

Application: 2023/1490
Location: Pelham House, 54 Harestone Valley Road, Caterham, Surrey, CR3 6HE
Proposal: The demolition of existing flats to construct 2no. one-bedroom flats, 2no. two-bedroom flats, and 6no. three-bedroom houses with associated parking and amenity space.
Ward: Harestone

Decision Level: Planning Committee

Constraints – Biggin Hill Safeguarding, Road local d - Harestone valley road, Risk of flooding from surface water – 30, 100, 1000. Rights_of_Way_FP 82, Source_Protection_Zones 2 & 3, Special residential character area, Urban area

RECOMMENDATION: **APPROVE, subject to conditions**

1. The application is presented to the Planning Committee as the proposed development is on Tandridge District Council owned land.

Summary

2. Planning permission is sought for the demolition of the existing flats on the site and to construct 2no. one-bedroom flats, 2no. two- bedroom flats, and 6no. three-bedroom houses with associated parking and amenity space.
3. The application site is in the urban area of Caterham which is a Category 1 settlement where the principle of development is considered acceptable.
4. The proposal is considered to be acceptable with regards to housing mix and density, character and appearance and amenity. Subject to conditions the proposal would also be acceptable with regards to surface water drainage, ecology, biodiversity, highway safety and impact on trees.
5. There are no adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the development plan and the Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. It is therefore the officer recommendation that planning permission be granted.

Site Description

6. The application site consists of Pelham House and its surrounding land, located to the north of Harestone Valley Road in Caterham. Pelham House consists of 12 no. 1-bedroom flats and studio apartments. Parking is located to the front of the site and is accessed via two access points in an in-out arrangement. To the rear of the site is a mature group of trees and to the front is a hedgerow. The site lies within an urban area.

Relevant History and Key Issues

7. The relevant planning history for the site is as follows:
 - CAT/6242 - DEMOLISH EXISTING BUILDINGS CONSTRUCT NEW ACCESS ROAD & 9 TERRACED HOUSES & GARAGES Refuse 17/07/1964

- 75/144 - ERECTION OF EIGHT 1 BEDROOM FLATS AND FOUR BEDSITTING UNITS WITH PARKING SPACES Approved 27/03/1975

Key issues:

The key issues for this application are:

- the principle of development within the urban area,
- acceptability in terms of character and appearance,
- impact on neighbouring amenity,
- highway safety,
- impact on trees,
- Other considerations include renewable energy and ecology.

Each of these will be addressed in the report below.

Proposal

8. This application seeks approval for the demolition of the existing flats and the construction of 2no. one-bedroom flats, 2no. two-bedroom flats and 6no. three-bedroom houses with associated parking and amenity space. The development would be broken up into three main buildings comprising two terraces of three dwellings each and a single building containing 4no flats.
9. The site would contain 19 parking spaces and a cycle/bin store. A new single access would be formed to the site from Harestone Valley Road replacing the current in-out arrangement.

Development Plan Policy

10. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19
11. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8 DP10, DP13, DP19
12. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Policies CCW1, CCW3, CCW4, CCW5

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

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

National Advice

16. National Planning Policy Framework (NPPF) (December 2023)
17. National Planning Practice Guidance (NPPG)

18. National Design Guide (2019)

Statutory Consultation Responses

19. Consultations have been received as follows:

County Highway Authority	Received: 27/07/2024
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.	

Caterham Valley Parish Council	Received: 15/02/2024
The Council considers the current building does not meet the needs of residents and is outdated. The current residents are being kept updated by TDC and will be moved to meet their needs (some are going to the new Bronzeoak development in Stafford Road). This proposal makes way for a brand-new updated development. Totalling the number of people in the houses and flats, there could be up to 48 (although this will obviously include children).	
Tree and bush cover between the proposal and neighbouring properties needs to be maintained.	
Residents' concerns regarding the instability of the ground needs to be considered.	

Surrey County Council Flood and Water Services Team (LLFA)	Received: 01/10/2024
We are satisfied that the proposed drainage scheme meets the requirements set out in the (<i>relevant guidance</i>) 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.	

Thames Water	Received: 06/02/2024
With regard 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 sections 167, 168 & 169 in the National Planning Policy Framework.	

TDC advice

Principal Tree Officer	Received: 08/07/2024
<p>I was previously consulted as part of pre-application discussions regarding this site and the layout (which was adjusted to reduce arboricultural impact) has not changed significantly since then.</p> <p>There will be a total of 25 trees/groups removed to accommodate the development and as compensation only 9 trees are to be planted due to restricted space given over to soft landscape. However, those to be planted are located at the front of the site and within the parking court, in prominent locations, whereas the majority to be removed are located on the hill to the rear of the site, and with a backdrop of larger trees to be retained, in my opinion the effect on visual amenity will be minimal. It would of course be beneficial to have more space given over to soft landscape and planting if that was possible, and potentially I do think there are opportunities for planting that have been missed. This can be addressed within a soft landscaping plan under condition, however.</p> <p>As acknowledged within the submitted arboricultural report there are several impacts to retained trees that will need to be addressed during construction, and this will need to be detailed within a site-specific arboricultural method statement. I do not agree with the project arboriculturist's assertion that no such method statement is required.</p> <p>In consideration of the above, I raise no objections to the proposal, but I do propose conditions</p>	

Third Party Comments

1. Neighbour Letters and Site Notice. Comments received raising the following matters:
 - Noise and disturbance from construction/demolition
 - Character - Development is not in keeping with surrounding properties, change in density and building footprint, reduction in green space, overdevelopment, impact of three-storey dwellings
 - Impact on ground stability/ subsidence
 - Highways - parking not sufficient, increase in traffic
 - Amenity - request privacy is maintained, noise and light pollution from dwellings
 - Ecology - impact on wildlife, need to secure biodiversity enhancement
 - Drainage- At present much of the frontage of the site is non-permeable hard standing. This development offers the opportunity to massively improve this situation. As close as possible to every square centimetre of the ground surrounding the built form should be permeable, including the parking areas. Harestone Valley Road suffers significant flooding in heavy rain, exacerbated by water run-off from non-permeable surfaces. And there is a further 'downstream' consequences of businesses in the centre of Caterham Valley flooding. TDC, as developer, should set an example by decreasing the rapid water run-off from this site and playing its part in lessening the risk of flooding. Therefore requirement for robust SuDS scheme
 - Retention of trees on boundary and their stability during construction

Assessment

Procedural note

2. 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.
3. 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.
4. 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

5. The application site lies within the urban area of Caterham a defined Category 1 Settlement within which development is encouraged on sustainability grounds. The development would sit within an established residential area with local amenities close by. Therefore, being in the Urban Area, the principle of residential development is acceptable and would accord with the requirements of Core Strategy Policy CSP1 which seeks to promote sustainable patterns of travel and in order to make the best use of previously developed land. The scheme would also be consistent with the provisions of the National Planning Policy Framework (NPPF) December 2023.

Housing Mix and density

6. Policy CSP7 of the Core Strategy requires housing developments of 5 units and above to contain an appropriate mix of dwelling sizes in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments. It continues that the Council will resist an undue concentration of any one type of dwelling in a location that would cause an imbalance and adversely affect the community. It also sets out that in assessing the proposed mix of dwellings the Council will have regard to the density ranges set out in policy CSP19, the demand for affordable housing and the character of the area and may require the mix to be modified accordingly.
7. Policy CSP19 sets out the density ranges for different areas of the district. This site falls within the criteria of a built-up area. For built-up areas it sets out that the density should be in the range of 30-55 dwellings per hectare (dph), unless the design solution would conflict with the local character and distinctiveness of an

area. The supporting text to policy CSP1 (para 6.8) similarly notes this density range but acknowledges that a lower density may be appropriate to ensure there is no adverse impact on the special character of particular areas. In residential areas with good accessibility to public transport and services, including convenience shopping, higher densities may be possible, but subject to the overriding need for good design and the protection of character.

8. The Council also needs to have regard to the NPPF December 2023 as a material consideration, which, at para 123, requires decisions to promote an effective use of land and should support development that makes efficient use of land (para 128), making optimal use of the potential of each site (para 129). A balance therefore needs to be struck between ensuring sites are used to their optimal level whilst ensuring the character and appearance of the locality is not harmed.
9. The proposal has a density of 32dph, which is within the range deemed acceptable for this location. Existing plot sizes vary within the locality from single dwellings to apartments and flats including the application site. The proposal represents an uplift in density of the site, however, brings it into the suggested range which the site does not meet at present. Therefore, the density of the development is considered acceptable and compliant with planning policy.
10. With regards to housing balance 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.
11. The site at present contains 12no 1-bed flats. The proposal will see the erection of 6no 3-bed houses, 2no 1-bed flats and 2no 2-bed flats. While the proposed mix does not strictly track the identified need, it does contribute to the requirement for 2-bedroom flats and 3-bed houses, reflecting the highest demand for those property types. Therefore, on balance, it is considered that the proposed development would provide an appropriate mix of housing which would meet the needs of the district and would therefore comply with Core Strategy CSP7.

Character and Appearance

12. Paragraph 131 of the NPPF (December 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.
13. 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.

14. 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.
15. Policy DP8 of the Local Plan Part 2: Detailed Policies states (Criterion 'A') that proposals involving infilling, back land or the complete or partial redevelopment of residential garden land will be permitted within the settlements of Caterham, Oxted (including Hurst Green and Limpsfield), Warlingham, Whyteleafe and Woldingham, only if the development scheme:
 1. Is appropriate to the surrounding area in terms of land use, size and scale;
 2. Maintains, or where possible, enhances the character and appearance of the area, reflecting the variety of local dwelling types;
 3. Does not involve the inappropriate subdivision 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.

B. Within the settlements as listed in criterion 'A' (above), proposals that would result in the piecemeal or 'tandem' development of residential garden land, or the formation of cul-de-sacs through the 'in-depth' development of residential garden land will normally be resisted, particularly where they are likely to prejudice the potential for the satisfactory development of a larger area or result in multiple access points onto the existing frontage.
16. Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 states that development is expected to preserve and enhance the character area in which it is located. 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.
17. Caterham, Chaldon and Whyteleafe Neighbourhood Plan Policy CCW5 relates to the design of development which is expected to be of high quality integrating well with its surroundings.
18. The site lies within the Harestone Valley and therefore advice contained within the Harestone Valley Design Guidance is relevant to this proposal. The site lies within Character Area C which covers the Western Valley Slopes. This area sits at the bottom of the steep East facing slopes of the valley. The design guide sets out that the wooded slopes and tree cover form an important backdrop to this

area where buildings are predominantly blocks of flats. The buildings are of a pavilion style with a consistent rhythm and proportion. Front gardens provide an open feel and contain mature trees and are of a consistent depth for the large plots.

19. The site is located in an area that is entirely residential. As outlined in the design guide the area consists predominantly of blocks of flats although there are examples of larger dwellings within single plots in the adjacent character areas. The proposal will see a single building erected to the front of the site seeking to replicate the appearance of a two-storey single dwelling. Two blocks of three terraced dwellings are proposed to the rear of the site partially on the footprint of the existing building. These dwellings are to be three storeys with the ground floor level excavated into the existing ground to be level with the existing parking area. The general layout of the site would not exactly match the adjacent built form; however, due to the variety within this area it would not be out of keeping. Materials proposed for the buildings are to be a variety of buff brick and red/brown tiles. The proposal will provide a large parking courtyard centrally within the site between the buildings; however, the development would retain a soft landscaped boundary to the front of the site as well as the retention of the boundary trees which will soften the backdrop of the development.
20. For the reasons outlined above, and considering the built form on site at present, the proposal would not have significant impacts in terms of character and appearance and would therefore comply with the provisions of Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies, Policy CSP18 of the Core Strategy, Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 Policies CCW3, CCW4 and CCW5, the Harestone Valley Design Guide and the NPPF (December 2023).

Impact on Neighbouring Amenity

21. 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.
22. The above Policies reflect the guidance at Paragraph 135 of the NPPF (December 2023), which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
23. The proposal will see the removal of the existing dwellings on site with the erection of three residential blocks. Plots 1 to 4 would sit forward within the site with plots 5-7 and plots 8-10 set on similar positions to the existing buildings. Plots 1-4 would sit 7m from the closest boundary with residential neighbours to the west but due to its position forward would be some distance from the residential buildings. The block would measure 5.6m in height to the eaves and 9.2m in total height, built on the existing car park level. The rear blocks would marginally increase the separation distance to the western boundary being 4.5m from the boundary compared to the current 3.8m and would maintain the separation distance to the east. Each of plots 5-7 and 8-10 would measure 6.8m in height to the eaves and 10m in total height providing built form across three stories. The existing building measures 8m in height from its ground floor level. It should be noted that plots 5-7 and 8-10 are proposed to be built into the existing ground

level of the site and therefore whilst taller in height would be similar to the roof level of the existing buildings. Taking into account the scale of built form, orientation and the separation distances along with the retained west and east boundary vegetation the proposal is not considered to be likely to result in a significant impact on the residential amenity of the neighbours in terms of loss of light or overbearing impact.

24. With regards to privacy neither of the terraces comprising plots 5-7 and 8-10 propose windows facing west or east directly towards the neighbours. The north and south facing windows would provide substantially similar views to the existing building. The proposal does seek to terrace the rear gardens, however, would include reducing the land levels and therefore would not result in any greater impact than existing. Plots 1-4 do propose ground and first floor windows facing west and east towards the neighbours. The building, however, would be set back 7m from the western boundary and 17m from the eastern. Taking this into account in addition to the vegetation retained on each of these boundaries it is also not considered that the proposal would result in any significant impact on the residential amenity of the neighbours.
25. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan Detailed Policies Part 2 (2014), Policy CSP18 of the Core Strategy (2008), Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 Policies CCW2, CCW3 and CCW4, the Harestone Valley Design Guide and the NPPF (December 2023).

Living conditions for future occupiers

26. Policy DP7 also requires that development provides acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards.
27. 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.
28. 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.
29. The size of the dwellings would vary between 51m² and 78m² for the flats and 119m² and 122m² for the houses which would all conform to the required space standards contained within the Nationally Described Space Standards 2015 with regards to internal floor space. Each of the dwellings would have access to a private amenity space with a shared garden area available for the flats. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the dwellings.

Parking Provision and Highway Safety

30. 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.
31. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway subject to conditions and informative.
32. In terms of parking the proposal will provide 19 parking spaces, having increased from 17 spaces originally proposed. The Councils parking Standard SPD would require 1.5 unallocated spaces per 1- or 2-bedroom flat and 2 spaces per 3-bedroom dwelling with 1 legible space per 4 dwellings. The provision of 19 parking spaces would therefore meet the requirement for each dwelling and provide 1 no legible spaces. The development is therefore considered to generally accord with Policy CSP12 of the Core Strategy and Policies DP5 and DP7 of the Local Plan with regards to highways safety and parking, albeit that the proposal would be marginally short in respect of the provision of legible spaces.

Drainage

33. The application site lies within a Flood Zone 1 location and is therefore considered to have a low probability of flooding. The site, however, lies within an area identified by the Environment Agency as being at risk of surface water flooding. Although the site is therefore at low risk of flooding as a major development Paragraph 175 of the NPPF requires the development to provide a sustainable drainage system which should include ensuring the proposal does not result in additional surface water flood risk outside the site.
34. The applicant has provided a Flood Risk Assessment & Drainage Strategy dated November 2023. The report as above indicates the site is not within an area prone to flooding. It acknowledges the potential risk of surface water flooding however noted that no flood flow paths are identified and given topography surface water runoff from offsite is considered unlikely to occur. They therefore suggest this risk is managed by the proposed drainage system and SuDS implementation to manage the residual risk. The report continues that the proposed development would attenuate runoff through the use of permeable paving systems that would attenuate runoff and that discharge rates will be controlled to a maximum 0.1l/s for the 1 in 100-year event +40% climate change allowance. The report concludes that providing the principles set out within the report are followed and developed at detailed design stage, the site can be considered to have a low probability of suffering from any form of flooding and not increasing the probability of flood risk to other properties within the local catchment area.
35. The above report has been reviewed by the Lead Local Flood Authority who initially commented that the feasibility for infiltration was not adequately addressed. In response the applicant has provided an additional note from their drainage consultant which includes details and results of soakage testing undertaken on the site. They comment that the testing provided has proven that the drainage design presented in the original report is viable and meets the requirements of the drainage hierarchy, including the requirements of the national

Non-Statutory Technical Standards for SuDS, and that the final drainage design does not increase flood risk on or off site. The LLFA have reviewed this note in connection with the original report and are now satisfied that the proposed drainage scheme meets the relevant requirements and suggest 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.

36. The public consultation for the application has highlighted the existing impact of surface water flooding. As discussed above the proposal seeks to provide a SuDS scheme to meet the technical standards. Subject its implementation and maintenance being secured by condition as suggested by the LLFA the proposed development is considered to be able to manage its own surface water impact so as to not add to any existing flood risk within the locality. The proposal would therefore not conflict with the requirements of Paragraph 175 of the NPPF.

Renewables

37. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The applicant has submitted an Energy Statement produced by NRG. The energy statement confirms the use of air source heat pumps and solar panels will achieve the minimum 10% savings. In the event of an approval, the application would be conditioned to ensure that the above is implemented and maintained in accordance with the details supplied.

Ecology and Biodiversity

38. 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.
39. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
40. The applicant has submitted an ecological assessment report produced by Ecology Works dated December 2023. The report provided details of a desk study, preliminary ecological appraisal with surveys and a bat emergence survey. The report includes suggested mitigation measures in respect of habitats, bats, badger, breeding birds, hedgehog and invertebrates, which will ensure there are no adverse impacts on protected species or retained habitats. Subject to securing these mitigation measures by condition the proposal would accord with the requirements of Policy DP19 of the Tandridge Local Plan Detailed Policies.
41. With regards to Biodiversity Net Gain this application was submitted before 12th February 2024 and therefore is not subject to a mandatory 10% net gain required by the Environment Act; however, the proposal is required to provide a net gain to accord with the requirements of Policy CSP17 of the Core Strategy and Paragraph 180 of the NPPF. The applicant's ecological assessment at paragraph 6.2.1 proposes a number of habitat enhancements including species-rich flowering lawn mix, planting of three medium and six small trees, planting of an area of native mixed scrub and use of diverse planting mixes throughout

landscaped areas, using native species as far as possible. This is to be implemented and managed by a 30-year management plan. The report does note that the proposal may result in a residual biodiversity deficit which they outline will be addressed via off-site compensation to ensure a Biodiversity Net Gain. With the above secured by condition the proposal will result in a biodiversity net gain to accord with the requirements of Policy CSP17 of the Core Strategy and the NPPF.

Landscaping and Trees

42. Policy CSP18 of the Core Strategy requires that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
43. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is 'essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves'. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
44. The proposal will see the removal of 25 trees/groups of trees to accommodate the proposal with 9 replacement trees to be planted further south within the site in more visually prominent locations. The Councils Principal Tree Officer comments that given the more prominent location of the replacement trees and with a backdrop of larger trees to be retained, in his opinion the effect on visual amenity of the proposed tree removal would be minimal. He also comments that it would be beneficial to have more space given over to soft landscape and planting and given that opportunities for planting may have been missed suggests a soft landscaping plan can be secured under condition. It is agreed this would be beneficial to maximise the opportunity for planting given the loss of trees and this will be included as a condition.
45. In addition the impact of the proposal on the retained trees needs to be considered. Consideration of the impact on the retained trees, particularly those on or close to the site boundary, has been raised as a specific concern within the public consultation. The application is submitted with an Arboricultural Implications Assessment produced by Broad Oak dated 6th December 2023. The report identifies the trees on site and provides result of the tree inspections undertaken. It also includes an arboricultural implications assessment which provides consideration as to the potential impact of proposals on retained trees as well as proposing tree and ground protection measures. It suggests that given the content of the report a separate Arboricultural Method Statement is not considered necessary for this site.
46. The Councils Principal Tree Officer has reviewed the impact assessment. They note that whilst the report acknowledges there are several impacts to retained trees that will need to be addressed during construction it is not agreed with the project arboriculturist's assertion that no such method statement is required. The proposal would result in excavation close to and within the root protection area of several of the retained trees. The implications of this and a suitable method of working has not been suggested within the report. The advice of the tree officer

is therefore taken on board and a detailed Arboricultural Method Statement will be requested by condition.

47. Subject to the conditions suggested above the proposal would comply with the requirements of Policy CSP18 of the Core Strategy and Policy DP7 of the Tandridge Local Plan Detailed Policies.

Equality Duty

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

Other

49. The public consultation for the application has raised concerns with regards to land stability and subsidence and the impact of the proposed works on the stability of the vegetation with the adjacent land bank. The NPPF confirms, at paragraph 189, that planning policies and decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 190 does, however, confirm that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Given that the site is already in use for residential purposes it is considered that the site is suitable for the proposed use. An informative will, however, be included to advise the applicant of the concerns raised and strongly suggest pre-development assessment and appropriate mitigation measures are put in place to ensure no impact on land stability.

Planning Balance

50. In now returning to the presumption in favour of development the above assessment considers there have been no adverse impacts of the development which are not considered to be suitably addressed within the submission or by way of condition. The proposal does not seek to match the existing number of units on the site, however, does seek to provide larger units more appropriate to meet the indicated housing need. This social benefit along with the economic benefits of the construction and additional occupation to the local economy should be given weight in the planning balance. As such there are no adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the development plan and the Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. It is therefore the officer recommendation that planning permission be granted.
51. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

RECOMMENDATION: APPROVE subject to the following conditions

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

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

2. This decision refers to drawings numbered 0001, P01, 0002 P01, 0003 P01, 0004 P02, 0005 P02 received 18th December 2023, 0009 P01 received 29th January 2024, 0006 P04, 0007 P04, 0008 P04 received 09th July 2024. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

3. The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The final solution should follow the principles set out in the approved drainage strategy. 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. Where infiltration is proposed 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.
- b) Hydraulic calculations to demonstrate 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. 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.
- c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.
- d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
- e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.

- f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational. Including details of how existing watercourse on and adjacent to the site will be protected.

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.

4. No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority. All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on
- adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- A plan* detailing all trees and hedgerows planned for retention and removal.
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. bridging, installation of underground services, surfacing, foundations of all structures, within the root protection area,)
- Level changes
- A Tree protection plan** in accordance with BS5837** detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

* Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)

**Using the most recent revision the of the Standard

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

5. Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- i. Confirmation of who shall be the lead arboriculturist for the development.
- ii. Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- iii. Details of induction procedures for all personnel in relation to Arboricultural matters.
- iv. A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
 - Prestart meeting with a Tandridge District Council Tree Officer
 - Initial implementation/installation of the tree protection measures
 - Final removal of the tree protection measures

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

6. 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.

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

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

8. Prior to above ground works (excluding demolition) full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- tree and hedgerow planting

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

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

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

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans drawing number 0004 P04 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

10. The development hereby approved shall not be first occupied unless and until the facilities for the parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided in accordance with the approved plans drawings numbered 0004 P04 and 0006 P04. Thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

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

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide

emissions in accordance with CSP14 of the Tandridge District Core Strategy 2008.

12. Prior to the first occupation of the dwellings hereby approved the applicant should submit to the local planning authority for approval of a final biodiversity net gain plan and 30-year management plan in general accordance with the habitat enhancement measures set out within the ecological appraisals. The proposal shall include details of any off-site habitat enhancements or credits secured to ensure a net gain for the development. The development shall be undertaken in strict accordance with the approved plan.

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

13. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out the in Ecological Assessment (Ecology Works December 2023)

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

Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990, and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The applicant is strongly advised to consider the impact on the proposed excavation on the land stability of the site and adjacent land. It is recommended that pre-development assessment and if necessary appropriate mitigation measures are put in place to ensure the implementation of the development does not impact on land stability.
3. The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP12, CSP14, CSP17, CSP18, Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP19, Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Policies CCW1, CCW3, CCW4, CCW5 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.
4. 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.