

ITEM 5.6

Application: 2021/428

Location: 268 Hillbury Road, Warlingham, CR6 9TP

Proposal: Demolition of the existing dwelling and the erection of 10 flats with associated access, parking and landscaping (outline).

Ward: Warlingham West

Constraints – Urban, Biggin Hill Safeguarding, AHAP, ASAC, AWOOD, Surface Water Flooding, Ground Water Protection.

RECOMMENDATION: **PERMIT subject to conditions**

This application is reported to Committee following requests by Cllr Prew and Cllr Morrow

Summary

1. Outline planning permission is sought for the demolition of the existing dwelling and the erection of a building comprising 10 flats with associated access, parking and landscaping. Matters to be determined are access, appearance, layout and scale. The sole reserved matter not for consideration at this stage is landscaping.
2. The site is within the urban area and in a location suitable for new development. Therefore, there is no objection in principle to new development on this site. It is considered that the development would not harm the character and appearance of the area, nor would it harm the amenities of nearby residents. Appropriate levels of parking and amenity areas are provided while replacement planting is indicatively shown (as it is not for consideration at this stage) but sufficiently demonstrates the level of planting that could be accommodated as part of the development. Measures to mitigate the effects of flooding and surface water runoff are considered acceptable by the Lead Local Flood Authority (LLFA), subject to the imposition of conditions while all other matters can be secured through the imposition of conditions. The proposal would provide new housing in the form of 10 x 2-bed units which would contribute towards housing need.
3. Given the benefits identified by the development and in the absence of demonstrable harm, it is recommended that planning permission is granted subject to conditions.

Site Description

4. The site currently consists of a detached two storey dwelling set on a large plot and located on the eastern side of Hillbury Road, Warlingham, close to the junction with Westhall Road. The land is predominantly flat with boundaries marked by a mixture of approximately 1.8m high close boarded fencing, trees and vegetation. The area is characterised by detached two storey dwellings generally set within spacious grounds. Opposite the site are open fields and Green Belt.
5. The site is situated close to Warlingham Green which is a 5 minute walk to the north east and this contains various shops, services and facilities. There are numerous bus routes within walking distance of the site and Upper

Warlingham train station is approximately 1.1 miles to the north-west and accessible by public footpaths.

Relevant History

6. 2017/1752- Demolition of existing dwelling. Erection of 2 dwellings with associated vehicular access, parking and amenity spaces. Granted- 4th December 2017
7. 2020/1704 - Demolition of existing dwelling. Erection of 2 dwellings with associated vehicular access, parking and amenity spaces. Granted- 4th December 2017

Key Issues

8. The site is located in a Category 1 Settlement and built-up area where there is no objection in principle to the new development. The key issues relate to the impact on the character and appearance of the area, on the amenities of neighbouring properties and future occupants, impact on highway safety, parking, housing provision and housing mix, trees, ecology, sustainability issues and flooding.

Proposal

9. The applicant seeks outline planning permission for the demolition of the existing dwelling and the erection of a building comprising 10 x 2-bedroom flats with associated access, parking and landscaping. Matters to be determined are access, appearance, layout and scale. Whilst the description of development states 'landscaping' at this stage, this is indicative only as it is a reserved matter.
10. The proposed development would result in a broadly rectangular shaped building fronting onto Hillbury Road. The parking area would be provided to the front of the site and split into two areas with vehicular access from Hillbury Road. Communal amenity space is provided to the rear while the drawings show that the site can accommodate soft landscaping to the front and periphery of the site though that detail would be addressed formally in a reserved matters application.
11. During the course of the application revised plans have been submitted and the parking area has been reconfigured and reduced from 15 to 13 spaces. This allows for more room to accommodate soft landscaping and reduce hardstanding.

Development Plan Policy

12. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP17, CSP18, CSP19
13. Tandridge Local Plan Part 2: Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP19, DP21.
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 and CCW6.

17. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP04, TLP06, TLP10, TLP18, TLP19, TLP35, TLP37, TLP45, TLP47, TLP49.

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 proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds. There is no objection subject to conditions and informatives

25. **Warlingham (Parish) Council** – Object on the following grounds:

- Over development
- Intensification of site due to scale, form, bulk and height
- Height of the buildings would dominant in the area, be out of keeping and harm visual amenity
- Out of character
- Overlooking and loss of amenity to the rear property at 270 Hillbury Road
- Lack of parking which would lead to overflow parking causing loss of amenity and road safety hazards

26. **The Local Lead Flood Authority** –

There is no objection subject to conditions to ensure the SuDs scheme is properly implemented and maintained through the lifetime of the development.

27. **Environment Agency-**

There is no objection subject to conditions

Non-statutory Advice Received

28. Surrey Wildlife Trust – No objection subject to conditions.

29. Thames Water- No objections subject to informatives.

30. SCC Historic Environment Planning: Archaeology- The proposed developemnt does not lie in an Area of High Archaeology Potential. As such there are no archaeology concerns.

TDC advice

31. Senior Tree Officer- no objection subject to conditions

Other Representations

32. Third Party Comments

- Loss of light [This is considered in paragraphs 50-53]
- Loss of privacy [This is considered in paragraphs 50-53]
- Loss of tranquillity and noise and disturbance [This is considered in paragraph 54]
- Lack of parking [This is considered in paragraphs 61 to 64]
- Highway safety concerns [This is considered in paragraphs 61 to 64]
- Out of keeping with area [This is considered in paragraphs 37 to 49]
- Density and overdevelopment [This is considered in paragraph 40]
- Impact on local services [This is considered in paragraph 81]
- Out of character with area [This is considered in paragraph 37 to 49]
- Exacerbate flooding [This is considered in paragraph 65 to 69]
- Quality of accommodation and amenity spaces [This is considered in paragraphs 56 to 60]
- Impact on trees [This is considered in paragraphs 70 to 73]
- Loss of outlook [This is considered in paragraphs 50 to 53]
- Loss of value of home [Officer comment: This is not a material planning consideration]
- Creation of precedent [Officer comment: This is not a material planning consideration]
- There is no need for 2 bedroom flats [This is considered in paragraphs 35 and 78]
- No letter of consultation [Officer comment: consultation was undertaken in line with statutory requirements and includes a site and press notice.

Assessment

Principle and location of development

33. Core Strategy Policy CSP1 identifies Warlingham as a built-up area and a Category 1 Settlement where development will take place in order to promote sustainable patterns of travel, in order to make the best use of previously developed land, where there is a choice of mode of transport available and where the distance to travel to services is minimised. The site is also within a reasonable distance of local shops and services, with public transport links and accessible to Warlingham Green and Upper Warlingham train station. As such, there is no in principle objection to this location of development in respect of Policy CSP1 of the Core Strategy 2008 and Policy DP1 of the Local Plan Part 2: Detailed Policies 2014 in this regard.

Housing provision and balance

34. Policy CSP7 states that the Council will require all housing developments of 5 units or more to contain an appropriate mix of dwelling sizes in accordance with current identified needs.
35. The proposed development that would provide 10 x 2 bed flats. Overall, and in the context of the type of housing in the locality, this supports the District's requirements for small dwellings and mix, as identified in the document – 'Addressing the Needs of All Household Types – Updated Technical Paper for Tandridge District Council - June 2018' Prepared by Turley in support of the Council's emerging Local Plan.
36. With regards to affordable housing, the site is within the built-up area, but does not exceed 0.5ha area or 15 units or more threshold that would trigger the need for such a contribution. Therefore, affordable housing is not required by Core Strategy Policy CSP4.

Character and appearance

37. 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.
38. 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.
39. Policy CSP19 of the Core Strategy sets out that for new development within built-up areas schemes within the range of 30 to 55 dpha will be expected unless the design solution for such a density would be in conflict with the local character and distinctiveness of an area where a lower density would instead be more appropriate.
40. The site has an approximate area of 0.25ha which, for a development of 10 units, would result in a density of 40dph. This falls within the range of Policy CSP19. However, since national guidance changed with the original adoption of the NPPF, there has been greater emphasis placed on character assessment of new development.
41. The application site sits on the eastern side of Hillbury Road close to the junction with Westhall Road. Opposite the site is field and Green Belt. The site lies within a short distance of Warlingham Village Green.
42. The proposed development would consist of the erection of a broadly rectangular 2 storey building with accommodation in the roofspace fronting onto Hillbury Road. Parking is provided for 13 cars to the front, accessed via Hillbury Road.
43. The replacement building would be undeniably larger than the building it replaces. However, it is considered that the site is large by comparison to many of the neighbouring plots and has the scope to be redeveloped to make more efficient use of the land. The siting of the development respects the

pattern of development locally, reflecting the front building line of Hillbury Road and with the building's front projecting gable features. Such architectural features are not alien or incongruous in the locality and would not result in demonstrable harm to the established building line.

44. It is important to note that the proposed scheme layout follows the same general arrangement principles to that of the consented layout (2020/1704) by splitting the buildings into two main elements (similar to the two house layout).



Figure 1: Consented site layout for 2 houses under application 2020/1704



Figure 2: Proposed layout for 10 units

45. The overall width of the proposal is narrower than that of the consented two houses. This balances its setting when viewed from the street scene so that the separation to the neighbouring properties is equal.
46. The parking area is provided to the front of the site and would provide a total of 13 parking spaces. The existing boundary treatments would be enhanced and made good in order to retain the character of the area. The boundary fencing, planting and feature trees (indicatively shown) would help soften and provide a buffer from the two new parking courtyards. Given the urban context of the site and the proposed landscaping, the parking layout would not result in demonstrate harm to the character and appearance of the area as the front could be well landscaped with soft planting and not dominated by hardstanding.
47. The form and scale of the existing building should not be used as a measure for the new development to comply with but should be assessed on its own merits. Most new development has a different scale and form and the key assessment is whether that would integrate well with its surroundings. In terms of the height and design of the building, the height of the building would appear larger than that presently on site but, importantly, would have a gradual height increase from the neighbouring properties and would be comparable with its neighbour at 266 Whyteleafe Hill and so integrate well with the streetscene.
48. The building has been thoughtfully designed to respond to both street frontages. The larger and more prominent gable features are sited facing Hillbury Road. The architectural style of the building uses traditional design elements and forms with materials to respect the local and wider context. By splitting the building into two blocks that are linked with a subservient glass structure that is set back from the main elevation, this ensures that the scheme reads as two building, similar to the consented scheme. This is further enhanced by giving each block a subtly different style and treatment. Given the urban nature of the site, the proposal would not be to detriment of the character of the area.



Consented scheme



Proposed scheme

Figure 3: Comparison of sketch view of front elevation of consented scheme and proposed scheme

49. For the reasons given above, the proposal is considered appropriate for the site and surrounding area and no harm would be caused in terms of character and appearance and would accord with the above policies.

Residential Amenity

50. 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 Local Plan Policy DP7 seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
51. The proposed development would have a separation distance of over 7 metres between the flank walls of the development and No. 270 and over 10 metres with No. 266. A landscaping buffer would be provided along the shared boundary. There would only rooflights and ground floor windows in the flank elevations and this is secured through an appropriately worded condition. Given the above factors it is not considered that the proposal would result in significant harm to the residential amenities of Nos 266 and 270 Hillbury Road by virtue of visual intrusion or a loss of privacy to warrant a refusal of planning permission.
52. In terms of privacy, to the rear, there are balconies and habitable rooms facing the communal area. The building would have over 22 metre separation between the rear elevation and neighbouring properties in that direction, the nearest one being 4 Hillbury Grove. Intervening boundary planting in the rear garden would be subject to conditions to further mitigate any impact and to the dwellings on either side (Nos. 266 and 270).
53. The privacy distances contained in Policy DP7 of the Local Plan are 22m between habitable room windows in direct alignment and 14 metres between principal windows of existing dwellings and the walls of new buildings without windows. These minimum separation requirements would be met and, as a result of the generous separation distances the development is not considered to appear visually intrusive or overpowering.
54. Third parties have raised the issues of general noise and disturbance, in particular the carparking areas. The distances from the front parking areas to the surrounding neighbours, in particular, No. 266 and 270, are acceptable and would not cause undue noise and disturbance. This is also an urban area.
55. Given the above conclusions the proposed development is not considered to harm the residential amenities of nearby properties and thus would accord with the above policies.

Living Condition of Future Occupiers

56. Local Plan Policy DP7 states that new development will be permitted subject to certain criteria which includes providing a satisfactory living environment for future occupants.
57. 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.

58. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties. Appropriate facilities have been provided for future occupiers of which full details would be secured at the condition stage.
59. All units would meet or exceed the minimum space standards as set out in the within Technical Housing Standards. Whilst not all units have access to private amenity space, a communal garden is provided to the rear. The size of the communal space is large and there would be good access through the building. A balance has been struck between housing need, parking and outdoor amenity space and it is a material consideration that there would also be private balconies.
60. Given the above conclusion the quality of the accommodation is considered acceptable.

Highways

61. 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.
62. As a result of the proposal, there would be two accesses to Hillbury Road to serves two car parking areas. The CHA has not raised an objection to the accesses nor the level of parking proposed. The CHA commented that they assessed the application on safety, capacity and policy grounds, and recommended conditions. This includes construction vehicles which could be controlled through the imposition of a Construction Transport Management Plan (CTMP).
63. A development of this type would be required to provide a total of 15 parking spaces in accordance with the Tandridge Parking Standards 2012; the applicant proposes a total of 13 onsite parking spaces. Given the sites urban location, near bus connections and local amenities the level of onsite parking provision is considered acceptable. This is balanced against the space to the front of the site being landscaped which is beneficial to the character of the streetscene and setting of the new built form.
64. The proposed development would therefore be in accordance with the above policies and is acceptable in this respect.

Drainage and Flooding

65. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 100 of the NPPF advises that; *'Inappropriate development in areas at risk of flooding should be avoided by directing development away*

from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere’.

66. 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. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
67. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
68. The LLFA have raised no objection to the proposed development subject to the imposition of appropriately worded conditions in relation the SuDS. The Environment Agency have also raised no objection subject to conditions.
69. Without an objection from the LLFA in this respect the suggested approach in the submitted Drainage Technical Note is considered acceptable in principle subject to the imposition of appropriately worded conditions. The proposal would comply with Core Strategy Policies CSP11, CSP15 and Local Plan Policy DP21.

Landscaping and Trees

70. 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.
71. 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.
72. It is important to note that landscaping is a reserved matter. The site benefits from mature boundaries but is not subject to a tree preservation order. It is acknowledged that there would be a loss of vegetation across the site to facilitate the development, however, replacement planting could be secured at the reserved matters and condition stage. The Council's Tree Officer states:

The proposal required the removal of nine individual trees, a group of trees and part of two hedges to form the access. All of the trees to be removed are relatively low quality, category 'C' trees and the major parts of the hedges are to be retained, thereby preserving the existing frontage.

The layout does allow for compensatory planting both on the frontage and at the rear, and whilst the space available is not sufficient room for any sort of net gain in tree population, there is an opportunity for higher quality specimens to be provided.

The nearest ancient woodland is outside the influencing distance for a development of this limited scale.

He goes on to state that:

The amended plans are a definite improvement on the previously submitted proposals, and now allow for a feature tree to be planted in the mid frontage of the site, whilst still retaining the important frontage hedging to a large degree.

73. Full details of the size and species of all soft landscaping could be secured at the condition stage, but Officers are satisfied that sufficient space exists to secure appropriate levels of soft landscaping. The proposal is considered acceptable in respect of the above policies.

Renewable energy

74. Policy CSP14 of the Core Strategy requires the installation of on-site renewable energy generation which would reduce the carbon dioxide emissions of the dwellings by a minimum of 20%. The Renewal Energy Appraisal proposes the installation of solar photovoltaic panels to the roofs of the development. As such, no objection would be raised in principle however detail of the installation would be secured through condition.

Biodiversity

75. 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.
76. Local Plan Policy DP19 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.
77. The presence of protected species is a material consideration when determining development proposals. The Preliminary Ecological Appraisal and Ecological Impact Assessment have been reviewed by Surrey Wildlife Trust. The Trust have found that subject to the imposition of appropriately worded conditions the proposal would safeguard ecological interests while the site has opportunities to provide biodiversity gains. The proposal would therefore comply with Policies CSP17 of the Core Strategy and Local Plan Policy DP19 as stated above.

Planning balance

78. The Council is currently unable to demonstrate a 5-year housing supply and as such, the NPPF becomes relevant. Of particular note is paragraph 11 where it sets out that planning permission in such circumstances should be granted

unless the harm of doing so with significantly outweigh the benefits when looking at the policy context broadly set out in the NPPF.

79. The proposal would contribute a net gain of 9 dwellings to the local housing supply. The proposal would represent sustainable development as set out in the NPPF and permission should be granted without delay.

Conclusion

80. The proposal would not result in overdevelopment of the site nor would it harm the character of the area. The proposal would contribute positively to the Councils housing need within an urban and sustainable location. Highway matters and parking provisions are deemed acceptable by both the County Highway Authority and the Local Planning Authority while appropriate matters can be secured through condition. Principal matters such as flooding, and ecology can be dealt with via appropriately worded conditions. For the aforementioned reasons planning permission should be granted without delay.
81. It is noted third parties raised the issue of impact on local services, it is noted that this development is CIL liable. This is a charge that local authorities set on new development in order to raise funds to help fund the infrastructure facilities and services needed to support new homes.
82. 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 fails to accord with the Development Plan and the provisions of the Development Plan are not overridden by other material considerations. The implementation and completion of the development will result in a local financial benefit, but it is considered that this benefit is insufficient to outweigh other conclusions reached.
83. 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.
84. 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 start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of “the last of the reserved matters” to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Before any development hereby permitted starts, approval of the landscaping (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority. Detailed plans and particulars of the “reserved matters” shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004

3. This decision refers to drawings numbered:
 - PL20-533-01A - Site Location Plan Existing Site Plan and Survey
 - PL20-533-02A - Demo and Tree Removal drawing
 - PL20-533-03D-Proposed Site Plan
 - PL20-533-04D-Proposed Block Plan
 - PL20-533-05A - Sketch Views 1
 - PL20-533-06A - Sketch Views 2
 - PL20-533-07A - Street Scene
 - PL20-533-10A - Ground Floor GA Plan
 - PL20-533-11A - First Floor GA Plan
 - PL20-533-12A - Roof Space Floor GA Plan
 - PL20-533-13A - Roof Plan
 - PL20-533-14A - Front and Left Flank Elevation
 - PL20-533-15A - Rear and Right Flank Elevation
 - PL20-533-16A - Sections
 - PL20-533-17A - Sketch Views – Front
 - PL20-533-18A - Sketch Views – Rear

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.

4. No works above ground level 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.

5. No part of the development shall be first occupied unless and until the proposed vehicular accesses to Hillbury Road have been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: To meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

6. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of both accesses, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: To meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

7. The development hereby approved shall not be first commenced unless and until the existing access from the site to Hillbury Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

8. 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] areas shall be retained and maintained for their designated purpose.

Reason: To meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

9. The development hereby approved shall not be occupied unless and until at least 3 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 meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

10. The development hereby approved shall not be first occupied unless and until the secure parking of bicycles within the development site has been provided in accordance with the approved plans and thereafter retained and maintained to the satisfaction of the Local Planning Authority

Reason: To meet the objectives of the NPPF (2021), and to satisfy Policy CSP12 of the Core Strategy DPDS (2008) and Policies DP5 and DP7 of the TLP 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) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) measures to prevent the deposit of materials on the highway
- (h) use of banksmen
- (i) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15am and 3.15 and 4.00pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Whyteleafe Hill and Hornchurch Hill during these times.

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: 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 2021.

12. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate to be agreed with SCC as LLFA.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

13. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

14. No works above ground level shall commence until details of the siting of the photovoltaics have been submitted to and approved in writing by the Local Planning Authority. The photovoltaics shall achieve a 20% reduction in carbon dioxide emissions. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

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

15. 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
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.)
- tree and hedgerow planting as compensation for those elements being removed
- biodiversity enhancements

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

16. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out submitted ecology report.

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

17. No [further] trees or hedges shall be pruned, felled or uprooted during site preparation, construction and landscaping works [except as shown on the documents and plans hereby approved] without the prior written consent of the Local Planning Authority. Any retained trees or hedges which 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.

18. No development shall start until the tree protection measures detailed within the approved Tree Protection Plan (20-1053-TPP-02-A dated 17.09.21) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified arboricultural supervision or staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

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

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

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

19. No windows shall be inserted in the south western or north eastern flank elevations of the buildings hereby permitted apart from those on the approved plans.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core

20. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

21. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

22. Piling or other foundation design using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Piling and investigation borehole using penetrative methods can result in risks to potable supplies from, for examples, pollution/ turbidity, risks of mobilising contamination, drilling through different aquifers and creating preferential pathways

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 permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs

4. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. 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.
8. 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.
9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
10. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

11. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
12. The developer must note the consultee response from Thames Water dated 8th April 2021.
13. The developer should 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 them, until it can be confirmed by an ecologist that the nest is no longer in use.

14. The development offers opportunities to restore or enhance biodiversity and such measures will assist the Local Planning Authority in meeting the NPPF (2021) obligations and help offset any localised harm to biodiversity caused by the development process.
15. The developer must note the advice to the applicant from the Environment Agency consultee letter dated 19th April 2021.