

ITEM 5.2

Application: 2021/522

Location: Land to the south of The Crescent, Bradenhurst Close, Caterham, Surrey, CR3 6FG

Proposal: Erection of part 3-storey, part 4-storey building comprising of 5 apartments on site of plots 18/19 Bradenhurst Close (as previously consented under TA/2017/2351) with associated access, parking, cycle storage and amenity space.

Ward: Harestone

Decision Level: Planning Committee

Constraints - Urban, SRCA (Harestone), TPO (21/2006/TAN), AWOOD within 500m, Class 'D' Road (The Crescent), Public Bridleway (no.21), Biggin Hill Safeguarding (91.4m), 1 in 1000 surface water flood area, Source Protection Zone 3

RECOMMENDATION: **PERMIT subject to conditions**

This application is reported to Committee as the application has been referred by Cllr Connolly.

Summary

1. The proposal is for the erection of a part 3-storey, part 4-storey building comprising of 5 apartments on the site of plots 18/19 Bradenhurst Close which were previously granted planning permission under various applications; the most recent being 2017/2351. The proposal includes an associated access, parking and cycle storage provision and amenity space to serve future residents. The site is located within the Category 1 Settlement of Caterham where there is no objection in principle to new development. The proposal would respect the character and appearance of the prevailing area, its setting and local context and there would be no significant harm to neighbouring amenities. Furthermore, there would be no significant impact upon the wider highway network and the renewable energy provision could be secured by planning condition. It is therefore recommended that this application is granted planning permission.

Site Description

2. The site is located on land to the south of The Crescent off Bradenhurst Close and to the west of nos. 122 - 134 Harestone Hill. The access to the site is located to the south of plot 17, The Crescent and the prevailing properties within The Crescent consist of 2-storey residential buildings with dual pitched roofs with roof space accommodation (three storeys overall). The buildings in the immediate locality are predominantly of similar architectural detailing and design and are in residential use.
3. The site is located within the urban area of Caterham and forms part of the site granted permission for redevelopment under application 2017/2351. It appears that the foundations have been laid for the previously approved building however works appear to have now ceased on site. The western boundary of the site is treated with a number of trees and the southern boundary of the site with public bridleway no.21 is treated with a number of trees and chain link fencing.

Relevant History

4. 2017/2351 – Erection of 8no. semi-detached dwellings with associated access, parking and landscaping – Permission granted
5. 2014/1907 – Variation of condition 10 of planning permission TA/2013/1196 to enable commencement of development of plots 9-14 – Permission granted
6. Permission was granted at committee under reference TA/2013/1196 for the erection of 14 dwellings with access from Bradenhurst Close (comprising 10 x 3 bed semi-detached dwellings, 2 x 5/6 bed dwellings, 1 x 6 bed detached dwelling and 1 x 3 bed detached dwelling).
7. Planning permission was refused for an additional dwelling under reference TA/2013/1783 but this scheme was subsequently allowed at appeal.

Key Issues

8. The property lies within the built-up area and Category 1 Settlement of Caterham 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.
9. The key issues are therefore also whether the proposal would be appropriate with regard to the impact on the character of the area, impact on the adjoining properties, highways, trees, ecology and renewable energy provision.

Proposal

10. It is proposed to erect a part 3-storey, part 4-storey building comprising of 5 apartments on the site of approved plots of 18/19 Bradenhurst Close (as previously consented under TA/2017/2351). The building would appear as 4-storeys when viewed from the rear (west) due to the steep slope in land and as 3-storeys when viewed from the 'The Crescent' to the east of the site. The building would have an overall ridge height of approximately 10 metres when viewed from the road and approximately 14.8 metres when viewed from the rear which is the same height above ground level as plots 16 and 17 The Crescent to the north. The building would have an overall width of approximately 13.2 metres which is approximately 3 metres wider than the built for of plots 16 and 17 The Crescent.
11. The five resulting units would have a total of nine car parking spaces to serve the development with five linear spaces to the eastern side of plots 11 to 13 The Crescent and a further four parking spaces to the east of the proposed building. There would be a turning area provided as well as cycle and refuse storage close to the access road and parking spaces. Four of the five units would have either a private terrace space or a balcony to serve as outdoor space. The flat within the roof space would not have a directly accessible private garden space however there would be a communal garden space to the rear (west) of the main building.

Development Plan Policy

12. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19

13. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19, DP21 and DP22
14. Woldingham Neighbourhood Plan 2016 – Not applicable
15. Limpsfield Neighbourhood Plan 2019 – Not applicable
16. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Policies CCW1, CCW2, CCW3, CCW4, CCW5, CCW6
17. Emerging Tandridge District Local Plan (2033) – Policies TLP01, TLP02, TLP06, TLP10, TLP11, TLP18, TLP19, TLP30, TLP35, TLP37, TLP44, TLP45, TLP47, TLP48, TLP49, TLP50

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

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

National Advice

21. National Planning Policy Framework (NPPF) (2021)
22. Planning Practice Guidance (PPG)
23. National Design Guide (2019)

Statutory Consultation Responses

24. County Highway Authority – The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway, subject to conditions.
25. Caterham on the Hill Parish Council – *The Parish Council objects to this application.*

The current development has a stop notice issued with regard to the development due to the non-payment of CIL funds which would have contributed to the infrastructure deficit in Caterham. The Parish Council can in no way support the progression of this planning application whilst the developer has not paid funds owed to the local authorities. The Parish Council cannot understand how a planning application has been drawn up and submitted when no work should have happened on site with regard to the development until the CIL money owed has been paid.

It should also be noted that 2008 outline planning permission for flatted development was refused. This was in part because of the impact on character. Village developments in their submission for the full application, which was approved, did highlight that flatted development in this location would have a

detrimental impact on character. It is not clear what has changed in their thinking from that application to this one.

The Parish Council also objects to the proposed development on the following grounds:

CSP19 – This site is 0.02 hectare. CSP 19 states a residential density of maximum 55 units outside the town centre. On this basis, this allows for 1.1 units on this site so 5 units is overdevelopment.

DP5 - Highway Safety – Bradenhurst Close is narrow road. Adding an additional 3 dwellings to the road will result in an increasing in vehicle movements. Consideration should also be given to the road condition. Construction traffic had resulted in a deterioration of the road surface in places. Harestone Hill is an unadopted road with no pavements. Additional cars park there, particularly in winter, because of the steep incline on Bradenhurst Close and we have concerns that this development will cause further issues. The parking separated from the development by the turning hammer head could result in parking in the hammerhead, impacting the ability of vehicles including refuse collections to turn.

DP7 - Character and Layout – The new development has a change to the frontage compared to the neighbouring dwellings. It has smaller windows due to the addition of a stairwell to the front of the property. The street scene has been designed with a series of semi-detached houses. The new proposal is bigger than the other building blocks along the road. It should also be noted that the topography of the site means this property will dominate the street scene given its location on a topographic high spot.

The prevailing design on the buildings moves from semi-detached properties with a gabled roof finish to one on this proposal for a mansard finish with a flat roof element. It is not clear what the pitch of the roof would be in this plan and if it is in keeping with the prevailing street finish which has a more standard design.

Harestone Design Guide L4 – Forms of development must respect their location, the size of the site and the character of the area. This proposal does not do that. The area needs semi-detached houses for families and not flats. Built Form – The scale is larger than any of the other developments on the road. The built form is completely out of keeping with the rest of the road. Parking – Whilst there are 4 spaces located outside the development, the remaining spaces are remote to the dwelling and a distance along the crescent. This will potentially lead to conflict between existing residents. It should also be noted that based on the number of spaces, if approved, a condition should be included where all spaces are to be unallocated.

Amenity – There are low levels of natural light to 2 of the habitable rooms in the 4-person basement flat. The principal bedroom has light only from an easterly facing light well. The addition of the stairwell to the front of the property will create a shadow over the light well for most of the day and will result in poor living conditions for the residents in this flat.

The second bedroom in the basement 4-person flat has a small high-level window which is North facing and obscured by the neighbouring property. This will mean that limited to no natural daylight will get into this room. The location of the stairs alongside this flat will mean that all residents using the stairs to

access the communal gardens will have visibility directly into the bedroom resulting in no privacy to the future residents.

It should also be noted that there will be limited head room in the top floor flat with >50% of some rooms below the ideal level. This creates unusable space within the top floor flat resulting in cramped conditions. The minimum acceptable ceiling height is 2.3m. Building regulations require at least 75% of the GIA to meet this height. There is nothing in the submitted drawings that confirms the top floor flat meets the minimum requirements.

Finally, the height of the building increases. However, the current plans do not show the changes in the building height before and after. It is possible to extrapolate from the cross section that there is a significant increase in height. However, it is not possible from the drawings to assess accurately what the height difference is. This increase in height will result in impact on the amenity of neighbouring residents. It could result in overlooking and loss of light. The total quantum of the change needs to be assessed prior to any decision being issued.

Privacy - The steps that run down the northern elevation of the property will result in a loss of privacy for the basement level 4-person flat. Given the height the steps descend from, there will be full visibility into both the kitchen and second bedroom of the basement flat. This appears to be the main access to the communal garden from the flats. The only way to ensure privacy in these flats would be either obscure glazing or windows coverings which will further reduce natural light into the north facing dark and dank rooms.

The scale and increase in height of the development will impact the privacy of adjacent neighbour properties through overlooking. This will impact the residents below in Caterham School, plus the increase in height will directly overlook 134 Harestone Hill.

The development is of poor design and goes against the policy CCW4 in the Caterham, Chaldon and Whyteleafe Neighbourhood Plan (CCWNP). This is a poorly designed property attempting to shoe horn a number of units into the existing footprint and failing to do so. The development had a resulting poor design because of the addition of a stairwell to the front of the development which is blocky and inadequately designed.

The development also impacts locally significant views. The view across the Valley has been identified in the CCWNP. CAV11 in Policy CCW10 of the CCWNP identifies the importance of the view.

The Harestone Valley Design Guide identifies the importance of lower density development at the edge of the built-up area to transition from the more urban spaces to green spaces. This site is on the boundary of the greenbelt and the increase in density at this location would not support the "gentle transition from urban to rural patterns in the green belt".

CSP18 should also be considered and the protection of wooded hillsides. Whilst there has been an approval in principle for development in this location, any increase in scale or density will adversely impact the character of the area. The development at the end of the chain of properties will end at the Greenbelt boundary and in the wooded hillside will be bigger in scale and massing. It will dominate the development and impact the overall appearance of the wooded hillside.

Harestone Design Guide L2 - There should be high levels of privacy in relation to character and not unduly impact on the amenity of neighbours, Caterham School have mentioned this in their objection in relation to the staff accommodation in their grounds. The school also have concerns about the closeness to the adjacent footpath which is used by the school

Tree Protection - Since the building is now closer to boundary, the Parish Council would request that a tree survey of those trees close to boundary on the other side is undertaken.

Refuse / Recycling – We are unable to see the refuse / recycling area for the flats in this proposal. Is there one and is it large enough for size of the development.

Safety by design – The development by nature of size and scale impacts the safety of the adjacent bridleway. The massing will create a darkened footpath and encourage crime. The Parish Council requests that the police review the proposal of the increased scale and the impact it will have on the adjacent footpath.

Biodiversity – The current proposal identified several protected species on the site that were relocated. Given the work has stopped for several years, rewilding has taken place on the site. There is now evidence of a return of these protected species such as Bats, Badgers, Slow Worms and Grass Snakes. An updated ecology report is required to be completed and appropriate mitigation put in place to protect these.

Non-statutory Consultation responses

26. None requested or received.

TDC Advice

27. None requested or received.

Other Representations

28. Third Party Comments: The main issues raised are as follows:

- No identified need for flats in this location based on Housing Need Survey [OFFICER COMMENT: This is considered in Paragraphs 29-30]
- Flats should be located closer to the Town Centre (as per Harestone Valley Design Guide 2011 Paragraph 4.12) [OFFICER COMMENT: This is considered in Paragraphs 29-33]
- Cramped form/overdevelopment of the site [OFFICER COMMENT: This is considered in Paragraphs 34-40]
- Unacceptable increase in density – 250 dwelling per hectare (dph) as opposed to the 30-55 dph required by policy and guidance [OFFICER COMMENT: This is considered in Paragraphs 29-33]
- Out of keeping with the area – fails to retain the spacious character of surrounding properties and mansard roof not characteristic of the area [OFFICER COMMENT: This is considered in Paragraphs 34-40]
- Flatted development inappropriate and out of keeping for the Harestone Valley setting a precedent [OFFICER COMMENT: This is considered in Paragraphs 29-40]

- Design and approach contrary to Harestone Valley Design Guide and Harestone Special Character Area appraisal [OFFICER COMMENT: This is considered in Paragraphs 34-40]
- Development dominates the hillside [OFFICER COMMENT: This is considered in Paragraph 38]
- Fails to maintain transition between the urban and Green Belt area which adjoins the site [OFFICER COMMENT: This is considered in Paragraph 38]
- Plot width appears to be unable to accommodate proposed building when compared to previous approval [OFFICER COMMENT: This is considered in Paragraphs 34-40]
- Overlooking/loss of privacy to neighbours (including school facilities) [OFFICER COMMENT: This is considered in Paragraphs 41-48]
- Tunnelling effect to footpath give proximity of building to the boundary [OFFICER COMMENT: This is considered in Paragraph 42]
- Poor quality of accommodation for future occupiers – not compliant with National Housing Space Standards [OFFICER COMMENT: This does not form part of the adopted Development Plan and is not a material consideration]
- Increased noise and disturbance to neighbouring properties [OFFICER COMMENT: This is considered in Paragraph 47]
- Harestone Hill not adopted by Surrey County Council [OFFICER COMMENT: OFFICER COMMENT: The parking capacity and wider highway impact are considered under Paragraphs 52-56]
- Increased pollution for additional vehicles [OFFICER COMMENT: This is considered in Paragraph 55]
- Insufficient parking to serve the development as a whole (no visitor spaces) [OFFICER COMMENT: This is considered in Paragraphs 52-56]
- Concern over parking space management [OFFICER COMMENT: This is considered in Paragraph 55]
- Increased parking stress and congestion within The Crescent, Bradenhurst Close and Harestone Hill [OFFICER COMMENT: This is considered in Paragraph 52]
- Pedestrian and highway safety compromised (lack of pedestrian footways and lighting on Harestone Hill) and poor visibility from Bradenhurst Close [OFFICER COMMENT: This is considered in Paragraphs 52-56]
- Compromised/lack of refuse collection and emergency access [OFFICER COMMENT: This is considered in Paragraph 52]
- Access road not wide enough to meet the requirements of the Council's Parking Standards SPD 2012 [OFFICER COMMENT: This is considered in Paragraph 52]
- Negative impact upon the elderly/lack of disabled access [OFFICER COMMENT: This is considered in Paragraph 54]
- Concern over access due to steep slope of the land [OFFICER COMMENT: This is considered in Paragraph 54]
- No clear refuse storage area [OFFICER COMMENT: The drawings have been amended throughout the application process to clarify the refuse store location]
- Refuse storage an eyesore [OFFICER COMMENT: This is considered in Paragraph 39]
- Loss of trees [OFFICER COMMENT: This is considered in Paragraphs 57-58]
- Limited space/usability of communal area given fall of the land [OFFICER COMMENT: This is considered in Paragraph 51]

- Limited scope for additional landscaping [OFFICER COMMENT: This is considered in Paragraphs 57-58]
- Impact upon adjacent Ancient Woodland [OFFICER COMMENT: This is considered in Paragraphs 57-58]
- Lack of services (schools, GPs and other community services) to serve the development – heavy reliance on a private vehicle [OFFICER COMMENT: This is considered in Paragraph 47 and Paragraphs 52-56]
- Impact upon local biodiversity (wildlife including protected species) [OFFICER COMMENT: This is considered in Paragraph 62]
- Drawings not clear – no measurements shown [OFFICER COMMENT: The drawings provided were drawn to scale and there is no requirement to include measurements in addition to this]
- No affordable housing provision [OFFICER COMMENT: This is not a requirement for a scheme of less than 10 units]
- Potential property damage from construction [OFFICER COMMENT: This is a civil matter and not a material planning consideration]
- Loss of property value [OFFICER COMMENT: Not a material planning consideration]
- Potential damage to third party property/vehicles [OFFICER COMMENT: This is an assumption and, nevertheless, a civil matter. Not a material planning consideration]
- Loss of a view [OFFICER COMMENT: Not a material planning consideration]
- High turnover of residents from flats reducing community cohesion/contribution [OFFICER COMMENT: This is an assumption and not a material planning consideration]
- Concern over previous CIL payments outstanding [OFFICER COMMENT: Not a material planning consideration under this submission]
- Concern over delay that has ensued to previously granted permission [OFFICER COMMENT: This is not a material planning consideration as the Council have no control over how long a development takes to implement once commenced]
- Assumptions of developers' financial position [OFFICER COMMENT: Not a material planning consideration under this submission]
- Unauthorised tree works taken place on site [OFFICER COMMENT: Any investigation carried out does not form part of this application consideration]

Assessment

Principle and location of development

29. Tandridge District Core Strategy 2008 Policy CSP1 identifies Caterham as a built-up area and a Category 1 Settlement where development should 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. Paragraph 6.7 of this Policy states that *“Within the built up areas it will be important to ensure that new development is of a high standard of design and that the character of the areas is protected.”* These matters are addressed further in this report under paragraphs 37-40 and 62 and, subject to conformity with this, there would be no objection in principle to the location of the development and Core Strategy Policy CSP1 in this regard.

30. Regarding the housing need and the mix being proposed, the scheme proposes 4 x 2-bed, four person and 1 x 2-bed three person flats. The Council's Housing Need

Survey states that there is a need for 35% 3-bed and 28% 4-bed properties. Third party comments refer to Turley's report where it has been concluded that *'less than 5% of housing should be flats'*.

31. Tandridge District Core Strategy Policy CSP 19 states that *'Within the lower density areas the council will resist densities above the specified ranges unless it can be demonstrated that proposals will not harm the character of the area and the quality of the environment and provided that the site is in an area that is within 0.5km or approximately a 5 minute safe and level walk from frequent public transport and a town, village or other centre containing convenience shopping.'*
32. The proposed development site is approximately 0.02 hectare and Core Strategy Policy CSP 19 states that a residential density of maximum 55 units outside the town centre. On the basis, this allows for approximately 1.1 units on the site however, when assessing this proposal, regard must be had to the balance of benefit and harm that the development would have. The proposal would provide 5 new homes within the District; at least 4 of these units could be considered family sized accommodation which would increase the housing stock within the District, particularly in a built-up area where development should be encouraged as per Core Strategy Policy CSP1. If the development is not considered to result in significant harm, the NPPF 2021 encourages the Local Planning Authority to approve development without delay which comply with an up-to-date Local Plan. The Core Strategy targets were written around 10 years ago and therefore it could be argued that the density requirements contained within the plan are now 'out of date'. There is a block of six flats opposite the junction of Bradenhurst Close and Harestone Hill (namely Linton House no.101 Harestone Hill) and a further block of seven flats to the north of the junction with Bradenhurst Close (namely no.84). Although these are on slightly larger plots, it demonstrates that flatted development is not out of keeping with the area and that higher densities would be acceptable in this location.
33. The Harestone Valley Design Guidance states, under Principle L4 that *'forms of development must respect their location, the size of the site and the character of the area.'* It further states under the sub paragraph that *'flatted development is generally more appropriate closer to the town centre where development is close to public transport and services.'* This proposal seeks to provide 100% flats under this submission however this would represent a much lower percentage when considering the presence of the properties in Bradenhurst Close and The Crescent; all of which appear to consist of at least 3-bed or larger dwellings. Both 2-bed four person and 2-bed three person flats could be considered sufficient to accommodate small families and would provide much needed housing within the District. As such, although the proposed development which consists solely of flats, the wording of the guidance (which is *'generally more appropriate'*) does not completely preclude flatted development in the Harestone Ward. Other flatted development has been approved elsewhere within the Harestone Ward (namely at 84 and 101 Harestone Hill and at The Hut, 1 Harestone Drive) and, as such, it is not considered that the principle of a flatted development in principle would be unacceptable in this location. The principle of the development would not be contrary to Principle L4 or any other part of the Harestone Valley Design Guidance or any aspect of the Harestone Valley Character Assessment.

Impact upon the character and appearance of the area

34. Paragraph 126 of the National Planning Policy Framework (NPPF) 2021 states that sustainable development is a key aspect of the development process, seeking to create high quality buildings and places and creating better places in which to live

and work and helps make development acceptable to communities. Even though Core Policy CSP18 predates the national policy, it is based on the same principles of sustainable development requiring that new development, within town centres, built up areas, the villages and the countryside be of a high standard of design that reflects and respects the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

35. This is further expanded by Detailed Policy DP7 which expects development to be of a high-quality design, integrating effectively with its surroundings, reinforcing local distinctiveness and landscape character and does not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing density and design. Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 seek to further reinforce these design objectives.
36. Tandridge District Core Strategy Policy CSP 19 states that *'Within the lower density areas the council will resist densities above the specified ranges unless it can be demonstrated that proposals will not harm the character of the area and the quality of the environment and provided that the site is in an area that is within 0.5km or approximately a 5 minute safe and level walk from frequent public transport and a town, village or other centre containing convenience shopping.'* In addition, the Harestone Valley Design Guidance 2011: 4.12 states that *'flatted development is generally more appropriate closer to the town centre where development is close to public transport and services'*.
37. The plots for the proposed flatted development is in the same location at plots 17 and 18 permitted under application 2017/2351; albeit with a wider overall footprint of built form. Third party comments refer to the development failing to retain the spacious character of surrounding properties with particular regard to the proximity of the built form to the site boundaries. Under application reference 2008/369, the report concluded that *'the scale, size and prominence of the flats would fail to respect the sylvan character and appearance of the locality'*. When considered at appeal by the Planning Inspector, they concluded that *'the scale of proposed flats would be out of keeping with predominantly traditional buildings nearby'*. When comparing this proposal to the previously refused scheme in 2008, the proposed flatted development would not be in the same location and would not result in the same design of flatted built form. This proposal is in a less prominent location to the southern end of The Crescent and has been designed with the same overall height as the semi-detached dwellings to the north of the proposed building. Although its footprint is wider in comparison to the previously approved pair of semis, the resulting built form would maintain a degree of separation from the site boundaries with plot 16 The Crescent (approximately 1.6 metres) which is similar to the spacing between the other buildings approved under application 2017/2351 and would be constructed in the southernmost part of the site adjacent to public bridleway no.21. The building would be approximately 14 metres from the rear garden boundaries with nos.132 and 134 Harestone Hill at its closest point with the built form at least a further 50 metres away from other surrounding properties.
38. Although it would be closer to the public bridleway (no.21) to the south than the previous approval, it would not result in development which is significantly cramped or overdeveloped to sufficiently warrant the refusal of permission. The massing, form and juxtaposition of the building has respected the site constraints and, although slightly wider than the previously approved buildings, the building would not appear either unduly squat or overly dominant in the street scene. The building

would generally be representative of the massing of the built form within the surrounding area and would not appear excessive despite the presence of the stair core on the front elevation which is required to access the flats. The Council consider that the design approach would not be unduly dominant within the hillside, would not result in an unacceptable transition between the urban and Green Belt areas nor would it be significantly out of keeping with the surrounding built form. It would not appear unduly incongruous or out of keeping with the surrounding area and would respect the character and appearance of the immediate locality.

39. The balconies of the proposed units would provide suitable outdoor amenity space given the site constraints. A communal rear garden is proposed and this would be of a similar depth to the gardens serving the resulting plots within Bradenhurst Close. The building would be constructed using contrasting brick, render and tile hanging to the external walls with roof tiles with a similar appearance to those approved under application 2017/2351. Subject to the materials being secured by planning condition, the proposed development would not be out of keeping with the prevailing area and the materiality would integrate within the locality. The reuse and cycle stores are located at the front of the site and the location is considered acceptable from a practicality perspective. The materials and appearance could be secured by planning condition to ensure they are acceptable from a character and appearance perspective.
40. Based on the above assessment, it is not considered that the proposed scale, massing and positioning of the built form would result in a development which is unduly cramped or overdeveloped in the surrounding context. The design and materiality would also respect the character and appearance of the area and would conform to the provisions of Policy CSP18 of the Core Strategy, Policy DP7 of the Local Plan and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021.

Impact upon neighbouring amenity

41. Policy CSP18 of the Core Strategy seeks to ensure that development does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. Policy DP7 of the Local Plan reflects the objectives of the Core Strategy but also includes privacy distances of 22 metres between habitable room windows of properties in direct alignment and, in most circumstances, 14 metres between principal windows of existing dwellings and the walls of new buildings without windows.
42. The proposed building would be approximately 14 metres from the rear garden boundary with nos.132 and 134 Harestone Hill and the 'window to window' separation between these properties would be over 50 metres. The built form of the flatted development would maintain a separation distance of approximately 21 metres from the western boundary of the site with Burns House, School Lane. The separation distances combined with the scale, massing and juxtaposition of the built form will prevent the development from having any significant overbearing or overshadowing impact upon the neighbouring properties. The building would be located close to the southern boundary with public bridleway no.21 and third party comments have referred to a tunnelling effect that would result to the bridleway given proximity of building to the boundary. Although it would be closer than the building approved under 2017/2351, the building would at least 1 metre from the boundary and tapers further away (up to 1.5 metres) as it continues towards the front of the site. There are trees which overhang the bridleway and there is already a degree of overshadowing as a result. However, the building, at approximately 13

metres in depth, would not be so elongated to cause an undue tunnelling effect for a considerable distance of the bridleway, particular given that the building is located to the north of the bridleway and would therefore have the benefit of southern aspect lighting for the majority of the day.

43. There are flank windows proposed within the proposed flatted building however those from ground level and above would serve kitchens and en0suites which are not considered to be primary living accommodation. It would be reasonable to include a restrictive condition upon the grant of permission to incorporate obscure glazing and for those windows to be fixed shut below 1.7 metres from finished floor level to ensure that no undue overlooking or loss of privacy would result.
44. All habitable rooms, other than the kitchens and one bedroom window at lower ground level, will be front and rear (east and west) facing. The upper floor front and rear facing windows of the flats will serve either studies or bedrooms however the windows would be in excess of 22 metres of any habitable windows of the surrounding properties; with particular regard to the fenestration serving the neighbouring properties in Harestone Hill. The orientation of the windows would provide views east and west and, other than the rearmost part of the garden, the dwellings in Harestone Hill would be afforded privacy and would not be directly overlooked given the juxtaposition of the built form and the sloping land level.
45. The west facing windows would be approximately 21 metres from the boundary with Burns House on School Lane. The dwelling (Burns House) is set further northwards and therefore not in direct alignment with the proposed building. The build is on a higher land level as is the proposed communal garden however, given the juxtaposition of the built form it is not considered that the development would result in undue overlooking or loss of privacy to the detriment of this property or any of the surrounding properties.
46. With regards to third party comments, there is concern over noise and disturbance from future occupiers. Although the density would increase based on the previous approval, the site was always designated for residential use and therefore it not considered that the proposed five flats, as opposed to two family dwellings, would result in significant further noise and disturbance to warrant the refusal of permission on these grounds. Further comments raise the possibility of anti-social behaviour however it is considered that the presence of the flatted development, with at least 5 separate occupants, would offer a degree of natural surveillance which would act as a deterrent to anti-social behaviour.
47. Third party comments also raise the impact of additional residents upon school places, doctor's surgery appointments and other community facilities. Again, it is not considered that the five additional flats in this location would have a significantly detrimental impact upon school places, doctor's surgery appointment availability or any other community facility availability to sufficiently warrant the refusal of permission on these grounds.
48. As a result of the above assessment, it is considered that the separation distances combined with the overall size, scale, design and juxtaposition of the proposed built form would not result in significant amenity impact upon any of the adjacent properties with regards to overbearing or overshadowing impact, overlooking, loss of privacy or noise and disturbance and would conform to the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7 in this regard.

Living conditions of future occupiers

49. The 2-bed, four-person units would have a gross internal floor space (GIA) of between 76sqm and 142sqm and the 2-bed, three person unit would have a gross internal floor space (GIA) of approximately 62.5sqm. The space associated with the units would exceed the required space standards contained within the Nationally Described Space Standards with regards to internal floor space standards. However, this document is simply guidance and does not form part of the development plan and therefore an assessment on future living conditions for future occupiers must be assessed. The fenestration arrangements of all five dwellings have been assessed and the upper floor units would be sufficient to provide natural light and adequate outlook for the all rooms, associated with all of the proposed units. The lower ground floor unit has a bedroom and kitchen window which adjoins the side access to the communal rear garden. However, this area is only accessed by those using the communal area which would not involve frequent trips past the windows in question. As such, it is not considered that this arrangement would be unduly unacceptable to future occupants.
50. The retaining walls to the front and side of the building would restrict natural light and outlook to the 2-bed, four person lower ground floor unit as well as the presence of the projecting front stair core which would be close to the proposed lightwells. However, the rear (west) facing fenestration would be of a high quality and would allow high levels of natural light and outlook into the remainder of the unit. On balance, it is considered that the quality of accommodation to this unit, and all of the other units within the proposed building would be of sufficient quality to serve future occupants for their intended purpose.
51. Four of the five units being proposed would have individual directly accessible private balconies. The upper floor flat would not have directly accessible outdoor space however there is a communal garden proposed and this would provide a large outdoor space. Despite the slope of the communal space, it would still serve as a suitable space to serve future occupants and would be a similar arrangement to the dwellings previously approved in The Crescent/Bradenhurst Close. In addition, the upper floor flat would be significantly larger than the NHSS and, on balance, it is considered that the development would result in suitable living conditions for future occupiers of the proposed flats. As such, the proposal would conform to the provisions of Local Plan Policy DP7 in this regard.

Parking, access, cycle and refuse storage

52. The parking arrangements on the site would provide space for nine vehicles within the site (at a ratio of almost 2 per dwelling). This number of spaces per unit, and the size of the spaces being provided, would be slightly under the number of spaces and size standards contained within the Council's Parking Standards SPD. However, the site is located within a built-up area there are 8 cycle spaces for 5 apartments in addition to the parking provision (9 parking spaces). The County Highway Authority (CHA) were consulted on this proposal and consider the overall provision to be acceptable from a highway safety and capacity perspective to serve the proposed development and would not require any additional spaces for visitors. It is noted that Harestone Hill is not controlled by the CHA however they do not consider that additional parking provision would be required as it is unlikely that this would have a significant overspill of parking onto Harestone Hill or any other surrounding roads. The access arrangements to the site have also been assessed by CHA who have confirmed that refuse collection vehicles, emergency vehicles and delivery vehicles would be able to turn within the site and exit in forwards gear. The access road was considered to be wide enough to meet the requirements of the CHA under the previous applications and the CHA therefore have no objection in this regard as they consider that the proposal would not lead to unacceptable

harm or unacceptable levels of demand for on-street parking in the surrounding area. They have, however, requested a number of conditions to be secured in relation to parking spaces being provided as shown on the submitted drawings, Electric Vehicle Charging Points (EVCPs) being provided and they have also requested that a Construction Transport Management Plan is submitted and approved.

53. The new units would have access to a cycle storage shed at the front of the site which can provide storage for cycles and thus encourage sustainable modes of transport. There is adequate space within the site for a communal refuse store to also be provided at the front of the site and the positioning, size and design of these stores could be secured by an appropriate and detailed hard and soft landscaping which could be secured as part of a planning condition.
54. There is a pedestrian footpath included to the site and this would be a similar arrangement to that approved under previous applications on the site. As such, it is not considered that pedestrian and highway safety, including disabled or elderly access, would be compromised. The lack of pedestrian footways and lighting on Harestone Hill and visibility from Bradenhurst Close is something that was considered acceptable under previous submissions, as was the access to the site despite the steep slope in land.
55. With regards to third party comments, it is not considered that the vehicles associated with new development would result in a significant increase in vehicle pollution; particularly given that the spaces are to require EVCPs. There is also concern over parking space management however this would be a matter for the developer to address outside of the planning application process.
56. Subject to relevant conditions being secured, there are no objections raised with regards to Policies CSP12 and CSP18 of the Core Strategy and Policies DP5 and DP7 of the Local Plan with regarding to highways safety, parking, cycle or refuse storage.

Trees

57. The proposed scheme requires the removal of a significant area of soft landscaping which was secured under the previous planning application to make way for the additional parking spaces. It also seeks to reposition a previously proposed semi mature beech tree that was to replace a previously removed TPO beech tree. The Council's Tree Officer has confirmed that there will now be far less space for this replacement tree to establish than would have been the case with the previously permitted scheme, which showed a smaller species tree to be planted in this location. The proposal would result in a dominance of hard standing and built form that is already a feature of this development however the Council's Tree Officer has confirmed that he does not wish to raise specific arboricultural objections and has not raised any concerns over the impact of the development upon the ancient wood land to the south of bridleway no.21, particularly with regards to the footprint and massing of the previous approval. Any overhanging branches which encroach into the site and require pruning to facilitate the development can be removed under common law without causing substantial harm to the trees in question.
58. The proposed development would allow for a large communal space where replacement planting is possible. In addition, the large garage previously approved at the southern end of the development under 2017/2351 is no longer required and therefore the Council consider that, visually, there is no significant material difference with regards to the loss of the previously approved, low scale planting.

There is potential to include additional planting in the area next to the 4 'P' parking spaces where the large tree and a degree of hedging is being proposed. As replacement trees and additional soft landscaping could be secured by condition and, the Council raise no objection on arboricultural grounds and conclude that the development would conform to the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7 subject to a condition securing the implementation of additional soft landscaping.

Renewable Energy

59. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The application submission includes an Energy Statement which states that energy efficient measures, including an energy efficient gas boiler, would be sufficient to achieve the 10% carbon emissions reduction. However, Policy CSP14 explicitly refers to the use of 'renewable energy technologies' to achieve a 10% CO₂ emissions reduction. As a result, the use of this renewable energy technologies would be required and, having looked at the renewable energy statement, these were discounted due to financial implications. However, in order for the development to be acceptable, some form of renewable energy technology would, and could, be implemented and such provision would be secured by planning condition in order to conform to the provisions of Core Strategy CSP14.

Ecology and Biodiversity

60. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.

61. Policy DP19 of the Local Plan Part 2: Detailed Policies advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.

62. Under application 2013/1196, details were approved by condition requiring any necessary protective or mitigation measures detailed within protected species survey details to be implemented. Under 2014/1907/COND1, re-colonisation and land management measures were approved and the development subsequently commenced on site. Third party comments refer to potential re-migration of protected species into the site as development has ceased in recent years. However, the development previously permitted has commenced and foundations have been laid for all plots except plots 17 and 18. There is nothing to prevent the developer from fully implementing the extant permissions on site if they wish without the submission of further ecological information. The proposed development would not result in significant additional built form footprint being created based on the extant permissions and, in addition, the site currently has the appearance of a building site with very little scope or biodiversity value. Having taken all of the above into account and given that additional soft landscaping could be required by condition, it is considered that the proposed development would conform to the provisions of Core Strategy Policy CSP17 and Local Plan Policy DP19.

Community Infrastructure Levy (CIL)

63. This development would be CIL liable, although the exact amount would be determined and collected after the grant of planning permission. It should be noted that the Community Infrastructure Levy (CIL) is a financial charge which the Council is entitled (but not obliged) to charge on development in an area. The fact that the applicant has previous CIL liability on another application is not a material consideration for this specific application.
64. 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.

Conclusion

65. It is proposed to erect a part 3-storey, part 4-storey building comprising of 5 apartments on the site of plots 18/19 Bradenhurst Close which were previously granted planning permission under various applications; the most recent being 2017/2351. The proposal includes an associated access, parking and cycle storage provision and amenity space to serve future residents. The site is located within the Category 1 Settlement of Caterham where there is no objection in principle to new development. The proposal would respect the character and appearance of the prevailing area, its setting and local context and there would be no significant harm to neighbouring amenities. Furthermore, there would be no significant impact upon the wider highway network and the renewable energy provision could be secured by planning condition. Subject to this being secured, the development would be considered acceptable and it is therefore recommended that the application is granted planning permission subject to the conditions and informatives set out below.
66. 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 219 of the NPPF 2021. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
67. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: PERMIT subject to the following conditions

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

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

2. This decision refers to the drawings numbered 885/2100 and 8852150 scanned in on 08 June 2021 and drawing numbered 885/2000 Rev A scanned in on 01 September 2021. The development shall be carried out in accordance with

these approved drawings. There shall be no variations from these approved drawings.

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

3. **Prior to any works taking place above ground level**, particulars and/or samples of materials to be used on the external faces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

4. **a) No development shall take place above ground level** 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
- 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.).
- tree and native hedgerow planting as compensation for those elements being removed.

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.

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

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

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

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

6. The upper floor and roof windows in the north and south facing elevations of the development hereby permitted shall be obscurely glazed and fixed shut below 1.7m from finished floor level and shall be retained as such for as long as the development remains in existence. No additional windows shall be inserted into the north or south facing elevations without express permission from the Local Planning Authority.

Reason: To prevent any significant overlooking or loss of privacy to the neighbouring 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.

7. **Prior to the occupation of the development hereby permitted**, details of the renewable energy technologies to be used on the proposed building shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the renewable energy technologies shall be installed and retained for as long as the development remains in existence.

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

8. The development shall be carried out wholly in accordance with the protective or mitigation measures detailed within protected species survey details approved under application 2013/1196/COND1 on 05 November 2014 and wholly in accordance with the re-colonisation and land management measures approved under application 2014/1907/COND1.

Reason: To ensure that protected species are adequately protected and biodiversity impact is suitably mitigated against 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.

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

Reason: To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to

other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

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

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

11. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) measures to prevent the deposit of materials on the highway

Reason: To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

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. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. 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.