

Application: 2022/1299
Location: Land at Amy Road and Station Road East, Oxted
Proposal: Erection of 2 dwellings, parking and landscaping.
Ward: Oxted North and Tandridge

Constraints – Biggin Hill Safeguarding, HSE Notifiable Hazard, Primary Shopping Area, Primary Shopping Frontage, C and D Roads, Tree Preservation Order, Urban Area.

RECOMMENDATION: GRANT PLANNING PERMISSION

1. This application is reported to Committee as the application has been called-in by Cllr Sayer on the grounds that the visual impact of the development, the relationship with neighbouring residents and the living conditions of future occupiers should be given detailed consideration by the Planning Committee due to the particular circumstances of this site and its surroundings.

Summary

2. Planning permission is sought for the erection of two dwellings with parking and landscaping. The proposed development is considered to be acceptable in principle and would make effective use of previously developed land at a sustainable urban location. The visual impact, impact on neighbours, parking and access arrangements, provisions for ecology and living conditions are all considered to be acceptable. Therefore, it is recommended that planning permission is granted.

Site Description

3. The application site is an unusually shaped, 0.1 hectare parcel of land located primarily between the properties of Station Road East and the rear gardens of the properties of Amy Road. The main part of the site is accessed from a strip of land that meets Station Road East adjacent to the building of 54 Station Road East. The site currently contains several substantial trees that are the subject of a Tree Preservation Order. The ground levels change across the site, falling from north to south. The site contains a garage structure but is otherwise free from buildings.

Relevant History

4. None of direct relevance to this proposal at this site. However, the application submissions indicate that the land is within the control of the property of 2A Amy Road which is the subject of the following planning history:

89/970 - Change of use of unused garden to car park with access from station road east. Approved

93/686 - Erection of detached store building to replace existing. Approved.

98/599 - Change of use of land to car park with 13 spaces and access from station road east for use by blades heating limited and other local business people during normal business hours (monday to saturday). Refused

2001/1100 - Demolition of timber shed/store. erection of single storey extension to existing retail showroom. Approved

2017/1737 - Change of use from redundant garden to private car park.
Approved

2022/1309 - Demolition of existing buildings and erection of 3 dwellings, parking & landscaping.. Approved.

Proposal

5. The application seeks permission for a pair of semi-detached dwellings which would each contain 2 bedrooms at first floor and a kitchen and lounge area at ground floor.
6. The 'T' shaped building would measure 14.2 metres wide, a minimum of 5.6 metres deep and a maximum of 6.2 metres deep. The cross wing that would project to the front and rear of the shallower part of the building would measure 6.9 metres wide. The eaves height of the building would be 4.3 metres and the ridges would be built to a height of 6.7 metres. Two dormers bisecting the eaves are proposed at the front elevation with two windows being proposed in the gable end, two rooflights are proposed to the rear with one window being proposed in the rear gable. One rooflight is proposed to the south east side but no windows are proposed on the north west facing elevation.
7. Unit A (to the north west) would be served by a garden measuring 47 square metres. The garden for Unit B is not clearly demarked but appears to measure 270 square metres.
8. Four parking spaces are proposed to serve the development, two in the open and one within a car port that would be provided to the south of the building, measuring 5.1 metres by 5.1 metres with a mono-pitched roof built to an eaves height of 2.1 metres and a maximum height of 2.8 metres.
9. Three trees would have to be removed at the frontage of the site to enable the proposed development. A fourth tree is shown to be removed by the applicant's submissions but that tree would be a result of the development and is the subject of different application 2022/1309 rather than this proposal.
10. The proposals have been amended since the application was first submitted with the dwellings changing from three bedroom dwellings and the size of the building being reduced. A further public consultation period has been undertaken.

Development Plan Policy

11. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP22, CSP23
12. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP2, DP5, DP7, DP19 and DP21.
13. Woldingham Neighbourhood Plan (2016) – Not applicable
14. Limpsfield Neighbourhood Plan (2019) – Not applicable

15. Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) – Not Applicable.
16. Emerging Tandridge Local Plan 2033 - TLP01, TLP02, TLP04, TLP06, TLP10, TLP18, TLP19, TLP35, TLP37, TLP45, TLP47, TLP50

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

17. Harestone Valley Design Guidance SPD (2011)
18. Surrey Design Guide (2002)
19. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021
20. Tandridge Parking Standards SPD (2012)
21. Tandridge Trees and Soft Landscaping SPD (2017)

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 – No objection subject to the imposition of conditions.
26. Oxted Parish Council – With respect to the initial plans, no objection was raised. In relation to the amended plans, an objection has been raised on the grounds that *“It is not in keeping with the area, the scale, size, and density is overdevelopment of the site and there is a reduction in privacy levels for neighbouring properties. The proposal does not meet the 22-metre distance between properties, nor does it comply with the habitable living area specifications. The removal of trees will have a detrimental effect on the quality of life of residents which will also result in residents being faced with concrete walls and red brickwork.”*

Non-Statutory Advice

27. Surrey Wildlife Trust – Full comments can be viewed online, see summary table below:

Planning Stage	Recommendation
Prior to determination	N/A
Prior to commencement	An Ecological Enhancement Plan is sought and it is advised that any works to trees should be undertaken with supervision.
Prior to occupation	N/A
General/Recommendations and Informatives	No net increase in external lighting. Consideration of breeding birds. Precautionary measure for reptiles.

28. Tree Officer – A TPO was recently served to protect three trees (T1, T2, T4 of the submitted tree survey and report). None of the trees are of special quality but, being a group of trees in the centre of town, they do have quite significant amenity value, particularly when viewed through the access next to Boots, and the surrounding properties. The proposed layout shows these three trees retained, and also retained T3, which is not the subject of a TPO, but is a BS5837 category 'B' tree, and therefore should certainly be retained if possible.
29. The layout in relation to these retained trees is tight to say the least. However, the relationship with the existing garage is already tight, and the new car ports, proposed to be constructed using an above ground cellular confinement system, will not harm underlying roots. However, the trees will overhang the ports and it is inevitable that residents will wish to prune the trees to improve the relationship, and in particular where the crown of both T2 & T3 will come close to the SE elevation of the nearest dwelling.
30. Clearly the layout has been designed to push the dwellings as far from the trees as possible, and that is why the car ports are together. In that respect I do think the relationship with the dwellings is broadly sustainable, but of course it is not ideal. The principle of the tree protection required has been set out within the submitted report, but if consent were to be granted then a detailed arboricultural method statement would be required to show how the levels would work with the cellular confinement systems, and how harm to roots would be mitigated when constructing the ports.
31. With the above in mind, on balance, I raise no objection to the proposal, subject the conditions listed below:
- Arboricultural method statement
 - No tree works during development

Other Representations

32. With respect to the initial proposals, objections were raised on the following grounds –
- Loss of trees.
 - Impact on bats that are present at the site and within the locality.
 - Access on to Amy Road would be dangerous.
 - Increase of traffic.
 - Loss of parking.
 - Proximity to existing dwellings, causing overlooking and loss of light and not according with specified standards.
 - Noise and light pollution.
 - The loss of trees would enable views from within the existing properties of Station Road East.
 - Potentially contaminated land.
 - Dwellings would be overlooked to the degree that they would not be sold and are then likely to be vandalised and/or occupied by squatters.
 - Poor living environment for future occupiers.
 - Poorly lit area would encourage criminal behaviour.
 - The proposals do not accurately reflect the ground levels.
 - Impact of construction process on occupiers of neighbouring dwellings.

- Dwellings are not needed.
 - Within the objections, the following benefits of the proposal have been identified:
 - Potential reduction of commercial traffic.
33. Other Comment:
- Proposal will affect access to commercial properties.
34. Following the receipt of amended plans, a further publicity exercise was undertaken and further comments were received. These largely repeat matters that are specified above. The only additional points raised are that it would not be possible for vehicles to turn within the site and leave in a forward gear and that the construction might interfere with the operations at the neighbouring commercial premises.

Key Issues

35. The key issues are the principle and location of the development, the housing density and mix, character and appearance, residential amenities, transport impacts, biodiversity, renewable energy provision, flooding and drainage, and trees.

Assessment

Procedural note

36. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 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 to the degree of consistency with the current Framework.

Location and principle of development

37. The site is located within Oxted Town Centre but, other than the part of the site that would be used for vehicle access, the site is outside of the Primary and Secondary Shopping Frontages and the Primary Shopping Area.
38. Policy CSP23 states that the Council will seek to protect and enhance the role of the town centre and the preamble to that policy sets out a number of 'Healthcheck' measures that have been identified as a way to do so as well as setting out the importance of protecting and supporting the shopping function. This proposal does not relate to land within the primary shopping area, would not conflict with any of the identified measures and does not conflict with any elements of Policy CSP23, particularly given that the land at the application site is not, in itself, used for commercial purposes other than for purposes that are ancillary to other uses.
39. Policy CSP22 states that the Council will seek to develop a sustainable economy. This proposal would make more effective use of previously developed land and not cause the loss of any employment uses as the land is currently largely clear and unused. As such, the proposal would not undermine the objective of developing a sustainable economy. The occupation of the

proposed dwellings would bring about some minor economic benefits, but not to a degree that would justify this factor being afforded more than limited weight.

40. 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.
41. The proposal would result in the net gain of two dwellings on previously developed land which is a benefit to afford substantial weight, particularly given that the site is located within an urban area. As the proposal is for two dwellings, the benefits are limited but the proposal would contribute towards the provision of housing at a time where the Council is not able to demonstrate a 5 year housing land supply. In this context, paragraph 11 of the NPPF sets out that the development should be supported unless the harm from doing so clearly and demonstrably outweighs the benefits of the proposal. This weighting assessment shall be undertaken below.
42. However, for the reasons given, there is no objection in principle to the location of the development and Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard. 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.

Character and Appearance

43. The NPPF states that the creation of high quality, beautiful and sustainable 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. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
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 CSP19 of the Core Strategy states that within the framework for the character and design of density as set out in Policy CSP18, the density of new development within Oxted Town Centre would be within a range of 40 to 75 dwellings per hectare, unless the design solution for a higher density scheme is compatible with local character and distinctiveness.

47. The application site comprises mostly the land between the residential properties of Amy Road and the mixed use properties of Station Road East. The site and its immediate environs make a neutral contribution to the locality, with the tree coverage making a positive contribution but the 'service' areas to the rear of the commercial premises making a far lesser contribution to the character and appearance of the area. As a largely vacant plot, it is considered that the site is poorly utilised and has the potential to contribute more positively than the existing situation.
48. The proposal would see a wide, two storey building built in a constrained area. Whilst the dimensions of the site mean that development on the plot would be tight, the building would be inset from the side and rear boundaries to a sufficient degree to not appear unduly cramped, particularly as space would be retained to the side of the building which would be used for parking and the proposed car port which would be of much reduced scale than the remainder of the building. With respect to the frontage of the site, the dwelling would be set back by a sufficient distance to provide an area of soft landscaping which would provide defensible space for future occupiers but also a soft landscaped setting for the building.
49. By not having a frontage onto the public realm, the development would have a backland appearance and it is unavoidable that the development would appear constrained on the plot as specified above. However, as has been set out above and will be considered further below, it is considered that this would be expected of previously developed land in such a setting and, as such, should not necessarily be reason to prevent development.
50. As a result of its positioning, the building would not be viewed immediately next to any other building and would sit in the gap between the contrasting built form of Amy Road and Station Road East. In this context, it is not considered that the architecture or scale of the surrounding area should necessarily be followed as the building would appear in isolation. The building would be wide and proportionately low in height, but the pitched roof design, the inclusion of a cross wing, the eaves high dormers and the other architectural elements of the building ensure that the building would have an acceptable appearance.
51. The proposal would result in the loss of some trees which would take away a key positive feature of the site and significantly reduce tree coverage along the frontage. However, when a Tree Preservation Order was recently served at the site, it was not deemed appropriate to include those trees within the Order and, as such, they are not protected and could be removed without requiring the consent of the Local Planning Authority. On this basis, whilst unfortunate, it is not considered that the removal of trees could be a reason to refuse the application.
52. For these reasons, the scale, design and layout of the development is considered to be acceptable and not detrimental to the character and appearance of the site and the surrounding area. The proposal would, therefore, accord with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy in this respect.

Residential Amenity

53. 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.

54. The above policies reflect the guidance at Paragraph 130 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
55. To the northeast and east of the site are the residential properties of Amy Road. The submitted plans show that the closest residential property (6 Amy Road) is within 8.4 metres of the shared boundary and 12.7 metres from the proposed development at ground floor with the first floor being set a further 4 metres from the boundary. 4, 8, 10 and 12 Amy Road would be 16.1, 17.2, 17.5 and 18.5 metres from the proposed building respectively.
56. Following the amendments that have been made to the proposal, all of the windows on the side and rear elevations of the building would serve non-habitable rooms (bathrooms and landings). As such, each of these windows could be fitted with obscured glazing and be required to be fixed shut below the conventional height of 1.7 metres. A condition could also be imposed to prevent further windows being installed at first floor level. As a result of the ground levels and boundary treatments at the site and within the locality, it is not considered that the ground floor windows would cause an unacceptable loss of privacy within neighbouring properties. Consequently, conditions can ensure that the proposal would not have any unacceptable impacts in terms of overlooking those properties.
57. Policy DP7 states that *“a minimum distance of 14 metres will be required between principal windows of existing dwellings and the walls of new buildings without windows.”* Whilst this is under the heading of privacy, it is clear from the content of the policy that this is also seeking to avoid overbearing and overshadowing effects and, as such, it is considered that this distance should be applied even where an absence of clear-glazed windows ensures that neighbouring developments would not be overlooked. In this case, whilst windows are included in the rear elevation, given the potential to use the conditions that are set out above and the comments that have been made with respect to overlooking, it is considered that the 14 metre distance would be more applicable to use in the assessment of this application rather than the 22 metre distance that is applicable *‘where habitable rooms of properties would be in direct alignment’*.
58. From the distances set out above, it is clear that the development would be within 14 metres of the neighbouring dwelling of 6 Amy Road and, as such, would not accord with the abovementioned policy. However, the proposed dwelling would sit at a lower ground level than the dwellings of Amy Road and would be of a relatively low height as a result of the first floor being incorporated within the roof space of the building rather than being a building with a full two storeys plus a roof above. On this basis, it is considered that the 1.3 metre shortfall that has been identified above, is mitigated by other factors and, as such, whilst not in accordance with policy, the impact on outlook and sense of enclosure would not be such that the living conditions of the occupiers of that dwelling would be harmed to a degree that this should be a reason for the refusal of the application.

59. Due to the greater separation distances to the properties of 8, 10 and 12 Amy Road, in terms of the distance from the shared boundary and the rear elevations of the dwellings, it is considered that the proposal would comply with the policy that is set out above and that the buildings are less imposing and would not have an overbearing or overshadowing effect to an extent that would justify the refusal of the application.
60. The proposed development would be 20 metres from the rear elevation of 2 Amy Road and 16.2 metres from the rear of 4 Amy Road. As a result, the development would not cause an undue loss of light or outlook within those properties and the impacts on the amenity areas would be limited to the parts of the gardens that are furthest from the dwellings and, as such, would not be harmful to an extent that would justify the refusal of the application.
61. The properties of Station Road East are in commercial use at ground floor and the first floor accommodation is a sufficient distance from the proposed development to ensure that the development does not cause a loss of light, privacy or outlook with the properties to the west that would justify the refusal of the application.
62. For the reasons outlined, the proposal is considered acceptable in terms of the impact on the living conditions of nearby residents and, therefore, it is considered that the proposal would accord with Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) in this respect.

Living conditions for future occupiers

63. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical Housing Standards – nationally described space standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
64. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
65. The proposed dwellings would provide adequate internal living conditions to meet the abovementioned standards and ample garden space would be provided for both dwellings, particularly as they are now 2 bedroom units and so it would conventionally be expected that the dwellings are served by smaller gardens, particularly in an urban area. On balance, whilst limited in terms of size and being shaded by the remaining trees, the gardens are considered to be adequate for the future occupiers of the two dwellings that are proposed.
66. Whilst the outlook from the front of the dwellings would be towards the service area of the adjacent commercial units, given that a small area of soft landscaping would provide defensible space in front of the building and that the

service area is already used by other residents of flats within the locality, it is not considered that the living environment would be so unattractive that occupiers would not be afforded with an acceptable standard of living.

67. Refuse storage facilities are shown on the submitted plans and it is expected that the storage and collection arrangements would be usable and suitably accessible, particularly given the similarity of the facilities with those of other properties in the area.
68. For these reasons, the living conditions for future occupiers are considered to be acceptable.

Parking Provision and Highway Safety

69. 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.
70. The County Highway Authority has reviewed the proposal and raised no objection with regards to highway capacity, safety and access. The site would be accessed via the existing access road currently serving the site and the adjacent commercial uses and it is considered that the proposal would not lead to an unacceptable increase of vehicle movements. The site is located in a sustainable location close to bus stops, Oxted station, and the facilities of Oxted Town Centre and as such, it is likely that there would be lesser vehicle movements than in more remote locations.
71. The provision of two car parking spaces per dwelling is considered to be acceptable in this location and, whilst the concerns of an interested party are noted, it is considered that there is sufficient space at the site to enable vehicles to enter and leave the site in a forward gear.
72. Subject to the inclusion of suitable planning conditions, it is assessed that the proposal would not negatively impact upon highway safety and as such comply with the provisions of Core Strategy Policy CSP12 and Local Plan Policies DP5 and DP7.

Flooding

73. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 159 of the NPPF 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'.
74. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.

75. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
76. 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. The proposal therefore accords with the relevant flood risk policies that are set out within the NPPF and the development plan

Renewable Energy

77. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The energy statement that has been submitted with the application demonstrates that 10% of the energy requirements of the dwellings can be met through the use of PV panels. The application would be conditioned to ensure that the above is implemented and maintained in accordance with the details supplied.

Biodiversity

78. 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.
79. 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.
80. The applicant has submitted a Preliminary Ecological Appraisal Report and Arboricultural Implications Assessment and Method Statement to accompany the application. These have been reviewed by Surrey Wildlife Trust and are set out above. In respect of SWT's comments, should the application be approved, appropriately worded conditions will be imposed. With the inclusion of these conditions, the proposal would comply with the requirements of the NPPF and CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2- Detailed Policies 2014. For that reason, it is considered that the proposal is acceptable with regards to biodiversity.
81. It is noted that interested parties have identified that bats are regularly present within the locality and potentially at the site. However, given the findings of the specialist advisor and the evidence that has been provided, it is not considered that the application could reasonably be refused for this reason. In any event, as bats are a protected species, they would be statutorily protected moving forward.

Landscaping and Trees

82. Policy CSP18 of the Core Strategy required 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 the Local Plan Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
83. 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.
84. The application is supported by an Arboricultural Impact Assessment which has been reviewed by the Tandridge Council's Tree Officer who has provided the comments that are set out above. Subject to the inclusion of the aforementioned planning condition, the application would comply with Local Plan Detailed Policy DP7 and the Tandridge Trees and Soft Landscaping SPD (2017).

Other matters

85. Interested parties have identified that the site could be the host of contaminated land. If contamination is identified in the future, its mitigation can be addressed through the imposition of a condition.

Planning balance and conclusion

86. The Council is currently unable to demonstrate a 5-year housing supply and as such, paragraph 11d of the NPPF becomes relevant. It sets out that planning permission in such circumstances should be granted unless the harm of doing so with significantly outweigh the benefits when looking at the policy context broadly set out in the NPPF.
87. As identified above, this proposal would represent a limited boost to housing supply, represent the use of previously developed land in a sustainable location and bring about minor economic benefits during the construction and occupation phases. Through amendments having been made, it is considered that the proposal would have an acceptable effect on the character and appearance of the site and the surrounding area and the living conditions of neighbouring residents and future occupiers. The proposal would be acceptable in all other respects. However, even if weight were to be applied to the conflict with Policy DP7 that results from there being less than 14 metres between dwellings, it is considered that the harm arising would be minimal and mitigated for the reasons set out above but, in any case, the harm caused would now be at a low level and clearly outweighed by the benefits of the proposal. As such, the NPPF, when taken as a whole, indicates that planning permission should be granted.
88. 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.

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

RECOMMENDATION: GRANT PLANNING PERMISSION 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 BH2208-02 B (Dated 14 April 2023) and BH2208-01 B (dated 14 April 2023) and the site location plan (received 03/10/2022). The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. Prior to their use within the development hereby approved, the materials to be used on the external faces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall only be undertaken using the approved materials.

Reason: To ensure the proposal would harmonise with 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. Prior to the commencement of the development hereby approved, details of the existing and resultant ground levels of the external areas and the finished floor levels of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with such details as are approved.

Reason: To ensure that the topography of the site is adequately addressed within the proposals in the interests of visual and residential amenity and 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 detailed tree protection plan and detailed 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 and arboricultural supervision and monitoring of these works, has been submitted to and agreed in writing by the Local Planning Authority. 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 ensure the proposal would harmonise with the character of the area by not resulting in the unnecessary loss of trees, 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. No [further] trees or hedges shall be pruned, felled or uprooted during site preparation, construction and landscaping works except as shown on the documents and plans hereby approved without the prior written consent of the Local Planning Authority. Any retained trees or hedges which are removed, or 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, are dying, becoming diseased or damaged shall be replaced by plants of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: To ensure the proposal would harmonise with the character of the area by not resulting in the unnecessary loss of trees, 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. Prior to the first occupation of the dwelling hereby approved, a scheme of hard and soft landscaping to be undertaken at the application site and details of any means of enclosure to be provided at the site shall be submitted to and approved in writing along with a timetable for undertaking those hard and soft landscaping works and the provision of those means of enclosure. Subsequently, all elements of the hard and soft landscaping and all means of enclosure shall be undertaken in full accordance with the approved timetable. Subsequently, any soft landscaping that dies or is damaged within 5 years of its provision shall be replaced with soft landscaping of the same size and species.

Reason: To ensure the proposal would harmonise with 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.

8. Prior to the first occupation of the dwelling hereby approved the measures shown to be serving that dwelling to reduce energy usage improve energy efficiency set out within the Energy Statement (prepared by Arcadian Architectural Services and Dated 04/10/2022) that has accompanied the application hereby approved shall be installed. Those fittings and installations shall be retained at all times thereafter.

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

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 4 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The condition is required in recognition of the highway safety objectives of the NPPF 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. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking and turning 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) on-site turning for construction vehicles

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

Reason: The condition is required in recognition of the highway safety objectives of the NPPF 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. The development hereby approved shall not be occupied unless and until, the proposed dwelling is provided with an electric vehicle charging facility in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The electric charging facility shall thereafter be retained at all times.

Reason: The condition is required in recognition of the sustainable transport objectives of the NPPF 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.

12. Prior to the first occupation of any of the dwellings hereby approved secure and covered parking of a minimum of 1 bicycle per dwelling within the development site together with a charging point for e-bikes next to the said facilities shall be installed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The approved and implemented facilities shall thereafter be retained at all times.

Reason: The condition is required in recognition of the sustainable transport objectives of the NPPF 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.

13. Prior to the commencement of the development hereby approved, an ecological enhancement plan, including a timetable for any works, shall have been submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved ecological enhancements shall be undertaken in accordance with the approved timetable.

Reason: To ensure that the proposal has a beneficial impact on biodiversity and protected species in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 and the NPPF.

14. No external lighting shall be installed at the site unless details of any such lighting has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal has a beneficial impact on biodiversity and protected species in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 and the NPPF.

15. In the event that contamination is discovered during development, full assessment thereof should be undertaken and any necessary modifications made to the remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Before any part of the development hereby permitted is occupied written confirmation should be provided that all works were completed in accordance with the revised remediation scheme.

Reason: To ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions or alterations to the dwellings hereby permitted falling within Schedule 2, Part 1 Classes A, AA, B or C shall be carried out without the prior permission in writing of the Local 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, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

17. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no building or enclosure, swimming or other pool, within Schedule 2, Part 1, Class E, shall be carried out on the land the subject of this planning permission.

Reason: To preserve the openness of the Green Belt/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 Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2.