

ITEM 4.2

Application: 2023/422

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

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

Ward: Valley

Decision Level: Committee

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

RECOMMENDATION:

REFUSE

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

Summary

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

Site Description

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

Relevant History

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

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

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

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

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

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

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

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

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

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

Proposal

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

Key Issues

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

Development Plan Policy

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

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

Woldingham Neighbourhood Plan (2016) – Not applicable

Limpsfield Neighbourhood Plan (2019) – Not applicable

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

Emerging Tandridge Local Plan 2033

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

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

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

National Advice

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

Consultation Responses

15. County Highway Authority – “The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:
 1. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said

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

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

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

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

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

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

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

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

3 x 1100L general waste bins

And 1 x 360L food bins

Total Capacity 5240 Litres.

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

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

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

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

Public Representations/Comments

21. Third Party Comments

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

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

Assessment

Procedural note

22. The Tandridge District Core Strategy 2008 and Local Plan Detailed Policies 2014 predate the NPPF as published in 2023. However, paragraph 225 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF document. Instead, due weight should be given to them in accordance with the degree of consistency with the current NPPF.

Location and principle of development

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

24. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

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

Housing balance and Mix

26. Policy CSP7: Housing Balance sets out that all housing developments of 5 units and above are required to contain an appropriate mix of dwellings in accordance

with current identified needs for particular areas. The Council's evidence base includes a Strategic Housing Market Assessment 2015 and its 2018 update.

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

Character and Appearance

28. Paragraph 131 of the NPPF 2023 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
29. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
30. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
31. Policy CSP19 of the Core Strategy states that within the NPPF for the character and design of density as set out in Policy CSP18, the density of new development within the built-up areas would be within a range of 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate.
32. Caterham, Chaldon and Whyteleafe Neighbourhood Plan Policy CCW4 relates to the character of development and states that development is expected to preserve and enhance the character area in which it is located. Policy CCW5 relates to the design of development which is expected to be of high quality integrating well with its surroundings.
33. The existing building features a commercial premises at ground floor, with a basement to accommodate parking below and residential flats over. The building, dating from around 2006/2007 is of a reasonably contemporary style with a design whereby each floor is set back from the plane of the principal elevations and an arched shaped roof over.

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

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

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

Residential Amenity

43. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
44. The above policies reflect the guidance at Paragraph 135 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
45. The closest neighbouring properties to the site are those located within the existing unit, future occupiers at the Rose and Young site (currently under development) and the first-floor residential flats between 77 to 83 Croydon Road. Whilst the proposal would significantly increase built form on site, this would extend upwards and not increase the footprint of the total building. Given the orientation to the development at the Rose and Young site, it is not considered that the development would cause significant harm as the bulk would be positioned within the front and rear building lines of this neighbouring block and therefore not greatly overbearing to these future neighbours.
46. The development is likely to result in a change to the relationship between the neighbours north of Croydon Road. However, given the separation notably as a result of the service road, the increase in height is not considered to result in significant harm in this case. It is also noted that there is no increase to the footprint of the building. The number of openings to the side boundary would increase as a result; however, this is also not considered to significantly alter the existing relationship where existing windows and Juliet balconies are already located to the side. Whilst the increase in openings would have the potential to overlook the side of No.77 and the parking area to the rear, it is not considered significant in this case.

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

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

Living conditions for future occupiers

48. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical Housing Standards – Nationally Described Space Standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
49. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
50. The proposed units (as show on the submitted drawings) would have a gross internal floor space (GIA) of approximately 41sqm to 71sqm. On the basis that the smallest 1-bedroom flat would occupy a single occupancy (as confirmed within the Design and Access Statement), then the units would conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the dwelling.
51. It is noted that not all units provide private amenity space; however, the site is located within a short walk from accessible open spaces. The lack of private amenity space is therefore acceptable given the number of units in this case.
52. Overall, it is considered that the proposal would provide suitable living conditions for future occupiers and accord with the abovementioned policy and the NPPF in this respect.

Parking Provision and Highway Safety

53. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.

54. The County Highway Authority has reviewed the revised plans and raises no objection with regards to highway capacity, safety and access. Their full comments and list of recommended conditions can be found above.
55. The existing building at the site was approved to have 17 parking spaces to serve the 13 flats that were approved. The later sub-division of a flat added a further flat. This proposal would see the provision of 7 further flats but no extra parking spaces. The Council's adopted Parking Standards set out that parking spaces should be provided at a rate of 1.5 space per flat unallocated, or 2 spaces allocated. Consequently, the resultant development would have a shortfall of 10.5 (unallocated) spaces relative to the Council's adopted standards.
56. The application is accompanied by a Transport Statement (TS). The TS concludes that *'the parking impact of the proposed development is not expected to result in conditions prejudicial to parking, safety or neighbourhood amenity and is not deemed to have a significant impact on the adjoining highway.'* This is largely owing to the location of the site within a sustainable area where there is a magnitude of public transport within a short walk from the application site. Whilst there is no off-street or on-street parking options given the restrictions locally, future occupiers would be discouraged from owning cars entirely and encouraged to use from sustainable modes of transport. In such a location, this is achievable where the train station is less than a 10 minute walk with various bus stops with frequent buses on various timetables.
57. Paragraphs 108 and 109 of the NPPF, in the section entitled 'Promoting sustainable transport' are of particular relevance in this regard. Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals.
58. Paragraph 109 makes it clear that the planning system should actively manage patterns of growth in support of these objectives, explaining that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Taken together, these NPPF paragraphs indicate that regard should clearly be had to matters of scale when sustainability is being considered.
59. Overall, the proposal would be a suitable site for development having regard to national and local policies which seek to promote sustainable patterns of development. The development would accord with the principle of the NPPF to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be made sustainable. From this basis, whilst there is a shortfall of parking and a conflict with the abovementioned policies as a result of this, it is considered that other material considerations, most notably the nature of the proposed accommodation and the particularly sustainable location, is reason to conclude that harm would not arise that would make the development unacceptable.
60. Subject to the inclusion of the aforementioned planning conditions, it is assessed that the proposal would not negatively impact upon highway safety and as such comply with the provisions of Core Strategy Policy CSP12 and Local Plan Policies DP5 and DP7.

Renewable Energy

61. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. There are limited details with regards to renewables; however, further details could be supplied to ensure that the development could meet the minimum requirements outlined in Policy, which is a 10% reduction in carbon emissions. In the event of an approval, this could be conditioned appropriately.

Refuse Collection

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

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

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

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

Planning balance and conclusion

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

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

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

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

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

RECOMMENDATION:

REFUSE

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

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

The Tandridge District Council has acted in a positive and proactive way in determining this application, as required by the NPPF (2023), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.

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