

## ITEM: 5.2

**Application:** 2022/295

**Location:** Hut, 1 Harestone Drive, Caterham, Surrey, CR3 6YQ

**Proposal:** Erection of two detached 2 storey dwellings, with an additional Bay Window (incorporating French Doors) on the ground floor side elevation of Plot 2, with attached garages, associated parking and landscaping, accessed from a newly formed cul-de-sac extended north-west from Planning Appeal Ref: APP/M3645/W/20/3256724

**Ward:** Harestone

**Decision Level:** Committee

*Constraints – ANC\_WOOD within 500m, Biggin Hill Safeguarding, Parishes, Local Road (D) – Harestone Valley Road and Loxford Way, Local Road (X) Harestone Drive and Loxford Close, Source Protection Zones, SRCA, TPO (22/2009/TAN. 3/C&W, TPO10, Urban Area, Wards.*

**RECOMMENDATION:** **PERMIT subject to conditions**

### Summary

1. The application seeks planning permission for the erection of two 4-bedroom detached dwellings, with garages, associated parking and landscaping. The application site constitutes an extension to an adjacent development, application 2020/511 for 7 dwellings allowed on Appeal (Ref; APP/M3645/W/20/3256724); the 7 dwellings are currently under construction. The application has been 'called in' by Councillor Annette Evans for the following reasons:
  - Existing over-development of the site.38 approved units on site;
  - CCW NP only 32 should be supported (density);
  - Harestone Drive is a small private road;
  - Any increase in traffic likely to cause problems due to excessive speed of traffic; and
  - Outstanding enforcement issues regarding 2014/384 and 2018/1580.
2. This application for 2 houses is almost identical to application 2022/98 except for the fact that Plot 2 would have an additional Bay Window (incorporating French Doors) on the ground floor side elevation, which is acceptable in terms of design and appearance.
3. Given that the site lies in the urban area it is considered that the development would be of an acceptable design, which would respect the character and appearance of the site and there would be no significant harm to the amenities of the neighbouring properties, future occupiers or impact on trees and ecology, nor would the development result in a detrimental impact on highway safety. Adequate parking and renewable energy provision can be provided with details secured by means of conditions.
4. As such, the application is recommended for approval.

## Site Description

5. The site, which is currently vacant, is located within the built-up area of Caterham, south-west of Harestone Drive, with the locality predominantly residential in nature. The application site previously formed the north-western part of the gardens for what was formerly the Marie Curie building, which has been converted into 24 apartments. Seven two-storey detached dwellings are currently under construction on the eastern part of the former Marie Curie site, together with a new access road from Harestone Drive which will also serve the application site. There is mature landscaping on the boundaries of the site all covered by a blanket tree preservation order.

## Relevant History

6. 2016/1727 - Demolition of existing office buildings. Erection of 4 detached dwellings. Granted on 18/05/2017.
7. 2018/1580 - Retention of existing timber fence, retaining wall and laurel hedge. Refused 13/03/2019.
8. ENF/2018/80 – Woodland Court, 1 Harestone Drive, Caterham, CR3 6HX: Allegation “We believe that this Apartment Block part of application TA/2014/384 has now been occupied for some time and completed at least in part. Under the Planning approval condition 21 landscaping and tree planting should be carried out in the first planting season following occupation etc. This does not appear to have been done or even started. Secondly the scheme is supposed to be completed in accordance with the approved plans and car parking spaces laid out for parking before occupation. Again, this does not appear to be done and instead 2 timber huts have appeared on the western boundary above 79 Harestone Valley Road in an area shown on the approved plans (5295-L-05E and 5205-L-05H reserved for structural planting and 4 new trees. These are extremely unsightly particularly when viewed from the west and their use in this location reduces the privacy on properties to the west and no attempt has been made to complete the tree and structural planting shown on the approved plans or screen the huts from view”. This needs to be reviewed in the context of the planning applications and approvals over the past 12-18 months.
9. ENF/2019/64 – Woodlands Court, 1 Harestone Drive, Caterham, CR3 6HX: Concerns means of enclosure to rear of building. Matter to be reviewed by officer to be assigned - development of land to rear approved under 2020/511 (including condition approval) and 2021/1761. Landscaping approval - 2020/511/COND5 - need to work through file and see how these affect the care home fence and hedge subject of this file.
10. 2020/511 - Demolition of office buildings; erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping. Refused on 29/05/2020. Allowed on Appeal (Appeal Ref. APP/M3645/W/20/3256724). This development is currently being implemented on the adjoining site.
11. 2020/511/NMA1 - Demolition of office buildings; Erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping. - Non-Material amendment to planning permission 2020/511 (Amended Plans). Refused on 14/08/2021.
12. 2020/511/NMA2 - Amended plans showing Plot 4. Approved on 29/09/2021.

13. 2021/1761 - Variation of conditions 2 and 5 of permission TA/2020/511 for "Demolition of office buildings; Erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping" allowed on appeal reference APP/M3645/W/20/3256724 dated 5th May 2021 for the levelling of garages to include the removal of ramped access and change in appearance to proposed dwellings with revised external materials. Approved on 02/02/2022.
14. 2022/98 - Erection of two detached dwelling houses, with attached garages, associated parking and landscaping, accessed from a newly formed cul-de-sac extended north-west from Planning Appeal Ref: APP/M3645/W/20/3256724. Not yet determined.
15. 2022/296 - Variation of Condition 2 (Plans) of planning permission ref: 2020/511 (Demolition of office buildings; Erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping) to enable amendments to the approved drawings. Not yet determined.
16. 2022/342 - Variation of condition 2 (Approved tree plans) of planning permission ref: 2020/511 (Demolition of office buildings; Erection of 7x two-storey detached dwellings. Construction of access road from Harestone Drive and provision of associated parking and landscaping). Not yet determined.

### **Key Issues**

17. The site is located within the urban area of Caterham where the principle of development is acceptable. The key issues are whether the proposal would be appropriate with regard to the impact on the character of the site, whether the proposal reflects the pattern of development, the impact on the adjoining dwellings, the amenities of future occupiers, highways, parking, renewable energy provision, tree protection and biodiversity.

### **Proposal**

18. Erection of two 4-bedroom detached dwellings, with attached garages, associated parking and landscaping. The site will be accessed from Harestone Drive via a newly formed cul-de-sac which serves 7 new dwellings.

### **Development Plan Policy**

19. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19
20. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8 and DP19
21. Woldingham Neighbourhood Plan 2016 – Not applicable
22. Limpsfield Neighbourhood Plan 2019 – Not applicable
23. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – Policies CCW1, CCW4, CCW5, CCW6

24. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP06, TLP18, TLP35, TLP37, TLP44

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

25. Tandridge Parking Standards SPD (2012)
26. Tandridge Trees and Soft Landscaping SPD (2017)
27. Harestone Valley Design Guidance SPD (2011)
28. Surrey Design Guide (2002)

### **National Advice**

29. National Planning Policy Framework (NPPF) (2021)
30. Planning Practice Guidance (PPG)
31. National Design Guide (2019)

### **Statutory Consultation Responses**

32. County Highway Authority – No objection.  
Having assessed the application on safety, capacity and policy grounds, the County Highway Authority is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway subject to conditions and informatives.
33. Surrey County Council: Archaeology Service – No objection subject to a condition requiring the programme of archaeological monitoring to be extended to include the additional access road that is proposed. The Written Scheme of Investigation submitted with 2019/2008/COND1 (2016/1727) will need to be amended to reflect the addition of the access road as defined in application 2022/295 and its relevance to application 2020/511.
34. Surrey Wildlife Trust – No comments received.
35. Environment Agency – No comments to make on this application.
36. London Biggin Hill Airport – No comments received.
37. Caterham Valley Parish Council – Object.
- Existing over-development of the site.
  - 38 approved units on site. CCW NP only 32 should be supported (density).
  - Harestone Drive is a small private road.
  - Any increase in traffic likely to cause problems due to excessive speed of traffic.
  - Outstanding enforcement issues regarding 2014/384 and 2018/1580.
  - If minded to approve, the District Councillors will take to Committee.

### **TDC Advice**

38. **TDC Locality Team** – No comments received.

39. Environmental Health – No objection.
40. District Council's Tree Officer – No objection subject to a landscaping condition and a tree protection condition. The proposal requires the removal of three trees (one of which is small group) in order to facilitate construction and a group of cherry laurel for landscape purposes. I agree with the submitted arboricultural report that none of these trees are protected by either of the TPOs that affect the site, and all are low value in the context of landscape impact and BS5837:2012. The submitted landscape masterplan shows planting of native trees on the SW boundary to replace the cherry laurel, and also shows significant levels of native hedgerow and shrub planting, and other native and non-native tree planting on frontages and side boundaries to enhance amenity and biodiversity of the site. As such in terms of arboricultural impact I am of the view that the development will have a positive effect.
41. **Third Party Comments** – Object.
- Destruction of Marie Curie Land.
  - Site overlooks neighbouring gardens and bedrooms and compromises privacy.
  - Loss of privacy to adjacent residents due to the additional windows.
  - Current level of construction on upper site is enormous.
  - Noise and air pollution would be generated.
  - Not in keeping with the area.
  - Current Care Home causes serious anti-social problems.
  - Property values would decrease.
  - The site is already over-developed.
  - The new housing estate is out of character with the surrounding houses.
  - This application (2022/295) is only a modified version of 2022/98.
  - If this is granted Harestone Drive will have 20 houses and 24 apartments.
  - Signs required directing construction traffic to site at 1 Harestone Drive.

## **Assessment**

### Principle of development

42. Policy 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. The site is within a Category 1 settlement, Caterham, and therefore considered a sustainable location where development is to be encouraged. The site is also within a short distance of local shops and services and Caterham Railway Station is within reasonable walking distance. As such, there is no in principle objection to the development in respect of Policy CSP1 of the Core Strategy 2008, Policy DP1 of the Local Plan Part 2: Detailed Policies 2014 and Policy CCW1 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan.

## Impact upon the Character and Appearance of the area

44. 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.
45. 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.
46. Policy DP8 of the Local Plan Part 2: Detailed Policies states that subject to Core Strategy Policy CSP3, any other relevant Development Plan policies, adopted Supplementary Planning Guidance or Supplementary Planning Documents, proposals involving infilling, back land or the complete or partial redevelopment of residential garden land will be permitted within the settlements of Caterham, Oxted (including Hurst Green and Limpsfield), Warlingham, Whyteleafe and Woldingham, only if the development scheme:
  1. Is appropriate to the surrounding area in terms of land use, size and scale;
  2. Maintains, or where possible, enhances the character and appearance of the area, reflecting the variety of local dwelling types;
  3. Does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area\*, taking account of the need to retain and enhance mature landscapes;
  4. Presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road; and
  5. Does not result in the loss of biodiversity or an essential green corridor or network.
47. B. Within the settlements as listed in criterion 'A' (above), proposals that would result in the piecemeal or 'tandem' development of residential garden land, or the formation of cul-de-sacs through the 'in-depth' development of residential garden land will normally be resisted, particularly where they are likely to prejudice the potential for the satisfactory development of a larger area or result in multiple access points onto the existing frontage.
48. C. Within the Special Residential Character Areas of Harestone Valley and Woldingham as identified on the Policies Map or in any other areas subsequently designated, the Council will use Design Guidance where it has been adopted as a Supplementary Planning Document in assessing development proposals and in determining planning applications.
49. This paragraph applies in this instance as the subject site is within the Harestone Valley Special Residential Character Area where the Harestone Valley Design Guidance SPD (2011) applies. It falls within the "Valley and Eastern Valley Slopes" area (Area D), where all of the Design Principles apply.

50. Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan relates to character of development and states that development is expected to preserve and enhance the character area in which it is located. Policy CCW5 relates to the design of development which is expected to be of high quality integrating well with its surroundings.
51. Plot 1 would have brick walls with tile hanging at first floor and a tile covered pitched roof. Plot 2 would have brick walls and grey weatherboarding and a tile covered pitched roof; and both dwellings would have uPVC white window frames with lead effect cross bars to reflect the houses in the vicinity. The roofs of the 2 houses comprise a mixture of gable-ended and half hipped, bonnet hips and dormer windows; which would ensure that the two houses are in keeping with the character and appearance of the surrounding area. The proposed layout of the 2 houses on the site would mirror the cul-de-sac of 7 houses that are under construction to the east; and the design and appearance of the houses on the site would reflect the 7 adjacent houses. The 2 houses are almost identical to application 2022/98 except for the fact that Plot 2 would have an additional Bay Window (incorporating French Doors) on the ground floor side elevation, which is acceptable in terms of design and appearance.
52. The two detached houses are acceptable in design, form and scale and would not result in a harmful impact on the character of the area as the 2 houses would complement the appearance of the 7 dwellings (2020/511) under construction on the eastern part of former Marie Curie site.
53. Therefore, on balance it is considered that no objections is raised to the proposal and that it accords with Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan Part 2: Detailed Policies, Policy CCW4 and Policy CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan and the Harestone Valley Design Guidance SPD (2011) in terms of character and appearance,

#### Impact on Residential Amenities

54. 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 sought between existing and proposed new developments.
55. As referred to above, the Harestone Valley Design Guidance SPD (2011) applies to this proposal. Design Principle L 2 says: "Buildings must provide high levels of visual privacy in relation to the character of Harestone Valley and not unduly impact on the amenity of neighbours".
56. The site is well screened by existing trees which grow along the western boundary of the site, which screens the views of the existing houses on Harestone Valley Road to the west; thereby ensuring that the new development does not overlook or have an overbearing impact on the existing houses on Harestone Valley Road. The houses on Harestone Valley Road have at least 25 metre' long back gardens from the rear elevations of the existing houses; and the two proposed houses have at least 10.5 metre long back gardens to the rear boundary fences; therefore there are substantial stand-off distances between the existing houses on Harestone Valley Road and the proposed houses on the application site. Given that the 2 proposed houses are set back from the shared boundaries with the houses on Harestone Valley Road, behind

a belt of trees that are proposed to be retained, it is not considered that the proposed development would result in a detrimental impact on the privacy or amenity of the adjoining neighbours.

57. The layout and orientation of the houses on Plots 1 and 2 would also ensure that they would not overlook the 7 houses (2020/511) that are under construction on the land immediately east of the application site; and the 2 houses are set down in a hollow in the western part of the former Marie Curie site and would not overlook or face onto the 24 apartments that have been created in the former Marie Curie building, immediately north of the application site.
58. As such, it is considered that the proposal would comply with the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7, in terms of residential amenity.

### Renewable Energy

59. Paragraph 154 of the NPPF 2021 provides that new development should be planned for in ways that avoid increased vulnerability to the range of impacts from climate change and to reduce greenhouse gas emissions via location, orientation and design.
60. Policy CCW6 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan relates to Environmentally Sustainable Design. Core Strategy Policy CSP14 requires that for development resulting in up to 10 new dwellings a 10% saving in CO2 emissions through the incorporation of on-site renewable technologies should be achieved.
61. An Environmental Performance Statement has been submitted which has confirmed the use of 6 photovoltaic (PV) panels to be installed on the south-east facing roof of Plot 1, together with the fabric first approach (i.e. to enhance the fabric insulation standards of the houses above the minimum required by Building Regulations) will achieve the minimum 10% savings. SAP calculations have also been submitted for Plot 1. The provision of the solar panels on Plot 1 will need to be secured by condition. Further details would be required to be submitted and approved by the Local Planning Authority prior to commencement of works.
62. As such no objection is raised in relation to Core Strategy Policy CSP14 or Policy CCW6 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan, in terms of renewable energy.

### Parking, Access and Highway Safety

63. 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.
64. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway subject to conditions and informatives. It is not considered that the proposed



development would result in a significant increase in vehicular trips on the surrounding highway network.

65. The development includes the provision of 7 car parking spaces; Plot 1 has 2 off-street spaces and Plot 2 has 3 off-street spaces; and there are 2 additional unallocated visitor spaces, together with 4 cycle parking spaces, in accordance with the Tandridge Parking Standards SPD, 2012. In addition, a turning head is proposed in front of both houses for refuse lorries and delivery vehicles to manoeuvre safely.
66. For these reasons the proposal would not negatively impact upon highway safety. As such, the proposal complies with the provisions of Core Strategy Policy CSP12, Local Plan Policy DP5 and DP7 and the NPPF in terms of parking, access and highway safety.

### Flooding

67. Paragraph 155 of the NPPF 2019 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'.
68. 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 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.
69. The site lies within Flood Zone 1. The risk of flooding on the site is therefore considered to be low and it can also be concluded that the proposals would not increase the risk of flooding elsewhere. As such, the proposed development would not conflict with Local Plan Policy DP21 or the NPPF.

### Biodiversity

70. 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.
71. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 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.
72. The applicant has provided a Preliminary Ecological Appraisal which recommended that bat and bird boxes could be located within the western and southern boundary tree/hedge lines, especially on the retained mature trees along the western site boundary such as on the yew or elm trees. Any vegetation clearance on /adjacent to the site should be undertaken outside the nesting bird

season which extends between March and September. A condition is required to ensure the ecological enhancements recommended in the Preliminary Ecological Appraisal are implemented.

73. As such, subject to an ecological enhancement condition, the proposed development would not conflict with Core Strategy Policy CSP17 or Local Plan Policy DP19 or the NPPF.

#### Impact on Trees and Landscaping

74. Policy CSP18 of the Core Strategy requires 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 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 virtue of their significance within the local landscape.
75. 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.
76. 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.
77. A Tree Survey and Impact Assessment were submitted with the application which conclude that the proposed development would result in the loss of 3 low quality trees, none of which are protected by tree preservation order, but new and replacement tree planting is proposed as part of the development. The District Council's Tree Officer considered that the development would have a positive effect. The submitted landscape masterplan shows planting of native trees on the south western boundary to replace the cherry laurel, and also shows significant levels of native hedgerow and shrub planting, and other native and non-native tree planting on frontages and side boundaries to enhance amenity of the site. The District Council's Tree Officer has recommended a landscaping condition and a tree protection condition, which are considered acceptable and they meet the tests for imposing conditions as set out in the NPPF.
78. As such, subject to the imposition of a landscaping condition and a tree protection condition, the proposed development would not conflict with Local Plan Policy DP7 and the NPPF.

#### Housing Supply

79. The proposal would result in the construction of 2 detached houses at a time when the Local Planning Authority cannot demonstrate a 5-year housing land supply. The proposal would result in the formation of two additional residential units, which although is a modest contribution, weighs in favour of the proposal.

## CIL

80. If approved, the development would be CIL liable and thus eligible to contribute in accordance with Tandridge District CIL Charging Schedule, amounting to £120 per m<sup>2</sup>.
81. In addition to CIL the development 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. The implementation and completion of the development will result in a local financial benefit.

## Conclusion

82. In conclusion, the proposed erection of two new 4-bedroom dwellings would not result in harm to the character and appearance of the area including the impact on trees and ecology and would not result in significant harm to the amenities of neighbouring properties due to the size of the site. Adequate parking and renewable energy provision would be provided. As such, the application is recommended for approval.
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 218 and 219 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 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 P200 Rev. A – Site Layout (Ground Floor Plan), P201 Rev. A – Site Layout (Roof Plan), P202 – Streetscene, P203 – Plot 1: Plans & Elevations, P204 – Plot 2: Plans & Elevations, 1265-KC-Ph2-YTREE-LMP01Rev0 – Landscape Masterplan, 1265-KC-Ph2-YTREE-TPP01Rev0 – Tree Protection Plan, 1265-KC-XX-YTREE-TCPO1RevB – Tree Constraints Plan, 21140/C201 – Coloured Site Layout, 21140/C202 – Coloured Street Scene, S201 Rev. A – Site Location Plan and S202 – Site Survey. 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 in the construction of the external surfaces of the development hereby permitted 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 DP7 of the Tandridge Local Plan Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy 2008.

4. Before the development hereby approved is occupied the first-floor window serving the en-suite in the side elevation of Plot 1 and the first-floor window serving the dressing room and the second-floor window serving the media room in the side elevation of Plot 2 shall be fitted with obscure glass and shall be non-opening unless the part of the window which can be opened is more than 1.7m above the floor of the room in which the windows are installed and shall be permanently maintained as such.

**Reason:** To protect the amenities and privacy of occupiers of adjoining property 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.

5. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
  - proposed finished levels or contours
  - means of enclosure
  - car parking layouts
  - other vehicle and pedestrian access and circulation areas
  - hard surfacing materials
  - minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
  - tree and hedgerow planting as compensation for those elements being removed.

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

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

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

6. No development shall start until the tree protection measures detailed within the approved Tree Protection Plan (1265-KC-Ph2-YTREE-TPP01Rev0) and Arboricultural Report dated December 2021 has 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.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and been approved, in writing, by the Local Planning Authority.

**Reason:** To safeguard the archaeological interests of the site in accordance with Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

8. 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:** This condition is required in recognition of Section 9 ‘Promoting Sustainable Transport’ in the National Planning Policy Framework (NPPF), in accordance with the objectives of the NPPF and to satisfy Policy CSP12 of the Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

9. 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) HGV deliveries and hours of operation;
  - d) on-site turning for construction vehicles

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

**Reason:** This condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with the objectives of the NPPF and to satisfy Policy CSP12 of the

Core Strategy (2008) and Policies DP5 and DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014).

10. Details of any external lighting shall be submitted to and approved by the District Planning Authority in writing prior to any such provision on the site.

**Reason:** To ensure that the provision of any lighting on protects the amenities 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.

11. The development shall be carried out wholly in accordance with the 'Preliminary Ecological Appraisal' report by TSA Ecology Ltd dated November 2021.

**Reason:** To safeguard protected species and ecological interests 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.

12. Before the development hereby approved is occupied the photovoltaic cells as specified in the application details shall be installed and this system shall thereafter be 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 CSP14 of the Tandridge District Core Strategy 2008.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the dwellings hereby permitted shall be carried out without the express permission of the District Planning Authority.

**Reason:** To control further development of the site in the interests of the character of the area and amenities of nearby 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no windows/dormer windows shall be inserted into the roof of the dwellings hereby permitted apart from those expressly authorised as part of this permission.

**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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other order revoking and re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected within or enclosing the curtilage of any dwelling house hereby permitted forward of any wall of those dwelling house which front on to a road.

**Reason:** To control further development of the site in the interests of the character 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.

16. 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 purposes.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required to satisfy the objectives of the NPPF (2012), policy CSP12 of the Core Strategy DPD (2008), and policies DP5 and DP7 of the TLP 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. 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. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment: <https://www.theiet.org/resources/standards/cop-electric.cfm>
3. 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)

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 paragraphs 220 and 222 of the NPPF, 2021. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19 and Tandridge Local Plan: Part 2: Detailed Policies – DP1, DP5, DP7, DP8 and DP19 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.

	Signed	Date
Case Officer	ME	06/06/22
Checked ENF		
Final Check	TF	23/06/2022