

**Application:** 2023/375  
**Location:** 3 Stuart Road, Warlingham, Surrey, CR6 9JH  
**Proposal:** Demolition of existing dwelling and erection of two blocks containing a total of 14 apartments with access from Edgehill (Outline application for access, appearance, layout and scale)  
**Ward:** Warlingham West

**Decision Level:** Planning Committee

**Constraints – Ancient woodland(s) within 500m, Biggin Hill Safeguarding, Railway line(s) within 30m, Road\_local x - Stuart Road, Road\_local d - Succombs Hill, Source\_protection\_zones 2 & 3, Urban area**

**RECOMMENDATION:** **APPROVE subject to conditions**

1. The application has been called in by Cllr Gray to discuss matters of character, amenity and highways.

### **Summary**

2. Planning permission is sought for the demolition of an existing dwelling and the erection of two residential blocks containing a total of 14 apartments with a new access proposed from Edgehill.
3. The application site is in the urban area (Category 1 settlement) where the principle of development is considered acceptable.
4. The proposal is considered to be acceptable with regards to housing density and mix, character and appearance, residential amenities, transport impacts, biodiversity, flood-risk, renewable energy provision and drainage which are either acceptable or can be made acceptable by way of condition.
5. The proposal would not be in a position to replace all the trees removed prior to clearance of the site; however, through reserved matters the Council could seek to provide appropriate compensation for the loss to lessen the harm. Whilst it would be the case that harm would remain through the loss of trees this harm is not considered to significantly and demonstrably outweigh the benefits that the scheme would provide. As such planning permission is therefore recommended to be granted in this case.

### **Site Description**

6. The site is located to the north of Stuart Road, and to the north of the railway line which runs from north-west to south-east below the site. The site has a considerable slope down from north-east to south-west. Vehicular access is gained from Stuart Road which is a privately maintained road. The existing dwelling is positioned towards the south-west of the site. A large garden area lies behind the dwelling to the north-east which is predominantly clear from trees following tree removal in early 2022 with the boundary planting remaining.
7. The area around the site is of mixed character with varied forms of flatted development on Succombs Hill, to the west and north of the site, whilst to the south in Stuart Road, the area is characterised by substantial two-storey detached houses in spacious plots. The main characterisation of the area comes from its topography, where the land slopes steeply down from north-east to south-

west and existing development is set on the hillside and includes numerous flattened schemes.

### **Relevant History and Key Issues**

8. The relevant planning history for 3 Stuart Road is as follows:
  - CAT/4056 - DETACHED BUNGALOW Approved 14/02/1960
  - CAT/5310 - DETACHED HOUSE AND GARAGE Approved 18/10/1962
  - 2016/407 - Demolition of existing garages. Erection of annexe in association with two ground floor double garages. Approved 11/05/2016
  - 2017/1988 - Demolition of one single garage and one double garage. Erection of 2 storey building incorporating a double garage and 1 dwelling. Refused 29/11/2017
  - 2018/1497 - Two storey one bedroom annexe incorporating double garage Approved 28/12/2018
9. The relevant planning history for Edgehill, Succombs Hill is as follows:
  - 2019/1455- Demolition of the existing dwelling and the erection of two blocks containing a total of 17 apartments – refused by the Local Planning Authority and allowed at appeal
  - 2022/225- Demolition of the existing dwelling and the erection of two blocks containing a total of 21 apartments - Approved 19/12/2022
  - 2024/705- Extension and conversion of the existing dwelling to provide 13 residential apartments together with associated car parking. (Outline application with all matters reserved except for access, appearance, layout and scale) - Pending Consideration

### **Key issues**

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

### **Proposal**

11. The proposal seeks approval for the demolition of the existing dwelling and erection of two blocks containing a total of 14 apartments. Outline permission is sought for access, appearance, layout and scale. Landscaping is a reserved matter. The proposal would consist of 1no 1-bed and 13no 2-bed units all of which would be market units.
12. Block 1 lies to the northern extent of the site. It would have a total of 5 levels including the basement and would be excavated into the existing land levels. Block 2 is proposed further south in the site within the general position of the existing dwelling. This would be three-stories in height and would replicate the total height of the adjacent dwelling. Between the two blocks would be a level

area containing the parking and some of the landscaping/amenity space. Amenity spaces are proposed via a mix of private terraces/balconies and communal amenity areas and terraces within the landscaped boundaries of the development.

13. The proposal has been designed to utilise the permitted access onto Succombs Hill from the adjacent site at Edgehill which would be created through the implementation of planning application 2022/225. The supporting documentation puts a case forward based on what has been approved by the adjacent permission. Specifically, the highway technical note relies on the adjacent access being provided to ensure adequate highway safety. The development is therefore considered to be an extension to that site and be brought in tandem with those previous permissions.

### **Development Plan Policy**

14. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19.
15. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21, DP22.
16. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) - Policies CCW1, CCW2, CCW3, CCW4, CCW5, CCW6, CCW7, CCW8, CCW9, CCW10, CCW29.
17. Limsfield Neighbourhood Plan 2019 – Not applicable
18. Woldingham Neighbourhood Plan 2016 – Not applicable
19. Tatsfield Neighbourhood Plan (2024)- Not applicable

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

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

### **National Advice**

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

### **Statutory Consultation Responses**

26. Consultations have been received as follows:

Warlingham Parish Council	Received: 26/04/2023
<p>Warlingham Parish Council objects to this outline application for 14 dwellings, at the boundary of the Parish, for the following reasons (in no particular order):</p> <ul style="list-style-type: none"> <li>• This equates to over-development by virtue of the extent of built environment and the overall size and scale of the proposal within a plot of this size</li> <li>• The two blocks would be detrimental to the character of Stuart Road which is characterised by individual houses set into the wooded hillside. The proposal would transform the existing layout and arrangement of dwellings - by extending the precedent (at Edgehill) of tandem apartment blocks with a rear property line set further back into the hillside.</li> <li>• This proposed development, in conjunction with Edgehill, would be clearly visible within the wooded hillside from adjacent areas and thereby change and harm the landscape character of the area.</li> <li>• The number of dwellings is excessive and would be relatively cramped and overcrowded in terms of design and density.</li> <li>• There is inadequate amenity space for new occupants.</li> </ul> <p>Parish Councillors also wish to raise the following additional concerns:</p> <ul style="list-style-type: none"> <li>• That highways safety along Succombs Hill, by virtue of the access point, will be further compromised due to all the additional vehicle movements associated with 14 new dwellings</li> <li>• The adequacy of vehicular access within the site for refuse, recycling and delivery vehicles to manoeuvre without hindrance</li> <li>• That construction would be fraught with difficulty making a detailed construction plan mandatory in order to mitigate disruption to the highway, neighbours and local residents.</li> </ul>	

Whyteleafe Village Council	Received: 02/05/2023
<p>Whyteleafe Village Council objects to this outline planning application (erection of two blocks comprising 14 apartments) for the following reasons:</p> <ul style="list-style-type: none"> <li>• Over-development of the size by virtue of the size and scale of the new buildings and hard landscape features</li> <li>• The number of proposed dwellings which would result in cramped and over-crowded accommodation with a lack of adequate amenity space for new occupants</li> <li>• A development that is out-of-keeping with other property along Stuart Road which are typically single detached properties set within a garden space.</li> <li>• The development would harm both visual and landscape amenity by virtue of the scale of the development, loss of wooded hillside and high visibility from views into the site.</li> </ul>	

- The increased traffic (in respect of 14 dwellings) using the proposed access, via Edgehill, onto Succombs Hill leading to highways safety issues on a road already perceived as dangerous by local people.

Village Councillors also wish to raise the following concerns:

- that the proposed site layout appears to be too cramped to enable larger vehicles to manoeuvre safely within the site
- that an adequate construction plan is submitted to set out how disruption will be minimised

Surrey County Council Highways	Received: 08/09/2023
The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed in any permission granted.	

Environment Agency	Received: 26/04/2023
The information provided is sufficient to overcome our objection in response of KT/2023/130654/01. Suggested conditions relating to drainage, contamination and piling.	

Surrey County Council Flood and Water Services Team (LLFA)	Received: 04/09/2023
We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to our advice below.	
Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.	

Network Rail	Received: 27/04/2023
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. 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.	

Surrey Wildlife Trust:		Received: 21/06/2023
Planning Stage	Recommendation	
Prior to determination	Bat presence/likely absence surveys	
	Revise habitat impact assessment based on loss of HPI woodland	
	Consult tree officer regarding woodland loss and clarify whether woodland was removed under a felling licence	
	Biodiversity net gain assessment	
Prior to commencement	Badger survey	
	Sensitive Lighting Management Plan	
	Reptile Mitigation Strategy	
	Eradication of Schedule 9 invasive plant species	
	Protection of adjacent HPI woodland should be included within an Arboricultural Impact Assessment, Method Statement, and Tree Protection Plan	
	Landscape and Ecological Management Plan (LEMP)	
	Construction Environmental Management Plan (CEMP)	
Prior to occupation	N/A	
General Recommendations	Badger sett closure/disturbance licence if necessary (can only be applied for following receipt of planning permission and discharge of any ecological conditions).	
	Demolition and vegetation and site clearance should take place outside of breeding bird season or following nesting bird checks	
	Suggested biodiversity enhancements should be included within the final design	

Thames Water	Received: 20/04/2023
<p>Thames Water would advise that with regards to wastewater network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application. With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under Section 167 &amp; 168 in the NPPF. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.</p>	

Environmental Health	Received: 20/09/2024
<p>Providing the applicant follows the recommendations given the report, I have no concerns on noise and vibration grounds.</p>	

### TDC advice

Principal Tree Officer	Received: 27/07/2024
<p>I am broadly happy with the submitted Arboricultural Method Statement, insofar as the principle of the tree protection shown is sound. However, a development of this size and type is extremely intensive in terms of construction requirements and logistics, with very significant excavations and very large volumes of material removed. As such we would certainly</p>	

require far more detail to be submitted under condition, including full construction logistics and detailed proposals for drainage and services - designed to avoid the root protection areas of retained trees.

Of most concern to me is the fact that the site has clearly been subject to extensive pre-emptive tree clearance, particularly at the rear of the site. I note the comments from Surrey Wildlife Trust with regards to whether a felling license was needed. That is a matter for the Forestry Commission as the administrators of the Forestry Act 1967 (as amended). However, my informal view would be that as the land represents a domestic garden, a felling license would not be required. Whilst this may be the case, where pre-emptive felling occurs our policies are clear that the Council will require replacement planting as part of any planning permission, and this is also dealt with at paragraph 4.8 and Key Consideration 6 of the Trees and Soft Landscaping SPD. It stands to reason that if very few trees are removed then a proportionate approach should be taken, whilst still ensuring a net gain if at all possible. In this case, however, a very large area of trees and vegetation has been cleared, resulting in a significant loss of amenity and a likely loss of biodiversity. As such with the layout shown it is highly unlikely to be possible for a proportionate amount of tree and vegetation replacement to occur. The wooded nature of the hillside has been significantly denuded, and as such amenity has been negatively affected. Policy DP7(12) and CSP18 makes clear that development is expected to retain existing important features including trees, where possible. It is quite clear that far more tree retention would have been possible whilst still achieving a significant level of development on site, and as such the proposal fails in respect of Policy DP7 (12) and CSP18. Furthermore, as it would not be possible to replace anything like the volume of trees removed, the proposal also fails in respect of Policy DP7 (13). CSP21 also requires that development is required to conserve and enhance landscape character, and in my view the opposite is true of these proposals.

Further comments:

DP7 (12) requires:

*Landscaping:* The proposal ensures that landscaping is an integral element in layout design, making provision for suitable new planting, trees and boundary treatments to enhance the appearance, character and amenity of the site from the outset

With the above in mind I do not consider that the layout allows enough space for planting to fully integrate the scheme into the character of the local area. There are a few beech trees proposed towards the bottom of the site, but there is not enough space either above or below ground in my opinion to plant large species trees that would (in time) go some way to breaking up the built form. I am thinking particularly within the parking area (2 of the landscape masterplan), and around block 2 which is so large it prevents any significant planting from having space to mature. Where there is space to plan large trees, the applicant has instead chosen to plant small and medium sized trees such as Amelanchier and Birch cultivars, with large numbers of field maple proposed everywhere else. These are trees that will tolerate the chalk soils, but large species trees that could also be planted such as oaks, cedars, pines have been excluded.

With the above in mind I do not consider that my objections have been satisfied considering the large scale tree losses which were not experienced by the site next door, but if you are minded to grant consent then I would recommend that the landscape masterplan is redesigned to incorporate larger species trees, located in places where they will not only serve to break up the built form of block 2 in particular, but where they can also mature both above and below ground. This may require amendments to the scheme. I also see no reason why significant planting on the private terraces could not be provided.

### **Third Party Comments**

27. Neighbour Letters. Comments received raising the following matters:

- Ecology/Biodiversity - Priority habitat, cleared of trees, assessment carried out on cleared land, impact on wildlife.
- Highways - Succombs Hill 'heavily trafficked', width restricted road, highway safety concerns, CTMP inadequate, access not able to accommodate 35 apartments.
- Covenants
- Character and Appearance - Harmful to character, low quality, visual impact, change in character, out of scale, density, harm to landscape.
- Amenity - overlooking, visual intrusion, loss of light, noise and light pollution, lack of natural light within proposed building.
- Impact on development at Edgehill
- Flood risk.

### **Assessment**

#### Procedural note

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

29. 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.

30. In this case the site does not lie within a protected area or asset of particular importance as set out within footnote 7. The tilted balance under Paragraph 11



(d) (ii) will therefore apply, an assessment of which will be undertaken at the end of the report.

#### Principle of development

31. The site currently comprises a dwelling located within the urban area and Parish/Ward of Whyteleafe though within the postal area of Warlingham. The proposal would result in the redevelopment of the site to provide 14 apartments resulting in a net increase of 13 residential units on the site. The site and surrounding area are situated in a part of the district where the principle of development is supported and would accord with the requirements of Core Policy CSP1 which seeks to promote sustainable patterns of travel and in order to make the best use of previously developed land.

#### Housing balance

32. Policy CSP7 requires that development of five or more dwellings should contain an appropriate mix of dwelling sizes having regard to the needs of the particular area. The Tandridge Housing Strategy 2019-2023, 'A place to call home', identifies a disproportionate amount of larger homes in the District. The Strategic Housing Market Assessment 2015 (updated in 2018) identifies that the size of housing required in Tandridge is 10% - 1 bed, 26% - 2 bed, 35% - 3 bed and 29% - 4-bed. Breaking this down into housing type, Table 4 of the Housing Strategy sets out that, in respect of flats specifically, 62% of flats should be 2 or more bed units which equates to a 13% demand in overall need within the district of all housing types. The scheme proposes a total of 1x 1-bedroom and 13 x 2-bedroom flats. While the proposed mix does not strictly accord with the identified need, it does contribute to the requirement for 2-bedroom flats, being the highest demand in that property type. Therefore, on balance, it is considered that the proposed development would provide a mix of housing which would meet the needs of the district and would therefore comply with Core Strategy CSP7.

#### Character and Appearance

33. 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.
34. 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.
35. 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.

36. 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.

37. Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 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.

38. The application site is within an area characterised by spacious, leafy suburban residential development, with most properties being partially obscured from distant views due to a presence of soft landscaping and the topography of the area. The site is some 50m from identified Wooded Hillside areas but not within such an area. There is a mixture of built forms and designs in the area, with no prevailing architectural style, although the scale and bulk of development is relatively uniform particularly along Stuart Road. Whilst not in the Green Belt or Wooded Hillside designated areas, the site is part of an area that acts as a buffer between them and is sited relatively close to areas of open countryside, with the dwellings at Stuart Road providing a transition also between the fields to the south and the large, flatted development at Dorin Court to the north.

39. At the time of writing this report the development at Edgehill has not commenced; however, this application remains an extant planning permission with no pre-commencement conditions left to discharge. As will be discussed within the highways section of this report, the implementation of the Edgehill scheme, namely its access, is paramount to the acceptability of this scheme on highway safety grounds. The implementation of this scheme would bring a new form of development and architectural style of building to the lower sections of the hill to the north of Stuart Road. The extant planning permission for the adjacent site is, however, a material planning consideration in the determination of this application with a high probability of the developments coming forward in tandem. Whilst

each application has to be assessed on its own merits and it would need to be considered how the current application differs from that adjacent before taking that scheme into account, the inspector's assessment on character and appearance does form a material consideration.

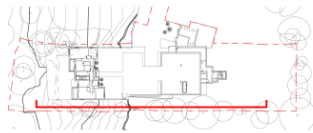
40. When assessing character and appearance of the proposal at Edgehill the inspector of appeal reference APP/M3645/W/20/3261214 noted that that site has some constraints, with four factors having primacy in consideration. These are the hillside location, change in landscape character from the surrounding area, the steep slope of the site and proximity to Succombs Hill. The first three would also be key considerations for the current application; however, the intervening site would reduce the potential impact on the street scene of Succombs Hill. The inspector when appraising whether the Edgehill scheme balances the opportunities and constraints, they noted that the test is not one of screening the flats from public view, but to ensure that any development scheme approved would have a scale and design that would be comfortably assimilated within the residential / wooded hillside character to the north of Stuart Road and the railway line. Key points of the assessment in terms of character considered the design with two main blocks and the stepped nature of the buildings breaking up its appearance, therefore not appearing as overdevelopment and mitigating the impact of the development from longer views.
41. In considering the proposal at 3 Stuart Road the application proposes a contemporary design of development split into two blocks set within the sloped site. This general design approach has been accepted and approved within the locality and therefore would not be out of character. The site sits within the same wooded hillside with the buildings built into the slope of the land. The single angle slope of the land assists in reducing the visual profile from the neighbour to the east; however, the cut out to accommodate the link between Stuart Road and Edgehill would expose a greater height of the building when viewed from the west. This visual impact would, however, be limited to views within the Edgehill site. The two blocks proposed would be staggered in their nature visually separating the three-storey block 1 and 4 storey block 2 similar to that permitted adjacent. The application site is a narrower plot than that of the adjacent site with a higher density of development; however, is able to accommodate amenity area and strips of landscaping between the buildings along with a tree lined boundary to the east.
42. Landscaping is a reserved matter and therefore not being formally considered by this outline application; however, the applicant has provided an Illustrative Landscape Master Plan as an example of what could be provided. The Councils tree officer within their comments has highlighted the recent removal of trees on the site undertaken in early 2022 resulting in a loss of amenity and a likely loss of biodiversity value. Whilst this is said by the applicant to be unrelated to the proposed development it is suggested by the Councils Tree Officer that replacement planting should be undertaken as is recommended by Policy DP7. Concerns are raised that based on the layout shown it is highly unlikely to be possible for a proportionate amount of tree and vegetation replacement to occur to mitigate for the loss of trees on the site prior to their clearance.
43. The removal of trees on the site is noted. The wording of Policy DP7 in relation to the replacement of trees is 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." It is therefore not a requirement to replace in full to comply with the policy. The character of the site particularly related to its wooded hillside nature has been eroded by the removal of those

trees; however, for the reasons set out above the redevelopment of the site in the form proposed is not considered to be harmful to the wider landscape character. As shown in the illustrative Landscape Master Plan there is an intention on behalf of the applicant to provide tree planting within the development which will be considered in full at reserved matters stage. There remains the ability to soften the appearance of the development on the application site through appropriate landscaping and officers would expect large substantial trees to be proposed within the landscaping details. It is acknowledged that the layout of the development would limit the ability to provide trees; however, it has been demonstrated by the applicant that suitable landscaping can come forward. On balance, therefore, whilst there has been harm to the landscape as a result of the removal of trees, the proposed built form is not considered to be harmful to landscape character and there are no clear reasons to conclude that a landscaping scheme cannot come forward of a quality to justify refusal on this ground.

44. In concluding on character, the proposal represents a design and general character approach which cannot be considered out of character for the area. The built form would be set into the slope of the land minimising the visual flank profile of the building from the adjacent land level. The staggered nature of the buildings would also assist in reducing the visual impact of the site from distant views. Whilst concern has been raised to the extent of landscaping there remains space for boundary screening as well as limited opportunity for intervening planting to mitigate the visual impact. The exact details of landscaping would be considered as part of reserved matters. Overall, therefore, whilst the proposed development would represent a change from the general character of the site such a change, for the reasons outlined above, and consistent with the approach of the adjacent site, would, on balance, be mitigated to a degree to not be harmful to the character of the area and would accord with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

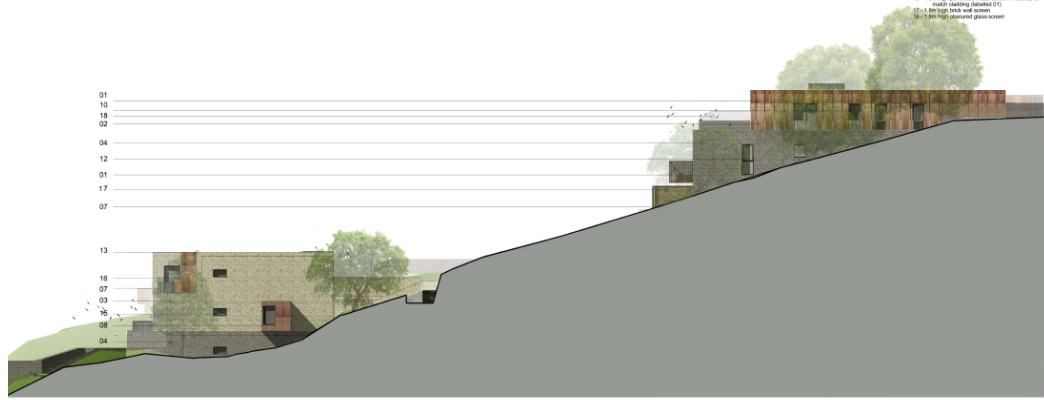
#### Residential Amenity

45. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
46. The nearest property to the proposal is the adjacent neighbour at 5 Stuart Road as well as Edgehill which is likely to be subject to re-development.
47. In starting to consider the impact on 5 Stuart Road and those neighbours beyond to the east the submitted east elevation drawing shows that block 1 will be 3 stories in height matching the ridge height of the adjacent neighbour with block 2 built into the slope of the land and presenting a two-storey element at its highest compared to the neighbours' land. This can be seen within the east elevation below which takes a section from adjacent to the eastern boundary of the site.



Materials Spec.

- 01 - Large format bronze anodised aluminium panels
- 02 - Horizontal glass balustrades with glass infill
- 03 - Buff brick - e.g. at Kewanna Mason built
- 04 - Grey concrete block - e.g. at Kewanna Mason
- 05 - Facades vertical alignment wall - 200mm depth
- 06 - Cladding system wall - 200mm depth, 10° angle
- 07 - Masonry glass on bronze to match cladding
- 08 - 200mm vertical aluminium - 200mm depth
- 09 - Dark grey cast aluminium curtain wall framing
- 10 - Dark grey cast aluminium framed door
- 11 - Large format bronze anodised aluminium panels
- 12 - High level glazed balustrade
- 13 - Dark grey cast aluminium pan-pipe cladding
- 14 - 200mm vertical aluminium - 200mm depth
- 15 - High level glazed balustrade
- 16 - 200mm vertical aluminium - 200mm depth
- 17 - 200mm vertical aluminium - 200mm depth
- 18 - 200mm vertical aluminium - 200mm depth



48. Block 1 would sit some 4.3m from the boundary with the neighbour with block 2 some 5 metres. Whilst the proposal would introduce built form of a larger bulk and mass than the existing dwelling, which is generally brought closer to the common boundary, taking into account the separation, and west/north-west orientation to the neighbour it is not considered to be likely to result in a loss of light or overbearing impact to significantly harm the amenity of the neighbours to the east. With regards to privacy the latest revision of the plans has sought to provide privacy screens on the east facing balconies/terraces as well as a mix of high level and obscure glazed windows to the east elevations of the building. This would reduce the potential for overlooking to the neighbour which will be further re-enforced by boundary planting which is to be secured as a reserved matter. It is noted that windows would face south/south-west from the proposed dwellings; however, such views are at an oblique angle to the neighbours and therefore also not considered to result in a significant impact on amenity of the neighbours to the east through loss of privacy.

49. With regards to the impact on Edgehill the existing dwelling sits centrally within the site and is set away from the boundary. The development will therefore not have a significant impact on the amenity of the existing dwelling through loss of light or overbearing impact. In the event that the adjacent permission is implemented the proposed residential units would sit a minimum of 10m from those neighbours, would be of a similar height and would have the flank walls orientated at a modest angle. The development would therefore have no significant impact on the privacy of those prospective properties such as to significantly impact on the amenity of those neighbours.

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

Living conditions for future occupiers

51. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, and the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards.

52. The proposed 1-2 bed flats (as shown on the submitted drawings) would have a gross internal floor space (GIA) of between 61.6 sqm and 107.9 sqm. As a result, the proposed flats would all 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 dwellings.
53. With regards to amenity space the proposal includes a number of amenity areas across the various levels of the site. In addition, it proposes private and communal terraces as well as balconies for some of the apartments. The Council does not have minimum standards for amenity space and therefore an assessment needs to be made of its acceptability.
54. The proposed development would provide a number of amenity spaces which would form part of the land level terraces of the site. Whilst they would be moderate in their size overall along with the private balconies it is considered to provide sufficient quantity and quality of amenity space to serve the development. The proposal does result in the loss of part of an amenity area for the as approved Edgehill development to provide a bin store and parking area. The flat roof of the bin store would however provide a shared communal terrace for the use of the residents. This would result in a modest loss of green space for the Edgehill development; however, would provide a purpose-built terrace for use and therefore is considered to be sufficient to replace what would be lost.
55. In addition to the above the amenity of the future occupants can also be impacted due to the proximity to the nearby railway line which runs to the south of the development. The Councils Environmental Health team recommended that a noise assessment would be required to assess the noise and vibration from the railway. The applicant subsequently provided this in the form of a Residential Noise Assessment produced by NOVA Acoustics. The report considers the noise levels of the site and provides an action plan to mitigate the impact on the future occupants. The measures within the action plan will be secured by condition which is considered to be acceptable by the Environmental Health Officer.
56. Overall therefore the development is considered to result in adequate amenity for the further occupants of the development and accord with the requirements of Policy DP7.

#### Highway's safety and parking

57. 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.
58. The dwelling of 3 Stuart Road gains access to the south of the site from Stuart Road which is a privately maintained highway with access control by way of barriers. The proposed development does not, however, seek to gain vehicular access from this road and instead proposes to get vehicular access from Succombs Hill through the adjacent site of Edgehill. The submitted site layouts show the site of Edgehill in its as approved form (permitted under application 2022/225) in addition to showing the improvements to the Succombs Hill access permitted by that application. With access being sought through the adjacent site,

and the submitted transport assessment based on the implementation of the adjacent permission and its access improvements it would be necessary to secure that in the event that planning permission is granted it would come forward in tandem with the adjacent site and not be commenced until the adjacent works to the access and internal access road is implemented in accordance with that approved under 2022/225. The following assessment is therefore based on the aforementioned condition securing the upgraded access arrangements to the site.

59. In support of the application the applicant has provided a highways technical note produced by Motion dated 8th February 2023. The highways technical note discusses access, parking and trip generation and concludes in their view that the proposed development is acceptable in transport terms and meets with local and national policy criteria. They suggest that the assessment work undertaken has shown that there would not be any demonstrable harm arising from the proposed scheme and it will not cause any severe impacts. The applicant has also provided a construction transport management plan which includes details of construction layout, HGV activity and swept path analysis for demolition and construction phases. The County Highways Authority, on receipt and review of the construction transport management plan, have raised no objection to the development subject to the securing of the access from Succombs Hill being implemented prior to commencement and commencement in accordance with the submitted construction transport management plan. These are both considered necessary conditions to ensure the development does not prejudice highway safety.
60. In terms of parking the proposal will provide 21 parking spaces, 2 of which are shown for electric car charging. The Councils parking Standard SPD would require 1.5 unallocated spaces per 1- or 2-bedroom flat. The provision of 21 spaces would therefore meet the minimum standard for unallocated parking spaces. A cycle store is also to be provided. The proposed car and bicycle parking will be secured by way of condition.
61. As such, it is considered that the proposal has been designed with full regard to parking provision and highways impact and no objections are raised in these regards.

#### Drainage and Flooding

62. Paragraph 165 of the NPPF advises that; "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".
63. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in Zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
64. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The

planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.

65. The site is located in Flood Zone 1 which has a low probability of flooding. It is also outside any surface water flood risk area.
66. The application was originally submitted with a Flood Risk Assessment and separate Drainage strategy; however, an objection was raised by the LLFA with regards to surface water and the Environment Agency with regards to foul water disposal. The applicant subsequently provided a combined Flood Risk Assessment and Drainage Strategy, August 2023, 503-Rev-V1 Rev 2. The updated report satisfied the requirements of the LLFA and Environment Agency who issued subsequent representations for no objection subject to conditions. Subject to the imposition of an appropriately worded condition the proposal would comply with the above policies.

#### Renewables

67. Policy CSP14 of the Core Strategy requires the installation of on-site renewable energy generation which would reduce the carbon dioxide emissions of the dwellings by a minimum of 20% (applicable for schemes of 10+ units).
68. The Energy Statement prepared by Blackthorne proposes the installation of solar photovoltaic panels for the development. Through the incorporation of PV's, the proposal would exceed the requirement for 20% reduction in carbon emission achieving a suggested 33%. As such, no objection would be raised in principle, however, such matters would be secured via condition.

#### Trees and Ecology

69. 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.
70. Policy DP7 of the Local Plan Part 2: Detailed Policies DP7 states that provision to be made for the retention of existing trees that are important by virtue of their significance within the local landscape. DP19 seeks to protect irreplaceable environmental assets such as ancient woodland and 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.
71. The application has been submitted with a preliminary ecological appraisal which provided details of surveys undertaken and assessment of mitigation in relation to protected species. The report notes the potential of the site to contain bats and reptiles and suggested further surveys are undertaken prior to commencement. Surrey Wildlife Trust have reviewed the submitted preliminary ecological appraisal and provided their comments. For the most part Surrey Wildlife Trust agree with the recommendations within the report and therefore suggest these are secured by condition. They do, however, have specific comments regarding bats and biodiversity which will be discussed below.



72. Surrey Wildlife Trust within their comments note the recommendation within the preliminary ecological appraisal to undertake a further survey with regards to Bats and suggest this should be carried out prior to determination. The preliminary ecological appraisal includes details of surveys undertaken on site including within the existing building as well as a roost assessment for the trees. The report acknowledges the need for further surveys and potential for a licence if bats are found. Whilst the comments of SWT are noted given the level of surveys currently undertaken it is not considered proportionate in this case to require the further precautionary surveys to be undertaken prior to determination and therefore will be required prior to commencement.
73. With regards to biodiversity net gain this application was submitted before publication of the Environment Act and therefore is not subject to a mandatory 10% net gain. The proposal is, however, still required to provide a net gain to accord with the requirements of Policy CSP17 of the Core Strategy and Paragraph 180 of the NPPF; however, this net gain is based on the current condition of the land. The applicant has advised of potential for biodiversity enhancements within their landscape master plan. In light of this biodiversity net gain can be secured by condition.
74. In addition to the considerations above, the application has raised questions with regards to trees and the suggested loss of woodland. The application site was subject to tree clearance in early 2022, suggested by the applicant within the letters to officers dated September 2023 to be due to safety concerns of the owner regarding the trees. None of the trees were subject to a tree preservation order and a felling licence was not considered to be required. Nonetheless suitable replacement planting was suggested to be necessary as required by Policy DP7.
75. This application is for outline planning permission with matters of landscaping reserved. Therefore, it is not for this application to consider or approve the landscaping scheme for the development. Notwithstanding this in order to address concerns raised the applicant has provided an indicative landscaping master plan as an example of what landscaping could be provided. The Council's principal tree officer has raised concern that adequate levels of re-planting may not be achievable and commented on the small and medium sized trees shown within the plan. Although his concerns are not addressed, he does comment that the landscape master plan could be redesigned to incorporate larger species of trees and significant planting on the private terraces could be provided.
76. As outlined above landscaping is a reserved matter and therefore not for detailed consideration as part of this application to consider the adequacy of the landscaping scheme proposed. The comments in relation to the feasibility of achieving suitable re-planting are noted and that whilst a scheme could be proposed to maximise large trees and planting areas on the site it is not considered likely to fully replace what was lost. It would however result in an uplift on the trees currently on the application site. This needs to be taken into account within the planning balance exercise.

#### Affordable Housing and Viability

77. This application has been submitted as a standalone application for the redevelopment of 3 Stuart Road; however, as noted within the assessment above the proposal requires the commencement of the planning permission at Edgehill (2022/225) to implement the access arrangements in order to be satisfactory from a highway safety perspective. In light of this the proposal is therefore considered to be required to be implemented in tandem with that previous approval.

78. Whilst the proposal seeks approval for 14 dwellings which falls below the threshold for affordable housing provision within built up areas under Policy CSP4, if the proposal would come forward together with that at Edgehill the total number of units proposed would be 35 and therefore would exceed the 15 units threshold to trigger the affordable housing requirement.
79. The development approved at Edgehill whilst meeting the threshold for affordable housing provision was not considered to be a development that could viably support the provision of policy compliant affordable housing. Factors such as the abnormal development costs to re-develop the site were taken into account in this assessment. A case was therefore presented that the development was not capable of providing affordable housing and a viability assessment was submitted to support this claim. This was accepted and the permission was granted without the requirement to provide affordable housing.
80. As above the current proposal would be required to come together with that permission and therefore it needs to be considered whether the additional 14 units as sought by this proposal would alter this position with regards to the ability of the proposal to provide affordable housing. The applicant has put forward a case that the same factors would apply to the current scheme and therefore it would not alter the position with regards to the provision of affordable housing. A viability assessment has been submitted which has been independently reviewed by Dixon Searle. In their response to the Council Dixon Searle comment that *'the results of the submitted viability appraisal indicate that either there would need to be further savings in the build costs or an equivalent improvement in the sales values in order for the scheme to 'breakeven'. Overall, therefore, although we consider the scheme's viability to have been significantly understated, it does appear that it is unlikely to be sufficiently viable to support a contribution towards affordable housing at this stage.'* In light of this the viability appraisals confirms that the proposed development would not change the position with regards for the development as a whole to provide affordable housing. In light of this none will be secured.

#### Planning balance

81. In now returning to the presumption in favour of development the tilted balance under Paragraph 11 (d) (ii) will be applied. The development would provide 14 residential units at a time in which the Council cannot demonstrate a five-year supply of housing along with the associated social and economic benefits of the development. Matters relating to housing density and mix, character and appearance, residential amenities, transport impacts, biodiversity, flood-risk, renewable energy provision and drainage are either acceptable or can be made acceptable by way of condition. The proposal would not be in a position to replace all the trees removed prior to clearance of the site and therefore would result in some impact on landscape character. The proposal does however offer the opportunity to provide planting and although not capable of provide full compensation for the pre-development tree cover lost, through reserved matters can seek to provide compensation for the loss to lessen harm. Whilst it would be the case that harm would remain it is not considered to significantly and demonstrably outweigh the benefits the scheme will provide. As such planning permission is therefore recommended for approval in this case.

**RECOMMENDATION:****APPROVE subject to the following conditions**

1. The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of “the last of the reserved matters” to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Before any development hereby permitted starts, approval of the landscaping (hereinafter called “the reserved matters”) shall be obtained from the District Council. Detailed plans and particulars of the “reserved matters” shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

3. This decision refers to drawings numbered: PL-01 Rev A, PL-02 Rev C, PL-33 Rev B, PL-36 Rev A, PL-37 Rev A, PL-40 Rev B received 24<sup>th</sup> March 2023, PL-23 Rev D, PL-30 Rev D, PL-32 Rev C received 28<sup>th</sup> September 2023, PL-28 Rev D, PL-29 Rev E, PL-31 Rev E, PL-41 Rev D, PL-42 Rev C, PL- 43 Rev C received 30<sup>th</sup> 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.

4. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off including multifunctional sustainable drainage systems.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated

zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- 5. Prior to the commencement of development, a badger and bat presence surveys should be undertaken along with any other surveys as listed within Preliminary Ecological Appraisal (August 2022) and Reptile Survey Report (March 2023). The results of the surveys shall be submitted to the local planning authority for approval with any mitigation measures as necessary implemented prior to commencement of development. Then after the development shall be carried out wholly in accordance with the recommendation and mitigation measures within the Preliminary Ecological Appraisal (August 2022) and Reptile Survey Report (March 2023) as prepared by David Archer Associates and any further mitigation as approved by this condition.

Reason: To safeguard ecological interests within the site and enhance biodiversity in accordance with Policy CSP17 of the Core Strategy DPDS (2008) and Policy DP19 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

- 6. No development shall commence until, a Sensitive Lighting Management Plan has been submitted and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To safeguard ecological interests within the site and enhance biodiversity in accordance with Policy CSP17 of the Core Strategy DPDS (2008) and Policy DP19 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

- 7. The development hereby approved shall not commence until a Landscape and Ecology Master Plan (LEMP) has been submitted to and approved, in writing, by the local planning authority, based on the avoidance, mitigation and enhancement measures set out within the Preliminary Ecological Appraisal (August 2022) and Reptile Survey Report (March 2023) as prepared by David Archer Associates and any further mitigation as approved by condition. The proposed development shall be implemented in accordance with the LEMP for so long as the development remains in existence.

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

8. No development shall commence until, a Construction Environmental Management Plan (CEMP) including a reptile precautionary method of working of development has been submitted and approved in writing by the Local Planning Authority. The CEMP should include, but not limited to:
  - a) map showing the location of all the ecological features
  - b) Risk assessment of the potentially damaging construction activities
  - c) Practical measures to avoid and reduce impacts during construction
  - d) Location and timing of works to avoid harm to biodiversity features
  - e) Responsible persons and lines of communication
  - f) Use of protective fences, exclusion barrier and warning signs

Reason: To safeguard ecological interests within the site and enhance biodiversity in accordance with Policy CSP17 of the Core Strategy DPDS (2008) and Policy DP19 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

9. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

10. No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Reasons: To reduce risk to controlled waters. There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been

demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy

13. No part of the development shall be commenced unless and until the proposed vehicular access onto Succomb's Hill has been completed in accordance with the details submitted and approved under planning consent ref TA/2022/225.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway user to accord with the requirements of Policy CSP12 and the NPPF.

14. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the Drawing No. PL-02 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 user to accord with the requirements of Policy CSP12 and the NPPF.

15. The development shall be commenced in accordance with the submitted Construction Transport Management Plan (R02-siwar5-CTMP 2023-09-04), and implemented in accordance with points specifically addressed below:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) measures to prevent the deposit of materials on the highway
- (f) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development
- (g) vehicular routes, booking systems and an assessment for the scope of consolidating loads to reduce generated road trips
- (h) Site compound arrangements including arrival of vehicles, parking, loading, storage and waste arrangements; methods for of protection of adjacent highway infrastructure;
- (i) an assessment of all matters as are likely to cause nuisance to adjoining occupiers (including but not limited to; noise, dust, smoke, road cleaning & wheel washing facilities, odour control) accompanied by mitigation measures addressing all matters relevant to this particular site
- (j) construction hours.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway user to accord with the requirements of Policy CSP12 and the NPPF.

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

17. 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 the facilities with a timer 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 recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework December 2023.

18. 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

19. Before the development hereby approved is occupied the renewable energy 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.

20. The dwellings hereby approved shall not be occupied until the action plan measures outlined within the Residential Noise Assessment produced by Nova Acoustics dated 18<sup>th</sup> September 2023 have been implemented to ensure the development would meet the standards in BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings resources. Then after measures shall be retained in perpetuity.

Reason: To ensure a satisfactory environment for future residents within the in accordance with Policies DP7 and DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

21. Prior to the occupation of any until within each block or first use of relevant balconies any privacy mitigation measures including obscure glazing, high level windows, or privacy screen as shown on the approved plans for that block shall installed. Any obscure glassed window installed shall be non-opening except above 1.7m from FFL of the room it related. All privacy mitigation measures for that block shall thereafter be retained in perpetuity.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core

### Informatives

1. Condition 3 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990, and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges, and that any relevant relief or exemption is applied.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permitsandlicences/thetraffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice)

4. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised, and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developer's expense.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).



6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
7. 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.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html>

for guidance and further information on charging modes and connector types.

9. In relation to badgers, the developer must obtain a badger mitigation licence from Natural England following the receipt of planning permission and prior to any works which may affect badgers or their setts.
10. The development should only proceed in a precautionary manner that will avoid the killing or injuring of any individual reptiles that may be identified during development. Should any reptiles be discovered during construction, which are likely to be affected by the development, works will ease immediately. The developer will then seek the advice of a suitable qualified and experienced ecologist and works shall only proceed in accordance with the advice they provide.
11. Any works to habitat which has been identified as potentially suitable for dormice should only be undertaken in accordance with a precautionary working methodology in order to avoid killing, injuring or disturbing dormice. Methodology should be in line with best practice guidance 'The Dormouse Conservation Handbook' 2nd Ed 206 and would works should be undertaken under the supervision of a suitable qualified ecologist.
12. 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. Sub ground structures should be designed so they do not have adverse effect on groundwater.
13. The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, 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, CCW4, CCW5, CCW6, CCW7, CCW8, CCW9, CCW10 CCW29 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.

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