

Application: 2022/1504
Location: Wolfs Wood Oxted RH8 0HJ
Proposal: Demolition of existing garages and three apartment blocks. Erection of 12 residential units (x5 3-bedroom dwellings, x3 2-bedroom dwellings, x4 1-bedroom flats) and associated parking and landscaping works.
Ward: Oxted South

Constraints – Urban, A Wood500, Risk of Surface Water Flooding 1 in 1000, Biggin Hill Safeguarding

RECOMMENDATION: **GRANT subject to conditions**

1. This application is reported to Committee as the application site is Council owned land and the application has been submitted on behalf of the Council.

Summary

2. The application site is in a Category 1 settlement where the principle of development is considered acceptable.
3. The proposal is for contemporary style dwellings that does not match the character and appearance of the surrounding built form. However, the development is considered to be of good quality and will not detract from the character of the area or street scene.
4. The development is considered to be acceptable in terms of housing mix, residential amenity, drainage, highways and impact on trees.
5. Consequently it is considered that the proposal would accord with the requirements of the NPPF when taken as a whole and with the policies contained in the Development Plan. There are no adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. Accordingly it is recommended that permission is granted subject to conditions as outlined.

Site Description

6. The application site consists of 12 apartments and their associated amenity space, a garage parking area and access track all located to the north-western side of Wolfs Wood. The apartments are broken into 3 blocks containing four units each in a maisonette arrangement. A set of garages are located to the north of the site accessed from a separate access drive between 150 and 148 Wolf Wood.
7. The site is designated as an urban area forming part of Hurst Green. Residential properties border the site in each direction. Access is gained to the site from Wolfs Wood. Hurst Green Infants School lies to the south-east of the application site along Wolfs Wood.

Relevant History and Key Issues

8. There is no relevant planning history.

9. The key issues for this application are the principle of development, acceptability in terms of character and appearance, impact on neighbouring amenity and highway safety. Other considerations include renewable energy and ecology. Each of these will be addressed below.

Proposal

10. This application seeks approval for the demolition of existing garages and three apartment blocks. In turn, it proposes to erect 12 residential units with associated parking and landscaping works.
11. The dwellings proposed are 5no 3-bedroom dwellings, 3no 2-bedroom dwellings and 4no 1-bedroom flats. All 12 units fall within the category of affordable/social housing. One unit is proposed to be accessible meeting the building regulation M4(3) standard.
12. The units will be arranged in to two lines of dwellings both consisting of two blocks. 8no of the dwellings will have private amenity spaces. The proposal will create a new parking area centrally within the development and a further a parking courtyard within the existing garaging location. A total of 18no unallocated spaces are proposed along with 2no allocated spaces for the accessible unit. 2no visitor spaces are proposed in addition to the provision of 2no spaces for 150 Wolf Wood.

Development Plan Policy

13. Tandridge District Core Strategy 2008 – Policies CSP1, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19
14. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP19
15. Limpsfield Neighbourhood Plan 2019 – Not applicable
16. Woldingham Neighbourhood Plan 2016 – Not applicable
17. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 — Not applicable
18. Emerging Tandridge Local Plan 2033 – Policies – TLP01, TLP02, TLP04, TLP06, TLP10, TLP12, TLP18, TLP19, TLP35, TLP45, TLP47, TLP50

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

19. Tandridge Parking Standards SPD (2012)
20. Tandridge Trees and Soft Landscaping SPD (2017)
21. Surrey Design Guide (2002)

National Advice

22. National Planning Policy Framework (NPPF) (2021)
23. Planning Practice Guidance (PPG)
24. National Design Guide (2019)

Statutory Consultation Responses

25. County Highway Authority – The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed if permission is granted.
26. Oxted Parish Council – The Parish Councillors support this application and consider the proposal will be an improvement to the area.
27. Environment Agency: No comments
28. Surrey County Council Flood and Water Services Team (LLFA): We are satisfied that the proposed drainage scheme meets the requirements and are content with the development proposed, subject to our advice below.

Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below:

29. Surrey Wildlife Trust: Comments received. Summary table provided below.

Planning Stage	Recommendation
Prior to determination	Provision of further ecological information Demonstrate a biodiversity net gain
Prior to commencement	Landscape and Ecological Management Plan (LEMP)
Prior to occupation	N/A
Recommendations / Informatives	Consideration of breeding birds Incorporate biodiversity enhancements (include in LEMP)

TDC advice

30. Principal Tree Officer: The proposal requires the removal of two small hawthorn trees and a line of early mature BS5837 category 'B' sycamore and ash that currently bisect the site NW to SE. These are reasonably attractive trees, but quite young and not visible from outside the site, and if retained their presence would significantly reduce the space available for development. Provided compensatory planting can be agreed in the central amenity area then I would not object to the losses.

Works will also be necessary within the root protection area of a large multi stemmed oak tree to the north-east of plot 8, but these works can be undertaken sensitively with cellular confinement system installed, and I have no objections to that. Whilst the relationship between the tree and the gardens of plots 8 and 9-12 are not ideal, it is not sufficiently bad for an objection to be raised in the context of this development. The tree will also be located on communal managed land, and as such cannot be removed by residents who might be affected by it.

Tree protection measures and a preliminary arboricultural method statement have been submitted. However, we will need a more detailed method statement and soft landscaping scheme to be submitted under condition should you be minded to approve.

31. Environmental Health: I can confirm that I have no objections on Environmental Health grounds
32. Contaminated Land: The Southern Testing report supports my view that a site investigation will be required. This can be secured by condition.

Third Party Comments

33. Neighbour Letters and Site Notice. Comments received relate to the following;

- Impact on boundary through demolition of garage
- Highway- Access to the site for construction (verges and parked cars), Parking and traffic
- Impact on local services
- Overdevelopment
- Tree removal

Assessment

Procedural note:

34. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2019. However, paragraph 213 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.
35. In the absence of a five-year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
36. With regards to paragraph 11 (d) (i), footnote 7 explains the concept of those “specific policies” in the NPPF indicating that development should be restricted. In this case the application site is not within a protected area or impact on asset of particular importance as described in footnote 7. The test under paragraph 11 (d) (i) therefore does not apply and this report will apply the test under paragraph 11 (d) (ii) as to whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits which will be undertaken at the end of the report.

Location and principle of development

37. The application site lies within an Urban Area which Core Strategy Policy CSP1 identifies that development will take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel services is minimised. The principle of new development or redevelopment would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as will be assessed in detail later in this report.
38. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. As such, there is no objection in principle of the redevelopment of a site in this location under Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard.
39. Paragraph 120 of the NPPF supports the objective of promoting the development of under-utilised land and buildings which this scheme achieves.

Housing Mix and density

40. Policy CSP7 of the Core Strategy requires housing developments of 5 units and above to contain an appropriate mix of dwelling sizes in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments. It continues that the Council will resist an undue concentration of any one type of dwelling in a location that would cause an imbalance and adversely affect the community. It also sets out that in assessing the proposed mix of dwellings the Council will have regard to the density ranges set out in policy CSP19, the demand for affordable housing and the character of the area and may require the mix to be modified accordingly.
41. Policy CSP19 of the Core Strategy requires development within a built up area to have a density between 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate; such character and distinctiveness may also be identified in Village Design Statements, Conservation Area Appraisals or Supplementary Planning Documents.
42. The application site (excluding the access drive to the garaging) would have a density of approximately 40 dwellings per hectare and therefore would fall within this range to accord with Policy CSP19.
43. In terms of mix the Strategic Housing Market Assessment (2018) provides an indication of implied housing size requirements in general across Tandridge. The table below an extract from that report.

Figure 3.4: Size of Affordable Housing Needed

	Bedrooms				Total
	1	2	3	4+	
Backlog housing need	87	64	20	1	172
Newly arising future need	57	123	87	17	284
Net annual affordable housing need	144	187	107	18	456
%	32%	41%	23%	4%	–

Source: Turley, 2015

44. This indicated a highest need for 1, 2 and 3 bed with a modest requirement for 4 bed houses. The proposed redevelopment will replace the existing 1-bed units with a wider range including 2 and 3-bed. The proposed development would provide 33% 1-bed, 25% 2-bed and 41% 3-bed. Whilst this does not fully reflect the identified need the development would provide a better mix than the existing. Therefore, the proposal; would accord with the requirements of Policy CSP7.

Affordable Housing

45. The proposal includes the provision of 12 affordable units and, being at 100%, it meets the affordable housing requirements of the NPPF and the Local Plan.
46. As the land is owned by the Council a S106 agreement would not be appropriate and therefore the provision of affordable housing will be secured by way of condition.

Character and Appearance

47. 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.
48. 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.
49. Policy DP8 of the TDC Local Plan states that proposals involving infilling, back land or the complete or partial redevelopment of residential garden land will be permitted within the settlement of Oxted (including Hurst Green and Limpsfield), only if the development scheme: is appropriate to the surrounding area in terms of land use, size and scale, maintains or where possible, enhances the character and appearance of the area reflecting the variety of local dwelling types, does not involve the inappropriate sub division of existing curtilage to a size below that prevailing in the area, presents a frontage in keeping with the existing street scene of the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the area and does not result in the loss of biodiversity or an essential green corridor or network.

50. The NPPF sets out that design is integral to sustainable development and that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This was bolstered by the publication of the National Design Guide in 2019.
51. The dwellings to be demolished are constructed of brick with a pair of central gables and a dual pitch roof form. The adjacent dwelling on either side both have end gables with brick and tiling hanging at first floor. The area more generally has predominantly simpler dual pitch roofs with either gable end or hipped roofs. Therefore, whilst the materials within the existing buildings match the materials that are common within the surrounding area, the buildings are of different appearance and have different architectural features.
52. The proposal seeks to demolish the existing dwellings and provide 2no pairs of semi-detached dwellings and 2no terrace of dwellings set in a linear pattern between a new parking area and open space located centrally within the development. The dwellings are proposed to be of a dual pitch roof form with gable end parapets.
53. The proposal replaces the existing units with two banks of terraces and two pairs of dwellings. These are shown to be two storeys and set under pitched roofs. Instead of gables, the units are shown with projecting sections set under a flat roof behind a parapet. The projecting sections are placed either at the ends or centrally following the pattern of gables on the buildings to be demolished. The materials proposed for the built form is a combination of buff and darker coloured brickwork, together with grey vertical tile hanging and light grey powder-coated aluminium windows and doors. The design of the buildings is described within the planning statement as contemporary styled buildings constructed with contrasting, but complementary materials.
54. The proposed dwellings are quite simple in their form with the use of detailing and materials to provide a variety and interest across the development. The use of materials, whilst contrasting with those in the locality harmonise across the dwellings and provide a high-quality development. In terms of street scene the layout of the development proposed would remove the end built form fronting the highway in favour of a more open vista and opens up views of the trees on the north-east boundary. This will enable them to make a greater contribution to the locality and provided a benefit to the overall character of the area. The existing green space to the front of the properties will be replaced beyond the parking area further to the north-east Therefore whilst the proposed layout will not match the existing layout or that on the opposite side of Wolfs Wood the revised layout would provide some betterment to the character of the area. It would also to some degree minimise the visual prominence of the dwellings and their contrast with the existing built form.
55. Overall, the development is considered to be of a high quality and will not detract from the character of the area or street scene to accord with the requirements of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies, Policy CSP18 of the Core Strategy and Paragraph 130 of the NPPF.

Residential Amenity

56. 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.

57. The dwellings are proposed to be constructed in a linear form and will be slightly closer together than the existing. The proposal will extend the built form slightly further north than existing, but would retain suitable separation distances to all the adjacent neighbours as to not result in an adverse impact in terms of loss of light or overbearing impact to significantly impact the residential amenity of those neighbours. In terms of privacy, windows are proposed to face centrally within the site or towards the west and eastern boundary replicating 8 of the existing dwellings. It is noted that the proposal will extend built form further north and therefore offer different views towards the neighbours, particularly those in Pollards Oak Road. However the proposal retains a separation distance of at least 30m back to back and therefore meets the minimum standards set out within Policy DP7.
58. The proposal is not considered to result in a significant impact on the residential amenity of the adjoining neighbours in terms of loss of light, being overbearing or loss of privacy. The proposal would therefore accord with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Highways safety and parking

59. 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.
60. In support of the application on highways grounds the applicant has provided a transport statement produced by RGP dated September 2022. In response to comments by the Highway Authority the applicant has also provided a Transport Statement Addendum dated April 2023 and details regarding the existing garage occupation dated 04th April 2023. The Highway Authority have been re-consulted however have not yet provided their comments. In light of this the report will assess the application on highway safety grounds. If comments are received from the Highways Authority Members will be informed at the Committee.
61. The proposal seeks to redevelop the site, demolishing the 12 existing residential units and replacing with 12 larger residential units. The proposal will retain the existing access arrangements onto Wolfs Wood and re-use the existing access arrangements to the garage as additional parking. The key issues to consider in relation to highway safety are therefore whether the redevelopment of the site will remain acceptable in terms of traffic generation, whether there is sufficient parking available along with consideration of such as impact of the construction on the nearby road network.
62. In starting with traffic generation the applicant sought to clarify the proposed traffic generation for the development within their Transport Statement. Following comments from the Highways Authority they have utilised an updated TRICS database. The revised trip generation for the development therefore suggest a modest increase in trip generation due to the increase in the number of residents the development would generate however this is considered within the transport statement to be a nominal impact in trip generation terms. The increase trip

generation is not considered to be significant to result in a severe impact upon the local highway network as is the relevant test within the NPPF.

63. With regards to parking the Councils Parking Standards SPD would require the proposed development to provide 19 parking spaces for the residential units plus 6 visitor parking spaces (total 24). The proposed development would provide 18 unallocated spaces, 2no allocated parking spaces, 2no spaces for 150 Wolfs Wood and 2no visitor parking spaces (total 22 for the proposed development plus 2no for 150). In light of this the proposed development would result in a shortfall on Tandridge's adopted parking standards by 2 parking spaces. The transport statement however suggest that it would exceed Surrey County Councils Parking Standards which would only require 17 spaces plus an unspecified visitor parking allocation if considered necessary.
64. At present the 12no 1-bedroom units utilise the existing on-road parking to the front of the property with the garage spaces underutilised. Currently there would therefore be an undersupply of parking which would already be putting pressure on the highway network. Therefore, although the proposal would result in a shortfall on the Councils Parking Standard, given the existing pressure put on the highway network by the existing development, and the overall increase in usable spaces available to the occupants of the development, the shortfall of 2 spaces is not considered to result additional pressure on the on-street parking to cause an unacceptable impact on highway safety. The retention of the parking spaces and provision of electric charging points can be secured by condition. Cycle parking is indicated to be provide within the curtilage of the dwellings with a covered shelter provided for cycle parking for the flats. These details can also be secured by way of condition.
65. The Highways Authority have assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted subject to conditions.
66. An additional matter that has been raised in the consultation for the application is the impact of the construction phase of the development on the local road network. Wolfs Wood although accommodating two-way traffic is restricted in width by on road parking as well as potential conflict with the traffic for the adjacent school. It is therefore recommended that a construction management plan is secured by way of condition to consider deliveries, materials storage and contractor parking to ensure impact on the surrounding road network is minimised.
67. In light of the above considerations the development is not considered to be conflict with the requirements of Policy CSP12 of the Core Strategy and Policy DP5 of the Local Plan, subject to the suggested conditions.

Drainage

68. The application site lies within Flood Zone 1 and is therefore considered to have a low probability of flooding. A very small section of the site not proposed to be built on falls within an area identified by the Environment Agency as being at risk of surface water flooding in a 1-in-1000 year event. Although the site is therefore at low risk of flooding as a major development Paragraph 169 of the NPPF requires the development to provide a sustainable drainage system. Details of surface water drainage have been provided by the applicant to address the initial comments of the Local Lead Flood Authority and they are now raising no objection subject to conditions to secure the proposed scheme. Subject to the condition the development would therefore meet the requirements of Paragraph 169 of the NPPF.

Trees

69. The application site is not subject to any tree preservation orders nor is any of the trees on the site protected by way of other statutory designation. None the less the proposed development has the potential to impact on the trees which could give rise to harm to the amenity of the area and therefore this needs to be considered.

70. Core Strategy Policy CSP 18 (Character and Design) requires that:

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.

71. Paragraph 13 of Policy DP7 of the Local Plan states:

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. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

72. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).

73. The application is accompanied by an Arboricultural Implications Report produced by SJA trees dated September 2022 which assesses the impact of the proposed development on the existing trees on and around the site and provides the authors view on the potential impact. The report notes that the development will result in the proposed removal of individuals and groups of trees however in their view this will represent only a minor alteration to the main arboricultural features of the site, only a minor alteration to the overall arboricultural character of the site and will not have a significant adverse impact on the arboricultural character and appearance of the local landscape. It also acknowledges the incursions into the Root Protection Areas of trees to be retained however considers this to be minor and, subject to implementation of the measures recommended on the Tree Protection Plan (drawing number SJA TCP 21255-011 Rev A), considers no significant or long-term damage to their root systems or rooting environments will occur. It also offers the view that the main habitable rooms within the proposed dwellings are not likely to be shaded to interfere with their reasonable use or enjoyment by incoming occupiers and the sizes and dispositions of the proposed private gardens are such that in their view will not be unduly shaded and will receive reasonable sunlight and daylight

74. The Councils Principal Tree Officer has provided comments on the application as are outlined in full above. In those comments the loss of the two hawthorn trees, a line of early mature sycamore and ash that are considered to be reasonably attractive trees and contribute to the amenity of the area is noted. However, the advice acknowledges that they are quite young, not visible from outside the site and that their retention could significantly reduce the space available for development. It is therefore considered that, provided compensatory planting can be agreed in the central amenity area, no object should be raised to the loss of those trees. With

regards to the trees to be retained the Principal Tree Officer noted that works will be undertaken within the root protection area of a large multi stemmed oak tree to the north-east of plot 8 however is proposed to be undertaken with cellular confinement system installed and therefore raises no objection to that incursion. Finally it has been advised that, with respect to the relationship between the tree and the gardens of plots 8 and 9-12, the trees would not be sufficiently impactful for an objection to be raised in the context of this development.

75. The comments that have been provided by the Councils Principal Tree Officer therefore do not raise objection with regards to impact on the existing trees on the site however suggests a more detailed method statement and soft landscaping scheme need to be submitted. This can be secured by condition. Therefore subject to the condition the development is not considered to be contrary to Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) with regards to impact on trees.

Renewables

76. Policy CSP14 of the Core Strategy requires the installation of on-site renewable energy generation which would reduce the carbon dioxide emissions of the dwellings by a minimum of 10%.
77. The applicant has submitted an Energy Statement produced by SRE. This report sets out the energy strategy for the development including passive and active design measures to seek to achieve net zero carbon on site. Specifically with regards to renewable energy both Air Sources Heat Pumps and Photovoltaic panel arrays are proposed which will in excess of the 10% required by Policy CSP14. As such, the proposal would comply with and exceed the requirements of Policy CSP14 of the Core Strategy.

Biodiversity and Ecology

78. Paragraph 174 (d) of the NPPF requires that development should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
79. Policy DP19 of the Core Strategy places a presumption on proposals to protect, enhance or increase the provision of, and access to the network of multi-functional Green Infrastructure (GI), promote nature conservation and management, restore or create Priority Habitats and maximise opportunities for geological conservation but has no requirement to achieve a net gain.
80. The redevelopment of the site will result in the loss of number of trees which will impact on the biodiversity value on site. The applicant has provided a biodiversity net gain metric calculation which demonstrated a 21% loss. The development therefore does not at present achieve a biodiversity gain as required by Paragraph 174 of the NPPF as is contrary to this policy.
81. However, through the implementation of the mitigation measures and enhancements as outlined within the Preliminary Ecological Appraisal and Bat Survey Report, both of which can be secured by way of condition, the development will include some form of mitigation for the impacts arising from the loss of the existing features at the site. The proposal may also increase

biodiversity through landscaping however given the weight attributed to the trees within the metric a net gain will not likely be achievable on site.

82. On this basis, whilst the development will not conflict with Policy DP19 there is a conflict with Paragraph 174 by not achieving a net gain on site. As above conditions can be utilised to minimise the harm arising in this respect and, as such, the harm arising from the conflict with the national and local policies would be modest. This will be taken forward within the planning balance.

Planning Balance and Conclusion

83. In light of the above the proposed development would provide modern housing of improved appearance and energy efficiency, with more usable car parking, that would better reflect the housing needs of the Tandridge District, albeit not resulting in a net increase of housing supply. There would also be a social benefit of the provision of the larger units along with the economic benefits of the construction and additional occupation to the local economy should be given weight in the planning balance. The proposal also seeks to provide an accessible unit meeting the building regulation M4(3) standard which also forms a social benefit of the scheme. The visual impacts of the proposed additional parking on the area of publicly accessible soft landscaped area at the site would be mitigated through the replacement of this space beyond the parking area and the more open layout proposed that enables trees at the boundary of the site to make a greater visual contribution. Whilst the proposal would not result in a net gain in biodiversity terms, the harm arising from not doing so or causing the loss of existing features at the site could be mitigated to such a degree that the harm in this regard would be limited. As such the adverse impacts outlined above are not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development remains to be applied. It is therefore officer recommendation that planning permission be granted
84. 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 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
85. 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 drawings numbered 28119-PD099 Rev A, 28119-PD100 Rev A, 28119-PD110 Rev C, 28119-PD111 Rev D, 28119-PD120 Rev D, 28119-PD122 received 14th November 2022 received 09th May 2023 and 28119-PD101 Rev P received 25th May 2023. 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. No development shall start until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development are appropriate to 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.

4. 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 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

5. No development shall start until a tree protection plan and arboricultural method statement, in full accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations [appropriate and specific to the approved scheme], to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree, has been submitted to and agreed in writing by the Local Planning Authority. Specific reference should be made to the no dig permeable surfacing within the root protection area of T16, with existing and proposed levels, sections within the RPA of T16, surfacing and edge retention. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority

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

6. At least 28 days before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. Before commencement of development above ground the scheme of assessment shall be carried out at such points and to such depth as the District Planning Authority may reasonably stipulate, including suitable consideration of Asbestos and other contaminants appropriate to the site. All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the Government Guidance for Land affected by Contamination A scheme for decontamination and validation shall then be agreed in writing by the District Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014

7. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
 - b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events, during all stages of the development. If

infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.

- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

- 9. The development hereby approved shall not be occupied unless and until the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (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 condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

- 10. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the

development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority 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 in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

11. No development shall commence until a Construction Transport Management Plan, to include details of:(a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) measures to prevent the deposit of materials on the highway (e) before-and-after-construction condition surveys of the highway and a commitment to fund the repair of any damage caused (f) on-site turning for construction vehicles, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Construction Transport Management Plan.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users during the construction of the development. This condition is required to meet the objectives of the NPPF (2021), and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

12. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Preliminary Ecological Appraisal dated 13/10/2022 and Bat Survey Report dated 20/05/2022

Reason: To ensure the development does not cause undue harm to ecology

13. Before the development hereby approved is occupied the photovoltaic panels and air source heat pumps as specified in the application details shall be installed and this system shall thereafter be retained in perpetuity 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.

14. The affordable housing shall be provided in accordance with the approved scheme (x5 3-bedroom dwellings, x3 2-bedroom dwellings, x4 1-bedroom flats) and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2018 or any future guidance that replaces it.

Reason: To ensure that affordable housing provision is secured in accordance with the provisions of Policy CSP4 of the Tandridge Core Strategy 2008 and the National Planning Policy Framework.

15. No part of the development shall be commenced unless and until the proposed vehicular and pedestrian access to Wolfs Wood (D472) has been

constructed and provided with a means within the private land of preventing private water from entering the highway, in accordance with the approved plans (Drawing No. 28119-PD101 Rev M).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

16. The development hereby approved shall not be first occupied unless and until double yellow line road markings have been installed at the modified turning head on Wolfs Wood, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

17. 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 (Drawing No. 28119-PD101 Rev M) 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: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

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.

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, DP5, DP7, DP8, DP9, DP19, DP20, 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.