

## ITEM: 5.2

**Application:** 2021/253

**Location:** 26 and 28 Church Lane, Oxted, Surrey, RH8 9LB

**Proposal:** Demolition of existing properties and redevelopment to form 26 retirement living apartments for older persons including communal facilities, landscaping and associated car parking.

**Ward:** Oxted North and Tandridge

**Decision:** Planning Committee

*Constraints - Aviation Safeguarding (Biggin Hill Height Zone), Urban Area, Surface Water, Ancient Woodland within 500m, Tree Preservation Order (TPO) within 10 metres.*

**RECOMMENDATION:** Resolution to grant planning subject to conditions and completion of a s106 legal agreement providing an affordable housing contribution

This application is reported to Committee following a Member referral from Cllr Catherine Sayer.

### Summary

1. Planning permission was allowed at appeal in December 2020 for 26 retirement living flats (under reference 2019/296). The permission provided 10 parking spaces and an agreed affordable housing commuted sum of £247,685.
2. The principle of the development has been established under the previous and extant permission referenced above. The proposed development differs from the scheme above in terms of the affordable housing contribution, parking provision, proposed renewable technology and minor design changes associated with that change. The parking, renewable energy and design changes are considered acceptable.
3. In terms of affordable housing, the applicant has put forward a revised figure of £33,863 which is subject to forthcoming changes to ground rent legislation which may come forward. The scheme has been independently assessed by a viability consultant for the Council and concluded this is the maximum commuted sum that can be provided. In the scenario the changes in legislation do not come forward, the viability consultant has concluded the maximum commuted sum should be £202,739. This has also been agreed with the applicant. The proposal is therefore acceptable, and it is recommended that planning permission is granted subject to the listed conditions and completion of legal agreement to secure the affordable housing contribution in either event.

### Site Description

4. The application site comprises two existing large detached residential dwellings each in a large plot. Both existing residential dwellings are of a traditional appearance. Each dwelling has an existing individual highway access and capacity for multiple vehicle parking. Both dwellings are set back from the highway and sited centrally within their respective plots. To the front of 26 Church Lane is a grass verge with a 3m high evergreen hedge which continues partially across the front of 28 Church Lane before reducing in height near the

existing mature lime tree and access. Both dwellings have generously sized rear gardens. The mature trees along the southern boundary of both plots shared with West Hill Place are subject to an Area Tree Preservation Order (TPO). There are also mature trees on the eastern and western boundaries of the application site.

5. The application site is located on Church Lane which is a curving road of approximately 0.5km in length between Oxted town centre to the north-east and the A25 junction to the south-west. The character of the local area is low-density residential in a well-treed environment. Dwellings along Church Lane are typically detached with increasing scale and plot sizes closer to the town centre. Generally, properties in Church Lane are well set back from the road and benefit from extensive planting. There are three large flatted developments along its length including Oakhill House which is adjacent to the application site. The local residential vernacular is predominantly early twentieth century mock-Tudor or Arts and Craft. The adjacent residential properties are detached houses 30 and 36 Church Lane (broadly to the east), Westhill Place a flatted residential development on elevated land to the south and Oakhill Lodge a flatted residential development to the west.

### **Relevant History**

6. 2007/75: Demolition of existing houses and the erection of two linked 2 storey buildings comprising 19 sheltered housing residential units of one or two beds, formation of vehicular access, 7 parking spaces and a buggy store. Refused and dismissed on appeal on grounds of the lack of affordable housing provision.
7. 2008/19: Demolition of existing houses. erection of 2 linked two storey buildings with rooms in roof containing 19 category 2 sheltered accommodation units (7 x 1 bed and 12 x 2 bed flats) and 1 x 1 bed guest suite . formation of vehicular access incorporating 7 parking spaces and associated refuse and buggy store. This was of a similar design with a revised affordable housing offer. The application was withdrawn before determination.
8. 2019/296: Three storey building to form 18 x 1-bed and 8 x 2-bed apartments for the elderly, with communal facilities, access, parking and landscaping. Refused and allowed at appeal in December 2020. The agreed commuted sum for affordable housing was £247,685. This is an extant permission.

### **Key Issues**

9. The principle of the development is largely in the same form as now proposed and the same principle was agreed on this site by the Inspector on the appeal against refusal 2019 application and the issues therefore relate to consideration of the variations proposed. Key issues are whether the revised proposal would be appropriate with regards to the impact on the character of the area, the impact on the street scene, impact on the adjoining properties, highways and the affordable housing contribution.

### **Proposal**

10. The applicant seeks planning permission for the demolition of existing properties and redevelopment to form 26 retirement living apartments for older persons including communal facilities, landscaping and associated car parking

11. The proposed development is similar to the allowed appeal under the 2019 application but differs in the following areas:

Affordable Housing Contribution

12. In January the Government confirmed their intention to ban the charging of ground rent on all new leasehold properties. Alongside these changes the announcement also included plans to strengthen the enfranchisement rights of leaseholders making it easier to buy freeholds. It appears that this legislation will be brought in this year to legalise these plans. The changes in the ability to charge ground rents and achieve investment in ground rents has removed a significant element of revenue from the scheme. Therefore, the applicant has sought pro-actively to revisit the development viability of the scheme. An updated viability appraisal has been submitted with applicant setting out the revised sum of £33,863.

Parking provision

13. The Inspector agreed with the applicant on the 2019 application that the 10 spaces provided were sufficient for 26 retirement flats. The applicant has reviewed the scheme have amended the site plans that would enable 3 further parking spaces.

Change to renewable energy provision

14. The applicant has reviewed their options with regards to the provision of on-site renewable technology to reduce carbon dioxide emissions. The extant 2019 application proposed the use of ground source heat pumps requiring a plant room. The applicant is now proposing the use of photovoltaic panels.

Minor Design Changes

15. The result of the switch to photovoltaic panels means the plant room on the ground floor is no longer required. This will be used as an internal refuse and recycling storage room. A small change in the floor levels and height of this element is proposed to achieve this change. The PV panels are also shown on the roof plan.

**Development Plan Policy**

16. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP4, CSP7, CSP12, CSP14, CSP17, CSP18, CSP19.
17. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP2, DP4, DP5, DP7, DP19, DP21, DP22
18. Woldingham Neighbourhood Plan 2016 – Not applicable
19. Limpsfield Neighbourhood Plan 2019 – Not applicable
20. Caterham, Chaldon and Whyteleafe Neighbourhood Plan — Post Referendum June 2021 – Not applicable
21. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP05, TLP06, TLP10, TLP12, TLP14, TLP17, TLP18, TLP19, TP35, TLP37, TLP44, TLP45, TLP46, TLP47, TLP48, TLP49, TLP50

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

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

### **National Advice**

25. National Planning Policy Framework (NPPF) (2019)
26. Planning Practice Guidance (PPG)
27. National Design Guide (2019)

### **Statutory Consultation Responses**

29. County Highway Authority – The proposed development has been considered by the County Highway Authority who have assessed the application on safety, capacity and policy ground. This is no objection subject to conditions.
30. Oxted Parish Council – No comment received
31. Lead Local Flood Authority- satisfied that the proposed drainage scheme meets the requirements set out in the submitted documents and are content with the development proposed. No objection subject to conditions.
32. Environment Agency- No comment received.

### **Non-statutory Advice Received**

33. None received.

### **TDC advice**

34. Land Contamination Officer: no comments.
35. Senior Tree Officer: No objections subject to conditions.
36. Housing Development Specialist: No objection to the application on affordable housing grounds.

### **Other Representations**

37. Third Party Comments:
  - Lack of affordable housing provision [This is considered in paragraphs 47 to 52]
  - Detrimental to the area [This is considered in paragraphs 53 to 56]
  - Road safety [This is considered in paragraphs 60 to 62]
  - Lack of parking [This is considered in paragraphs 60 to 62]

- Increasing the population age density [Officer comment: The principle of the development has been accepted on the 2019 appeal decision]
- Invasion of privacy [This is considered in paragraphs 57 to 59]
- Short notification and lack of publication [Officer comment: the scheme has been advertised in line with the statutory requirements, including letters, site notice and press notice]

## **Assessment**

### Principle of development

38. The original 2019 scheme was allowed on appeal and the Inspector considered the wide range of planning policies and material considerations, including the principle of development, character and appearance, residential amenities (both existing and future occupiers), sustainable water management, highways and parking, bio diversity, renewables, affordable housing and CIL.
39. In view of the extant permission, these issues will not be re-examined in this report unless directly relevant to the changes that this scheme as the policies remain as those considered at that time aside from an update to the NPPF. The site has a development of a similar nature that can be completed and this is a material planning consideration to which significant weight must be attached. The issue of affordable housing, highways and parking, character and appearance, amenity and renewable energy are considered of key relevance to the changes proposed.

### Location of development

40. The principle of the development has already been established through the 2019 appealed decision. Core Strategy Policy CSP1 identifies Oxted 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. As such, the principle of development is accepted in line with Core Strategy Policy CSP1.

### Mix of Housing and density

41. Policy CSP7 of the Core Strategy states that the 'Council will require all 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...'.
42. Policy CSP19 of the Core Strategy deals with density and states in relation to built-up areas that density of housing development should be within the range of 30 to 55 dwellings per hectare.
43. The Council's most recent analysis on the issue of housing mix, 'Addressing the Needs of All Household Types' Technical Paper (June 2018) which was prepared to support the new Local Plan found that a continuation of recent demographic trends in Tandridge would be expected to lead to the formation of additional households requiring housing of all sizes. 35% of additional households may require three bedrooms, with a further 29% requiring larger homes with four bedrooms or more. Around one in four (26%) households could

be expected to require two bedrooms, with the remaining 10% of households potentially accommodated in homes with only one bedroom.

44. The development would comprise 26 age-restricted dwellings in a mix of 1 and 2 bed sizes (18 x one beds and 8 x 2 beds) and providing flats only. This is the same mix as the extant 2019 appeal decision and considered acceptable. Essentially, it is considered that the provision of this proposed mix of dwelling sizes would not lead to an imbalance of one type in the area. It is to be noted that Tandridge has an ageing population and accommodation for older people has been identified as a specific need in Tandridge, with particular reference to affordable extra care housing.
45. The application site has an area of 0.29ha which with 26 units would result in a residential density of 89.5 dwellings per hectare (dph). This would clearly exceed the density range in Policy CSP19, however, the Inspector concluded:  
  
*“The proposal therefore complies with the relevant parts of Policies CSP18 and CSP19 of the CS which, amongst other criteria, seek high quality design and development of density that does not harm the character of the area”*
46. In light of the above analysis, the proposal is considered acceptable in this regard.

#### Affordable Housing

47. Tandridge Core Strategy Policy CSP4 is an interim holding policy which states that Council will require that a proportion of new dwellings built in the District be affordable, to be available to people on lower incomes, unable to afford housing at the prevailing market price or who need to live within the District. This policy requires that on sites within the built-up area of 15 units or more or on sites of 0.5ha or greater, that up to 34% of the dwellings will be affordable.
48. Annex 2 of the NPPF (2019) defines Affordable Housing (AH) as “housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)”.
49. In January, the Government confirmed their intention to ban the charging of ground rent on all new leasehold properties. Alongside these changes the announcement also included plans to strengthen the enfranchisement rights of leaseholders making it easier to buy freeholds. It appears that legislation will be brought in this year to legalise these plans. The changes in the ability to charge ground rents and achieve investment in ground rents has removed a significant element of revenue from the scheme. Therefore, the applicant has sought to revisit the development viability of the scheme. An updated viability appraisal has been submitted with applicant setting out the revised sum of £33,863. This has been subject to independent third-party review.
50. Should Churchill proceed not to charge ground rents, either because legislation has been introduced prohibiting them from doing so or legislation is imminent, then our independent viability consultant has agreed that this would result in a reduction in the Gross Development Value (GDV) of £233,000. He also agrees that the commuted sum should therefore reflect the reduction in GDV and concluded that the sum owed in that scenario would be £33,863.

51. Churchill also submitted a revised sales programme which the independent consultant has deemed to be more realistic in the current market. With longer void periods come higher empty property costs for Churchill – this includes council tax charges for which they would remain liable for longer. Therefore, even with the inclusion of ground rents, the costs of the development are higher which results in a lower GDV and a reduction in the surplus / commuted sum. The independent viability consultant has concluded that as opposed to the previously agreed commuted sum of £247,685 on application 2019/296, the figure should now be £202,739. The two options have been agreed with the applicant and is incorporated into the draft S106 agreement.
52. The Housing Team has agreed a contribution of £33,863 towards off-site affordable housing provision in the event of the change in legislation to remove ground rents and £202,739 if the legislation does not change and there is an inclusion of ground rents. This would be secured through a planning obligation

### Character and Appearance

53. 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.
54. 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.
55. The existing dwellings would be replaced with one larger building of greater depth. The form of the building is essentially symmetrical in terms of stepped roof heights, roof form and fenestration, with the two main elements each having a different but traditional vernacular. The materials are of a traditional approach and are acceptable. The building design and form was accepted by the Inspector stating that:

*The building as a whole would be larger and wider than the neighbouring buildings and the typical building size along this part of Church Lane. However, the architectural approach of two distinct building styles ameliorates this.*

and he goes on to state that:

*I consider that the proposed building and landscaping would be in-keeping with, and positively contribute to, the character and appearance of the area.*

56. The only changes to the 2019 appeal decision is the internal changes with omission of the plant room and internal refuse store. As a result, floor levels, eaves and ridge height of the single storey element have been raised by 330mm, 3 additional parking spaces and associated changes to landscaping. These are considered minor and acceptable. This can be seen in Figures 1 to 4 overleaf (not reproduced to scale).

**Figure 1: Layout of current 2021/253 application (with the main changes bubbled in blue) (below)**



**Figure 2: Site layout of 2019/296 (below)**

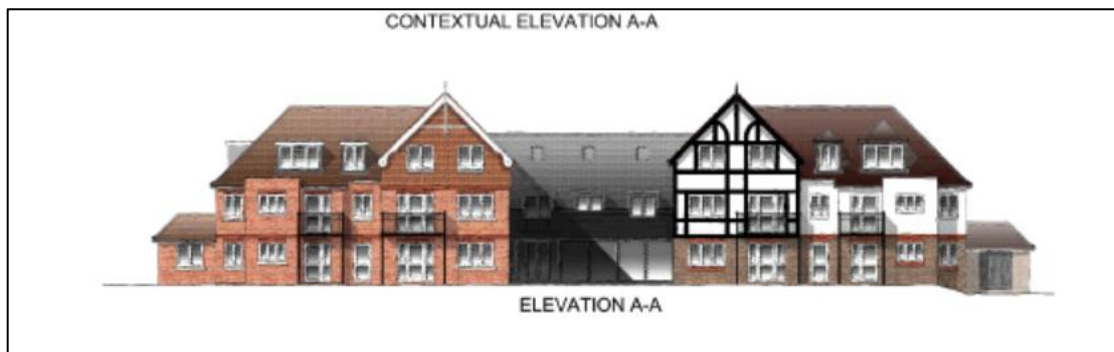




**Figure 3: Front Elevation of current 2021/253 application (below)**



**Figure 4: Front elevation of 2019/296 application (below)**



### Residential amenity

57. Policy CSP18 of the Core Strategy requires that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 (inclusive) of Policy DP7 of the Local Plan Part 2: Detailed Policies seeks to safeguard amenities of neighbouring properties, including minimum distances that will be sought between existing and proposed buildings.
58. A full assessment of the scheme and the impact on surrounding residential amenity and future occupiers was undertaken in the previous application and the Inspector concluded the scheme was acceptable in this regard. Having reviewed this proposal afresh, it is not considered that any greater impact on neighbouring properties to that resulting from the extant permission would be caused.
59. For the above reasons, it is concluded that the proposal would not result in harm to neighbouring amenities and would provide satisfactory living conditions for the future occupiers.

### Highways safety and parking

60. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Policy DP5 of the Local Plan contains Highway Safety & Design criteria for new development and Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards.

61. The Inspector in the 2019 appeal concluded that 10 spaces for the 26 flats was acceptable. He stated that:

*On balance, therefore, I consider that there would be no unacceptable increase in on-street parking pressures or unacceptable harm to highway safety as a result of the proposal.*

*Consequently, there would be no conflict with the policy standards because individual justification has been provided of the proposed 0.38 or 0.34 ratio. As such, there would be no conflict either with the relevant parts of Policies CSP12 and CSP18 of the CS which, amongst other criteria, require that development meet parking standards. It also complies with Policies DP5 and DP7 of the DP which, amongst other criteria, require that development meets parking standards and that it does not impede the free flow of traffic or harm highway safety. There is no conflict either with Paragraph 109 of the Framework, which, amongst other criteria, requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.*

62. The current application proposes an addition 3 spaces, which is welcomed. The CHA have not objected to the scheme in this regard. With regard to highway safety, the CHA note that Drawing 135.0015.007 revision A demonstrates that sight lines for vehicles (X distance 2.4m) and pedestrians (X distance 0.8m) are achievable within the highway boundary and land within the applicant's control. An independent safety audit has been undertaken which raises no issues with an informal pedestrian crossing facility. All speed data has been reviewed along with the speed management plan for the district. Conditions are suggested with regards to the control of visibility splays, the provision of mobility scooter parking, the installation of a pedestrian crossing, and speed signs. These were all accepted by the Inspector.

### Biodiversity

63. Policy CSP17 of the Core Strategy sets out that development proposals should 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. Policy DP19 of the Local Plan Part 2 sets out 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.

64. There are no proposed changes in this regard to the 2019 permission. The SWT advise that both properties have confirmed low status active roosts and that should the Council be minded to grant permission the application should be required to undertake one of two things (a European Protected Species license with actions being undertaken as in the Method Statement to accompany the licence or to undertake the works under the brief of a Registered Consultant who holds a Low Impact Class Licence for bats. Additional matters are addressed by informatives). The Inspector, on the 2019 decision, concluded this could be dealt with by condition.
65. On this basis, there is no objection against Policy CSP17 of the Core Strategy, Policy DP19 of the Local Plan Part 2 and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

#### Trees and landscaping

66. Local Plan Part 2 Policy DP7 criterion 13 sets out that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by their significance within the local landscape. Their significance may be because of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to their landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.
67. The Inspector found the scheme to be acceptable in this regard. Whilst there are the additional three car parking spaces on the frontage, the overall, tree and landscaping strategy remains largely unchanged. The Tandridge Tree Officer has no objections to the proposal subject to suitable conditions. As such, the proposal accords with Local Plan Policy DP7

#### Flood Risk

68. Local Plan Part 2 Policy DP21 sets out proposals should seek to secure opportunities to reduce both the cause and impact of flooding, for example through green infrastructure and sustainable drainage systems (SuDS).
69. A Drainage Impact Assessment (DIA) (PBA, January 2019 Rev. A) has been submitted in the supporting information with various appendices. The Lead Local Flood Authority (LLFA) (Surrey County Council) have considered the proposal have no objection to the scheme subject to conditions.

#### Renewables

70. Policy CSP14 of the Core Strategy requires new development to achieve a minimum 20% saving in CO2 emissions through the provision of renewable energy technologies.
71. The applicant has set out in the supporting Energy Statement Report (February 2021) that the development will achieve a reduction in CO2 emissions through the use of photovoltaic panels rather than the provision of heat pumps that the

extant scheme 2019 proposed. As a development of over ten units, there is a requirement for a minimum 20% saving in CO2 emissions through on-site renewable technology. The Energy Statement Report demonstrates this saving would be met and in accordance with Policy CSP14 of the Core Strategy. This would be subject to condition.

#### Planning balance

72. The redevelopment of this site has been established by the previous granting of planning permission for a similar form of development which remains extant. The Council is currently unable to demonstrate a 5-year housing supply and as such, paragraph 11d of the NPPF becomes relevant. It sets out that planning permission in such circumstances should be granted unless the harm of doing so with significantly outweigh the benefits when looking at the policy context broadly set out in the NPPF.
73. The proposal would contribute 26 dwellings to the local housing supply for retirement flats. The affordable contribution has been independently verified and is acceptable.
74. In the context of the original permission, the proposed changes to the development are minor. The proposal would represent sustainable development as set out in the NPPF and permission should be granted without delay.

#### **Conclusion**

75. The design changes would be acceptable in this location; levels of parking are acceptable. The proposal would not harm the living conditions of neighbouring residents or future occupants. The change to PV panels for the renewable strategy meets the policy requirement. The affordable housing contribution has been independently verified and is acceptable. For these reasons, the proposal would comply with the Development Plan policies and permission should be granted without delay.
76. 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.
77. All other material considerations, including third party comments, have been considered but none are considered to change the recommendation.

#### **RECOMMENDATION:**

**Resolution to grant planning subject to conditions and completion of a s106 legal agreement providing an affordable housing contribution**

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.

**Reason:** 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;

Location plan: 20075OT P01  
Site Plan: 20075OTP102  
Ground Floor plan: 20075OTP103  
First floor plan: 20075OTP104  
Second floor plan: 20075OTP105  
Roof plan: 20075OTP106  
Elevations I: 20075OTP107  
Elevations II: 20075OTP108  
Sections I: 20075OTP10A  
Sections II: 20075OTP11A

The development shall be carried out in accordance with these approved drawings. There shall be no variations from these drawings.

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

- 3) Notwithstanding the details already submitted and prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including detailed tree protection plans for both demolition and construction phases (TPP) and a detailed revised arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- A. Locations and installation of services/ utilities/ drainage.
- B. Details of site access, crane and piling rig positioning (if applicable) temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- C. A full specification for the construction of the parking area and driveway within the RPA of the lime tree T37, including details of the no-dig cellular and permeable specification to be constructed and soft landscape reinstatement works. Details shall include edge retention construction, existing and proposed levels and relevant sections through them.
- D. Reporting to the LPA of arboricultural inspection and supervision for elements requiring arboricultural input as listed within Table 1 of the Barrell Tree Consultancy Arboricultural Method Statement dated 27th April 2021, with a final report to be submitted to and approved in writing by the LPA within one month of completion of the development and prior to any occupation.

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

- 4) Prior to commencement of development, details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS.

Development shall be carried out in accordance with the approved scheme. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels;
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 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 a maximum discharge rate of 2 l/s;
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;
- e) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, including providing the details of any management company and stating the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls); and
- 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 the NPPF (2019) and Policy DP21 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 5) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the 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).

**Reason:** To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDs and in accordance with the NPPF (2019) and Policy DP21 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 6) Prior to commencement of development, a European Protected Species license from Natural England must be obtained. Thereafter, the development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Ecological Impact Assessment report by Ecosa Dated 29th July 2019.

**Reason:** To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 7) Prior to commencement of any above ground works full details of both hard and soft landscape works have been submitted to and approved in writing by the District Planning Authority and these works shall be carried out as approved. These details shall include:
- proposed finished levels or contours
  - biodiversity enhancements
  - means of enclosure
  - car parking layouts
  - the location and external appearance of a secure cycle store
  - other vehicle and pedestrian access and circulation areas
  - hard surfacing materials
  - minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

Details of soft landscape works shall include 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 District Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District 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 Policies DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 8) 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 and materials schedule and shall thereafter be retained in accordance with the approved details.

**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) No external/security lighting shall be installed other than in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the provision of any lighting on site minimises the impact on the locality and protects the amenities of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014.

- 10) No part of the development hereby permitted shall be occupied unless and until the vehicular and pedestrian accesses to Church Lane have been modified in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, and provided with visibility zones in accordance with the approved plans (ref: PBA 135.0015.007 rev A). The visibility zones shall be kept permanently clear thereafter of any obstruction over 1.05m high.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019) and to satisfy Policy CSP12 of the Tandridge District Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 11) Prior to occupation of the development hereby permitted, space must be laid out within the site for vehicles and mobility scooters to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear, in accordance with the approved plans. The parking and turning areas shall be retained and maintained for their designated purpose in perpetuity.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019) and to satisfy Policy CSP12 of the Tandridge District Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 12) No part of the development hereby permitted shall be occupied unless and until a highway improvement scheme, comprising the installation of an uncontrolled pedestrian crossing facility and two vehicle activated speed signs has been constructed on Church Lane, in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019) and to satisfy Policy CSP12 of the Tandridge District Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 13) The development hereby approved shall not be occupied unless a scheme for electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.



**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019) and to satisfy Policy CSP12 of the Tandridge District Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

- 14) Prior to occupation of Flats 10 and 26 of the development as detailed on drawings Refs 20075OT P04 and P05, the first floor windows and second floor dormer window in the eastern elevation of the proposed building (indicated on 20075OT P08) shall be fitted with obscure glass and shall be non-opening unless the part(s) of the window(s) which can be opened is/are more than 1.7m above the floor of the room in which the window(s) is/are installed and shall be permanently maintained as such.

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

- 15) The development shall achieve a reduction in carbon dioxide emissions of 20% beyond the 2013 Building Regulations. Prior to occupation of the development, details confirming the carbon dioxide emission reduction shall be submitted to and approved in writing by the Local Planning Authority.

**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.

- 16) The development hereby approved shall be occupied only by persons aged 55 and over.

**Reason:** To accord with the terms set out in the planning application and secure the contribution towards housing for the elderly in a suitable location, in accordance with Policy CSP7 of the Tandridge District Core Strategy (2008).

#### 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) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
- 4) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 5) In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
- 6) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.  
Please see  
<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.  
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see  
[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
- 7) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 8) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 9) 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.

- 10) 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
- 11) If proposed works result in infiltration of surface water 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](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.
- 12) The applicant should ensure that the proposed development will result in no net increase in external artificial lighting in order to comply with above referenced legislation and comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series".
- 13) The developer should be made aware that Part I of the Wildlife and Countryside Act 1981 makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use. The developer should act to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.