 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	17 May 2017
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	8	<b>WARD:</b> Tadworth and Walton

<b>APPLICATION NUMBER:</b>	17/00241/HHOLD	<b>VALID:</b>	03/03/2017
<b>APPLICANT:</b>	Mr Abhijnan Mukherjee	<b>AGENT:</b>	None
<b>LOCATION:</b>	<b>22 DOWNS WAY, TADWORTH SURREY KT20 5DZ</b>		
<b>DESCRIPTION:</b>	<b>Retrospective planning application for the demolition of the original garage and the erection of two storey side, front and rear extension and demolishing the unauthorised Rear roof dormer &amp; habitable loft space, reducing the ridge height &amp; eave height of the existing building with revised landscaping.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

**This application is referred to committee by Cllr Turner.**

## **SUMMARY**

This is a full application for the demolition of the original garage and the erection of two storey side, front and rear extension, demolition of the unauthorised rear roof dormer and habitable loft space, reduction of the ridge height & eaves height of the existing building and revised landscaping.

The application has been submitted retrospectively in response to an ongoing enforcement enquiry as the development undertaken on site has not been built in accordance with the approved plans. Permission was originally granted in May 2015 under planning reference 15/00290/HHOLD for the front, side and rear extension. A certificate of lawfulness was then approved under reference 15/01345/CLP for a loft conversion with rear dormer and front roof lights. A further householder application was then granted to change the external finishing from brick to render and include additional / change to windows.

The applicant subsequently made a substantial start on building out a combination of the CLP scheme and the householder planning application, although not in accordance with the approved plans, until works were halted following enforcement enquiries by the Council. This application seeks to resolve the outstanding enforcement position and follows two withdrawn applications which did not satisfactorily address the matter largely due to the inaccurate plans submitted.

Turning to the current application, the proposals are now based on a measured (professional site survey). Key changes, from what has been built on site, relate to:

- the reduction in eaves and ridge height back to 8m and 5.2m in accordance with the approved scheme;
- the removal of the unauthorised rear dormer;
- changes to fenestration to the front and rear;
- removal of rooflights to the front and introduction of two additional rooflights to the rear;
- the introduction of a flat roof to the front side extension;
- A re-design of the porch roof, and;
- the rooflights would serve the first floor corridor, and no habitable loft accommodation is proposed.

It is considered that the reduction in ridge and eaves height and design changes would result in an improvement to the appearance of the property back to one that would be more comparable to the previously granted extensions and the proposal is considered acceptable in this respect.

In terms of footprint the property would remain on the as built footprint resulting in it being 2m deeper than the approved scheme, projecting approximately 0.8m to the front and 1.2m to the rear than the approved building, with implications to the mass and bulk of the roof.

The resulting building would be a large property that fills the plot. Separation distances to the neighbouring properties remain as per the approved scheme, however given the varied building line within Downs Way, the significant set back from the highway and variety of designs in the street and extent to which some properties in Downs Way fill their plots, the proposal, whilst larger than the approved scheme, on balance, the scheme would not result in material harm so as to be contrary to policy.

The proposed development is therefore considered acceptable in terms of its design and impact upon the character of the wider area.

Concerns have been raised regarding overshadowing, loss of light, dominance and overbearing particularly in relation to No 24 and 20 Downs Way. It is acknowledged that the proposal would be more dominant due to the extra forward and rear projections than the approved scheme, and would result in a change to the building relationship between the properties. However, overall the level of change is not considered materially harmful as the guidelines as set out in the adopted SPG on Residential Extensions and Alterations for the 45 degree assessment for front and rear facing windows and the 25 degree assessment in relation to the side facing windows that look onto the development from the neighbouring house.

## **RECOMMENDATION(S)**

Planning permission is **GRANTED** subject to conditions.

**Consultations:**

Tadworth & Walton Residents Association: Objection raising the following matters:

- Out of character – harm to street scene as a result of additional front projection and associated bulk and mass, contrary to NPPF, CS1, CS4, CS10, Ho9, Ho13
- Harm to neighbour amenity (no 20 and 24 Downs Way) – daylight / sunlight, loss of outlook, overshadowing, overlooking and loss of privacy and visual intrusion – contrary to NPPF and Ho9 and Ho16.
- Preference for roof materials to be red tiles as opposed to grey slate
- Informative in relation to unlawful outbuilding within the rear garden
- Council's approach to enforcement.

Tree Officer - No tree details submitted but no objection subject to tree protection condition attached as per 15/01587/HHOLD and DET05.

**Representations:**

Letters were sent to neighbouring properties on 22<sup>nd</sup> March 2017. Neighbours and consultees were re-notified for a 14 day period commencing on 2 May 2017 of the receipt of an addendum to the daylight / sunlight assessment submitted by the applicant. The 14 day consultation period expires on 16<sup>th</sup> May 2017.

95 responses have been received as of 4<sup>th</sup> May 17 raising the following issues:

<b>Issue</b>	<b>Response</b>
Out of character with surrounding area, overdevelopment, creates terracing effect, fails to reinforce local distinctiveness	See paragraph 6.6 – 6.14
Overbearing relationship, dominance, overshadowing, loss of light, overlooking and loss of privacy	See paragraph 6.17 – 6.23, 6.26
Unauthorised building, built larger than original permission, proposed alterations do not address works over and above planning permission. Building should be built as previously consented.	See paragraph 6.4
Sets harmful precedent; concern future conversion to flats	See paragraph 6.3 and 6.25
Poor design, choice of materials	See paragraph 6.6 - 6.14
Inadequate parking, increase in traffic and congestion, hazard to highway safety	See paragraph 6.27 – 6.28
Property devaluation	This is not a material planning consideration
Council's approach to enforcement	See paragraph 3.9

No need for development; alternative location / proposal preferred	Each application must be assessed on its own merits
Plans not accurate	See paragraph 2.1
Noise & disturbance, Inconvenience during construction	See paragraph 6.24
Loss of private view	This is not a material planning consideration
Loss of /harm to trees	See paragraph 6.15 – 6.16
Drainage / sewerage capacity	See paragraph 6.25
Right of Light	This is not a material planning consideration
Party Wall matters	This is not a material planning consideration
Harm to green belt, harm to conservation area	The site is not located within the green belt or a conservation area
Construction compliance with Building Control Regulations	This is not a material planning consideration
Conflict with a covenant	This is not a material planning consideration

It is noted significant objection was also received to the two previously submitted and withdrawn applications.

## **1.0 Site and Character Appraisal**

- 1.1 The application site comprises 22 Downs Way, a large detached two storey dwelling set in a generous plot. The property is currently a building site and subject to an ongoing enforcement enquiry, as the building work has not been built in accordance with the approved plans. Works have stopped on site for over 1 year. There are trees within the site which add to the character of the area including a tree on the site frontage and boundary planting. The site which is accessed from Downs Way is relatively flat and currently screened to the highway by a small wall and hedge to the front boundary.
- 1.2 The surrounding area is residential in character, typified by mainly detached properties in similar plots, of varied design. Dwellings fill the plots to varying degrees. Downs Way itself is characterised by large, detached properties, set back from the highway within generous plots. Adjoining the site and to the east, and south and are large, two storey dwellings situated within more modest plots, which are historically part of previous back land development within the cul-de-sacs of Kingsdene and Beechdene. As such there is a variance in the density, grain and character of development within the immediate locality of the site.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage:  
Discussions were held with the applicant prior to the withdrawal of 16/01240/HHOLD, with officers highlighting the need for a professional measured site survey and a professional daylight/sunlight assessment in accordance with BRE guidelines, to ensure accurate plans and evidence on which to assess the application. These have now been submitted and the current application is based on a professionally measured site survey as to what has been constructed to facilitate the detailed understanding of what has been built, to what is proposed in relation to it and the original house before that. As such the Council is now content that the application plans are accurate.
- 2.2 During the meeting the Council noted the applicant's intention to reduce the ridge and eaves height to those approved however concern remained relating to the building's depth with implications to its scale and mass, and relating to building design which was considered poor. The change to floor and roof levels having had consequences to the external design. The applicant was advised to reduce the depth of the building and review the external elevations particularly in regard to the gables (increase pitch) windows (alignment, height and in relation to eaves), portico (height) and number of rooflights to improve the design.
- 2.3 In terms of improvements secured the height of the ridge and eaves reflect that of approved application 15/01587/HHOLD. The majority of the design changes described above have been secured. The footprint and depth of the building has not changed and is proposed as built.
- 2.3 Improvements secured during the course of the application:  
Additional information was requested with respect to the daylight /sunlight assessment to enable detailed assessment of the proposed scheme.
- 2.4 Further improvements could be secured through the use of conditions.

## 3.0 Relevant Planning and Enforcement History

- |     |                |   |           |
|-----|----------------|---|-----------|
| 3.1 | 16/01240/HHOLD | Retrospective planning application for the demolition of the original garage and the erection of two storey side, front and rear extension and demolishing the unauthorised rear roof dormer & habitable loft space, reducing the ridge height & eave height of the existing building with revised landscaping. | Withdrawn |
| 3.2 | 16/00413/HHOLD | Retrospective planning application  | Withdrawn |

for minor amendments to the approved scheme. The window style, size and colour has been changed. Minor adjustment of the measurements to the converted garage proposal

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|-----|--|--|--|
| 3.3 | 16/00031/DNAP2   | Enforcement enquiry: Development not in accordance with plans. Opened 03.02.2016   | Ongoing                                |
| 3.4 | 15/01587/HHOLD   | Proposed garage conversion into habitable room, proposed first floor side extension and front and rear double storey extension, boundary wall and portico with pillars. (Including change of materials from brick to render and additional windows re. 15/00290/HHOLD.) As amended on 14/08/2015 | Approved with conditions<br>14.09.2015 |
| 3.5 | 15/01345/CLP   | Loft conversion with rear dormer with front roof lights  | Permitted development<br>18.08.2015    |
| 3.6 | 15/00290/DET05   | Submission of tree protection details pursuant to 15/00290/HHOLD   | Approved<br>23.07.2015                 |
| 3.7 | 15/00290/HHOLD   | Proposed garage conversion into habitable room, proposed first floor side extension and front and rear double storey extension, proposed boundary wall, proposed portico with pillars. As amended by letter dated 17/04/2015   | Approved with conditions<br>08.05.2015 |
| 3.8 | 14/02107/HHOLD   | Proposed garage conversion into habitable room, proposed boundary wall, proposed ground floor front and rear extension. Proposed portico with pillars, proposed first floor terraced/balcony with cast stone balustrade, window/doors alterations.   | Withdrawn                              |
| 3.9 | The planning enforcement case ref: 16/00031/DNAP2 was opened when the Council was first notified of concerns with regard to the development. The enforcement case was set up on 3rd February 2016 and an investigation |  |  |

commenced. A site visit was carried out and the development was at an advanced stage (up to roof level with the roof structure complete – minus the tiles). The owner was informed that the development was not in accordance with the approved plans and that works should cease and that all works were entirely at their own risk. In accordance with the NPPF and the NPPG it was not expedient to serve a Temporary Stop Notice (TSN) at this time. In accordance with the NPPG a TSN can be served when it is considered essential to safeguard amenity or public safety in the neighbourhood, or to prevent serious or irreversible harm to the environment in the surrounding area. It was clear that the harm in this instance was not irreversible as amendments/alterations to the on site development could overcome the harm. The owner made it very clear from the outset that he wished to seek an amicable resolution, voluntarily stopped work and submitted two subsequent retrospective planning applications. The site has remained closed whilst the planning application process is completed. The planning enforcement case remains under review.

#### **4.0 Proposal and Design Approach**

- 4.1 This is a full application for the demolition of the original garage and the erection of two storey side, front and rear extension, demolition of the unauthorised rear roof dormer and habitable loft space, reduction of the ridge height & eave height of the existing building and revised landscaping.
- 4.2 The application has been submitted retrospectively in response to an ongoing enforcement enquiry as the development has not been built in accordance with the approved plans. Permission was originally granted in May 2015 under planning reference 15/00290/HHOLD. A certificate of lawfulness was then approved under reference 15/01345/CLP for a loft conversion with rear dormer and front roof lights. The householder proposal was then revised under application 15/01587/HHOLD to change the external finishing from brick to render and include additional / change to windows, this scheme was considered acceptable and a new permission was issued.
- 4.3 The applicant subsequently made a substantial start on building out a combination of the CLP scheme and the householder planning application, until works were halted following enforcement enquiries by the Council. The applicant was informed of the breach and that the development was unlawful.
- 4.4 The loft conversion and rear dormer was not built in accordance with Permitted Development and is therefore also part of unlawful development undertaken.
- 4.5 The applicant has since been invited to submit a revised planning application for the Council to try to resolve the matter. The applicant has accepted that the development is in breach and stopped work voluntarily. The first application received did not provide an accurate plan set, such that the Council were unable to assess the application. The second resolved some of these inaccuracies and provided a daylight / sunlight assessment to enable neighbour amenity to be assessed but resulted in a poor quality design and

should the application have been progressed would have been recommended for refusal – the applicant was informed of this and withdrew the proposal in advance of making this further (revised) submission.

- 4.6 The current scheme would remove the unlawful loft conversion and dormer, and seeks consent for the side, rear and front extension. It reduces the ridge and eaves height to that of the approved scheme but retains the as built footprint of the building. The access, parking and landscape arrangements remain as per the approved scheme. An in and out access to Downs Way with automatic gates is proposed with a dwarf wall with railings and hedge behind between the gates. The large conifer on the site frontage is proposed for retention. Parking is proposed within the private drive.
- 4.7 The table below sets out a number of key parameters relating to the approved, as built and proposed scheme.

	As approved 15/01587/HHOLD	As built	Proposed 17/00241/HHOLD
Ridge height	8m	8.8m	8m
Eaves height	5.2m	6.35m	5.2m
Depth	14.2m	16.2m	16.2m

- 4.8 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.9 Evidence of the applicant's design approach is set out below:

Assessment	The statement does not include an assessment of local character
	No site features worthy of retention were identified.
Involvement	No pre-application community consultation took place. The applicant has contacted the local ward councillor, MP and Tadworth & Walton Residents Association.
Evaluation	The statement does not include any evidence of other development options being considered. However it is noted that the previous withdrawn proposals were not acceptable to the Council.
Design	The statement does not explain why the proposal was chosen



- 4.5 It is noted that the applicant has submitted a response to concerns raised by Tadworth Resident Association, in which a number of matters are raised, for example with respect to personal circumstances which are not material planning considerations.

## 5.0 Policy Context

### 5.1 Designation

Urban area

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued Townscapes and Historic Environment)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho16,
Movement	Mo5, Mo7

### 5.4 Other Material Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
A Parking Strategy for Surrey  
Parking Standards for Development  
Householder Extensions and  
Alterations

Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010
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## 6.0 Assessment

- 6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms.
- 6.2 The planning history is a material consideration in the determination of this application, it confirms the principle of development and the approved

scheme provides a 'baseline'. The report however must assess the acceptability of the submitted scheme as a whole whilst taking into account the material consideration that is the approved scheme. The 'as built' scheme is not being applied for and this is not therefore the subject of assessment under this application, but would need to be addressed and the breach rectified.

6.3 The determination of this application is not considered to set a precedent for future applications, each application having to be considered and assessed on its own merits.

6.4 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Highway matters
- Community Infrastructure Levy

#### Design appraisal

6.5 As discussed above the principle of the development has been established by the previous permission and is considered acceptable.

6.6 The conversion of the garage was not considered to result in inadequate parking and the provision of parking on an enlarged gravelled front drive, with the retention of a small area of landscaping was considered acceptable. The proposed boundary treatment with the height reduced and the sliding gates set back was considered on balance to be acceptable. I continue to view these matters as acceptable.

6.7 The proposal reflects the consented scheme in that it proposes two front gable features and continues the existing roof ridge across to the first floor side extension this design approach was considered to complement the existing house and remains acceptable. The property remains proposed in render with quoins and slate tiles to the roof. As before the materials remain acceptable noting the variety of styles and designs (including finishing materials) within the streetscene and is not considered out of character in the area.

6.8 The proposed single storey converted garage which abuts the boundary with the neighbouring property at 24 Downs Way is now proposed at 6.63m in depth compared to the approved scheme dimension of 6.2m. Parts of the original brickwork remain visible, and it is clear the siting of the building has not moved such that it is considered the original approved plans were inaccurate. This single storey element extends approximately 3m beyond the rear building line of this neighbouring property. Whilst the building dimension on plan has slightly altered (increased by 40cm in depth), the design of the roof revised (the roof profile becoming a shallower pitch with a reduced ridge height), and fenestration amended, the height of the eaves remains as per

the approved scheme (2.8m to the rear and 2.5m to the front). I consider these changes not materially harmful.

- 6.9 The key changes relate to the reduction in eaves and ridge height, removal of the rear dormer, changes to fenestration to the front and rear, removal of rooflights to the front and introduction of two additional rooflights to the rear, and introduction of flat roof to the front side extension. The rooflights are proposed to serve the first floor corridor, with no habitable loft accommodation proposed (limited only to a small area of attic space under the ridge as demonstrated by the section plan and floorplans).
- 6.10 It is considered that the reduction in ridge and eaves height and design changes identified above result in an improvement to the appearance of the property back to the approved baseline. Although substantial the proposed dwelling would still be in keeping with the roof heights of properties that immediately adjoin the site. The area of flat roof proposed to the front of the property is small and is not considered materially harmful.
- 6.11 The property remains on the as built footprint resulting in it being 2m deeper than the approved scheme, projecting approximately 0.8m to the front and 1.2m to the rear than the approved scheme. This has implications to the front and rear building line and the mass and bulk of the roof. The porch also adds further built development to the front building line. Separation distances to the neighbouring properties remain as per the approved scheme, (approx. 1m to No 20 and 3.6m to the boundary with no 24), although the building relationship is altered as a result of the additional front and rear projection, discussed further under neighbour amenity considerations.
- 6.12 Downs Way is characterised by a mix of detached properties, which are significantly set back from the highway. The properties then follow a slightly irregular front building line, noting that no 24 is currently set further forward than no. 22 (original dwelling) and no 20. The building line to the rear is irregular with a variety of built forms. The proposal would approximately align with the front building line of no 24 (being marginally set forward) and would be set forward approx 2.7m of the building line of no. 20 Downs Way. This will result in a more dominant change from the approved scheme. From a design and character perspective, taking into consideration the variety of building lines within the street, the extent to which some properties fill their plot, the significant set back from the highway in excess of 15m and the approved scheme, the level of change arising from the proposed footprint and roof form and its impact on the character of the street is not considered to be overly dominant or materially harmful, nor result in a terracing effect.
- 6.13 The proposed dwelling although large would be of an appropriate design and considered to be in keeping with the design and scale of the properties within the immediate vicinity. The building, as enlarged, would sit reasonably within the general mixed character and appearance of the wider area. The proposed development would be acceptable in terms of its design and impact upon the character of the wider area, and complies with policies Ho9, Ho13 and Ho16.

- 6.14 The Council's Tree Officer comments on application 15/01587/HHOLD remain relevant and are outlined below:- *'In the absence of any detailed arboricultural information I am unable to provide detailed information on the potential impact the proposed development may have on the existing tree stock. Based on the submitted drawings it is unlikely the proposed development will have an impact on the trees at the front. However they are mature specimens and contribute to the street scene, to prevent any unnecessary damage occurring the development phase it will be necessary for a tree protection plan to be provided, this can be secured by way of discharge of condition.'*
- 6.15 It is noted tree details were submitted under application 15/00290/DET05 and tree protection fencing is currently installed to protect the tree on the property frontage. A tree protection condition to ensure this fencing is retained for the duration of the construction period is proposed.

#### Neighbour amenity

- 6.16 The key matters relate to the increased depth of the building, associated increase in scale and bulk of the roof and projection of the building and whether this results in harm by reason of loss of light, overshadowing, loss of privacy, outlook, dominance and overbearing to the neighbouring properties at 24 and 20 Downs Way. Site visits were undertaken of both properties.
- 6.17 The proposal would result in a change in the relationship between the two properties however it is not considered materially more harmful than the approved scheme with respect of outlook, dominance and overbearing. Importantly as separation distances between the properties will remain the same, and the extent of additional depth (0.8m to the front and 1.2m to rear) is limited, the level of harm is considered acceptable.
- 6.18 The introduction of a side facing window to the flank elevation facing no 20 Downs Way is considered acceptable in that it is at ground floor some distance from the property and will be mitigated by the existing boundary treatment.
- 6.19 Impact on 24 Downs Way: As described above the proposal is no closer to the neighbouring property than the consented scheme, noting that flank to flank there is a separation distance of approx. 4.6m between the buildings, with no 24 being set back 1m from the boundary. The proposal is however approx. 0.8m further forward (approximately level with the building line of no.24), 1.2m extended to the rear and with an increased roof form. The building line to the rear now extends significantly beyond that of no.24.
- 6.20 A boundary fence separates the two properties. No 24 has significant tree and landscape planting to the front of the property adjacent to No 22 and a significant hedge to the rear boundary. The internal layout comprises a lounge at ground floor with principal front rear outlook windows and a secondary side facing window. At first floor a bathroom is located to the front

and a bedroom with a principal window to the rear and a high level side facing window serving the room. It is noted the bathroom is not a habitable room and therefore has not been subject to further assessment as this would not be materially affected.

- 6.21 The applicant, at the request of the Council, has submitted a professional daylight and sunlight assessment produced by Accon UK, to understand the overshadowing impact. However this has assessed the consented scheme and the as built scheme and not the proposed scheme. None the less all windows with the exception of the lounge rear window passed. An addendum was subsequently requested to assess the proposed scheme in relation to the consented this confirms that all windows pass the sunlight and daylight tests. The Accon UK report sets out the assessment methodology based on BRE 2011 guidance document. In both cases there are examples whereby the windows may fail one element of a test but pass overall in accordance with the assessment criteria. The tests highlight that there will be limited light into some of the rooms particularly windows 3 and 4 (ground and first floor side windows) in terms of Vertical Sky Component and windows 5 and 6 (ground and first floor rear windows) in terms of winter annual probable sunlight hours (APSH). However the level of change between the consented scheme and the proposed scheme does not demonstrate that there would be material harm.
- 6.22 The Council has also undertaken their own assessment. The Building Research Establishment's good practice guide (2011) assesses the impact of an extension on the light into a neighbouring property's habitable room. The relevant assessments are: The 45 degree assessment used when the affected property is to the side of a new building and the 25 degree assessment used when the affected property faces a new building. The front windows pass the 45 degree test. The ground floor window fails the 25 degree test whilst the first floor side window passes. Notwithstanding this the 25 degree test only relates to the identification of where a more detailed check is required to determine loss of daylight and that detailed assessment has been carried out by ACCON. Given the multiple windows to both the lounge and bedroom and taking into consideration the impact of existing landscaping, whilst there is likely to be a change both with respect to light and outlook as compared to the consented scheme the level of change is not considered materially harmful and consistent with the test adopted in the SPG on Residential Extensions and Alterations 2004.
- 6.23 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement can be secured by planning condition. Concern has also been raised regarding noise and disturbance. The proposal remains for a single dwelling on the site and is not considered to result in an increase in noise and disturbance

- 6.24 Concern has been raised from neighbouring properties regarding drainage/sewage and the potential future conversion of the property to flats / multiple occupancy. The site is not located within a flood zone and sewage capacity would be assessed at building control stage. The proposal is considered to have a satisfactory impact with regards flooding and drainage/sewerage capacity. Any conversion of the property to flats would require planning permission in its own right.
- 6.25 While giving rise to a degree of change in the relationship between buildings, the proposed scheme would not on balance unacceptably affect the amenity of neighbouring properties, and complies with policy Ho9.

#### Highway matters

- 6.26 The access, parking and landscape arrangements remain as per the approved scheme. An in and out access to Downs Way with automatic gates is proposed with a dwarf wall with railings and hedge behind between the gates, with parking proposed within the private drive. The approved scheme was assessed by the County Highway Authority in terms of the likely net additional traffic generation, access arrangements and parking provision who were satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway, noting that proposed gates should be set back from the edge of the highway by a minimum of 6m. There has been no material change in circumstance since this time that lead me to reach a different conclusion on this matter.
- 6.27 In light of the above the application is considered acceptable from a highway perspective and accords with policies Mo5 and Mo7.

#### Community Infrastructure Levy (CIL)

- 6.28 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, road, public transport and community facilities which are needed to support new development. This development would be CIL liable and, although the exact amount would be determined and collected after the grant of planning permission.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Floor Plan	PP00		02.02.2017
Combined Plan	PP01	A	02.02.2017
Floor Plan	PP02	A	02.02.2017
Elevation Plan	PP03	A	02.02.2017
Combined Plan	PP04	A	02.02.2017
Existing Plans	PA16/22DWX01		02.02.2017
Existing Plans	PA16/22DWX02		02.02.2017
Existing Plans	PA16/22DWX03		02.02.2017
Existing Plans	PA16/22DWX04		02.02.2017
Existing Plans	PA16/22DWX05		02.02.2017
Detailed Technical Plan	RPA/22DWX01	F	02.02.2017
Detailed Technical Plan	RPA/22DWX02	F	02.02.2017
Detailed Technical Plan	RPA/22DWX03	F	02.02.2017
Detailed Technical Plan	RPA/22DWX04	F	02.02.2017
Detailed Technical Plan	RPA/22DWX05	F	02.02.2017
Combined Plan	PP05	B	02.03.2017

Reason: To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

3. No development shall take place until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

4. No development shall commence including groundworks or demolition until a detailed Tree Protection Plan (TPP) shall be submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of retained trees. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction activity. All works shall be carried out in strict accordance with these details when approved.

Reason:

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policy Pc4 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837: 2012 Trees in relation to design, demolition and construction - Recommendations

Informative:

Tree Protection measures should conform to British Standard 5837:2012 section 6 figure 3. The use of a suitably qualified arboriculturist is recommended to provide acceptable submissions in respect of the arboricultural tree condition above.

5. The hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: To ensure the proposed development provides adequate drainage, with regards to policy Ho9 of the Reigate and Banstead Local Plan 2005.

6. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment, including any gates to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the development hereby permitted.

Reason: To preserve the visual amenity of the area and protect neighbouring residential amenities with regard to the Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Pc4.

7. 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 first floor windows, dormer windows or rooflights other than those expressly authorised by this permission shall be constructed.

Reason: To ensure that the development does not affect the amenity of the neighbouring property by overlooking and to protect the visual amenities of the area in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ho9.

8. 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 extensions permitted by Classes A B and C of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13, and Ho16

## INFORMATIVES

1. This application does not purport to grant consent for the outbuilding in the rear garden. Given the proximity of the outbuilding to the boundary it does not



benefit from permitted development and it would require planning permission. An application should be submitted for this structure, alternatively enforcement action will be pursued.

2. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
3. Your attention is drawn to the fact that this permission is subject to an infrastructure contributions payment. There is a requirement to notify the Council in advance of commencement of development. Payment then becomes due.

On commencement of development, notice should be sent to the Planning Authority in writing or email to [planning.applications@reigate-banstead.gov.uk](mailto:planning.applications@reigate-banstead.gov.uk) advising that works have started. The sum described above is payable within a period of 28 days from commencement of development.

The development, once started, will be monitored by my enforcement staff to ensure compliance with the legal agreement and the conditions. Failure to pay the agreed infrastructure contribution will result in legal action being taken against the developer and/or owner of the land for default of the relevant agreement.

4. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk). Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
5. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - (c) Deliveries should only be received within the hours detailed in (a) above;
  - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp

down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;

- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - [www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration).

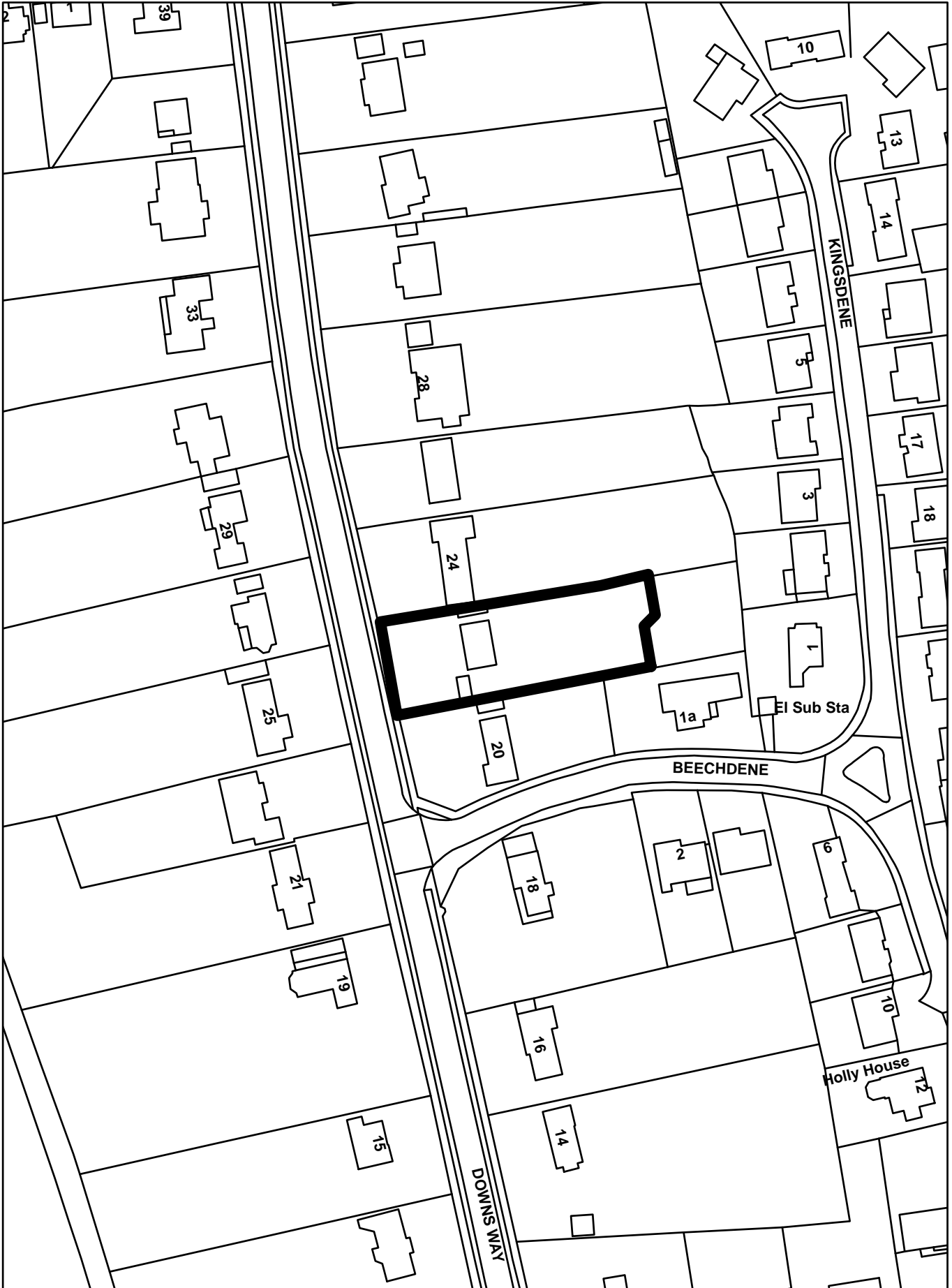
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies Ho9, Ho13, Ho16, Pc4, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

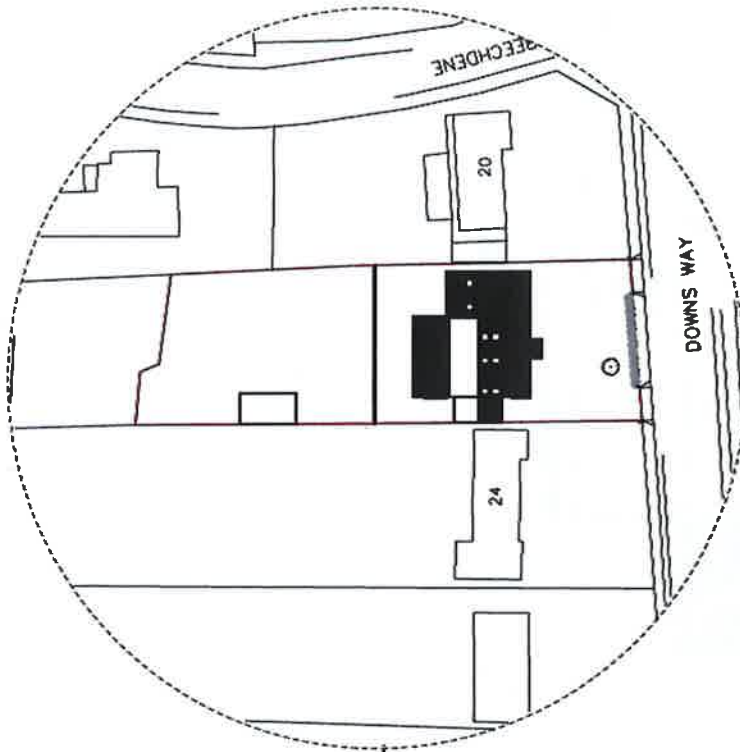
## **Proactive and Positive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

17/00241/HHOLD - 22 Downs Way, Tadworth



Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



**AREA SCHEDULE**  
The Site Area Is:  
• 1463 sqm (10,183 sq ft)  
**SITE COVERAGE AREA**  
Total Coverage on Ground Floor (As Built):  
• 275 sqm (10,075 sq ft)



**ASTUDIO**

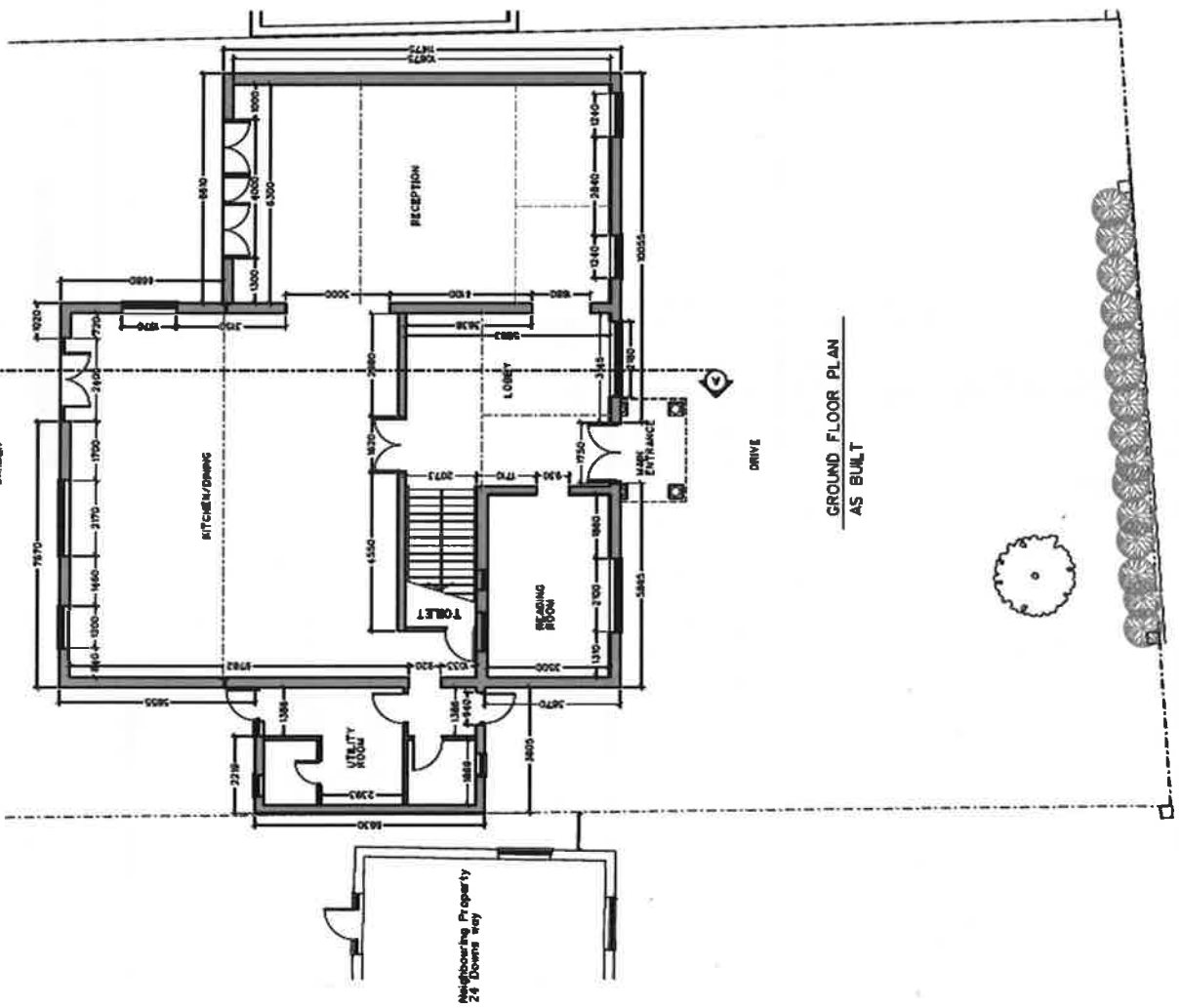
Unit 214, Brunton Workshop  
100 Brunton Road  
London SE18 2SP  
+44 (0) 7786414413  
astudio@gmail.com

**Planning Application**

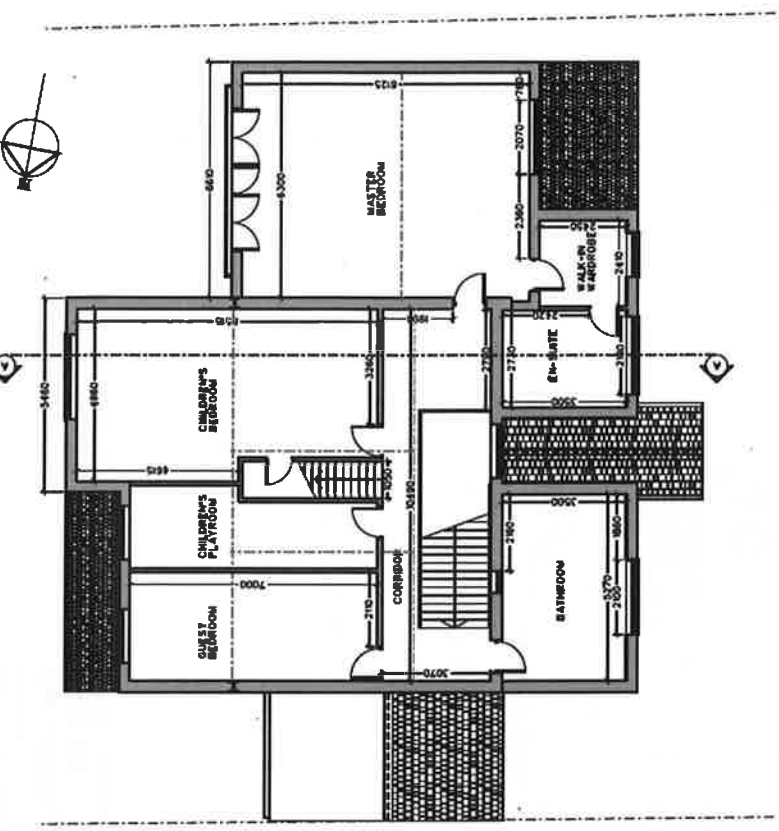
**As Built**  
22 Downs Way  
Tadworth  
Surrey KT20 6DZ

**Location Plans**  
Drawing No. PA19/22DW\_X01  
@ A2  
10/10/16

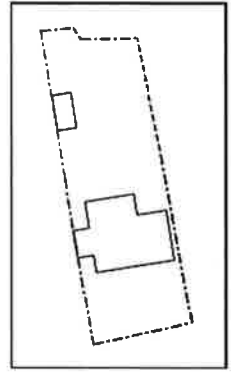
Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



GROUND FLOOR PLAN  
AS BUILT



FIRST FLOOR PLAN  
AS BUILT



--- Beam running across



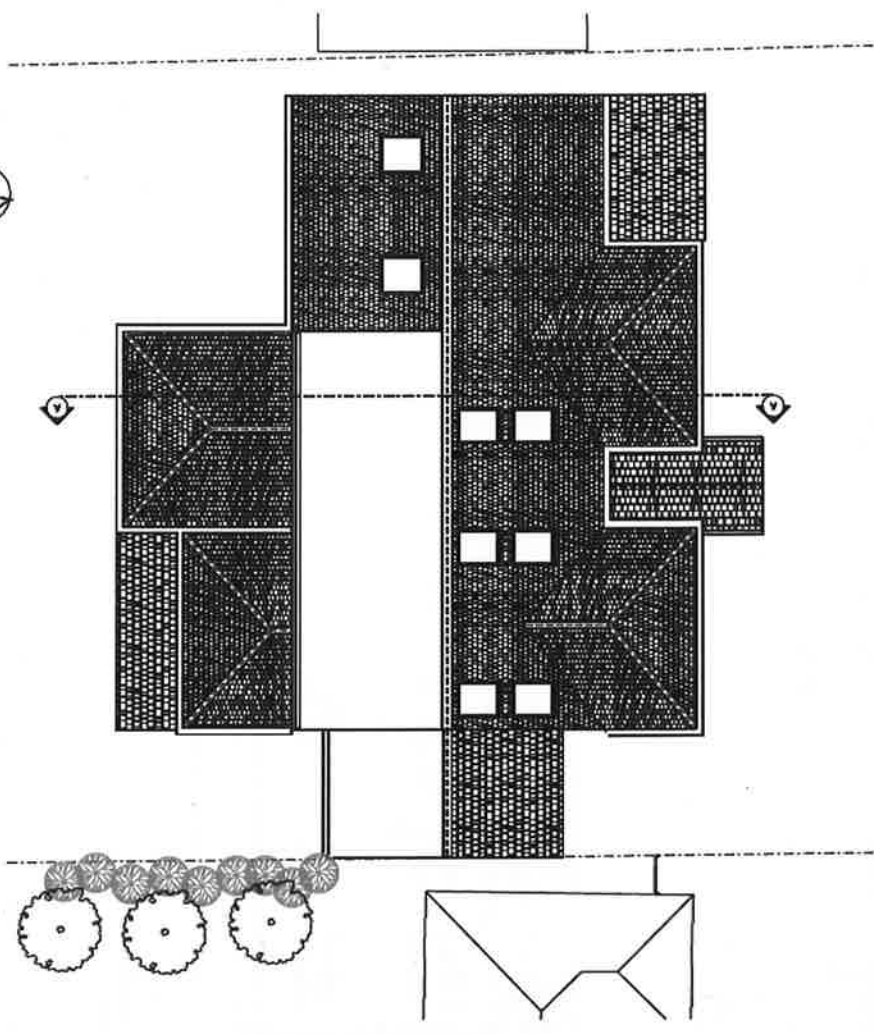
**ASB STUDIO**  
Unit 216, Shireford Workshop  
Market Hill, Shireford  
Macclesfield, Cheshire SK10 2PP  
+44 (0) 1782 414415  
studio@asb-studio.com

**Planning Application**

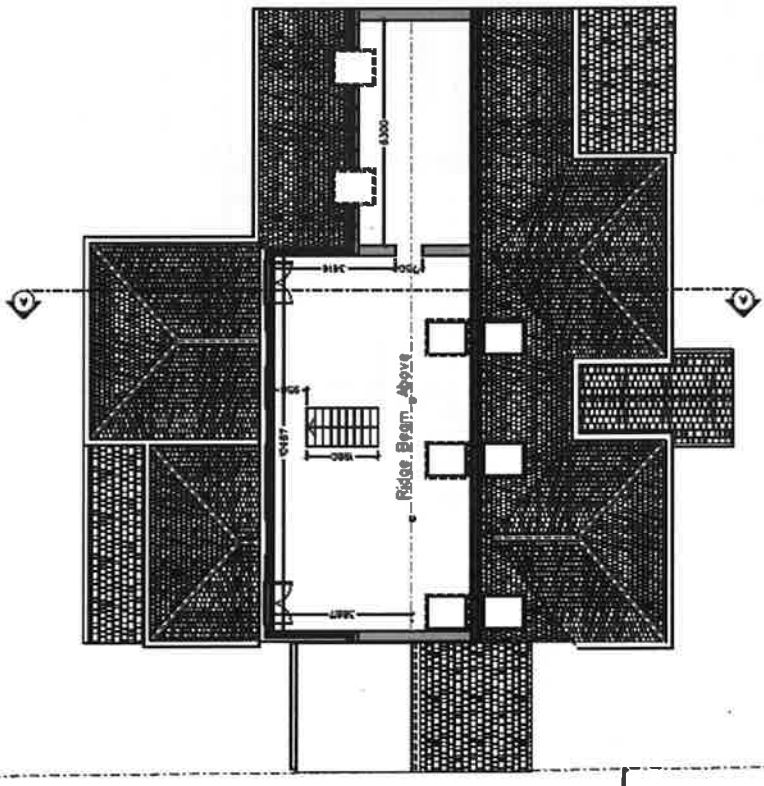
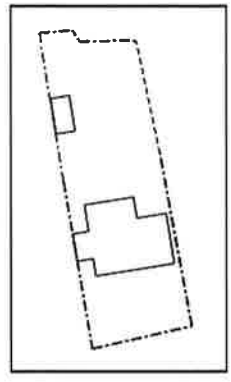
**As Built**  
22 Downs Way  
Tadworth  
Surrey KT20 8DZ

**Floor Plans**  
Drawing No. PA1622DW\_X02  
1:100 @ A2  
10/10/16

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



ROOF PLAN  
AS BUILT



SECOND FLOOR PLAN (DORMER)  
AS BUILT



**ASTUDIO**  
 Unit 216, Skiffers Workshop  
 Mariner Road  
 London E16 2EP  
 +44 (0) 770014416  
 info@astudio.com

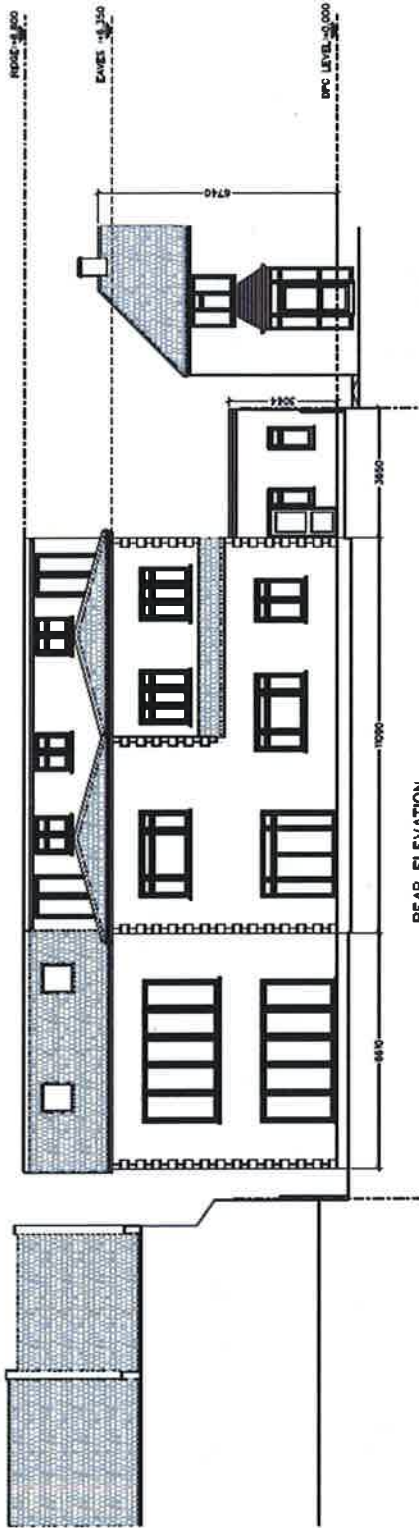
**As Built**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 6DZ

**Floor Plans**  
 Drawing No. PA16/22DW\_X03  
 1:100 @ A2  
 10/10/16

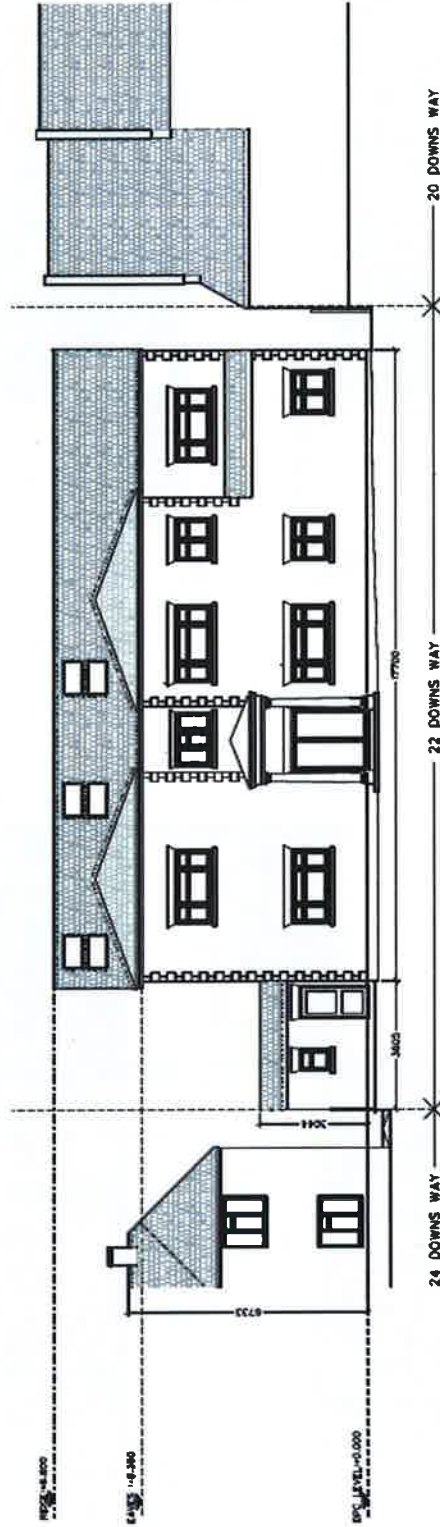
**Planning Application**



Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



REAR ELEVATION  
AS BUILT



FRONT ELEVATION  
AS BUILT



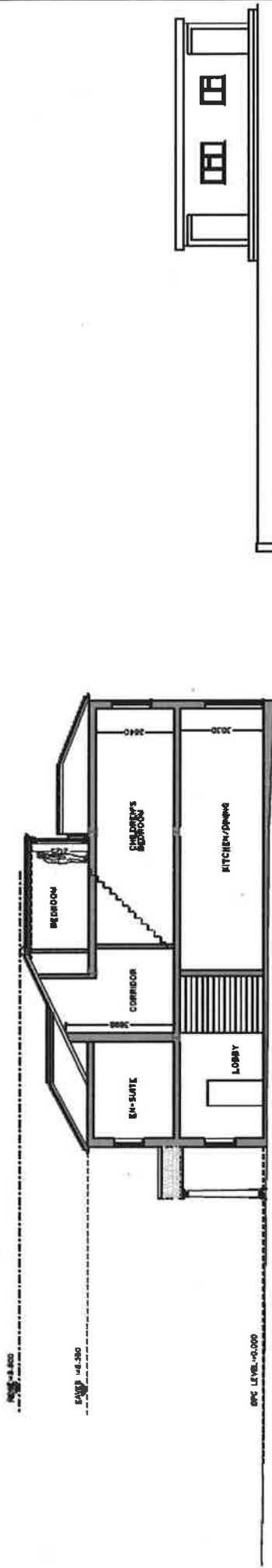
**ASTUDIO**  
 1401 516, Boulevard Winesap  
 Barrow Road  
 Colchester, Essex  
 CO1 1JH  
 0206 3718200  
 0206 3718200  
 astudio16@gmail.com

**Planning Application**

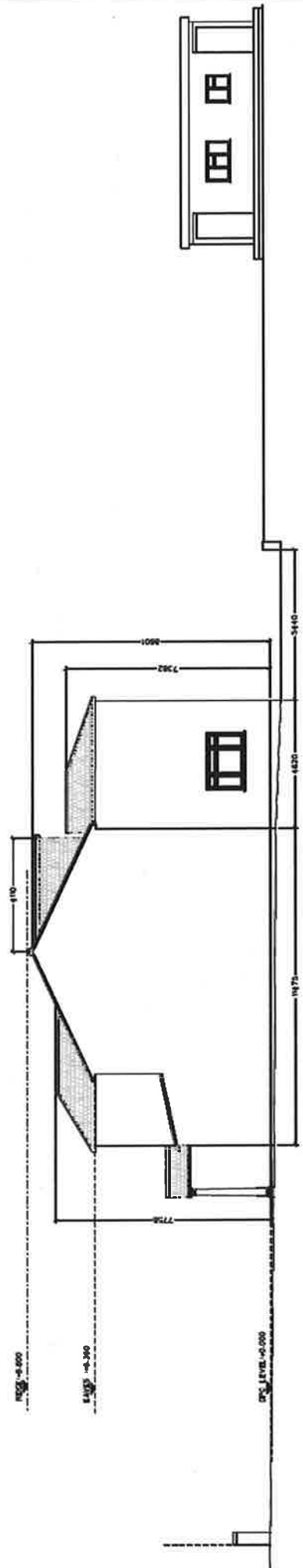
**As Built**  
 22 Downs Way  
 Tedworth  
 Surrey KT20 6DZ

**Elevations**  
 Drawing No. PA16/22DW\_X04  
 1:100 @ A2  
 10/10/19

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



SECTION A-A  
AS BUILT



SIDE ELEVATION  
AS BUILT



**ASTUDIO**  
 Unit 518, Riverside Workshop  
 Market Road  
 Leighton Buzzard  
 Bedfordshire LU3 1JF  
 Tel: 01455 544415  
 info@astudio.co.uk

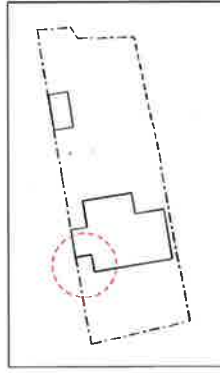
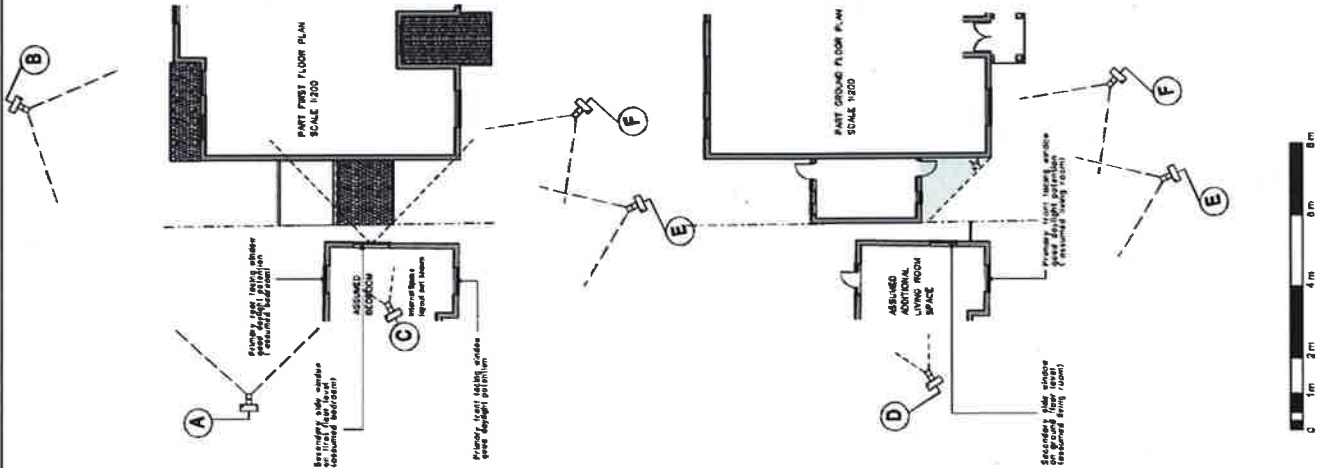
**As Built**  
 22 Downs Way  
 Tedworth  
 Surrey KT20 8DZ

**Elevation & Section**  
 Drawing No. PA16122DW\_X05  
 1:100 © A2  
 10/10/16

**Planning Application**



Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.  
Photo credit for RJS Planning for CP (A) / (C) / (D)



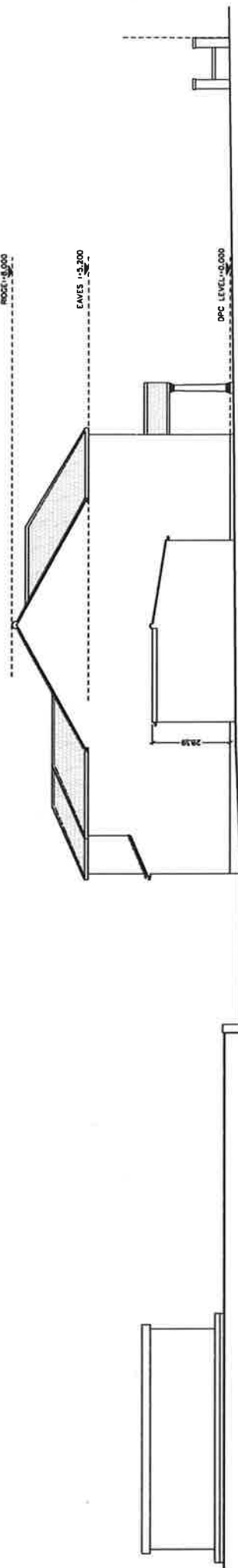
**ASTUDIO**  
 Unit 216, Stretford Workshop  
 Burford Road, Brixton  
 +44 (0) 786414419  
 astudio@gmail.com

**Site Analysis**  
 for Retrospective Planning  
 (ref:1601240/H/OLD)

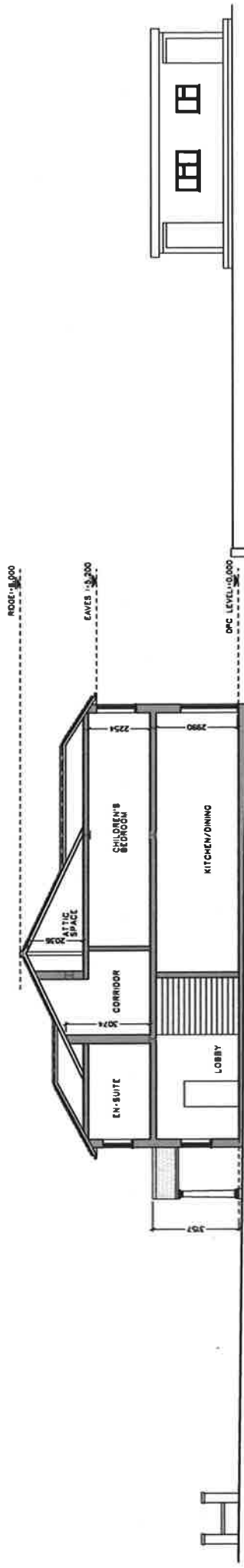
**As Built**  
 22 Downe Way  
 Tadworth  
 Surrey KT20 5DZ

**Daylight Impact**  
 Drawing No. RPA/22DW\_X06-Rev F  
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 19/08/16

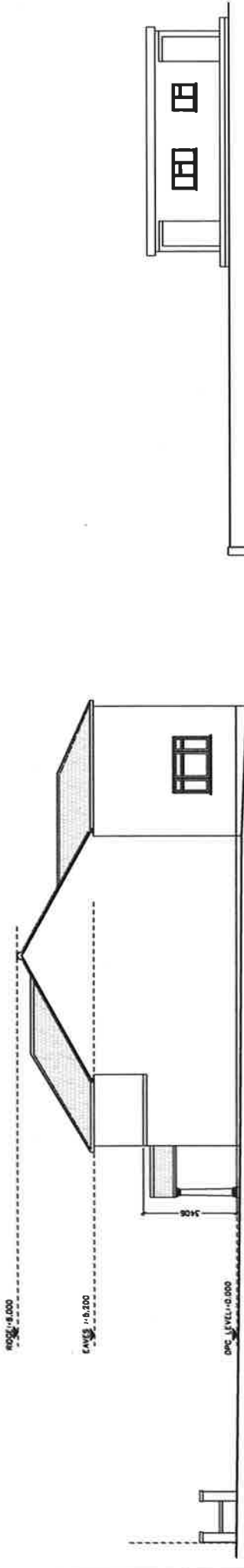
Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



PROPOSED SIDE ELEVATION



PROPOSED SECTION A-A



PROPOSED SIDE ELEVATION



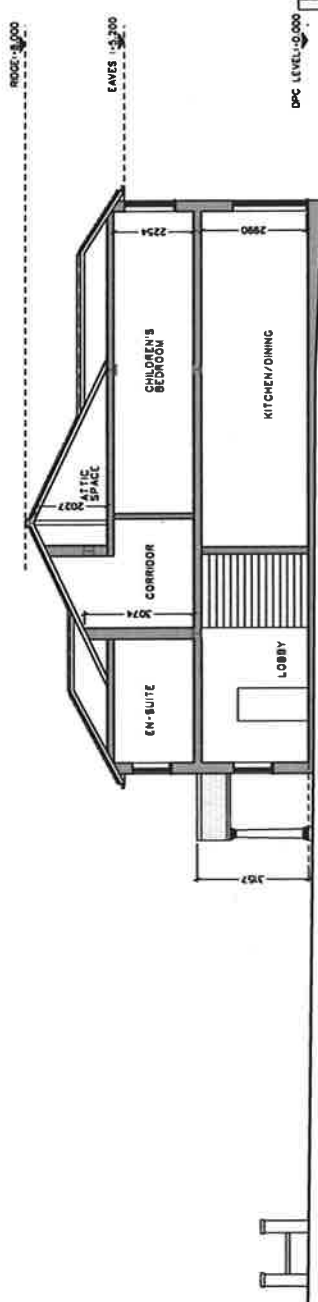
**ASTUDIO**  
 Unit 216, Bazelard Workshop  
 Burley Road  
 London SE15 2SP  
 +44 (0) 7788414415  
 a786studio@gmail.com

**Proposed Layout**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 6DZ

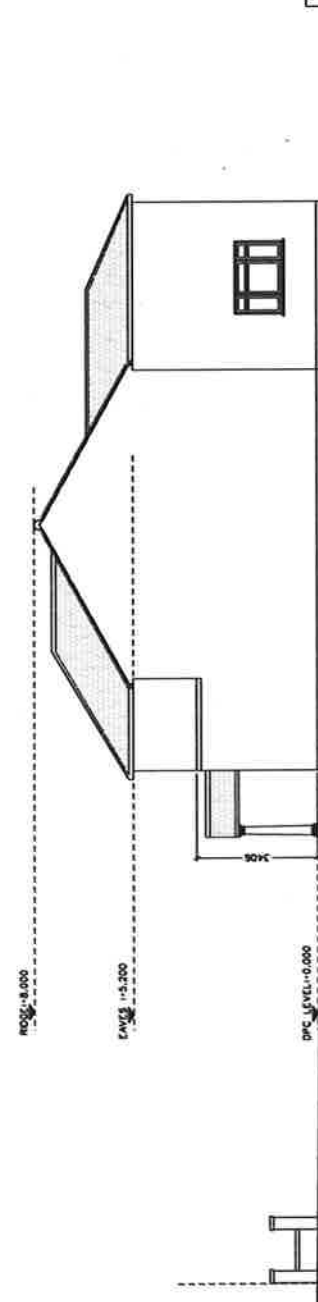
**Proposed Elevations & Section**  
 Drawing No. PA16/22DW\_PP05-Rev B  
 1:100 @ A2  
 01/03/17

**Planning Application**

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



PROPOSED SECTION A-A



PROPOSED SIDE ELEVATION



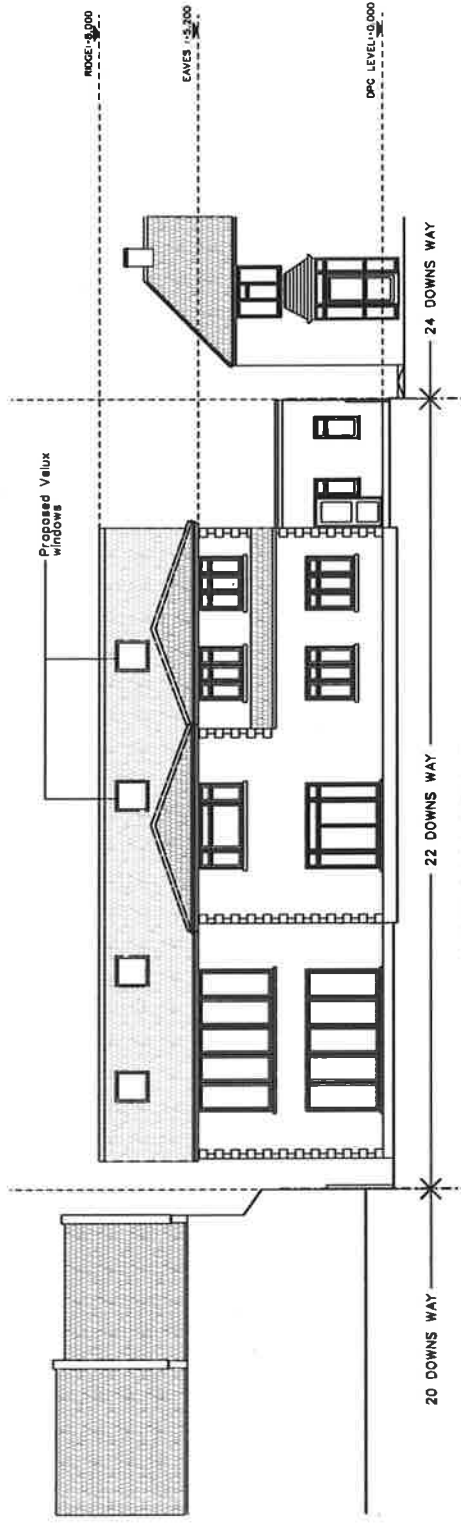
**ASTUS**  
 Unit 216, Stireford Workshop  
 Lutter Road 21P  
 Stireford, Leicestershire  
 +44 (0) 1778 514413  
 astusstudio@gmail.com

**Planning Application**

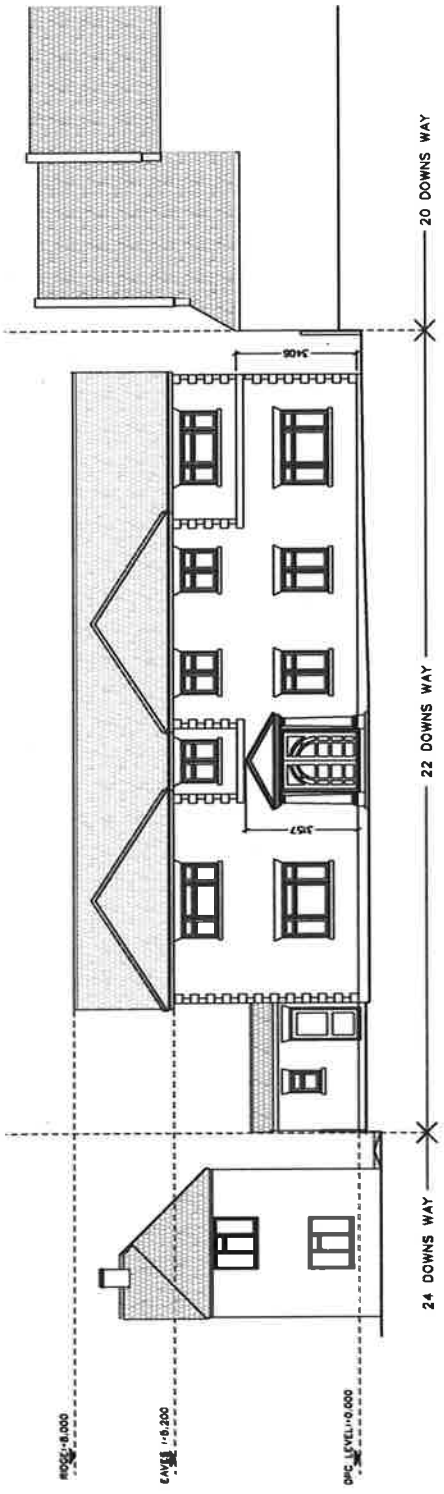
**Proposed Layout**  
 22 Downs Way  
 Tedworth  
 Surrey KT20 5DZ

**Proposed Elevation & Section**  
 Drawing No. PA16/22DW\_PP05-Rev A  
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 30/01/17

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



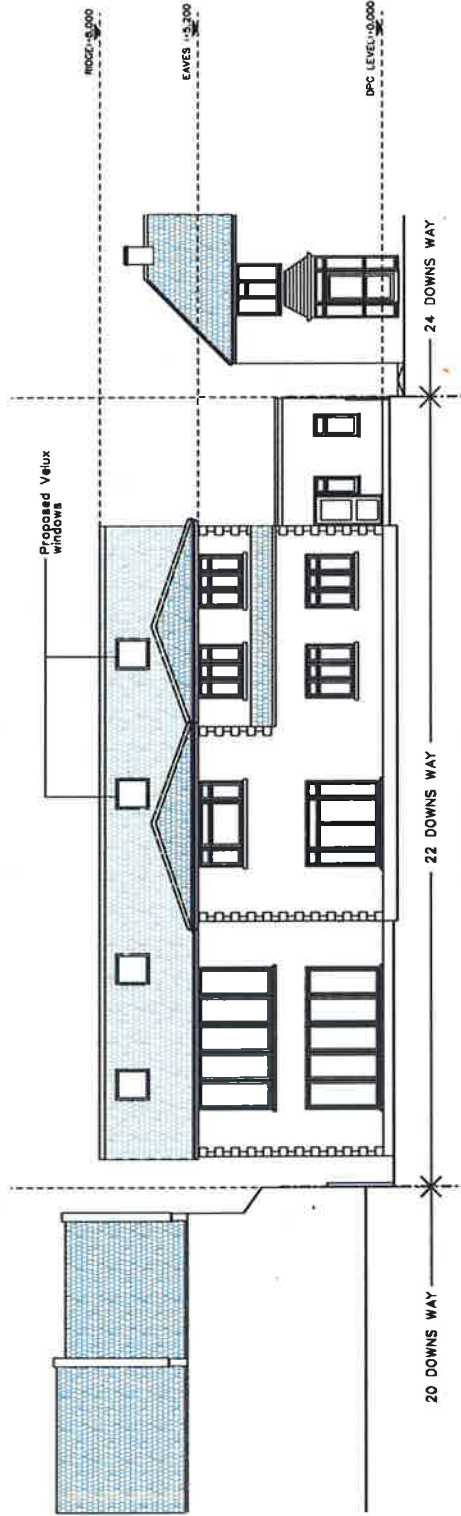
Unit 216, Greatford Workshop  
 Burder Road, B99  
 +44 (0) 771 88414413  
 at8astudio@gmail.com

**Planning Application**

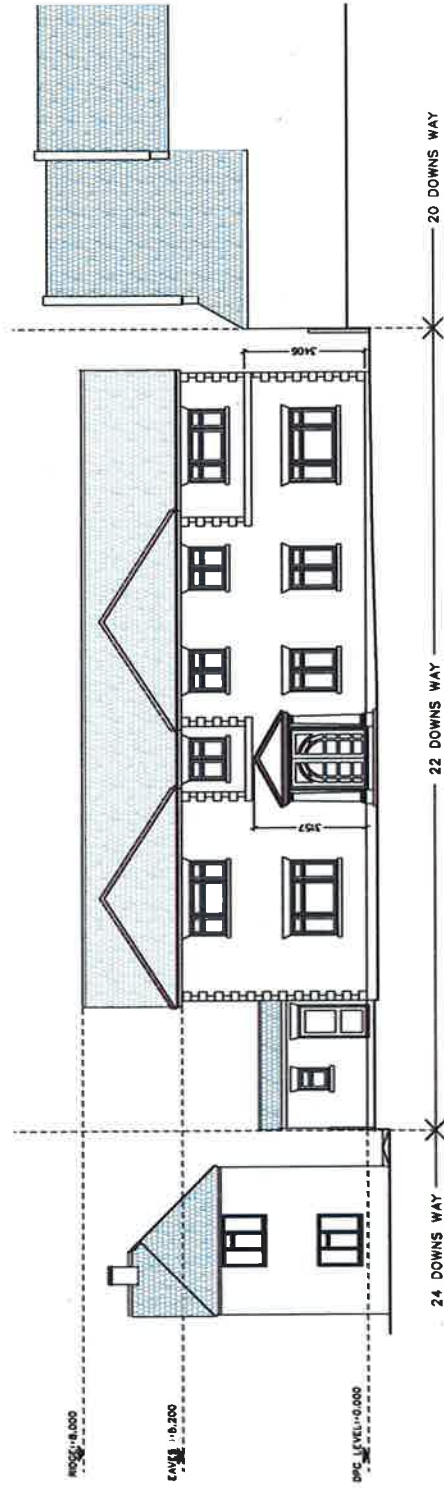
**Proposed Layout**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 5DZ

**Proposed Elevations**  
 Drawing No. PA16/22DW\_PP03-REV A  
 1:100 @ A2  
 30/01/17

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



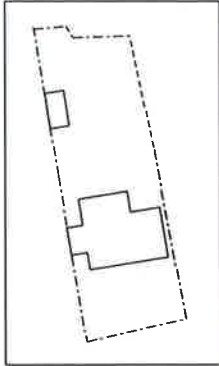
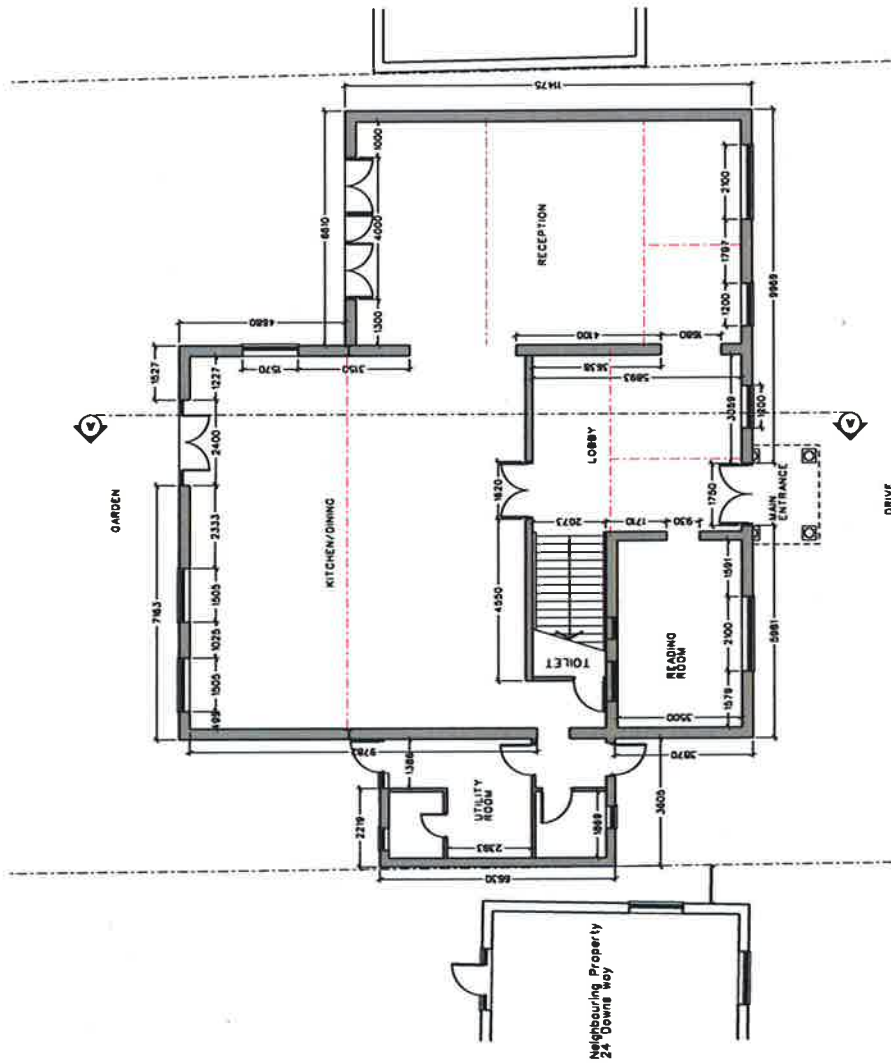
**ASTUDIO**  
 Unit 216, Brearford Workshop  
 Burier Road, 899  
 Tadworth, Surrey  
 +44 (0) 1778 414413  
 astudio@gmail.com

**Planning Application**

**Proposed Layout**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 5DZ

**Proposed Elevations**  
 Drawing No. PA16/22DW\_PP03-REV A  
 1:100 @ A2  
 30/01/17



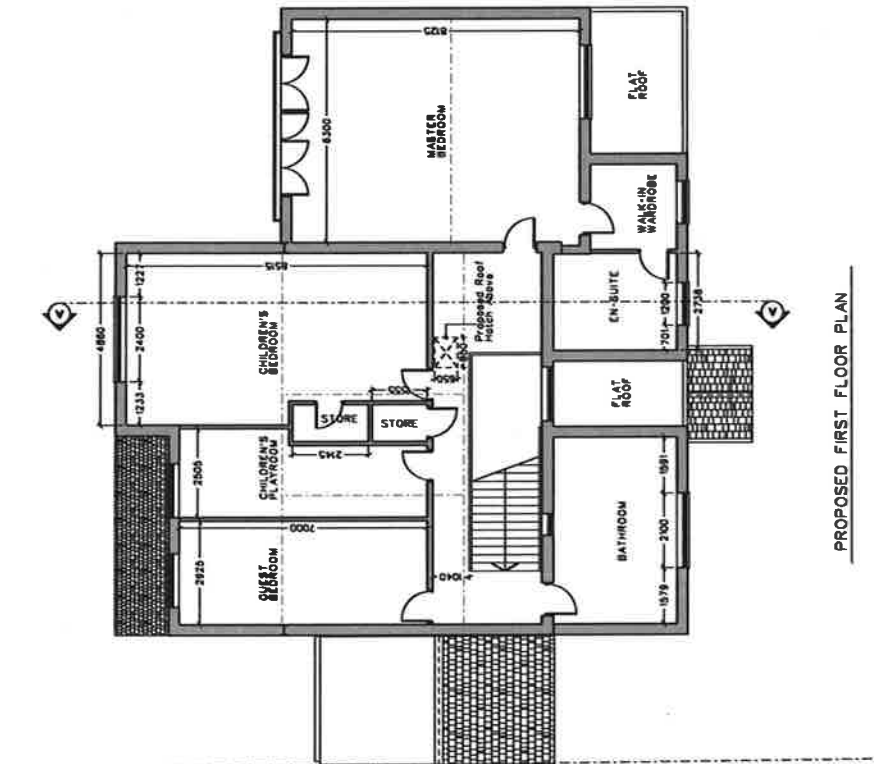


**Proposed Floor Plans**  
 Drawing No. PA16/22DW\_PP00  
 1:100 @ A2  
 30/01/17

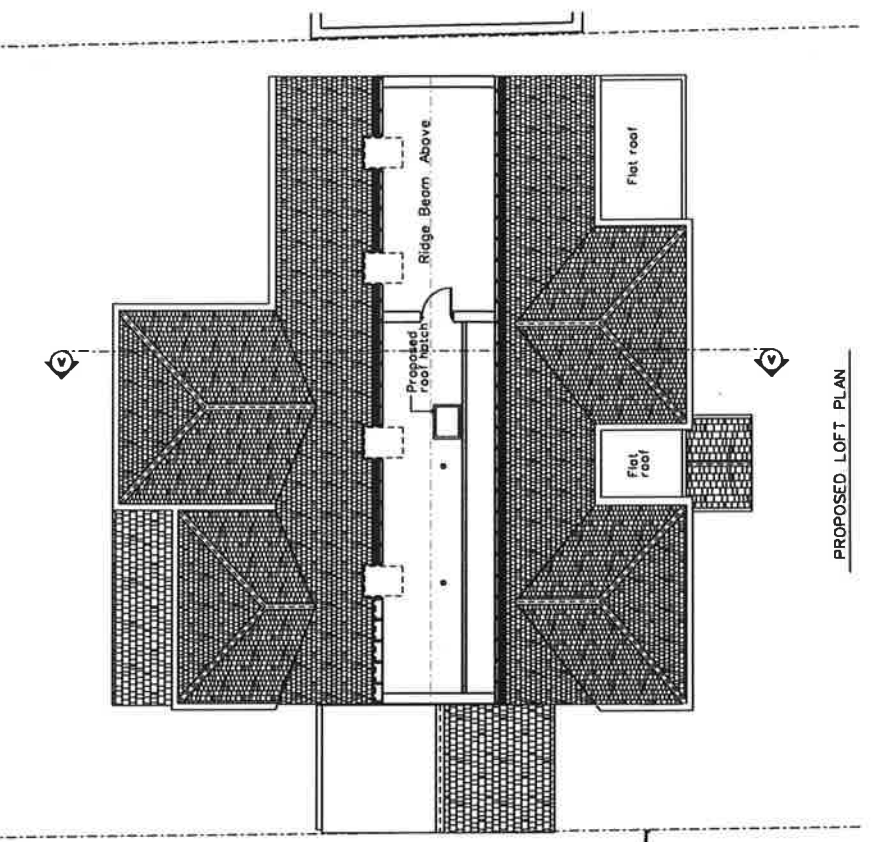
**Proposed Layout**  
 22 Downe Way  
 Tadworth  
 Surrey KT20 5DZ

**Planning Application**

**ASTUDIO**  
 Unit 216, Stratford Workshop  
 Burier Road, BPP  
 Basingstoke, Hampshire  
 +44 (0) 7786154415  
 #78studio@gmail.com

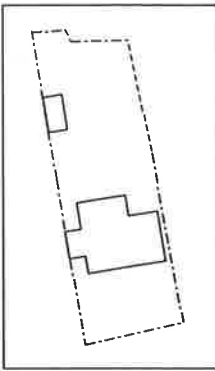


PROPOSED FIRST FLOOR PLAN



PROPOSED LOFT PLAN

--- Beam running across



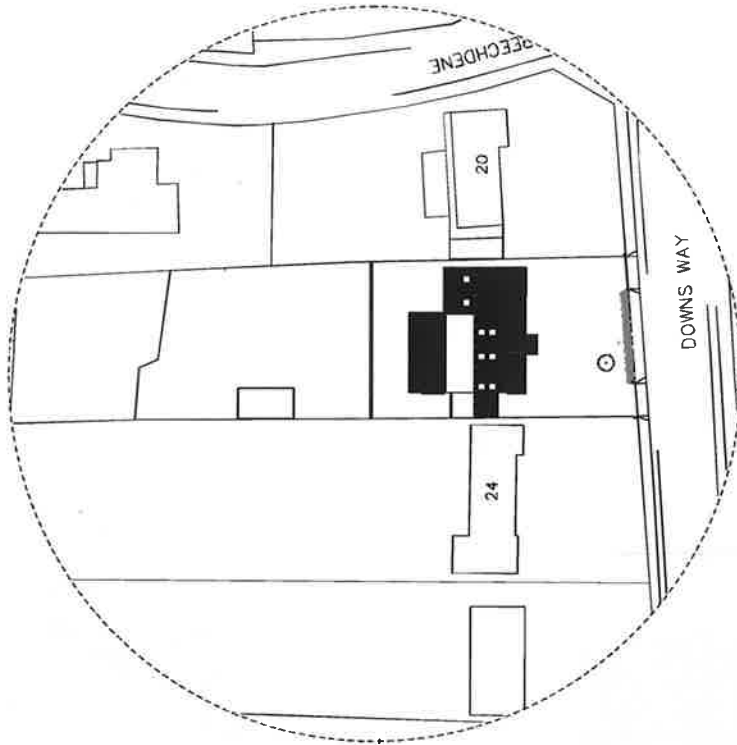
Unit 216, Stratford Workshop  
 Burier Road, B&P  
 Stratford, London E3 7LJ  
 +44 (0) 7786114413  
 w78studio@gmail.com

Planning Application

Proposed Layout  
 22 Downs Way  
 Tadworth  
 Surrey KT20 5DZ

Proposed Floor Plans  
 Drawing No. PA16/22DW\_PP02-Rev A  
 1:100 @ A2  
 30/01/17

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



LEGEND:  
--- Site Boundary

**AREA SCHEDULE**

- The Site Area Is:
  - 1493 sqm (10,1493 Sq Ft)
- SITE COVERAGE AREA  
Total Coverage at Ground Floor (As Built):
  - 275 sqm (10,0275 Sq Ft)



**ASTUDIO**  
Unit 319, Stratford Workshop  
Bunney Road, BDP  
Barnet, London, UK  
+44 (0) 1753 641449  
astudio@gmail.com

**Site Analysis**  
for Retrospective Planning  
(ref:1601240/HOLD)

**As Built**  
22 Down's Way  
Tadworth  
Surrey KT20 6DZ

**Location Plans**  
Drawing No. RPA/22DW\_X01-Rev F  
© A2  
19/08/16

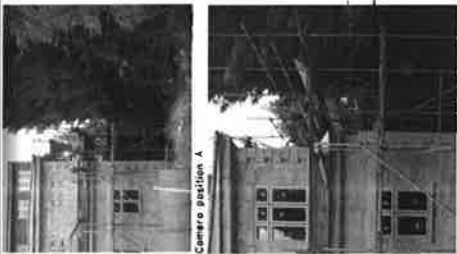


Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



Notes:

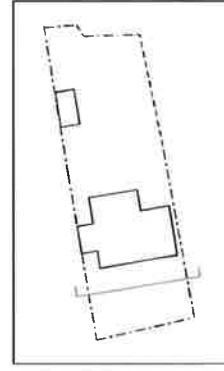
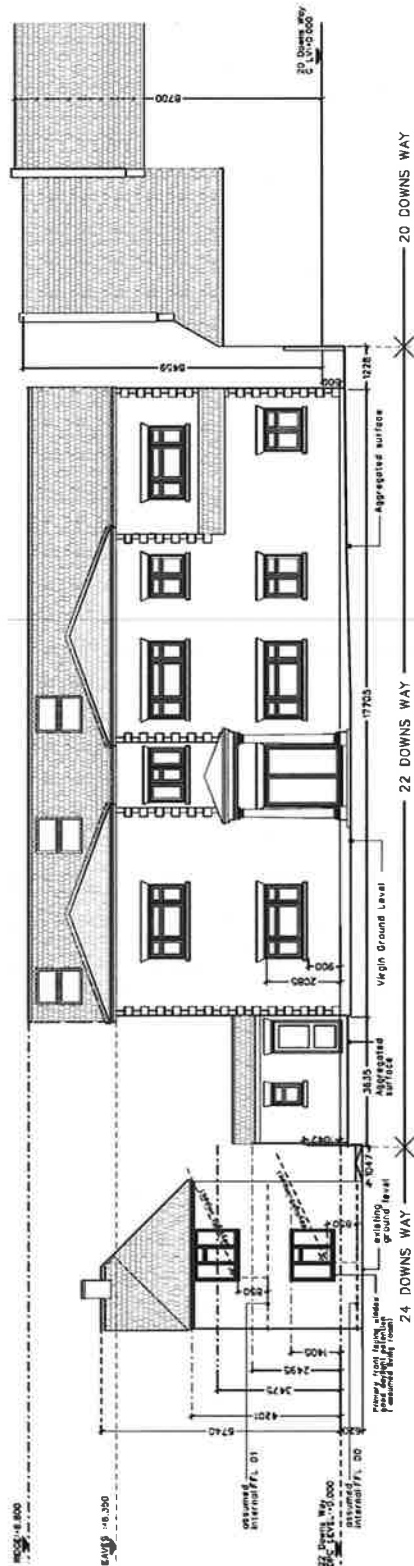
Finished floor level for 22 Downs Way yet to be determined, minimum 150mm clearance below DPC Level to be expected as finished ground level  
 As per uneven site condition, present ground levels below DPC are variable, Max 400mm and Min 135 mm between virgin ground and uneven aggregate surface



Position of secondary site window on first floor level (assumed location)

Position of secondary site window on first floor level (assumed location)

24 DOWNS WAY — 22 DOWNS WAY — 20 DOWNS WAY



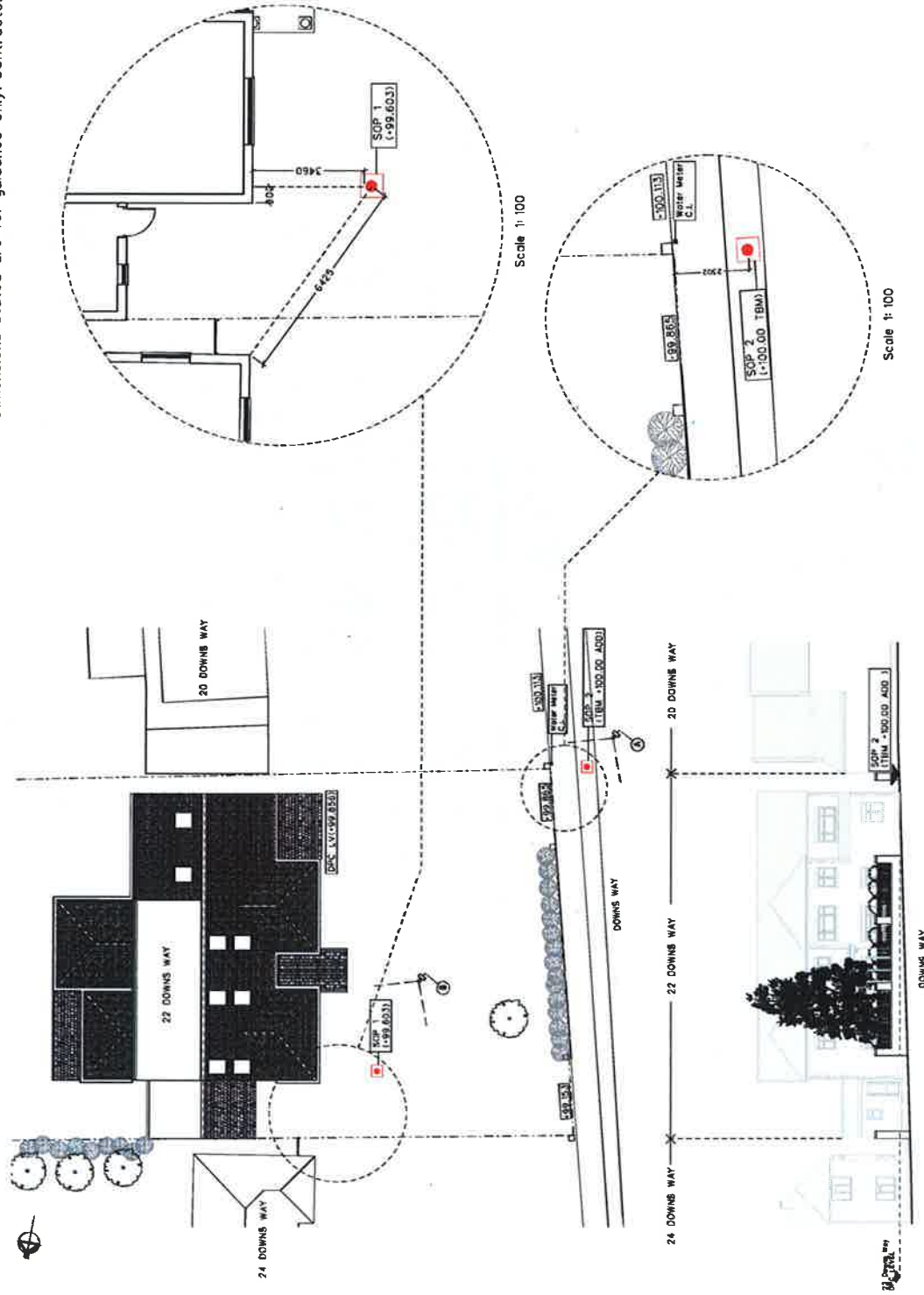
**ASTUDIO**  
 Unit 216, Brentford Workshop  
 Butler Road  
 London SW16 2EP  
 +44 (0) 7786414419  
 astudio@gmail.com

**Site Analysis**  
 for Retrospective Planning  
 (ref:16/01240/H/OLD)

**As Built**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 5DZ

**Roof Plan & Elevation**  
 Drawing No. RPA/22DW\_X02-Rev F  
 1:100 @ A2  
 18/08/16

Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



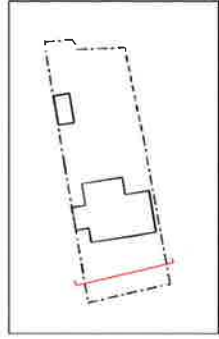
Camera position A



Camera position A



Camera position B



**Site Analysis**  
for Retrospective Planning  
(ref:16/01240/HOLD)

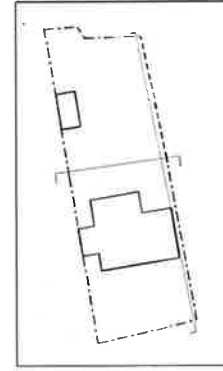
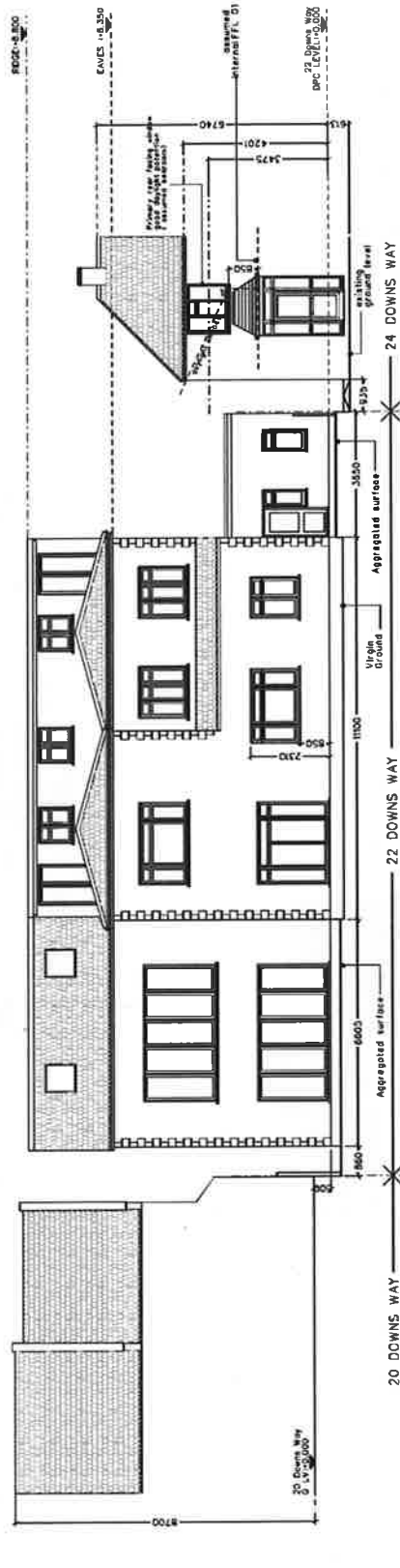
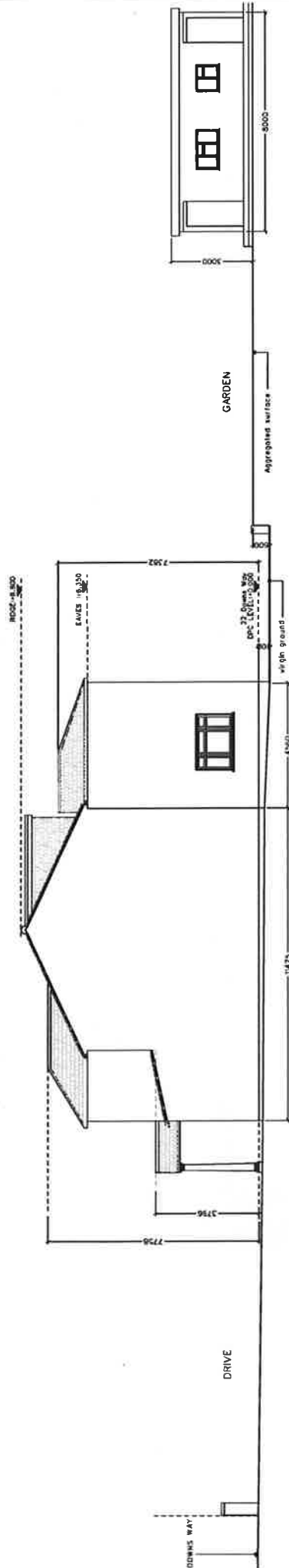
**As Built**  
22 Downs Way  
Tadworth  
Surrey KT20 6DZ

**Roof Plan & Elevation**  
Drawing No. RPA/22DW\_X03-Rev F  
1:200 © A2  
19/08/16

**ASTUDIO**  
Unit 316, Stratford Workshop  
Barbar Road  
London E15 3EP  
020 8506 4415  
astudio@astudio.com



Dimensions stated are for guidance only. Contractor to verify all boundary and dimensions on site.



**ASTUDIO**  
 Unit 210, Stratford Workshop  
 Bunter Road  
 Sutton, Surrey  
 Surrey GU14 4AS  
 07882816161  
 07882816161@astudio.com

**Site Analysis**  
 for Retrospective Planning  
 (ref:1601240/HOLD)

**As Built**  
 22 Downs Way  
 Tadworth  
 Surrey KT20 6DZ

**Rear & Side Elevation**  
 Drawing No. RPA/22DW\_X04-Rev F  
 1:100 @ A2  
 19/08/16

