 6AA (Pages 13 - 36)
- 3.2 2023/775 - Stables, Manor Livery, Manor Road, Tatsfield, Westerham, Surrey, TN16 2ND (Pages 37 - 58)
- 3.3 2023/1272 - 19 Hilltop Walk, Woldingham, Caterham, Surrey, CR3 7LJ (Pages 59 - 74)
- 3.4 TPO No.7 2023 - 15A Buxton Lane, Caterham, CR3 5HG (Pages 75 - 90)
- 3.5 2023/1344 - Land to The West of High Wold, Park View Road, Woldingham, CR3 7DA (Pages 91 - 114)

4. Recent appeal decisions received

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

5. 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.

REPORT TO THE PLANNING COMMITTEE ON 7 MARCH 2024

AGENDA ITEM 3

APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the applications detailed in items 3.1 to 3.5.

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 – 7 MARCH 2024 – RECOMMENDATIONS

ITEM NO.	APPLICATION NO.	SITE ADDRESS	APPLICATION DETAILS	RECOMMENDATION
3.1	2023/1306	14 Stanstead Road, Caterham, Surrey, CR3 6AA	Erection of 4 semi-detached houses with associated hard and soft landscaping.	PERMIT subject to conditions
3.2	2023/775	Stables, Manor Livery, Manor Road, Tatsfield, Westerham, Surrey, TN16 2 ND	Demolition of existing buildings and erection of three no. single storey dwellings with associated parking and landscaping.	PERMIT subject to conditions
3.3	2023/1272	19 Hilltop Walk, Woldingham, Caterham, Surrey, CR3 7LJ	Removal of roof and various external walls with exception of the side and front. Rebuilding of structure in association with single storey side and rear extensions with new roof over and front porch. Construction of hardstanding to serve as parking.	PERMIT subject to conditions
3.4	TPO No.7 2023	15A Buxton Lane, Caterham, CR3 5HG	To inform the committee in respect of the background to the making of Tree Preservation Order No.7, 2023.	CONFIRM the Tree Preservation Order
3.5	2023/1344	Land to The West of High Wold, Park View Road, Woldingham, CR3 7DA	Erection of single detached dwelling with parking and turning areas using existing access from Park View Road	PERMIT subject to conditions

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

Core Strategy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy CSP17 requires that biodiversity is taken into account.

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

Policy CSP19 sets a range of densities for new development.

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

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

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

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

Tandridge Local Plan: Part 2 – Detailed Policies – 2014

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Woldingham Neighbourhood Plan 2016

Policy L1 is a general design policy for new development

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

Policy L3 relates to landscape character

Policy L4 relates to proposals for new community facilities

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

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

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

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

Policy C1 seeks to promote residents' safety

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

Policy C3 supports the improvement of pedestrian and cycle routes

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

Limpsfield Neighbourhood Plan 2019

Policy LN1 sets out a spatial strategy for the Parish.

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

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

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

Policy LN5 relates to landscape character.

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

Policy LN8 seeks to promote biodiversity.

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

Policy LN10 relates to the rural economy.

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

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

Policy LN13 supports sustainable forms of transport.

Policy LN14 supports the provision of super-fast broadband.

Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

National Advice

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

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

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ITEM 3.1

Application: 2023/1306

Location: 14 Stanstead Road, Caterham, Surrey, CR3 6AA

Proposal: Erection of a 4 semi-detached houses with associated hard and soft landscaping

Ward: Queens Park

Decision Level: Committee

Constraints – Urban Area, Ancient Woodland(s) within 500m, Biggin Hill Safeguarding, C Road Classification, Risk of Flooding from Surface Water – 100, 1000, Source Protection Zones 2 and 3, Special Residential Character area(s)

RECOMMENDATION: **PERMIT subject to conditions**

1. This application is reported to Committee following a request from Councillor Groves due to the design, bulk and massing of the development and the impractical parking arrangements.

Summary

2. The site lies within an Urban Area in Caterham, located off the North side of Stanstead Road, 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 two sets of 3-bedroom semi-detached pairs (a total of 4 units).
3. A similar application for 4 dwellings was refused at Planning Committee on 15.09.2023 for the reasons set out below:-
 1. The proposal would result in a higher density development than the existing and would be an overdevelopment of the site, which by reason of the amount, scale and form of the development would have an adverse impact on the character and appearance of the surroundings contrary to Policy CSP18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014).
 2. The proposal would provide a shortfall in on-site parking which would not accord in full with the adopted Parking Standards SPD (2012) resulting in additional on-street parking which would cause congestion and harm to amenity of existing neighbouring residents and future residents of the proposed development. The proposal would be contrary to Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.
4. The key issues are therefore whether the proposal would be appropriate with regard to the impact of the character of the area, including the impact on the streetscene, impact on the adjoining properties, highway safety and parking provision and renewable energy provision.
5. It is considered that the proposal would lead to an appropriate subdivision of the plots concerned and would reflect the character and appearance of the site and its setting within this part of Caterham. The proposal would not have a

significantly harmful impact on the amenities of the occupants of neighbouring properties. It has also been demonstrated that the proposal would not have a significantly harmful impact on protected and important species, as well as meeting the minimum renewable energy provision and sufficiently accommodates for parking. As such, it is recommended that planning permission be granted.

Site Description

6. The application site is located on the northern side of Stanstead Road, within the Urban Area in Caterham. The application site currently comprises of a large two-storey detached dwelling with an existing attached garage. The site is accessed via an existing entrance to the highway with Stanstead Road. The existing two storey dwelling is set back from the road by 17 metres, and has a combination of fencing, trees and hedging bounding the site. Notwithstanding some newer developments which are more closely spaced, surrounding area is predominantly residential with generally individual and well-spaced dwellings on good sized plots.

Relevant History

7. CAT/8965 - Extension to form sunroom - Approved 19/08/1970
8. CAT/9509 - Extension to living room and lobby - Approved 13/08/1971
9. 2009/218 - Demolition of garage & conservatory. erection of part single, part two storey front/side/rear extension to north east elevation. erection of first floor extension to south west elevation. erection of conservatory to rear elevation. Approved (full) 15/04/2009
10. 2012/530 - Demolition of garage & conservatory. erection of part single, part two storey front/side/rear extension to north east elevation. erection of first floor extension to south west elevation. erection of conservatory to rear elevation - application to extend time limit for implementation of permission 2009/218. Approved (full) 10/07/2012
11. 2018/905 - Demolition of garage & Conservatory. Erection of part single, part two storey front/side/rear extension to north east elevation. Erection of first floor extension to south west elevation. Erection of Conservatory to rear elevation. (Amended plans) Approved 23/10/2018
12. 2023/121 - Demolition of existing dwelling. Erection of 4 dwellings with associated hard and soft landscaping. (Amended plans and additional information 14/08) Refused 15/09/2023 (Reasons outlined under 'Summary' section above) An appeal has been lodged.

Proposal

13. Demolition of existing dwelling. Erection of 4 dwellings (2 pairs of semi-detached) with associated hard and soft landscaping.
14. Block 1 would feature tile hung to part of the first floor and Block 2 would feature render to the first floor. Other materials would consist of brick to the ground floors and brown roof tiles to the roof.

15. The dwellings would have 3-bedrooms each, with two allocated parking spaces.
16. The amendments following the previous refusal include:
 - Scheme reduced from 4-bedroom houses to 3-bedroom houses.
 - X2 parking spaces per dwelling with x1 visitor bay.
 - Addition of a front timber car port located to the front of 'Block 2'.
 - Increased separation between 'Block 1' and 'Block 2' from 1 metre to 2 metres.
 - Footprint of buildings reduced from 127sqm to 120sqm.
 - Revised design.
 - Alterations to access and parking.

Key Issues

17. 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 occupiers, living conditions for future occupiers, highway safety and parking, flooding, the provision of renewables, biodiversity and landscaping.

Development Plan Policy

18. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19
19. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22
20. Woldingham Neighbourhood Plan (2016) – Not applicable
21. Limsfield Neighbourhood Plan (2019) – Not applicable
22. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Policies CCW1, CCW3, CCW4, CCW5
23. Emerging Tandridge Local Plan 2033

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

24. Tandridge Parking Standards SPD (2012)
25. Tandridge Trees and Soft Landscaping SPD (2017)
26. Harestone Valley Design Guidance SPD (2011)
27. Surrey Design Guide (2002)

National Advice

28. National Planning Policy Framework (NPPF) (December 2023)

29. Planning Practice Guidance (PPG)

30. National Design Guide (2019)

Consultation Responses

31. 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.” Conditions and informatives to be listed under the relevant section.

32. Caterham-on-the-Hill Parish Council – “The first application for this development (2023/121) was deferred to obtain daylight and sunlight assessment. It was subsequently unanimously refused due to density, scale, form and inadequate parking. A second set of plans reducing the dwellings to three-bedroom houses, two with garages, were submitted and now a third set of plans supersede these and appear in part to respond to the objections to the second set of plans. A member of Parish planning committee had an informal discussion with the architect to discuss the second set of drawings. Minor points were discussed, but it was made clear that even reduced from four bedrooms to three bedrooms, four dwellings on this small plot was overdevelopment of the site. This remains the main issue and no amount of alteration to materials, planting, etc will overcome this. We are not averse to development. Indeed, Caterham and Stanstead Road has seen a significant increase in new homes. But to shoe-horn in buildings without regard to immediate neighbours, the future residents of the site, and the community is not the way to grow a town. The overdevelopment of the site is characterised by the attempt to accommodate sufficient parking spaces. Caterham is hilly, the walking distance to the Station and key shops including Waitrose, Morrisons and soon Lidl is close in distance but accessed down a steep hill that is impossible to walk up when returning with the family shop. Cars are a necessity, and so must be accommodated. According to Tandridge policy DP7, a three-bedroom house must have two parking spaces, which these plans show. The juxtaposition of tandem parking combined with a single entrance driveway will make parking/exit/ingress a hazardous task. This in turn will result in the homeowners simply taking the easy option and parking on the street. Tandridge Parking Standards SPD 2012 section 5.4, states that street width to accommodate on-street parking must be 7 m and Stanstead Road in this area is only 5.5 m. Stanstead Road is an important access road. It takes traffic to and from Caterham playing fields which includes coaches, mini-buses and associated trucks. It also takes lorries and delivery trucks into an area of nearby Chaldon. The pavement is used by pedestrians with children in buggies, and near the development is a home for vulnerable adults who walk along the road. On-street parking hampers the flow of traffic creating access problems that are detrimental to pavement and road users. Adding to this will exacerbate an already increasing problem for residents. The immediate neighbours will experience significant loss of amenity not only by being overlooked but also from the increase in garden use from that of one family to four families, with one family in close proximity to their boundary. This is unacceptable. The community will be affected not only by increased on-street parking and a significant increase in traffic activity from the site, but also through the appearance of the development. In place of a mature front garden, will be a car park of seven cars, with a token attempt to hide them through planting. The bulk and massing of four houses on this small plot along with the car park frontage all indicates that the street scene will be severely affected. While

assessing the diminution of amenity to the community and to immediate neighbours one must also assess the living pattern of those who might occupy the development. The parking spaces on the plan show they are tightly spaced. Even the drawing provided (Plans Drawing Pack 1 10, p. 7) demonstrates that car doors cannot be fully opened without impinging on the next-door space, and with every likelihood of hitting the neighbour's car. Further, the passenger doors on house three and four cannot be opened without hitting either the neighbour's car or the upright of the car port. There are safety concerns regarding occupant's access to houses two and three who would have to walk between parked cars to get to their front door. If accessing while cars are entering or leaving an accident may well occur. Accidents are also likely with the general manoeuvring of cars into and out of these spaces while residents walk along the driveway. Of particular concern is a car from house four reversing the entire length of the driveway - possibly colliding with cars and pedestrians entering. The matter of a single access point for six or seven parking spaces will create constant problems for the occupants attempting to exit/enter their properties, and potential accidents to children and adults. The tight formation of parked cars will cause damage to property. We must raise the issue of whether this development will create stress problems for the residents occupying the new houses. HOWEVER, removing the carport, or altering the driveway will NOT address the problem. There are simply too many houses in too small a plot - an overdevelopment of cramped housing shoehorned into a small area. Housing whose bulk and massing will adversely affect the street scene; severe reduction in greenery which typifies the area; inadequate provision for cars to manoeuvre or park easily which will lead to an increase in on-street parking; loss of amenity to neighbours; a stressful environment for new occupants. These problems exemplify an ill-thought through, overambitious, overdeveloped plot."

33. Surrey Wildlife Trust – “We have reviewed the revised PROPOSED LANDSCAPING PLAN Drawing number 22-240-P068 Revision C. We note the changes to the proposed landscaping at the front of the site; these appear to be minor and would not fundamentally change our consultation responses. We also note that the proposed site plans now show the air raid shelter (we assume this is the structure labelled ‘shelter’) as being retained. The applicant should ensure that this structure is also protected during the construction process with appropriate fencing etc. As such there are no constraints with this structure and roosting bats for the proposed works.”
34. Locality Team – “No concerns with this development and acknowledge bin collection point unrestricted access from roadside for collection operatives.”
35. Environmental Agency – “We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.”

Public Representations/Comments

36. Third Party Comments
 - Increase in congestion, traffic and on-street parking.
 - Inadequate infrastructure including doctors' surgeries.
 - Previous application was refused.
 - Environmental issues/concern with onsite drainage.
 - Visitor cars would cause issues for parking.
 - Pavements inadequate for pedestrians/safety concern.

- Design out of keeping with area.
- Overdevelopment of site/excessive subdivision/high density.
- No natural light to hallway.
- Shortfall to parking/access to cars will be an issue.
- Size of garage impractical for cars and does not meet parking standards.
- Minimal planting to front.
- The development would set a precedent.
- A lower density development should be considered.
- Development does not protect neighbouring character.
- Application is not materially different from previously refused scheme.
- Footprint is excessively large/increase in bulk.
- Too many cars to frontage.
- Overlooking to neighbouring amenity/loss of privacy.
- Recommended double yellow lines to Stanstead Road.
- Not good use of land.
- Impact to neighbouring amenity including overshadowing.
- The artist impressions fail to capture surrounding on-street parking issues.
- Access to site is inadequate.
- Inadequate visitor parking.
- New details have no addressed the issues.
- Invasion of privacy.

Assessment

Procedural note

37. 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 Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.

Principle of development

38. The application site lies within the urban area of Caterham 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 Strategy 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 National Planning Policy Framework (NPPF) 2023.

39. Moreover, 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

40. The site lies within the built-up area of Caterham. Current Planning Policy (CSP4) sets a threshold of 15 units or more within the built-up areas. Given that this scheme is for 4 units, it is recognised that this does not trigger the threshold for the inclusion of affordable housing.

Density

41. 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.
42. The Council also needs to have regard to the NPPF 2023 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 (para 128), making optimal use of the potential of each site (para 129). 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.
43. The proposal has a density of 32dph, which is within the range deemed acceptable for this location. Therefore, the density of the development is considered acceptable and compliant with planning policy.
44. Existing plot sizes vary within the locality from terraced properties to detached dwellings. As such taking into account the proposed density and character of the locality it is not considered that the number of dwellings proposed is unacceptable.

Character and Appearance

45. 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.
46. 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.

47. 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.
48. Policy DP8 of the Local Plan Part 2: Detailed Policies states (Criterion 'A') 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 Limpsfield), Warlingham, Whyteleafe and Woldingham, only if the development scheme:
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.
49. B. 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.
50. Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 states that development is expected to preserve and enhance the character area in which it is located (as shown in Figure 5.1). Development proposals in the defined character areas will be supported which:
- i. exhibit design reflecting local context, character and vernacular of the area;
 - ii. demonstrably enhance the quality of the built form through innovation in design;
 - iii. make a positive contribution to the character area when viewed from the main highway approaches into the settlements;
 - iv. do not have a significantly detrimental impact on local views as set out in Policy CCW10; and
 - v. contribute to the conservation and enhancement of designated and non designated heritage assets and respect their significance and context.
51. 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.
52. The site is located in an area that is entirely residential but where the properties to each side of Stanstead Road display a marked difference in their character. Those to the south side are set below the level of the road and appear to date from the same period. They have a fairly regimented alignment with the

properties north of the highway displaying an established staggered front building line, with regular spacing and setbacks, despite numerous modifications and newer more contemporary developments over time. The application site is located on the northern side of Stanstead Road which links Church Hill/Road with Whitehill Lane. The application site is larger in width than its adjacent neighbours along the northern side of the highway with a greater frontage than the general character. The siting of the existing property respects the existing front staggered building line and comprises of a two-storey detached dwelling with an attached single storey garage to the northeastern side.

53. The site lies within the Harestone Valley and therefore advice contained within the Harestone Valley Design Guidance is relevant to this proposal. The site lies within Character Area B which sits on the plateau edge and upper slopes on the western side of the valley. The land drops steeply to the east, covered with woodland beyond. The southern approach to the area along Stanstead Road is heavily wooded with many mature trees around the few large properties. With regards to the townscape, the area has a consistent character, plots are regular and consistent in orientation with most boundaries being perpendicular to the road.
54. The proposed development would consist of the erection of x4 two storey houses in the form of two pairs of demi-detached buildings with accommodation in the roof space fronting onto Stanstead Road. In this instance, the development would result in backland development. The purpose of DP8 is to protect the character of an Urban Area and allow greater resistance to inappropriate backland development. Locally, there are other examples of backland development (such as the redevelopment of No.6 Stanstead Road) which provides a varied pattern of development which forms an intrinsic part of the established character of Caterham on the Hill. Whilst it is noted that neighbouring sites are mostly generously sized, the presence of backland development present in this surrounding area in Caterham on the Hill is therefore not an uncommon characteristic of pattern of development. This Policy 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 in width than those properties immediately adjacent it is considered that the smaller plot sizes would not be uncharacteristic when looking at the local area as a whole and other recently built developments. The siting and orientation of the new dwellings within their plots would allow for sufficient separation to their respective boundaries and amenity space along with areas of soft landscaping within the parking areas. It is noted that following the previous refused scheme under 2023/121, the separation between the two proposed buildings has been increased from 1 metre to 2 metres to reflect other properties within the streetscene.
55. The sub-division of the site is not considered to result in overdevelopment, where appropriate separation distances are maintained to all boundaries. 'Block 1', whilst positioned forward of the existing footprint, would maintain 15.7 metres to the front boundary of the site continuing to be set back behind the neighbour to the west at No.16 Stanstead Road. 'Block 2' would be set back 20.6 metres between the front wall of the dwelling and boundary, with a reduced separation of 13.3 metres between the front car port and front boundary also ensuring that the staggered nature of the dwellings respects the arrangement of the streetscene. As such, the development is considered to broadly comply with the Harestone Valley Design Guidance specifically in relation to the layout in terms of retaining the existing building line and replicating similar separation

distances between properties. The parking court to the front would significantly increase the level of hardstanding; however, sufficient soft landscaping has been incorporated within the frontage to soften the appearance and therefore avoid a cramped cluttered appearance. The specific requirements of soft landscaping can be secured through the imposition of an appropriately worded condition. The applicant has included the addition of a timber car port to the front of 'Block 2' which would serve houses 2 and 3. This would reduce the visual impact of parking partly obscured within the car port. It is noted that there are other examples of garages projecting forward of the principle building line within the road. This design aspect is therefore considered to remain in keeping.

56. The design of the buildings would feature front gables, comparable to other nearby developments. Block 1 would feature tile hung to part of the first floor and Block 2 would feature render to the first floor. Other materials would consist of brick to the ground floors and brown roof tiles to the roof. The car port would be constructed of timber with a lightweight design to ensure that it does not dominate the frontage in any form.
57. The redevelopment of the site would moreover provide further scope to improve the overall appearance and landscape quality of the site, which is currently occupied by a dwelling of no particular design merit, an overgrown front garden, together with a poor-quality detached garage structure to the side of the existing dwelling.
58. The front parking area would provide a total of 9 parking spaces: x2 per dwelling with x1 visitor space. Two of the spaces would be accommodated for within the proposed car port, which would visually obscure some of the parking ensuring that it does not dominate the overall view of the frontage. The proposed access has been amended to address visibility comments from the Highway Authority which has resulted in a rearrangement of the site. Given the level of soft landscaping proposed and arrangement of parking, this is considered acceptable in this location and would not overly dominate the frontage. Given the location of the site within a built-up area where parking is generally located to the front, the balance between appropriate parking with turning areas and soft landscaping is considered appropriate on balance.
59. It is considered that whilst the development would result in backland development, it would not be uncharacteristic of the area, and therefore is no objection 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. The integrated soft landscaping to the front would soften the appearance ensuring that parking does not dominate the frontage. 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, Policy CSP18 of the Core Strategy, Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 Policies, CCW3 and CCW4, CCW5 of the Harestone Valley Design Guide and the NPPF (2023).

Impact on Neighbouring Amenity

60. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed

Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

61. The above Policies reflect the guidance at Paragraph 135 of the NPPF (2023), 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.
62. The site is located within an established residential area where other properties adjoin each side of the site. The closest neighbouring properties directly adjacent are No.12A to the east and No.16 to the west side of the application site. Other neighbours are sited to the rear of the site and those opposite on the southern side of the highway.

In terms of Houses 1 and 2, forming the left-hand pair of semi-detached dwellings, the building would be set just behind the front building line to No.16 extending to the rear along this boundary. The development would demonstrate a separation of 1 metre to this boundary. Whilst this staggered arrangement would result in the proposed dwelling projecting beyond the rear building line of this neighbour, the two-storey element would not exceed the 45-degree angle when taken from the middle of the first-floor rear window. There would also be a small single storey rear projection to this building, although given the modest depth of 2.6 metres, is not considered to result in significant harm to neighbouring amenity. Officers have considered the scale and siting of the proposal and are of the view that it would not significantly harm the neighbouring amenity of No.16 by reason of loss of light, overbearing or overshadowing effects. It is also noted that the overall floorspace of the proposed development has been reduced in that houses are now proposed to have 3 bedrooms (the previous scheme proposed 4 bedrooms).

63. Houses 3 and 4 form the right-hand pair of demi-detached dwellings towards the eastern side of the site. The arrangement of this building would continue to respect the staggered nature and would align with the rear building line at No.12A. Noting that the front projection of No.12A comprises a single storey element to this dwelling, the first floor would extend approximately 4 metres forward of the existing two storey element to this neighbour. The built form itself would have a similar relationship to the neighbour and whilst closer to the boundary than the existing relationship, is not considered unacceptable. The separation to this boundary extends from 1.2 metres to 2.9 metres as the boundary line tapers away, given the orientation of the proposed building and its relationship to neighbouring windows, the development is not considered to result in significant harm by reason of overbearing or overshadowing effects.
64. The applicant has commissioned an External Daylight and Sunlight Study by Base Energy dated 8th December 2023. The purpose of the report is to assess the potential impact that the proposed development may have on the immediate surrounding neighbouring dwellings in terms of daylight and sunlight, in particular its impact upon the neighbouring site at No.12A. The analysis shows that the receptors meet the minimum requirements in accordance with BRE Guidelines for daylight and sunlight in accordance with planning requirements. It is therefore considered that the neighbouring dwelling at No.12A would still receive a good amount of daylight specifically in relation to the study at all times of the day and as such the habitable rooms served by these roof lights would meet the lighting requirements for such space. Therefore, whilst the development may have an impact on the living conditions within the neighbouring property to some degree, this would not cause an

overall reduction of living conditions to an extent that would justify the refusal of the application on that ground.

65. The design includes three side windows within the first-floor elevations of the dwellings. The internal arrangement is such that these openings would serve a bathroom, hallway and secondary bedroom window. To prevent a loss of privacy to the occupants of neighbouring properties it is considered necessary to require these openings to be obscurely glazed and fixed shut by condition. The bedrooms would also be served by rear facing primary windows which would remain clear glazed. Rear windows within the proposed dwelling would be in direct alignment with those to the rear of Manor Avenue; however, as a separation distance more than 50 metres would exist it is considered that the proposal would not have an adverse impact upon the amenities of these properties in terms of loss of privacy. As a result of the proposed separation distances, staggered rear elevations, and siting in relation to neighbouring properties, it is not considered that the proposal would have an unacceptable adverse impact upon the amenities of neighbouring properties in terms of loss of light, outlook or privacy. As a result, the proposal is considered to comply with the Harestone Valley Design Guidance specifically in relation to relationships between buildings.
66. As set out above, the effects on all other nearby residents have 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 affected to an extent that would justify the refusal of the application.
67. 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 Detailed Policies Part 2 (2014), Policy CSP18 of the Core Strategy (2008), Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 Policies CCW2, CCW3 and CCW4, the Harestone Valley Design Guide and the NPPF (2023).

Living conditions for future occupiers

68. Policy DP7 also requires that development provides 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.
69. 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.
70. 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.

71. Each dwelling would provide a gross internal area of 105m², all being identical in scale and layout. As a result, the proposed dwellings would all conform to the required space standards contained within the Nationally Described Space Standards 2015 with regards to internal floor space. The amenity areas of each dwelling are located to the rear of each property with side access. Each garden would have length ranging between 23 metres and 30 metres with varying widths (between 4.6 metres and 5.8 metres) considered suitable to serve the level of accommodation proposed. 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

72. 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.

73. An assessment in terms of the likely net additional traffic generation, access arrangements and parking provision has been undertaken and it is considered 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. The County Highway Authority have reviewed the proposal, and have no objection.

74. The proposal includes a total of 9 parking spaces where there would be 2 spaces to serve each dwelling with one visitor space. The majority of parking spaces, with the exception of one, will be located to the front of the dwellings with allocated driveways two of which with a car port. The four dwellings would be served by one shared access point. Soft landscaping and screening would be provided to soften the approach and reduce the dominance of built form and hardstanding within the frontage, to ensure parking does not dominate the view. The car port would also visually obscure some of the parking and break up the massing to some degree.

75. In order to comply with the Council's Parking Standards SPD, the application will need to provide two parking spaces per dwelling and in addition one eligible space is also required. In this instance, the development will meet the Council's Parking Standards SPD.

76. 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.

Renewables

77. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The energy statement confirms the use of and air source heat pump to achieve the minimum 10% savings. In the event of an approval, the application would be conditioned to ensure that the above is implemented and maintained in accordance with the details supplied.

Biodiversity

78. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
79. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
80. The applicant has submitted a Preliminary Ecological Appraisal (Crossman Associates, 10 November 2023), Bat Surveys Report (Crossman Associates, 19 June 2023) and Proposed Landscaping Plan. The proposed development is therefore considered to comply with CSP17 of the Core Strategy and DP19 of the Tandridge Local Plan Detailed Policies.

Landscaping and Trees

81. 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.
82. 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.
83. The Tree Officer has been consulted, and has provided the comments below:

"The proposal is very similar to the previous refused scheme with regards to tree losses and potential for planting, and has been supported by an arboricultural report, which sets out the trees to be removed and retained, and how the retained trees are to be protected from harm during construction.

There are a total of 2 individual trees to be removed and 4 groups of trees. The tree removals include TG14 group which has been given a BS5837 'B' categorisation. In my opinion this is a generous assessment, as the trees are generally unremarkable specimens, but irrespective they do provide some screening value from the neighboring property. It is not necessary to remove all these six trees for construction purposes, but rather to provide a useable garden space behind unit 4. I have no objection to that on the basis that significant replacement planting is indicated on the submitted landscaping plan.

It will also be necessary to remove a section of hedge on the frontage (TG16) and western boundary of the site. The loss of a portion of TG16 will be of some minor detriment of the street scene, but not to a degree where an arboricultural objection would be raised, and as domestic hedges cannot be statutorily protected, it could be removed at any time in any event. In my view sufficient hedging will remain to soften the development, and additional planting within the frontage will provide future amenity.

The trees to be retained (in particular T001) can be protected by means of tree friendly methods of construction, and as such, subject to the conditions listed below, I would raise no objections.

No development shall start until the tree protection measures detailed within the approved Usherwood Arboriculture Tree Protection Plan (UA/TPP1) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified methods of construction, arboricultural supervision or staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

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

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

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

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

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

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season

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

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

Other Matters

85. In the event of an approval, is it considered necessary to remove permitted development with regards to enlargements to the dwellinghouses to prevent the site from appearing cramped and overdevelopment in nature.

Conclusion

86. The Council is currently unable to demonstrate a 5-year housing supply and as such, Paragraph 11d of the NPPF becomes relevant. It sets out that planning permission in such circumstances should be granted unless the harm of doing so with significantly outweigh the benefits when looking at the policy context broadly set out in the NPPF.
87. Taking into account the proposed scale and massing, density and separation distances it is considered that the proposed development would not have an adverse impact upon the character of the streetscene. Furthermore, due to the design of the proposal its relation to neighbouring dwellings it is not considered that the proposal would result in an adverse impact upon their amenities in terms of loss of light, outlook, privacy or result in a significant increase in noise and disturbance. The application site is located within a sustainable location and meets the Council's parking standards SPD. Finally subject to conditions it is not considered that the proposal would result in an adverse impact upon highways safety and capacity and renewable energies and landscaping could be secured by condition.
88. The application has been amended following the previous refusal and is considered to appropriately address the previous reasons for refusal for reasons outlined within this report.
89. The recommendation is made in light of the National Planning Policy Framework (NPPF 2023) 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. Due regard as a material consideration has been given to the NPPF (2023) and PPG in reaching this recommendation.
90. 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 22-240-P050, 22-240-P051, 22-240-P054C, 22-240-P055B, 22-240-P057F, 22-240-P058B, 22-240-P059B, 22-240-P060B, 22-240-P061B, 22-240-P062C, 22-240-P063C, 22-240-P064C, 22-240-P065C, 22-240-P066C, 22-240-P067C, 22-240-P068C, 22-240-P069C, 22-240-P070A, 22-240-P071A, 22-240-P072A received on 14th February 2024, 22-240-SK02C received on 8th December 2023 and the red-edged site location plan received on 29th October 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

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

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

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

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

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

4. No development shall start above slab level 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.

5. No development shall start until the tree protection measures detailed within the approved Usherwood Arboriculture Tree Protection Plan (UA/TPP1) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified methods of construction, arboricultural supervision or staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

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

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

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

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

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

7. No part of the development shall be commenced unless and until the proposed vehicular access to Stanstead Road has been constructed and provided with a means within the private land of preventing private water from entering the highway and visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

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

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

9. The development hereby approved shall not be occupied unless and until the proposed dwellings are provided with a fast charge socket (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: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CSP12 of the Core Strategy DPD (2008) and emerging Policy DP5 of the Tandridge Local Plan: Part 2.

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

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

11. The drainage system shall be installed in accordance with the Proposed Drainage Strategy, DC Architects, October 2023, revision C, drawing no: 22-240-P069 subject to successful soakage test results. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the development does not increase flood risk on or off site and is maintained for the lifetime of the development.

12. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Preliminary Ecological Appraisal dated the 10th November 2023 prepared by Crossman Associates and the Bat Survey Report dated the 19th June 2023 prepared by Crossman Associated.

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.

13. Before the development hereby approved is occupied the Air Source heat Pumps as specified in the application details shall be installed and this system shall thereafter be retained in perpetuity in accordance with the approved details.

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

14. The first-floor flank windows as a shown on drawing No 22-240-P058B (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.

15. Notwithstanding the provisions of Schedule 2, Part 1 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 Classes A, B and/or C 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. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are

proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

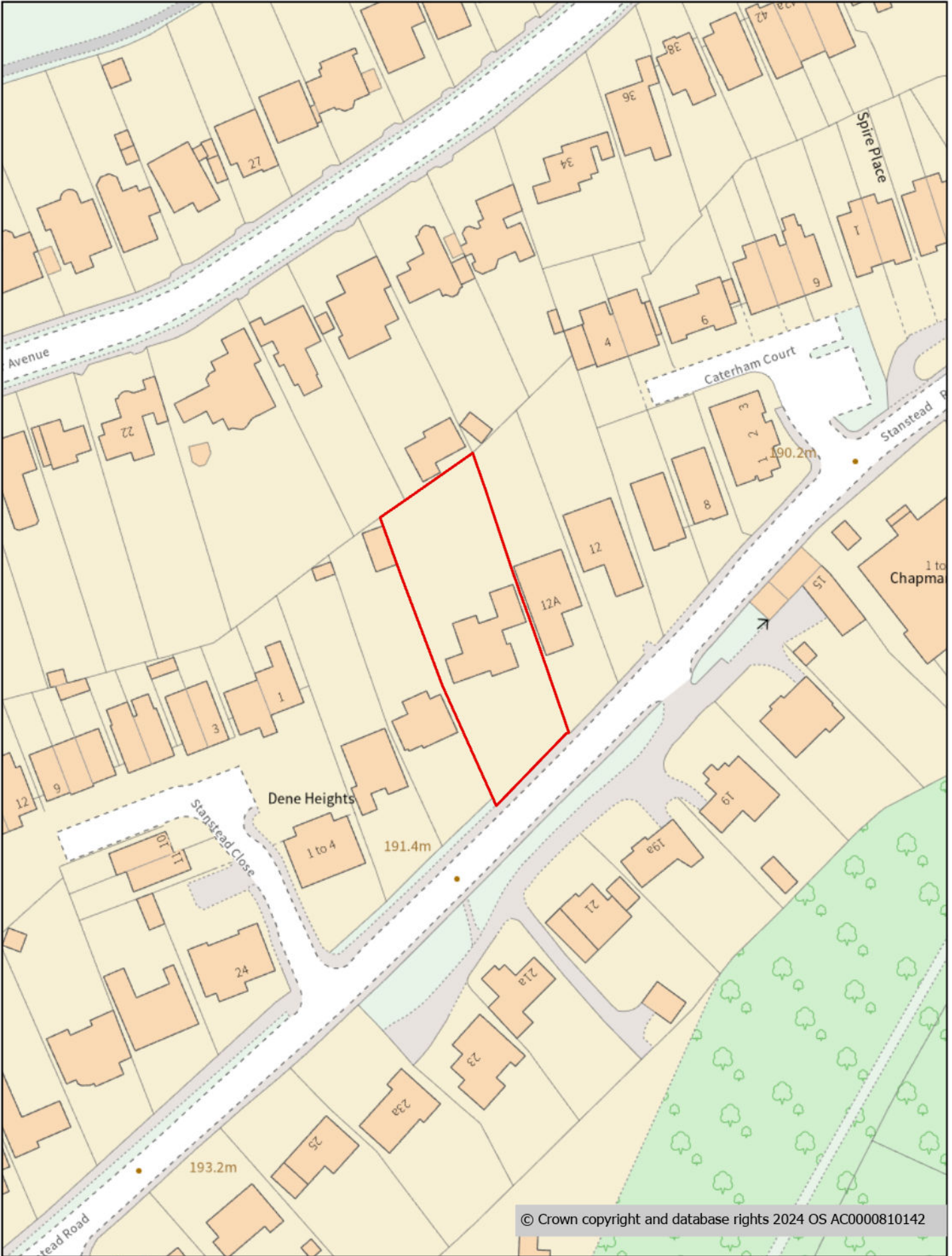
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-drop-ped-kerbs
4. When 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.
5. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. 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
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.
9. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
10. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
11. The owner/developer will need to make adequate provision for containers to be stored individually for each of the individual properties and presented for collection at the edge of the access road for collection at Stanstead Road.
12. Each property requires sufficient space for; 1 x240 litre recycling bin, 1x180 litre refuse bin, 1 x23 litre food waste caddy and 1 x 240L garden waste bin

which is an optional paid subscription service. These can be purchase from Tandridge District Council. Allow 6 weeks before occupancy so the containers can be order, paid for and delivered.

13. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, in order to comply with above referenced legislation and the recommendations in “BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. *Bats and the Built Environment*. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby”.
14. Bats are protected under the Wildlife and Countryside Act 1981 and subsequent legislation and it is an offence to deliberately or recklessly disturb them of damage their roosts. (potential habitats) Trees should be inspected before any works commence and if the presence of bats is suspected advice will need to be sought from Natural England on 0300 060 3900. Further advice on bats is available from the Bat Conservation Trust on 0345 1300 228.

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, Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Policies CCW1, CCW2, CCW3, CCW4, CCW5, the Harestone Valley Design Guide 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 (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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14 Stanstead Road
Caterham CR3 6AA

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ITEM 3.2

Application: 2023/775

Location: Stables, Manor Livery, Manor Road, Tatsfield, Westerham, Surrey, TN16 2ND

Proposal: Demolition of existing buildings and erection of three no. single storey dwellings with associated parking and landscaping.

Ward: Tatsfield and Titsey

Constraints – ASAC, Ancient woodland within 500m, Bigginhill Safeguarding, Green Belt, Road_local x - Manor Road, Rights_of_way_bdw 640, Source_protection_zones 3

RECOMMENDATION:

PERMIT subject to conditions

1. This application has been called in to planning committee by Cllr Allen to allow the Parish Council and residents to speak.

Summary

2. Planning permission is sought for the demolition of existing buildings and the erection of three single storey dwellings with associated parking and landscaping.
3. The application site lies within the Green Belt. As the proposal would be the redevelopment of previously developed land with no greater impact on the openness of the Green Belt it is considered to be not inappropriate development within the Green Belt and would accord with the requirements of Policy DP13 G and Paragraph 154 (g) of the NPPF.
4. The development is considered to accord with the relevant policies in relation to character and appearance, residential amenity, highway safety, trees and renewable energy. The proposal would not result in an unacceptable impact on protected species and would secure a biodiversity net gain.
5. Consequently, it is considered that the proposal would accord with the requirements of the NPPF and with the policies contained in the Development Plan. Accordingly, it is recommended that permission is granted subject to conditions as outlined.

Site Description

6. The application site consists of the stables and land associated with Manor Livery, Tatsfield. The site lies to the south of Manor Road, is bordered by Hillview House to the west, Nos. 1 & 2 Flowerdale to the east and Manor Farm (Sindolar) to the north.
7. The application site lies within the Green Belt. Public Bridleway 640 runs to the north of the site following Manor Road.
8. The site currently contains two blocks of stables, a mulch store and a sand school.

Relevant History and Key Issues

9. The relevant planning history for the site is as follows:
 - GOR/8178 - ERECTION OF FIVE STABLES

- GOR/95/70 - ERECTION OF SECTIONAL STEEL BUILDING FOR EXERCISING HORSES Approved 07/04/1970
- 79/1230 - ERECTION OF IMPLEMENT/HAY SHED AND PONY SHELTER Approved 09/01/1980
- 80/629 - Erection of detached bungalow Outline Permission 30/09/1980
- 93/459 - Retention of 4 floodlights mounted on 5m poles at side of sand school Approved (full) 15/03/1994
- 93/460 - Retention of new shed for storage of equipment associated with livery stables, such as tractor, trailer and grasscutter Approved (full) 30/07/1993
- 93/71 - Covering of existing sand school to be used as indoor arena Refuse 20/04/1993 Appeal Dismissed

The key issues for this application are:

- the principle of development within the Green Belt,
- acceptability in terms of character and appearance,
- impact on neighbouring amenity,
- highway safety.
- Other considerations include renewable energy and ecology. Each of these will be addressed in the report below.

Proposal

10. This application seeks approval for the demolition of the existing buildings on the site and the erection of 3no. single storey dwellings with associated parking and landscaping.
11. Each of the three dwellings would be 3-bed properties being single storey (3.5m in height). Each property would have 2no. parking spaces with a further 2no visitor parking spaces shared between the 3 dwellings. Access to the site would be via the existing access to the north.

Development Plan Policy

12. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP12, CSP14, CSP17, CSP18
13. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP19
14. Woldingham Neighbourhood Plan 2016 – Not applicable
15. Limpsfield Neighbourhood Plan 2019 – Not applicable
16. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Not applicable
17. Tatsfield Neighbourhood Plan (Regulation 16)- TNP02G, TNP04A, TNP04E, TNP08A

18. Emerging Tandridge Local Plan 2033

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

19. Tandridge Parking Standards SPD (2012)

20. Tandridge Trees and Soft Landscaping SPD (2017)

21. Surrey Design Guide (2002)

National Advice

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

23. National Planning Practice Guidance (NPPG)

24. National Design Guide (2019)

Statutory Consultation Responses

25. County Highway Authority –The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who, having assessed the application on safety, capacity and policy grounds, recommends that conditions be imposed in any permission granted.

26. Tatsfield Parish Council – Objection. On the grounds of:

- Inappropriate development in the Green Belt - change of use from livery stables to residential dwellings not supported [DP13, NPPF 149]
- Rural Economy- Loss of existing active and viable rural use for stabling of horses [DP17, Neighbourhood Plan]
- Amenity- Overlooking and loss of private amenity (1-2 Flowerdale)

Additional comments received by the Parish Council confirming objection to the application on the grounds that it represents inappropriate development, will result in the loss of an existing active and viable rural use and concerns about overlooking and loss of private amenity to two adjacent houses to the east (1-2 Flowerdale, Manor Road)

(Officer comment: each of these issues are addressed below)

27. Surrey County Council Flood and Water Services Team (LLFA): *We have reviewed the submitted documents. The Applicant has considered the surface water flood risk to and from the site and has suggested appropriate mitigation measures to inform the Planning Application.*

28. Surrey County Council Countryside Access Officer: *We have no objections but would make the following comments;*

- *Access is along Public Right of Way Tatsfield Bridleway 640*

- *To ensure public safety while work is underway, a temporary closure of the rights of way may be necessary. A minimum of 3 weeks' notice must be given and there is a charge.*
- *Safe public access must be always maintained along the Public Right of Way if no temporary closure is in place.*
- *There are to be no obstructions on the Public Right of Way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.*
- *There must be no encroachment onto the legal width of the Public Right of Way.*

29. Environment Agency- No comment

30. Surrey Wildlife Trust: Summary recommendation:

Planning Stage	Recommendation
Prior to commencement	<ul style="list-style-type: none"> • Bat Mitigation Strategy • Sensitive Lighting Management Plan • Final Biodiversity Gain Plan and Landscape Management Plan

TDC advice

31. Principal Tree Officer: *Three trees/groups are to be removed. One for arboricultural reasons and two for development purposes. None are of high quality, and I would not object to their removal, particularly considering the potential for replanting on site.*

In arboricultural terms this proposal is likely to be to the benefit of the retained trees as currently a large proportion of their root protection area is taken up by existing buildings. Provided demolition is undertaken with care and as described within the submitted arboricultural method statement, the proposed layout will result in an improved rooting area for the retained boundary trees.

Overall, I have no objections to the proposal, subject to conditions.

Third Party Comments

32. Neighbour Letters and Site Notice. Comments received raising the following matters:

- Loss of use/business, will impact wider fields which will be left unattended.
- Loss of recreational facilities (equestrian activities)
- Loss of community asset
- Inappropriate within the Green Belt- loss of visual and spatial openness, increased activity
- Amenity- light pollution, loss of privacy
- Highways-Access Road poor condition and unsuitable for large vehicles, question regarding vehicular movements/ traffic
- Impact on rural character- overdevelopment
- Incorrect red line/boundary (Officer comment: this is addressed below).
- Ecology- Badger sets, slow worms, nesting birds on site. Ecology reports not up to date, no phase 2 assessment (Officer comment: this has been subsequently and adequately addresses since submission).

- Impact on utilities
- Unsustainable location

Assessment

Procedural note

33. The Tandridge District Core Strategy and Local Plan 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 Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.
34. The Tatsfield Neighbourhood Plan has gone out for Regulation 16 consultation in on 1st December 2023. At this stage the neighbourhood plan has not been formally adopted and therefore only limited weight can be afforded to its policies although it remains as a material planning consideration and will be included within the assessment of this application.
35. In the absence of a five-year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
36. With regards to paragraph 11 (d) (i), footnote 7 explains the concept of “specific policies” in the NPPF indicating that development should be restricted. This includes development relating to sites within the Metropolitan Green Belt. It is therefore necessary to assess whether the proposal would be appropriate within the Green Belt before applying an assessment under Paragraph 11 (d) (i) which will be undertaken at the end of this report.

Green Belt

37. The NPPF 2023 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.
38. Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with a number of exceptions identified. These include at section (g) “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.”

39. Policy DP10 of the Local Plan reflects paragraphs 152-156 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 clearly outweigh the harm by reason of inappropriateness and any other harm identified.
40. Policy DP13 states that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this, one of which (Part G) is the limited infilling or the partial or complete redevelopment of previously developed (brownfield) sites in the Green Belt, whether redundant or in continuing use (excluding temporary buildings), where the proposal would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
41. Annex 2 of the NPPF (2023) includes the following as a definition of previously developed land:

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

42. In considering whether the site is previously developed land the application site forms part of a stable yard with stable buildings, hard surface and sand school currently on the site. The site is therefore previously developed land and can be considered against the exception under Policy DP13 (g) and Paragraph 154 (g).
43. Advice in the NPPG states that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:
- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
 - the duration of the development, and its irremediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
 - the degree of activity likely to be generated, such as traffic generation.
44. In first considering the spatial aspect of openness the applicant through their Planning, Design and Access Statement has provided figures to compare the existing and proposed hardstanding, footprint and volumes of the development. These are as follows:

	Existing	Proposed
Volume (cubic metres)	1419	1222 (-14%)
Footprint (square metres)	448	394 (-12%)
Hardstanding (square metres) (exc. sand school)	1,191	585 (-51%)
Hardstanding (square metres) (inc. sand school)	2,002	585 (-71%)
Ridge height (max)	4.45m	3.61m (-0.84m)
Eaves height (max)	3.05m	2.47m (-0.58m)

45. The table above demonstrates a reduction in both footprint and volume from the proposed dwellings when compared with the existing stables, resulting a reduction of 12% and 14% respectively. There would also be a reduction in the overall hardstanding on the site with the above table demonstrating a reduction of 51%, mainly due to the removal of the existing concrete stable yard.
46. Visually, the proposed dwellings would be set out in a linear pattern reflecting the existing stables. The dwelling on plot 3 would sit around 7m south of the southernmost stable building however it would not encroach beyond the position of the sand school which would be removed. The dwellings would be single storey with a height of 3.5m which broadly reflects the height of the existing stable building which ranges from 3m – 4.5m in height. As outlined above, the extent of hardstanding would be reduced in favour of soft landscaping. The dwellings would each have 10m deep rear gardens (residential curtilage) which, the applicant suggests, balances the need to provide adequate amenity space for the occupants whilst avoiding encroachment into the Green Belt.
47. Overall, the proposal would result in a reduction of built form and hardstanding on the site. The development would be broadly in a similar location to the existing built form proposing a linear layout. Taking the above into account, it is considered that the proposal would not result in a greater impact on the openness of the Green Belt therefore meeting the tests for the exception under Policy DP13 (g) and Paragraph 154 (g). The proposal is therefore not inappropriate within the Green Belt according with the requirements of Policy DP13 G and Paragraph 154 (g) of the NPPF.
48. In light of the above, the proposal is acceptable within the Green Belt and therefore the presumption in favour of development remains to be applied. It therefore needs to be considered whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole as is the relevant test under Paragraph 11 (d) (ii) of the NPPF.

Change of use

49. The stables at Manor Livery are currently used as a private stable yard, previously offering DIY and full livery. In addition to the re-development of the site it needs to be considered whether there would be any restrictions in terms of change of use of the land.
50. Policy CSP13 of the Local Plan relates to Community, Sport and Recreation Facilities and Services and requires that, existing community, recreational, sports facilities and services (see Glossary) and open space will be safeguarded. New or improved facilities to meet the needs of all sections of the community will be encouraged. The Council will encourage the dual use of community and sports facilities. The loss of open space, sport and recreation facilities is dealt with in national planning policies (PPG17).

51. The guidance within PPG17 has been superseded since the adoption of the Core Strategy and now forms part of the National Planning Policy Framework. Paragraph 97 of the NPPF sets out that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

52. Policy DP4 of the Local Plan Part 2: Detailed Policies sets out that proposals for the alternative use of commercial and industrial sites (both premises and land), whether vacant or occupied, will be permitted only where it can be demonstrated that:

1. The site is unsuitably located, for example because of inadequate access for heavy goods vehicles or harm/potential harm to the amenities of nearby residential property by reason of traffic, noise or general disturbance, and that these issues cannot be sufficiently mitigated whilst retaining its use; or
2. The current site use is no longer viable, even for an alternative commercial use, or as part of a redevelopment or mixed-use development scheme. This should be through a minimum 12 month active marketing exercise (or minimum 6 months as set out in paragraph 4.5)* where the site (whether vacant or occupied during that time) has been offered for sale or letting on the open

53. The current lawful use of the site is as private stables offering livery services. The use of the site for stables is not considered to be a commercial/employment use to be subject to the requirements of Policy DP4. It is also not considered to be a use that would provide a service to meet the day to day needs of the community and therefore not a community use as specified in the policies above. The change of use of the land would therefore not conflict with the requirement of CSP13 of the Local Plan and Policy DP4 of the Local Plan Part 2: Detailed Policies.

Character and Appearance

54. The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character;

reflect the identity of local surroundings and materials; are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

55. 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.
56. 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.
57. Policy TNP02G sets out that development proposals which incorporate new or reworked landscaping must demonstrate, through submitted plans, that they will seek to retain and enhance the overall rural character of the parish and seek to protect and enhance biodiversity, wildlife and habitats.
58. Policy TNP04A of the Tatsfield Neighbourhood Plan is also relevant and requires;
 - a) The scale, layout and design of new development should contribute to local distinctiveness and make a positive contribution to the overall appearance and character of built development within the parish.
 - b) New buildings and extensions should reflect local character areas as defined in Section 02.4 of this Plan and the size and scale of existing buildings, neighbouring buildings and their position within the building plot.
 - c) Gaps between existing buildings allowing views through to gardens and trees should be substantially retained in any new development.
59. Policy TNP04E of the Tatsfield Neighbourhood Plan requires;
 - a) Development proposals including new boundary treatments should, with reference to Policy TNP02G, use appropriate boundary treatments relative to the location and setting of the development. These might include:
 - i) Using native hedges for boundary treatments where this is already prominent within the local area.
 - ii) Using low boundary walls in brick and flint, brick and stone or just brick where used locally.
 - iii) Using low timber palisade fences only where this may be suitable in the village centre on smaller houses/ cottages where these are part of the existing character of the setting.
 - b) Development proposals which seeks to retain, repair or improve existing walls and stonework will be supported, subject to other policies within the Development Plan.
60. The proposal would see the demolition of the existing stable buildings and the erection of 3no. dwellings. The dwellings are set within a linear form, with L-

shaped unit to the south to create a courtyard. The dwellings would be single storey and propose a design and external materials to reflect their rural location. The redevelopment of the site would allow for a larger extent of landscaping including to either side of the existing access than the current situation. The built form would be brought away from the western boundary increasing separation with the adjacent trees and that neighbour. Overall the proposal would result in a design and appearance appropriate to the rural character of the area and proposes materials to reflect its location. The layout would result in development that would not be overly prominent from the wider area and, whilst the introduction of a residential use would alter the character of the site, the overall improvements to landscaping brought by the scheme and the limited residential curtilage would not result in harm to character. A suitable soft landscaping scheme, including appropriate boundary treatment, can be secured by way of condition.

61. It is therefore considered that the proposed development would be acceptable in terms of character and appearance and would therefore comply with the provisions of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies and Policy CSP18 of the Core Strategy and Policy TNP02G of the Tatsfield Neighbourhood Plan.

Residential Amenity

62. Policy CSP18 of the Core Strategy requires that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect.
63. Criteria 6 – 9 (inclusive) of Policy DP7 of the Local Plan Part 2: Detailed Policies seek to safeguard amenities of neighbouring properties, including minimum distances that will be sought between existing and proposed buildings. Policy DP7 also requires that the proposed development provide satisfactory living conditions for future occupants.
64. 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.
65. The proposed dwellings would be set away from the site boundaries with plot 3 10m from the closest neighbouring which lies to the west. Plot 1 and 2 would be at least 15m from the western boundary. Plot 1 lies 1.8m from the northern boundary and 7.7m from the dwelling to the north. Taking into account the position of the dwellings and height at 3.5m the proposal is not considered to result in a significant impact on the residential amenity of the neighbours in terms of loss of light or overbearing impact.
66. With regards to privacy, the windows for the dwellings face east, west or south. No windows are proposed on the northern flank of plot 1. The proposal would retain the trees on the western boundary providing suitable visual screening, although the dwellings are some distance from dwelling of Hillview House itself.
67. Specific concern has been raised with regards to the privacy of Nos.1 & 2 Flowerdale (Manor Road) which border the site to the east. The proposal would see the existing line of evergreen trees removed which currently provide screening of the site from those properties. The dwellings would be provided with a number of windows and doors facing east with plots 2 and 3 proposing windows

which align with the neighbour's dwelling. Due to the topography of the land, the dwelling would sit on higher ground than that of the neighbour and therefore have an elevated view towards the neighbour. Policy DP7 sets out specific guidance on separation distances and suggest that, *"In most circumstances, where habitable rooms of properties would be in direct alignment, a minimum privacy distance of 22 metres will be required."* The dwelling at plot 2 would be 26m from the eastern boundary of the site at its closest point and some 48m from the neighbour's dwelling. Plot 3 would be 30m from the site's eastern boundary and 50m from the neighbours dwelling. Although it is noted the topography of the land would not lead to a typical arrangement, the proposed dwellings would be sited well in excess of the typical separation distances set out within Policy DP7. Even taking into account the higher position of the proposed dwellings, as a result of the separation distances the proposal is, on balance, not considered to result in a loss of privacy to significantly impact on the residential amenity of the neighbouring properties to accord with the requirements of Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan Part 2: Detailed Policies. Although the proposal does not conflict with the above Policies an informative has been included to ask the applicant to consider the boundary treatment to the eastern boundary with a view to minimising intervisibility with the neighbours.

68. The proposal would not result in a significant impact on the residential amenity of the neighbouring properties to accord with the requirements Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan Part 2: Detailed Policies.

Highway and Parking Considerations

69. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
70. Policy TN04G of the Tatsfield Neighbourhood Plan requires that the location, layout and design (including materials) of all new vehicle parking areas, whether private or public, should:
- a) not have an undue negative impact on the quality of the landscape or biodiversity.
 - b) reflect the positive elements of the surrounding environment especially the semi-rural nature of the village.
 - c) make use of existing buildings and landscape features to shield views of parking areas.
 - d) keep signage, lighting and markings to a minimum (if required at all).
 - e) treat entrances, verges and boundaries to minimise their visual impact.
 - f) use permeable surfaces to minimise surface water run-off.
 - g) maintain green links and wildlife corridors between properties.
71. Policy TN08D of the Tatsfield Neighbourhood Plan requires that;
- a) Parking standards: All new development must make adequate provision for off-road parking in accordance with the Tandridge Parking Standards Supplementary Planning Document (SPD). Parking for new development should be appropriately located or screened to minimise landscape and streetscape impact.
 - b) Parking design: the design for new parking areas should be in accordance with Policy TN04G.

- c) Loss of parking: proposals for residential extensions should not reduce existing off-road parking provision unless this still meets the minimum requirements under the Tandridge Parking Standards SPD.
72. Policy TN05B of the Tatsfield Neighbourhood Plans requires that;
- a) All new homes where a dedicated parking space per home is provided will be required to have an appropriately located vehicle charging point.
 - b) Where shared parking areas are included in housing developments, these are required to provide 1 vehicle charging point for every space.
 - c) Developments proposing new employment, leisure or retail developments should provide electric vehicle charging points for staff and visitors.
73. The application proposes to re-use the existing access to the north of the site which leads on to Manor Road. The condition of Manor Road is noted however as the road currently serves the existing stables as well as other dwellings it would not be unsuitable for vehicular traffic. It however remains to be considered whether the traffic generation from the proposed use would be acceptable as well as acceptability of the access, turning and parking on the site.
74. The applicant has sought to address matters of highway safety by providing a Highways Technical Note produced by Motion dated 09/05/2023. The highways technical note suggested that the existing use of the site could generate up to 50 vehicular movements per day if it was operating at capacity. The proposed dwellings by contrast is calculated to produce 14 two-way vehicular trips. It is acknowledged that maximum capacity of the existing site has been considered however this does demonstrate that trip generation would not likely be exceeded compared to the situation if the stables continued to operate.
75. With regards to parking, the proposal would provide 2 allocated spaces per dwelling as well as 2no. unallocated visitor parking spaces. This would meet the minimum parking requirement set out within the Tandridge Parking Standards SPD.
76. Surrey County Council Highways have been consulted on this application and, having assessed the details, consider that the proposal would be acceptable with regards safety, capacity and policy grounds subject to conditions provision of parking, electric car charging points and secure bicycle parking. These will be secured by condition.
77. Taking into account the above and with the conditions imposed as recommended by the Highway Authority, the proposal is considered to accord with the access, parking and highway safety aspirations of Policy CSP12 of the Core Strategy and Policies DP5 and DP7 of the Local Plan.

Renewables

78. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology of a minimum of 10%.
79. Policy TNP08A of the Tatsfield Neighbourhood Plan also requires that renewable and low carbon energy generation will be supported where the proposed development:-
- a) Is led by, or meets, the needs of the local community.
 - b) Does not cause harm to the openness and setting of the Areas of Outstanding Natural Beauty or the Green Belt.

- c) Is located and of a scale that is appropriate to character, setting and the wider landscape and does not harm the Notable Views defined in Section 02.10.
- d) Does not create an unacceptable impact on the amenities of local residents.

80. The application is accompanied by an Energy Statement which outlines a fabric first approach and the incorporation of an air source heat pump over 45% reduction can be achieved. This would achieve the requirement of Policy CSP14 and will be secured by way of condition.

Trees

81. Policy CSP18 of the Core Strategy requires 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 Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. It also outlines that where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

82. The application site contains a number of trees and tree groups as well as number of trees lying on or adjacent to the site boundary. The applicant has acknowledged this constraint and has provided a Tree Constraints Plan to identify the trees on or adjacent to the site as well as providing an arboricultural implications assessment and method statement report to provide some professional assessment into the impact on the trees. This report identifies that T18, T2 and G6 will be required to be removed to facilitate the development. Trees T3 – T12, all of which lie to the western boundary of the site, will also be effected through the removal of the hard surface as well as formation of the parking. In order to mitigate the potential impact on the trees the report recommends cellular confinement system to be utilities for the proposed parking area where they lie within the root protection areas of the trees. A tree protection plan has also been provided proposing tree protection fencing during development as well as suggesting area of supervised excavation.

83. The Council's Principal Tree Officer has been consulted on the application. In his comments he noted that three trees/groups are to be removed. However none are of high quality and, when taking into account the potential for replanting on site, no objection is raised. The comments also note that the proposal is likely to benefit the retained trees as currently a large proportion of their root protection area is taken up by existing buildings. Provided demolition is undertaken with care and as described within the submitted arboricultural method statement, the proposed layout would result in an improved rooting area for the retained boundary trees. Overall therefore he raises no objections to the proposal, subject to conditions relating to tree works, tree protection and the securing of an adequate landscaping scheme. These are considered reasonable and can be secured by condition.

Ecology

84. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.

85. The application site does not lie within an area of specific ecological designation however concerns have been raised by neighbours due to impact on protected species and other wildlife including badgers, slow worms and nesting birds.
86. To address impact on ecology the applicant has provided an ecological appraisal produced by LG Ecological Services dated May 2023. A biodiversity net gain report dated May 2023 was also submitted which predicted an 11.54% net gain for habitats and 19.76% net gain for linear features. Initial comments received from Surrey Wildlife Trust dated August 2023 requested further assessment with regards to bat roosts within the Cypress tree line as well as further details with regards to reptiles and a more detailed calculation of net gain. The applicant has responded to these concerns providing an ecological response in letters dated 22nd August 2023, 15th September 2023 and a biodiversity metric received on 30th October 2023. On review of the additional assessment provided, Surrey Wildlife Trust latest response received on 15th December 2023 consider that, subject to securing a bat mitigation strategy, sensitive lighting management plan and final biodiversity gain plan and landscape management plan by way of condition the development would not result in an adverse impact on ecology.
87. The comments received as part of the public consultation relating to ecology have been noted. The applicant has sought to address the points raised by neighbours and by Surrey Wildlife Trust through further submissions. Taking into account the assessment that has been undertaken and subject to the conditions suggested by Surrey Wildlife Trust it is considered that the proposal would not conflict with the requirements of Policy CSP17 of the Core Strategy.

Other Matters

88. This application seeks the formation of three dwellings with the change of use of that land to residential. The three new dwellings proposed would each have a garden area as shown on the proposed block and site location plan which extends 10m deep from the rear walls of the dwelling. Beyond that lies an area of meadow land which would be within the same ownership as the individual dwelling however it would fall outside of the residential curtilage of the dwelling and would be the responsibility of the respective owners to maintain. A condition will be imposed to clarify the extent of the residential land.
89. The residential land associated with the dwellings would, although sufficient for adequate amenity of the occupants, be limited. The uncontrolled extension of the dwellings into this amenity space either through extension or outbuildings could reduce the amenity space available and be harmful to the amenity of the occupants. Therefore in this case it is considered reasonable to impose conditions to remove permitted development rights.
90. As discussed earlier in this report the application proposes to enhance the landscaping within the site which would include the formation of meadows to the rear of the dwellings. Given the extent of landscaping, and its importance in terms of mitigating impact on openness as well as enhancement of character of this rural setting, it forms an important aspect to the compliance with the abovementioned Policies. In light of this, as well as requesting a detailed hard and soft landscaping scheme for the site, a landscape management plan will be secured by condition.
91. The public consultation has also raised a question over the red line submitted with the planning application suggesting that part of Hillview House has been

included within the red line and that the red line should straight across the back of the existing stable. Confirmation has been sought from the applicant who suggests the red line is correct. The Council is not in a position to conclude either way and any dispute would be a civil matter between the parties. Notwithstanding, no development is proposed within the disputed section of the site and therefore this would not preclude the development being undertaken in accordance with the submitted plans, including the provision of provision of the proposed parking.

Biodiversity Net Gain

92. The proposal would not be required to demonstrate a Biodiversity Net Gain as the requirement for such for Minor applications has not yet come into force. However, the applicant has submitted a BNG report and metric to demonstrate a net gain can be achieved and a final BNG plan will be secured by condition to achieve such a gain.

Viability

93. The proposal would raise no viability issues.

Equality Duty

94. The Council has a responsibility to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equality Act 2010 and those who do not. The Case Officer has reviewed the proposed development and documentation and considers that the proposal is not likely to have any direct equality impacts.

Planning Balance

95. In now returning to the presumption in favour of development as set out above, the specific policy in relation to Green Belt does not provide a clear reason for refusing the development and therefore it remains to be considered whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
96. As outlined above, the development is considered to be not inappropriate development within the Green Belt, and it acceptable in terms of character and appearance, residential amenity and, subject to conditions, acceptable in terms highway safety, renewable energy, ecology and trees. Although limited in scale, the proposal also includes the benefit of additional housing and the economic benefits during the construction process. It is considered that there are no other factors which would warrant refusing the application.

RECOMMENDATION: PERMIT subject to the following conditions

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

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

2. This decision refers to drawings numbered 23-1524-TPP, 23-1524-TCP-A, , PL 23-664-04 Rev A PL 23-664-05 Rev A, PL 23-664-07 Rev A, PL 23-664-08 Rev A, PL 23-664-09 Rev A, PL 23-664-10 Rev A PL, 23-664-11 Rev A, PL 23-664-12 Rev A, PL 23-664-13 Rev A, PL 23-664-14 Rev A, PL 23-664-15 Rev A, PL 23-664-16 Rev A PL 23-664-17 Rev A received 21st June 2023 and PL 23-664-01 Rev B, PL 23-664-02 Rev B and PL 23-664-06 Rev B received 19th January 2024 . The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

3. No development shall start until the tree protection measures detailed within the approved Tree Protection Plan (23-1524-TPP) and Arboricultural Method Statement dated May 2023 have been implemented. Thereafter these measures shall be retained and any specified methods of construction, arboricultural supervision or staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

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

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

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

4. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
 - proposed finished levels or contours
 - means of enclosure
 - car parking layouts
 - other vehicle and pedestrian access and circulation areas
 - hard surfacing materials
 - tree and hedgerow planting as compensation for those elements being removed.

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

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season

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

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

5. Prior to the commencement of the development the applicant should submit a bat mitigation strategy for approval by the local planning authority. Then after development shall be undertaken in strict accordance with those approved details.

Reason: To ensure that the provision of any lighting on site minimises the impact on the Green Belt and biodiversity in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policies DP13 and DP19 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014.

6. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the NPPF and the accompanying PPG.

Reason: To ensure the development does not increase flood risk on or off site to accord with the requirements of the NPPF 2023.

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

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

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

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans drawing number DR 23-664-05 Rev A for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework (2023).

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework (2023).

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

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

12. Details of any external lighting; including details of the lighting units and light spread, shall be submitted to and approved by the District Planning Authority in writing prior to any such provision on the site. The details shall be accompanied by a Sensitive Lighting Management Plan which sets out the measures to be taken to minimise the impact of any lighting on the area.

Reason: To ensure that the provision of any lighting on site minimises the impact on the Green Belt and biodiversity in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policies DP13 and DP19 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014.

13. Prior to the first occupation of the dwellings hereby approved the applicant should submit to the local planning authority for approval of a final biodiversity net gain plan in general accordance with the Biodiversity Net Gain report and Biodiversity Metric. The development shall be undertaken in strict accordance with the approved plan.

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

14. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Ecological Appraisal (LC Ecological Services, May 2023), Ecological Response Letter (LC Ecological Services, August 2023), Ecological Response Letter (LC Ecological Services, September 2023), Ecological Response Letter (LC Ecological Services, October 2023) and Updated Ecological Response Letter from Surrey Wildlife Trust comments for Manor Livery (LC Ecological Services, December 2023).

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

15. The residential land shall be limited to that area containing the dwelling and shown as 'garden' on the proposed block plan PL 23-664 – 06 Rev B and no other land shall form the residential curtilage of the new dwellings.

Reason: To protect the openness of the Green Belt to accord with the requirements of Policy DP10 and paragraphs 152-156 of the NPPF

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

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

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

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

Informative

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

The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP12, CSP14, CSP17, CSP18. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP19, Tatsfield Neighbourhood Plan TNP02G, TNP04A, TNP04E, TNP08A and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

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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ITEM 3.3

Application: 2023/1272

Location: 19 Hilltop Walk, Woldingham, Caterham, Surrey, CR3 7LJ

Proposal: Removal of roof and various external walls with exception of the side and front. Rebuilding of structure in association with single storey side and rear extensions with new roof over and front porch. Construction of hardstanding to serve as parking.

Ward: Woldingham

Decision Level: Committee

Constraints – Green Belt, Proposed Area of Outstanding Natural Beauty, Areas of Special Advertising Consent, Ancient Woodland(s) within 500m, Biggin Hill Safeguarding, Protected Species Area(s) within 35m, N Road Class, Rights of Way Footpath 42, Source Protection Zones 2 and 3

RECOMMENDATION:

Grant subject to conditions

1. The application is called to Committee following Member request from Councillor North due to the development constituting inappropriate development within the Green Belt.

Summary

2. Planning permission is sought for the reconstruction of part of the existing dwelling, in association with single storey side and rear extension and new roof over. The application site located within the Green Belt and in this case, part of the proposal is considered to represent inappropriate development. However, Very Special Circumstances (VSC) are considered to outweigh the harm identified to the Green Belt. Further to this, the proposed development is considered acceptable with regards to neighbouring amenity, character and appearance and other factors such as highways. As such, it is recommended that (conditional) planning permission be granted.

Site Description

3. The site is located to the northern side of Hilltop Walk, within the Green Belt area in Woldingham. The site slopes downwards to the north, where the properties along Hilltop Walk are located on a higher level than those along Beulah Walk. The site comprises of a bungalow, although it is noted that a large part including original walls and the roof have been removed. The front and side original walls have been underpinned and supported by scaffolding. There are other residential properties surrounding the site which is generally built up within the hamlet of properties, with open countryside further north, east and south of the site.

Relevant History

4. Relevant history listed below:

CAT/10319 - Siting of one mobile dwelling unit in connection with the construction of a new house - Approved with Conditions 09/02/1973.

CAT/8332 - Detached dwelling - Approved with Conditions.

CAT/9651 - Erection of garage Approved with Conditions 19/11/1971.

2020/1322 - Erection of detached outbuilding in rear garden. Approved 21/09/2020

2021/698/NH - Erection of single storey rear extension which would extend beyond the rear wall of the original house by 8.00 metres, for which the maximum height would be 4.00 metres, and for which the height of the eaves would be 3.00 metres (Notification of a Proposed Larger Home Extension) Prior approval required and not given 23/06/2021 Appeal Allowed.

2021/713 - Erection of a single storey side extension (Certificate of lawfulness for proposed use or development) Planning permission is not required 13/08/2021

2021/713/NMA1 - Non Material Amendment for Side extension to be dropped by 0.5m to better accommodate the existing ground levels; Side door added; Side extension to be finished in flint, not timber cladding; Windows of the existing house to be lowered to accommodate a drop in floor levels; 4 rooflights; New slates roof to replace existing felt roof; Demolition of existing chimney stack; New entrance door which is to be set-back by approx.1.m, attached to pp 2021/713 for "Erection of a single storey side extension (Certificate of lawfulness for proposed use or development)" Refused 27/02/2023 .

2022/145/NH - Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 7.00 metres, for which the maximum height would be 4.00 metres, and for which the height of the eaves would be 3.00 metres. (Notification of a Proposed Larger Home Extension) Prior approval required and not given 09/03/2022.

Proposal

5. Removal of roof and various external walls with exception of the side and front. Rebuilding of structure in association with single storey side and rear extensions with new roof over and front porch. Construction of hardstanding to serve as parking.

Key Issues

6. The site is located in the Green Belt where the key issue is whether the proposal constitutes inappropriate development and, if so, whether very special circumstances are demonstrated that clearly outweigh the harm by definition and any other harm. Other important material considerations are the impact on character and appearance and residential amenity.

Development Plan Policy

7. Tandridge District Core Strategy 2008 – Policies CSP1, CSP18, CSP19, CSP20, CSP21
8. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP7, DP10, DP13
9. Woldingham Neighbourhood Plan (2016) – Policy L1 and L2

10. Limsfield Neighbourhood Plan (2019) – Not applicable
11. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Not applicable
12. Emerging Tandridge Local Plan 2033

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

13. Tandridge Parking Standards SPD (2012)
14. Tandridge Trees and Soft Landscaping SPD (2017)
15. Woldingham Design Guidance SPD (2011)
16. Woldingham Village Design Statement SPD (2005)

National Advice

17. National Planning Policy Framework (NPPF) (December 2023)
18. Planning Practice Guidance (PPG)
19. National Design Guide (2019)

Consultation Responses

20. 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.
21. Woldingham Parish Council (full comments can be viewed online) – “Woldingham Parish Council object to application 2023/1272, at 19 Hilltop Walk, Woldingham on the basis that it is inappropriate development in the Green Belt which is by definition harmful and for which no very special circumstances exist”

Public Representations/Comments

22. Third Party Comments

Objections

- Proposal is not accurate
- Eaves height under prior notification was 3 metres, this application is 4 metres
- The size is not in keeping with the surrounding area
- The application should be for full planning
- Comments raised in relation to the provision of off-road parking
- Noise, light and emissions resulting from car parking arrangement
- Highway safety concern and obstruction due to parking
- Overdevelopment of site
- Movement of cars will cause disruption

Comments in support

- Building was not fit for habitation
- Development in keeping with area
- Previous building was not energy efficient
- Plans are more sympathetic with surrounding area
- Materials considered in keeping
- Existing house was designed to be temporary
- Preserves unique built heritage of the village – in accordance with Woldingham Neighbourhood Plan
- Structure would be suitable for inhabitants with reduced mobility
- Development does not interrupt views locally
- Development does not formalise road treatments, nor subdivide or result in tandem development in accordance with Woldingham Neighbourhood Plan
- Volume consistent with other developments in the vicinity

Assessment

Status of Local Plan

23. 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.
24. 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. 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 Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Procedural Matter

25. An objection received to the proposal suggests that full planning permission should have been sought rather than householder planning permission.
26. Extensive works have occurred at the site that go beyond the works that might have been permitted development. However, as two walls remain, it is considered that the works do not represent the complete demolition of the dwelling. Accordingly, it would not be accurate to describe the resultant dwelling as a replacement dwelling and therefore the development is considered to be an extension of the dwelling.
27. The Town and County Planning Act 1990 defines a householder application as:
- (a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse*

28. Given that the existing walls would be retained, it is considered that the works can be accepted to fall within the terms of '*development for an existing dwellinghouse*' and as such, the type of application that has been submitted is considered to be appropriate.
29. In this instance, noting that full public consultation has been undertaken and it is apparent from the comments that the nature of the development has been clear to interested parties, it is not considered that this distinction will have prejudiced any parties' abilities to comment on the development.

Green Belt

30. Paragraph 152 of the NPPF advises that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances with paragraph 153 adding that such circumstances will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Paragraph 154 of the NPPF sets out a number of exceptions for the construction of new buildings in the Green Belt being regarded as inappropriate and, under criterion c), this includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building which applies to this proposal.
31. Local Plan Policy DP10 advises that within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused and will only be permitted where 'very special circumstances' exist that clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
32. Policy DP13 of the Local Plan lists exceptions to new buildings in the Green Belt being regarded as inappropriate development and includes an assessment for the extension/alteration of buildings and the re-use of buildings. In terms of extension/alteration proposals, these will be permitted where the proposal does not result in disproportionate additions over and above the size of the original building as it existed on 31 December 1968 (for residential dwelling) or if constructed after the relevant date, as it was built originally.
33. The courts have held that some outbuildings may be considered as extensions on the basis that they are 'normal domestic adjuncts', for example, the construction of a garage in close proximity to a dwelling. It is noted that case law has established that physical separation does not prevent development from being regarded as an extension to an original building (or buildings) and that case law or the Council do not set a distance at which a free-standing building should, or should not, be considered as an extension. Nevertheless, it is noted that the Judge in the case of Dawe commented that it is 'a matter of fact and degree in every case', and so, is for the decision maker to assess. The function of the buildings are related to the dwelling and given the relatively small scale of the site, are visually associated as well as functionally associated with the main dwelling. As such it is considered that the outbuildings are a 'normal domestic adjunct' and can therefore be considered within the mathematical assessment.
34. The volume of the original buildings as at the abovementioned date appears to have been 472 cubic metres for the dwelling, and approximately 51 cubic metres for the outbuildings. As a result of the proposed works of extension and alteration, the resultant dwelling would have a volume of 1026 cubic metres.

When also considering the demolished outbuilding, this would represent an increase of 96%.

35. Mathematically, the proposed extensions are considered to be disproportionate with a significantly greater volume over the original. In addition to the above, it is necessary to assess the effect on the openness of the Green Belt. In terms of a visual assessment, the extensions would significantly increase the level and presence of built form on site; however, in terms of the openness of this part of the Green Belt, given the reasonably built-up locality it is not considered that the extensions would be significantly detrimental to the openness of the Green Belt. The visual impact upon the openness would therefore be limited.
36. As such, the proposal is considered to result in a mathematically disproportionate enlargement of the dwelling and would therefore result in inappropriate development in the Green Belt contrary to the NPPF and Policies DP10 and DP13 of the Local Plan.
37. According to the NPPF, inappropriate development is by definition harmful and should not be approved except in very special circumstances, this is discussed below.

Very Special Circumstances

38. In such circumstances, and in accordance with paragraph 152 of the NPPF, inappropriate development is, by definition, considered harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
39. The history of the site outlines previous applications which were granted to allow single storey side and rear extensions using permitted development rights set out in Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. These were granted under the application references 2021/713 and 2021/698/NH. It is understood that during implementation of the above-mentioned consents, structural issues were identified and part of the dwelling demolished as a result.
40. The partial demolition of the dwelling did not require planning permission, but it does however mean that the extensions previously granted can no longer be implemented in their current form (as the original roof, side and rear wall has since been removed) and the total development that is the subject of this planning application would go beyond what could constitute permitted development as set out in Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
41. The extensions, as outlined above, would represent inappropriate development in the Green Belt. However, the proposed development submitted subject to this assessment would not be materially different to the permitted development extensions that could have occurred had the building not been partially demolished. The extensions considered lawful under 2021/698/NH and 2021/713 would have resulted in an increase in volume of up to 598 square metres (based on the details provided), this could have represented a 127%

increase in volume over the original (105% if including the demolition of existing structures). As such, the proposed development subject to this assessment would represent an increase of at 96% and therefore smaller than what could have been achieved under permitted development prior to the partial demolition. This is owing to the reduced height of the side extension, the footprint and appearance will remain similar to what was also considered lawful under permitted development originally.

42. It is noted that permitted development rights no longer provide a direct fallback position as substantial parts of the pre-existing dwelling have been removed.

As established under, APP/Q1445/X/19/3233112 (31 Welbeck Avenue, Hove BN3 4JP May 2020), it would be possible to add permitted development right extensions to the dwelling provided that they still fall within the remit of what would have been permitted development. In the abovementioned appeal the Inspector stated that "... *the rear extension as built does not extend beyond the rear of the original dwelling, being the rear wall of the now demolished lean-to*". This implies that an original rear wall that has been (entirely) removed still forms part of "the rear wall of the original dwellinghouse". Whilst it is agreed that the combination of the works, including the new roof would go beyond what could be achieved under permitted development, this statement supports that fact that even if the original walls are demolished, they remain 'original' in terms of the positioning where the extensions could have been deemed permitted development. As such, had of the roof not been removed, the extension may have been considered lawful.

43. From this basis, whilst recognising that the same situation could not arise without being undertaken in phases, it is considered that the overall outcome would be the same and, from that basis, regard should be had to the alternative resultant situation that could have been achieved.

44. In all matters relating to the application of material considerations it is critically important for decision makers to be aware that the courts will extend the common law principle of natural justice to any decision upon which they are called to adjudicate. The general effect of this is to seek to ensure that public authorities act fairly and reasonably in executing their decision-making functions, and that it is evident to all that they so do. Thus, in terms of development control it is vital that all matters material and pertinent to the making of a planning decision should fairly, reasonably and without bias be taken into account. In this case, it is considered that it would be a reasonable expectation of any person that they would be able to build extensions of the same size as have been approved at the site previously. It is considered that it is just and fair for the applicant to be able to undertake the works that are proposed where there is no overall difference to the size of the development relative to the past permissions.

45. As such, whilst the extensions would be mathematically disproportionate in terms of policy, it would not be materially different in terms of volume, scale or appearance to that granted which would have been constructed on site under different circumstances. The development would also not result in harm to the openness of the Green Belt given the locality with other residential sites adjoining the boundaries of the applications site. As such, it is considered that Very Special Circumstances exist and the harm to the Green Belt is limited in this case.

Character and Appearance

46. 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.
47. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
48. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
49. The application site is located within a hamlet of properties located to the northwestern side of Woldingham. The immediate area is residential in character with other properties adjoining all boundaries of the site. It is noted that construction has started on site with the intention to implement permitted developments that had been the subject of applications 2021/713 and 2021/698/NH.
50. Planning permission is sought for the rebuilding of the structure including the roof, and the erection of single storey side and rear extensions (similar to what was intended to be built under permitted development). The extensions would increase the width and depth of the dwelling, reducing the separation between these boundaries.
51. Whilst the massing would be significantly greater, given the scale of the site it is not considered that the development would result in overdevelopment or a cramped appearance. The development would maintain a separation to the northeast side to ensure that it does not infill the entire width of the plot as per the Woldingham Neighbourhood Plan.
52. The design of the extensions (and rebuilding of existing) would respect the original character of the dwelling. The roof design and pitch of the side extension would be consistent with the original roof to ensure a balance appearance whilst the height would be slightly lower to ensure the addition remains subservient. The rear extension would have a flat roof and given the location, would not be visible within the streetscene. The proposed materials would also match existing, consisting of timber cladding and slate tiles. The extension would therefore remain in keeping, respecting the original character of the dwelling.

53. The proposed hardstanding to serve as parking would replace an existing parking space and garage to be demolished as a result of the development. The arrangement of parking to the side is not uncommon within residential areas ensuring that it does not dominate the frontage of the property. It is not considered that this aspect of the proposal would result in harm to the character and appearance of the site or area.
54. For the above reasons the proposal would not have significant impacts in terms of character and appearance and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies, Policy CSP18 of the Core Strategy and the Woldingham Neighbourhood Plan including the Design Guidance and Character Assessment.

Residential Amenity

55. 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.
56. 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.
57. The impact of the 8-metre rear extension was considered at appeal by the Inspector. The proposed extension would be the same in terms of design, style and boundary separation and therefore the same conclusions are drawn. The Inspector makes the following comments:

“The proposed extension would have a considerable depth but would be of a modest single storey scale as the eave’s height would not exceed 3 metres. Whilst I note the neighbour’s concerns with regards to the proximity of the development to No.17’s eastern boundary, the proposed rear extension would not sit directly on the boundary, as it would abut the public footpath. Plan no.2105 L(0)200 A, submitted by the appellant as Appendix 9, indicates that the proposed extension would lie at a distance ranging from 14 metres to 17.4 metres from the neighbouring property at No.17. Whilst I have not verified this distance, I nonetheless note that the neighbouring property is set-in from the boundary by some distance and that as a result there would be a significant separation gap between the two houses which would assist in limiting the impacts of the development.”

“I find that the proposed extension would not appear excessively obtrusive or bulky when seen from the rear elevation and garden of No.17. Nor, due to its limited single storey height, would it lead to an overbearing impact or an increased sense of enclosure. For these reasons I consider that the outlook from No. 17’s rear elevation windows and garden would not be unreasonably and adversely affected.”

58. Given the modest scale of development, proposed form and relationship to neighbouring amenity, it is not considered that the rear extension would result in significant harm to neighbouring amenity by reason of overbearing or

overshadowing effects. The extension would maintain a separation of 13 metres to the rear boundary of the site, which abuts the neighbour at No.16 Beulah Walk. The Inspector had not raised any concerns with regards to this relationship; nonetheless, this has been considered within this assessment. The land steeply slopes downwards towards the north, where the site is higher than the neighbours at Beulah Walk. Whilst some parts of the extension may be visible from these neighbours, the separation demonstrated would mitigate any harm with regards to overbearing or overshadowing effects.

59. Third Party comments raise concerns with regards to the increase in height. The Prior Notification was approved on the basis that the highest point of the development would not exceed 4 metres. It would have also been the case that the eaves height would not have exceeded 3 metres in order to comply with para (i) of Part 1, Class A of the Order; however due to the nature of the application, it was not necessary to provide elevations drawings and so design details would have been unknown. In the case of this application, when measuring from the highest point of natural land level adjacent to the development, the rear extension would have a height of 2.2 metres. When measuring from the lowest point, the height would not exceed 4 metres. In terms of the side extension, the maximum height would be reduced to fall below the ridge height of the remainder of the dwelling which is lower than what was accepted under the previous permitted development scheme.
60. The side extension would extend closest to the neighbour at 21 Hilltop Walk. The extension would maintain a separation of 3.4 metres to the eastern boundary and set below the maximum height of the dwelling conforming to the sloping gradient of the land. Given the modest scale of development, it is not considered that the side extension would result in significant harm to neighbouring amenity by reason of overbearing or overshadowing effects.
61. The applicant proposed two parking spaces along the side of the dwelling to replace the existing space and garage to be demolished as a result of the development. The spaces would be positioned back-to-back to accommodate up to two vehicles off-road. It is noted that there is the potential for additional parking to the front of the dwelling. The use of the parking spaces would create some additional movements in the area, which would involve slow, careful and precise driving manoeuvres in order to turn. However, any increase activity would be associated with the existing dwellinghouse, thus would be fairly limited and likely to be spread over the day, which would not be considered as overly intrusive. Whilst a minimal inconvenience for neighbours, this is not considered significantly harmful to warrant a reason for refusal on amenity grounds.
62. 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).

Proposed Area of Outstanding Natural Beauty

63. The proposed development is located within a proposed area of search where Natural England is considering as a possible boundary variation to the Surrey Hills Area of Outstanding Natural Beauty (AONB). Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal.) Natural England considers

the Surrey Hills to be a valued landscape in line with paragraph 180 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

64. An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.
65. In this case, given the minor scale development and increase in built form in a reasonably dense pocket of development, it is not considered that the development would have any significant impact on the AONB and any views to or from the site which are limited.

Other Matters

66. Comments made from the Parish Council refer to the 'fall back' position and that the proposed development should have a reduced impact and therefore not equivalent. In those cases, when proposed an alternative development this would be the generally accepted approach. However, in this case, for the reasons discussed above the resulting mass and appearance would be no different than the intended development and as such Very Special Circumstances are considered to be demonstrated as it is a like-for-like extension and development of what is considered the original dwelling and that which could reasonably occur under the terms of permitted development rights.
67. In this case, it is considered necessary to remove permitted development rights with regards to any future enlargement. Whilst it may be the case that any future extensions may be limited when considering the 'original' walls and extensions subject to this application, for the avoidance of doubt a condition will be imposed preventing any further enlargement under permitted development as this would result in both concerns with regards to character and appearance, and harm to the openness of the Green Belt.

Conclusion

68. The proposed rebuilding of the dwelling is not considered inappropriate development within the Green Belt; however, this in association with the extension to the dwelling would be considered to represent inappropriate development which is by definition, harmful. Very Special Circumstances have been demonstrated to outweigh the harm to the Green Belt in this case as the overall outcome would be the same as what could have originally been implemented under permitted development; regard should be had to the alternative resultant situation that could have been achieved. The proposed

development is considered acceptable with regards to neighbouring amenity, character and appearance and other factors such as highways. As such, planning permission is recommended for approval.

69. 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.

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

RECOMMENDATION:

Grant 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 L(0)204B, L(0)203A, L(0)202B, L(0)201A, L(0)199A, L(0)200B, L(0)102A, L(0)101A, L(0)100A and the red-edged site location plan received on 17th January 2024 and L(0)205B received on 21st February 2024. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

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

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

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

Reason: To retain control over the habitable accommodation at this property and ensure that the dwelling is not enlarged contrary to the Local Planning Authority's restrictive policy for the extension of dwellings in the Metropolitan Green Belt in accordance with Policy DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

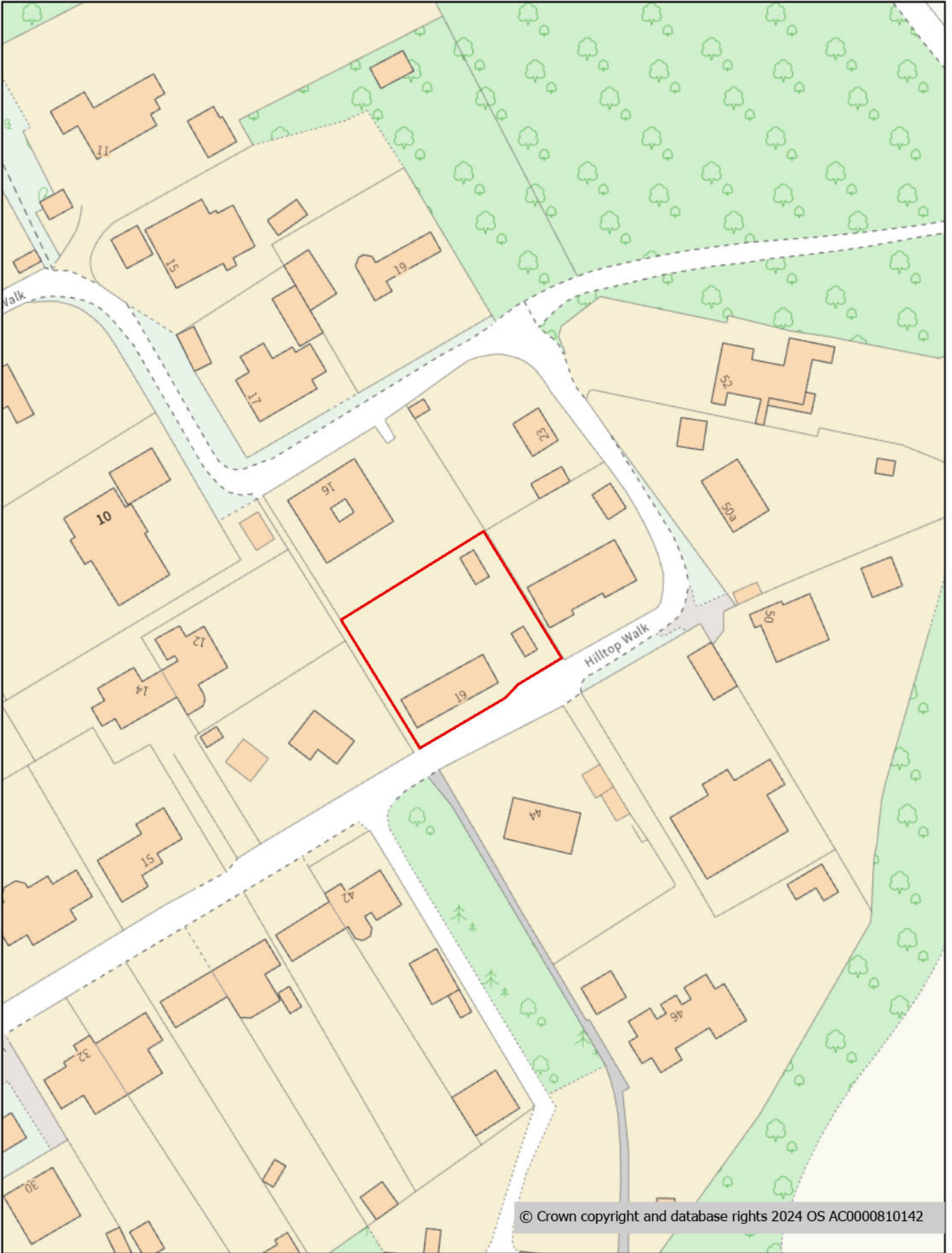
Informatives

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

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP18, CSP20, CSP21 Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP7, DP10, DP13, the Woldingham Neighbourhood Plan Policies L1 and L2 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 (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 3.4

Tree Preservation Order No.7, 2023 (Tandridge 15A Buxton Lane, Caterham, CR3 5HG

Planning Committee Thursday 7th March 2023

Report of: Chief Planning Officer

Purpose: For decision

Publication status: Open

Wards affected: Portley

Executive summary:

This report is to advise the Committee on the confirmation or otherwise of Tree Preservation Order No.7, 2023 (Tandridge).

- Under Section 198 of the Town and Country Planning Act 1990 the Council, acting as the Local Planning Authority, has the power to protect trees and woodlands by means of a Tree Preservation Order (TPO) if it appears to be expedient in the interests of amenity.
 - The report sets out the background for why the TPO was made, discusses the subsequent information that has been considered, and makes a recommendation for whether the TPO should be confirmed (made permanent) on the balance of the available information.
-

This report supports the Council's priority of:

Becoming a greener, more sustainable District

Contact officer Alastair Durkin Principal Tree Officer
adurkin@tandridge.gov.uk

Recommendation to Committee:

That, in accordance with its delegated powers, the Committee determines that Tree Preservation Order No.7, 2023 is confirmed as made.

Reason for recommendation:

The Council has the power to protect trees and woodlands by means of a Tree Preservation Order (TPO) in instances where trees are under threat of removal or harmful works, and on a precautionary basis, provided it is in the 'interests of amenity'. The exercise of this power supports the Council's priority of 'Becoming a greener, more sustainable District'.

The decision is being determined at this committee due to there being an unresolved objection to the making of the TPO.

Introduction and background

1.0 Legislative context

- 1.1 The Council has the power to protect trees and woodlands by means of a Tree Preservation Order (TPO) in instances where trees are under threat of removal or harmful works, and on a precautionary basis, if necessary, provided it is 'in the interests of amenity'. These powers are contained within section 198, Part VIII [Special Controls] of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 and the related Regulations (The Act).
- 1.2 The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. However, the Government considers that TPOs should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. The Council should therefore be able to show that a reasonable degree of public benefit exists, or would accrue, before TPOs are made or confirmed.
- 1.3 The trees or woodlands selected for protection, or at least part of them, should normally be visible from a public place, such as a road or footpath, although the inclusion of other trees may be justified, for instance, where back garden trees can be viewed from their properties by a significant number of members of the public.
- 1.4 The benefit may be now or in the future; trees may be worthy of preservation for their intrinsic beauty, or for their contribution to the landscape, or because they serve to screen an eyesore or future development. The value of trees may be enhanced by their scarcity and the value of a group of trees or woodland may be collective only. Other factors, such as importance as a wildlife habitat, nature conservation or response to climate change may also be considered, but in the absence of the preceding elements of amenity contribution, these factors alone are not sufficient to warrant a TPO.
- 1.5 A TPO is provisional until it is confirmed, in writing, within a six-month period by the Council. This means that the TPO takes immediate effect and ensures the trees cannot be lawfully removed during the statutory 28-day consultation period that follows the

servicing of a TPO and before confirmation. The TPO then continues in force on a provisional basis until either the TPO is confirmed (made permanent), or the six-month period expires.

- 1.6 Once a provisional TPO has been made, the confirmation of the TPO is delegated to an authorised Officer of the Council, provided there are no unresolved objections received within the 28-day time limit. Where unresolved objections remain, the decision whether or not to confirm, or modify the TPO, is made by the Council's Planning Committee.

2.0 Background

- 2.1 The Council received a public request for a TPO to be made on this single oak tree. The request was made on the basis that the tree was of high amenity value and that 15A Buxton Lane was in the process of being sold, thereby creating a potential risk that the new owners would not wish to retain the tree. There was also a concern that following the removal of a dead TPO oak tree which was growing nearby in Macaulay Road the importance of the preservation of the tree at 15A was amplified.
- 2.2 The Council receives requests for TPOs to be made on land which is either up for sale or being sold on a regular basis. The sale of land is not normally considered to be a sufficient reason on its own for a TPO to be made, as many properties are sold within the District each year, and these sales very rarely result in wholesale clearance of trees – the presence of mature trees generally being regarded as an asset to a property. Nevertheless, mature trees are sometimes highlighted to homebuyers as a potential future risk by insurers looking to minimise their own liabilities, and this can result in unnecessary tree removals without a full investigation of any risk being undertaken. Furthermore, in the case of a tree of exceptionally high amenity value, it can sometimes be expedient to protect it on a purely precautionary basis, as the importance of the tree is so high that even a low risk of its removal can be considered as an unacceptable risk.
- 2.3 Following receipt of the request for a TPO to be made, and subsequent further correspondence, a site visit by your Principal Tree Officer was made to assess the oak tree for the purposes of a TPO (Appendix A).
- 2.4 The oak tree is very visually prominent when travelling in both directions along Buxton Lane and from Matlock Road, approaching the Buxton Lane junction. As such the tree affords significant levels of visual amenity to the local area (Figure 1), as well as providing potentially important wildlife habitat. The importance of the tree is amplified by the relative paucity of other mature trees on the Buxton Lane frontage. The tree will be seen and appreciated by a great many people daily and is a very attractive feature of the road.
- 2.5 In light of the amenity assessment undertaken, it was considered that the oak tree was of suitable importance for a TPO to be made, and that its amenity value was so high that it was expedient to protect it on a precautionary basis, considering the property was being sold, or had recently been sold.

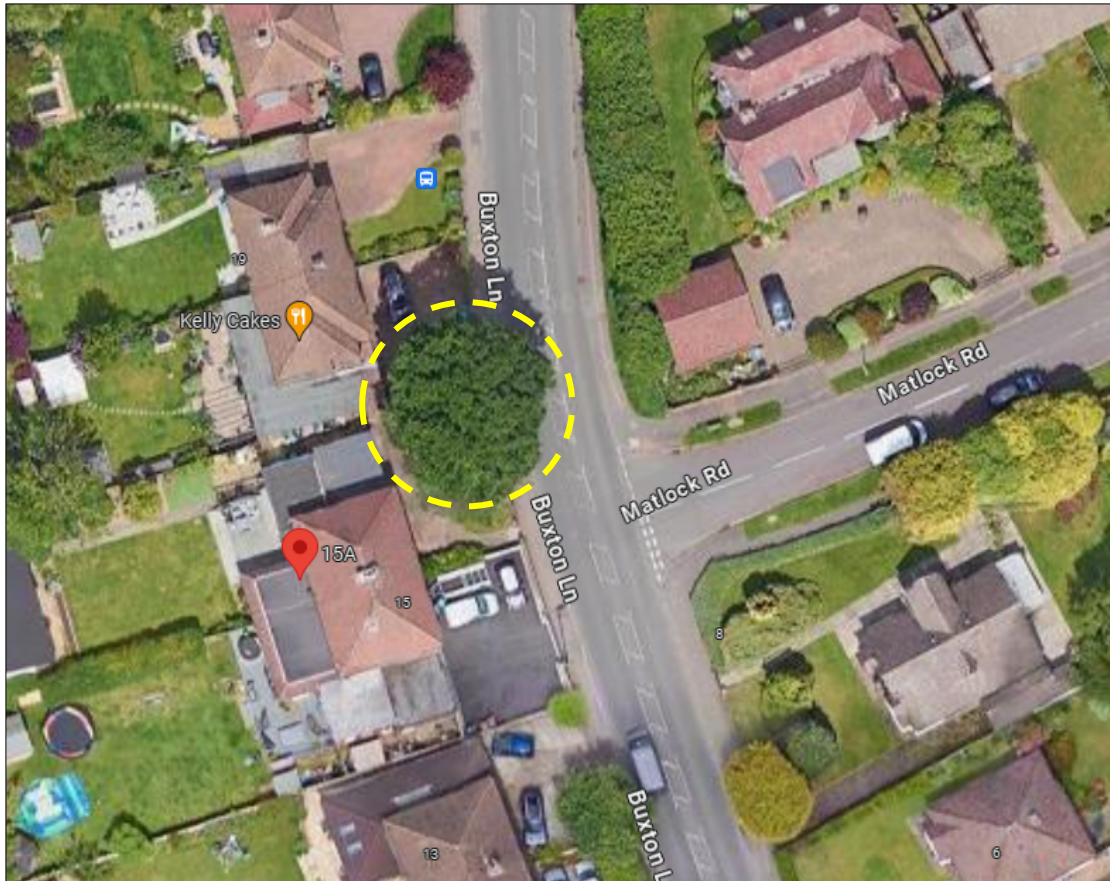


Figure 1 – Aerial view of T1 oak (ringed yellow) in relation to Buxton Lane and Matlock Road

3.0 Objections and response

3.1 Following the making of the TPO a letter of objection was received from the new owner of the property. The objections are summarised below:

- a) When I moved into the property there was no Tree Preservation Order in place. I was and am still happy to own a property with a large tree.
- b) The tree overhangs a busy road and pavement. It is important that I have control over managing the tree and branches to ensure it does not become a hazard to the public. I have no intention of removing the tree. However, I must ensure that I have the autonomy to be able to maintain the tree and branches in a timely manner when needed to prolong the life of the tree and minimise risk to the public.
- c) The tree is near a bus stop. Pedestrians regularly stand near the tree. Double decker buses may reach overhanging branches, compromising the integrity of the tree and causing a further risk to the public.

3.2 Following receipt of the objections, the Council's Principal Tree Officer wrote to the owner to address the concerns and resolve the objection. However, the owner confirmed that they wished their objection to stand.

3.3 Your officer's response to the objections are as follows:

- a) It can be accepted on face value that the owner currently wishes to retain the tree, but it is the very high amenity value of the tree that in your officer's opinion justifies the making of the TPO on a purely precautionary basis, particularly as property ownership and other circumstances are subject to change. On this matter the Government Planning Practice Guidance (PPG) states:

"It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees..."

... Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution."

- b) The tree owner is right to highlight their responsibilities in terms of doing everything that is reasonable to ensure that the tree does not become a danger to the public, or an obstruction to the road. A TPO does not, however, prevent or hinder an owner from exercising their ability to satisfy their duty of care. For example, if a branch of the tree or even the tree itself suddenly became so dangerous that the owner could not wait for an application for works under the TPO to be processed, then there is a mechanism within the legislation for works to be undertaken immediately to the extent that such works are urgently necessary to remove an immediate risk of serious harm – giving notice to the Council after the work has been undertaken if strictly necessary. Further advice regarding this process would be available upon request from officers, or advice is available within the online PPG. Most reputable tree surgeons are also well versed in this exception process.
- c) For normal tree management works – for example to maintain clearance from the pavement or highway, the Council would require an application, unless the Highway Authority had ordered the works by statutory notice to the tree owner - in which case no application would be required. In such a case five working days written notice of the intended works would need to be given to the Council.

If an application is required to maintain highway clearance, then a very useful part of the legislation is the ability to make an application for repeated operations. For example, a tree owner can make one application to undertake repeated pruning works over a given period of time (e.g.10 years) in order to maintain 6m clearance over the highway as required by the Highway Authority. Provided the works are reasonably justified and will not harm amenity to a significant degree then consent would normally be granted.

4.0 Discussion

- 4.1 As detailed above the TPO does not prevent reasonable management works, provided consent is obtained from the Council prior to the works being undertaken. The TPO gives the Council a degree of control as to how the tree is managed in the future, to ensure that the significant amenity it affords to the public is preserved.
- 4.2 It is considered that, on balance, the minor inconvenience caused to the owners of the tree to make an application when they wish to undertake works is justified by the benefit to the local and wider community by ensuring that the tree is protected on an ongoing basis. It is also the case that as land ownership changes over time, the presence of the TPO will go some way to ensuring that the tree is protected long into the future. This is particularly important considering the prominence of the tree and its importance to the local landscape.

5.0 Conclusion

- 5.1 Due to its exceptional contribution to the local landscape when viewed from Buxton Lane and Matlock Road, the oak tree selected for protection is of suitable amenity value to preserve in the public interest, and it is expedient to do so on a precautionary basis only. It is therefore recommended that the TPO is confirmed as made.

Other options considered:

- 6.0 As advised above, correspondence was entered into with the owners to attempt to resolve concerns raised. However, as the TPO affects only a single tree there is no modification that could be made to the TPO to lessen any concerns. There are only two options available - to confirm the TPO or decide not to confirm the TPO.

Key implications:

Comments of the Head of Legal Services

No comments

Equality Duty

The Council has a responsibility to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. The Case Officer has reviewed the proposed development and documentation and considers that the proposal is not likely to have any direct equality impacts.

Climate change

Growing trees absorb CO₂ from the air. Other greenhouse gases (GHG) such as methane and nitrous oxide are also exchanged between trees and the atmosphere, so trees are a key component of the planet's GHG balance. Therefore, the functioning and management of trees and woodlands on a worldwide basis are critical to efforts to reduce climate change ('climate change mitigation') and reduce the net GHG emissions into the atmosphere ('emissions abatement').

On a local level, trees also intercept rainwater and increase soil permeability – thereby slowing the flow of water into the drains and reducing the potential for surface water flooding.

Appendices

Appendix 'A' – Tree Preservation Order No. 7, 2023 (Tandridge)

Background papers

Objection letter, your officer's response and redacted email exchange available to view upon request.

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Town and Country Planning Act 1990

The Tree Preservation Order No.7, 2023 (Tandridge)

The Tandridge District Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Tree Preservation Order No. 7, 2023 (Tandridge)

Interpretation

2. - (1) In this Order “the authority” means the Tandridge District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. - (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

**THE COMMON SEAL of
THE DISTRICT COUNCIL OF TANDRIDGE**

Was hereunto affixed to this Order on the 19th day of September 2023



In the presence of:

 Authorised signatory

 Witness

CONFIRMATION OF ORDER

This Order was confirmed by the Tandridge District Council without modification on the day of

OR

This Order was confirmed by the Tandridge District Council subject to the modifications indicated by the modified plan and schedule on the day of

.....
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	15A Buxton Lane Caterham CR3 5HG

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

Groups of trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Tandridge District Council on the day of

.....

Authorised by the Council to sign in that behalf]

VARIATION OF ORDER

This Order was varied by Tandridge District Council on the day of

.....

Authorised by the Council to sign in that behalf]

REVOCATION OF ORDER

This Order was revoked by Tandridge District Council on the day of

.....

Authorised by the Council to sign in that behalf]

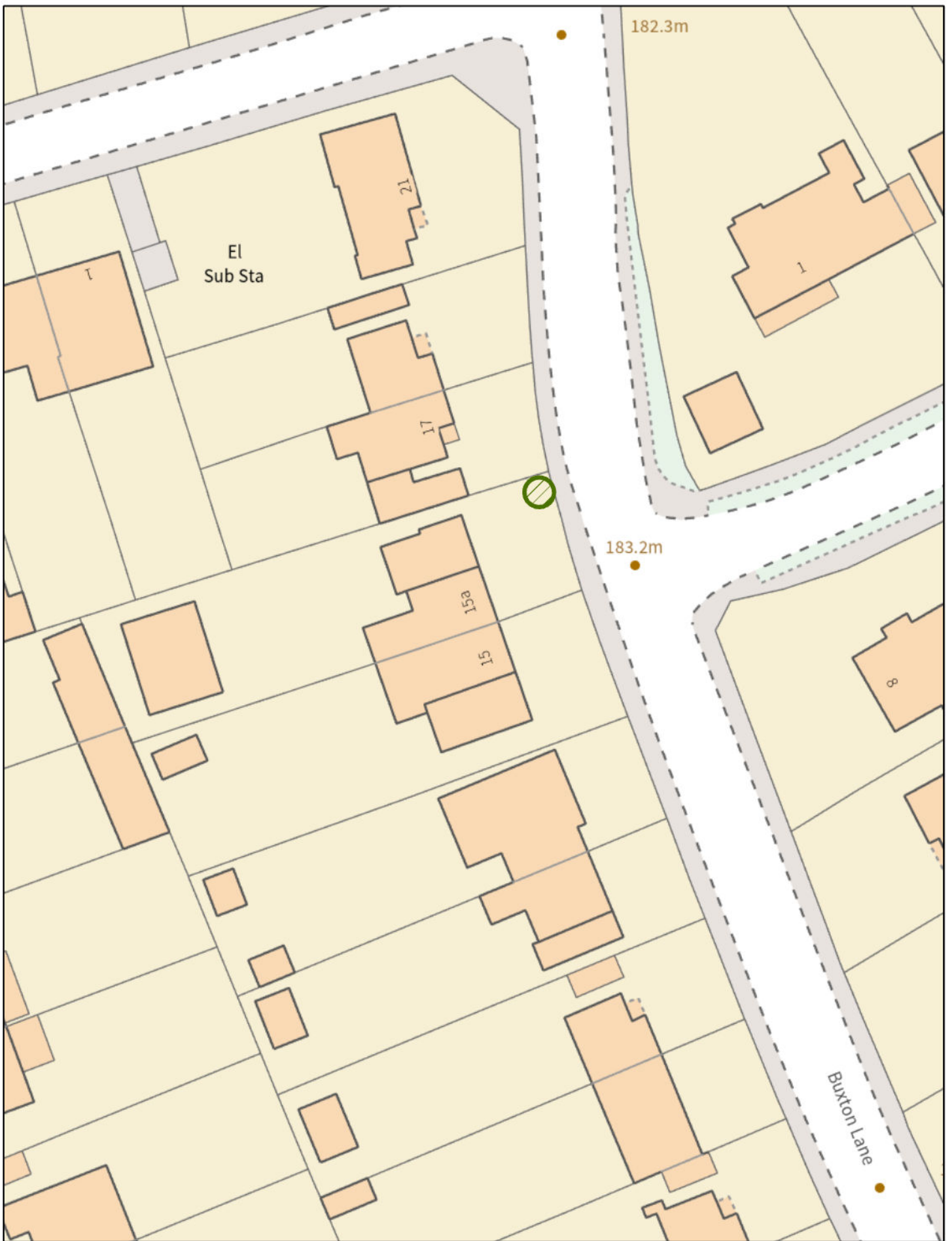


MM CC.

<p>Tandridge District Council TREE PRESERVATION ORDER NO: 7, 2023 (Tandridge)</p>	<p>DATE: 13/09/2023 GRID REF: 3326 5650 DRAWN: AD</p>	<p>Helen Murch Chief Planning Officer</p>
<p>SUBJECT: 15A Buxton Lane Caterham Surrey CR3 5HG</p>	<p>SCHEDULE: T1 - Oak</p>	<p>TANDRIDGE DISTRICT COUNCIL PLANNING DEPARTMENT COUNCIL OFFICES STATION ROAD EAST OXTED, SURREY RH8 0BT (01883 722000)</p>

Dated 19th September 2023

The Tandridge District Council
Tree Preservation Order No.7, 2023 (Tandridge)



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ITEM 3.5

Application: 2023/1344

Location: Land to The West of High Wold, Park View Road, Woldingham, CR3 7DA

Proposal: Erection of single detached dwelling with parking and turning areas using existing access from Park View Road

Ward: Woldingham

Decision Level: Planning Committee

Constraints – Urban Area, Area(s) of Outstanding Natural Beauty, Biggin Hill Safeguarding, Source Protection Zones 2 and 3, Special Residential Character Area(s), Wooded Hillside(s)

RECOMMENDATION: **PERMIT subject to conditions**

1. This application is reported to Committee following a Member request from Councillor North due to the inappropriate subdivision of an already subdivided plot, concerns over the proposed design, layout, height and placement and concerns over the removal of trees and the failure to demonstrate a 10% biodiversity net gain.

Summary

2. Planning permission is sought for the subdivision of an existing residential curtilage and the erection of a 5-bedroom detached dwelling located within the Urban Area in Woldingham. The application follows previously refused applications and dismissed appeals which proposed a dwelling located to the north of the existing dwelling. It is noted that the subdivision of the curtilage and location of the dwelling has been amended from the previously assessed applications.
3. The proposed development is considered acceptable with regards to character and appearance, neighbouring amenity, parking and highways, living conditions for future occupiers, biodiversity and ecology, renewable technologies and trees. Whilst there is some conflict with the Woldingham Neighbourhood Plan with regards to progressive subdivision and plot to footprint ratio in terms of the retained dwelling at the wider site, the harm arising from this conflict is considered to be outweighed for reasons outlined within this report. No harm is identified on any other grounds and as such, the application is recommended for approval subject to conditions.

Site Description

4. The site comprises of the side curtilage space of the dwelling at High Wold in the designated Urban Area of Woldingham. The existing two storey dwelling on site is accessed from its south boundary which abuts an unclassified road off Station Road, Woldingham. Its curtilage space extends to its rear (north) and side (west). A private drive from within the site leads on to Park View Road to the west of the site.
5. The surrounding area is predominantly residential and is characterised by spaciouly laid out detached dwellings. Views of natural green spaces with the openness of the North Downs is a dominant characteristic of the village.

Relevant History

6. Relevant history listed below:

CAT/3686 - Alterations & addition - Approved 27/05/1959

CAT/5341 - 2 Detached houses 1 detached bungalow and 1 service cottage - Approved with Conditions 28/01/1963

CAT/5728 - Alterations and additions - Approved 22/07/1963

2021/2147 - Erection of a dwelling with associated garaging. Refused 21/03/2022 Appeal Dismissed 26/01/2023

1. The proposal by reason of its footprint would exceed the criteria set out in Policy L1 B of the Woldingham Neighbourhood Plan (2016) which would result in an overdevelopment of the site adversely affecting the distinct characteristic of the area contrary to Policy CSP1 of the Tandridge Council Core Strategy (2008), Policies DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016).
2. The proposal by reason of its size, height and design would result in an uncharacteristic development detracting from the established spacious character of the surrounding area and would be in a form which would be contrary to Policy CSP1 of the Tandridge Council Core Strategy (2008), Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016)

2022/556 - Erection of new dwelling and detached garage Refused 18/08/2022 Appeal Withdrawn

1. The proposal by reason of its footprint would exceed the criteria set out in Policy L1 B of the Woldingham Neighbourhood Plan (2016) which would result in an overdevelopment of the site adversely affecting the distinct characteristic of the area contrary to Policy CSP1 of the Tandridge Council Core Strategy (2008), Policies DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016).
2. The subdivision of the site would result in an uncharacteristic development detracting from the established spacious character of the surrounding area forming piecemeal development which would be contrary to Policy CSP1 of the Tandridge Council Core Strategy (2008), Policy DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016).
3. The proposal shows a lack of regard, given the lack of ecological survey information, to habitats present on site and the extent to which these would be impacted by the proposals, submitted with the application to ensure that there would not be an adverse impact on wildlife, habitats or protected species as a result of the proposed development contrary to Policy CSP17 of the Tandridge District Core Strategy (2008), Policy DP19 of the Tandridge District Local Plan Part 2: Detailed Policies (2014)

2023/335 - Erection of new dwelling Refused 05/06/2023.

1. The proposal by reason of its footprint would exceed the criteria set out in Policy L1 B of the Woldingham Neighbourhood Plan (2016) which would result in an overdevelopment of the site adversely affecting the distinct characteristic of the area contrary to Policies CSP1 and CSP18 of the Tandridge Council Core Strategy (2008), Policies DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016).
2. The subdivision of the site would result in an uncharacteristic development detracting from the established spacious character of the surrounding area forming piecemeal development which would be contrary to Policies CSP1 and CSP18 of the Tandridge Council Core Strategy (2008), Policy DP7, DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) and the Woldingham Neighbourhood Plan (2016).
3. The proposal shows a lack of regard, given the lack of ecological survey information, to habitats present on site and the extent to which these would be impacted by the proposals, and is therefore contrary to Policy CSP17 of the Tandridge District Core Strategy (2008), Policy DP19 of the Tandridge District Local Plan Part 2: Detailed Policies (2014)

2023/1239 - Demolition of existing garage and workshop. Changes to external elevations including removal/installation of windows and doors and erection of porch – Approved 20.12.2023.

Proposal

7. Planning permission is sought for a 5-bedroom dwelling that would include accommodation over three floors. The top floor would be in the loft space and served by dormer windows. The dwelling would be located to the west of the existing dwelling at High Wold and utilise an existing driveway off Park View Road.
8. The proposed dwelling would measure an area of 146sqm, with a maximum height of 8.7 metres. The principal elevation would front a southerly direction with the garden north of the dwelling. The proposed materials would consist of red brick, clay roof tiles and clay hanging tiles to the first floor.

Key Issues

9. The site is located within the urban area of Woldingham. The key issues in relation to the proposal are the acceptability of the principle of the development having regard to the Woldingham Neighbourhood Plan (2016) together with the Tandridge District Core Strategy (2008) and the Tandridge Local Plan (2014), the impact on the character of the existing property on site and the surrounding area and the residential amenities of neighbouring properties and future occupiers of the proposal.

Development Plan Policy

10. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP11, CSP14, CSP15, CSP17, CSP18, CSP22.

11. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP3, DP4, DP5, DP7, DP8, DP19
12. Woldingham Neighbourhood Plan (2016) – L1, L2
13. Limsfield Neighbourhood Plan (2019) – Not applicable
14. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – Not applicable
15. Emerging Tandridge Local Plan (2033)

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

16. Tandridge Parking Standards SPD (2012)
17. Tandridge Trees and Soft Landscaping SPD (2017)
18. Woldingham Design Guidance SPD (2011)
19. Woldingham Character Assessment (2011)
20. Woldingham Village Design Statement SPD (2005)
21. Surrey Design Guide (2002)

National Advice

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

Consultation Responses

25. County Highway Authority – *“The application site is accessed via Park View Road, which is a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway. However, in order to promote sustainable transport and to reduce carbon emissions the County Highway Authority recommends the following conditions and informatives be imposed in any permission granted:*
 1. *The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast charge socket (current minimum requirements - 7kw 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.*
 2. *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.”

26. Woldingham Parish Council – *“We wish to object to the application on the following grounds.*

- 1) *Sub-division of an already subdivided plot - it contravenes the Woldingham Neighbourhood Plan L1 - A5 and TLP Policy 8 on the further subdivision of previous subdivisions;*
- 2) *The development will have a negative effect on the general character of the surrounding area, thus contrary to Policies DP8 and L1 of the TJP and WNP respectively.*
- 3) *Ratio of 17:1 is based wholly on the removal of a large area of the current property - which is not an enforceable element of the planning application 2023/1239 and is therefore not factual.*

This development will alter the spaciousness and openness of the area as noted in Policy L3 of the Woldingham Neighbourhood Plan and has been objected to by the close neighbours.”

27. Locality Team – *“No objections”*

28. Surrey National Landscape (AONB Officer) – *“The site lies within a low-density residential area and is outside the currently designated Surrey Hills AONB. However, it was proposed by Natural England in the Spring consultation as an AONB candidate area in its current proposals to extend the Surrey Hills AONB. I was not consulted on the earlier proposals probably because the site lies outside the AONB and at the time the site was not proposed as an AONB candidate area. At this early stage of the boundary review the current proposal has no legal status. However, it may be relevant that consultant landscape assessors experienced in AONB and National Park boundary determinations consider this area meets Natural England's natural beauty criteria sufficient for AONB designation. That said, the proposed large house would be located within the body of other substantial properties. I do not consider the house would impact upon the setting of the current AONB as from a desktop exercise, it would not have any visual relationship with it. Several references have been made to the proposal being for an Arts and Crafts house. As this has attractive connotations this is often put forward as a justification for a proposed building. However, in no way does the proposed design reflect the high-quality design, style and detailing of the Arts and Crafts Movement. In conclusion, I have no AONB concern.”* Following a re-consultation, the Officer made the following comments - *“Following your re-consultation of amended documents, I consider the revisions to be an improvement and continue to have no protected landscape concerns.”*

29. Local Lead Flood Authority – *“We have reviewed the submitted documents as listed above, the Applicant has considered the surface water flood risk to and from the site and has suggested appropriate mitigation measures to inform the Planning Application.”*

30. Surrey Wildlife Trust – Summary Table below:

Planning Stage	Recommendation
Prior to Determination	Ground level tree roost assessment (only if trees are to be removed)
Prior to Commencement	Badger Survey Reptile Precautionary Method of Working

	Tree Protection Plan
Prior to Occupation	N/A
General Recommendations	<p>Precautions should be taken during construction to ensure no harm to terrestrial mammals</p> <p>Ensure no increase in external lighting</p> <p>Vegetation clearance should take place outside of breeding bird season or following nesting bird checks</p> <p>Suggested biodiversity enhancements should be included in the final design (we would advise against the planting of Rhododendron)</p>

Public Representations/Comments

31. Third Party Comments

Objections

- Woldingham Neighbourhood Plan does not allow the inappropriate or progressive subdivision of curtilages. This site would be an example of this.
- Proposal contravenes Woldingham Neighbourhood Plan.
- No mention of screening to the north within Design and Access Statement.
- AONB Officers states in no way does the proposed design reflect the high quality design, style and detailing of the Arts and Crafts Movement.
- Ratio is incorrectly stated in application details.
- Block Plan and location of trees is not represented accurately.
- Highway safety concerns.
- Increase in construction traffic and concerns over access.
- Ecological surveys incorrect, lack of consideration for wildlife.
- Neighbouring amenity concerns with regards to overlooking and overall height.
- Site is elevated and would cause loss of privacy.
- Other refused applications were less invasive.
- Concerns over impact to nearby trees and concerns over removal of hedges.
- Contrary to Local Plan Detailed Policy DP8.
- Considerable weight should be given the previous inspectors comments.
- Proposed siting is incongruous with pattern of development.
- Dwelling not in keeping with prevailing character.
- The development would have an uncharacteristic form of tiered development.
- The proposed dwelling would block the outlook from nearby properties.
- Impact to neighbouring amenity in terms of overbearing impacts.
- Lack of details on net biodiversity gain.
- Dwelling is 3 storeys and not in keeping.
- Hedges to be removed.
- Buildings should be placed informally; this would create a formal layout
- Removal of boundary treatment would have detrimental impact on street scene.
- Scale of new dwelling would be imposing.

- Development would need to take into account Surrey Wildlife Trusts comments.
- Other larger houses sit well back from the highway.

Comments in support

- Other development locally has far more impact than that proposed.
- The village needs more homes like this.
- Design in keeping with area.
- Contributes to housing stock.
- Plots not dissimilar in scale to others locally.
- Overall footprint compliant with policy.

Assessment

Procedural note

32. 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 Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.

Location and principle of development

33. The application site lies within the urban area of Woldingham, a defined Category 2 Settlement within which development is encouraged on sustainability grounds. The development would sit within an established residential area with local amenities close by. Within the built-up part of Woldingham the Council will require development to be a high standard of design and not to harm the special character of the area, the Council will require development to comply with the Woldingham Village Design Statement.
34. The principle of new development would be acceptable provided that it would meet the relevant criteria regarding its design and appearance along with complying with The Woldingham Neighbourhood Plan (WNP) (2016) which is part of the development plan. This has been assessed below.

Character and Appearance

35. 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.
36. 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.

37. 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.
38. 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 Limpsfield), Warlingham, Whyteleafe and Woldingham, only if the development scheme:
 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.
39. It goes on to state that 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.
40. Policy L1 (General Design Policy) of the WNP 2016 sets down similar criteria and requirements to the above Policies. As the site is within a Residential Character Area, namely the Woldingham Special Residential Character Area C, Policy L2 (Woldingham Character Areas) of the Woldingham Neighbourhood Plan 2016 applies. Part 1 of this Policy requires that:
 - A) *New or replacement dwellings in the above Character Areas should consist of individually designed detached dwellings.*
 - B) *Development must not adversely affect the character of the Wooded Hillside areas in Character Areas B, C and J (see Map B on pages 24- 25).*
41. Further design guidance is also provided within the Woldingham Character Assessment (2011), Woldingham Design Guidance SPD (2011) and Woldingham Village Design Statement SPD (2005).
42. The application site comprises the side garden of a two-storey dwelling with its principal frontage and main access from Station Road. The land slopes gently towards the lower hillside at Park View Road, where the host property has an existing rear access that would serve the proposed dwelling. According to the Woldingham Design Guidance Supplementary Planning Document

2001(SPD), the application site is situated in the 'Western Hillside (Area C)' character area. The SPD considers the Western Hillside area to most clearly reflect the original vision for Woldingham.

43. The proposal consists of a traditional style detached dwelling within a plot of circa 0.24ha. The dwelling would be set back from the highway (Park View Road), located to the west side of the existing dwelling at High Wold. The proposal would subdivide an existing residential site which currently serves as garden land to the host property at High Wold; Policy DP8 would therefore apply.

Subdivision of site

44. The WNP states that development should not require the inappropriate or progressive subdivision of curtilages (subdivision will be inappropriate where it results in curtilages of less than 0.2 ha or where it involves the further subdivision of part of an already subdivided curtilage). The existing curtilage measures approximately 0.48 hectares (ha) which is larger than other surrounding plots in the prevailing area. The two resulting plots would both measure approximately 0.24 ha in size. It is recognised that there is a range of plot sizes in the prevailing area, and therefore the proposed resulting sites would not result in a curtilage of less than 0.2 ha which is discouraged by the Woldingham Neighbourhood Plan (WNP). The proposed dwelling would also retain adequate space around the side of the building and therefore would not fill the entire width of the plot which is also discouraged by the WNP. In terms of progressive subdivision, it is noted that the site has been previously subdivided and therefore could represent 'progressive subdivision'.
45. The subdivision would create a more formal curtilage which is discouraged by the WNP which suggests 'development should place buildings informally without defining road edges'. Whilst this is noted, there are other examples of formal site layouts following a reasonably standardized size along parts of Park View Road. As such, it is not considered that the formation of a new curtilage in this location would represent a development out of character with the pattern of development locally. Moreover, the layout of the site is such that the access would run adjacent to the garden to serve the parking area and principal elevation fronting the southern side. The layout of the site is therefore not considered formal which would typically have front facing access with a garden to the rear.
46. Whilst the development comprises progressive subdivision, the scale of the resulting sites would continue to demonstrate the general pattern of the area and are therefore considered to reflect the general character. The conflict with the WNP is noted; however, given the benefit to the housing supply, this is considered to outweigh the conflict identified which will be further elaborated on below.

Plot sizes and ratios

47. As set out above, the Local Plan and the WNP require new development to respect the character of the surrounding area. With the objective of retaining the spacious character of Woldingham Policy DP8 and L1 resist piecemeal development within garden land of an existing dwelling.
48. The site is located within Special Residential Character Area (SRCA) C where the Character Assessment states that sites in this area should have a typical

plot/footprint ratio of 17/1. The Character Assessment also states that 'this loose and spacious character must be retained and buildings must not be crowded or hemmed in by boundaries'.

49. This was reflected in the assessment of the previous application (2023/335) which made reference to the gap between the existing property and the northern boundary as being '*important*.' In this case, the proposed dwelling would be located to the western side of the existing house and therefore the gap to the northern boundary will remain undeveloped. The proposal would result in an average plot to footprint ratio of 17/1 with respect to the proposed dwelling and a smaller ratio of 9/1 for the existing dwelling at High Wold following the subdivision.
50. The Woldingham Design Guidance states that the '*proposals for development should have a plot/footprint ratio similar to the average for the relevant character area as shown in Table 4.1 of the Woldingham Design Guidance unless there are strong reasons otherwise*'. The table suggests that the average plot/footprint ratio is 17/1 in the Western Hillside which is Special Residential Character Area C. As such, the proposed subdivision and footprint of the proposed dwelling would meet this specified ratio.
51. Whilst the host dwelling would be located on a resultant site smaller than the average ratio (being 9/1), it is considered relevant to note that paragraph 4.9 in the supporting text within the Woldingham Design Guidance states that "*The adjacent plot/footprint ratio serves as guidance and is not a definitive standard. Any development disregarding of the plot/footprint ratio must be in keeping with the character generally and comply with the other design principles*". When taking into consideration other local examples such as Atherfield Lodge (3/1), Beech House (7/1), the development is considered to result in two sites which would remain in keeping with the general character of the area. This stance has been supported in other appeal decisions such as APP/M3645/A/11/2148169 where the Inspector concluded that '*the SPD states the ratio serves as guidance and is not a definitive standard any development disregarding it must be in keeping with the character of the area generally*'. As already stated, the plot size for the proposed dwelling and frontage widths are uncontestedly within the prevailing range in the locality and would therefore not have an adverse impact on the character of the area. Due to the relatively discreet positioning of the existing dwelling relative to the surrounding highways, the effect of the smaller plot size serving that dwelling on the general character of the area would be limited.
52. It is noted that the existing dwelling benefits from permission to demolish part of the footprint which would result in a smaller footprint, if this was implemented the host site would have a ratio of 12/1. That permission may, however, not be implemented and, as such, that factor is not given much weight in the assessment of this proposal.
53. Overall, whilst there would be some conflict with the abovementioned policies and guidance as a result of the plot of the existing dwelling being under the specified size expectations, it is considered that minimal harm would arise from this.

Scale and Massing

54. The maximum ridge height would measure 8.7 metres tall. When considering the existing property at High Wold measuring 8.9 metres tall, and the

neighbouring dwelling at Belwood measuring 9.2 metres, this is not considered to be out of keeping not would result in an overly dominant dwelling when considered in the context of the surroundings.

55. In the previous dismissed appeal, the Inspector noted that *'due to its height, the proposed dwelling would be notably visible from Park View Road, and also from part of Station Road which serves High Wold. Therefore, the proposal would be discordant with the prevailing character of being hardly visible from the road.'*
56. The Applicant has addressed this concern by repositioning the proposed dwelling to the western side of the existing dwelling, therefore filling the gap between the highway at Park View Road and the existing dwelling. Given the land levels which increase in gradient towards the east, the proposed dwelling would be positioned on lower land and therefore its maximum height even at two storeys with accommodation in the roofscape, would not exceed the maximum height of the existing dwelling located on higher land.
57. Whilst closer to the highway, the dwelling would be viewed amongst the backdrop of other residential dwellings and therefore not appear dominant or discordant with the prevailing character. The application site also gently slopes downwards from the east to west which is shown on the proposed cross section of the site.
58. The proposal is considered to respect the existing topography of the site and does not propose any retaining walls or harsh boundary treatments ensuring that the proposal is consistent with the topographical layout as described in table 6.1 of the Woldingham Design Guidance.
59. The existing driveway would serve the new dwelling and therefore there are no proposed changes to the access arrangements. The Woldingham Neighbourhood Plan would also require that development must not adversely affect the character of the Wooded Hillside areas, given the existing access arrangements and positioning of dwelling, the proposal would not result in the loss of any trees. As such, the proposal would not conflict with the element of Policy CSP18 which requires the avoidance of the loss of tree cover within the designated wooded hillsides or the Woldingham Neighbourhood Plan.

Design and Materials

60. In terms of the proposed design, the dwelling would appear as a two-storey dwelling with accommodation served within the loft space. It is noted that since the original submission, the north, south and west facing dormer windows have been removed and replaced with roof lights. The proposed style of the dwelling would remain traditional with a palette of materials including red brick, clay roof tiles and clay hanging tiles to the first floor. These are all materials widely used in the local area and therefore maintaining an appearance in keeping with the surroundings.

Summary

61. For the above reasons the proposal would not have significant impacts in terms of character and appearance, whilst there would be some conflict with the WNP, the development would Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy, and broadly comply with the Woldingham Neighbourhood Plan. The conflict identified is considered

limited and would be outweighed by the benefits of the scheme which will be assessed in more detail under the Planning Balance section of this report.

Residential Amenity

62. 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.
63. 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.
64. Although the proposal would be visible from neighbouring properties, the proposed dwelling would be sufficiently well separated from the site boundaries and other surrounding dwellings to ensure that, in combination with the size, scale and height of the proposed dwelling, it would not have a significant or unacceptable harmful impact on the amenities of neighbouring occupiers by reason of overshadowing or overbearing effect or indeed on one another.
65. In terms of separation, the closest point of the proposed dwelling would measure 25.5 metres to the closest point to the neighbouring property at Beech House. Whilst the application site is located on higher land to this neighbour, given the extensive boundary screening to be retained in association with the separation demonstrated, it is not considered that the neighbour would be significantly overlooked. The two sites would also be separated by the highway of Park View Road.
66. The proposed front elevation (at its closest point) would measure 19.3 metres to the southern boundary, with a further 4.3 metres to the neighbour at Chartfield to the south. Again, the tree coverage to the boundary is dense to this side and would exceed Policy which would require 22 metres between principal windows in direct alignment.
67. The proposed dwelling would also demonstrate a separation in excess of 32 metres between the neighbour at The Red Cottage to the south west, and 46 metres to the rear boundary which it shared with Belwood to the north. Given the separation demonstrated, and taking into account the topography of the site, these relationships to neighbouring boundaries are considered acceptable and would not result in significantly overlooking or loss of privacy.
68. The proposed dwelling would be positioned 14 metres to the west of the existing property at High Wold, with an increased separation to 18 metres from the first floor of this property. With regards to the separation, this is Policy compliant which requires a 'minimum distance of 14 metres between principal windows of existing dwellings and the walls of new buildings without windows'. Whilst the proposed flank wall would include a ground floor window and first floor bathroom windows, the first-floor windows would be required to be obscure glazed and it is noted that the host dwelling benefits from planning permission which includes an internal redesign to focus the rear access towards the northern side. The relationship between the proposed dwelling and existing property (as exists or as altered) is therefore considered acceptable.

69. 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 Woldingham Neighbourhood Plan.

Living conditions for future occupiers

70. Policy DP7 requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwelling should 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.

71. 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.

72. The proposed 5-bed dwelling (as show on the submitted drawings) would have a gross internal floor space (GIA) of approximately 130sqm. As a result, the proposed dwelling 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. The garden areas would also be suitable to serve both the proposed dwelling and the existing dwelling.

National Landscape (*formally known as Area of Outstanding Natural Beauty*)

73. The proposed development is located within a proposed area of search which Natural England is considering as a possible boundary variation to the Surrey Hills Area of Outstanding Natural Beauty (AONB). Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal.) Natural England considers the Surrey Hills to be a valued landscape in line with paragraph 180 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

74. An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.
75. Policy CSP20 of the Core Strategy states that, the conservation and enhancement of the natural beauty of the landscape is of primary importance within the two Areas of Outstanding Natural Beauty, reflecting their national status. The principles to be followed in the area are to:
- a) conserve and enhance the special landscape character, heritage, distinctiveness and sense of place of the locality;
 - b) conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB;
 - c) protect prominent locations on skylines and slopes and for development to take advantage of existing landscape features and tree screening;
 - d) support suitable located sustainable development necessary to facilitate the environmental, economic and social wellbeing of the AONBs and their communities;
 - e) promote access to, particularly by means other than the car, recreation within and enjoyment of the area;
 - f) apply the highest environmental design standards to development.
76. The Surrey County Council AONB/Natural Landscape Officer was consulted and raised no objection to the proposed development. In this case, the proposal is not considered to significantly harm views to or from the ANOB/Natural Landscape with a limited visual relationship to the protected area. As such, the proposal is considered acceptable with regards to Core Strategy CSP20.

Parking Provision and Highway Safety

77. 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.
78. 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.
79. The proposal can provide a minimum of 3 parking spaces as required by the Tandridge Parking Standards, and as such, sufficient off-street parking can be accommodated for on site. The access to the site is existing and would not be altered as a result of the proposed development. It is noted that the arrangement of the site would remove the access to High Wold through to Station Road and therefore the only access to the site would be from Park View Road. In terms of the increase in use, the associated vehicle movements of one additional dwelling would not be unacceptable.
80. The construction traffic associated with the creation of one dwelling is not considered to result in significant harm to the detriment of neighbours. The disturbance will be limited to the construction phase and therefore will not be a long-term impact. It is noted that the access to the site is off Park View Road,

and therefore construction vehicles should enter the site via this highway, and not Station Road as this is not included within the red-edging on the site location plan.

81. 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.

Trees

82. Core Strategy Policy CSP 18 (Character and Design) requires that: *Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.*
83. Paragraph 13 of Policy DP7 of the Local Plan states: *Where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.*
84. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).
85. Tree Officer's comments are as follows:

"Whilst a tree survey schedule has been provided, and tree ID numbers are shown on the landscape and biodiversity plan, there is not tree survey plan showing root protection areas, not impacts plan showing any effects of development. There may be direct impacts associated with the construction of the new drive, and certainly there is potential for indirect impacts associated with construction activity. As such, whilst no objections are raised, I do recommend that a tree protection plan and arboricultural method statement is required under condition. The landscaping strategy appears to be appropriate, with significant levels of tree and hedge planting but again, more detail would be required under condition.

Notwithstanding the details already submitted, no development shall start until a detailed tree protection plan and arboricultural method statement, in full accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree together with details of no dig surfacing and edge restraint, piling rig positioning (if applicable), loading/unloading, plant parking and storage of materials, welfare facilities and service/drainage routes, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

No development shall start until full details soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Details of soft landscape works shall include retained trees and full specifications for all proposed trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a program to be agreed. Any trees or plants (including those retained as part of the development) which either during development or within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.”

86. The proposed plans show that all trees are to be retained on site with the addition of more which would be secured through condition in the event of an approval. As the proposal would not require the loss of trees, the proposal would not conflict with the element of Policy CSP18 which requires the avoidance of the loss of tree cover within the designated wooded hillsides.
87. This conclusion of the specialist is considered to be sound and therefore, subject to these conditions, no objection would be raised on the grounds of the impact on trees or landscaping.

Renewable Technology

88. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The application is accompanied by an energy statement prepared by C J Sandell dated October 2023 which confirms that the use of solar voltaic panels would achieve the reduction of 10% in carbon emissions; however, SAP calculations has not been provided in this case. In the event of an approval, a condition would be imposed requiring the submission of further information.

Biodiversity and Ecology

89. 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.
90. 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.
91. The applicant has submitted a Preliminary Ecological Appraisal (prepared by E3S Consulting dated October 2023), a Tree Survey Schedule (prepared by

Canopy Consultancy dates 3rd August 2023) and a Biodiversity and Landscaping Plan numbered HW/SD/002/06. Surrey Wildlife Trust (SWT) has reviewed the proposal and considers the proposal to be acceptable with regards to biodiversity and ecology subject to the imposition of conditions and informatives.

92. It is noted that this was a previous ground for refusal but, due to the application being accompanied with additional evidence, it is considered that the objection has been overcome.
93. It has not been demonstrated that the proposal would not achieve a Biodiversity Net Gain of 10%. However, as the application was submitted before the date prescribed by the relevant legislation, this requirement cannot be imposed on the proposal. Instead, the consideration should revert to the NPPF and local plan guidance which indicates that a net gain, however limited, should be achieved. In this case, the PEA has indicated enhancement measures which will be provided, and this has been found acceptable by the relevant specialist consultees.
94. 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 regard to biodiversity.

Planning balance and conclusion

95. At the heart of the NPPF is a presumption in favour of sustainable development, which is seen as a golden thread running through both plan-making and decision-taking. Local planning authorities should positively seek opportunities to meet the development needs of their area and should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
96. The proposal is considered acceptable in terms of neighbouring amenity, parking and highways, living conditions for future occupiers, biodiversity, renewable technologies and trees. It is also considered that the proposal would represent a net gain of one dwelling in a sustainable location which can be afforded significant weight, albeit noting that the benefit is limited as a result of the proposal relating to a single dwelling.
97. Whilst the proposed dwelling is considered to be visually acceptable in most respects, it is noted that the proposal would result in the existing dwelling not according with the requirements of the Woldingham Neighbourhood Plan with respect to plot sizes and progressive subdivision. A small degree of harm would be caused as a result of this.
98. The Council is currently unable to demonstrate a 5-year housing supply and as such, Paragraph 11d of the NPPF becomes relevant. It sets out that planning permission in such circumstances should be granted unless the harm of doing so significantly outweighs the benefits when looking at the policy context broadly set out in the NPPF. In this case, whilst only a single dwelling, this is still a net gain of one dwelling which can be given significant weight. Consequently, the NPPF indicates that planning permission should be granted.

99. Overall, the identified harm is considered to be clearly outweighed and therefore, the proposal would accord with the development plan when taken as a whole and the NPPF.

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.

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 HW/SD/002/01 rev 1, HW/SD/002/05 rev 1 received on 6th November 2023, HW/SD/002/08 rev 1, HW/SD/002/04 rev 2, HW/SD/001/08 rev 1, HW/SD/001/07 rev 1, HW/SD/002/03 rev 2 received on 26th January 2024 and 22-1365-TPP-D received on 29th January 2024, HW/SD/002/06 rev 4, HW/SD/002/02 rev 4 received on 21st February 2024. 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 detailed tree protection plan and arboricultural method statement, in full accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree together with details of no dig surfacing and edge restraint, piling rig positioning (if applicable), loading/unloading, plant parking and storage of materials, welfare facilities and service/drainage routes, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

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

4. Prior to the commencement of development, a reptile precautionary method of working 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 reptile precautionary method of working, all measures set out within the approved reptile precautionary method of working shall be implemented 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.

5. Prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of mitigation and protection shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall only be undertaken in full accordance with the approved course of mitigation and protection.

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 shall start until full details soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

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

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

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

7. No development shall start above the Damp Proof Course (DPC) until details of the materials to be used in the construction of the external surfaces of the dwelling 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.

8. The drainage system shall be installed in accordance with the approved drawings and document submitted prior to the first occupation of the dwelling hereby approved and maintained as such thereafter.

Reason: To ensure the development does not increase flood risk on or off site and is maintained for the lifetime of the development in accordance with Local Plan Detailed Policy DP21.

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

Reason: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021, 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).

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

Reason: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021, 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).

11. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Preliminary Ecological Appraisal (prepared by E3S Consulting dated October 2023), a Tree Survey

Schedule (prepared by Canopy Consultancy dates 3rd August 2023) and a Biodiversity and Landscaping Plan numbered HW/SD/002/06.

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.

12. The first floor flank windows on the east elevation (and any subsequent replacement of this window) shall be fitted with obscure glass (Pilkington Glass level 3 or above, or equivalent) and shall be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed.

Reason: In the interests of neighbouring residential amenity and to accord with Policy CSP18 of the Tandridge 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 applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, to comply with the above referenced legislation and the recommendations in BCT & ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.
3. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the breeding bird season of early March to August inclusive.
4. We note that Rhododendron planting has been proposed. The applicant should be aware that several species of Rhododendron are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (Part II) and as such it is an offence to allow these species to spread in the wild. We strongly advise that native species planting is substituted for the proposed Rhododendron planting.
5. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.



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