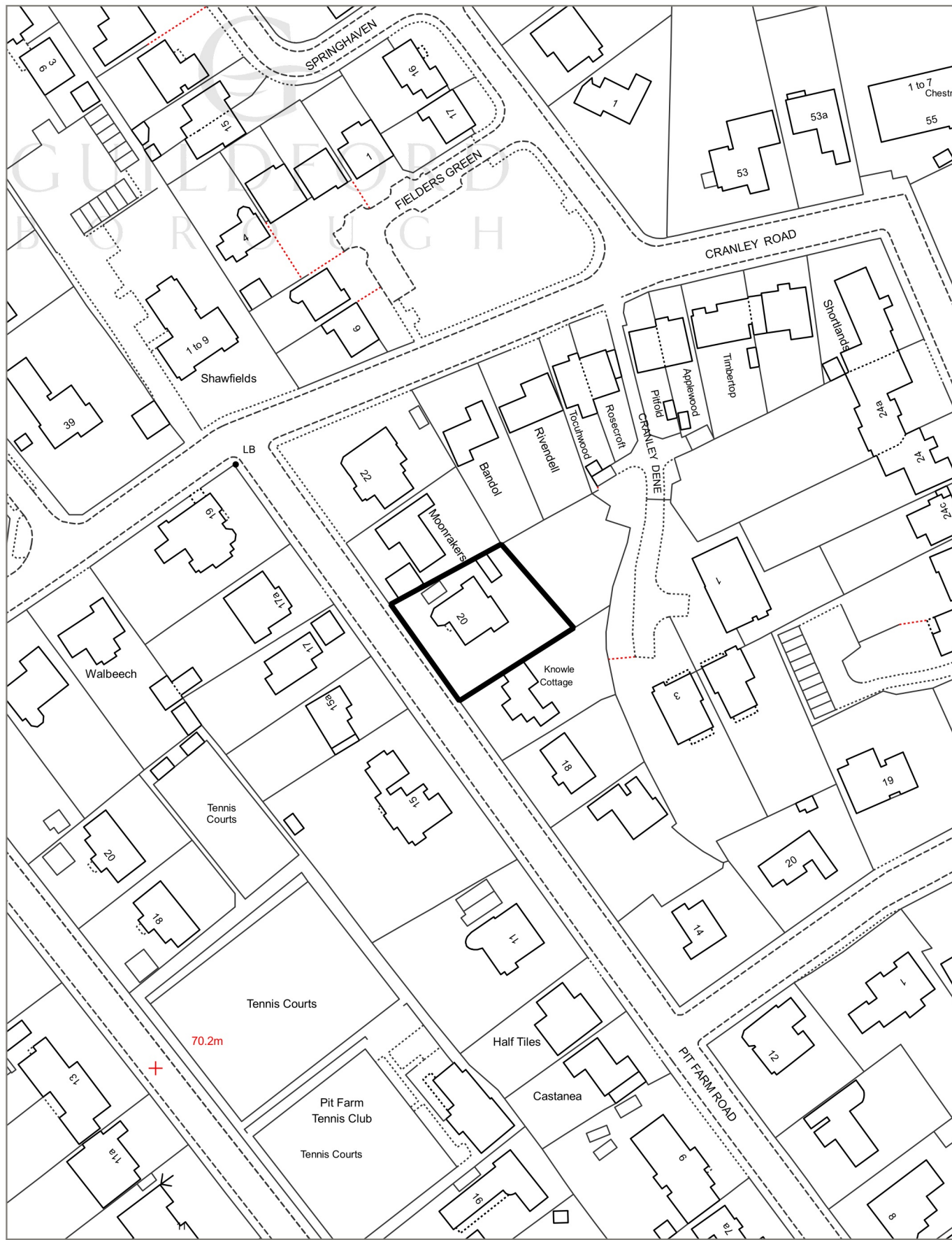


22/P/01151 - 20 Pit Farm Road, Guildford



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Print Date: 12/12/2022

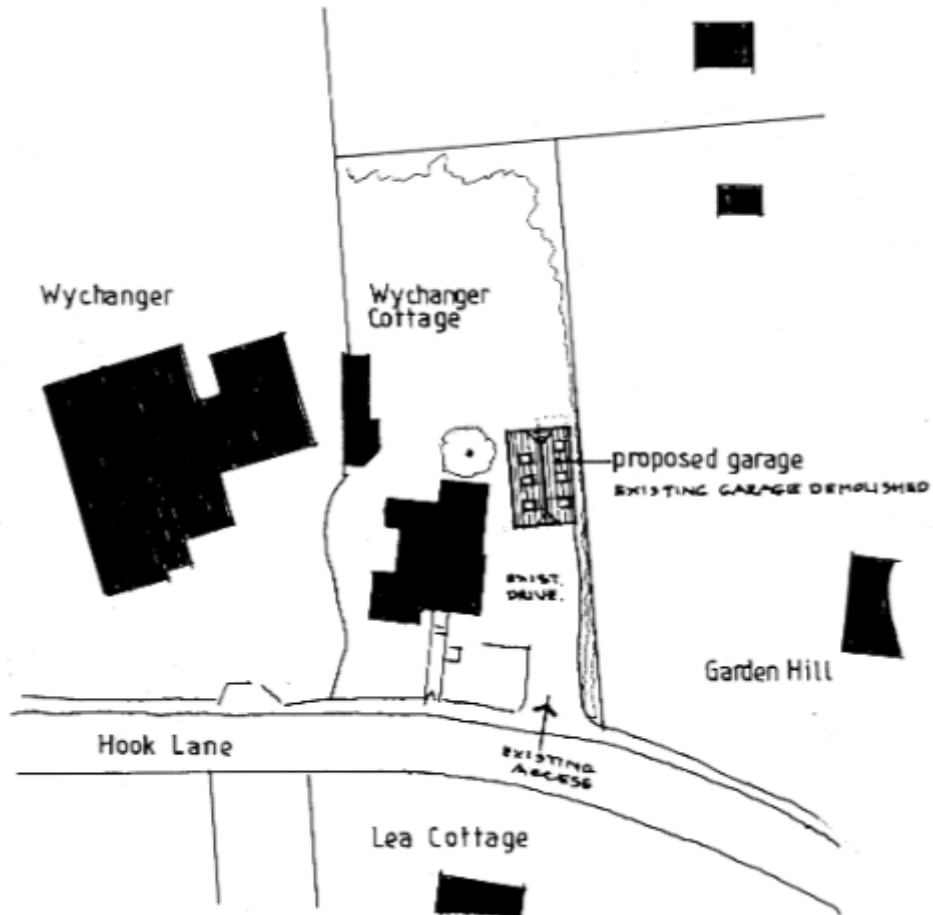


Not to Scale



GUILDFORD
BOROUGH

22/P/01551 – 20 Pit Farm Road, Guildford



Not to scale



App No: 22/P/01151
Appn Type: Full Application
Case Officer: Lisa Botha

8 Wk Deadline: 30/11/2022

Parish: Christchurch
Agent : Mr. Maciej Kubala
TMH Planning&Design
33 Gateways
Guildford
GU1 2LF

Ward: Christchurch
Applicant: Mr. Antony Tilney
TMH 50 LTD
33 Gateways
Guildford
GU12LF

Location: 20 Pit Farm Road, Guildford, GU1 2JL

Proposal: Demolition of existing building and erection of three dwellings.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

The site is located within the urban area of Guildford. The area is largely characterised by residential development comprising predominantly of large detached dwellings set within sizeable plots set back from the road with off-street parking and front boundary treatments. There are also Tormead School and Pit Farm tennis club located nearby.

The site itself comprises part of the existing plot of 20 Pit Farm Road which comprises a substantial detached two-storey building with rooms in the roof which has been subsequently sub-divided into two flats and two outbuildings. The site also benefits from vehicle access onto the site from Pit Farm Road.

The site is also located within 400m - 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

The application seeks the demolition of the existing building and the erection of three dwellings:

2 x 4 bed
1 x 6 bed

Each dwelling would have two vehicle parking spaces and access to private gardens.

Summary of considerations and constraints

The principle of proposed development is acceptable. The proposed development would sit comfortably within the site and would not result in any harm to the established character of the area. It would not result in any materially harmful impact on neighbouring amenity, would provide suitable living conditions for future occupiers and would not result in any significant increase in vehicular trips nor have any material impact on highway safety.

No arboricultural or ecological harm has been identified as a result of the proposed development and the applicant proposes to incorporate sustainability measures into the development.

A legal agreement will be secured to mitigate against the impact of the proposed development on the Thames Basin Heaths Special Protection Area.

As such, the application is recommended for approval subject to conditions and the aforementioned legal agreement.

RECOMMENDATION:

Subject to a Section 106 Agreement securing SANG and SAMM the decision is to:

Approve - subject to the following condition(s) and reason(s) :-

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 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:

0000-Block Location plan- P02
0001-Proposed Site plan- P03
0101-Proposed Floor Plans Plot 1-2- P02
0102-Proposed Floor Plans Plot 3- P01
0301-Proposed Elevations Plot 1-2- P02

received on 06/10/22.

0303-Proposed Street Scene- P03 and 0304-Proposed Elevations Plot 3- P02
received 28/11/22.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

4. No development above slab level shall take place until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

5. No development above slab level shall take place until details of the sustainability measures to be included in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Sustainable Design and Construction Supplementary Planning Document (March 2011). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.

6. The proposed vehicular accesses to Pit Farm Road hereby approved shall be constructed in accordance with the approved plans, Drawing No. 0001 Rev P03, and thereafter 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 are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

7. 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 plans, Drawing No. 0001 Rev P03, for vehicles to be parked. Thereafter the parking 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 are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021.

8. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with the approved plans, Drawing No. 0001 Rev P02, and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order to encourage the use of more sustainable modes of transport.

9. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site 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 order to encourage the use of more sustainable modes of transport.

10. No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to ensure the height of the development is appropriate to the character of the area and in order to safeguard the amenities of the occupiers of neighbouring properties. This pre-commencement condition is required to ensure that these factors are established at an appropriate stage of the development.

11. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

12. The flat roof areas of the ground floor rear elements of the dwellings hereby permitted shall be accessed for maintenance or emergency purposes only and shall not be used as a balcony, roof terrace or similar amenity area.

Reason: In the interests of residential amenity and privacy.

13. No development above slab level shall take place until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

14. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

15. No development shall take place above slab level until details of the design of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

16. Prior to the commencement of development above slab level, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and should confirm that the emission rate will be no higher than the relevant Target Emission Rate set out in the Building Regulations (Part L). The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy measures within the development.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
- Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
3. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
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 – this will be at the developer's own cost.
5. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the Highway Authority recommend that the developer and LPA liaise with their Building Control Teams and Local Fire Service to understand any additional requirements.

6. This permission shall be read in conjunction with an agreement made under section 106 of the Town and Country Planning Act, 1990.

Officer's Report

Site description.

The site is located within the urban area of Guildford. The area is largely characterised by residential development comprising predominantly of large detached dwellings set within sizeable plots set back from the road with off-street parking and front boundary treatments. There are also Tormead School and Pit Farm tennis club located nearby. The site itself comprises part of the existing plot of 20 Pit Farm Road which comprises a substantial detached two-storey building with rooms in the roof which has been subsequently sub-divided into two flats and two outbuildings. The site also benefits from vehicle access from Pit Farm Road.

The site is also located within 400m - 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

Proposal.

Demolition of existing building and erection of three dwellings.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/P/00153	The construction of a 1 bedroom bungalow and the recombining of 20 Pit Farm Road from two flats into a single dwelling with minor fenestration changes.	Refuse 07/10/2021	N/A
20/P/00604	Conversion of two dwellings (flats) to provide a single dwelling house. Erection of a single storey rear extension following demolition of outbuildings. Demolition of existing garage and erection of new double garage with one bedroom flat over.	Withdrawn 30/06/2020	N/A
19/P/02050	Conversion of two dwellings (flats) to provide a single dwelling house. Erection of a single storey extension following demolition of outbuildings.	Refuse 30/01/2020	N/A

Consultations.

County Highway Authority: No objection on safety, capacity or policy grounds subject to conditions requiring the vehicular accesses and parking to be provided and maintained and the provision of electric vehicle charging points, covered parking of bicycles and charging points for e-bikes.

Natural England: In accordance with an agreed position with Natural England, Natural England (NE) will not object to an Appropriate Assessment (AA) undertaken which concludes no adverse effects on the integrity of the TBHSPA due to measures being secured and required to be put in place through a legal agreement and accord with the provisions of the Development Plan and the adopted Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017. An individual consultation with NE will therefore not be required in these cases.

Thames Water: No comment

Head of Environmental Health and Licensing: No objection, but recommends the provision of electric vehicle fast charge sockets.

Third party comments:

59 letters of objection have been received raising issues that are summarised below:

- overdevelopment and unduly large and tall dwellings
- out of keeping reducing separation gaps between properties
- car park dominated frontage
- overbearing impact
- loss of privacy
- loss of daylight / sunlight
- overshadowing of garden
- noise
- pollution
- increase in traffic and highway safety concerns

The above factors will all be addressed in the report below in the relevant sections.

- concern the boundary with Knowle Cottage is not shown correctly (Officer note: the applicant has confirmed on their application form that the information is correct and any relevant owners of the land which forms the application site have been notified)
- existing building should be refurbished and preserved / converted into flats (Officer note: the application must be determined on its own merits)
- no detail is provided as to how the remainder of the rear garden of No. 20 Pit Farm Road is to be used (Officer note: the remainder of the garden of 20 Pit Farm Road does not form part of this application, any development on or change of use of this land would require planning permission and would be subject to consultation)
- adverse impact on the TBHSPA (Officer note: a legal agreement will be completed to mitigate against the impact of the development in line with the Council's SPD)
- no bat survey has been submitted with the application (Officer note: a bat survey has been submitted)
- the tree survey fails to note that a tree has already been removed from site (Officer note: the felling of trees from this site do not require consent from the Local Planning Authority)
- bin storage will be visible

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

South East Plan 2009:

NRM6: Thames Basin Heaths Special Protection Areas

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

The Council has a deliverable supply of housing in excess of five years. The Council's published Position Statement is that the Council has 7 years supply. This supply is assessed as 7.00 years based on most recent evidence as reflected in the GBC LAA (2021). The Council's published position has been subject to challenge in the context of an ongoing planning appeal. The Council has been represented at inquiry by external consultants who have confirmed that their view is that the Council has in excess of a five year housing land supply. In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

H1 Homes for All

P5 Thames Basin Heaths Special Protection Area

D1 Place Shaping

D2 Climate Change, Sustainable Design, Construction and Energy

ID4 Green and blue infrastructure

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1(12) Safeguarding and enhancement of the landscape and existing natural features

G1(3) Protection of amenities enjoyed by occupants of buildings

G5(2) Scale, proportion and form

G5(3) Space around buildings

G5(4) Street level design

G5(5) Layout

G5(7) Materials and architectural detailing

G5(8) Traffic, parking and design

NE5 Development affecting trees, hedges and woodlands

Guildford Borough Council: Development Management Policies June 2022

The National Planning Policy Framework provides the following advice at para 48:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Guildford's Local Plan Development Management Policies (LPDMP) can now be considered to be at an advanced stage in production. The hearing sessions have been completed and the Inspector has reached a conclusion that, subject to main modifications, the plan can be found sound. The main modifications he considers necessary are currently out for consultation. Those policies/parts of policies that are not subject to any proposed main modifications should now be afforded considerable weight. Where specific parts of a policy are subject to main modifications, then further consideration should be given as to the extent to which those modifications would, if accepted, impact upon the assessment of the proposal. If it would result in a different conclusion being reached then these specific parts of the policies should be given moderate weight given the level of uncertainty that these will still be recommended by the Inspector in his final report.

Policy P6/P7: Biodiversity in New Development

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy D14: Carbon Emissions from Buildings

Supplementary planning documents:

Vehicle Parking Standards SPD 2006

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- impact on character
- impact on neighbouring amenity
- living conditions
- highway / parking conditions
- impact on trees
- ecology
- sustainability
- Thames Basin Heaths Special Protection Area and Appropriate Assessment
- legal agreement requirements

The principle of development

The NPPF seeks to significantly increase the supply of housing.

Policy H1 of the Local Plan: Strategy and sites 2015-2034 seeks to deliver a wide variety of high quality homes that provide all tenures, types and sizes of housing to meet the needs and demands of different people within the community. The principle of the development is therefore acceptable.

Policy D1 of the Local Plan: Strategy and sites 2015-2034 requires, amongst other things, all new development to achieve high quality design that responds to distinctive local character of the area in which it is set, has an inclusive design, reinforces locally distinct patterns of development and connects appropriately to existing street patterns and creates safe and accessible spaces. It also seeks to ensure that new development: maximises opportunities for high quality landscaping and linkages to public spaces and green spaces, seeks to reduce opportunities for crime and antisocial behaviour, is designed to meet the needs of all users, is designed with regard to efficient use of natural resources and designed in a manner that supports technological and digital advances. Policy D4 of the emerging Development Management Policies Local Plan seeks to ensure well-designed places and considerable weight can now be afforded to this policy. The proposed development will be assessed against these policies below.

Saved Policy H4 of the Local Plan 2003 required developments to be in scale and character with the area, have no unacceptable impact on neighbouring amenity or the existing context and character of the adjacent buildings and immediate surroundings.

Impact on character

The application site comprises part of the existing plot of 20 Pit Farm Road which is one of the wider plots on the road. The rear-most part of the plot does not form part of this application. The proposal seeks to demolish the existing building and associated outbuildings and erect a pair of semi-detached dwellings and a detached dwelling.

The proposed dwellings would be set back within the site in line with the established pattern of development along Pit Farm Road. The gaps from built form to the side boundaries of plots within Pit Farm Road vary widely, with some built form located up to the boundaries, some with limited gaps, and others larger gaps due to the width of the plot and / or positioning of the dwelling within the plots themselves. The proposed development would provide gaps to the side boundaries of the site of approximately 1.6m at the narrowest points increasing to 2.6m to the north-east boundary, with gaps to the two-storey elements of the neighbouring dwellings themselves being 3.9m and 6m and as such reasonable visual gaps would be maintained and therefore the proposal would conform to the wider character of the area.

A more limited gap of 1.3m would be provided between the semi-detached dwellings and detached dwellings proposed on the site, however, there are limited gaps present within Pit Farm Road such as that between 7a and 7 Pit Farm Road and Half Tiles and Castanea and as such would therefore not be so out of character so as to be harmful. The roof design of the dwellings contributes to maintaining a meaningful visual separation between the application site and the neighbouring properties and between the buildings on site themselves.

In comparison to the existing building to be demolished, the proposed dwellings would have a reduced ridge height of 2.13m and as such the ridge heights of the dwellings would be brought more in line with those of the neighbouring dwellings and would provide a better transition in the heights of buildings across the site.

The dwellings themselves would have a traditional appearance with crown roofs (which would provide space for PV solar panels) front gables, clay roof tiles and hanging tiles, brick facing and render with interesting architectural detailing provided at the apex of the front gables and green roofs on the rear single-storey elements. As the properties within Pit Farm Road are individually designed there is no precedent in terms of design. The dwellings would be similar in terms of design and materials but are not replicas of each other and as such would be sufficiently individual to maintain the established character of the area.

The existing front boundary wall of the site, which currently provides screening to the largely hardsurfaced area to the front of the dwelling would be demolished as part of the proposal in order to provide the necessary parking areas for the proposed dwellings. The wall itself is of no visual merit and whilst it is noted that front boundaries, be it, walls or hedges make a contribution to the character of this area, the proposed landscaping along the side boundaries and along the frontage of plots 1 and 3 would make a contribution to this character and would also benefit from providing an increased amount of soft landscaping within the frontage of the site in comparison to that which currently exists. Furthermore, the applicant proposes to use a grasscrete system or similar in order to further soften the areas proposed for the parking of vehicles. The combination of these factors would ensure that the site is not visually dominated by hardsurfacing or parking and as such would be in keeping with the character of the area.

The proposed development would therefore sit comfortably within the site and would not result in any harm to the established character of the area.

Impact on neighbouring amenity

The nearest neighbouring dwellings are Moonrakers to the north-west and Knowle Cottage to the south-east.

Dwelling 1 would be set 1.6m closer to the north-west boundary of the site with Moonrakers than the existing building, but would have a reduction in ridge height by 2.13m as well as a slight reduction in eaves height in comparison to the existing residential building and would result in the provision of a gap of 2.6m following the demolition of the existing garage. A separation distance of 6m would then be provided between Dwelling 1 and Moonrakers. Dwelling 1 would extend further into the rear garden than Moonrakers which has a wide rather than deep footprint, however, an existing outbuilding which abuts the boundary and has a rear wall in line with that of Unit 1 would be demolished with the proposed single-storey element set slightly further into the application site, thereby reducing the impact on this neighbouring dwelling. The use of a green roof (where vegetation is grown on top of a roof structure) on the single-storey rear element would also reduce the visual impact of the proposed depth of the dwelling when viewed from first floor level.

Due to the separation distance proposed between Moonrakers and Dwelling 1, the proposed development would not encroach on the 45 degree line from the nearest habitable rear window of Moonrakers. The combination of these factors would ensure that Dwelling 1 would not result in any overbearing impact or loss of light on the occupants of Moonrakers.

Two windows are proposed at first floor level which would serve en-suites are proposed to be obscure glazed. A further three rooflights are proposed which would face towards Moonrakers and would serve a study and bathroom. To ensure no loss of privacy occurs, conditions are recommended to control the heights from finished floor / obscurity of the glass for these openings.

Dormer windows are proposed on the rear elevation within the roof and would serve bedrooms. Due to their position within the plots the views achieved would be towards the rear of the site and would enable only oblique views to the rearmost parts of the neighbouring gardens of Moonrakers and Bandol; this level of overlooking is not considered to be materially harmful and is not unexpected within urban areas. A condition is recommended to prevent the use of the flat roof element of the ground floor projection of the dwellings as a roof terrace to ensure privacy is maintained for Moonrakers.

In terms of overshadowing, some overshadowing to the south-eastern part of Moonrakers would occur in mid-summer, however this would be for a short period of time and on a less well used part of the garden with the and as such it would not result in any materially harmful impact on the amenities of the residents of Moonrakers.

Whilst Dwelling 3 would have a 2.13m reduction in ridgeheight and eaves height in relation to the existing building to be demolished it would be located approximately 8m closer to the boundary. Whilst the dwelling would be located closer to the boundary and therefore closer to the neighbouring dwelling this is not in itself harmful. A gap of 1.6m to the boundary would be retained to the boundary with Knowle Cottage and whilst the proposed dwelling would extend beyond the existing single-storey side / rear extension on the north-west boundary of Knowle Cottage, the two-storey element would extend just 2.9m beyond it and as such would not result in any overbearing impact.

A single-storey element is proposed on the rear elevation of Dwelling 3 which would extend a further 3.5m further; however, this element would be stepped in slightly from the two-storey element and would have a flat green roof and would be set on a lower ground level to Knowle Cottage and as such would also not result in any overbearing impact. The single-storey element would encroach on the 45 degree line from the centre of the neighbours ground floor window, however, due to the orientation of Knowle Cottage with a north-east facing garden, it would not result in any material loss of light. The green roof proposed for this element of the proposal would also reduce the visual impact of the depth of the proposed when viewed from the first floor of this neighbouring dwelling. In terms of overshadowing it is considered that the proposed dwelling would result in some overshadowing of parts of the garden of Knowle Cottage in the early evening in mid-summer; however, at this time Knowle Cottage itself would also be casting a shadow across its own garden and as such it is not considered that any materially harmful impact would occur in this regard.

No windows are present on the north-west elevation of Knowle Cottage, with the exception of a large window on the front gable. Two windows would be located on the south-east elevation of Dwelling 3, one serving an en-suite and the other providing a small secondary window for a bedroom both of which are shown to be obscure glazed, with a further four rooflights serving a master bedroom, en-suite and playroom. To ensure no loss of privacy occurs, conditions are recommended to control the heights from finished floor / obscurity of the glass for these openings.

The dormer windows on the rear elevation would provide views to the rear of the site, and due to their position on the site would only enable oblique views towards the rearmost part of Knowle Cottage ensuring privacy for the parts of the garden closest to the dwelling itself. As stated above, such overlooking is not considered materially harmful and is not unexpected in an urban setting. A condition is also recommended to prevent the use of the flat roof area of the extension as a roof terrace to avoid any unreasonable loss of privacy to the occupants of Knowle Cottage.

Whilst any development is likely to result in some noise and disturbance to local residents, this impact is only temporary and to mitigate against noise and disturbance at unsociable hours, a condition is recommended restrict the hours of construction.

Therefore, subject to the imposition of conditions no objection is raised in this regard.

Living conditions

Both Dwellings 1 and 2 would be a 4 bed, 8 person, three-storey dwelling and have an internal floor area of 174.6 sq m which exceeds the minimum floor area requirement of 130 sq m. Each of the bedrooms would also meet the required minimum widths for the respective bedrooms and would also significantly exceed the required standard with regard to floor area sizes.

Plot 3 would be a 6 bedroom, 10 person three-storey dwelling with an internal floor area of 339.33 sq m. There is no floor area requirement within the standards for such a dwelling, however, it is noted that a 6 bed, 8 person, three-story dwelling would require a floor area of 138 sq m and as such, it is considered that the proposed floor area which exceeds this figure by 201.33 sq m and provides four reception rooms is sufficient to accommodate the four additional persons over and above the maximum number of people specified within the national standard. The bedroom widths would also meet the required standard and the floor area requirements for bedrooms would also meet or significantly exceed the standard.

Sufficient private garden areas would be provided to meet the needs of the future occupants of each of the proposed dwellings.

The outlook from each of the units is also considered acceptable and each of the units would benefit from sufficient access to natural daylight.

As such no objection is raised to the proposed development in this regard.

Highway / parking considerations

Three vehicle accesses would be provided to serve each of the proposed dwellings. Each dwelling would have two parking spaces and as such would meet the Council's parking requirements.

Whilst concern is raised with regard to parking spilling into the road, it is noted that there are existing parking restrictions in place and as such it is not considered that the proposal would significantly exacerbate impact existing parking pressures.

It is also noteworthy that the site is located 15 minutes walk from the town centre boundary and London Road train station and is located 5 minutes walk from the nearest bus stop on Epsom Road and as such is considered to be located within a sustainable location. Furthermore, a condition is recommended to secure covered parking for bicycles and charging points for e-bikes to encourage more sustainable modes of transport.

The proposal has also been assessed by the County Highway Authority who consider that the development would not result in any significant increase in vehicular trips on the surrounding highway network nor would have any material impact on highway safety. As such no objection is raised to the proposed development in this regard.

Impact on trees

The majority of trees on the site are located beyond the rear wall of the existing dwelling along the side boundaries.

An Arboricultural Impact Assessment was submitted with the application and confirms that three low grade Category C trees are proposed to be removed. These trees are located on the north-west and south-east side boundaries of the site. A fourth tree would also require pruning to facilitate access, but the author of the submitted report does not consider that the proposed works would result in any negative impact on the health of the tree.

There would be incursion into only one root protection area which would be less than 6% of the total root protection area and as such the reports author considers that this low degree of root disturbance to be acceptable. The proposed would not result in any material impact on the character of the wider area and as such the proposed impact of the development on the trees on site is considered acceptable.

Ecology

A bat survey has been submitted with the application. The report found that the site had a high potential to host a bat roost due to its location in habitat of moderate to high suitability for commuting and foraging bats and the presence of numerous features potentially suitable for use by roosting bats; however the report found that no bats emerged from or went to roost in the building and as such it is considered unlikely that the building currently hosts a bat roost; and therefore it is concluded that bats should not prove a constraint to the proposed development.

However the report went on to state that whilst the building does not currently host a bat roost there is a small risk that bats may roost in the building in the future (should be building not be demolished by May 2024 which represents two bat seasons after the survey was carried out), and as such it makes a recommendation that precautionary working methods are implemented during the demolition works such as removing tiles by hand under the supervision of a licensed bat ecologist. As such, subject to compliance with the recommendation within the submitted report, no concern is raised with regard to the impact of the proposed development on bats.

Sustainability

In line with the Council's SPD on Climate Change, Energy and Sustainable Development a questionnaire has been submitted to provide details on how the development complies with policy D2 of the Local Plan and other matters of sustainability. The applicant has confirmed that:

- cladding recovered from the garage will be used in the proposed garden sheds
- a waste management plan will require the utilisation of an accredited waste management company and the separation of specific waste products
- it is expected to facilitate accurate ordering and minimise waste
- where possible materials will be locally sourced
- where possible the use of sustainable materials will be sought
- all timber will be FSC certified
- the development will exceed the requirements of Part L1 of the Building Regulations
- the proposed window layouts have been orientated to reduce the need for mechanical heating and artificial lighting
- family rooms and some bedrooms have been orientated south-west
- passive cooling and ventilation will be provided
- no mechanical cooling will be provided

- low flow appliances with supply restrictor valves, low flow shower heads and dual flush toilets will be fitted
- water butts will be provided for garden watering
- cycle storage and waste storage will be provided
- an underground drainage and soakaway system will be designed for the predicted higher levels of rainfall
- an air source heat pump will be utilised for heating and hot water generation and a pv array will provide on site generation of electricity
- where appropriate low energy electrical equipment and apparatus will be installed including low energy LED lamps
- 20% reduction in carbon emissions will be achieved

Conditions are recommended to ensure that sustainability measures are secured.

Thames Basin Heaths Special Protection Area and Appropriate Assessment

The application site is located within the 400m – 5km buffer zone of the TBHSPA. Natural England advise that new residential development in this proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes an increase of one residential unit on the site and as such has the potential, in combination with other development, to have a significant adverse impact on the protected sites. The Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD in July 2017 which provides a framework by which applicants can provide or contribute to the delivery, maintenance and management of Suitable Alternative Natural Green Space (SANGS) within the borough and to Strategic Access Management and Monitoring (SAMM) which can mitigate the impact of development. In this instance the development requires a SANG and a SAMM contribution which should be secured by a Legal Agreement.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. In line with standing advice from Natural England, no objection is raised to an Appropriate Assessment undertaken which concludes that there would be no adverse impact on the integrity of the SPA due to measures being secured and required to be put in place through a legal agreement and accord with the provisions of the Development Plan and the adopted SPD 2017.

It is therefore concluded that subject to the completion of a legal agreement the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England has been consulted on the AA and they confirm they are happy with the conclusions of the AA.

Legal agreement requirements

The three tests set out in Regulation 122(2) and 123 of The Community Infrastructure Levy Regulations 2010 require S.106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The development is required to mitigate its impact on the TBHSPA; this would be through a financial contribution to SANGS and SAMM. This would accord with the TBHSPA Avoidance Strategy and the Planning Contributions SPD. Without this contribution, the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The contribution is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Conclusion.

There is no in principle objection to the proposed development, the proposal would not result in any harmful impact on the character of the area, neighbouring amenity, ecology, trees or highway considerations. The proposal would also provide suitable living conditions for the future occupants of the dwellings. As such, subject to conditions and a legal agreement securing the necessary mitigation against the impact of the proposal on the Thames Basin Heaths Special Protection Area the application is recommended for approval.