## REPORT PROFORMA

<table>
<thead>
<tr>
<th>Application No: 2016/1305</th>
<th>Date of Committee</th>
<th>Status</th>
<th>CPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decision Code: RAF</td>
<td>Expiry indicator</td>
<td>3 yrs</td>
<td>N/A</td>
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</table>

### Constraints:
- Urban, 'X' classified road, 'D' classified road, 'B' classified road, SRCA HARE A, Ancient Woodland within 500m, TPO within 10m

<table>
<thead>
<tr>
<th>Listed Building</th>
<th>N</th>
<th>Grade</th>
<th>n/a</th>
<th>Comments</th>
<th>Y</th>
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</table>

<table>
<thead>
<tr>
<th>Site Area</th>
<th>0.3 Ha</th>
<th>No. Parking Spaces</th>
<th>Res. Parking Average</th>
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<table>
<thead>
<tr>
<th>% reduction in CO₂</th>
<th>KwH produced from renewables</th>
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### Housing

#### Existing use

#### Res. Net Density

<table>
<thead>
<tr>
<th>Number of units</th>
<th>Gross</th>
<th>Demolished</th>
<th>Net gain</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Number of affordable units</th>
<th>Social Rented</th>
<th>Intermediate</th>
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<table>
<thead>
<tr>
<th>Housing detail</th>
<th>No. of units</th>
<th>No. of beds</th>
<th>Flat/House</th>
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<table>
<thead>
<tr>
<th>Land type</th>
<th>Brownfield / Greenfield</th>
<th>Windfall / Allocation</th>
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</thead>
</table>

<table>
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<tr>
<th>Code for sustainable homes</th>
<th>Level</th>
<th>Lifetime Homes Standard</th>
<th>All relevant criteria met</th>
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</thead>
</table>

Has the new development provided an infrastructure/service provision or a financial contribution?
- Yes/No

#### Commercial

- 50sqm or greater

<table>
<thead>
<tr>
<th>Previous use class 1</th>
<th>Floorspace m²</th>
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</thead>
<tbody>
<tr>
<td>Previous use class 2</td>
<td>Floorspace m²</td>
</tr>
<tr>
<td>Previous use class 3</td>
<td>Floorspace m²</td>
</tr>
<tr>
<td>Proposed use class 1</td>
<td>Floorspace m²</td>
</tr>
<tr>
<td>Proposed use class 2</td>
<td>Floorspace m²</td>
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<tr>
<td>Proposed use class 3</td>
<td>Floorspace m²</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Hotels</th>
<th>No. of bed spaces</th>
</tr>
</thead>
</table>

Has the new development provided an infrastructure/service provision or a financial contribution?
- Yes/No

Added Value
Application No: 2016/1305

RECOMMENDATION: PERMIT

Summary

The proposal is for the demolition of the existing bungalow and erection of two blocks each containing 6 flats. The key issues are whether the proposal would be materially different from the previously approved scheme TA/2015/1915 and if so whether it would be acceptable. The key issues are also whether the proposal would be appropriate with regard to the impact on the character of the site, the impact on the street scene and the impact on the adjoining properties. The proposal would respect and reflect the character and appearance of the site and its setting and local context. There would be no significant harm to the amenities of neighbouring properties and no other substantially adverse environmental or amenity impact.

Site Description

The application site is a parcel of land known as The Gardens, located on the northern side of Church Hill in the urban area of Caterham. It is a roughly triangular piece of land situated in between existing flatted development at ‘St Mary’s Mount’, uphill from the application site, and a maisonette development at ‘The Hill’, downhill from the application site. The land slopes steeply up from the highways of Church Hill and The Hill. Church Hill is a ‘B’ classified road, which is joined initially by an adopted and ‘D’ classified short section of The Hill after which it becomes a private ‘X’ classified road which subsequently forks north towards the application site The Gardens and east towards the maisonettes in The Hill. It is not recorded as a public right of way. The site was once covered in trees, although they were not subject to a tree preservation order or located in a conservation area and they have since been removed. Trees on neighbouring sites including The Hill and on land adjacent to the junction with St Mary’s Mount are subject to tree preservation orders. The area is residential in nature with a mixture of dwelling types including a number of flatted developments on both the northern and southern sides of Church Hill. The site lies within the Harestone Valley Residential Character Area A.

Relevant History and Key Issues

CAT/2618 – Rebuilding of bungalow as house or bungalow. Refused on 13/10/1956


2015/1915 – Demolition of existing dwelling and associated outbuildings. Erection of 2 blocks containing 10 flats with associated access, car parking, cycle storage, refuse storage and garden amenity. Approved on 14.03.16.

The principle of the development has been established under the previous planning permission TA/2015/1915 which is an extant permission that could still be implemented and is therefore a material consideration to which substantial weight is attached. The key issue is therefore whether the current proposal would be materially different from the previous approval. The site lies within the urban area and Category 1 Settlement of Caterham where development is intended to take place in order to promote sustainable patterns of travel and to make the best use of previously developed land. Therefore the key issue is also therefore whether the proposal would
be appropriate with regard to the impact on the character of the site, the impact on the street scene and the impact on the adjoining properties.

**Proposal**

The current proposal seeks planning permission for the demolition of existing dwelling and outbuildings and erection of two blocks each containing 6 flats (12 flats in total), and associated access, car parking, cycle storage, refuse storage, garden amenity and landscaping. This differs from the previous permission for two blocks each containing 5 flats.

**Development Plan Policy**

Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19

Tandridge Local Plan Part 2: Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP19, DP21

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

Tandridge Parking Standards SPD (2012)

Harestone Valley Design Guidance SPD (2011)


**National Advice**


Planning Practice Guidance (PPG)

**Statutory Consultation Responses**

County Highway Authority – The County Highway Authority (CHA) notes the development affects the following private road, The Hill (X1429), over which the Highway Authority have no jurisdiction. The Highway Authority have assessed the proposals and consider that they will not have an impact at the point where this private road meets the highway network, and/or on the surrounding highway network, and this is reflected in the above advice.

**Informative Note to the Local Authority:**

The CHA has undertaken a site visit in order to make a full assessment of the proposed development.

The above application is sited on the private road, The Hill (X1429), over which the Highway Authority has no control. This road leads to the public highway section of The Hill (D1429), which forms a junction with Church Hill (B2030). Visibility at the junction of The Hill (D1429) and Church Hill (B2030) meets the minimum requirement outlined within Manual for Streets for a 30 mph speed limit and therefore the CHA has no concerns with road safety at this junction. Forward visibility at the point where vehicles travelling from the private section of The Hill (X1429) onto the public section of The Hill (D1429) is also sufficient and vehicles would not be travelling at excessive speeds given the geometry of the carriageway; therefore the CHA has no concerns in this area.

The CHA notes that 18 parking spaces have been indicated on the submitted plans (PL 16-297-09 Rev D) which accords with the requirements of 1.5 spaces per unit.
within the Tandridge District Parking Standards Supplementary Planning Document 2014; however no space has been indicated for visitor parking, which may lead to the use of the private track alongside the development. While the CHA has no jurisdiction over the private track (X1429), the narrow nature of the track would suggest that parking within this area may cause a temporary blockage to traffic. Measurements on the submitted plans indicate it is approximately 3m in width (plus 1m for the proposed footway); whereas the minimum recommended width for vehicles is 2.75m as outlined in Manual for Streets. While there would be adequate room for vehicles to traverse the length of the track, there would be no room to pass oncoming or parked vehicles and would be suggestive of vehicles potentially overrunning the proposed pedestrian footway thereby making the footway unsafe and unsuitable for pedestrians and vulnerable users. The CHA has indicated to the LPA that the developer may wish to consider a shared surface or re-route the pedestrian footway behind the indicated tree line on the submitted plan (PL 16-297-09 Rev D) so that it does not run alongside the private track (X1429).

In addition, the CHA notes that the cycle storage for Block B is at the far side of the car park, whereas the cycle storage for Block A is relatively close to the main access of this unit. Cycle users may be encouraged to use this mode of transport if the cycle storage was located closer to Block B, on the near side of the car park, where they do not have to cross the path of moving traffic.

There is some question as to the ownership of the private track leading to the cemetery which would form part of the access to the proposed development; Rights of Way have been consulted and will provide their comments directly to the Local Authority.

Given the narrow nature of the private track (X1429), the LPA may wish to consider including a CTMP within any planning permission granted on the proposed development in order to mitigate the transport related impacts of development. The CHA would recommend the following wording be included.

In response to the SCC Highway Authority’s comments the applicant has now amended the width of the internal access and pedestrian footpath avoiding conflict between vehicles and pedestrians.

County Lead Local Flood Authority – The Government has strengthened planning policy on the provision of sustainable drainage systems (SuDS) for ‘major’ planning applications which is being introduced from 6 April 2015 (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS). As per the guidance issued by the Department of Communities and Local Government (DCLG), all ‘major’ planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Developers are advised to assess the suitability of sustainable drainage systems in accordance with paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. Sustainable drainage systems should be designed in line with national Non-Statutory Technical Standards for SuDS. Hydraulic calculation and drawings to support the design need to be provided along with proposed standards of operation and maintenance in accordance with paragraph 081 of NPPF (PPG). We are satisfied that the amended plans for the drainage scheme(s) meet(s) the requirements set out in the aforementioned documents. We would however recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Caterham Valley Parish Council – Comments received

- The proposal should provide at least 9 unallocated parking spaces per block rather than 8 spaces for one block and 10 spaces for the other block,
- The proposal does not provide on-site visitor parking,
- The developer would require access over the private road of The Hill (recently resurface by its owners),
• The developer should be required by the Local Planning Authority to undertake and fund any necessary repairs to the private road.

Non-statutory Advice Received

Surrey County Council Archaeological Officer – No further comment to add to previous comments relating to application 2015/1915 and dated 3/12/2015. The site is below the 0.4ha threshold that requires archaeological assessment under Local Plan policy. It is not in an Area of High Archaeological Potential and there are no designated or known, undesignated heritage assets within the site. In addition, the application will involve ground works in areas that are likely to have seen some recent ground disturbance, and as such, I have no archaeological concerns.

Surrey Countryside Access Officer – There is no public right of way recorded here, as shown on the snip below (the dots are the parish boundary). Rights can be acquired if a route has been used without secrecy, force or permission, for at least 20 years. The time period is worked out back from the date the perceived right was called into question. If they are challenged, or ignore notices that say for example ‘no public right of way’, then it is unlikely they could have acquired the right as the landowner was demonstrating they had no intention to dedicate.

Surrey Police Crime Reduction/Crime Prevention Adviser – according to the application details the development is intended to comply with ‘Safer Places’ guidance and standards contained in Secure By Design (SBD) scheme. Recommend a planning condition requiring development to achieve the Secured By Design award: ‘The development shall achieve standards contained within the Secured By Design award scheme to successfully be granted the award’. ‘Effective construction site security should be in place to prevent capital loss and disruption’.

Surrey Wildlife Trust – The Trust would advise that the Ecology Survey Report by Arbeco dated 24th November 2015 which the applicant has submitted in support of their application now provides suitable information for the Local Authority to be able to assess the potential status of the described protected and important species on the proposed development site and the likely effect of the development on them.

We would therefore further advise the Local Authority, that should they be minded to grant this planning application for this site, the applicant should be required to undertake all the recommended actions in section 6 of the Report, including the biodiversity enhancements as detailed. This will help prevent adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development.

The applicant’s ecologist however makes no reference to the possible effect of tree felling and site clearance works on nesting wild birds. All species of birds are protected under Section 1 of the Wildlife and Countryside Act (1981 as amended). The protection was extended by the Countryside and Right of Way (CRoW) Act 2000. This legislation makes it an offence to intentionally:
  • Kill injure or take most wild birds.
  • Take, damage or destroy the nest of any wild bird while that nest is in use or being built.
  • Take or destroy an egg of any wild bird.

The Local Authority may therefore wish to ascertain from the applicant if their ecologist considers that active bird’s nests may have been adversely affected by tree felling works. We note that the ecologist examined felled trees on site for bat roost potential but no mention of bird nests appears to have been made. No mitigation recommendations have been made to protect nesting wild birds from further works.
Biodiversity
We would advise that the removal of semi natural woodland is likely to have resulted in a significant loss of the biodiversity value of the site and possibly the locality. Lowland deciduous woodland is a habitat listed in Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 as of Principle Importance to the conservation of biodiversity.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Section 40(3) also states that, “conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”.

We would therefore advise that the Local Authority should be seeking a significant biodiversity value gain from this site post development to help compensate for biodiversity value likely to have been lost as a result of tree felling and site clearance. This should include the planting of native species trees suitable for the site, planted to avoid adversely affecting the site’s reptile population.

The Local Authority is advised to take the opportunity, if the application is approved, to approve a Landscape and Ecological Management Plan (LEMP) for the site which should show how the site is to be landscaped, planting and seeding details, ecological enhancement details and to include an on-going conservation management plan for the site with monitoring.

Sutton and East Surrey Water – no comments received
Thames Water – Comments received
Waste Comments – Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
Surface Water Drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
Water Comments – With regard to water supply, this comes with in the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000

TDC advice
Chief Community Services Officer (Refuse and recycling) – The layout and bin store location would be acceptable.

**Other Representations**

**Third Party Comments**

**Character**
- The site has been cleared of all trees detracting from the wooded hillside,
- The blocks lack character and visual interest,
- The proposed blocks would be visible in Church Hill and prominent within the wider area contrary to the character of Harestone Valley Character Area A,
- The proposal should provide substantial replanting with mature trees/vegetation to provide screening to the buildings,

**Amenities**
- The proposed height and raised ground level would overlook and overshadow neighbouring properties; particularly those on lower ground in The Hill,
- The traffic using the access would cause noise and light disturbance to neighbouring properties,

**Highways**
- The proposed access would exacerbate traffic congestion due to increased development in Caterham Hill,
- Speeding traffic on Church Hill prejudices highway safety at the junction of Church Hill and The Hill,
- The access track is unsuitable for large traffic volumes and could become unstable,
- The developer does not own the access track which is used to reach The Gardens and the church yard therefore it is not clear how access would be gained into the site,
- A more detailed plan showing access and priority on to The Hill should be provided,
- Contractors have and would continue to park unauthorised in the private road of The Hill; blocking access for residents and displacing residents’ parking and damaging its road surface which has just been re-surfaced,
- Contractors have and would continue to block the public right of way up to the Church,

**Ecology**
- The proposal including the loss of trees and vegetation would adversely affect wildlife,
- The proposal should provide substantial replanting with mature trees/vegetation to restore wildlife habitat – to be approved by ecology specialists,

**Other**
- The existing dwelling has already been removed,
- The application site has drainage issues including surface water run-off,
- The objections are more valid given that more dwellings would be proposed on the site than the previous application,
- It would only be appropriate to replace the existing dwelling with another single dwelling,
- The size of the proposed development should be reduced,
- The use of the access especially by large construction vehicles would destabilise the earth bank,
- Third party comments have not been taken into account,
- Third parties have not received an acknowledgement of their comments,
- The proposal should be viewed from neighbouring properties,
- The proposal would devalue neighbouring properties,
- The developer is only interested in profit,
Assessment

Procedural matters

The applicant has confirmed land ownership and notice served on relevant land owners. Notwithstanding this, the grant of planning permission does not convey any permission or consent that may be required from the relevant owner(s) of the land. The applicant/developer would need to obtain the permission/consent of any landowner regardless of whether planning permission is granted. Furthermore any damage incurred to any private land; including private roads, and the maintenance or repair is a private matter to be managed by the individual parties involved.

Notwithstanding the submission of application details this does not necessary convey that planning permission will be granted.

Matters of conduct in the demolition/construction process may be of importance to neighbours and within the local area of a development site however they are not material planning considerations, the decision making could not be based on such a matter and this does not comprise a sound reason to refuse planning permission.

Planning applications are assessed on their merits, in relation to the relevant planning grounds, the Development Plan Policies and other material considerations including third party comments which are carefully considered as planning applications are assessed.

Notification of this application has been carried out in accordance with the Council’s adopted Development Management Charter including written notice sent to properties abutting the application site, advertisement in local newspaper and the placing of site adverts on/near to the site. The Council will send the applicant or their agent a site notice, which they are encouraged to display, however, this is not part of the statutory consultation and failure to display it will not affect the processing of the application. Site visits are carried out on planning applications including to neighbouring properties if requested and/or if the Council considers it would assist in assessing the planning application if it were viewed from neighbouring land. The Council will not acknowledge receipt of any comments and cannot reply to third parties on any issues raised, or provide further information other than the application details submitted.

The impact of new development on property values is not a material planning consideration.

It is the developer’s responsibility to manage surface water run-off. The Council has reminded the developer of this and the developer can be further reminded of this by way of planning informative.

Principle and location of development

The principle for the redevelopment of the site has been established under the previous approval TA/2015/1915. Furthermore the site lies within a Category 1 Settlement where development is encouraged to 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 to services is minimised. As such, there is no objection in principle to the location of the development and Core Strategy Policy CSP1 in this regard.
National and local development plan policy now places less emphasis on the efficient re-use of land (including residential garden land); driven by the need to meet minimum densities and places greater emphasis on the need for high quality development that respects and is appropriate to its local context. Nonetheless, the proposal for 10 residential units (net gain 9 new units) would lead to a density of approximately 30 dwellings per hectare, compared with approximately 3 dwellings per hectare on the current site, and this gives an indication of the general density and character of the proposed development on the site which would not be excessive or overdeveloped. The wider area has a variety of built development including mainly flatted/maisonette type development on both the northern and southern sides of Church Hill. Whilst the surrounding residential development is appropriate to its site(s)/plot(s) it is relatively compact and dense development. The current proposal at The Gardens; which would be two-three storeys in height and would retain some spacing around and between the buildings, would respect the overall scale and extent of development on neighbouring sites and would form a transition between the mainly three storey development at St. Mary’s Mount and the two storey development at The Hill.

Housing provision

The addition of two further units to the previously approved scheme for 10 flats would not have a further impact on the housing provision in light of the current implementation of Policy CSP3.

Character and appearance

The Church Hill Residential Character Area A
Given the nature and scale of the proposed alteration to the approved scheme there would be no significant additional impact on the wider local area in the Residential Character Area A.

Built form
The proposed blocks would be located in the same location on the site as the previous approval. The proposed additional unit in each block would be located on the lower ground floor. As such the overall size, scale and height of each building would not appear significantly different from the approved scheme. Furthermore the proposed design and external materials would be consistent with the previous approval. The proposal would provide additional parking spaces which would be accommodated within the parking courts and external cycle and refuse stores and these would not appear to dominate the appearance of the site and the buildings or appear out of keeping. There would be no alteration to the access. The proposed internal access route would be widened to accommodate the pedestrian access path however again this would not appear dominant and would continue to accommodate the proposed landscaping.

Trees
The site was once comprised mixed woodland. Third party comments refer to the comprehensive tree felling which took place in July 2015 before the submission of this application and that the submitted Arboricultural Report and subsequent Arboricultural Impacts Assessment (AIA) do not address those impacts. The trees were not statutorily protected by way of Tree Preservation Order and the site does not lie within a Conservation Area and as such there is no breach of planning control in this regard. Furthermore the Council’s Tree Officer has to observe the site in its current state, according to his visit in December 2015, and deal with the circumstances as they are. The changes illustrated (Site Layout drawing no. pl 16-297 - 09 rev: B) do not give rise to any additional arboricultural impacts over and above those of the previously approved scheme (TA/ 2015/1915); similarly, the
impact of the revised parking layout on the area available for soft landscaping/tree planting is minimal. No revision to the tree protection/arboricultural methodology is necessitated by the currently proposed changes and no objections are raised on arboricultural grounds subject to the conditions and informatives previously recommended on application TA/2015/1915 which remain applicable and appropriate.

For these reasons the proposal would not detract from the character and appearance of the site and its wider setting within this part of Church Hill and there would be no conflict with Policies CSP18 and DP7 in this regard.

Amenities

As mentioned above, the blocks would be located in the same position as the approved scheme and the overall size and scale of the buildings would not be significantly different. On this basis the proposal would not have a significantly more harmful additional impact on the amenities of neighbouring properties by reason of overshadowing, overlooking or overbearing effect.

The proposal would continue to provide private amenity space for the use of the future occupiers relative to the size and scale of the proposed development.

According to the comments of the Council’s Recycling/Refuse Officer the proposal would provide appropriate recycling/refuse facilities and access to those facilities.

For these reasons there would be no conflict with Policies CSP18 and DP7 in this regard.

Although the process of site clearance, demolition and construction would have an impact on the amenities of neighbouring properties it is a relatively temporary process in the context of the overall life of the proposed development which would cease once it has been completed and as such this is not a sound reason to withhold granting planning permission.

Matters regarding parking related amenities are mentioned below.

Highways parking

Third parties refer to the access and highway surface matters on the highway of The Hill. According to the Council’s records the initial part of The Hill is an adopted public highway and ‘D’ classified road over which the County Council has jurisdiction, control and management responsibilities. Thereafter the highway appears to become an unadopted private highway and ‘X’ classified road. Third party comments also refer to The Hill as being a private road although they are not specific as to which parts. Third party comments also state that the access to The Gardens which also leads to the church yard is a public footpath. The Council’s records do not show this as being public right of way. As part of The Hill is a private highway it is for the owners of that highway to manage its parking and maintenance matters and if necessary to manage/control those who are able to gain access over it. Furthermore, as in the case of the previous application TA/2015/1915 there is no objection from the County Countryside Access (Rights of Way) Officer.

The speed of traffic on Church Hill is an existing condition and objections to this should be referred to the County Highway Authority (CHA) and/or the Police. As mentioned above the proposal would be located on a private road over which the CHA has no jurisdiction however the CHA has considered the development in
relation to where it would join the public highway of Church Hill and raises no objection on grounds of highway safety, policy or capacity.

The proposal would provide additional parking spaces in accordance with the Council’s adopted car parking standard SPD.

The proposal is considered subject to the imposition of conditions, including one requiring submission of a method of construction statement. The submission of a Method of Construction Statement 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 public 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 public highway would be a matter for the highway authority under highways legislation. Similarly any damage to the public highway would be a matter for the highway authority to manage and any damage to a private highway would be a matter for the owner(s) of that land to manage.

For these reasons and subject to the recommended conditions there would be no conflict with Policies CSP12 and DP5 in this respect.

Renewable energy

The proposed scheme for 12 units would continue to need to provide at least 20% reduction in CO$_2$ emissions according to Policy CSP14. As in the case of the previous scheme the proposal would provide sufficient solar PV panels to the south facing roof slopes to provide the required saving in CO2 emissions and there would be no conflict with Policy CSP14 in this respect. The location of the solar panels has not been shown in the corresponding elevation/roof plan drawings however it would be appropriate to allow this to be demonstrated by way of planning condition.

Flood risk and drainage/water resources

According to the County Lead Local Flood Authority the current proposal for a major development would incorporate sustainable drainage systems (SuDS) to manage surface water run-off in accordance with the requirements set out in the NPPF and the PPG. In the event that planning permission is granted the provision, implementation and maintenance throughout the lifetime of the development of the SuDS can be managed by way of planning conditions. The LLFA response is made in relation to the current scheme in the context of the current regulations/guidelines and may differ slightly from the previous response and recommending the appropriate corresponding conditions/informatives which are proportionate to the nature of the scheme. There is no objection from the Thames Water in respect of the sewerage infrastructure capacity and provides advice/informatives in respect of surface water drainage and connecting to public sewerage and drainage services. With regard to water supply this falls within the realm of the Sutton and East Surrey Water Company and the applicant is advised to contact them in respect of water supply connection. For these reasons and subject to the recommended conditions/informatives there is no conflict with Policies CSP15 and DP21.

Ecology and biodiversity

According to the Council’s ecologist, Surrey Wildlife Trust (SWT), the current proposal does not present additional ecological constraints and as such the submitted ecology report provides suitable information for the Local Authority to be
able to assess the potential status of the described protected and important species on the proposed development site and the likely effect of the development on them. The applicant should be required to undertake all the recommended actions in section 6 of the Report, including the biodiversity enhancements as detailed. This will help prevent adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development. The report does not refer to the possible effect of tree felling and site clearance works on nesting wild birds. However according to the SWT whilst there may be a risk of harm it is not necessarily the case that there is evidence of harm through the works that have been carried out and as such the applicant is advised to exercise caution in any further works that are carried out on the site. As mentioned above, and as recommended by the SWT, the planting/replanting that is required on the site should provide visual enhancement to the development and the site and also a significant biodiversity gain to the site and the wider locality to help compensate for biodiversity value likely to have been lost as a result of tree felling and site clearance. Planting species should therefore be native; suitable for the site, to reflect those previously on the site and in the locality and also to provide suitable biodiversity habitat and planted to avoid adversely affecting the site’s reptile population. Furthermore the SWT recommends the application should be accompanied by a Landscape and Ecological Management Plan (LEMP) for the site which should show how the site is to be landscaped, planting and seeding details, ecological enhancement details and to include an on-going conservation management plan for the site with monitoring and this could be managed by way of condition. Subject to the recommended conditions/informatives there would be no conflict with Policies CSP17 and DP19.

Other matters

The Police Crime Reduction/Crime Prevention Adviser recommends the following conditions/informatives in regards to obtaining the Secured by Design award for the scheme and in regard to employing effective security during the construction to avoid theft/vandalism etc. in accordance with Policy DP7.

According to the Council’s records there is no registered public right of way in the vicinity of The Gardens and The Hill leading up to St Mary’s Church. As such the obstruction of private rights of way including any perceived footpaths or the highway of The Hill is a matter to be addressed by the private individual parties involved. The obstruction of a public right of way/or highway is matter for the relevant authority; Surrey County Council or Surrey Police respectively.

There is no objection from the County Archaeological Officer and there is no conflict with Policy DP20 in this regard.

Conclusion

The proposal is considered in the context of the previously approved application TA/2015/1915 and the current proposal would not be significantly harmful to the character and appearance of the site, its setting and local context. There would be no significant harm to amenities of neighbouring properties or to those of the occupiers of the new development. There would be no other substantially adverse environmental or amenity impact. For these reasons and subject to the recommended conditions it is recommended that planning permission is granted.

This development is CIL liable.

In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as
amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

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.

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 be begun 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.


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

3. **No development shall start** until details of the materials to be used in the construction of the external surfaces of the buildings 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 are appropriate to the character of the area in accordance

4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted in the upper floor side flank elevations or roof slopes of the buildings hereby permitted apart from those expressly authorised as part of this permission which shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall always remain as such thereafter.**

   **Reason:** To protect the amenities and privacy of the 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.

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.).

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.

6. **No further trees, hedges or shrubs shall be pruned, felled or uprooted during site preparation and construction works 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.
7. **No demolition, site clearance or building operations shall start** until tree protection measures detailed within the Arboricultural Impacts Assessment (Broad Oak Tree Consultants Ltd ref: J51.25 dated 1 February 2016 scanned on 2 February 2016) and Tree Protection Plan (Broad Oak Tree Consultants Ltd drawing ref: J51.25/02 dated 31 January 2016 scanned on 2 February 2016) 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 District 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.

8. **All works** to create the vehicle access shall be carried out and constructed in accordance with the methodology detailed within the Arboricultural Impacts Assessment (Broad Oak Tree Consultants Ltd ref: J51.25 dated 1 February 2016 scanned on 2 February 2016) and Tree Protection Plan (Broad Oak Tree Consultants Ltd drawing ref: J51.25/02 dated 31 January 2016 scanned on 2 February 2016) 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.

9. **No development shall start** until details of the size, position and design of the solar panels as specified in the application details shall have been submitted to and approved in writing by the Local Planning Authority. The solar panels shall not project above the roof plane by more than 0.4m unless otherwise agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development and shall thereafter be maintained as approved unless otherwise agreed in writing by the District Planning Authority.

Reason: To ensure that the renewable energy resources are implemented to enable the development to actively contribute to the regional renewable resources target as sought by Policy CSP14 of the Core Strategy DPD 2008.

10. The development shall be carried out in accordance with the recommendations, mitigation measures, and enhancement opportunity actions as detailed in

Reason: To ensure that the operations do not prejudice protected species, in accordance with Policy DP19 of the Tandridge Local Plan Part 2: Detailed Policies 2014 and Policy CSP17 of the Tandridge District Core Strategy DPD 2008.

11. **No development shall start** until a Landscape and Ecological Management Plan (LEMP) for the site; which should show how the site is to be landscaped, planting and seeding details, ecological enhancement details and to include an on-going conservation management plan for the site with monitoring, has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the approved details.

   Reason: To ensure that the operations do not prejudice protected species, in accordance with Policy DP19 of the Tandridge Local Plan Part 2: Detailed Policies 2014 and Policy CSP17 of the Tandridge District Core Strategy DPD 2008.

12. Details of any external (security) lighting shall be submitted to and approved by the District Planning Authority in writing prior to any such provision on the site. The lighting shall be carried out only in accordance with the approved details.

   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.

13. The development shall achieve standards contained within the Secured By Design award scheme to successfully be granted the award. Effective construction site security should be in place to prevent capital loss and disruption.

   Reason: In order that the development has regard to the Police ‘Secured By Design’ standards to create safe and secure environments that reduce the risk of crime in accordance with Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

14. The car parking spaces and cycle stores to be provided shall be kept available for the parking of motor vehicles at all times. The car parking spaces shall be used solely for the benefit of the occupants of the dwelling(s) of which they form part and for no other purpose and shall be permanently retained as such thereafter.

   Reason: To ensure that space is always available for the parking of vehicles within the curtilage of the development in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to ensure that parking is provided and maintained in accordance with the Council’s adopted standards, in accordance with Policies CSP12 and CSP18 of the Tandridge District Core Strategy 2008 and Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

15. **No development shall start** 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) HGV deliveries and hours of operation
(e) construction vehicle routing to and from the site
(f) measures to prevent the deposit of materials on the highway
(g) on-site turning for construction vehicles
(h) before and after construction condition surveys of the highway and a
commitment to fund the repair of any damage caused.

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: In order that the development should not prejudice highway safety nor
cause inconvenience to other highway users in accordance with Policy DP5 of
the Tandridge Local Plan Part 2: Detailed Policies 2014 and Policy CSP12 of
the Core Strategy DPD 2008 and to meet the objectives of the NPPF 2012.

16. **Prior to construction of the development** hereby approved the applicant
must provide results from infiltration testing in accordance with BRE Digest 365
in the locations of the proposed soakaways. The Sustainable Drainage System
should then be designed in accordance with these results and shall be
submitted to and approved by the local planning authority. The development
shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that proposed infiltration is feasible for the site to meet the
requirements of the national SuDS technical standards and Policy DP21 of the

17. **Before the commencement of the construction of the development** hereby
approved full details of the MicroDrainage calculations and results, for the
complete drainage network, must be submitted to and approved by the local
planning authority.

Reason: To ensure that the design fully meets the requirements of the national
SuDS technical standards and Policy DP21 of the Tandridge Local Plan Part 2:
Detailed Policies 2014.

18. **Prior to construction of the development** hereby approved the following
drawings need to be supplied to and approved by the local planning authority:
- Detailed development layout at an identified scale showing permeable and
impermeable areas, detailing the exact location of SUDs elements,
including finished floor levels and cover levels
- Details of all SuDS elements, soakways and other drainage features,
including long and cross sections, pipe diameters and respective levels
and how these relate to submitted calculations.
- Plan showing location of trial pits / boreholes
- Plan showing topography survey. The topographical survey submitted
within Surface Water Drainage Statement is not legible.

The development shall thereafter be carried out in strict accordance with those
approved details.

Reason: To ensure that the design fully meets the requirements of the national
SuDS technical standards and Policy DP21 of the Tandridge Local Plan Part 2:
Detailed Policies 2014.

19. **Prior to construction of the development** hereby approved, details of the
proposed maintenance regimes for each of the SuDS elements must be
submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard to meet the requirements of the national SuDS technical standards and Policy DP21 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

20. **Before the commencement of the construction of the development** hereby approved, details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the proposal has fully considered system failure in accordance with the requirements of the national SuDS technical standards and Policy DP21 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

21. **Prior to the first occupation of the development**, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System has been constructed as agreed to meet the requirements of the national SuDS technical standards and Policy DP21 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.

2. Where details of materials are required please provide these via a link to a website or in another electronic format. Please make sure if providing a link that it is clear which material(s) is/are being proposed for use. Samples should not be provided unless specifically requested by the case officer.

3. Planting proposals should provide for trees of appropriate species to reflect the character of the location (the tree cover previously was Yew, Holly, Field Maple, Ash (no longer recommended for planting), Hazel and Beech); the Design Guidance for Church Hill is Beech, Red Horse Chestnut, Lime and Yew. Particularly at the front i.e. south-western corner of the site from where the new built form will be most visible, specimen trees of a large (semi mature, min 40cm girth) size will be appropriate both in terms of providing instant impact and screening and in mitigation of the pre-application tree removals.

4. The applicant’s attention is drawn to the presence of the Wellingtonia (T27 of the tree survey) located on neighbouring land outside the application site and
which is protected by Tree Preservation Order. Causing, or permitting, wilful
damage to a protected tree is a breach of the Tree Preservation Order and a
criminal offence. Given the importance of this tree the applicant is therefore
strongly advised to contact and agree with the land owner adequate provision
for its protection or, failing that, ensure appropriate site traffic management is in
place and enforced at all times such that no vehicle incursions take place.

5. The applicant’s attention is drawn to the comments of the Surrey Wildlife Trust scanned on 16 December 2015, with particular regard to making a significant biodiversity value gain from this site post development to help compensate for biodiversity value likely to have been lost as a result of tree felling and site clearance. This should considered when designing the detailed landscaping scheme and should include the planting of native species trees suitable for the site, planted to avoid adversely affecting the site’s reptile population, providing opportunity to restore or enhance biodiversity in line with the NPPF. The applicant is advised to ensure that any further works that would risk destruction of active nests should avoid the main nesting season of mid-March to August (earlier after a mild winter).

6. 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).

7. The applicants attention is drawn to the comments of Thames Water scanned on 16 August 2016. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason – to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000.

8. The developer is reminded of their responsibility to manage surface water flooding.

9. **Environmental consideration.** The Surface Water Drainage statement highlights that the applicant is proposing to discharge in Source Zone Protection 2 via infiltration. The applicant needs to supply detail on how any possible pollutants from the site will be managed, and prevented from reaching local watercourses throughout the lifespan of the development. Before full permission is granted for this development, the applicant must seek requirements set out by the Environment Agency relating to infiltration or discharges to groundwater so that the risks of contamination are adequately considered and suitable mitigation measures are proposed.

10. **Drainage from parking areas** that will discharge to receiving water bodies must be passed through an oil interceptor or other suitable treatment system. **The Environmental Permitting Regulations make it an offence to cause or**
knowingly permit any discharge that will result in the input of pollutants to Watercourse or Ground Water.

11. The applicants attention is drawn to the comments of the Surrey County Council Lead Local Flood Authority dated 25 August 2016. In respect of Environmental considerations it is recommended that the applicant must seek requirements set out by the Environment Agency relating to infiltration or discharges to groundwater so that the risks of contamination are adequately considered and suitable mitigation measures are proposed. Drainage from parking areas that will discharge to receiving water bodies must be passed through an oil interceptor or other suitable treatment system. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to Watercourse or Ground Water.

12. The provisions of The Party Wall Act etc. 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Details of your obligations can be made available on request from the Building Control Section (01883 732871).

13. The applicant’s attention is drawn to the comments of the Surrey Police Crime Reduction/ Crime Prevention Design Advisor dated and scanned on 26 November 2015. In particular the development should achieve the standards contained within the Secured by Design award scheme to be successfully granted the award. Furthermore the applicant is advised to effectively secure the construction site in order to prevent capital loss and disruption.

14. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP3, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, DP8, DP19, DP21 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.

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