

### ITEM 5.3

**Application:** 2023/331

**Location:** 1-21 Stychens Close, Bletchingly, Surrey, RH1 4NY

**Proposal:** Construct a permeable hard standing for the storage of communal general waste and recycling bins, widening of the access gate and the path to the road.

**Ward:** Bletchingley and Nutfield

*Constraints – AGLV, Area of High Archaeological Potential, ASAC, Biggin Hill Safeguarding, Conservation Area, Defined Village within the Green Belt, Gatwick Birdstrike, Gatwick Safeguarding, Redhill Safeguarding, road\_local a - high street, road\_local d - stychens close, source\_protection\_zones 3*

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

1. This application is reported to Committee because the site is Council owned land.

#### **Summary**

2. The proposal would represent an appropriate form of development within the Defined Village within the Green Belt and therefore the principle of the development is acceptable.
3. The proposal would not detract from the character of the area nor, due to its limited views from a public area and the existing development it is set against, would it harm the character or appearance of the Conservation Area.
4. The proposal would not be harmful to the residential amenity of the neighbouring properties and, subject to a condition requiring an arboricultural method statement being submitted and a 'no dig' solution, it would not be harmful to the adjacent trees.
5. Consequently it is considered that the proposal would accord with the requirements of the NPPF and with the policies contained in the Development Plan. It is therefore recommended that planning permission is granted.

#### **Site Description**

6. The site comprises a mixture of single, two and three-storey residential blocks containing 21 flats and their associated gardens, access and car parking. The site lies within Bletchingley, a defined village within the Green Belt and within the Bletchingley Conservation Area. The site falls within an Area of Archaeological Potential.

#### **Relevant History and Key Issues**

7. The relevant planning history is as follows;

GOR/7229A - ERECTION OF 21 FLATS WITH CAR PARKING SPACES  
Approved

95/536 - Erection of satellite dish to front elevation. Approved (full) 10/08/1995

97/1211 - Retention of shed. Approved (full) 03/11/1998

2005/625 - Installation of satellite dish to front elevation. Approved (full) 11/07/2005

2010/147/TCA - Fell 1 prunus Approved By Letter 01/04/2010

2013/729/TCA - Fell 1 elm. cut back branches on eastern side of 1 maple to clear property & leave branch length of 6m Approved By Letter 03/07/2013

2014/1933/TCA - T1 & t2 (pinus): crown clean by removing dead, diseased, dying, broken, hanging branches & stubs throughout the crown. t2 (pinus): remove damaged/hanging secondary branches as detailed within application photographs and if necessary from aerial inspection reduce primary branch back to secondary tear out Approved By Letter 12/01/2015

2016/946/TCA - Group G2 - Mixed species: Crown lift over communal garden to a height of 3m above ground level.

T3 - Sycamore: Fell Approved 07/07/2016

2020/1607/TCA - Conifers on bank - Fell

Self-seeded Sycamore - Fell to ground level.

Overhanging Sycamores - Overall crown reduction of approximately 20% volume, away from buildings and overhead cables whilst maintaining shape. (Please refer to pictures provided) Approved 21/10/2020

2020/2201/TCA - Scots Pine - Reduction of two hazard beams, by up to 50%, over car park area. Removal of any deadwood throughout crown of both trees. (Please refer to photo provided) Approved 19/01/2021

8. The key issues for this application are the principle of development, acceptability in terms of character and appearance, impact on neighbouring amenity, heritage and highway safety. Each of these will be addressed in the report below.

## **Proposal**

9. This application seeks approval for the construction of a 7.5m-long by 3m-wide permeable block-paved hardstanding to be used for communal general waste and recycling bins storage. The proposal also includes the widening of the access gate and the path to the road. This will be widened by 0.6m. Also included within the proposal is the installation/extension of a 0.9m tall handrail adjacent to the path to the front of the property and surrounding the hard surface.

## **Development Plan Policy**

10. Tandridge District Core Strategy 2008 – Policies CSP1, CSP18
11. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP12 and DP20
12. Limpsfield Neighbourhood Plan 2019 – Not applicable
13. Woldingham Neighbourhood Plan 2016 – Not applicable
14. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – referendum version (Regulation 18) (2020) – Not applicable

15. 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**

16. Tandridge Parking Standards SPD (2012)
17. Tandridge Trees and Soft Landscaping SPD (2017)
18. Surrey Design Guide (2002)

### **National Advice**

19. National Planning Policy Framework (NPPF) (2019)
20. Planning Practice Guidance (PPG)
21. National Design Guide (2019)

### **Statutory Consultation Responses**

22. Bletchingley Parish Council – No representations received.
23. SCC Archaeology – Although the proposed development is within an Area of High Archaeological Potential defined around the historic core of Bletchingley, the proposed hard standing is relatively small, of limited below ground impact and in an area likely to have been subject to recent disturbance. As such, I have no archaeological concerns.

### **TDC advice**

24. Principle Tree Officer: These trees are protected by virtue of the conservation area and they do contribute to its generally verdant character, as well as affording general amenity to the local area.

If the proposed hard standing is constructed in a conventional fashion as described, then this has the potential to harm the underlying roots of the adjacent trees, through severance if any excavation is required and/or by compaction of the soil, which kills roots. As such I would recommend that the following condition is applied.

#### No dig surfacing near to trees

Notwithstanding the details already submitted, no development shall start until an arboricultural method statement; to include details of hard standing construction works within the root protection area of the adjacent protected trees has been submitted to and agreed in writing by the Local Planning Authority. These details shall include existing and proposed levels, a full specification for a no dig 3D cellular confinement system, permeable wearing course and non-invasive edging/retention detail in accordance with BS 5837:2012 which has been designed to prevent harm to the roots of the trees. 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.

## Third Party Comments

25. Neighbour Letters: One representation not raising objection to the application but raising the following points (summarised):
- Perfect for both discussing location and ease of access
  - Question over impact of handrail on access to Stychens Close.

## Assessment

### Procedural note:

26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraph 12 asserts that it 'does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise'.
27. 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 NPPF document. Instead, due weight should be given to them in accordance to the degree of consistency with the current NPPF .

### Location and principle of development

28. The site is within a Defined Village in the Green Belt as defined by the policies of the Tandridge Local Plan: Part 2 – Detailed Policies. Policy DP12 set out that development will be permitted in the defined villages subject to the meeting a list of acceptable development. This list includes;
2. The partial or complete redevelopment of previously developed land, even if this goes beyond the strict definition of infilling; Or
6. Any other form of development that is defined by the NPPF as not being inappropriate in the Green Belt.
29. With regards to the NPPF Paragraph 149 sets out that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. It however list exceptions which includes;
- e) Limited infilling in villages.
30. Paragraph 150 also sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include:
- b) engineering operations;
31. The proposal seeks approval for the construction of a permeable hard standing, widening of the access which includes enlarged gate and widened path and the erection/extension of handrails. These works would be engineering operations

which are an appropriate form of development within the Green Belt, subject to meeting the test of preserving openness. Taking into account the scale of the development and its setting within a defined village the development is considered to preserve openness. The proposal would therefore be in accordance with Policy DP12 (6) of the Tandridge Local Plan: Part 2 – Detailed Policies and Paragraph 150 (b) of the NPPF.

### Character and Appearance

32. 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.
33. 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.
34. 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.
35. The proposed hard standing is to be located to the west of the southernmost block which fronts onto Stychens Close. It proposes a permeable block-paved surface. The area to the west of this block is currently enclosed by a close-boarded fence which will remain following this proposal. This area of hard standing would therefore not be readily visible from the public domain and would not impact on the character or appearance of the area. The widening of the gates and access path and extension of the handrail would be visible within the public realm. These are however seen in context with the existing gate, path and handrail to be replaced/extended. It would therefore not result in any significant change to what is currently on site. This element of the proposal would therefore not result in harm to the character or appearance of the area.
36. Overall the proposal 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.

### Heritage

37. The application site lies within the Bletchingley Conservation Area and therefore the impact on this heritage asset must be carefully considered.
38. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

39. Local Policy DP20 sets out that;

- A) There will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. It continues that;
- B) In all cases the applicant will be expected to demonstrate that: 1. All reasonable efforts have been made to either sustain the existing use, find viable alternative uses, or mitigate the extent of the harm to the asset; and 2. Where relevant the works are the minimum necessary to meet other legislative requirements. Finally;
- C) With the granting of permission or consent the Council will require that: 1. The works are sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features) and materials (colour and texture); and 2. In the case of a Conservation Area, the development conserves or enhances the character of the area and its setting, including protecting any existing views into or out of the area where appropriate.

40. Paragraph 202 of the NPPF requires that when a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

41. Paragraph 206 of the NPPF sets out that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. It continues at Paragraph 207 that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

42. The application site sits to the western section of the Conservation Area designation which continues some 70m further west of the site to the boundary with Little Common Lane. The Bletchingley Conservation Area Appraisal (2002) identified elements of the conservation area of importance. With regards to the application site it sets out that, *The flats (Stychens Close) unfortunately do not enhance this corner of the conservation area and do not provide a strong sense of enclosure. The character of this part of the conservation area has presumably changed significantly since it was assessed for inclusion, now feeling more like a square than the tight linear development of before (as shown on the 1869 map). Front boundaries are a feature of the area, and the introduction of a low picket-type fence or railings could improve the appearance of the flats.* This therefore does not suggest that the application site forms part of its significance.

43. As discussed within the character section above the proposed hard standing is not readily visible within the public realm. Whilst the gates, widened path and

hand rail would be visible from the Conservation Area it would be seen in context of the existing residential block and replace the gates and handrail in similar but extended/enlarged form. The proposal is therefore considered to be in keeping with the character of the existing development and whilst not enhancing the Conservation Area would not result in substantial change to harm the character or appearance of the Conservation Area, nor would it harm any part of its significance.

44. The proposal is considered to be acceptable in relation to the impact on the Bletchingley Conservation Area and to accord with the requirements of Policies DP20 of the Tandridge Local Plan: Part 2 - Detailed Policies and Paragraphs 195-206 of the NPPF.

#### Residential Amenity

45. 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.
46. The proposal will provide a new hard standing for use as a refuse storage area, enlarged gate, path and handrail. Whilst in close proximity to residential properties, given its modest scale, it is not considered to harm the neighbour's residential amenity in terms of loss of light or overbearing impact. The use of the site for the storage of refuse may result in some noise for the adjacent neighbours however is not considered to be harmful to a degree to result in a significant impact on the amenity of the neighbouring properties. The proposal would therefore accord with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

#### Trees

47. The application site does not contain any trees subject to a tree preservation order however the trees within the area are protected by way of Conservation Area designation. The proposal does not seek to remove any of the adjacent trees but will result in works within their root zones. This impact therefore needs to be considered.

48. 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.

49. 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.

50. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).
51. The Council's Principal Tree Officer considers that the trees to the west of the site contribute to the Conservation Area's generally verdant character, as well as affording general amenity to the local area. He comments that if the proposed hard standing is constructed in a conventional fashion as described, then this has the potential to harm the underlying roots of the adjacent trees, through severance, if any excavation is required, and/or by compaction of the soil, which kills roots. To mitigate this potential impact he has suggested a condition to require an arboricultural method statement be submitted and agreed before the commencement of works which should include details of a 'no dig' solution to avoid damage to the adjacent trees. This is considered to be reasonable in the interest of the protection of trees and has been included as a condition.
52. Subject to the outlined condition the development is considered to comply with the requirements of Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) with regards to impact on trees.

#### Archaeology

53. Local Plan Part 2 Detailed Policies Policy DP20 requires that; D) Any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP), or is for a site larger than 0.4 hectares located outside these areas, must be accompanied by an archaeological desk-top assessment.
54. The application site lies within a County Site of Archaeological Potential and therefore the impact on archaeology needs to be considered. The applicant has not undertaken an archaeological desk-top assessment however the site is previously disturbed land, being part of an existing residential development. The County Archaeologist has been consulted and comments that although the proposed development is within an Area of High Archaeological Potential defined around the historic core of Bletchingley, the proposed hard standing is relatively small, of limited below ground impact and in an area likely to have been subject to recent disturbance. As such he has no archaeological concerns.
55. In light of this the proposal is not considered to offend the requirements of Policy DP20.

#### Conclusion

56. The principle of the development is considered acceptable with the proposal being an appropriate development within a defined village in the Green Belt. The proposal would also not adversely affect the amenities of neighbouring properties nor would the proposal have a detrimental impact upon the character and appearance of the building or the surrounding area or impact on the significance of the Conservation Area. No harm is identified in any other respect. As such, it is recommended that planning permission be granted subject to conditions.
57. The recommendation is made in accordance with the NPPF and the 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.

58. 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 23/T/SC/04, 23/T/SC/05, Site Location Plan and Site Location Plan with detail dated 15<sup>th</sup> March 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. The materials to be used on the external faces of the proposed development shall be in accordance with the details shown on the submitted application particulars.

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

4. Notwithstanding the details already submitted, no development shall start until an arboricultural method statement; to include details of hard standing construction works within the root protection area of the adjacent protected trees has been submitted to and agreed in writing by the Local Planning Authority. These details shall include existing and proposed levels, a full specification for a no dig 3D cellular confinement system, permeable wearing course and non-invasive edging/retention detail in accordance with BS 5837:2012 which has been designed to prevent harm to the roots of the trees. 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.

## 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, CSP18, Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP12 and DP20 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.