

ITEM 5.1

Application: 2021/2055

Location: Land and Garages Adjacent to Chapel Road, Warlingham,
CR6 9LH

Proposal: Demolition of existing garages, erection of 2x semi detached dwellings, parking, landscaping & access.

Ward: Warlingham East and Chelsham and Farleigh

Constraints -, AWOOD, Biggin Hill Safeguarding, Local Roads, B, C and D, RoF 1 in 100 and 1 in 100, SPZ 2 and 3, Urban Area

RECOMMENDATION: **PERMIT subject to conditions**

1. This application is reported to Committee following a Member request.

Summary

2. The application site is in the urban are of Warlingham which is a Category 1 settlement where the principle of development is considered acceptable.
3. The proposal would entail the redevelopment land and provision of a pair of 3 bed semi-detached dwellings with parking and amenity on land which currently includes 7 redundant garages and land on Chapel Road Warlingham.
4. The current proposal seeks planning permission to demolish the existing garages, and the erection of 2 x 3 bedroom semi-detached dwellings in conjunction with parking, landscaping and access.
5. The scheme is the 3rd amendment to the design, reducing the bulk and massing at roof height by hipping the roofs and removing the dormer windows to front and rear elevations, the amendments have also removed the side projections and increased the parking to 2 spaces per dwelling.
6. The dwellings have 2 parking spaces each and private gardens.
7. The dwellings would be set within the footprint of the existing land and garages, it would use plain roof tiles, facing rustic red bricks and white windows which would complement the character and grain of development in the locality.
8. The application would provide 2 dwellings in a sustainable location and would not result in harm to neighbouring amenities and would provide satisfactory amenity for future occupiers and would not result in a detrimental to highway safety, nor have an adverse impact on ecology.
9. Consequently it is considered that the proposal would accord with the requirements of the NPPF and with the policies contained in the Development Plan. Accordingly it is recommended that permission is granted subject to conditions as outlined.

Site Description

10. The application site is located on the east side of Chapel Road on the site of a disused block of garages in the urban area of Warlingham. The site is within village centre and in a road with an established residential character, as such it also backs on to adjoining retail and residential gardens and is close to a restaurant. The dwellings in the locality are a mix of building type and design.
11. To the front of the site are the disused block of 7 single concrete garages with corrugated roofs and up and over doors; to the rear is a disused and overgrown plot of grassed land with small trees; there is also evidence of detritus. The land levels within the site and adjoining are level. To the south a boundary fir tree lies within the curtilage of No 3 but is situated on the shared boundary with the site.

Relevant History and Key Issues

12. The subject application follows on from a withdrawn pre-application submitted in February 2021 to redevelop the site and to replace the garages with a pair of semi-detached houses.
13. There is scant history for the site, the most relevant cases are a pre-application PA/2021/34 to redevelop the site and to replace the garages with a pair of semi-detached houses. According to the records, this proposal was withdrawn.
14. The other cases relates to the use of garages to the rear of 434 Limpsfield Road as ancillary to the retail and plant shop. Granted a certificate of lawful use TA/97/543 in 1997. Also the Demolition of the store and erection of 7 garages Granted planning permission CAT/5452 1963.
15. The key issues are the principal of development, housing provision, impact on character and appearance, residential amenity, highway safety, parking provision, renewable energy, landscaping and biodiversity.

Proposal

16. The proposal seeks planning permission for the demolition of existing garages, erection of 2 x 3 bed roomed semi-detached dwellings, parking, landscaping and access. The houses would be two storeys with accommodation in the roof space; each dwelling would have 3 bedrooms and private amenity space to the rear. The eaves height would be approximately 5.2metres with the ridge height approximately 8.6m; the building would be set in from the site boundaries by approximately 2.6m to the south and 2.6m to the north. At the rear of plot 2 the gap widens to 8.6m from the shared boundary with No 3 due to the 'dog leg' profile.
17. The design would include a hipped roof and single roof light to the front and rear elevations, also brick detailing and the addition of casement windows which are features in the vicinity. In terms of the layout, the second floor accommodates a bedroom and store, at first floor the layout shows two further bedrooms, one with an en-suite bathroom, the other bedroom adjacent to a bathroom and landing.
18. At ground floor the layout is open plan with the kitchen/dining room and lounge leading off the entrance hallway and w.c. is the result of two sets of amendments to the original design and layout, reducing the bulk and massing at roof height and the loss of the side projections and dormer windows.

19. Each dwelling would have 2 car parking spaces located to the sides of the houses. The refuse stores would be located in the rear patio area with each dwelling depicted as having a secure cycle store within its curtilage.
20. To the front of the plots there would be planting adjacent to the front wall and planting between each dwelling with a 1.8m close boarded fence delineating the boundaries of the rear gardens. The rear garden to plot 1 is shown as 82m² and the rear garden for plot 1 nearest 3 Chapel Road is shown as 142m². Planting is shown to the rear/eastern and to the south and northern shared boundaries, also between the two plots a 1.8m timber fence would be provided for privacy; the remainder of the plots are laid to lawn with a patio area.

Development Plan Policy

21. Tandridge District Core Strategy 2008– Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19
22. Tandridge Local Plan Part 2 Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP3, DP5, DP7, DP9, DP19, DP21, DP22
23. Caterham Chaldon and Whyteleafe Neighbourhood Development Plan 2021- not applicable
24. Woldingham Neighbourhood Development Plan 2016 – not applicable
25. Limpsfield Neighbourhood Development Plan 2019 – not applicable
26. Emerging Tandridge Local Plan 2033 - Policies TLP01, TLP02, TLP06, TLP18, TLP19, TLP35, TLP37, TLP45, TLP47, TLP48, TLP49, TLP50,

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

27. Tandridge parking standards SPD (2012)
28. Tandridge Trees and Soft Landscaping SPD (2017)
29. Warlingham Village Design Statement (advisory only) not adopted

National Advice

30. National Planning Policy Framework (NPPF) (2021)
31. Planning Practice Guidance (PPG)

Statutory Consultation Responses

32. County Highway Authority summarised comments - The County Highway Authority has assessed the proposal in terms of highway safety, capacity and policy. No objections were raised, conditions and informatives recommended in the event of permission being granted- to include provision of parking for 2 vehicles per dwelling to be laid out within the site, dwellings to have fast charging socket, dwellings to have secure parking of 1 bicycle per dwelling to be retained thereafter, construction transport management plan to be imposed.

33. Warlingham Parish Council –summarised comments on original scheme – Parking – provision of 1 x off road parking space per 3 bed dwelling conflicts with adopted parking SPD. Chapel Road is cut through for drivers thus avoiding congestion. Pressure of parking from development would harm amenity. Design – proposed design and choice of materials would be out of character with street scene. In vicinity dwellings have additional design features including bay windows and flint facing brickwork.

34. Warlingham Parish Council – comments on current scheme – no objection.

TDC advice

35. Chief Community Services Officer (Refuse and recycling) – no comments received.

36. Tree Officer summarised comments - The Spruce tree growing within the neighbouring property - subject of this consultation is visible and quite prominent from the road. However it is overhanging the application site significantly and as spruce can grow into very large forest trees it is fair to say that it is already outgrowing its location and causing a degree of nuisance. As such it is not considered that significant weight should be given to it as a material consideration, nor is it 'important' in a policy context, or that a TPO should be made. Given the above, it would not be reasonable or proportionate to impose a planning condition requiring foundations to be engineered to take account of encroaching roots, or for the layout to be adjusted.

37. Informative to be added as follows: The Applicant is advised that the proposal has the potential to cause damage to the roots of the nearby spruce tree growing on neighbouring property. As such it is recommended that the advice of an arboricultural consultant is sought prior to any works commencing. Foundations designed to protect roots might also be considered as an option, subject to Building Regulations. It would also be prudent to inform the owner of the trees that roots and branches may be severed should works proceed as proposed.

38. Environmental Health – summarised comments- no noise assessment supplied with proposal, concerned that new premises may be affected by noise from adjacent commercial premises. Should permission be granted the applicant would need to ensure internal noise levels within the development will conform to design criteria for noise guideline values as specified in BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

39. Third Party Comments

- **Comments on original scheme**
- Amenity + privacy
- Loss of light and privacy
- Development of two substantial dwellings with little amenity space to account for property height, as such would lose light and privacy irrespective of window type however particularly with the large rear dormer in the roof which will look down onto our garden.
- Concern that trees in existing rear would be removed which would lead to further loss of privacy
- Noise and disruption from build
- Parking/ vehicles access
- Will cause parking issues/parking is limited and one space per dwelling is not enough

- Chapel Road difficult to drive down due to excessive parking
 - Request no cars to park on or half way on pavements
 - Consider making Chapel Road 'access only' whether build proceeds or not
 - Would request project manager ensures lorries/deliveries are professionally managed not to encroach on other driveways
 - Chapel Road is uneven vehicles have crashed into stationary vehicles, construction vehicles/skips would worsen situation. Suggestion to maintain road following completion.
 - Design
 - Ask officer to view samples of materials to be used. Very important to keep Warlingham area/village that we are used to.
 - Trees
 - Harm to/Loss of fir tree – outside of site, perhaps plant smaller tree instead
 - Concern regarding loss of trees to rear of site
- **Comments on amended scheme**
- Strongly oppose development as it will affect our cottage and right to light and privacy.
It would also bring more parking issues into already congested road.
 - Concerned re building materials flint/roofing bricks. Do not think this is in keeping
 - Parking – would parking one car behind another work?
 - Bought our property as it wasn't overlooked. Development will block sunlight that enters front of house and will mean house is in constant shade.
 - View – our view will be blocked.
 - Noise during building and whilst working from home
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- **Comments on current scheme**
- - Comments already sent on 2 previous versions and remain relevant.
 - Note the amended scheme shows small driveways yet most people don't use drives so parking will still be an issue
 - Disappointed to see no reference has been made to previous objections made twice. Comments made previously are still relevant to amended scheme and will take away sunlight and privacy due to height of houses.
 - Have lived with a disused tip as a view over last 3 years not against development of site though proposal makes no consideration for our property.

Officer comment – the planning agent addressed the concerns of neighbours in respect of parking, design and in regard to overlooking the rear dormer window was removed from each property. The bathroom windows at the rear are also shown as opaque glazed and would be controlled by condition as per the submitted and approved plans.

Assessment

Principle of development

40. At the heart of the NPPF is a presumption in favour of sustainable development. The Council cannot demonstrate a 5 year housing Land Supply and as such, the policies in the Development Plan relating to housing land supply are to be regarded as out of date. Therefore the 'tilted balance' in paragraph 11 is engaged. This means granting permission for residential development without delay unless the adverse impacts of doing so would significantly and demonstrably outweigh the

benefits of doing so when assessed against the NPPF as a whole or there is a clear reason for refusing development because of a conflict with policies in the NPPF that protect areas or assets of importance such as Green Belts, an Area of Outstanding natural Beauty and Conservation Areas(which is not the case for this application site).

41. In assessing the benefits, the proposal would contribute two residential units to the housing market and the District's wider housing supply.
42. In terms of Local Development Plan policies, CSP1 of the Tandridge District Core Strategy 2008 states that, in order to promote sustainable patterns of travel and make the best use of previously developed land, development will take place within the existing built up area of the District (the Category 1 settlements which includes Caterham) and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised. Policy DP1 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 outlines that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development as contained in the NPPF.
43. Given that the site is within a Category 1 settlement, Warlingham, it is therefore considered a sustainable location where development is to be encouraged. It is considered that the site is also within a reasonable distance of local shops and services, with public transport links and accessible to Warlingham and Whyteleafe both of which have mainline train stations. Given the above it is considered that 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.

Density and Housing Mix

44. 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.
45. The total application site is small with an area of 0.0406ha. The proposed development would have 2 units and would have a residential density of approximately 49 dph which would fall within the range of Policy CSP19.
46. As a two-unit scheme, the proposal does not meet the threshold of five units in Policy CSP7 of the Core Strategy where the Council will require an appropriate mix of dwelling sizes as set out in Housing Need Surveys and Strategic Housing Market Assessments.
47. The site is within a well-established residential area where the development as proposed would integrate with the surroundings appropriately.

Character and Appearance

48. In regard to design the NPPF paragraph 130 advises that planning policies and decisions should ensure that developments 'will function well and add to the overall quality of the area' are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. In regards to the grain of development it sets out 'not preventing or discouraging appropriate innovation or change (such

as increased densities). It continues in paragraph 134 to state ' development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'.

49. At local level, Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
50. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
51. Policy DP9 of the Local Plan relates to gates walls and other means of enclosure, in summary this states that permission is granted where the development would not result in the enclosure of incidental landscaped garden areas or open plan gardens which contribute to the character of a residential area and in rural areas harsh incongruous features are unlikely to be permitted, further that areas covered by SPD or Village Design statement should conform to the guidelines and principles set out.
52. It is noted that Warlingham has a Village Design Statement published on the Council's website, however this is advisory only and had not been formally adopted by the District Council.
53. The character of the area is mixed and has an undertakers premises a hairdresser and a restaurant plus office nearby, however, in the immediate vicinity the locality is residential with a blend of styles, and varying period properties with an assortment of external materials ranging from gabled roofs with plain tiles, Edwardian semi-detached villas with flint walls and plain tiled roofs and twin bay projections, also other older properties with yellow and red brick walls, and the use of slate in the roofs of other dwellings.
54. As the history shows the site comprises a block of 7 single concrete garages with corrugated roofs and white painted up and over doors; to the front of the garages is an extended dropped kerb and hardstanding. Behind the garages is a disused overgrown plot with a number of small scrubby trees and evidence of detritus.
55. In consideration of the above, the design and layout of the dwellings has been amended to blend with the character, height and form of the adjacent dwellings. This has resulted in a development of a pair of semi-detached houses that would be of similar height and massing to that of adjoining properties. The development would be of high quality, using plain roof tiles, red rustic bricks with brick detailing and white painted timber casement windows, thereby according with the requirements of the NPPF and local development plan policies. The dwellings would have a good separation between both adjoining neighbours and the side boundaries therefore making effective use of the land and not appearing overly prominent in this location.
56. Regarding access to services, the bin stores are located within the rear patio areas to both houses and show that there would be provision for recycling and non-recyclable waste to be accommodated prior to collection from the front of the site.

In respect of access, the vehicular access is at the side of each property and allows for parking of two vehicles.

57. Considering the layout, landscaping and planting, as referenced earlier, the site would provide dwellings of a similar grain and assimilate with the prevailing character of the area; each dwelling would have private rear amenity space.
58. Therefore, it is considered that the development would accord with the requirements of good design in the NPPF, and would meet the criteria set out in Local Development Plan policies CSP18 and DP7 and that the 2 storey dwellings and landscaping would reflect the defined local character and vernacular of the area.

Residential Amenity

59. 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 other adverse effect. Policy DP7 of the Local Plan: Part 2 has the same objectives of protecting neighbouring amenity embodied in criteria 6-9. The policy contains minimum distance relating to new development and existing properties of 14m between principal windows of existing dwellings and the walls of new buildings without windows and 22m where habitable rooms of properties would be in direct alignment.
60. The neighbours to the proposed development are No 3 Chapel Road to the south, commercial units No 434 Limpsfield Road (Funeral Directors) and No 1 Chapel Road to the north – an office, Alexander Hair at No 436 Limpsfield Road, and two residential dwellings 438 and 440 Limpsfield Road to the north east. Diagonally opposite is 432 Limpsfield Road and opposite to the west are No's 2 and 4 Chapel Road.
61. With regard to the impact on adjoining residential properties, from the outlook of No 3 Chapel Road there would be an oblique view of the blank flank wall and side of the hipped roof of plot 1. Given that the proposed development would be set 13m from this neighbour and would not have flank windows facing towards the amenity of this neighbouring property. The separation distance is considered sufficient so as to not result in an overbearing impact on this neighbour and given that no side windows are proposed, with a condition imposed restricting any further flank windows the proposal is considered acceptable and is not considered to result in a significant impact to this adjoining neighbour.
62. From the outlook of No 438 and 440 Limpsfield Road there would be an oblique view of the hipped roof and first floor windows of the pair of dwellings from the roof dormer and large roof light in 438 at second floor and from first floor rear windows. With regard to the outlook from 440, given the first floor hipped roof projection between these two semi-detached neighbouring properties it is considered that views of the development would be limited. In respect of No 432 Limpsfield Road, given the separation distance and orientation it is not concluded that the development would have a detrimental impact on this neighbouring building. Moreover, to further protect the amenity to the neighbouring property a condition would be imposed restricting any further flank windows to first or second floor level.
63. Concerning the neighbouring dwellings opposite at No 2 and 4 Chapel Road these dwellings are located across the street from the site and set back from the highway, as such the spacing would lessen the impact of the development on these neighbouring properties. Turning to the daylight and sunlight, it was also noted at

the time of the site visit that a long shadow was cast from the adjacent line of beech trees that abut the shared boundary, the shadow extended across both twin bay windows at No 4 and extended to include the ground floor bay window of No 2, other shadows were from the Spruce tree adjoining the site.

64. However, with a condition imposed restricting any further windows at first floor or second floor level to the north or south flanks it is considered that the development would not result in in significant harm to the amenities or privacy of existing properties.
65. Amenity of future occupiers- as referenced above the dwellings would be in a sustainable village location close to transport links, shops and services, they would also be located near to a restaurant although this fronts Limpsfield Road.
66. Given that the dwellings would be near to a restaurant Environmental Health have requested that the dwellings should conform to the design criteria for noise guideline values as specified within British Standard 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.
67. The proposed houses would be arranged at three levels with the living space and cooking area as open plan on the ground floor and making best use of light with the rooms to the rear having patio doors and opening out to private amenity areas. At first floor the bedrooms would be arranged adjacent to or with en-suite facilities whilst at second floor there would be the 3rd bedroom to each dwelling with storage only. The rooms each have good levels of light and exceed the nationally described standards for 3 bed houses. The dwellings each have 2 parking spaces, space for refuse to be sorted and to be collected and a secure bicycle store.
68. Therefore with the specified requirement for Noise reduction condition in place and in regards to the amenity and privacy it is considered that the development would provide a satisfactory living environment for future occupants of the development and not harm the amenities or privacy of existing properties in accordance with Policy CSP18 of the Core Strategy 2008 and Policy DP7 of the Local Plan 2014.

Trees and Landscaping

69. Policy CSP18 of the Core Strategy requires that development much 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 Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by their significance within the local landscape.
70. The 'Trees and Soft Landscaping SPD' (2017) seeks to ensure that trees are adequately considered throughout the development process and are not peripheral to development but must be fully incorporated into the design.
71. The site includes an overgrown patch of land that contains some debris, also the land has some small trees. As noted above, adjacent to the site on the shared boundary is a large fir tree which, due to its height is highly prominent in the street.
72. During the course of the application the views of the Council's Tree Specialist were sought, it was considered that the Spruce tree was not a material consideration requiring a TPO and that it was overhanging the site in to the road. Given that the

Tree Specialist deemed that the tree is not significant in policy however, in the event of permission being granted an informative has been requested to be imposed. The informative to be added advised the applicant that the proposal would damage the roots of the tree and therefore the advice of an arboricultural consultant is sought prior to any works commencing. Furthermore that the design of foundations to protect tree roots would be another option subject to Building Regulations consent. The applicant was advised of the informative and agreed to this.

73. Comments have also been received from neighbours in Limpsfield Road regarding loss of the trees in the rear plot, however these are not trees of note and planting is proposed as part of the development.
74. Therefore no objection is raised subject to conditions requiring a detailed landscaping scheme, and the informative relating to the Spruce tree roots.
75. On this basis, there would be negligible impact on trees and no conflict in this regard to Policy CSP18 of the Core Strategy, Policy DP7 of the Local Plan and the referenced SPD.

Biodiversity

76. The NPPF, paragraph 170 states that 'planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impact on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future prospects' Inter alia paragraph 175 affirms 'opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially when this can secure measurable net gains for biodiversity'.
77. Similarly, 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.
78. 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.
79. In this instance, the proposal is located at the edge of the village and given that it comprises redundant garages and hardstanding with an overgrown plot to the rear it is considered that the ecological value would not be high and that it would be unlikely to incorporate habitats for protected species.
80. However, in accordance with the requirements of the NPPF and CSP17 and DP19, the landscaping condition and informative would be added. The condition would be include measures for biodiversity net gain, such measures could include bird or bat boxes to be placed on the site and for the planting of native species to attract insects and other species to the site, thereby improving the ecological network and biodiversity enhancements in line with the NPPF and above referenced local development plan policies.
81. As such the development is considered to accord with the NPPF and CSP17 and DP19 therefore no objection is raised in this regard.

Renewable Energy

82. The NPPF paragraph 158 affirms that 'when determining planning applications for renewable and low carbon development, local planning authorities should 'not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable

contribution to cutting greenhouse gas emissions; it continues adding ‘approve the application if its impacts are (or can be made) acceptable.’

83. Policy CSP14 of the Core Strategy requires new development of 1-9 residential units to achieve a minimum 10% saving in CO₂ emissions through the provision of renewable energy technologies. The development falls within this criterion.
84. A Renewable Energy Statement produced by bluesky unlimited has been submitted with the application. This details that various technologies were considered with the proposal; the design would include the enhancement of the fabric insulation above the minimum requirement. The report goes on to state that in order to reduce the carbon footprint of the development an array of photovoltaic panels for solar water heating would be installed on the south east elevation rear pitched roofs of the houses, the installation of these and combined technologies would reduce the CO₂ by 11.14%. The methodologies would include optimisation of natural lighting, external lighting to be fitted with timer controls and light sensors, combination gas boilers to each dwelling and low energy lighting; natural ventilation and exposed thermal mass along with high levels of insulation to walls and ceilings and roof with the use of high density materials to stabilise temperature fluctuation and reducing demands on building services.
85. Consequently it is considered that the development meets with the requirement for carbon reduction of 10% as required by CSP14.

Highway Safety and Parking Standards

86. The NPPF states in paragraph 111 that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’
87. At local level, 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 requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
88. Access and parking are shown on the plans sited to the outer flanks of both dwellings. The provision of parking is for 2 spaces per unit. The layout of the plots also includes a space for 1 secure bicycle parking.
89. Surrey County Highways have viewed the proposal and have requested 3 pre-commencement conditions for layout of parking, fast charging electric point to each dwelling to be maintained and retained and the secure bicycle parking for each dwelling.
90. As the submission details, each dwelling would have space for a cycle which complies with the adopted Parking Standards SPD. For the above reasons, the proposal is considered to provide sufficient parking space to serve the development. As such, no objection in parking provision and highway safety is raised subject to conditions.

Flood Risk and SuDS

91. The NPPF, paragraph 159 advises ‘*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)*’.
92. 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.

93. The site lies in an area designated as a source protection 3 and 2 and in an area at risk of flood rated 1 in 100 and 1 in 1000 years however, according to the records it is not in any designated Flood Zone area. As such, the development is in an area deemed acceptable in flooding terms under the provisions of the NPPF and Policy DP21 of the Local Plan.
94. The submission energy report states that the development will use SuDS in the form of soakaways for the disposal of surface water and no surface water will be discharged off site. The rear gardens would also aid with any surface run off with soft landscaping. .
95. As such it is considered that there is no conflict with Policy DP21 of the Local Plan or the objectives of the NPPF as identified.

Conclusion

96. The subject site is located in the village and category 1 site where there is no objection in principle to new development. The dwellings would have a high design standard and would have sufficient off-street parking for cars and cycles. Landscaping, biodiversity enhancement and renewable energy detail would be secured through condition and the impact on the spruce tree would be controlled by the imposition of an informative. With sustainable drainage measures, the site would not increase flood risk or surface water issues.
97. No other objections are raised and, as such, it is recommended that permission be granted subject to conditions.
98. This development is CIL liable.
99. 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.
100. 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.
101. 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 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 amended drawings numbered D209-01, D209-02A, D209-03C, D209-04C, D209-05D, D209-06D, D209-07D, D209-08D, Suntrack plan D209-09, D209-10, including the red edged site location plan received on 10th February 2022. 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 above ground works details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided the submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- include a timetable for its implementation; and
- provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To ensure satisfactory provision for drainage within the site, in accordance with Policy CSP15 of the Tandridge District Core Strategy 2008 and Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

4. Prior to any above ground works, full details of both hard and soft landscape works have been submitted to and approved in writing by the District Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- 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 planting and measures for biodiversity net gain i.e, bird boxes, bat boxes planting of native species by way of mitigation for trees 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.

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

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. Prior to any above ground works details of the materials to be used in the construction of the external surfaces of the building/extension hereby permitted have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the District 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 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. Prior to any above ground works, details demonstrating how the development would satisfy the 10% reduction of carbon emissions through renewable resources have been submitted to and approved in writing by the District Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted in the first or second floors on the north and south flank elevations of the dwellings hereby permitted.

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

6. 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 2 vehicles per dwelling to be parked. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to ensure that parking is provided and maintained in accordance with the Council's adopted standards, in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies 2014.

7. The development hereby approved shall not be occupied unless and until each of the proposed dwelling are provided with a fast charge socket (current minimum requirements – 7lw 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: The condition is required in recognition of Section 9 Promoting Sustainable Transport' in the NPPF 2021.

8. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for the secure parking of one bicycle space per dwelling within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition is required to meet the objectives of the NPPF 2021 and to satisfy CSP12 of the Core Strategy and policies DP5 and DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

9. The dwellings hereby approved should conform to the design criteria for noise guideline values as specified within British Standard 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

Reason: The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue prior to above ground works commencing and in order to protect the amenities and privacy of future occupiers in accordance with the requirements of the NPPF and DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

2. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.

3. 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-andlicences/vehicle-crossovers-or-dropped-kerbs

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. <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. Section 59 of the Highways Act permits the highways Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The highways Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisations responsible for the damage.

6. The Applicant is advised that the proposal has the potential to cause damage to the roots of the nearby spruce tree growing on neighbouring property. As such it is recommended that the advice of an arboricultural consultant is sought prior to any works commencing. Foundations designed to protect roots might also be considered as an option, subject to Building Regulations. It would also be prudent to inform the owner of the trees that roots and branches may be severed should works proceed as proposed.

7. In the interests of sustainability and reduction of waste your attention is drawn to the desirability of recycling building materials wherever possible. The demolition or dismantling of structures on the site should be considered as part of the development process to maximise the reuse or recycling of materials rather than disposal as waste. For further information about re-use and recycling of building materials, the applicant is advised to ring Surrey County Council Contact Centre on 03456 009009.

8. The clearance of vegetation by burning is likely to give rise to problems of smoke nuisance. The applicant is therefore encouraged to remove such green waste from the site in order that it may be recycled through composting, chipping, waste to energy transfer (alternatively logging) or other similar processes.

9. Birds may be found nesting in trees, hedges and associated plants such as Ivy, especially between March and September. All wild birds are protected by law under the Wildlife and Countryside Act 1981 and it can be an offence to intentionally disturb, injure or kill a nesting bird or to take, damage or destroy an occupied nest of a viable egg. If nesting birds are discovered, works on the trees should be deferred until the nests are abandoned.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP7, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP3 DP5, DP7, DP9, DP19, DP21, DP22 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.