

## **ITEM: 6.2**

**Application: 2021/2149**

**Location: 6 Beadles Lane, Oxted, Surrey, RH8 9JJ**

**Proposal: Demolition of existing buildings. Erection of five dwellinghouses including parking provision, hard and soft landscaping and associated works**

**Ward: Oxted North and Tandridge**

**Decision Level: Planning Committee**

*Constraints – GB, DVIGB, CA, EA ROFSW, AHAP, ANC WOOD, Source Protection Zone.*

**RECOMMENDATION: PERMIT (Subject to conditions)**

This application has been referred to Committee for decision by Cllr Sayer via email dated 03 March 2022 due to concerns about overdevelopment, harm to amenities of neighbours and access.

### **Summary**

1. Planning permission is sought for the demolition of existing buildings on site and the erection of five dwelling houses including parking provision, hard and soft landscaping and associated works. The existing site is not suitable for its historic use as a print business. The proposed development would provide adequate parking together with residential amenities for future occupiers. The impact on traffic generated as a result of the proposal has been assessed to not adversely affect the road network and the surround area, especially given the offset from the existing large vehicles which serve the existing print business on site. The proposal would respect the residential amenities of neighbours and the character and appearance of the Conservation Area. On this basis the proposal is recommended for an approval subject to conditions.

### **Site Description**

2. The site is located in the Oxted Conservation Area within Old Oxted which is a designated Defined Village within the Green Belt. Access to the site is off Beadles Lane abutting its north-east boundary. There are two Grade II Listed Buildings located in close proximity towards the north of the site and fronting Godstone Road.

3. The site comprises of an existing two storey business unit in Use Class E(c)iii, used as a printing business known as Oxted Colour Printers and a single storey brick building which may have been used as a stable in the historic times. The surrounding area is predominantly residential. There exists a children's nursery located on the south boundary of the site.

### **Relevant History**

4. No relevant planning history on records.

### **Key Issues**

5. The key issues are the impact the development on the character of the Oxted Conservation Area and nearby listed buildings, the residential amenities of

neighbouring properties and those of future occupiers of the proposal, and impact on highway safety.

## **Proposal**

6. The proposal comprises of 5 dwellings as follows:

Plot	Type	Plot area sqm	Footprint sqm	GIA sqm
1,2	House type A -4b6p	150-181	42	112
3,4	4b6p	148-174	42	128
5	5b7p	281	50	135

7. Dwellings on plot 1-2 and 3-4 would be in pairs of semi-detached houses. The dwelling on plot 5 would be a detached dwelling. All proposed dwellings would have accommodation within the roof space making them ground plus two storey dwellings.

8. 16 parking spaces have been provided within the site. Refuse storage and some communal garden area would be provided towards the north-east boundary (towards the entrance from Beadles Lane into the site).

## **Development Plan Policy**

9. Tandridge District Core Strategy 2008 (CS) – Policies CSP1, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19

10. Tandridge Local Plan Part 2 – Detailed Policies 2014 (TLP) – Policies DP1, DP5, DP7, DP12, DP19, DP20, DP21

11. Emerging Tandridge Local Plan 2033 – The emerging local plan is under examination with the Inspector who has not confirmed that it is sound with a realistic time frame for adoption. Therefore, the emerging local plan is considered to carry limited weight and the material considerations within this application are therefore assessed in accordance with the adopted plan and the NPPF (2021).

## **Supplementary Planning Documents**

12. Surrey Design Guide (2002)
13. Tandridge Parking Standards (2012)
14. Trees and soft landscaping (2017)

## **National Advice**

15. National Planning Policy Framework (NPPF) (2021)
16. Planning Practice Guidance (PPG)
17. National Design Guide (2019)

## **Statutory Consultation Responses**

18. County Highway Authority - Having assessed the proposal on safety, capacity and policy grounds, the County Highway Authority recommends pre-commencement and other conditions.

19. Environment Agency – Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

20. SCC Archaeology – Although the proposed development is partially within an area of High Archaeological Potential defined around the historic core of Oxted, the site is on the periphery of the post-medieval elements of the settlement and has been subject to previous modern and extensive disturbance in the form of the present buildings and yard. As such, I have no archaeological concerns.

21. SCC Historic Buildings – The proposal would result in a low level of less than substantial harm from the loss of the brick stable building. This will need to be weighed against the public benefits of the proposal. However, this loss of historic environment in itself would not amount to a refusal of this application. If approved a pre-commencement condition is suggested.

22. Ecology (Surrey Wildlife Trust) – The B2 and B4 bat presence/likely absence surveys are required in accordance with best practice survey guidelines to establish the presence or likely absence of active bat roosts, in order to avoid contravention of Conservation of Habitats and Species Regulations (2017).

Paragraph 185 of the NPPF (2021) states that planning policies and decisions should "limit the impact of light pollution from artificial light on dark landscapes and nature conservation. "

The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site, in order to comply with above referenced legislation and the recommendations in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.

The project proposal states 'soft landscaping'. However, no detail on the landscaping such as a Landscape and Environmental Management Plan has been submitted.

Should the LPA be minded to grant planning permission for this proposed development, we recommend that the LPA requires the development to be implemented in accordance with an appropriately detailed landscape and ecological management plan (LEMP).

23. Oxted Parish Council – The Parish Councillors object to this application due to the height of the houses which represent town houses, overlooking of neighbouring properties, access onto Beadles Lane, traffic and parking is already a problem and this proposal will exacerbate the situation. It is overdevelopment of the site, overbearing on neighbouring properties. The development would be too cramped, egress and ingress of traffic onto Beadles Lane would be hazardous and the access for construction traffic is too tight and would cause major obstruction on Beadles Lane. The Councillors are opposed to the removal of healthy trees from the site. The Parish Council is in favour of development however this is not the right location for it.

## **Other Representations**

24. Objections have been received which can be summarised as follows –
- Adverse impact on privacy due to overlooking into habitable spaces and garden spaces
  - Adverse impact on day light to habitable spaces and garden spaces
  - Proposed dwellings too high resulting in a dominant appearance due to location in close proximity to shared boundary
  - Insufficient parking
  - Traffic congestion
  - Impact on existing trees
  - Removal of hazardous materials needs to be monitored
  - Re-orientation of dwelling on plot 5 could address some overlooking.
  - Adverse impact on character of Conservation Area
  - Appearance not in keeping with the character of the surrounding area.
  - Shared access to offices at No 4 Beadles Lane will be affected resulting in impact on businesses during and after construction.

### Principle of development

25. Policy CSP 1 supports the re-use of redundant or unsuitably located commercial land for housing provided that new development is of a high standard of design and that the character of the areas is protected.

26. Policy DP12 identifies Old Oxted where the site is located as a Defined Village in the Green Belt and supports the partial or complete redevelopment of previously developed land stating that the development must be in character with the village, or that part of it, and will be subject to any other relevant Development Plan policies.

27. Policy DP4 deals with proposals for the alternative use of commercial and industrial sites. It requires the applicant to demonstrate that either the location of the site is not suitable for use as an employment site or that the use of the site for employment is no longer viable.

28. The site is currently in use as a printing business in Use Class E(c)iii. The Planning Statement provided in support of the application states that the building on site needs substantial regeneration in order to make it a viable location for modern day business needs. However, the cost of such a regeneration would not generate viable financial returns due to the current commercial rental rates in the locality. Additionally, the access via Beadles Lane is proving unsuitable for commercial vehicles. On street parking of cars along Beadles Lane close to the site entrance exacerbates the difficulty in manoeuvring larger vehicles. Furthermore, they anticipate that the existing business has the potential to establish in one of the designated employment sites within Tandridge where modern businesses facilities are better catered for.

29. Therefore, the location of the proposed development is considered to accord with Policy CSP1 of the CS and Policies DP4 and DP12 of the TLP.

### Character and Appearance

30. Policy CSP18 of the Core Strategy 2008 requires new development to be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Policy 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.

31. The proposed layout would incorporate two pairs of semi-detached dwellings and one detached dwelling to form the proposed development of 5 dwellings. Each plot would be provided with a garden as an external amenity space of the dwelling on it. Each dwelling would have two storeys with a habitable roof space with dormer windows. The design would make use of brick walls and reconstituted slate tiled roofs with a well composed set of elevations.

32. The proposed dwellings would not be visible from Beadles Lane. They would be visible from the rear aspects of surrounding dwellings. A proposed stepped soft communal landscape area would mark the entrance off Beadles Lane. The proposed layout and design of dwellings is considered acceptable in terms of appearance and would accord with Policy CSP 18 of the CS and Policy DP7 of the TLP.

#### Residential Amenity

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

34. The proposed dwellings would be located towards the west and mid-south sides of the site. The remainder of the site would be laid to access, parking, refuse collections and communal soft landscaped space located towards Beadles Lane. The proposal has been amended to reduce the overall height of the proposed dwellings by 0.3m.

35. The dwelling type C on Plot 5 would be closest to the recent development at No 10 Beadles Lane. It would have one dormer serving a non-habitable space overlooking No 10. The pair of semi-detached dwellings on Plot 1-4 would be visible from the rear aspects of existing dwellings fronting St Claire Close and Godstone Road. There is adequate separation distance between these dwellings and those proposed so as to respect the privacy of all neighbours.

36. There would be no issues arising in terms of overshadowing. Therefore, the proposal accords with Policy CSP 18 of the CS and Policy DP7 of the TLP.

#### Parking Provision and Highway Safety

37. 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.

38. The County Highway Authority has undertaken an assessment on safety, capacity and policy grounds and are satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway subject to their suggested conditions and informative which have been copied into the relevant section of this report.

39. The Tandridge Parking Standards SPD (2012) set a requirement for 3 spaces allocated plus 1 unallocated space per 4 dwellings as a 'legible space'. Two bicycle parking spaces per dwelling would also be required. On this basis the proposal

would be required to provide 16 parking spaces which have been provided across the site. Therefore, the proposal accords with Policy CSP 12 of the CS and Policy DP5, DP7 of the TLP.

#### Sustainable construction and carbon footprint

40. Policy CSP14 of the CS requires new development to demonstrate that it will assist with the aim of reducing carbon dioxide emissions through the production of on-site renewable energy. An application must be supported with a statement to show how the renewable energy generation is to be provided, including details of siting, size and location of renewable technologies. A development such as the proposal would be required to achieve a reduction of 10%.

40. The application is supported by a Renewable Energy Reporting prepared for Build Energy Ltd on behalf of the applicant. This report proposes the use of photovoltaic solar panels and Air Source Heat Pumps to achieve a CO2 reduction of 10%. Although precise siting and size have not been provided it is considered that these details can be secured via a planning condition.

#### Other

42. The objections have been taken into consideration. As discussed above the proposal would not affect the residential amenities of existing neighbours. The impact of traffic and parking has been assessed and found not to be detrimental to an extent which would warrant a refusal of this application.

#### CIL

43. The development is liable to CIL. The relevant forms have been submitted by the agent.

#### Conclusion

44. In conclusion, the proposal is considered to provide a positive development of this site with dwellings which would complement the character and appearance of the surrounding built form without an adverse impact on residential amenities of neighbours and on the highways network. On this basis the proposal is considered to accord with relevant policies as discussed above.

45. 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 218 and 219 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

**RECOMMENDATION:**

**PERMIT**

**Subject to the following conditions:**

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

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

2. This decision refers to drawings numbered 0415 – P – 100 REV A, 0415 – P – 103 REV A, 0415 – P – 104 REV A, 0415 – P – 105 REV A, 0415 – P – 106 REV A, 0415 – P – 107 REV A, 0415 – P – 108 REV A, and the red-edged site location plan number 0415 – S 0 001 scanned on 17 January 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. The materials to be used on the external faces of the proposed development shall be in accordance with the details shown on the submitted application particulars.

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

4. Prior to commencement of the development hereby approved an appropriately detailed landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The LEMP shall be based on the proposed impact avoidance, mitigation and enhancement measures and should include, but not be limited to following:

Description and evaluation of features to be managed

Ecological trends and constraints on site that might influence management

Aims and objectives of management

Appropriate management options for achieving aims and objectives

Prescriptions for management actions, together with a plan of management compartments

Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

Details of the body or organisation responsible for implementation of the plan

Ongoing monitoring and remedial measures

Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.

Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: In accordance with Policy CSP 17 of the Tandridge District Core Strategy, the NPPF (2021) and the guidance from Natural England.

5. Prior to commencement of the development hereby approved B2 and B4 bat presence/likely absence surveys shall be submitted to and approved in writing by this Local Planning Authority.

Reason: In accordance with best practice survey guidelines to establish the presence or likely absence of active bat roosts, in order to avoid contravention of Conservation of Habitats and Species Regulations (2017).

6. Prior to commencement of the development hereby approved energy details of size and locations of photovoltaic panels and heat pumps included as sources of renewable energy in the Renewable Energy Reporting by Build Energy Ltd submitted along with this application shall be submitted to and approved in writing by this Local Planning Authority.

Reason: In order to comply with Policy CSP 14 of the Tandridge District Core Strategy (2008).

7. Prior to commencement of the development hereby approved a drawn, written and photographic record of the brick stable building to level 2 of 'Understanding Historic Buildings' by Historic England (2016) shall be submitted to and approved in writing by the District Planning Authority. This shall include item 2 of the drawn record, items 1, 2 and 4 of the photographic record and items 1-3 and 6 of the written record.

Reason: To accord with paragraph 205 of the National Planning Policy Framework to ensure that a record is made of the heritage asset before it is demolished.

8. Prior to commencement of the development hereby approved a Construction Transport Management Plan (CTMP) shall be submitted to and approved by this Local Planning Authority. The CTMP shall 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) vehicle routing
- e) measures to prevent the deposit of materials on the highway
- f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- g) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Beadles Lane during these times
- h) on-site turning for construction vehicles

Only the approved details shall be implemented during the construction of the development.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

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

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

10. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase



dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

11. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for the secure and covered parking of bicycles 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 above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

12. The development hereby approved shall not result in any net increase in external artificial lighting at primary bat foraging and commuting routes across the development site.

Reason: In order to comply the NPPF (2021) and the recommendations in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby".

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), the dwellings hereby approved shall not be extended or altered without the express permission of this Local Planning Authority.

Reason: In order to maintain a high standard of development in accordance with Policy CSP 18 and DP 7 of the Tandridge District Core Strategy (2008) and Tandridge Local Plan Part 2 – Detailed Policies 2014.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), the window in the south elevation of the dwelling on Plot No 5 shall be obscure glazed and non-opening below 1.7m from the pertaining floor level.

Reason: In order to respect the residential amenities of neighbours in accordance with Policy CSP 18 and DP 7 of the Tandridge District Core Strategy (2008) and 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 applicant should contact the Environment Agency on 03708 506 506 or consult their website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to in order to apply for their other consents.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP18, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP7 and material considerations. 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.

The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2021), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.