

Addendum – Planning Committee 28 July 2022

Item 5.3 – 2021/1922 – Land to the rear of The Parade Westmore Green Tatsfield TN16 2AQ

The applicant has submitted additional site plan and information plus comments on the refusal reasons on the 21st July 2022.

The submitted additional site plan (dated 21st July 2022) shows the blue line extending to include the retail units and flats above that are to the front (south) of the site and indicates ownership of the units outside of the application red edged site location plan.

Reason 2 – points (1) and (ii) The development would result in a poor quality of accommodation for future occupiers by reason of:

- i) noise and disturbance from the adjacent car park of the Working Men's Club.
- ii) The quality of accommodation would be oppressive given that the ventilation would be via the artificial ventilation and not natural air flow.
- iii) the accommodation would fail to provide satisfactory private external amenity space, contrary to Policy CSP18 of the Tandridge District Core Strategy (2008) and Policies DP7 and DP22 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014).

The applicant has submitted additional data from the Acoustic Consultant which includes an affirmation that the 'ventilation between 23:00 to 06:00, the internal noise levels will be in line with the BS8233@2014 criteria.' Also that 'On a second note, the following images show that the highest LAeq.1hour range from 26.0 to 38.0 dB from 23:00 to 06:00. Showing that the LAeq.1h of 48.0 dB used in the assessment only occurred between 06:00 - 07:00. The cause of this higher levels from 06:00 to 07:00 is unknown, however, it is realistic to think that the future tenant will not be opening the windows for ventilation on those times. '

Paragraph 187 of the NPPF 2021 details the following '*Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

The area is partially residential and is adjacent to other retail units and a restaurant; the existing dwellings at Westmore Road and Wedgewoods and the Parade have been in situ near to or adjacent to the Working Men's Club and Post Office. However, the 'Agent of Change' is the proposed new flats, and the 'existing business and community facility is the Working Men's Club and Post Office.

Therefore, the Council are now satisfied that the points (i) and (ii) of reason 2 can be removed and that in accordance with the NPPF (2021) and that instead sufficient measures could be provided to mitigate the noise emanating from the existing business to overcome the Council's concerns. The details of which can be secured by condition. However, to clarify this does not change the Council's position regarding the poor quality of outdoor amenity space, therefore point (iii) of reason 2 is to remain.

Reason 4- 'The efficacy of the solar PV panels as located on the west elevation would be reduced and the development would not achieve the 10% carbon reduction through the use of renewable energy technologies. Therefore, it would be contrary to Policy CSP14 of the Tandridge District Core Strategy (2008) which requires new development to demonstrate to meet the Council's target of a 10% carbon emission reduction.'

In respect of energy efficiency reduction, additional information has been submitted regarding the solar panels. In the light of the additional information received from the Energy Consultant in respect of the placing of the PV panels on the west elevation and their efficiency on this elevation, without an expert consultant to counter the latest information received, the Council are now satisfied that this aspect of the development is policy compliant and that the development would accord with CSP14. As such, reason 4 is removed.

Reason 5 - The application has been submitted showing works to take place that are outside of the red line boundary of this application – including alterations to the steps for the flat and the approved parking and bicycle store at The Parade – TA/2018/280 condition 2 (plans) and condition 5 (parking and bicycle store to be maintained and thereafter retained). If planning permission were granted this would be in breach of planning conditions pertaining to conditions 2 and 5 of TA/2018/280.

The above reason for refusal has been amended as follows:

The proposal would affect the delivery of the planning permission TA/2018/280 as this would be in breach of planning conditions pertaining to conditions 2 (plans) and 5 (parking and bicycle store to be maintained and thereafter retained), adversely affecting the steps for the flat, the on-site vehicular parking, ability to park and bicycle store subject to that permission. If planning permission were granted this would be in breach of planning conditions 2 and 5 of TA/2018/280.

The applicant provides clarification that the exterior drive material is fixed resin bond, as shown on the submitted plans. Therefore the concerns of the Facilities Team are addressed.