

ITEM 5.1

Application: 2020/1138

Location: Woodland Court, 1 Harestone Drive, Caterham, Surrey, CR3 6HX

Proposal: Demolition of existing 3 x two storey terraced houses. Erection of a two storey 8-bedroom Care Home with associated parking. Change of Use of site from C3 to C2.

Ward: Harestone

Decision: Planning Committee

Constraints – TPO within 10m, TPO 3/C&W, AWOOD, Urban Area, 'D' Classified Road, Special Residential Character Area, Surface Water Flood Risk, Biggin Hill Height Zone, Source Protection Zones 2 and 3.

RECOMMENDATION: **PERMIT subject to conditions**

This application is reported to Committee following a Member request from Cllr Beverley Connolly.

Summary

1. The proposal seeks the demolition of existing 3 x two storey terraced houses, the erection of a two storey 8-bedroom Care Home with associated parking and change of Use of site from C3 to C2. There is no objection in principle to the development and the key issues relate to the potential loss of residential use, impact on the character of the area, amenities of neighbouring properties, highways and parking provision, renewable energy, trees/landscaping, ecology and biodiversity.
2. There would be no significant harm to the amenities of the neighbouring properties or to the character and appearance of the area including the impact on trees and ecology. Adequate parking and renewable energy provision would be provided. There is no objection in relation to the loss of the buildings.

Site Description

3. The site is located within the built-up area of Caterham with the locality predominantly residential in nature. The site is accessed via a narrow, single width road off Harestone Valley Road which also serves a number of residential properties. The application site forms the eastern part of the former Marie Curie site and is currently occupied by a terrace of three uninhabitable dwellings, the site is flat in appearance. There are mature trees located along the south-eastern boundary but are not protected by a TPO.

Relevant History

4. In 2019, under application 2019/2008 planning permission was granted for the variation of condition 2 (Approved Plans) and Condition 6 (Tree Planting Plan) of planning permission ref: 2016/1727 dated 18/05/2017 to allow amendments to trees as shown on the approved plans (Demolition of existing office buildings. Erection of 4 detached dwellings.)

5. In 2016, under application 2016/1727, planning permission was granted for the demolition of existing office buildings and erection of 4 detached dwellings.
6. In 2014, under application TA/2014/384, planning permission was granted for the erection of a building comprising 24 apartments, 3 terraced houses and a detached house. This application related to the western part of the former Marie Curie site.
7. An application, TA/2013/1598, relating to the erection of an apartment building comprising of 24 apartments of 12 x 2 bed apartments and 12 x 1 bed apartments, a 14 bed care home, 3 terraced houses (1 x 2 bed and 2 x 3 bed), a detached house and an office building for support staff was submitted but subsequently withdrawn.
8. In 2012, permission was refused under reference TA/2011/1316 for the erection of a building comprising 25 apartment (15x2 bed and 10x1 bed apartments), 20 bed care home, 3 terraced houses (2 x 3 bedroom houses with garages and 1 x 2 bedroom house), a pair of semi-detached houses (2 x 5 bedrooms) and a two storey office building with office accommodation in the roof space with parking, pedestrian/vehicular access road, bike and bin stores. This application was subsequently dismissed on appeal.
9. In 2011, a notification for the demolition of the 3 storey Marie Curie hospice building, 2 storey former care home and office building, single storey prefabricated timber building and single storey office building was received under application TA/2011/1082. No objection was raised to this notification. There have been numerous historic applications on site however none are pertinent to the determination of this planning application.
10. In 2020, permission was refused for the demolition of the office buildings, erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping under application 2020/511. This application is currently at appeal. The LPA's reasons for refusal were:

1. Due to the quantum and spread of built form across the site the proposal would result in a cramped and incongruous development that would fail to reinforce and respect the existing development pattern of the surrounding area, including the Harestone Valley Area of Special Residential Character. As such the proposal is contrary to Policy CSP18 of the Tandridge District Core Strategy 2008, Policies DP7 and DP8 of the Tandridge District Local Plan: Part 2 - Detailed Policies (2014), the National Planning Policy Framework 2019 and the Harestone Valley Design Guidance (2011).

An appeal was made against this decision and permission was allowed on appeal on the 5th May 2021.

11. In 2021, planning permission was granted at Planning Committee on the 29th April 2021 for the Demolition of existing office buildings. Erection of 5 detached dwellings under application 2020/1404.
12. The wider site known as the former Marie Curie Hospice Site has been subject to a number of complaints since 2011/2012. While some breaches exist on site (currently under investigation) and some have been rectified (untidy land) this is not material to the determination of this application.

Key Issues

13. Given the above history, the key issues relate to the potential loss of residential use, the impact on the character of the area, amenities of neighbouring properties, highways and parking provision, loss of buildings, renewable energy, trees, ecology and biodiversity.

Proposal

14. The proposal seeks the demolition of existing 3 x two storey terraced houses, the erection of a two storey 8-bedroom Care Home with associated parking and change of Use of site from C3 to C2. The building would front onto Harestone Drive and would be two stories in scale with a front facing two storey gable feature and a catslide roof to the north-west. Four parking spaces would be sited to the front of the building and a communal amenity area would be provided to the rear.

Development Plan Policy

15. Tandridge District Core Strategy 2008 – Policies CSP1, CSP4, CSP7, CSP11, CSP12, CSP13, CSP14, CSP15, CSP17, CSP18, CSP19 and CSP22
16. Tandridge Local Plan: Part 2 – Detailed Policies – Policies DP1, DP4, DP5, DP7, DP9, DP18, DP19, DP20, DP22.
17. Woldingham Neighbourhood Plan 2016 – not applicable.
18. Limpsfield Neighbourhood Plan 2019 – not applicable.
19. Caterham, Chaldon and Whyteleafe (CC&W) Neighbourhood Plan 2021 Policies CCW1, CCW2, CCW3, CCW4, CCW5 and CCW6
20. Emerging Tandridge District Local Plan (2033) – Policies TLP01, TLP02, TLP06, TLP10, TLP11, TLP18, TLP19, TLP30, TLP35, TLP37, TLP44, TLP45, TLP47

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

21. Tandridge Parking Standards SPD (2012)
22. Harestone Valley Design Guidance SPD (2011)
23. Site of the former Marie Curie Hospice, Harestone Drive, Caterham – Urban Design Concept Statement (2010)
24. Marie Curie Urban Design Concept Statement
25. Surrey Design Guide (2002)

National Advice

- 22 National Planning Policy Framework (NPPF) (2021)
23. Planning Practice Guidance (PPG)

Statutory Consultation Responses

24. SCC Highways – No objection subject to the conditions set out in the agenda
25. The Environment Agency - No objection subject to the conditions set out in the agenda
26. Caterham Valley Parish Council – Object:
 - Breaches of planning control
 - Cramped
 - Insufficient parking
 - Lack of staff facilities
 - Poor design
 - No need for care provision
 - Against the Harestone Valley Design Guide
 - Inadequate internal living space
 - Lack of a turning circle

Non-statutory Advice Received

27. Surrey Wildlife Trust – Opportunities to improve ecological and biodiversity exist, no objection.

TDC advice

28. Senior Tree Officer – The Councils Tree Officer was approached regarding this application given the planning history on the site. No concerns or objections have been raised subject to the imposition of a tree protection condition. The comments of the Senior Tree Officer are incorporated below within the considerations section of this report.

Other Representations

29. Third Party Comments
 - Lack of parking/increase in local traffic [Officer Comment: this is covered in paragraphs 58-59]
 - Highway safety concerns/lack of footpath [Officer Comment: this is covered in paragraphs 58-59]
 - Refuse/cycle storage areas not depicted [Officer Comment: this is covered in paragraph 44]
 - Poor design/lack of fenestration/inappropriate bulk/massing [Officer Comment: this is covered in paragraphs 34-45]
 - Breaches of planning control exist [Officer Comment: this matter has been addressed within paragraph 12 and is part of a separate process to the application before the Committee]
 - Loss of housing [Officer Comment: this is covered in paragraph 33]
 - Overdevelopment [Officer Comment: this is covered in paragraphs 34-45]
 - Emergency access issues [Officer Comment: this is covered in paragraphs 58-59]
 - Weak trees/potential tree loss [Officer Comment: this is covered in paragraphs 52-54]
 - Lack of staff facilities [Officer Comment: [Officer Comment: this is covered in paragraphs 70-71]

- Location of the building, welcomes its set back [Officer Comment: this is covered in paragraphs 34-45]
- Pleased development will finally happen [Officer Comment: duly noted]
- Independence Homes will make good their promise to resurface the road [Officer Comment: this is a matter that could be secured through this planning application as it would not meet the S106 tests]

Assessment

Principle of Development

30. The site is located within Caterham, a Category 1 settlement where development should be directed towards and as such the proposal complies with the requirements of policy CSP1.
31. Planning permission was granted under ref 2014/384 for the erection of building comprising 24 apartments, 3 terraced houses and a detached house. This permission has been implemented but the dwellings are incomplete and uninhabitable.

Site Layout Plan for 2014/384



32. The previous appeal decision and further permissions are significant material considerations in the determination of this application. As has been established by them, and with no change in policy that indicates otherwise, the principle of development on this site remains acceptable and, in fact, encouraged.
33. In addition to the above, representations received during the course of the application have stated that the proposal would result in the loss of residential dwellings (Use Class C3). The site prior to 2014 was not in C3 use and the dwellings currently on site are uninhabitable as such there would be no loss of such residential units (C3). Regardless, the proposal would result in the erection of a Care Home of which a need is demonstrated by the local plan and can be supported in principle.

Character and Appearance

34. Policy CSP18 of the Core Strategy 2008 requires new development to 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. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the Districts landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
35. Policy DP7 of the Local Plan 2014 provides the Council's general policy for new development and requires proposals to respect and contribute to distinctiveness of the area in which it is located and to have a complementary building design and materials.
36. Policy CCW4 of the CC&W Neighbourhood Plan relates to the character of development and sets out an expectation to preserve and enhance the character area in which it is located. Policy CCW5 relates to the design of development which should integrate well with the surroundings, meet the needs of residents and minimise the impact on the local environment. The policy contains seven criteria which should be incorporated into new development and thereby demonstrate a high-quality design.
37. The site is located within area D 'Valley and Eastern Valley Slopes' as defined in the Harestone Valley Character Assessment (HVCA). The HVCA defines the area as follows:
- "the over arching character of this area is formed by development on roads as this is the most visible within the area. However, many of the roads descend into the valley floor and provide good views across the western slopes. Similarly more open areas as at the former Marie Curie Hospice site and centrally between Harestone Valley Road and Harestone Hill provide good views to the western hillside and the skyline. The more open stretch of Harestone Valley Road enables views up the valley sides from the valley floor."*
38. In terms of landscape character, in relation to the application site, the HVCA comments;
- "terracing and steep banks characterise some of the large plots on the steeper lower slopes of the valley as at the former Marie Curie Hospice. However, most of the development in this area has been without the use of retaining walls and with houses set into the slopes or shallow terraces."*
39. Typically, the development form in Harestone Valley is predominantly detached buildings and individually designed houses. These houses are clearly defining the sinuous road layout. The townscape character of Harestone Valley can be separated into the following features:
- Building lines, plot and development rhythm;
 - Relationships between buildings; and
 - Building types.
40. As set out earlier in this report, it must be acknowledged that planning permission has been granted under application 2014/384 for the erection of a building comprising 24 apartments, 3 terraced houses and a detached house. This permission supports the fact that the redevelopment of the site is appropriate.

41. The character of the area is predominantly residential in nature, generally consisting of detached properties although there is flatted development also in the locality.
42. The redevelopment of the site would consist of the construction of a two-storey building designed to appear as a large detached house. The internal configuration is that of an 8-bedroom with lounge and dining areas with access onto an amenity area to the rear; four parking spaces would be provided towards the front. The proposed development would appear as a detached dwelling and would sit comfortably within the street scene and wider locality.
43. Representations have raised concerns over the design of the building stating the lack of details in respect of fenestration and its poor articulation. In response, the site sits in an established residential area and while the development would be clearly visible from the north-western approach it cannot be defined as a landmark site given its cul-de-sac location. Policies CSP18 and DP7 require proposals amongst other matters to respect and reflect the local vernacular. The design proposal does exactly that, it is a two-storey detached building with 45 degree pitch roofs, two storey gable features and consistent eaves heights. On the coloured elevations the applicant has shown the building to be constructed from brick with brick headers and detailing to the front gable. Officers are therefore of the opinion that the building has been designed to respect and maintain the character and appearance of the area and would result in an acceptable design.
44. Greater levels of separation would be provided between the proposed building and neighbouring properties to that shown in application 2014/384 and what currently exist on site. The proposal would not appear cramped nor would it result in an overdevelopment of the site. The surrounding area is residential in character comprising of large detached dwellings varying in period and design. The design approach is traditional and would sit well within the street scene. Adequate space is provided to ensure that an appropriate landscaping scheme could be secured at the condition stage, such spacing would respect the verdant character of Harestone Drive. Details of refuse and bicycle storage is capable of being provided on site and the details would be secured at the condition stage.
45. For these reasons, it is considered that the proposal would comply with Policy DP7, Core Strategy Policy CSP18, Policies CCW4 and CCW5 of the CC&W Neighbourhood Plan (2020) and the Harestone Valley Design Guide.

Amenities of neighbouring properties

46. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

47. The development would be well separated from neighbouring properties and given the height and arrangement of neighbouring properties would not appear visually intrusive. The siting of windows on the proposed building have been designed to avoid any direct overlooking while offering appropriate levels of outlook. The care home would provide accommodation for 8 individuals and as such would attract low visitor numbers and/or staff movements when compared to a larger facility. Visitor, staff and delivery movements would not be dissimilar to neighbouring residential properties and would largely take place during the daytime. Given the small scale of development proposed it is not considered that the neighbouring properties would suffer from an unacceptable level of noise and general disturbance given the location of the site within an established residential area.
48. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Amenities of future occupiers

49. The Technical housing standards – nationally described space standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. While not formally adopted by this Council and are not directly relevant to Care Homes it does however provide a guide as to acceptable room sizes.
50. Policy DP7 of the Detailed Policies 2014 states that new development will be granted when the following matters are addressed...*Environment*: The proposals provide a satisfactory environment for the occupiers of both the existing and new development... *Facilities*: The proposal provides appropriate facilities for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
51. All eight bedrooms would exceed the minimum space standards for double bedrooms and all would be provided with an en-suite bathroom. In addition, all 8 bedrooms would have access to communal living, dining and outdoor amenity spaces and an access lift would be provided within the communal hall; any overrun would be accommodated within the roofspace. The internal configuration is one typical of a single-family dwelling and does not suffer from an institutional arrangement, the configuration of the Care Home would therefore provide a familiar family setting which would benefit the wellbeing of future residents. For these reasons the proposal is considered to provide appropriate amenities for future occupiers in accordance with Policy DP7 of the Detailed Policies 2014 and the Technical housing standards – nationally described space standard 2015.

Trees

52. Policy CSP18 of the Core Strategy required that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
53. The Tandridge Trees and Soft Landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is '*essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves*'. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
54. In this instance, as the recently built dwellings are to be demolished and replaced largely within the same footprint with a new building, the arboricultural implications are insignificant. An arboricultural report has been provided, and this is sufficient to demonstrate how the retained trees can be protected from harm. As such it is recommended that a condition is applied which requires compliance with the already submitted arboricultural report in addition to a detailed landscaping condition to ensure that the proposal integrates with its verdant setting. The proposed development is not considered to result in an unacceptable loss of visually important or protected trees while soft landscaping is capable of being secured through condition. The proposal would therefore comply with the above policies and is acceptable in this respect.

Ecology

55. Policy CSP17 of the Core Strategy states 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.
56. Policy DP19 of the Local Plan states that in order to conserve and enhance the natural environment, proposals which would result in significant harm to local, national or statutory sites of biological or geological importance or the broader GI network will be refused planning permission unless:
 1. All reasonable alternative locations with less harmful impacts are demonstrated to be unsuitable; and
 2. The proposal incorporates measures to avoid the harmful impacts
57. Surrey Wildlife Trust raised no objection as part of this application on ecological grounds but have recommended informatives to address matters concerning nesting birds; a condition is not deemed reasonable as such matter are covered under separate legislation. The development is therefore acceptable having regards to the above policies.

Highways and parking

58. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also required new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
59. Surrey County Highways Authority raised no objection on highway safety or efficiency grounds; adequate levels of parking have been provided for the use proposed. The Tandridge Parking Standards does not provide a minimum number of parking spaces for Care Homes but seeks to provide parking on a site by site assessment; the level of parking is therefore considered acceptable by the CHA and the LPA. No further highway improvements are considered necessary and the CHA have not recommended that a Construction Transport Management Plan is secured via condition. The development is therefore acceptable in this regard subject to the conditions set out in the agenda.

Renewable energy

60. Policy CSP14 of the Core Strategy required new development of 1-9 units to achieve a minimum 10% saving in CO2 emissions through the provision of renewable energy technologies. The submitted energy statement identifies that a 36.93% reduction in carbon dioxide emissions would be achieved from the installation of photovoltaic panels.
61. This reduction accords with Policy CSP14 and will be secured by an appropriately worded condition.

Biodiversity

62. Paragraph 174 of the NPPF 2021 states that, Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled

63. Policy CSP 17 of the Core Strategy states, 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.
64. DP19: Biodiversity, Geological Conservation & Green Infrastructure A. There will be a presumption in favour of development proposals which seek to:
65. A. Protect, enhance or increase the provision of, and access to the network of multi-functional Green Infrastructure (GI);
- Promote nature conservation and management;
 - Restore or create Priority Habitats; or
 - Maximise opportunities for geological conservation.
66. B. In order to conserve and enhance the natural environment, proposals which would result in significant harm to local, national or statutory sites of biological or geological importance or the broader GI network will be refused planning permission unless:
- All reasonable alternative locations with less harmful impacts are demonstrated to be unsuitable; and
 - The proposal incorporates measures to avoid the harmful impacts arising, sufficiently mitigate their effects, or, as a last resort, compensate for them.
67. C. Where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as a Site of Special Scientific Interest (SSSI), ancient woodland or veteran trees, the granting of planning permission will be wholly exceptional.
- With regard to SSSIs, exceptions will only be made where benefits of development at the site clearly outweigh both the impacts on the features of the site and on any broader networks of SSSIs.
 - In the case of ancient woodland and veteran trees exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss.
 - In all cases, any impacts or harm should not just be mitigated, but overall ecological benefits should be delivered.
68. D. 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.
69. The proposed development would not result in the loss of any trees on site and the existing trees would be protected as set out in the Arboricultural Report; which would be secured via condition. The remainder of the site is either covered by hardstanding or deposited hardcore and there is very little to no biodiversity on site. The proposed development would introduce soft landscaping to the front and rear of the site with details to be secured at the condition stage. Given that the proposal would introduce opportunities for soft landscaping above the current position on site the proposal is considered to result in a biodiversity net gain. As such the proposal would comply with the above policies and NPPF 2021.

Flooding

70. Paragraph 167 of the NPPF 2021 advises that; When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
71. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding.
72. The application site does not lie within Flood Zone 2 or 3, the areas at the highest risk where development should be avoided. The site lies within an area of surface water flooding and therefore drainage details have been submitted in support of this application, as part of the Flood Risk Assessment. There would be little difference in run off rates from the existing and proposed development as a result of this application. The applicant therefore proposes the use of SuDS to protect against an increase of surface water given the impact of climate change.
73. Officers are therefore satisfied that the proposed development would not increase the risk over and above that which is currently exists on site and that SuDS have been incorporated. As a result of the combined mitigation measures the proposed development has sought to reduce the cause and impact of flooding and the proposal would comply with Policy DP21 and the provisions of the NPPF 2021

Other Matters

74. Representations have raised concerns that there is a lack of staff facilities within the proposed layout. Within the local the plan there is no defined policy that sets out what facilities are required nor a minimum size requirement in respect of staff facilities within Care Homes. As a result of the comments from third parties the agent was approached in this respect; the following comments were received:

With regard to the lack of staff facilities / break-out areas, we rarely provide these in care homes. The staff generally work shorter half-day shifts, so don't get long breaks. The staff generally work on the basis of 2 carers per resident and the staff are expected to stay with the resident at all times. Any short tea-breaks would be taken in the dining room, which is unused between meal times. A separate staff area is therefore not required.

75. Officers are therefore satisfied that the kitchen and dining areas can be utilised by both residents and staff and provide acceptable staff facilities. Staff will be working shifts and as such there is no need for overnight accommodation in this respect. Without any policy justification the LPA are not in a position to request a separate staff break out area or staff room.

Conclusion

76. In conclusion, the proposals would result in a form of development which would be compatible with the character of the area and would not result in a harmful impact on the amenities of neighbouring residents.

77. There would be no harm to the character and appearance of the site or that of the wider surrounding area subject to conditions requiring details of external facing materials, hard and soft landscaping and boundary treatments. Renewable energy technology will be secured through a condition to accord with Policy CSP14 of the Core Strategy. For the reasons set out in this report, the proposal is considered acceptable and therefore permission is recommended to be granted subject to the conditions outlined.

78. This development is CIL liable.

79. In addition to CIL the development proposed 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.

80. 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.

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

RECOMMENDATION: PERMIT subject to conditions

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

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

2. This decision refers to drawings numbered P002 Rev A, P012A, P020, P030 Rev A. 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. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with this uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from the contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected by those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved

Reason: to reduce risk to controlled waters. Controlled water are particularly sensitive in this location because the site lies upon a Principal aquifer within SPZ2. Due to the vulnerability of the aquifer ever precaution be taken to prevent any pollution of groundwater

4. No occupations of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include and plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary; the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use. To comply with the National Planning Policy Framework

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

Reason: to reduce risk to controlled waters. There is always the potential for unexpected contamination to be identified during development groundworks.

6. No works above ground level (excluding demolition) shall commence until samples of the external facing materials to be used in the construction of the external surfaces of the building hereby permitted have 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: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works harmonise with the existing building.

7. No works above ground level shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts and bollards
- other vehicle and pedestrian access and circulation areas
- hard surfacing materials
- SuD's
- 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

8. **No demolition, site clearance or building operations shall commence** until the tree protection measures detailed within the Arboricultural Report by Anna French Associates dated October 2020 and Plan No 278-003 Rev PL1 have been implemented. Thereafter these measures shall be retained and any specified 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.

9. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the Preliminary Ecological Appraisal dated August 2020 and the Bat Survey Report dated September 2020 both by Grove Ecology.

Reason: to safeguard ecological interests

10. The development hereby approved shall not be occupied unless and until at least 1 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw 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

Reason: to ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019.

11. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for the secure parking of bicycles within the development site, and therefore the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning authority.

Reason: to ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019.

12. Prior to works above ground level the following details shall be submitted to and approved by the Local Planning Authority in writing:

- Refuse and Bicycle storage;
- Security lighting

Prior to the occupation of the development the above shall be provided on site in accordance with the approved details and retained thereafter in the approved form.

Reason: to ensure that the development is accordance with the development plan.

13. Before the development hereby approved is occupied the solar photovoltaics as specified in the application details shall be installed and this system shall thereafter be retained in accordance with the approved details in perpetuity.

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.

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. The developer should take action 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. If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around the, until it can be confirmed by an ecologist that the nest is no longer in use.
4. The applicant's attention is drawn to the advice from the Environment Agency in their response dated 26th April 2021 in respect of drainage and disposal of soil.
5. The applicant's attention is drawn to the comments from Thames Water dated 7th April 2021 in respect of Waste Water and Sewage Treatment.