

ITEM 6.1

Application: TA/2021/173

Location: 17 Landscape Road, Warlingham, Surrey, CR6 9JB

Proposal: Demolition of existing building and construction of a three-storey building comprising 10 flats, private and communal amenity space, parking provision, hard and soft landscaping and construction of a single storey refuse and cycle store.

Ward: Warlingham West

Decision Level: Planning Committee

Constraints – Biggin Hill Safeguarding Area, Groundwater Protection Area, SPA, TPO within 10m, AHAP, AWOOD within 500m, ASAC, Public Footpath 315, 1 in 1000-year surface water flood area, Gatwick Safeguarding (90m)

RECOMMENDATION:

PERMIT subject to conditions

This application has been referred to Committee for decision by Cllr Bloore.

Summary

1. The proposal is for the demolition of existing building and construction of a three-storey building comprising 10 flats, private and communal amenity space, parking provision, hard and soft landscaping and construction of a single storey refuse and cycle store. The proposal would respect the character and appearance of the prevailing area. It would also respect the local context and there would be no significant harm to neighbouring amenities. Furthermore, there would be no significant impact upon the wider highway network and the renewable energy provision would be acceptable. It is therefore recommended that this application is granted planning permission.

Site Description

2. The site is located within the urban area of Warlingham which is a 'Category 1 Settlement' as defined by Core Strategy Policy CSP1. Beyond the site lies arable land and areas of ancient woodland. The site is situated within an area with low risk of surface water flooding.
3. The site comprises a corner plot on the junction of Narrow Lane and Landscape Road within the urban area of Warlingham. The site contains a 3-storey building with roof space accommodation which is currently used as four flats. The site is bounded to the east by Narrow Lane, to the south by Landscape Road and to the west and north by residential properties at number 15 Landscape Road and number 6 Narrow Lane respectively. There are a number of trees located along the Narrow Lane and Landscape Road frontages of the site with a large apron of hardstanding area to the south (front) of the building.
4. The surrounding area is predominantly of suburban nature albeit dense rural, characterised by a mix of houses and flats set back from the road with front gardens, with generous gaps between the buildings. The existing residential properties in the immediate locality consist of large detached properties of varying character, form and design set within spacious plots of sylvan nature.

Relevant History

5. 2006/573 – Erection of single storey rear extension. Approved on 14.06.2006

Key Issues

6. The application site lies within the urban area of Warlingham. The key issues are the effect of the proposal on the character and appearance of the area; the effect of the proposal on highway safety; amenities of neighbouring residents and the living conditions of the future occupants of the development, parking provision, trees and landscaping, housing provision and renewable energy.

Proposal

7. Planning permission is sought for the demolition of existing building and construction of a three-storey building comprising 10 flats, private and communal amenity space, parking provision, hard and soft landscaping and construction of a single storey refuse and cycle store. The proposed development would comprise 8 x 2 bed four persons and 2 x 1 bed two persons flats. The proposed building would be rectangular in shape and would measure approximately 23.5m wide at the frontage, 19m deep and eaves and ridge height of approximately 6m and 10m respectively. The proposed flats would be arranged over three floors with four flats each on the ground and first floor and two flats on the second floor. The proposed external materials would be red brick, plain clay roof tiles with dark grey aluminium doors and windows.
8. The proposal includes also the erection of two, detached single-storey structures at the Landscape Road frontage of the site to provide a refuse store and cycle store. The existing vehicular access off Landscape Road frontage would be utilised leading onto a hardstanding area in front of the building for parking of vehicles. The application is accompanied by Arboricultural Report, Sustainability Statement and Planning Statement, Design and Access Statement and Daylight and Sunlight Assessment.

Development Plan Policy

9. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19
10. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP7, DP8, DP9, DP19, DP21 and DP22
11. Woldingham Neighbourhood Plan 2016 – Not applicable
12. Limpsfield Neighbourhood Plan 2019 – Not applicable
13. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – post referendum version (June 2021) – Not applicable
14. Emerging Tandridge Local Plan 2033 – Policies – TLP01, TLP02, TLP06, TLP10, TLP18, TLP19, TLP30, TLP32, TLP34, TLP35, TLP37, TLP45, TLP47, TLP48, TLP49, TLP50.

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

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

National Advice

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

Statutory Consultation Responses

21. County Highway Authority – Commented as follows: The site is situated within an unsustainable location and it is unlikely that residents of the proposed development would walk to the rail station, residents of the proposed residential use would therefore be heavily dependent on the private car for access to normal day to day services and facilities hence the development would be contrary to the sustainable transport objectives of the NPPF and Policy CS1 of the Core Strategy. Notwithstanding the above the Highway Authority acknowledges that there are three dimensions to sustainable development - economic, social and environmental - hence the sustainability of the site should not be assessed purely in terms of transport mode and distance. It is also acknowledged that planning policy does permit the conversion and re-use of buildings in the Green Belt and hence some developments will not be able to meet the requirements of locational and transport policies. Therefore, it is for the Local Planning Authority to weigh up the CHA's sustainable transport advice against the other policies in the NPPF and the Core Strategy particularly those relating to rural areas, in order to determine whether or not the proposed development would be sustainable in its wider sense.
22. Warlingham Parish Council - Objects to the proposal on the following grounds:
 - The proposed design and scale of the development is not in keeping with the prevailing character of the surrounding area and existing street scene.
 - The proposed design does not reflect the normal interpretation of 2-storey development with loft accommodation;
 - The loss of mature trees will impact on the establish character and appearance of the area;
 - The proposed development would lead to the intensification of the plot leading to overdevelopment of the site;
 - Overlooking and loss of privacy particularly on number 6 Narrow Lane;
 - Inadequate car parking provision within the site;
 - Impact on the future occupiers of the flats with bedrooms at the rear being obscure glazed and fixed shut which could also be a potential breach of Building Regulations.
23. The Environment Agency - Due to the scale, nature and setting of this proposal and the supporting information submitted, we do not object to the proposal in principle subject to the imposition of recommended conditions.

24. Surrey County Flood Authority - We are not satisfied that the proposed drainage scheme meets the requirements set out in the documents accompanying the application due to insufficient information however, in the event that planning permission be granted by the Local planning Authority, suitably worded conditions should be applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.
25. Environmental Health Officer - No objection
26. Tree Officer - There are a number of trees to be removed, particularly from the frontage. However, none of these trees are of such importance in a policy sense that an objection could be sustained in my view. In terms of the retained trees, which are growing on the boundaries, there are several of high quality, and the largest (T20 Oak) will be quite tight with new building and works are required within the root protection area. However, again, whilst this is not an ideal relationship, I do not consider it to be so bad that an objection should be raised. Furthermore, the submitted arboricultural details does demonstrate how the trees can be successfully protected during construction.

Other Representations

27. Third Party Comments:

- Whilst not opposed to improvements of the area we feel that 10 apartments would lead to overdevelopment of the site;
- Impact on the character and appearance of the area;
- Excessive traffic impact due to insufficient parking provision;
- Noise and disturbance from people coming and going in the day and night;
- Overlooking and loss of privacy due to position of balconies and windows;
- The site is within an unsustainable location.

Principle of development

28. Core Strategy Policy CSP1 identifies Warlingham as an urban area and a Category 1 Settlement where development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available. and where the distance to travel to services is minimised. Furthermore, there is capacity within existing infrastructure to accommodate the proposed development and there are no physical or environmental constraints to restrict development on the land. The proposed development is therefore acceptable in principle with regard to the location of the development and Core Strategy Policy CSP1.
29. Notwithstanding the fact that the principle of development is considered acceptable an assessment of the scheme against policies having regard to matters including design, parking, and means of access as well as amenity of the occupiers of adjoining premises, renewable energy has to be considered.

Design, scale and appearance in the street scene

30. The National Planning Policy Framework 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 and history; 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.
31. Local Plan policies DP7 and DP8 require high quality design in all new development and for proposals to respect and relate to the character and context of their location. These policies are in addition to the Surrey Design Guidance (SDG) which requires that residential development should be complementary in design and be subordinate in size and scale to the existing dwelling. The impact of a development is assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the site and the wider locality.
32. Landscape Road is an established residential area characterised by predominantly detached dwellings within large plots in a variety of architectural styles. Dwellings in Landscape Road are set back from the highway with distinctive deep grass verges and linear layout pattern of development creating a sense of openness. There has been some recent development in the area, where smaller dwellings have been extended or replaced by larger buildings. The proposed development is considered in light of those similar developments in the vicinity in addition to the established character of the area. It must be noted that the current proposal has benefitted from pre-application advice where guidance was given to the applicant in respect of design, scale and impact on the general street scene and the wider locality.
33. It is recognised that the proposal would redevelop the existing residential site. In terms of prevailing plot sizes, the site itself is on the large side and already accommodates a flatted development. There are numerous examples of flats in the vicinity and this proposal would respect that existing form and add to the variety of development locally whilst achieving additional housing in a highly sustainable area. The gardens would be set back from the frontages and provide occupants useable space for their enjoyment.
34. The proposal is to replace the existing building with a three-storey block comprising of 10 flats (the third storey would be contained primarily within the roof). The building would sit roughly centrally in the plot, with landscaped areas to the sides and rear and a parking forecourt with cycling and refuse storage. The existing building has a height of circa 10.75m whilst the new building would have a height of circa 11m. The footprint would be greater, with the building extending notably further towards the Narrow Lane boundary but still retaining a separation of approximately 12.5m min.
35. With regards to the positioning of the building, the proposed building line would respect both Landscape Road and Narrow Lane which already feature staggers which contribute to the character of the area as a non-planned residential area. Both the building and parking area would be enveloped by generous green spaces, forming both gardens and communal areas which is considered important due to the visual prominence of the site. Whilst the density of the site and size of building would increase, the design is considerate and has achieved a good balanced between built form and a verdant setting. It is considered in this regard that the proposed building would not result in an overdevelopment of the site or a cramped appearance in the locality.

36. The proposed replacement building has been designed in cognisance with the Arts and Craft Movement which is prevalent in the locality. The building has been designed with stepped ridge and eave heights at the frontages of Landscape Road and Narrow Lane to create visual interest including balconies on first and second floor levels. The design is traditional and would harmonise with the existing variety of building styles and designs in the locality. It would have projecting gable end elements and other stylistic features including dormer windows, front balconies, decorative window cills and hanging tiles that would provide visual interest and a positive impact in the street scene in this regard. The eave height of the building drops at the rear elevation to respond to the scale of the existing dwellinghouse at number 6 Narrow Lane, subservient to the building which assist in reducing the bulk of the building. Furthermore, the proposed external materials would appear appropriate to the site and its setting, however details/samples could be provided to the Council prior to construction and this could be managed by way of planning condition in the event that planning permission is granted.
37. Overall, the design, size and siting of the proposed building is considered to be high quality and with attributes that would ensure it assimilates well into the existing streetscene and local environment, in accordance with the Development Plan.

Impact on residential amenities of existing and future occupiers

38. The impact of the proposed development on residential amenity of neighbouring dwellings and the amenities of the future occupants is considered in terms of the impact on access to day/sun/sky light and privacy, outlook and overbearing. Policy CSP18 of the Core Strategy and DP7 of the Local Plan apply and seek to provide good standard of design in all new development. The Surrey Design Guide SDG supplements Policy DP7 and expects that development should not cause loss of light or be unduly dominant from adjoining properties, as a result of either the length of projection, the height or the proximity of the development. The Policy reflects the guidance at paragraph 127(f) of the National Planning Policy Framework 2019, 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.
39. The dwellings potentially most impacted by the proposal would be the neighbouring occupiers at No. 15 Landscape Road, and No. 6 Narrow Lane which are situated to the immediate west and north of the site respectively. The proposed development would be sited at a distance of approximately 7.6m from the existing shared boundary with No. 15 Landscape Road which has a side-to-side relationship with the proposed building. There would be two windows on the flank wall of the proposed building at first floor level facing onto the side of this property which serves an open-plan kitchen/dining/living room area to Flat 6. The other window would be located on the recessed section of the flank wall serving Flat 5 which is shown on the plan as obscured glazed window with no openable section below 1.75m from the finished floor level. It is considered that the location of these windows, orientation and the distance between these properties would not lead to any significant loss of privacy and overlooking on the current level of amenity enjoyed the occupiers of this dwellinghouse to warrant the refusal of planning permission.
40. With regard to the impact on number 6 Narrow Lane, it is acknowledged that this property is a detached bungalow with a frontage to Narrow Lane and a side to rear relationship with the application property. Currently, there are significant trees and vegetation along the shared boundary. The proposed building would be sited at a distance of approximately 5.2m from the shared boundary and by a distance of

approximately 12.2m from the flank wall of number 6 Narrow Lane. Four windows are proposed on the first-floor rear elevation facing this property which do not meet the separation distance of 22m specified in the SDG. As a result, the applicant is proposing to have these windows obscure glazed, fixed shut and not capable of opening below 1.75m from the finished floor level which ensures no direct overlooking would result. It must also be noted there are currently 3 windows to the rear elevation of the existing building so, whilst the number has increased by 1, these windows are mainly opaque thus would not result in any significant loss of privacy and overlooking on the current level of amenity enjoyed by the occupants of 6 Narrow Lane. Furthermore, the existing dense trees and vegetation would reduce the impact of the development although there is no guarantee that these will remain in perpetuity of the development. It is considered that although the perception of overlooking by virtue of proximity will remain, in reality this will not be the case and can be conditioned in the event that planning permission is granted to prevent actual overlooking.

41. To further support the scheme, a daylight and sunlight assessment prepared by Herrington Consulting Limited has been submitted with the application. The assessment confirms number 15 Landscape Road and number 6 Narrow Lane as the most sensitive receptors of the development that would not be significantly affected with regard to the amount of daylight and sunlight which they currently enjoy within their amenity areas and habitable rooms.
42. With regard to the impact on residential amenities of the future occupiers of the proposed development, the government guidance in the NPPF 2019 (paragraph 127(f)) seeks high standard of amenity for existing and future users of development. It is clear that the proposed development has been designed around the constraints of the site. The fenestration arrangements would be sufficient to provide natural light for all rooms associated with the proposed flats however outlook from bedroom 2 of Flat 7 on the rear elevation may not provide adequate outlook for the future occupant. Furthermore, the proposed internal gross floorspace area for 2-bed, four persons dwelling of between 73.2sqm and 1-bed, 2 persons dwelling of 57.4sqm are considered acceptable and would exceed the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. The proposed amenity/garden area which include balconies for each flat ranging from 8.1m² to 179.8m² for the future occupants are also considered acceptable.
43. Overall, it is considered that the proposal would provide appropriate amenity space within the building curtilage for the future residents of the development. For these reasons, and subject to the management of the fenestration by way of appropriate condition(s), in the event that planning permission is granted, the proposal would not be significantly harmful to the amenities of neighbouring properties or future residents and there would be no conflict with Policies CSP18 and DP7 in this regard.

Highways and parking

44. There is no objection from the County Highway Authority (CHA) on grounds of highway safety, policy or capacity. The proposal would provide 12 unallocated parking spaces accessible via Landscape Road leading onto hardstanding area at the frontage of the building. The proposed parking would be three spaces short of the Council's adopted parking standards SPD which require 1.5 spaces each for one and two-bedroom flats. The application was accompanied by Transport Assessment which identifies the site as a highly sustainable location. The report confirms that the provision of 12 car parking spaces would be appropriate and sufficient for the development and in line with census data for ownership in the area.

45. Furthermore, the current proposal has benefitted from pre-application advice where guidance was given to the applicant to provide suitable justification in terms parking provision in any future planning application submission via a Transport Assessment and Travel Plan. With no objection raised by the CHA on highway safety, policy or capacity grounds, it is considered that the proposals would not have significant adverse impact on highway safety to warrant the refusal of planning permission. For these reasons there would be no conflict with Policies CSP12 and DP5.

Trees and Landscaping

46. Policy CSP18 of the Core Strategy, DP7 and DP8 of the Local Plan require all developments to include landscaping proposals and to respect and retain existing landscape features such as trees, hedges and shrubs. Also, to provide for suitable new planting, trees, and boundary treatments to enhance the appearance, character and amenity of the site from the outset.
47. Currently, the site contains a number of significant trees, vegetation along all the boundaries of the site. Notwithstanding the above, the site is outside any conservation area and not subject to a Tree Preservation Order; therefore, trees on site are not afforded any statutory protection. The submitted site Tree Survey Plan shows the retention of the existing vehicular access via Landscape Road. This includes the removal of a number of trees particularly at the frontage of the site. The Tree Officer has indicated that none of these trees are of such importance in a policy sense to raise objection which could be sustained at a planning appeal. The Tree Officer has gone further and indicated that in terms of the retained trees, which are growing on the boundaries, there are several of high quality, and the largest (T20 Oak) will be quite tight with new building and works required within the root protection area. However, again, whilst this is not an ideal relationship, he does not consider it to be significant to warrant an objection.
48. Furthermore, an Arboriculture Impact Assessment report was submitted with the application. The report indicates that all trees located on or within influencing distance of the proposed development area have been considered. The survey sets out recommendations and provides an indicative tree protection plan during construction and retention afterwards.
49. The recommendations in the arboricultural report for increased diversity of species, including the provision of non-native tree species is essential in order to increase resilience to recent pressure on our tree population from disease are supported. Significant post development pressure on the retained trees is not envisaged. Overall there is no objection in relation to the tree works and planting on the site subject to the approval of landscaping and planting details and this could be managed by way of planning condition in the event that planning permission is granted.
50. For these reasons the proposal would respect and reflect the character and appearance of the site, its setting and local context and there would be no conflict with Policies CSP18, DP7 and DP8 in this regard.

Biodiversity and nature conservation

51. The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular

06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions." The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however the existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would an EPS offence be likely to occur.

52. The site itself is not identified as one of particular nature conversation or biodiversity importance however the site and/or the buildings on the site may provide such habitat, especially given the age and the condition of the buildings and their proximity to surrounding trees, some of which are protected and/or form part of the nearby areas of (ancient) woodland. The application was accompanied by an ecological report prepared by Native Ecology which evaluates the ecological importance of the site. The report outlines a number of protected and notable species that could be present at the site. Following this assessment, mitigation measures are proposed, which will make the development site suitable for the natural environment and will therefore not carry any ecological risks. The report also, proposes several enhancement measures such as the inclusion of bird and bat boxes as well as incorporating native and nectar rich plants in the landscaping of the site.
53. It is considered that subject to the recommended conditions the proposal would not conflict with Core Strategy Policy CSP17 and Detailed Policy DP19.

Flood risk and Drainage

54. The site does not lie within an Environment Agency Flood Zone 2 and 3 (the most severe levels of flood risk) although there are recorded 1 in 100 year and 1 in 1000 year flood events. Although the proposal is not for major development as much of the site is currently undeveloped and as the existing building would be demolished and removed it would offer opportunity for the applicant to incorporate a sustainable drainage system (SuDS).
55. The applicant has submitted Surface Water and Foul Water Management Strategy prepared by Herrington Consulting in support of the proposed development. In summary, the report states that the proposed development will connect to the public sewer system as the most suitable solution for draining the site. The report goes further and states that ground investigations be undertaken at the detailed design stage in respect of SUD as a solution for managing surface water runoff in accordance with local plan policy DP21.
56. It is considered that the proposal is acceptable and complies with Detailed Policy DP21 subject to the imposition of conditions recommended by the County Flood Officer and the Environment Agency.

Contamination

57. The site currently comprises a three-storey residential property with a detached double garage and associated areas of parking and amenity areas. It is proposed that the existing building will be demolished and replaced with a new apartment building. The application was accompanied by Phase 1 Geo-Environmental Desk Study. The report confirms that there are no contaminant linkages which will pose potentially

unacceptable risks to future site users or the environment. The Environment Agency has assessed the information submitted and raised no objection subject to the imposition of recommended conditions.

Renewable energy

58. Policy CSP14 (Sustainable Construction) of the Core Strategy requires all new residential development on sites of 10 or more dwellings to achieve a minimum 20% reduction in carbon emissions (below the normal requirements set by the Building Regulations) through the incorporation of on-site renewable energy.
59. The assessment report submitted with the application concludes the renewable technologies incorporated into the scheme will reduce the emissions by 20.5% which exceeds the Local Plan requirement of a 20% reduction. This will be achieved through the provision of photovoltaic panels and energy efficient design measures in accordance with Policy CSP14. Nonetheless, it would be reasonable and necessary to require the technology to be installed and retained for its specified use and this could be managed by way of planning condition in the event that planning permission is granted.

Refuse and cycle storage

60. The proposal includes the erection of two small detached refuse and cycle store at the frontage of the site in accordance with CSP12, CSP18 and DP5 and DP7. The proposed refuse storage building would be sited at the frontage close to the vehicle access with external dimensions of approximately 4.2m wide x 2.06m deep. The proposed cycle store would be sited close to the east boundary of the site adjacent to the car parking area. The proposed external materials would be timber boarding with roof shingles. Details can be conditioned to ensure the materials are appropriate in the interest of amenity and in accordance with Policy CSP18 and DP7.

Other matters

61. Objections have been received from Warlingham Parish Council and from the neighbouring residents relating to impact of the development on the character and appearance of the site and the wider locality. These matters have been addressed in the report. Other concerns raised by residents relate to overlooking and loss of privacy and insufficient parking have also been addressed in the report. With regard to noise, disturbance, the comings and goings of the future occupants of the development, the Council's Environmental Health Officer has raised no objection and the scale of the development, in this context, is not considered excessive to result in significant harm.

Planning Balance

62. Section 38(6) PCPA 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". As identified earlier in this report the proposed development is acceptable in principle in accordance with the development plan, being residential development, in a defined Category 1 settlement area in Warlingham. The development plan is up to date and carries substantial weight. The NPPF advises that in such circumstances, a development which is not in conflict with it should be granted.

This demonstrates the primacy of the development plan in the plan led system and the need for significant weight to be accorded to up to date development plans.

63. Officers recognise that the proposed development would provide material benefits, notably the provision of additional market housing; which this is afforded significant weight as Tandridge District Council currently cannot demonstrate a five-year housing land supply and the five additional dwellings albeit a small amount would overall increase the housing requirement for Tandridge. The development will also bring associated support to the local economy, but again this afforded limited weight given the number of dwellings.
64. In addition, the development is CIL liable and will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.
65. Carefully weighing up all of the material considerations it is concluded that there is no clear conflict with the development plan policies and the benefits clearly outweigh the harmful impact of the development.

Pre-commencement conditions

66. Pursuant to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the local planning authority must obtain the written agreement of the applicant to the terms of any pre-commencement condition recommended before it can be imposed on any planning permission granted. The applicant has been notified and confirmed his agreement, on behalf of his client, in writing.

Conclusions

67. The principle of residential development is considered acceptable in a location identified in the adopted local plan as Category 1 Settlement area. The proposal would not detract from the character and appearance of the site and that of its immediate local setting and context and there would be no significant harm to neighbouring residential amenities. Furthermore, the supporting technical information has confirmed that the development's impact on ecology, drainage strategy and also confirms the development is acceptable in relation to matters of energy, sustainability and contamination.
68. The proposals would deliver a development of 10 dwellings which would contribute to the District's housing supply and delivery statistics. The proposal accords with all relevant planning policies and as such it is recommended that planning permission be granted subject to the conditions below.
69. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 213 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

RECOMMENDATION

PERMIT subject to the following conditions

1. The development hereby permitted shall be begun 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 P003 and P004 scanned on 10th February 2021, P001 (including the red-edged site plan) scanned on 11th February 2021, P006, P007, P008, P009, P100, P101, P102 (Proposed Second Floor Plan), P102 (Proposed Roof Plan), P104 (Schedule of Accommodation), P104 (GIAF), P106, P107, P200, P003 (Proposed Reverse Diagram), P006 (Existing Site Plan & Tree Impact), P007, P201, P202, P203, P204, P205, P206, P300, P207, P301, P302, P303, P304, P305, S20/7549/01, LR/TPP/1781-03-A, LR/TRP/1781-02-A, LR/TSP/1781-01 scanned on 16th February 2021. 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. **Prior to any works taking place above ground level**, particulars and/or samples of materials to be used on the external faces of the development hereby permitted shall be submitted to and approved in writing by the District Planning Authority and the development shall be carried out in accordance with the approved details.

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

4. **Prior to any works taking place above ground level**, full details of both hard and soft landscape works shall be 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
- boundary treatments
- hard surfacing materials
- details of any SuDS measures
- location and appearance of refuse stores
- location and appearance of cycle and bin store
- External lighting columns

- minor artefacts and structures (e.g. furniture, play equipment, other storage units, signs, other lighting etc.).

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed.

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

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. **No development shall commence above ground level** until further details of the proposed renewable energy technology to be incorporated into the scheme showing the location and how the development would satisfy the 20% reduction of carbon emissions have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

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

6. No development shall start until the tree protection measures detailed within the approved Tree Protection Plan (LR/TPP/1781-03-A) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified arboricultural supervision or staging of works strictly adhered to throughout the course of development and shall not be varied without the written agreement of the Local Planning Authority.

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

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

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

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

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

8. No part of the development shall be first occupied unless and until the proposed modified vehicular access to Landscape Road has been constructed and provided with visibility splays in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m high.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 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 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019.

10. The development hereby approved shall not be occupied unless and until at least 10 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7 kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

11. No development shall commence until a Construction Transport Management Plan, to include details of:

(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) measures to prevent the deposit of materials on the highway 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.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety and in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

12. The development hereby approved shall not be first occupied unless and until the secure parking of bicycles (and access thereto) within the development site has been provided in accordance with the approved plans and then retained and maintained to the satisfaction of the Local Planning Authority. The provision shall thereafter be kept available for parking at all times.

Reason: To ensure adequate dedicated provision for cycle parking space within the site to allow vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

13. Notwithstanding the details in the Phase 1 Geo-Environmental Desk Study submitted with the application, if during development, contamination not previously identified is found to be present at the site no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: 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 from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

14. Notwithstanding the details in the Phase 1 Geo-Environmental Desk Study submitted with the application, no 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 in line with paragraph 170 of the National Planning Policy Framework. Please contact me should you wish to discuss the above.

15. 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 I in 30 & I in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using maximum discharge rates in accordance with Table 5.6 of the approved document (Surface Water and Foul Water Management Strategy — Issue 2, Herrington Consulting Ltd, January 2021).
- 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.). If 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.
- 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 in accordance with Policy DP21 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

16. 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 and in accordance with Policy DP21 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

17. The four windows on the first floor rear elevation facing number 6 Narrow Lane (shown on drawing no. P203), shall contain no means of opening (unless any opening part of the window at least 1.75 metres above the finished floor level of the room it serves) and the glass shall be an obscure glazed type at least level 3 glass as defined in the 'Pilkington Textured Glass Range' and retained thereafter in perpetuity.

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

Informatives:

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The 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. 1)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.
4. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
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 applicant 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.
7. The applicant is advised that if the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. 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.
If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.