	TO:	PLANNING COMMITTEE
	DATE:	8 <sup>th</sup> March 2023
	REPORT OF:	HEAD OF PLANNING
Doigato & Banstoad	AUTHOR:	Matthew Sheahan
Reigate & Banstead	TELEPHONE:	01737 276514
Banstead I Horley I Redhill I Reigate	EMAIL:	Matthew.sheahan@reigate-banstead.gov.uk
AGENDA ITEM: 7	WARD:	KTW - Lower Kingswood Tadworth And Walton

APPLICATION N	UMBER:	22/02709/F	VALID:	19/12/2022
APPLICANT:	Mr Richard	I Spiers	AGENT:	Blacksand Asset Management
LOCATION:	FARM CORNER 15 THE AVENUE TADWORTH SURREY KT20 5AY			
DESCRIPTION:	Construction of two detached houses and a detached garage. As amended on 26/01/2023.			
All plans in this r illustrative purpo detail.				le, and are for ed/referenced for

## SUMMARY

This is a full application for the erection of two detached dwellings to the rear of Farm Corner, 15 The Avenue, Tadworth. The site is located within The Avenue Residential Area of Special Character (RASC), which is typified largely be detached properties of traditional 1930s suburban character, set within good sized plots characterized by soft, leafy landscaping. This application follows a previous application 22/01232/F, which was refused.

The proposed dwellings would reflect the character of properties within the RASC with respect to their design, form and palette of materials. They would be set within plots that are sufficiently spacious, both exceeding 0.1ha in area, which would be commensurate with other developments within the RASC, including Bishops Grove and Bramber Close to the west. Each dwelling would exceed national standards for living space and would have access to a rear garden that would be appropriate for dwellings of this size. The doner property and its surrounding plot would continue to be reflective of the RASC in terms of spaciousness.

The relationship with neighbouring properties is considered to be acceptable and would not give rise to a significant level of harm to residential amenity. There would be sufficient distance between the dwellings and Spindlewoods to the north to avoid being overbearing. Whilst noting the change in ground levels the properties have been design and positioned so as not to give rise to unacceptable levels of overlooking. The height, bulk, scale and mass of the dwellings, as well as the siting of plot 2 has been reduced and amended following the refusal of the previous application in order to overcome concerns raised regarding impact on neighbouring amenity, including that of the donor property.

Each dwelling would comply with the Councils parking standards and the development would continue to utilise the same access point as the existing dwelling. The County Highway Authority (CHA) has reviewed the scheme and is satisfied that there would not be harm to highway safety.

A small number of low quality trees are to be removed which will not have a detrimental impact on the character of the locality. Replacement planting can be secured by condition. There would be further conditions related to ecology and biodiversity net gain.

## RECOMMENDATION(S)

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

## **Consultations:**

<u>Highway Authority:</u> The proposed development has been considered by the county highway authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, has raised no objections subject to the imposition of appropriate conditions and informatives.

Surrey Wildlife Trust: No objections subject to conditions and informatives.

<u>Tadworth and Walton Residents Association:</u> Consider that the application is better than the previous proposal. In order to ensure that all surface water is accommodated on site, it is requested that the access road and parking areas are all permeable and the soakaways and SUDs have sufficient capacity so there is no runoff in to the Spindlewoods development.

#### **Representations:**

Letters were sent to neighbouring properties on 22<sup>nd</sup> December 2022. Following the submission of amended plans further consultations were send on the 30<sup>th</sup> January 2023. A total of 4 responses were received.

Issue Poor design Overdevelopment Out of character with surrounding area No need for the development Harm to Conservation Area Harm to listed building Overbearing relationship Overlooking and loss of privacy Overshadowing Hazard to highway safety Increase in traffic and congestion Inconvenience during construction Inadequate parking Harm to wildlife habitat Drainage/ conversion conposity	Paragraph Paragraph 6.3-6.6 Paragraph 6.3-6.6 Paragraph 6.3-6.6 Paragraph 6.2-6.6 Paragraph 6.3-6.6 Paragraph 6.3-6.6 Paragraph 6.7-6.14 Paragraph 6.7-6.14 Paragraph 6.7-6.14 Paragraph 6.19 Paragraph 6.19 Paragraph 6.19 Paragraph 6.29-6.23 Paragraph 6.29-6.23
	0

## **1.0** Site and Character Appraisal

1.1 The site comprises a substantial detached house with attached annexe set within a very generous plot located on the northern side of The Avenue. The house is set back from the road and at an angle bridging the building line between the neighbouring Walden Cottage (no 17) to the west and Oaklands (no 13) (previously known as Spindlewoods) to the east. Walden Cottage is a locally listed building.

Planning Committee 8<sup>th</sup> March 2023

- 1.2 The site (with the exception of the north-east corner) is set within The Avenue, Tadworth Residential Area of Special Character (RASC) as identified on the DMP Proposals Map. This area is designated as a result of its special residential character typified by mainly low density, substantial sized dwellings set in spacious grounds set back from the road, where landscaping is an integral part of the character of the area, with a predominance of trees and hedges over buildings and hardstanding. Whilst there are some exceptions to this, including both flatted development and more recent housing development where detached houses are sited closer together, in the main well-spaced houses / development predominates. It is acknowledged that the boundary of the RASC is somewhat disjointed. However, the properties that fall within the RASC tend to be larger and better spaced, where the landscape dominates the built form.
- 1.3 Development is typically 2 storeys with flatted development in the area increasing to 3 storeys with the upper floor of development set nearly entirely within the roof, with designs utilising dormer rooflights and gable windows. The exception to this being Oaklands, where the corner landmark turret element is a full 3 storeys.
- 1.4 The site is located in a predominantly residential area, although it is noted other uses exist within the locality, a nursing home, school and church. Tadworth local centre is approximately 0.5km from the site.
- 1.5 The site is well screened from the road by a close boarded fence with evergreen hedging behind. There is significant boundary hedging and trees, and parts of the site are covered by group and individual tree preservation orders (RE1223, RE914 and BAN36). In addition, there are TPOs on adjoining land which could potentially be affected by the proposed development. There is a change in levels within the site with land sloping away to the north.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: formal pre-application advice was not sought from the Local Planning Authority prior to submission.
- 2.2 Improvements secured during the course of the application: Amendments have been received during the course of development to revise the position of plot 2, provision of a parapet wall to the rear of plot 2, revisions to the siting of refuse stores, and the provision of permeable free draining surfaces.
- 2.3 Further improvements could be secured: Further improvements could be secured by way of suitably worded conditions and informatives.

## 3.0 Relevant Planning and Enforcement History

00P/0237/F	Demolition of annex and	Refused - Appeal
	erection of three five	dismissed - 20 July 2000

	bedroom detached dwellings with integral double garages, replacement double garage for No.15, provision of parking spaces and formation of access road. Appeal dismissed (for reasons of character and amenity) –	
19/00877/F	Demolition of existing dwelling house and annexe, and erection of a two and half storey apartment block comprising 20 dwellings and associated landscaping, refuse storage, and cycle and car parking. As amended on 23/09/2019 and on 10/10/2019 and on 17/10/2019	R - Refused - Appeal dismissed
21/02439/F	Demolition of an existing annex and garage at number 15 The Avenue. Construction of three detached dwellings with associated access road, parking and turning areas. As amended on 12/11/2021, 30/11/2021 and on 14/02/2022.	Refused
22/01232/F	Construction of two detached houses with associated garages, parking and turning areas.	Refused

# 4.0 **Proposal and Design Approach**

4.1 This is a full application for the construction of two detached dwellings to the rear of 15 The Avenue Tadworth. The donor property is to be retained along with the existing access to the east. The two dwellings would be traditional in their design and appearance however they would differ from one another. Each of the dwellings would provide five bedrooms.

Planning Committee 8<sup>th</sup> March 2023

- 4.2 Plot 1 would feature a large, hipped clay tile roof with prominent pitched roof gable to the principal elevation. Three Velux windows would feature to the rear elevation, whilst a single window would feature to the principal elevation above four solar panels. Regarding materials this would comprise of red coloured brickwork to the ground floor with a mix of hanging tile and off-white render to the first floor. An area of hardstanding for parking and turning would be sited to the front, accessed through a set of gates. The footprint of the dwelling would be 8.7m from the rear (north) boundary with properties on Spindlewoods, and 4.6m from the east boundary with Oaklands at the closest point.
- 4.3 Plot 2 would feature two prominent hipped roof gables to the principal elevation with a single Velux window in between. Two further small Velux windows would feature to the rear, with four solar panels featuring to the south west elevation. Much like plot 1 the materials would comprise brick to the ground floor with render above however hanging tile would not feature. The footprint would be more angled within its plot with the principal elevation facing south-east. A detached pitched roof garage would feature to the north-east. The dwelling would be 6.7m from the north boundary, 7.1m from the west boundary with 17 The Avenue and 6.3m from the shared boundary with the donor property. There would be approximately 12m separating the two dwellings.

Hardstanding for parking would again be located to the front of the dwelling accessed through gates similar to plot 1.

- 4.4 Externally each of the proposed new dwellings would be provided with private amenity space in the form of rear gardens that would wrap around the rear and side of dwellings. The plot for the donor property would be reduced in size however substantial private amenity space would remain around the dwelling. Access would be via the existing entrance to the south-east corner of the plot, adjacent to which would be the refuse storage facilities. Electric vehicle charging points are proposed to be installed to the front of each dwelling. Cycle storage areas would be provided to the side of each of the proposed dwellings.
- 4.5 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.

4.6 Evidence of the applicant's design approach is set out below:

Assessment An assessment of the character of the surrounding area

	has not been made within the Design & Access Statement. Number 15 The Avenue is stated as being sited on a large plot extending to 0.87 acres (0.35ha). The existing house was constructed in 1905 and was formally part of the Tattenham Park Estate.
Involvement	No community consultation took place, though tenants have been notified of the proposed works.
Evaluation	Pre-application advice was not sought from the Council prior to the submission of the application. The application is stated as being a re-submission following the refusal of previous application to develop the site to provide an additional 3 and 2 dwellings respectively.
Design	The proposed scheme has been designed to overcome the reasons for refusal of previous application 22/01232/F. The height, bulk, mass, roof pitch of the dwellings, as well as the siting of plot 2 has been amended to address concerns relating to neighbouring amenity of Spindlewoods. A new wall is proposed along th west side of the access and donor property to enhance the amenity of 15 The Avenue.

4.7 Further details of the development are as follows:

Site area	0.2 Ha
Existing use	Residential (1 dwelling C3)
Proposed use	Residential (Class C3) 2x4 bedroom dwellinghouses
Proposed density	10dwellings per hectare
Parking standard	Medium Accessibility (4 spaces required, 2 per dwelling)
Existing parking provision	2 spaces
Proposed parking provision	6 spaces
Net increase in dwellings	2

# 5.0 Policy Context

## 5.1 <u>Designation</u>

Urban Area The Avenue Residential Area of Special Character (RASC) Adjacent to Tadworth Conservation Area Adjacent to Locally Listed Building Walden Cottage,17 The Avenue Tree Preservation Order BAN36 T30 T31 G28 G2

## 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development) CS4 (Valued townscapes and the historic environment) CS5 (Valued People/Economic Development), CS10 (Sustainable Development), CS11 (Sustainable Construction), CS14 (Housing Needs)

## 5.3 Reigate & Banstead Borough Local Plan 2005

Design

Beelgii	
	DES9
Housing Mix	DES4
Transport, access and parking	TAP1
Climate Change resilience and	CCF1
Infrastructure	INF1
Trees, landscaping and ecology	NHE2, NHE3, NHE9

#### 5.4 <u>Other Material Considerations</u>

National Planning Policy Framework 2021

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

DES1 DES2 DES3 DES5 DES8

Other

Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

## 6.0 Assessment

This is a full application for the construction of two detached houses with associated garages, parking and turning areas, to the rear of 15 The Avenue Tadworth.

6.1 The main issues to consider are

- Principle of development
- Design and character assessment
- Impact on neighbouring residential amenity
- Amenity of future occupiers
- Highway matters
- Trees and landscaping
- Flooding and drainage
- Sustainability, infrastructure and climate change
- Affordable Housing
- Community Infrastructure Levy (CIL)
- Other Matters

#### Principle of the development

6.2 The site is located within the urban area where there would not be an in principle objection to the introduction of new residential development. The development would provide a net gain of 2 residential units and as such the development would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply. The principle in this case rests upon considering the scheme against national and local policy with regard to design and impact on the character of the area, impact on neighbouring amenity, highway matters, trees, landscaping and ecology, drainage, and any other material planning considerations relevant to the scheme.

## Design and character assessment

- 6.3 The design of the development would need to satisfy the requirements of Policy DES3 of the Development Management Plan (DMP), which seeks to control development within RASCs. Specifically, this policy requires new development to be individually designed, and makes a positive contribution to the character of the area, respecting the identified level of spaciousness between properties, being of a height, depth and with a level of bulk and massing that reflects the form of neighbouring buildings. There should remain a pre-dominance of tree cover, with the ratio of hard to soft landscaping carefully considered to ensure this verdant character remains.
- 6.4 It is considered that the proposed dwellings would be of a design that would be appropriate within the context of the RASC and the adjacent conservation area. They would both have a traditional appearance as reflected in their form and palette of materials. The two dwellings would be different in their appearance, which is appropriate within a RASC where dwellings are typically individually designed. Whilst there would be some element of flat roof to both dwellings these would be modest and they would be hidden by the roof slopes, which would be hipped on all sides. The dwellings have been reduced in their height and the amount of bulk to the roof by removing the dormer windows following the refusal of

application 22/01232/F and are considered to be of an appropriate scale that would be in keeping with other properties in the RASC.

- 6.5 The existing plot is very large by RASC standards. The introduction of two dwellings to the rear of the site would reduce the plot size of the donor property, however within the current context of The Avenue RASC the plot sizes for all three dwellings would be acceptable. The current scheme follows a previously refused application ref: 21/02439/F, which proposed three additional dwellings. The application was refused on the grounds of overdevelopment, with the addition of three dwellings appearing cramped with inadequate plot sizes. Each of the proposed dwellings would be situated within a plot that exceeds 0.1Ha in area. This would be similar to other developments, particularly those of Bishops Grove and Bramber Close to the west. As with these developments, the proposed scheme would retain the appearance of single dwellings within their own plots. The arts and crafts donor property has been, resulting in little change to the character of the street scene, minimising impact on the setting of the locally listed building to the locally listed building to the west. Whilst partial views of plot 1 would be afforded through the access point, the property is set well back from the road, with the majority of view obscured by vegetation.
- 6.6 The Conservation Officer has been consulted on the application and is satisfied that the development would not result in harm to the setting of either the listed building or adjacent conservation area. On this basis the application is deemed to be acceptable in terms of design and impact on character, complying with Policies DES1, DES3 and NHE9 of the DMP 2019.

#### Impact on neighbouring residential amenity

- 6.7 The nearest neighbouring residential properties adjoining/ within the vicinity of the site are properties along Spindlewoods to the north, Oaklands to the east, Walden Cottage to the west, and the donor property 15 The Avenue. The impact on these properties will be dealt with in turn. Application 22/01232/F was partially refused on the grounds that the development would have resulted in unacceptable harm to the amenity of 9 Spindlewoods to the north by virtue of the higher ground level, scale of development and overbearing impact.
- 6.8 Number 9 Spindlewoods would be located in closest proximity to the application site, though plots 1 and 2 would be visible from the rear of other properties given the proximity of the rear elevations and the higher ground level of the application site. The dwelling occupying plot 1 would be approx. 5.5m from the shared boundary with 9 Spindlewoods and 15.7m between dwellings at the closest point. The application site is at a higher ground level than Spindlewoods. The rear elevations and gardens of Spindlewoods face south-west. Plot 1 would feature three upper floor windows to the rear elevation that would serve a storage area and plant room only. The proposed first and second floor rear windows would face

the north, away from the rear of neighbouring properties along Spindlewoods, instead overlooking the road beyond. Whilst some view would be afforded of the front of 1 Milstead Close this would be at a distance in excess of 35m, and in any case this property is more overlooked by 2 Milstead Close opposite. The nearest first floor window to 9 Spindlewoods would serve the bathroom, which would be obscure glazed, thus mitigating against overlooking. Whilst the proposed dwelling would be visible from the rear of these properties the distance between the dwellings, combined with the reduction in height, bulk and mass, would be sufficient to avoid being overbearing.

- 6.9 Plot 2 would feature an upper floor side window that serves a bathroom that would face towards 9 Spindlewoods, which would be conditioned to be obscure glazed, thus avoiding harm with regards to overlooking. The proposed rear windows would face the north-west away from the rear of neighbouring properties. Whilst some views may be afforded of the very rear portion of 9, 11 and 13 Spindlewoods, this would not be to a level that would be harmful. This would not be dissimilar to the level of view afforded between neighbours along Spindlewoods. Whilst the proposed dwelling would be visible from the rear of these properties the distance between the dwellings would be sufficient to avoid being overbearing. The dwelling has been reduced in height by 1m and the angle of the property increased to the north-west. The width has also been reduced by 1.5m from the previously refused scheme. It is also proposed to construct a 1.3m high parapet wall above the ground floor rear projection in order to reduce views from the upstairs bedroom windows. It is considered that the amendments made to plot 2 have overcome the previous reason for refusal and the level of impact on the amenity of 9 Spindlewoods would not be sufficient to warrant refusal. Whilst the rear gardens of 11-15 Spindlewoods would be open to views from the proposed dwellings, the distance would be such that the level of view would not be overly harmful.
- 6.10 Plot 1 would be in closest proximity to Oaklands to the east, a flatted development with a separation distance of approx.. 31m at the closest point. Given the level of separation it is not considered that there would be harm with regard to overlooking, loss of privacy or loss of light. The separation distance would be sufficient to avoid there being any overbearing impact. The two sites would benefit from a level of visual screening provided by boundary hedging, which would be supplemented by additional planting. Plot 2 would be in excess of 50m from Oaklands. Whilst some views may be afforded from front facing windows these would be minimal and not result in harmful overlooking.
- 6.11 Turning to Walden Cottage to the west, this is a locally listed building that would be in closest proximity to the donor property, maintaining a distance of approx. 17m at the closest point. The relationship between these two dwellings would remain unchanged. Whilst plot 2 would feature a single, small side facing window to the upper floor serving a dressing room, this would be angled away from neighbours' rear elevation, thus avoiding overbearing harm. The rear elevation would face the north west corner of

the neighbouring garden however the level of separation and boundary screening would be sufficient to mitigate against substantial harm.

- 6.12 The proposed dwellings would be positioned at a lower ground level than the application donor property. whilst the tops of the dwellings would be visible from number 15 and the garden, the level of distance (between 13 and 21m) and the lower ground level would be sufficient to avoid being overbearing. Side windows of plot 2 would be obscure glazed to avoid overlooking. A boundary wall is proposed to the east of number 15 to reduce impact from the proposed access road. Whilst the development would give rise to a change in the relationship between the property and the rest of the site it is not considered that this would be harmful.
- 6.13 In light of the above considerations it is considered that the proposed development of two dwellings would not give rise to undue harm to the amenity of neighbouring residential properties. The development is therefore deemed to comply with Policy DES1 of the DMP in this regard.

#### Amenity for future occupants and housing mix

- 6.14 It is a fundamental objective of planning policy and stated within the National Planning Policy Framework 2021 that we provide high quality housing that is well designed and built to a high standard. The advice is amplified further by policies DES2 and DES5 of the Development Management Plan, which requires developments to demonstrate that dwellings have been designed to ensure that a good standard of amenity for all existing and future occupants and meet the minimum relevant nationally described space standards and be arranged to ensure that habitable rooms are arranged to have an acceptable outlook and where possible receive direct sunlight. Policy DES2 requires developments to be designed to ensure a good standard of amenity for all existing and future occupants.
- 6.15 Each of the proposed dwellings would provide 4 bedrooms. National Space Standards for living space would require between 110 and 128sqm of floor space to be provided depending on the number of occupants. Plot 1 would total 278.2sqm and plot 2 would total 297.4sqm. These standards would therefore be significantly exceeded.
- 6.16 Each dwelling would have a traditional arrangement, with living room and kitchen/ dining area occupying the ground floor, with bedrooms on the upper floors. Each dwelling would be appropriately laid out and spacious, avoiding awkwardly shaped rooms, and habitable rooms would be well served by windows providing light and outlook. Externally each dwelling would be provided with a garden that is of an appropriate size for a three bedroom dwelling and would be comparable in this regard to other properties on The Avenue, many of which are large dwellings.
- 6.17 On the basis of the above considerations the proposed dwellings are considered to provide an appropriate living environment for future

occupants, in line with Nationally Described Space Standards and the requirements of Policies DES2 and DES5 of the DMP.

#### Highway Matters

6.18 The site is located within an area of medium accessibility as defined within Annex 4 of the DMP. In accordance with these standards each dwelling would need to be provided with 2 parking spaces. The proposed garage for plot 2 would meet the minimum size requirements for the parking of a vehicle and there would be ample space in front of each dwelling for two or more vehicles to be accommodated. The proposed parking requirements would be met. The County Highway Authority (CHA) has been consulted on the application and raised no objection subject to conditions and informatives. The existing access point to the south-east corner of the site would continue to be utilised and it is not the view that the addition of two dwellings would generate a level of vehicle movements that would give rise to harm to the safe operation of the highway. In light of these considerations the scheme would comply with Policy TAP1 of the DMP.

#### Trees, Landscaping and Ecology

6.19 There are a number of trees to the boundaries of the site, some of which are located within the curtilage of neighbouring properties. A mixed species Tree Preservation Order (TPO) is located to the east of the existing dwelling, along with a Western Red Cedar to the rear. The Councils' Tree Officer has been consulted on the proposed development and has made the following comments:

'My comments are based on a desk top review of the arboricultural report reference AS/CS/0821, dated 7.12.22. The removal of T14 and T15, both are subject to TPO ref BAN 36 will have a minor impact on the street scene, however both are in decline and retaining is not practical. The remaining trees are located along the boundary far enough away from the proposed dwellings not to expose them to post development pressure.'

- 6.20 The site would be well landscaped and there would be an appropriate balance between hard and soft landscaping, thus maintaining the characteristics of the RASC in this regard. Subject to appropriate conditions the existing trees can be suitably protected during the course of development and details of landscaping will be secured by a further condition. The proposal is therefore deemed to comply with Polices NHE3 and DES3 of the DMP2019 in regard to trees and landscaping matters.
- 6.21 On ecology matters, an ecological report/ walk over site assessment has been submitted and reviewed by Surrey Wildlife Trust (SWT), who advised that the development would be acceptable with regard to impact on the existing ecology subject to a condition requiring the submission of a construction environmental management plan (CEMP) prior to commencement of development. Prior to commencement of works a qualified ecologist would be required to further survey the site for any new

badger sett and confirm if any setts remain active. This is due to their being a sporadically used outlier badger sett to the south west corner of the site.

- 6.22 Further informatives relating to ensuring the control of external lighting, ensuring clearance works and any demolition take place outside of breeding bird season, works to be undertaken in a precautionary manner and under an ecological watching brief. Further information was requested to confirm that tree T2, which is proposed to be pruned, as well as the existing shed and greenhouse, are not suitable for bat roosting. The applicant's ecologist confirmed that the suitability for bat roosting is negligible. Biodiversity enhancement features including those for bats, birds, reptiles, badgers and hedgehogs. These enhancements would be secured through conditions, with details to be provided prior to commencement of development, including within any landscaping conditions. The submitted ecology report states that there is some on-site habitat suitable for reptile species and therefore appropriate mitigation is required. Therefore a condition requiring the submission of a reptile precautionary method statement prior to commencement of development would be included in the event of planning permission being granted.
- 6.23 The proposed development is considered to comply with Policy NHE2 of the DMP with regard to ecology.

#### Flooding and drainage

6.24 The site is located within flood Zone 1. A small area in the north-east corner is prone to low level surface water flooding, as are areas with the road. Whilst it is not considered that the addition of two dwellings would exacerbate any current drainage issues, it would be appropriate to require details of a drainage scheme to be submitted and approved prior to commencement of development. Subject to compliance with such a condition the scheme would be acceptable with regard to flooding and drainage matters and would comply with Policy CCF2 of the DMP.

#### Sustainability, infrastructure and climate change

6.25 Policy CCF1 of the Councils Development Management Plan 2019 seeks to ensure that all new development contributes to reducing carbon emissions. New development will be encouraged to incorporate passive and active energy efficiency measure and climate change resilience measures and renewable energy technologies. In order that the proposed development contributes to achieving these aims, in the event that planning permission were to be granted, conditions requiring demonstration that it will meet the national water efficiency standard of 110litres/person/day. A further condition requiring the provision of broadband connection, in accordance with Policy INF3 of the DMP 2019, would also be attached to any grant of planning permission.

## Affordable Housing

Planning Committee 8<sup>th</sup> March 2023

- 6.26 Policy CS15 of the Core Strategy states that the Council will negotiate to achieve affordable housing taking account of the mix of affordable units proposed and the overall viability of the proposed development at the time the application is made.
- 6.27 However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.28 In view of the Court of Appeal Judgement, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. As such, there is no requirement for this scheme to provide an affordable housing contribution.

<u>CIL</u>

6.29 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, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although, the exact amount would be determined and collected after the grant of planning permission.

#### **Other Matters**

- 6.30 It is noted that objection has been raised on the grounds of increased noise and disturbance and inconvenience during the construction phase. Whilst development can cause disturbance this is temporary in nature. Separate noise legislation is in place to deal with excessive disturbance, and it would be expected that works would be carried out with the hours outlined in informative 3 below. A condition requiring the submission of a construction transport management plan to be submitted would be included in the event of planning permission being granted.
- 6.31 Concern has been raised that the development would result in the loss of private view. Whilst impact on immediate outlook can be considered, there is no right to a view that can protected within planning.
- 6.32 It is not considered that the proposed development would give rise to heath impacts.

# 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:

Plan Type	Reference	Version	Received
Block Plan	15/TA/HH/20	B.1	26.01.2023
Elevation Plan	15/TA/RP2/003	Α	26.01.2023
Elevation Plan	15/TA/RP/005		08.12.2022
Proposed Plans	15/TA/RP2/002		08.12.2022
Floor Plan	15/TA/RP2/001		08.12.2022
Proposed Plans	15/TA/RP1/002		08.12.2022
Floor Plan	15/TA/RP1/001		08.12.2022
Elevation Plan	15/TA/RP1/003		08.12.2022
Arb / Tree	AS/CS/0821	С	08.12.2022
Protection Plan	TPP		
Arboricultural	AS/CS/0821	С	С
Plan	TCP		
Elevation Plan	15/TA/HH/19		08.12.2022
Section Plan	15/TA/RP2/004		08.12.2022
Proposed Plans	15/TA/HH/21	1.1	08.12.2022
Other Plan	15/TA/HH/12		08.12.2022
Site Layout Plan	15/TA/HH/04		08.12.2022
Floor Plan	15/TA/20		08.12.2022
Elevation Plan	15/TA/17		08.12.2022
Floor Plan	15/TA/18		08.12.2022
Elevation Plan	15/TA/16		08.12.2022
Floor Plan	15/TA/19		08.12.2022
Location Plan	15/TA/HH/01		08.12.2022
Block Plan	15/TA/HH/03	A.3	

## 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 above slab level 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 Development Management Plan 2019 policy DES1.

4. No development shall commence including demolition and or groundworks preparation until a detailed, scaled finalised Tree Protection Plan (TPP) and the related finalized Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings, type of surfacing for the entrance drive and location of site offices. The AMS shall also include a pre commencement meeting, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. 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 character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

5. No development shall commence until details of hard and soft landscaping is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include frontage tree and hedge planting and any other existing or proposed, soft or hard, landscaping in the front garden area, or adjacent to boundaries where appropriate. The soft landscape details shall include an establishment maintenance schedule for a minimum of 2 years, full planting specifications, planting sizes & densities. Upon implementation of the approved development all the landscaping works shall be carried out in strict accordance with the landscape details as approved, and these shall be completed, before building completion, occupation or use of the approved development whichever is the earliest.

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by the Local Planning Authority. The hedges detailed shall be retained at a minimum height of 1 metre, or if new, once grown to this height thereafter.

Reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with

policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan 2019.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan titled Revision 1 Drawing 15/TA/HH/20 B1 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework (2021) as well as Policy TAP1 for Parking, Access, and Servicing and Policy DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

7. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework (2021) and Policy TAP1 for Parking, Access, and Servicing.

8. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework (2021) and Policy TAP1 for Parking, Access, and Servicing.

9. All dwellings within the development hereby approved shall be provided with the necessary infrastructure to facilitate connection to a high speed broadband. Unless otherwise agreed in writing with the Local Planning Authority, this shall include as a minimum:

a) A broadband connection accessed directly from the nearest exchange or cabinet,

b) Cabling and associated installations which enable easy access for future repair, replacement or upgrading.

Reason: To ensure that the development promotes access to, and the expansion of, a high quality electronic communications network in accordance with Policy INF3 of the Reigate & Banstead Development Management Plan 2019.

10. The development hereby approved shall not be first occupied unless and until a Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:

a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day.

The development shall be carried out in accordance with the approved details and any measures specific to an individual dwelling(s) shall be implemented, installed and operational prior to its occupation.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policy CCF1 of the Reigate & Banstead Development Management Plan 2019.

11. Prior to the first occupation of the development full details (and plans where appropriate) of the waste management storage and collection points, including design and screening (and pulling distances where applicable), throughout the development shall be submitted to and approved in writing by the Local Planning Authority.

All waste storage and collection points should be of an adequate size to the bins and containers required for the dwelling(s) which they are intended to serve in accordance with the Council's guidance contained within Making Space for Waste Management in New Development.

Each dwelling shall be provided with the above facilities in accordance with the approved details prior to occupation of the relevant dwellings.

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage recycling in accordance with the Development Management Plan 2019 policy DES1.

12. 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 or roof enlargements permitted by Classes A, B, C and D of Part 1 of the Second Schedule of the 2015 Order (as amended) shall be constructed without the prior approval of the Local Planning Authority.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1 (add NHE9 as appropriate).

13. The first floor windows in the side elevations of both dwellings hereby permitted shall be glazed with obscured glass and shall be 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 be maintained as such at all times.

Reason: To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

14. No development above ground level shall commence until a scheme to provide positive biodiversity benefits, informed by a preliminary ecology appraisal, has been submitted to and approved in writing by the local planning authority (LPA). This should be designed alongside the soft landscaping proposals for the site. The biodiversity enhancement measures approved shall be carried out and maintained in strict accordance with these details or as otherwise agreed in writing by the LPA, and before occupation of this development.

Reason: To provide enhancements to the biodiversity of the site in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

15. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall include wildlife friendly access and 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 Development Management Plan 2019 policy DES1 and NHE3.

16. No development shall commence until a strategy for the disposal of surface and foul water is submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the site is satisfactorily drained and in order to protect water and environmental quality with regard to Policy CS10 of the Core Strategy 2014, Policy CCF2 of the Development Management Plan 2019 and the NPPF.

17. The surface and subbase of the extended and new areas of hardstanding (driveway, patio, decking) hereby approved shall be permeable and/or connected to drainage within the property boundary to prevent surface water from flowing beyond the property boundaries or onto the road.

Reason: To prevent an increased risk of flooding with regard to Reigate and Banstead Development Management Plan 2019 policy CCF2.

Planning Committee 8<sup>th</sup> March 2023

- 18. No development shall commence until an appropriately detailed Construction and Environment Management Plan (CEMP) detailing how habitats and species will be protected from any adverse impacts as a result of construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
  - Map showing the location of all of the ecological features
  - Risk assessment of the potentially damaging construction activities
  - Practical measures to avoid and reduce impacts during construction, including to trees considered to have bat roosting suitability, and to any badger setts
  - Location and timing of works to avoid harm to biodiversity features
  - Responsible persons and lines of communication
  - Use of protected fences, exclusion barriers and warning signs.

Reason: To ensure that the development does not result in harm to the existing biodiversity of the site and in the interests of retaining and enhancing other valued priority habitats and features of biodiversity importance with regard to Reigate and Banstead Development Management Plan 2019 policy NHE2.

## INFORMATIVES

- 1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at <u>www.firesprinklers.info</u>.
- 2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
- 3 You are advised that the Council will expect the following measures to be included in the above CMS condition 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 - <u>www.ccscheme.org.uk/index.php/site-registration</u>.

- 4. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 5. 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).
- 6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 7. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html for guidance and further information on charging modes and connector types.
- 8. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- 9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 10. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above.

All works shall comply with the recommendations and guidelines contained within British Standard 5837.

- 11. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above landscaping condition. The planting of trees and native hedging shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of [Semi-Mature/Advanced Nursery] stock /[Extra Heavy Standard/Heavy Standard] size with initial planting heights of not less than [6m/4.5m/4m/3.5m] with girth measurements at 1m above ground level in excess of [20/25cm/16/18cm/14/16cm/12/14cm].
- 12. The applicant should take action to ensure that development activities such as demolition and vegetation or site clearance are timed to avoid the bird nesting season of early March to August inclusive.
- 13. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, in order to comply with above referenced legislation and the recommendations in "BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby".
- 14. The applicant should be aware that suitable habitat for great crested newt exists within the development site and that should great crested newt be identified during works, all work should cease immediately, and advice sought from Natural England or a qualified specialist.
- 15. Measures should be taken to enhance the site for European hedgehog including:
  - Ensuring the species can move across the landscape by creating gaps into all close boarded fencing
  - Creating a wild corner with minimal habitat management
  - Incorporating hedgehog homes into the development.
- 16. This development offers opportunities to restore or enhance biodiversity and such measures will assist the LPA in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. The development should progress in line with the Ecological Report and incorporate the following:
  - Bird and bat boxes erected on or integral within the new building and/or on mature trees
  - Hedgehog houses
  - Log piles
  - Gaps in any close-boarded fencing

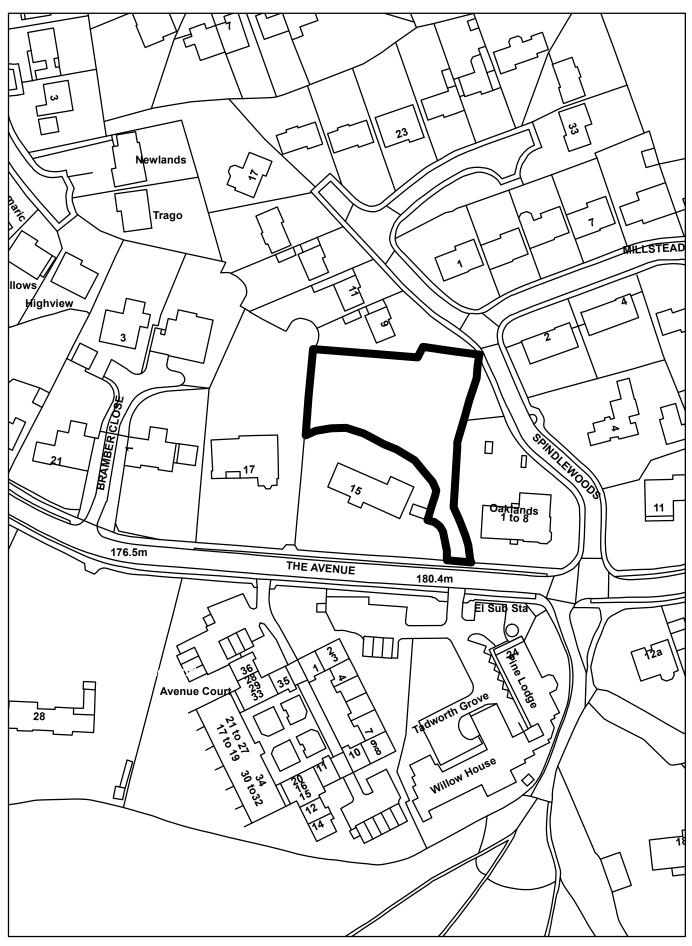
- Sensitive landscaping scheme including planting of additional trees and wildlife-friendly shrubs.
- 17. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1, DES2, DES3, DES4, DES5, DES8, DES9, NHE2, NHE3, NHE9, TAP1, CCF1, INF3 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.

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.

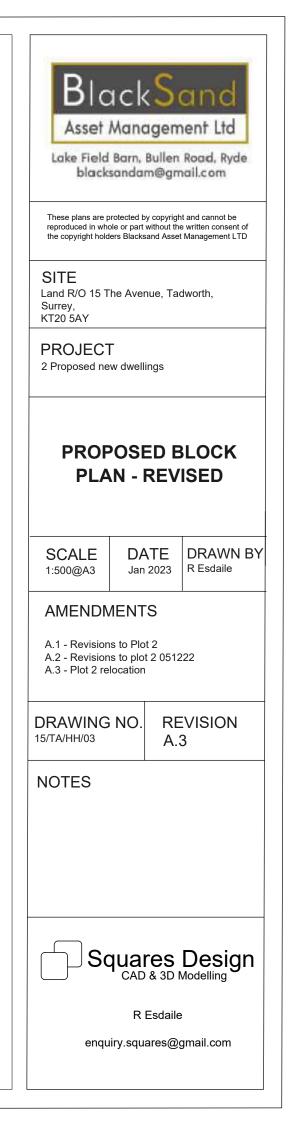
# 22/02709/F - Farm Corner, 15 The Avenue, Tadworth



Crown Copyright Reserved. Reigate and Banstead Borough Council. Licence No - 100019405-2018

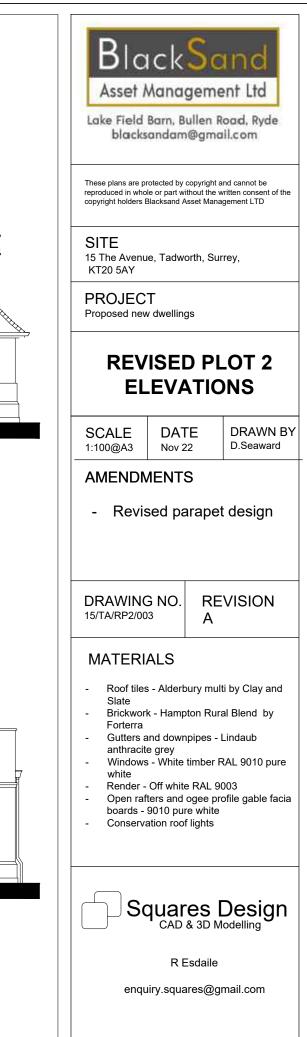
Scale 1:1,250













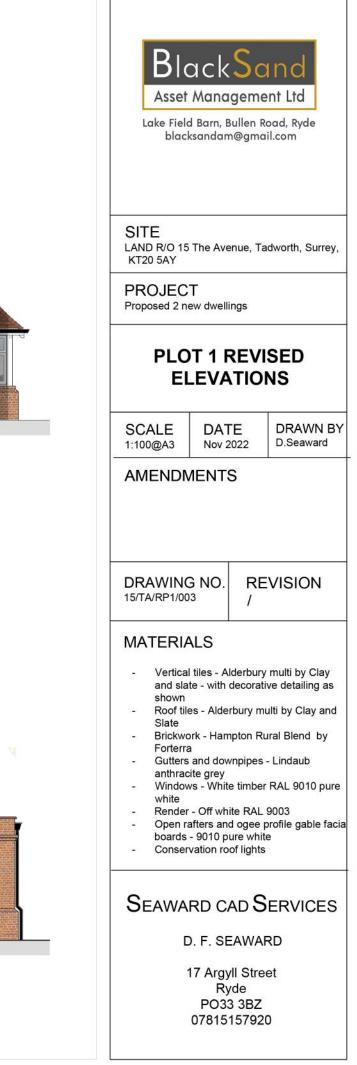
SOUTH ELEVATION

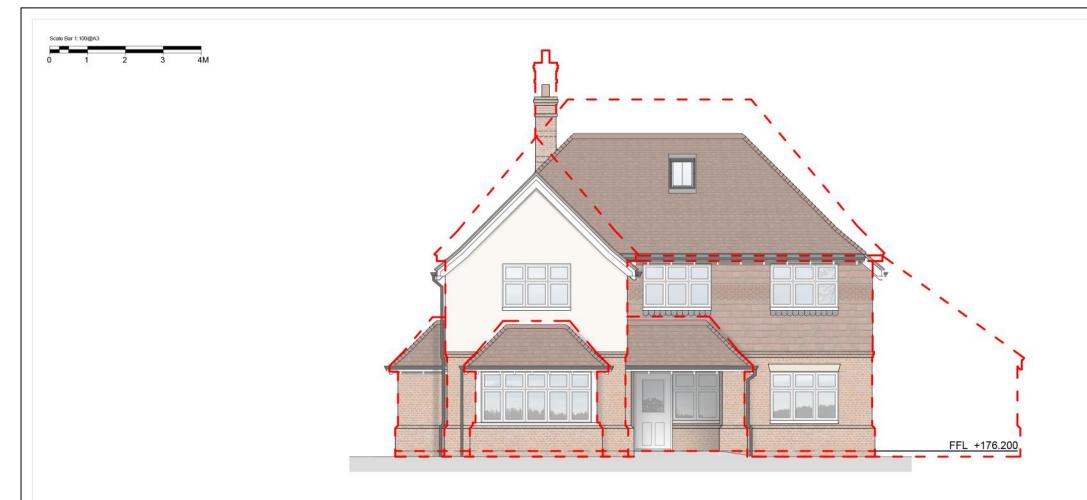
WEST ELEVATION

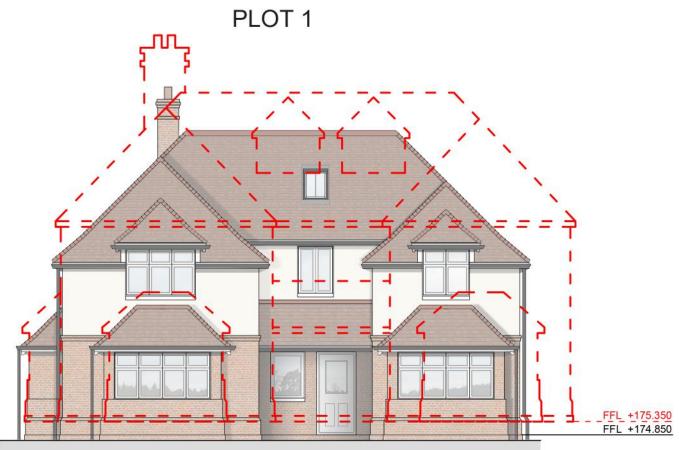


NORTH ELEVATION

EAST ELEVATION









BlackSand Asset Management Ltd Lake Field Barn, Bullen Road, Ryde blacksandam@gmail.com
These plans are protected by copyright and cannot be reproduced in whole or part without the written consent of the copyright holders Blacksand Asset Management LTD
SITE LAND R/O 15 The Avenue, Tadworth, Surrey, KT20 5AY
PROJECT Proposed 2 new dwellings
Reduction of Height and Scale and Increased Distance from the Boundary with 9 Spindlewoods
SCALE DATE DRAWN BY 1:100@A3 Nov 2022 D.Seaward
AMENDMENTS
DRAWING NO. 15/TA/RP/005 /
SEAWARD CAD SERVICES D. F. SEAWARD