Reigate & Banstead BOROUGH COUNCIL Banstead I Horley I Redhill I Reigate		TO:	PLANNING COMMITTEE
		DATE:	25 th July 2023
		REPORT OF:	HEAD OF PLANNING
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AGENDA ITEM:	6	WARD:	KTW - Lower Kingswood Tadworth And Walton

APPLICATION N	JMBER:	22/01965/F	VALID:	15/12/2022
APPLICANT: Mr James Pinnock		Pinnock	AGENT:	
LOCATION:	49,51 AND 53 SHELVERS WAY, TADWORTH, SURREY KT20 5QJ			
DESCRIPTION:	Erection of 2 dwellings. Erection of 2 - four-bed chalet bungalows with associated parking and landscaping and creation of new access drive onto Shelvers Way on the land the rear of 49, 51 and 53 Shelvers Way. As amended on 08/03/2023 and on 12/06/2023.			
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.				

SUMMARY

This is a full planning application for the erection of 2 x 4 bed dwellings with associated access, parking and landscaping to the rear of 49, 51 and 53 Shelvers Way in Tadworth. The application site is located on the south side of Shelvers Way, which is predominantly residential in character comprised of a mix of large detached and semi-detached dwellings. The road has seen the addition of several new dwellings within rear gardens within recent years.

The two proposed dwellings would be of a traditional design in terms of form and materials that would be very much in keeping with the character of the area, which is 1930s-50s suburbia. The dwellings would be appropriately spaced within their plots and would not appear cramped, with generous sized rear gardens.

Both dwellings would have an acceptable relationship with both the donor properties and 49 and 55 Shelvers Way due to the level of separation between the dwellings, shared boundaries and the level of intervening soft landscape screening.

The development would provide a level of parking that is in line with the Council's adopted parking standards, and there would be ample space for vehicle turning within the site. The proposed access and visibility splays have been reviewed by the County Highway Authority who have raised no objection subject to conditions.

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A number of trees are proposed for removal from the site, however it is proposed to replace these with approx. 27 new trees which would suitably compensate for their loss and provide a soft landscaped backdrop that would complement the area of woodland beyond and soften the appearance of the development site and increase the sense of spaciousness.

The development would not impact negatively on the existing biodiversity of the site and enhancement measures, along with the additional landscaping, can be secured by condition.

The site is not identified as being at risk of surface water flooding and would not exacerbate any longstanding flooding issues in the road subject to an appropriate drainage scheme being in place, the details of which can be secured by conditions.

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 assessed the application on safety, capacity and policy grounds, raise no objection subject to conditions and informatives relating to site lines, closure of the existing access, parking, construction management, and the provision of electric vehicle charging points.

<u>Surrey County Council Critical Drainage Specialist:</u> Recommend condition requiring the submission of a surface water drainage scheme for approval prior to commencement of development.

<u>Surrey Wildlife Trust:</u> No objection raised subject to informatives.

<u>Tadworth and Walton Residents Association:</u> Concern expressed regarding the impact of the proposed development on existing trees and future pressure to remove/ prune remaining trees. Increased pressure likely to the existing tree belt to the rear. Concern that the scheme would exacerbate existing surface water flooding and foul water drainage issues experienced along Shelvers Way.

TWRA object to the width of the access which is considered to be too narrow and also consider that the level of parking provision would be too low and does not comply with standards. Further concerns are expressed that the cumulative impact of backland development will continue to have a negative impact on traffic, parking and the character of the area, as well as on local infrastructure.

Representations:

Letters were sent to neighbouring properties on 20th December 2022. Following the submission of amendments and additional supporting information, further consultations were sent to neighbouring properties on the 12th January 2023, 14th March, 16th March and the 14th June. 351 responses have been received raising the following issues:

Issue	Paragraph(s)
Overdevelopment	Paragraph 6.4-6.9
Alternative location/ proposal preferred	Paragraph 6.4-6.9
Out of character with surrounding area	Paragraph 6.4-6.9
Poor design	Paragraph 6.4-6.9
No need for the development	Paragraph 6.1-6.9
Loss of buildings	Paragraph 6.4-6.9
Overlooking and loss of privacy	Paragraph 6.10-6.13
Overbearing relationship	Paragraph 6.10-6.13
Overshadowing	Paragraph 6.10-6.13
Inconvenience during construction	Paragraph 6.36-6.40
Increase in traffic and congestion	Paragraph 6.17-6.22
Inadequate parking	Paragraph 6.17-6.22
Hazard to highway safety	Paragraph 6.17-6.22

Loss of/harm to trees	Paragraph 6.23-6.25
Harm to wildlife habitat	Paragraph 6.23-6.25
Drainage/sewage capacity	Paragraph 6.30-6.32
Flooding	Paragraph 6.30-6.32
Noise & disturbance	Paragraph 6.37-6.41
Loss of private view	Paragraph 6.37-6.41
Crime fears	Paragraph 6.37-6.41
Health fears	Paragraph 6.37-6.41
Harm to Conservation Area	Paragraph 6.37-6.41
No need for the development	Paragraph 6.37-6.41
Property devalue (a non planning matter)	Paragraph 6.37-6.41

MP Correspondence

The following comments have been made:

"I support the objections recorded on the Council's website in connection with the erection of 3 dwellings with associated parking and landscaping and creation of a new access drive onto Shelvers Way on the land rear of 49, 51 and 53 Shelvers Way. I also wish to highlight the importance of any new development placing undue pressure on an already over-burdened drainage system which Shelvers Way is significantly suffering from. The applicant has not considered the surface water flood risk to and from the site and has not suggested appropriate mitigation measures. From evidence I have been presented with, it is without a doubt this application, if granted, will further compromise both drainage and insufficient sewer capacity causing more suffering to my constituents.

Backland developments are severely impacting Shelvers Way for reasons which have been clearly identified by those who have taken time to submit valuable comments. I therefore oppose this application."

1.0 Site and Character Appraisal

- 1.1 The site comprises the rear gardens of, 51 and 53 Shelvers Way, and a small part of number 49, which are located on the southern side of the road. All three properties are large, detached dwellings set within large, deep rectangular plots that are in excess of 80m in depth. The style of the properties is typical of 1930s-50s suburbia, which defines the character of the road. The site is flat throughout.
- 1.2 Shelvers Way and the surrounding area have seen the introduction of a number of backland schemes, most recently those constructed at Stanton Lodge to the eastern end of the road adjacent to the A217. Permission has also been granted under applications 21/02108/F and 22/02449/F for the development of four and three dwellings respectively to the rear of 62 and 64 Shelvers Way, with application 21/02108/F having recently been allowed at appeal.

- 1.3 The predominant character of the road is one of detached and semi-detached dwellings. To the very western end of the road is a small parade of shops and commercial services which forms a small designated local centre. To the south of the site running from east to west is a substantial belt of trees forming an area of dense woodland, which is which forms a green backdrop to Shelvers Way. To the south of this is further dense residential development.
- 1.4 The site is approx. 400m from the A217 to the west, which links the north and south of the borough and beyond.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Pre-application advice was not sought from the local planning authority prior to the submission of the application. The application follows a previous submission that was withdrawn by the applicant.
- 2.2 Improvements secured during the course of the application: Improvements have been sought during the course of the application. The scheme has been reduced from three dwellings to two and improvements to the hard and soft landscaping and parking arrangements. A preliminary ecology appraisal and bat roost assessment have been submitted.
- 2.3 Further improvements to be secured through the use of conditions: Further improvements could be secured by way of suitably worded conditions and informatives.

3.0 Relevant Planning and Enforcement History

- 3.1 22/00154/F Erection of 3 dwellings. Erection of Withdrawn by 3 - four-bed Chalet Bungalows with associated parking and landscaping, and creation of new access drive onto Shelvers Way on the land the rear of 51-53 Shelvers Way. As amended on 05/04/2022 and on 13/04/2022
- 3.2 The following applications relate to other developments on Shelvers Way that are relevant to the consideration of this application:
- 3.3 21/02108/F Demolition of 64 Shelvers Way and the Refused Appeal erection of 3 x 4 bedroom dwellings Allowed and 1 x 3 bedroom dwelling. As amended on 08/02/2022, 23/05/2022 and on 22/06/2022.

3.4 22/02449/F Demolition of 64 Shelvers Way and the Approved with erection of 3 x 4 bedroom dwellings conditions with associated access, parking and amenity space. As amended on 23/11/2022

4.0 **Proposal and Design Approach**

- 4.1 This is a full application for the erection of 2x4 bed detached dwellings to the rear 49, 51 and 53 Shelvers Way. The proposed dwellings would be 7.1m in height, 15.5m in depth, and 11.5m in width. The two dwellings would mirror each other when viewed from the front. The dwellings would have hipped roofs and would incorporate five dormer windows to the front, rear and side elevations. Regarding materials these would comprise a mix of facing brickwork at the ground floor, hanging tile above and clay tiles to the roof. Window frames would be aluminium painted black. Solar panels would be placed on the roof.
- 4.2 Regarding spacing, plot 1 would be sited 6m from the shared side boundary with 55 Shelvers Way, whilst plot 2 would 7.5m from the boundary with 49 Shelvers Way. The depth of plot 1 would be approx. 36m whilst plot 2 would be approx. 38.5m accounting for the angle of the rear elevation. There would be a gap of 3.3m between the flank elevations of the two proposed dwellings
- 4.3 Parking would be contained to the front of each dwelling, two spaces per dwelling, with an additional visitor space to the front of the site. A new vehicular access would be created between 51 and 53, facilitated by the removal of existing outbuildings from both properties. The width would vary from between 6.5m across the mouth of the access, reducing to 3.9m at the narrowest point, though it is noted that this includes a demarcated area for pedestrian access.
- 4.4 A total of five trees have been removed from the site, and these would be replaced by extensive additional landscaping, which would be incorporated throughout the site and along the access.
- 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;
 - Design.

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

Assessment	A design and access statement has been submitted that contains the following assessment of the character of the area: The area surrounding the application site is a mix of detached and semi-detached residential houses. Land to the north, of the site comprises residential development Land to the west of the application site comprises residential development and a variety of local shops and facilities. To the East there is residential development up to near the A217 after which there is an expanse of Burgh Heath Woodland. To the south there is a narrow band of woodland beyond which is further dense residential development. There are new dwellings which have been built on land to the rear of 1-41 Shelvers Way. There are new houses being built at 76 Shelvers Way and a new development approved to the rear of 62-64 Shelvers Way. These are all back land residential developments. Further south is Tadworth Primary School. A site context plan is attached below in figure 3. A number of local shops and services are located in close proximity to the application site, including those situated in Tadworth and Kingswood. The Doctors' Surgery is 0.25 miles away. A variety of public transport links are also located in close proximity to the application site, serviling towards Walton-on-the-Hill. Leatherhead, Banstead, Sutton, Rechill and Dorking, Epsom, Crawley, Whitebushes, Lower Kingswood, Reigate and Gatwick Airport. Several railway stations are located near to the application site. Tadworth Railway Station is located 0.8 miles to the east of the application site. Tadworth Railway Station is located 0.8 miles to the application site.
Involvement	It is not stated that community consultation took place.
Evaluation	It is not stated that other development proposals have been considered, however the application does follow a previous submission for three dwellings that was withdrawn by the applicant. The scheme has been amended in response to concerns raised with regard to the initial proposal of three dwellings, which was considered an overdevelopment of the site.
Design	The scheme has been designed to be sympathetic to the character of Shelvers Way, where detached two storey dwellings are common. The forma and proposed

materials have been selected to reflect a traditional design. The siting of the dwellings has been considered to ensure that the impact on the amenity of neighbouring dwellings is maintained.

4.6 Further details of the development are as follows:

Site area	0.32 Ha
Existing use	Residential (C3)
Proposed use	Residential (C3)
Existing parking spaces	0
Proposed parking spaces	5
Parking standard	DMP Accessibility Level - low
	2.5 parking spaces required per dwelling, 5 required in total.
Number of affordable units	0
Net increase in dwellings	2
Existing density	6.25 d.p.h
Proposed density	12.5 d.p.h
Surrounding density:	
21/02108/F 62-64 Shelvers Way	16 dwellings per hectare
	25 dwellings per hectare – Stanton Grove
	25 dwellings per hectare 115 – 118 Fleetwood Close

5.0 Policy Context

5.1 <u>Designation</u>

Urban area TPO Order No RE514

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development) CS4 (Valued Townscapes and Historic Environment) CS10 (Sustainable Development), CS11 (Sustainable Construction), CS14 (Housing Needs) CS15 (Affordable Housing)

CS17 (Travel Options and accessibility)

5.4

5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity DES1, DES2, DES4, DES6 DES8, (including housing) DES9, DES10 Landscape & Nature Conservation NHE2, NHE3 Transport, Access and Parking TAP1 Climate Change Resilience and CCF1, CCF2 Flooding Other Material Considerations National Planning Policy Framework 2021 National Planning Practice Guidance Supplementary Planning Guidance Surrey Design Local Distinctiveness Design Guide Vehicle and Cycle Parking Guidance 2018 Householder Extensions and Alterations Affordable Housing

Other

Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

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. Permission has been granted for a number of backland developments along Shelvers Way where the principle of such development is considered acceptable.
- 6.2 The acceptability of the proposal rests with considering whether the creation of two dwellings would be acceptable with regards to the design and the impact on the character of the street and wider area, impact on the amenity of neighbouring properties, amenity for future occupiers, highway and parking matters, flooding and drainage, landscaping improvements, ecology and other material considerations.
- 6.3 The main issues to consider are:
 - Design appraisal
 - Impact on Neighbouring amenity
 - Amenity for future occupiers

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- Highway matters
- Trees and Landscaping
- Ecology
- Flooding and drainage
- Sustainability, Infrastructure and Climate Change
- Affordable Housing
- Community Infrastructure Levy
- Other matters

Design appraisal

- 6.4 The Policy DES1 of the Reigate and Banstead Development Management Plan 2019 (DMP) requires new development to promote and reinforce local distinctiveness and respect the character of the surrounding area, including positive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene. Development should also have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
- 6.5 Policy DES2, relating specifically to back garden development, requires new development to, amongst other things, be designed to respect the scale, form and external materials of existing buildings in the locality to reinforce local distinctiveness, and be of a height, bulk, mass, and siting to ensure the development is in keeping with the existing street scene. Developments should incorporate plot widths, front garden depths, building orientation and spacing between buildings that is in keeping with the prevailing layout in the locality.
- 6.6 Detached dwellings are very much part of the character of Shelvers Way therefore the proposal would be acceptable in this regard. The traditional design approach would be acceptable and would be in character with other dwellings on Shelvers Way, which vary quite considerably in terms of external appearance. The height and scale of the dwellings would be commensurate with those found along Shelvers Way, some of which are particularly large. It is noted from the submitted streetscene drawings that plot 1 would be partially visible through the proposed access from the road however this would not be harmful to the wider character of the street scene given the level of set back from the road and design of the dwelling. Plot 2 would be largely hidden behind 51 Shelvers Way, with partial views through the access.
- 6.7 The proposed materials would be in keeping with the general character of the road and surrounding area which, although varying in appearance, do adopt a materials and colour palette that reflect the traditional vernacular of the borough.
- 6.8 The dwellings would be appropriately sited within their plots, which would be particularly spacious, both to the side boundaries and to the rear such that the development does not appear cramped or overdeveloped. There would be a generous amount of space around the dwellings to incorporate new soft

landscaping that would serve to emphasis the sense of spaciousness. The plot widths, at between 18m and 21m, would reflect the prevailing character of the road in this regard. It is noted that both plots are greater in width than those recently allowed on appeal at 62-64 Shelvers Way (21/02108/F). The inspector in their consideration of this appeal did note that there was variety of plot width within the road. Whilst the area of hardstanding for parking would not be unsubstantial, it is felt that this would be appropriately balanced with proposed soft landscaping to the front of the dwellings, and consequently the plot would not appear overdeveloped.

6.9 On the basis of the above it is considered that the scheme would be an acceptable form of development within the RASC and would not be harmful to the character or street scene of the surrounding area. The scheme would therefore comply with Policies DES1, DES2 and NHE3 of the Reigate and Banstead Development Management Plan 2019 (DMP).

Neighbour amenity

- The proposed dwellings would be positioned behind 51 and 53 Shelvers Way. 6.10 with each occupying part of the rear gardens of the two donor properties. Both of the proposed dwellings would be in excess of 27m from the rear elevations of these properties. Whilst Council policy does not establish a minimum distance that should be maintained between properties, this level of separation would be more than acceptable to avoid an unneighbourly relationship. There would be a gap of between 8m and 11m to the rear boundaries with the donor properties, which would be an appropriate distance. Whilst views over rear gardens would be allowed to a degree this would not be a dissimilar level of view currently allowed from existing properties 49 and 55 Shelvers Way. This form of relationship would be very similar to that of the recently approved development at 62-64 Shelvers Way (ref: 21/02108/F) which has recently been allowed following an appeal for four dwellings, as well as the follow-up application for three dwellings. In view of this the relationship and separation with the donor properties is considered acceptable.
- 6.11 The proposed access road would run between the two dwellings, which has the potential to generate some noise disturbance. In order to mitigate this, it is proposed to incorporate 1.8m high acoustic/ noise reduction fencing along both side along the extent of the rear gardens. A development of two additional dwellings would generate a low number of vehicle movements such that the level of disturbance would be minimal. This relationship would not be dissimilar to that of the proposed access road and approved plot 1 at 62-64 Shelvers Way, was deemed to be acceptable by the appeal inspector, without the additional dedicated acoustic fencing in that case.
- 6.12 Turning to 49 Shelvers Way, plot 2 would be 30m from the rear elevation whilst plot 1 would be 40m away. Again, this would be more than sufficient distance to avoid an unneighbourly relationship. The proposed dwellings would not face directly towards the number 49 and there would be a reasonable amount of intervening landscaping which, overtime, would

reasonably obscure views. The relationship between the site and 55 Shelvers Way would be quite similar in terms of separation distances.

6.13 Taking in to account the above the proposed development would have an acceptable level of impact on the amenity of neighbouring properties and would comply with Policy DES1 in this regard.

Amenity for future occupiers

- 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 A two storey 4 bed dwelling is expected to provide a minimum of 84 sqm. Both dwellings would significantly exceed this requirement. Both dwellings would be well laid out internally with good sized rooms that avoid an awkward layout. Main habitable rooms such as bedrooms and living rooms would be well served by windows providing light and reasonable outlook. The rear gardens of the dwellings would be generous and substantially larger than those permitted at Stanton Grove. There would be ample space for external storage and drying of clothes if needed.
- 6.16 In light 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

- 6.17 The site is within an area of low accessibility as defined within Annex 4 of the DMP. As such 2.5 spaces are required per dwelling. The scheme proposes 5 parking spaces therefore the minimum parking requirement has been met.
- 6.18 The proposed access would vary in width from 6.5m across the mouth of the access to 3.9m at the narrowest point. There would be a stopping point at the top of the access to allow a vehicle entering to give way. The scheme is for two dwellings therefore the number of vehicle movements per day would be low, however it is noted that the access would be narrow at certain parts. In response the County Highway Authority (CHA), who have reviewed the proposal, have recommended a condition requiring the access to be a minimum width of 4.8m beyond the first 10m back from the highway. This can comfortably be accommodated whilst retaining the proposed landscaping on

both sides. The width of the access would be similar to that of approved application for four dwellings at 62- 64 Shelvers Way (21/02108/F), which would access three dwellings to the rear, and this arrangement was deemed acceptable by the inspector.

- 6.19 There would be ample width along the access road for larger vehicles such as a fire engine, refuse truck or van to traverse down. The number of trips by these types of larger vehicle would be low compared to cars therefore the chance of two such larger vehicles or vehicle and car needing to pass at the same time would be low.
- 6.20 With regard to the access arrangements for the two donor properties, currently 51 Shelvers Way has two access points to the front driveway. It is proposed to close the right-hand access which would be re-instated with a wall and fence. A new access from Shelvers Way would be created for number 53. Neither property would be able to manoeuvre on to the access road from the front of their respective properties. The boundary of the proposed access would be comprised of 1.2m high post and rail fencing for the first 7.5m, with the remainder being 1.8m high closeboard acoustic fencing.
- 6.21 Unlike application 21/02108/F, it is not proposed as part of this application to include double yellow lines either side of the proposed access along Shelvers Way. Currently Shelvers Way is not subject to single or double yellow line restrictions therefore there is opportunity for on-street parking should this be required, and it is noted that some parking on the highway does occur. Should residents park on the highway, given the lack of restrictions, this would be outside the control of the Council. If it were proposed to insert double yellow lines along Shelvers Way this would be a matter for Surrey County Council as the highway authority to consider as part of a S278 application. Surrey County Council would be required to consult residents on any such proposed works, under S278 of The Highway Act 1980. The existing on street parking has been considered as part of the assessment of the visibility splays from the proposed access and the highway authority has raised no concern.
- 6.22 Considering the above, the proposal would be acceptable with regards to parking provision, and it is not the view that the scheme would give rise to harm to the safe operation of the highway or result in unacceptable on-street parking. The scheme would therefore comply with Policy TAP1 of the DMP.

Trees and Landscaping

6.23 There are no trees within the application site that are subject to tree preservation orders (TPOs), however trees within the rear gardens of properties along Shelvers Way are a common feature which form part of the character of the area. The belt of trees and woodland that runs along the rear of the site is subject to a mixed species TPO (RE514).

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- 6.24 A total of 17 trees are proposed for removal from the application site, and it is noted that some have already been removed. An arboricultural impact assessment has been submitted in support of the application which advises that the trees for removal are of low quality (category C and U). Their removal is required to facilitate the development. These trees are/ were set back within the site, and their removal would have limited impact on the wider character of the area. It is proposed to compensate for their loss by implementing substantial replacement planting across the site (approx.27) which would, over time, result in a development that achieves an appropriate balance between soft landscaping and built form, and will compliment the area of woodland beyond. Details of the proposed landscaping, including species mix, heights and girths would be secured via an appropriate landscaping condition.
- 6.25 In view of the above the scheme is considered to be acceptable with regard to arboricultural matters and would comply with Policies NHE3 and DES2 of the DMP 2019.

<u>Ecology</u>

- 6.26 Policy NHE2 of the DMP requires that throughout the borough development proposals will be expected to retain and enhance other valued priority habitats and features of biodiversity importance and be designed, wherever possible, to achieve a net gain in biodiversity. Where a development will impact on a priority habitat or species, or protected species, and mitigation cannot be provided on site in an effective manner, developers may be required to offset the loss by contributing to appropriate biodiversity projects elsewhere, in a location agreed with the Council.
- 6.27 A Preliminary Ecology Appraisal and Preliminary Roost Assessment has been submitted in support of the application, which has been reviewed by Surrey Wildlife Trust (SWT). The site has been assessed for the presence of protected species (bats, badger, breeding birds, hedgehog, reptiles). The submitted report is appropriate in scope and methodology. Bats are not considered to be a constraint on the site however a precautionary approach to construction is advised and there should be no net increase in external artificial lighting of the woodland to the south of the site. Regarding breeding birds the applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive. It is also advised that a precautionary working method be adopted for reptiles.
- 6.28 The Preliminary Ecology Appraisal sets out biodiversity enhancement measures to be incorporated into the development, including the provision of bat and bird boxes on new buildings and retained trees, hedgehog friendly fencing, bee bricks and log piles/ stacks, and native species for new planting. These would be secured through a condition.

6.29 In view of the above the scheme is considered acceptable with regard to biodiversity and impact on ecology and would therefore comply with Policy NHE2 of the DMP.

Flooding and drainage

- 6.30 Policy CCF2 of the DMP requires development to not increase the existing and future risk of flooding elsewhere. Where possible, proposals should seek to secure opportunities to reduce both the cause and impact of flooding for existing and proposed development. Development should reduce surface water run-off rates using Sustainable Drainage systems where necessary, suitable to the scale and type of development. Where Sustainable Drainage Systems are proposed, schemes should include appropriate arrangements for the ongoing maintenance for the lifetime of the development.
- 6.31 The application site is within Flood Zone 1 and is not prone to high, medium or low level surface water flooding, though it is noted that parts of Shelvers Way are prone to surface water flooding of varying severity. The scheme has been reviewed by Surrey County Council Critical Drainage Specialists, who note that there is opportunity to accommodate sustainable drainage systems (SuDS) with the site. It would therefore be appropriate to include a condition, in the event of planning permission being granted, to provide details of a surface water drainage scheme to be submitted and approved prior to commencement of development.
- 6.32 Subject to compliance with the above condition the scheme would be acceptable with regard to drainage matters and would not lead to an exacerbation of existing surface water flooding issues. Therefore the scheme would comply with Policy CCF2 of the DMP.

Sustainability, infrastructure and climate change

6.33 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

6.34 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. 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.

6.35 In view of this, 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. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case

Community Infrastructure Levy (CIL)

6.36 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 Issues

- 6.37 With regard to objections made on the grounds of increased noise and disturbance resulting from the development, it is not considered that the development of three dwellings would result in a substantial level of noise that would be untypical of a residential area. Statutory noise legislation is in place to deal with any unacceptable levels of noise disturbance.
- 6.38 Objection has also been raised on the grounds that the development would result in the loss of private view. This is not a material planning consideration that can be taken into account in the assessment of a planning application.
- 6.39 Concern has been raised in objections with regard to health and crime fears. It is not considered that a development of two houses would give rise to such issues. Crime issues would be a matter for the police.
- 6.40 The site is not within a Conservation Area therefore this is not relevant to the assessment in this case.
- 6.41 With regard to concerns about the impact of the proposed development on property values, this is not a matter that can be considered as part of the assessment of a planning application.

CONDITIONS

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

<u>Reason</u>: 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
Site Layout Plan	01	Μ	26.01.2023
Other Plan	TR-02	В	08.03.2023
Site Layout Plan	05	С	08.03.2023
Site Layout Plan	06	С	08.03.2023
Other Plan	TR-01	В	08.03.2023
Other Plan	TR-03	В	08.03.2023
Combined Plan	07	С	13.03.2023
Site Layout Plan	08	С	13.03.2023
Block Plan	03	G	13.03.2023
Combined Plan	071	А	13.03.2023

<u>Reason:</u> 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. Notwithstanding the submitted plan 2130 08 Rev C no part of the development shall be commenced unless and until the proposed vehicular access to Shelvers Way has been constructed and provided with a means within the private land of preventing private water from entering the highway and a means at the back edge of the highway preventing highway water from entering the private land in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the pedestrian and vehicle visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019. 5. The development hereby approved shall not be commenced unless and until existing access/es from the site to Shelvers Way have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing TAP2 of the Reigate and Banstead Local Plan Development Management Plan September 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 2130 08 Rev C 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 and turning areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing 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 dwelling 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) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

8. Notwithstanding the submitted plan 2130 08 Rev C the development shall not be commenced until the access road has been constructed to a minimum width of 4.8 metres beyond the first 10 metres of the access road from the back of the highway in accordance with a revised plan to be submitted to and approved in writing with the local planning authority.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

9. The development shall not be occupied until a refuse collection point has been provided in accordance with the approved plan numbered 2130 01 Rev L.

Reason: The condition above is required 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 and Policy TAP1 Parking, access, and Servicing and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

- 10. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the NPPF and the accompanying PPG. Reason: To ensure the development does not increase flood risk on or off site, in order to meet the requirements of the NPPF 2021, and Policy CCF2 of the Reigate and Banstead Development Management Plan 2019.
- 11. 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.

12. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the local planning authority. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to first occupation or within the first planting season following completion of the development herby approved or in accordance with a programme agreed in writing with the local planning authority.

All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction.

Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with Reigate and Banstead Borough Development Management Plan 2019 policies NHE3, DES1 and DES3, and the recommendations within British Standards including BS8545:2014 and British Standard 5837:2012.

13. No development shall commence including groundworks 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 trees/hedges shown, where retained on the TPP. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity, including hard landscaping. 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 Reigate and Banstead Development Management Plan 2019 policies NHE3, DES1 and DES3 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

- 14. 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
 - 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.

15. No development above ground level shall commence until a scheme to provide positive biodiversity benefits, informed by the submitted ecology report 'Preliminary Ecological Appraisal Report' and 'Preliminary Roost Assessment' by Arbtech Consultants dated 5th June 2023, 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.

16. 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.

17. The first floor side windows in the north east and south west side elevations of the development 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.

18. The development hereby approved shall not be first occupied unless and until an Energy and 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.

19. 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.

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.

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.

Planning Committee 25th July 2023

- 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 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.
- 13. Biodiversity enhancements with regard to condition 15 the Council expects the applicant to provide an appropriately detailed document to demonstrate that a measurable net gain (not just compensation), secure for the life time of the development, is achievable. The applicant may wish to use an appropriate metric such as the DEFRA Biodiversity Metric 2.0 to demonstrate how the site will provide biodiversity net gain. If net gain cannot be met this must be fully justified.

- 14. Works affecting any of the features identified as potentially suitable for roosting bats should be undertaken carefully and by hand, to ensure that if any bats are sheltering beneath them they will not be harmed. If a bat or evidence of bats is seen work should cease immediately and advice sought from Natural England or a qualified specialist.
- 15. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
- 16. The applicant is advised that a precautionary method of working is adopted for reptiles.
- 17. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting of the woodland to the south of 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".
- 18. The applicant should ensure that construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in. If badger activity is detected, works should cease and advice be sought from a suitably experienced ecologist to prevent harm to this species.
- 19. The Council is encouraging the developer to incorporate planting and measures to encourage biodiversity and wildlife and allow wildlife to move into and out of gardens and, in particular, include Hedgehog friendly gravel boards where appropriate. Details of the 'wildlife friendly' measures should be provided with the submission of the details for approval.

REASON FOR PERMISSION

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1, DES2, DES5, DES6, DES8, DES9, DES10, NHE2, NHE3, TAP1, CCF1, CCF2, 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 Planning Committee 25th July 2023

presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

22/01965/F 49, 51 And 53 Shelvers Way Tadworth KT20 5QJ



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Scale 1:1,250



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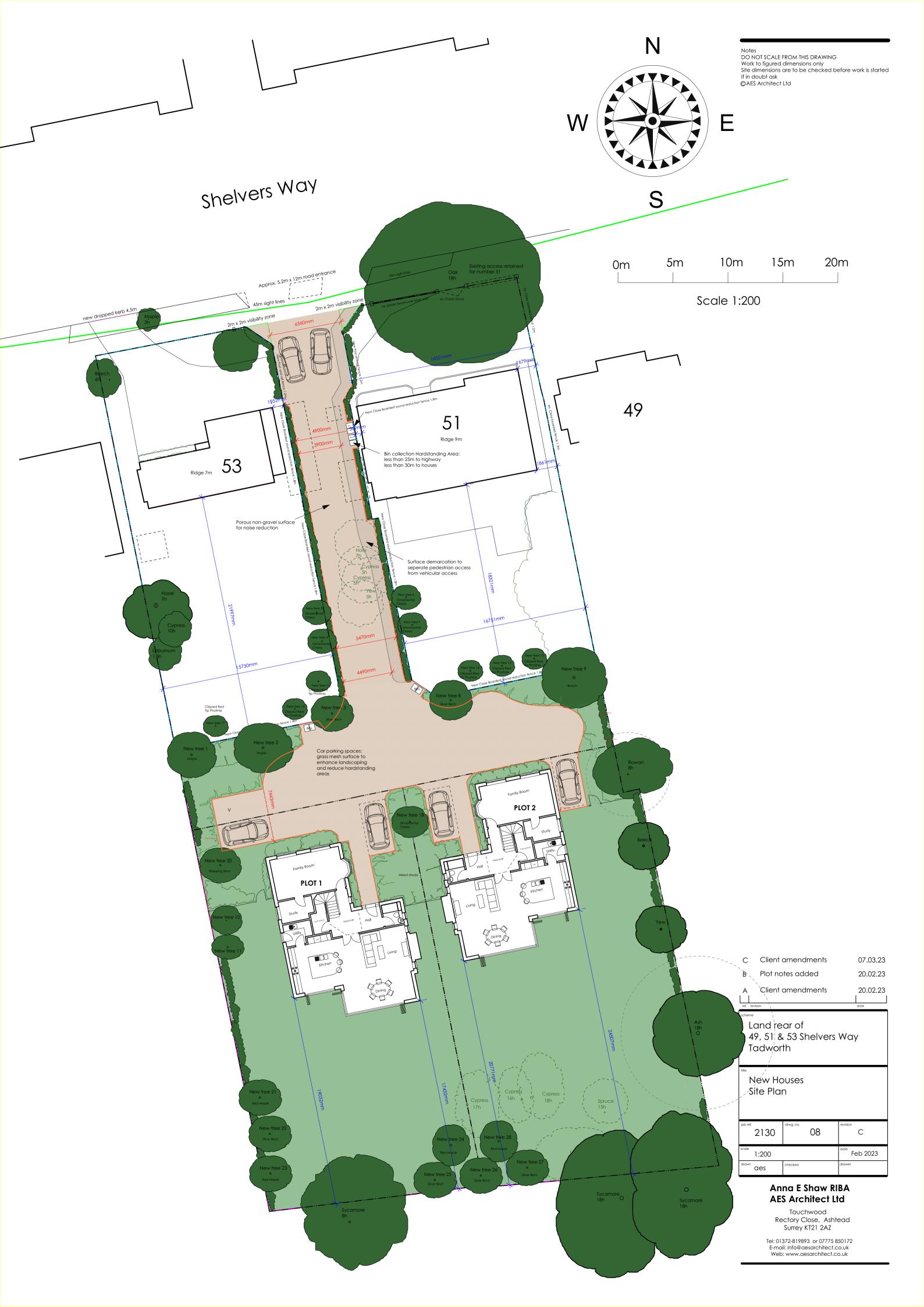
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New Houses Block Plan				
Land rear of 51 & 53 Slevers Way Tadworth				
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A .	New gard	age removed	07.02.22	
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С	Client an	nendments	27.07.22	
D	Client an	19.10.22		
	Client amendments 16.02.23			

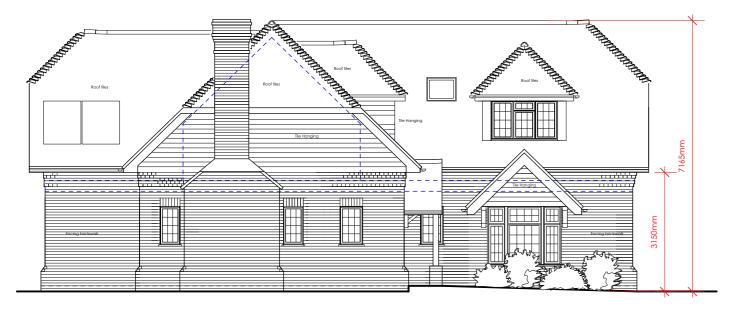
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F Client amendments

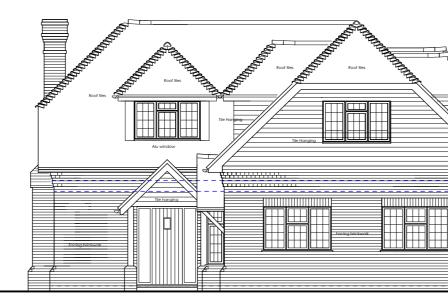
Touchwood Rectory Close, Ashtead Surrey KT21 2AZ

Tel: 01372-819893 or 07775 850172 E-mail: info@aesarchitect.co.uk Web: www.aesarchitect.co.uk

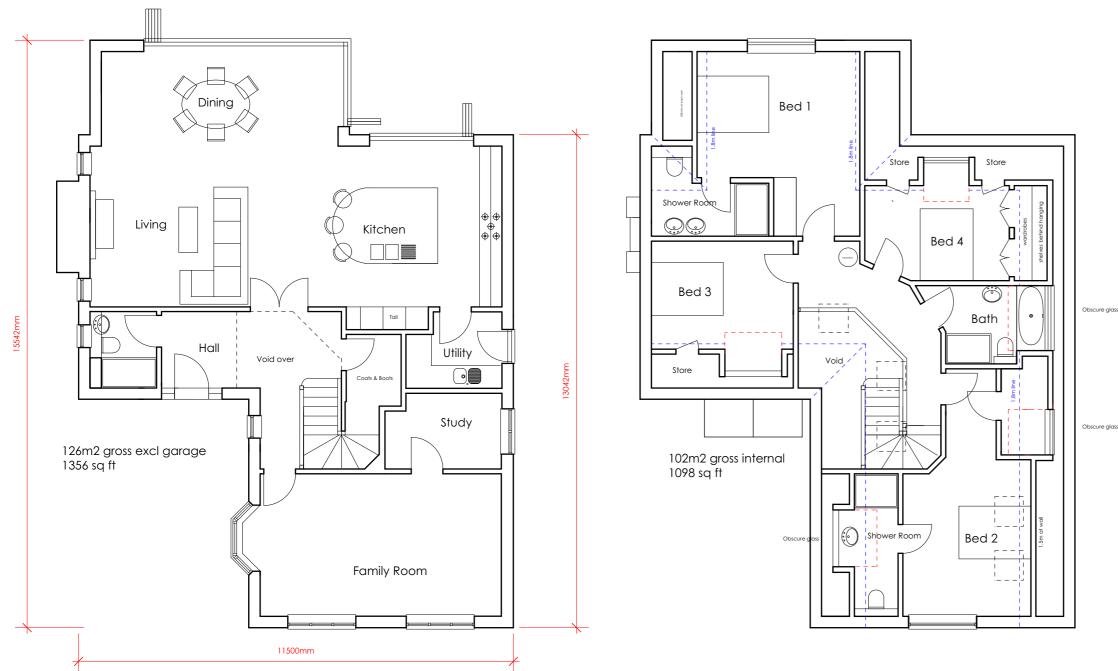




North East Elevation



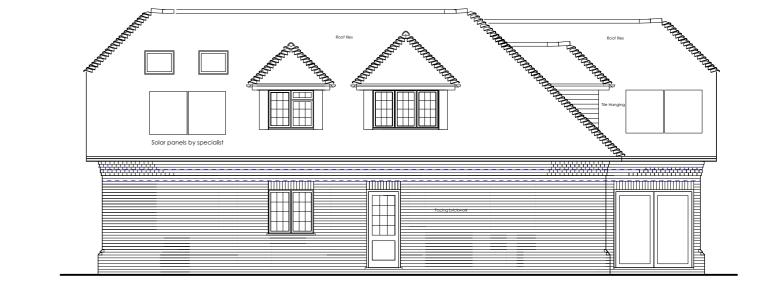




Ground Floor Plan

First Floor Plan

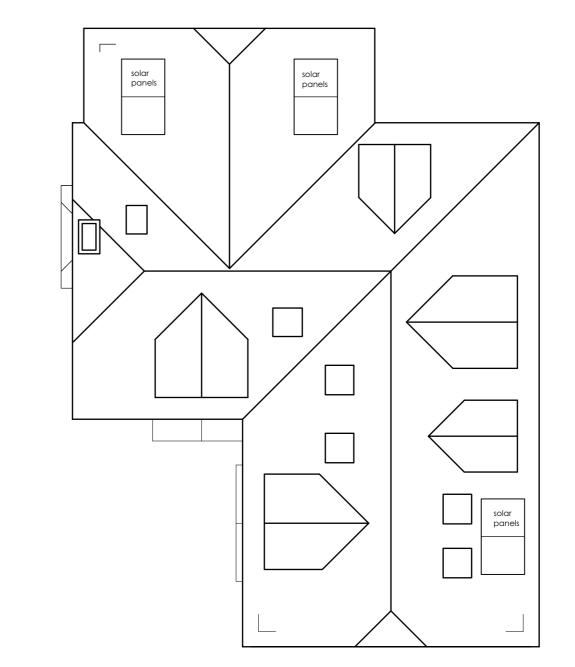
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North West Elevation

South West Elevation

South East Elevation





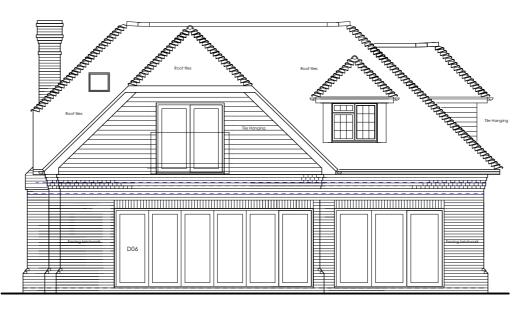
Tel: 01372-819893 Mob: 07775850172 E-mail: info@aesarchitect.co.uk

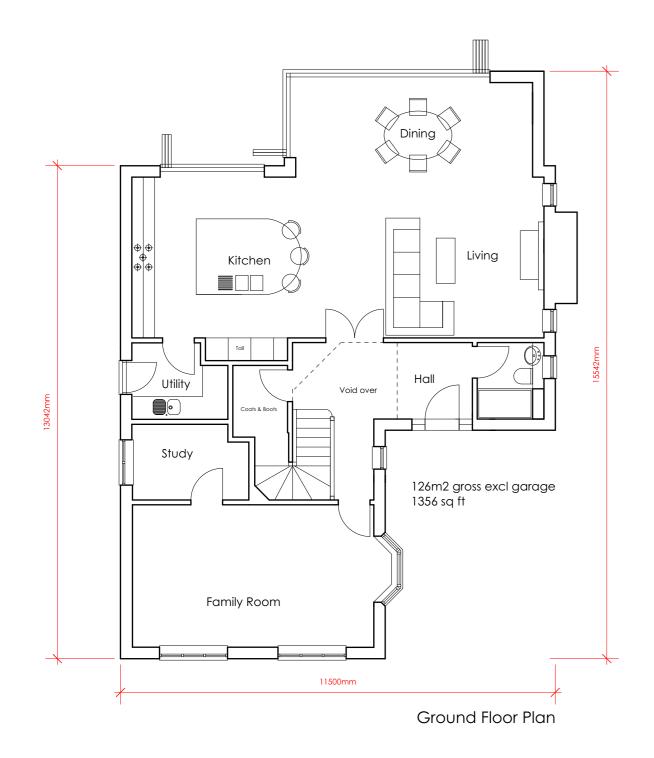
Roof Plan

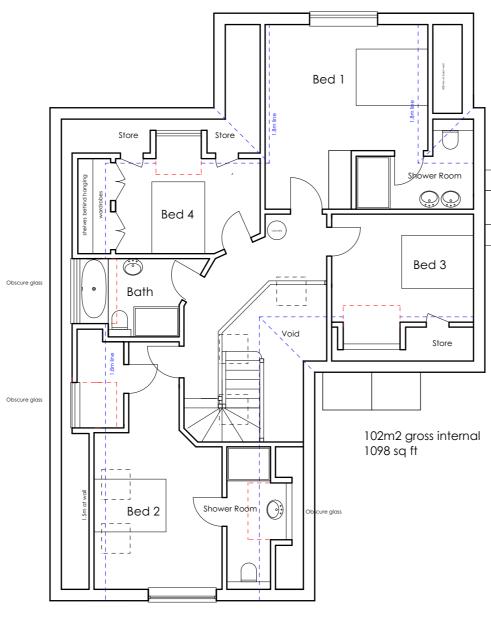


North East Elevation



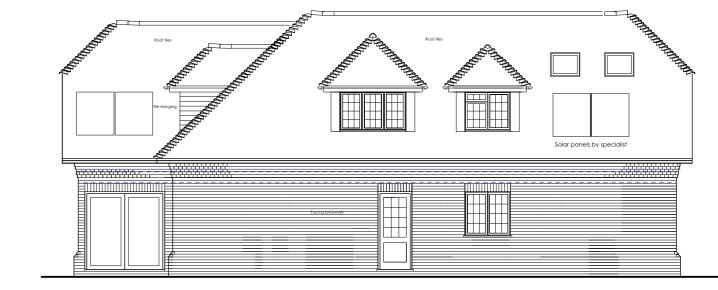






First Floor Plan

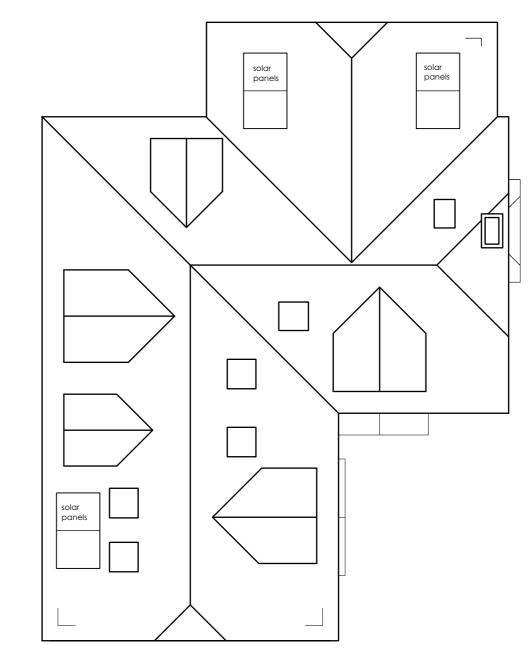
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North West Elevation

South West Elevation

South East Elevation



	areas updated	20.02.23		
51 & 53	Land rear of 51 & 53 Slevers Way Tadworth			
	New House Proposed Plans & Elevations			
job ref. 2130				
scale 1:100		Feb 2023		
drawn aes				
	Anna E Shaw - Architect RIBA Touchwood Rectory Close, Ashtead Surrey KT21 2AZ			

Tel: 01372-819893 Mob: 07775850172 E-mail: info@aesarchitect.co.uk

Roof Plan



No 49

No 51

Datum 160.000m.

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No 53

No 55

С	Client o	amendments	07.03.23		
В	Client o	amendments	20.02.23		
А	Client o	amendments	17.02.23		
ref. re	vision		date		
Lo 5	^{scheme} Land rear of 51 & 53 Slevers Way Tadworth				
New Houses Proposed Street Scene from Shelvers Way					
job ref.	2130	drwg. no.	revision C		
scale	1:100		Feb 2022		
drawn (aes	checked	drawer		
Anna E Shaw RIBA AES Architect Ltd					

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С	Client amendments	07.03.23

- B Client amendments 20.02.23
- A Client amendments 17.02.23

e

Land rear of 51 & 53 Slevers Way Tadworth

New Houses Proposed Street Scene from within the development site

job ref. 2130	drwg. no.	revision C
scale 1:100		Feb 2022
aes	checked	drawer

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