ITEM 1

Application: TA/2015/980
Location: 29 to 31 Amy Road, Oxted, RH8 0PX
Proposal: Demolition of existing building and erection of a two storey building to be used as a children’s nursery (Class D1).
Ward: Oxted North and Tandridge

Constraints - Urb, TPO

RECOMMENDATION:

This application is reported to Committee following a Member request.

Summary

1. It is considered that the revisions made to the scheme since the previous refusal are sufficient to overcome the objections raised in respect of parking, noise and disturbance, and the visual impact of fencing. The site is centrally located and its redevelopment to provide a day nursery is considered acceptable in relation to neighbour amenity, parking provision and impact on highway safety. It is therefore recommended that permission be granted subject to the imposition of conditions.

Site Description

2. The site is located on the northern side of Amy Road in close proximity to the Oxted Town Centre Area; an area designated as Urban, and is occupied by an existing single and part two-storey building which has been used for commercial purposes. The site has a 32 metre frontage to Amy Road within which is a mature Oak tree which is the subject of a Tree Preservation Order (4/2004/TAN).

3. To the east of the site is a single storey building, used by King’s Church as offices. To the west is a two-storey residential dwelling No. 27 Amy Road. To the south, which is on the opposite side of Amy Road, are further residential properties. To the rear of the site are the rear gardens of properties fronting Beatrice Road (No. 32-36). Approximately 25 metres to the south-east of the site is the Ellice Road public car park.

Relevant History and Key Issues

4. The site is located within the urban area where in principle redevelopment of the site would be considered acceptable. Therefore the key considerations relate to whether the proposal is suitably located, impact upon character of the locality, impact upon amenities of neighbouring properties, highways safety, parking provision, protected trees and landscaping.

5. The site has an extensive history, a large part of which dates from the last 11 years.
6. Planning permission was granted under reference TA/2004/2013 for the demolition of existing buildings and the erection of a part two-storey/part single storey office building. A subsequent scheme, which included a basement, was refused permission under reference TA/2006/1011. Applications to extend the time limit for implementation of the 2004 scheme have twice been submitted (TA/2010/93 and TA/2013/124) and the permission therefore remains extant.

7. More recently an application for the erection of a building providing 7 flats was refused permission and dismissed at appeal (TA/2012/1521). The Inspector concluded that it was acceptable in relation to its impact upon the living conditions of number 34 Beatrice Road, that the protected oak tree would be adequately protected and that a shortfall in parking would not materially harm the living conditions of local residents. The appeal was dismissed on the grounds that satisfactory living conditions would not be created for the occupiers of the proposed development.

8. Most recently planning permission was refused under reference TA/2014/1974 for the demolition of the existing building and erection of a part single/two-storey building to be used as a children’s nursery, catering for up to 90 children and with 23 full-time staff. That proposal included three parking spaces located to the front of the site and a children’s play area located adjacent with 1.8m high fencing. That scheme was refused for the following reasons and has not been appealed:

1. The proposed development would result in an unacceptable intensification of the use of the site due to the scale of the proposed nursery use on this constrained site in a residential area, for which a very limited number of parking spaces falling significantly below the requirements as set out in the Council’s adopted parking standards would be provided. As such the development would have a substantial adverse impact upon the amenities of neighbouring properties in terms of noise and disturbance, resulting from both the movement of vehicles and inadequate on-site parking provision, and the level of use of the outside play area. The proposal therefore fails 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.

2. The car parking provision for the proposed children’s nursery is insufficient and is likely to result in injudicious parking on the adjacent public highway and footway, potentially causing danger and inconvenience to pedestrians and other highway users, and impeding the free flow of traffic on the highway, which would be contrary to Policy CSP12 of the Tandridge District Core Strategy 2008 and DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

3. The proposal which would involve in the erection of a 1.8m high close boarded fence would have an adverse impact upon the character of the streetscene. The proposal therefore fails 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.

Proposal

9. Planning permission is sought for the demolition of the existing building and the erection of a two-storey building to be used as a children’s day nursery (Class D1).
10. The proposal differs from the previous scheme in the following ways:

<table>
<thead>
<tr>
<th></th>
<th>TA/2014/1974</th>
<th>TA/2015/980</th>
</tr>
</thead>
<tbody>
<tr>
<td>Width (overall/2-storey)</td>
<td>30.6m/18m</td>
<td>23.7m</td>
</tr>
<tr>
<td>Depth</td>
<td>11.7m</td>
<td>12.4m</td>
</tr>
<tr>
<td>Height (2-storey/single storey)</td>
<td>6.5m/4.2m</td>
<td>All 2 storey, 6.3m - 6.5m</td>
</tr>
<tr>
<td>Number of children</td>
<td>90</td>
<td>80 (22 babies, 38 toddlers, 20 pre-school infants)</td>
</tr>
<tr>
<td>Number of staff</td>
<td>23</td>
<td>22-23</td>
</tr>
<tr>
<td>Number of parking places</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td>Playground</td>
<td>116.6 sq.m</td>
<td>96 sq. m</td>
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11. The proposal also differs in terms of the siting of the children's playground, which previously was located between the building and the front of the site, but which is now proposed adjacent to the east flank of the building.

12. Hours of operation would be 07:00 – 18:00 Monday to Friday, excluding weekends and Bank Holidays.

13. NB. In order to accommodate a 'no dig' surface for the protected tree, additional drawings have been received showing the external and internal finished floor levels, these resulting in a 0.3m higher ridge level than originally shown.

Development Plan Policy


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


National Advice


Statutory Consultation Responses

20. County Highway Authority – see below.
   - Concerned at limited parking.
   - Increased level of traffic.
   - Safety of children when being dropped-off/colllected.

**Non-statutory Advice Received**

22. Tandridge Access Group (TAG) – in terms of disabled access and services the proposal is acceptable. Suggest that the toilet on the first floor is designed to be a disabled toilet to avoid people having to go in the lift to the ground floor toilet.

**TDC advice**

23. Chief Community Services Officer (Environmental Health) – Providing that the applicant includes the entire mitigation measures outlined in the noise report then Environmental Health has no objections.

**Other Representations**

24. Third Party Comments
   - Increased traffic movements, congested area, leading to hazardous conditions for pedestrians/road users.
   - Insufficient on-site parking. No on-site drop-off/pick-up provision. Insufficient cycle parking.
   - Impact of on street parking on residents.
   - No evidence that public transport will be used or that Travel Plan will be effective.
   - Will be mostly accessed by people using private car.
   - Hours of operation will be disruptive.
   - Hours should be restricted.
   - Oak, a significant specimen and a landmark and an important habitat for wildlife/birds. No survey submitted. Impact of parking upon tree should be considered. Important habitat for wildlife but no ecological survey provided.
   - Additional strain on Ellice Road car park – provided for shoppers, with parents using it as no ‘drop-off’ facility and would be used by staff. Would stretch it to its limit. Already extremely busy.
   - No safe access route from car park. Health and safety risks for all due to increase traffic and associated drop off and pick up. Traffic congestion affecting access for emergency vehicles.
   - Blockages from deliveries.
   - Loss of privacy.
   - Bigger than previous schemes, including TA/2006/1011 which was refused on grounds of height and extent of first floor element. Detrimental impact on neighbouring properties. Rear garden of 32 not ample, being 6.5m deep. No shadow impact assessment submitted. Concerns as to massing, overshadowing. Dominant and overbearing.
   - Loss of light.
   - Unacceptable noise/disturbance levels from children (internally and externally) and plant room.
   - Increased fume pollution.
   - Amy Road almost exclusively residential so proposed school development cannot be considered reflective of the scale, appearance and form of development in this locality. Commercial design with the neighbouring church building will create an industrial/office feel leading to a loss of character.
   - Devalue property prices.
   - Boundary needs to comprise a wall/fence 7ft high to ensure safety and privacy.
   - Conifer trees need to be undisturbed.
- 14 -

- Siting of waste/refuse bins not shown. Extent not sufficient.
- Marginal decrease in children numbers.
- Existing nursery has some parking but still leads to congestion.
- Purely commercial profit making venture. Will degrade local infrastructure at taxpayers' expense (damage to pavements and roads).

Assessment

Location and principle of development

25. No objection was previously raised to the principle of a day nursery being provided on this site. Whilst primarily residential in character, Amy Road is very centrally placed in relation to Oxted town centre and the site was previously in commercial use (as workshops). The previous application was refused on the grounds that insufficient parking would have been provided, and on character grounds due to the appearance of fencing. Given the site's location, its use as a day nursery would accord with the broad objectives of the Core Strategy and in particular Policies CSP1, CSP13 and CSP23.

Access and parking

26. Two of the three previous refusal reasons related to the fact that the provision of three parking spaces was not considered sufficient, and that the development proposed (which would have catered for up to 90 children) would have lead to parking conditions both harmful to the amenity of residents and detrimental to highway safety. Under this scheme, parking provision has increased to 9 spaces and the total number of children that could be cared for on the site has been reduced to 80. This scheme would also provide two access points, either side of the retained tree to the centre of the frontage.

27. When assessed against the Council's parking standards, this provision remains technically deficient, resulting in a shortfall of 32 spaces. In refusing the previous scheme it was acknowledged that these were maxima and as such some reduction could be considered acceptable. It was also acknowledged that Oxted is reasonably accessible by public transport, and that it has a local population from which both staff and clients were likely to be drawn but it was concluded that it was not on a par with larger centres (eg. Croydon or Epsom) and that the reality of day nurseries is that the majority of parents will drop off and pick up their children to and from work, such that as a minimum sufficient parking to accommodate a higher proportion of staff would be necessary with adequate parking and circulation space to allow parents to park on a short-term basis.

28. It was acknowledged also that a large public car park (Ellice Road) exists close to the site but it was concluded that the majority of parents would still choose to park as close to the nursery as possible for convenience. On the basis that on-site parking was unlikely to be available for parents dropping off and collecting their children, it was concluded that due to the very short duration of their stay, they may have risked parking in a potentially dangerous or unneighbourly manner. Furthermore, due to the nature of day nursery care, this situation could have been replicated many times throughout the day with sequential and possibly hazardous short-term parking due to the high numbers of children being cared for at the premises. It was concluded that the very limited parking provision would lead to difficult conditions locally, contrary to the requirements of Policy DP7, which states that development should not result in additional on-street parking where this would cause congestion or harm to amenity or highway safety.

29. In addition, the County Highway Authority (CHA) raised concerns at the time that whilst it had been demonstrated that there was sufficient capacity in the Ellice Road car park, it was considered unlikely that parents would make use of it due to the lack of a safe or suitable pedestrian access from the car park to Ellice Road/Amy Road, with parents having to access/exit the site with their children via the vehicular entrance/exit point. It was their opinion that as the majority of parents would drop-off or collect their children on their way to and from
work and that they would be likely to try and park as close as possible to the nursery in order to minimise time spent doing so. The CHA acknowledged that the parking bays along Amy Road are usually full and that there are single yellow lines, with restrictions on both sides but operating between 08:30 and 18:30 and as such parents arriving outside these hours could legitimately park on the yellow lines. It was considered that, due to the narrow width of Amy Road, vehicles parking on the southern side would have to park partly on the footway, which could cause danger and inconvenience to pedestrians as well as impeding the free flow of traffic on Amy Road.

30. In response to this latest scheme the CHA acknowledge that the scale has been reduced and the parking provision increased, though it still falls short of the 30 spaces recommended under SCC's Vehicular and Cycle Parking Guidance (2012) and the Parking Standards SPD (2012). They consider however that it would be unlikely that all parking spaces would be full for a significant amount of time and as such would allow vehicles to either park on the forecourt or within the nearby car park. They also place emphasis on the fact that its location 'very much provides for alternative modes of transport and reduced reliance upon the private car. For this reason, parking capacity is no longer considered a valid reason for refusal.'

31. In addition, in relation to use of the Ellice Road car park, they acknowledge their previous concerns regarding the lack of a pedestrian footway along its access and its implications for pedestrian safety but that, 'having reviewed the site, the traffic along Amy Road is not continuous and provides ample opportunity for pedestrians to cross the highway in a safe manner. It is also likely that pedestrians on Amy Road are familiar with the layout and would choose a route which affords them most protection from the highway. For this reason, pedestrian access and safety is no longer considered a valid reason for refusal.'

32. As noted above the County Highway Authority place a significant amount of weight upon the site's sustainable location within the Town Centre, its close proximity to a train station and bus stops, with walking and cycling also providing viable options and the Ellice Road car park providing an option for nursery users to park their vehicles in a safe and convenient manner. They conclude by stating that 'it is, therefore, possible to surmise that local residents within the area will be the main users of the nursery, and in conjunction with the Travel Plan, users and staff may choose to use public transport or other sustainable options over personal vehicle for drop-off/pick up purposes'.

33. The CHA notes that this is very much an on balance conclusion, that they have considered the comments of local residents, as well as the information provided by the applicant, and that in conjunction with a site visit, and subject to conditions, including revisions to the Travel Plan, conclude that there is insufficient evidence to refuse the application on road safety or sustainability grounds. In addition they draw attention to an appeal decision at Epsom, for a similar scheme including limited parking provision, which the Planning Inspector allowed due to its sustainable location, proximity to a car park and subject to the implementation of a Travel Plan.

34. Taking into account the CHA's conclusions and advice, and in light of the increase in parking provision, a significant part of which would need to be secured for pick-up and drop-off purposes only, and the reduction in the maximum capacity of the site, and the manner in which this site would be used e.g. sessional, it is no longer recommended that this scheme be refused on highway safety grounds nor with regards to its impact upon the free-flow of traffic. For these reasons also, it is considered that on street parking would not result in an unacceptable degree of harm to the amenities of local residents. The proposal is therefore considered acceptable in relation to Local Plan Policy DP5, Policy DP7 (B3) and Core Strategy Policy CSP12, subject to the imposition of conditions, including one requiring submission of a method of construction statement. This is considered to be necessary due to the constrained nature of the site, and potential for construction works on the site - if not appropriately managed - to result in congestion or obstruction of the highway. However, it should be noted that use of the highway in connection with the construction phase of the development, for example for access for delivery vehicles or parking of contractors' vehicles, cannot be controlled by the local planning
authority, even if these details have been approved. Any obstruction of the highway would be a matter for the highway authority under highways legislation.

Residential amenities

35. No objection was previously raised in relation to the impact of the building on neighbour amenities. Under the previous proposal the building would have been part single storey and part two storey, and would have spanned the width of the plot. In order to accommodate the play area to the side of the building, rather than to the front as previously proposed, the building’s footprint has been reduced, and it would be positioned to the west side of the site and wholly two storey in height. Overall, however, the impact of the building on adjoining neighbours would be similar to that previously proposed and no objection is raised in this regard. It should be noted also that the Inspector concluded in relation to the appeal scheme under TA/2012/1521 that a building 7m in height, spanning the width of the plot, would not have been unduly harmful to the amenities of the occupiers of properties backing onto the site (34 and 36 Beatrice Road), taking into account the height of the existing building on site and its proximity to the boundary. In terms of privacy, the rear elevation does not contain any first floor windows, with the only openings above ground floor being two high level skylights from which there would be no outlook.

36. The previous application was refused in part due to the potential for noise and disturbance, this being related to both the inadequacy of the parking provision and the level of use of the outside play area. As set out above, it is considered that the combination of the increased parking provision and reduction in the total number of children is sufficient to overcome the concerns in this regard. In terms of the noise from the use of the outside play area, the position of this within the site has changed as has its size (it would now be smaller). Positioned as it would be between the new building and non-residential premises to the east (Kings Church Centre), the properties which would be most likely to experience disturbance would be those immediately to the north in Beatrice Road (nos. 34, 36 and 38).

37. The proposal includes the outdoor play area, and various openings, including doors in the rear and flank elevations. The proposal does not include any details relating to air-conditioning systems and it has been assessed on the basis that internal conditions would be controlled, to some extent, by opening/closing of windows/doors.

38. The applicant has submitted a noise survey and assessment which assesses the impact on living and dining rooms, and gardens of the properties closest to the site, these being the rooms and spaces which would be used when the nursery was operational. As part of the assessment, a survey of the daytime ambient noise levels in the area was undertaken, and the impact of the nursery was assessed using data from another (larger) nursery in Epsom. The report concludes that with the use of boundary treatment comprising an acoustic barrier with a height of at least 2m along the rear and eastern boundary, the lower WHO guidance criterion is likely to be met within the nearest adjacent gardens. Furthermore, for occupants of the ground floor living rooms of the nearest residences, with openable windows, noise levels should remain within the acceptable internal noise environment criteria, these calculations being based on the worst case scenario in which children are outside for the maximum time possible. The report notes that in reality over the course of the year children will spend a considerable amount of time indoors with the doors closed, and that whilst there will be variations in noise levels, there is unlikely to be a significant adverse impact. The Council’s Environmental Health Officer advises that provided the mitigation measures (i.e. the provision of acoustic fencing) are provided as recommended in the report, noise levels are likely to be acceptable and no objection is raised in this regard. On the basis of this advice, it is considered that the objections previously raised in relation to noise and disturbance have been sufficiently overcome, and the proposals are considered acceptable in relation to the relevant requirements of Core Strategy Policy CSP18 and Local Plan Policies DP7 and DP22, subject to the imposition of a condition to require acoustic fencing.
Character and appearance

39. As with the previous scheme the proposed building would be set back from the front boundary by 9m and set back behind the front elevations of the buildings to either side; as such it would not appear unduly prominent within the street scene. In addition the proposal would be sited approximately 1m from the western and rear boundaries, with a substantially larger gap from the eastern boundary; in light of these factors and the existing built form/development on site, is not considered to result in a cramped or overdeveloped appearance. Whilst this building is 2-storeys in height, the overall width is less than the previous scheme measuring 23m compared just over 30m and thus the greater level of spacing outweighs the increase in development at 2-storeys. The proposal is also considered acceptable as to its scale given the site’s existing characteristics, with its height, roof formation and positioning ensuring it is not visually dominant in relation to number 27 Amy Road. The locality is predominantly defined by 2-storey buildings and as such no objections are raised in this respect whilst the spacing between this building and the building to its east allow for a suitable transition in scale. The detailed design is as previously and it is considered acceptable and would not have an adverse impact upon the character of the locality. It is also considered that suitable soft landscaping could be secured by means of a condition in relation to the land to the fore.

40. In terms of the last scheme objections were raised in relation to the treatment of the front boundary which comprised a 1.8m high close boarded fencing across approximately half the width of the frontage (17m). This was considered unacceptable given the characteristics of surrounding plots with open frontages with low walls and hedges. This proposal differs in that a section of 1.8m high close boarded fencing would be erected between the front elevation of the building and the eastern boundary whilst the front boundary is shown with soft landscaping. The siting of the proposed fencing is not considered to result in the harm previously identified and as such no objections are raised in this respect. The proposal is therefore considered acceptable on character and appearance grounds and thus accords with the requirements of Core Strategy Policy CSP18 and Local Plan Policy DP7.

Trees

41. The Oak tree on the frontage of the site makes a significant contribution to the street scene and is protected by Tree Preservation Order No. 4, 2004 (TAN). The Council’s tree officer advises that the scheme can be achieved whilst retaining the tree, and recommends conditions relating to tree protection and the submission of an arboricultural method statement. Given these conclusions it is considered that the scheme is acceptable in relation to its impact upon the TPO’d oak tree and accords with the requirements of Local Plan Policy DP7 and Core Strategy Policy CSP18.

Other matters

42. The site is within a built-up area, with a relatively high density and is in a dilapidated state. It is considered reasonably unlikely that protected species would be present on site and as such no objections are raised in relation to Core Strategy Policy CSP17 or Local Plan Policy DP19.

43. With a floor area of under 500 sq. m, the proposal does not trigger the requirement for on-site renewable energy technology (Core Strategy Policy CSP14).

44. The site is not considered to give rise to undue concerns with regards to crime and disorder. In terms of access for those with disabilities, the Tandridge Access Group has raised no objections in this respect. The site would be covered in buildings and hardstanding but it is not in an area identified as experiencing surface water flooding nor is it within a flood risk zone. The site is also currently covered in buildings and hardstanding, albeit the hardstanding is broken up. Given the above conclusions the proposal is not considered to give rise to greater surface water run-off than the pre-development site and a Sustainable Drainage System is not justified but it is considered that the use of permeable paving etc. would help prevent harm in this respect. The remaining criteria of Core Strategy Policy CSP15 are either not applicable or seek
to encourage various measures and as such no objections are raised with respect those criteria (Core Strategy Policy CSP15 and Local Plan Policy DP21).

45. To conclude, it is considered that the proposals are now acceptable in relation to parking provision, highway safety and neighbour amenity, and that the layout and appearance of the site are satisfactory.

46. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government’s Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council’s Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraphs 214 and 215 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

RECOMMENDATION:  

PERMIT subject to the following conditions

Conditions

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

2. **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.

3. This decision refers to drawings numbered 6394-2P02 Rev C scanned on 02 October 2015, 6394-2P03 Rev A scanned on 04 October 2015, and 6394-2P04 Rev A scanned on 28 August 2015. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

5. **No development shall start** until full details of both hard and soft landscape works have been submitted to and approved in writing by the District 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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

6. 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 District Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

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

7. **No development shall start** until samples [or details] of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with these approved details.

**Reason:** To enable the District Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works 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. No vehicle shall access the site from Amy Road unless and until the proposed vehicular/pedestrian/cycle access from Amy Road hereby approved has been provided with pedestrian inter-visibility zones of 2.0m x 2.0m in accordance with a scheme to be submitted to and approved in writing by the District Planning Authority and thereafter the inter-visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

9. The development hereby approved shall not be first opened for trading unless and until 9 spaces have been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. 6 of the 9 parking spaces are to be reserved strictly for the use parents during peak pick-up/drop-off times and shall be marked and enforced as such. Thereafter the parking and turning area shall be retained and maintained for their designated purposes.

10. 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) programme of works (including measures for traffic management)
(e) provision of boundary hoarding behind any visibility zones
(f) HGV deliveries and hours of operation
(g) Vehicle routing and turning via banksman
(h) Measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the District Planning Authority. Only the approved details shall be implemented during the construction of the development.
11. The development hereby permitted shall not be first opened for trading unless and until a scheme specifying arrangements for deliveries to and removals from the site, to include details of:

(a) The types of vehicles to be used and hours of their operation.
(b) The design of delivery areas within the development site
(c) The dimensions and layout of lorry parking areas and turning spaces

have been submitted to and approved in writing by the District Planning Authority. Thereafter the approved details shall be implemented.

12. The development hereby permitted shall not be first opened for trading unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the District Planning Authority for:

(a) The secure parking of bicycles within the development site.
(b) Information to be provided to staff/visitors regarding the availability of and whereabouts of local public transport/walking and cycling facilities,

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the District Planning Authority.

13. The development hereby permitted shall not be first opened for trading unless and until a revised version of the submitted travel plan (FENN/14/2366/TP01) has been submitted for the written approval of the County Planning Authority. The submitted details shall include details of measures to promote sustainable modes of transport and provisions for the maintenance, monitoring and review of the impact of the Plan and its further development. The development shall thereafter be carried out in all respects in accordance with the approved details and with the comments detailed under informative 4.

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

**Reason:** To ensure that the provision of any lighting on site protects the amenities of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014.

15. The use shall not take place other than between the hours of:
Monday to Friday (excluding Bank and Public Holidays) 07:00 – 18:00

**Reason:** To safeguard the amenities of nearby residents in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

16. No demolition, site clearance or building operations shall start until tree protection measures detailed within the approved Arboricultural Implications Assessment and Tree Protection Plan (PJC/3617/14) have been implemented. Thereafter these measures shall be retained and any specified staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Districting Planning Authority.

In any event, the following restrictions shall be strictly observed unless otherwise agreed by the District Planning Authority:

(a) No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.
(b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees.
(c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

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

17. No development shall start until an arboricultural method statement, [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 the protected oak tree, has been submitted to and agreed in writing by the District 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 District 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

18. No demolition, site clearance or building operations shall take place until an agreed scheme of supervision for the arboricultural protection measures required under the terms of conditions 14 and 15, together with an agreed reporting process to the local planning authority, has been submitted to and approved in writing by the local planning authority. The supervision, monitoring and reporting shall be undertaken by a qualified arboriculturist and in accordance with the approved details.

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

19. No [further] trees, hedges or shrubs shall be pruned, felled or uprooted during site preparation and construction works [except as described within the approved arboricultural report] without the prior written consent of the District Planning Authority. Any retained trees hedges or shrubs which are removed, or, in the opinion of the District 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 District 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.

20. Before the use hereby permitted begins, the mitigation measures detailed under paragraph 4.7 of the Report by Sharps Redmore dated 9th June 2015 shall be implemented in accordance with the submitted details and retained for so long as the use continues.

Informatives:

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

3. A pedestrian inter-visibility splay of 2m by 2m should be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

4. The submitted Travel Plan has been reviewed by Surrey County Council's Travel Plan Officer who has the following recommendations to make and would like them to be included within a revised travel plan to be submitted and agreed in writing to the District Planning Authority:

- The TP does not contain any idea of future modal split – could TRICS data/2011 Census data be used to provide an approximate idea of this?
- Page 12 states that the baseline survey will be undertaken within one month. Will the nursery be operating at full capacity by then?
- Could the following be included:
  - The date when the final TP will be produced and submitted to the DPA and SCC;
  - The amount of lockers to be provided for staff;
  - Details of showers, storage and changing areas;
  - Wording to say that the TP Co-ordinator contact details will be passed to SCC on appointment;
  - The amount of time the TP Co-ordinator will spend on travel planning (this is pertinent as the role is yet to be defined in the nursery manager's job descriptions);
  - Reference to targets, so this is not overlooked in the final PT. Interim targets will need to be provided for yours years 1, 3 and 5.
  - Reference to remedial measures so this is not overlooked.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/ culvert or water course. The applicant is advised that a permit, and potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending upon the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.