Representations: 7 objections and one comment received from 6 individual households. The issues raised can be summarised as follows:

- Overdevelopment of site;
- Out of character;
- Roof line out of keeping;
- Loss of privacy;
- Highway safety concerns;
- Additional on-street parking stress;
- Pressure on schools and GPs due to cumulative developments in the area;
- Will set a precedent.

Report

Description

1. The site consists of a detached two-storey dwelling located on the south side of Broadfields on the eastern corner of the residential cul-de-sac in the settlement area of East Molesey.

Constraints

2. The relevant planning constraint is:

- Flood Zone 2

Policy

3. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to this application:

Core Strategy 2011
CS1 – Spatial strategy
CS2 – Housing provision, location and distribution
CS7 – East and West Molesey
CS15 – Biodiversity
CS17 – Local character, density and design
CS19 – Housing type and size
CS21 – Affordable housing
CS25 – Travel and accessibility
CS26 – Flooding
4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/5026</td>
<td>Part single, part two storey side/rear extension and single storey rear and first floor front extension (8 Broadfields, corner with Southfields).</td>
<td>Permitted and implemented.</td>
</tr>
<tr>
<td>2013/3845</td>
<td>Part single/part two storey side/rear extension and single storey rear extension and first floor front extension (8 Broadfields, corner with Southfields).</td>
<td>Refused and dismissed at Appeal: The proposed two storey side/rear extension represents a visually intrusive and incongruous feature that fails to integrate successfully with the existing building due to its siting, mass and design and would be detrimental to the appearance of the existing house and to the character and appearance of the area.</td>
</tr>
<tr>
<td>1982/0438</td>
<td>Single storey rear playroom extension and internal alterations.</td>
<td>Permitted and implemented.</td>
</tr>
<tr>
<td>ESH/1969/0665</td>
<td>Erection of front porch and toilet and a single storey sun lounge extension at rear of dwellinghouse.</td>
<td>Permitted and implemented.</td>
</tr>
</tbody>
</table>

Proposal

5. Planning permission is sought for two detached two-storey houses with a new access following the demolition of the existing house.

Consultations

6. Surrey County Highways Authority – Based upon the information supplied and a site inspection undertaken on 19 January 2017 the Highway Authority has assessed the impact of the proposal on the safety and operation of the adjoining public highway and raised no objections. The proposals are considered to be in accordance with policies CS25, DM7 and the NPPF.

7. Tree Officer – Following the submission of additional tree information and a site visit, the Council’s Tree Officer raises no objection to the proposal subject to the imposition of tree protection conditions.
8. Contaminated Land Officer – The existing building lies on a former stream/drainage ditch that flowed north into the River Ember. This is shown on historical maps from 1868 until 1955. It is likely that the stream was contained within a culvert, when the property was built.

The location of the former stream would lie within the back garden of the proposed 22A. There is a low risk of contamination from unknown material used to infill the ditch. This former ditch requires further investigation to evaluate the potential risk. However, as it lies beneath the existing building, this investigation would have to take place post demolition. As such, a condition regarding potential contaminated land is recommended.

9. Surrey Bat Group – The results of the submitted Ecology Report are sufficient to demonstrate that no bats would be harmed as a result of the development.

Positive and Proactive Engagement

10. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

11. Pre-application advice was sought under reference PreApp1267054. Concern was initially raised regarding the overall scale of the dwellings, their relationship with the property to the south, the limited garden space available for the new units, and the roof design and its subsequent impact on the character of the area. Amended plans were then submitted which were considered to address these concerns although the applicant was advised that they may wish to enter into pre-application discussions with the County Highway Authority regarding the new vehicular crossovers.

Planning Considerations

12. The main planning considerations in the determination of this application are:

- The design of the proposal and its impact on the character of the area and the street scene
- Provision of a suitable residential environment
- The impact on the amenity of neighbouring properties
- Impact on highway safety and parking
- Biodiversity
- Flooding
- Financial considerations

The design of the proposal and its impact on the character of the area and the street scene

13. The proposed dwellings would be of a scale that would not dominate the street scene on this corner plot or result in a cramped form of development. The design of the pair of houses, following pre-application advice, is now more in keeping with the character of the street scene and area in general. There would be approximately 2m between the first floor elements of the proposed dwellings and 2.4m (approx.) from the first floor of No. 20. As such, they would not result in a terracing affect. The building lines to both frontages of Broadfields are noted and the houses generally accord with the predominant building line. Furthermore, a minimum of 15m separation (19m approx.) is retained between the east flank elevation of proposed No. 22b and the front elevations of the neighbours to the east.

14. There would not be 15m separation between the rear elevation of the houses and the side elevation of No. 24 to the south but it is noted that such a separation does not exist at present in any case. Furthermore, such a separation would be difficult to achieve in an area where the rear gardens have limited length. Given there are no side windows in the neighbour's flank elevation, the separation of approximately 12.2m between the first floors is not considered to be unacceptable in this instance.
15. The gardens would be below the 11m guidance, each measuring approximately 9m, but there is a mix of garden lengths in the area. Furthermore, the garden sizes would be proportionate to the size of the houses proposed. Consequently, the garden lengths are not considered to be significantly out of character within the area and the houses would therefore not appear as a cramped form of overdevelopment of the site.

16. It was advised at the pre-application stage that, given the houses would be identical in style and design, differing colours and materials would be recommended for use on each dwelling in order to retain some individuality between them in the street scene and helping to enhance the character of the area. Exact details of the external materials are not specified in the application particulars other than to say machined clay roof tiles and red/buff brickwork. However, the agent for the application has confirmed that one house will be red bricked and the other a lighter ‘buff’ brick in line with the pre-application advice.

Provision of a suitable residential environment

17. Proposed new residential development should provide an appropriate level of lighting, outlook and amenity to all habitable rooms and be of suitable space standards. Developments are also expected to enhance existing landscaping and allow visual interest and amenity that provides a setting for the proposed development.

18. The houses comply with the national space standards each measuring approximately 119 sqm in GIA, well exceeding the recommended standards, and each house provides two double bedrooms. A number of rooms would have more than one window serving them, thus providing an adequate level of light and outlook.

19. As stated above, the retained garden amenity space would be proportionate to the size of dwellings proposed. As such, the proposal would be considered to provide an adequate level of outdoor amenity space for future residents. The proposed gardens would also be of a suitable size for bin storage to be adequately incorporated.

The impact on the amenity of neighbouring properties

20. The siting of the proposed houses and separation distances involved is such that it would not result in undue harm to the neighbouring properties by reason of an overbearing appearance or loss of light. Any side facing windows to No. 22b in particular are recommended to be obscurely glazed by condition with non-opening principle lights to ensure there would be no undue overlooking, or a perception of overlooking, to the properties to the east which are within 22m.

21. There would be some degree of overlooking of the garden of No. 24 as a result of the works from the proposed No. 22a but as the rear elevation of this house would be further from the rear boundary than the existing house, the proposal is likely to reduce the potential for overlooking.

Impact on highway safety and parking

22. There would be adequate space on site to meet with the Council’s adopted maximum parking standards and there are no on-street parking restrictions in the area. However, it is noted that the proposed access to 22b would be adjacent to the corner of Broadfields and, whilst this is a cul-de-sac and would not have a significant amount of traffic movements as a result, concern has been raised by local residents.

23. The County Highway Authority has noted this in their response, following a site visit, stating that:

[Broadfields] is a cul-de-sac with a speed limit of 30 mph. Regarding the location of the development [on a corner], vehicular speeds will be lower than the actual speed limit and not exceeding 20 mph. The vehicular visibility splay requires for a road
subject to a 20 mph [speed] is 22m in both directions from 2m back along the middle of the access to a point 1m into the carriageway from the nearside kerbline. From the proposed access the vehicular visibility splay is adequate towards the south [where one] would be able to see to the end of [Broadfields] which is located 70m away from the proposed crossover. Towards the north the vehicular visibility play is substandard and the maximum achievable sightline is 16m. However, regarding the specific location of the development (at the entrance of the bend) the vehicular speed will be less than 20 mph and therefore the 16m vehicular visibility splay in this specific case is adequate. The proposal will not have a significant impact on the local highway network or highway safety, therefore the County Highway Authority has no requirements.

24. Consequently, the new access is not considered to result in a significant adverse impact and is considered to be acceptable.

**Biodiversity**

25. An Ecological Report has been submitted as part of the application which identifies that no bats were found on site, no evidence of bats was found and there are no identified features suitable for bat use. No other protected species were found on site. Surrey Bat Group have raised no objections to the scheme and accompanying report which they conclude appears to have been carried out in line with best practice. As such, no conditions regarding mitigation are necessary.

**Flooding**

26. The site falls within Flood Zone 2 and a Flood Risk Assessment (FRA) has been submitted accordingly. In accordance with the Council’s Flood Risk SPD the FRA has been undertaken by a suitably qualified person and identifies flood risk from all sources in the area. A number of mitigation measures are outlined in section 6.2 of the FRA to manage the residual risk of flooding and a Flood Evacuation Plan has been included (Figure 9) indicating a route to Flood Zone 1 in the event of a flood, and details of the EA’s Flood Warning Direct service are included.

27. In order to manage surface water runoff and incorporate SuDS into the scheme, it is proposed to implement rainwater harvesting using water butts. Consequently, in this instance, it is considered that the submitted information is adequate to demonstrate that the proposed dwellings will be safe for their lifetime and will not impose flood risk elsewhere.

**Financial considerations**

28. Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. The weight to be attached to these considerations is a matter for the Council.

29. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use. The New Homes Bonus is paid each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes. The Council’s New Homes Bonus Scheme Grant Determination for 2016/17 is £2.96m.

30. Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the New Homes Bonus would be payable for the net increase in dwellings from this development.
31. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development resulting in the net gain of 1-4 residential units should provide a financial contribution equivalent to the cost of 20% of the gross number of dwellings on site as Affordable Housing. Contributions towards affordable housing would need to be secured via a unilateral undertaking.

32. Following a Court of Appeal decision which found in favour of the Government, paragraphs 012-023 of the National Planning Policy Guidance on planning obligations have been reintroduced. These paragraphs and the Ministerial Statement are now a material consideration, alongside local planning policy, against which the Council must consider all planning applications. However, given that the local plan remains the primary consideration against which decisions must be made, the Council is continuing to apply policy CS21 Affordable Housing as set out in the Core Strategy. Following receipt of legal advice, the Council has produced a statement to set out local evidence in support of continuing to apply policy CS21 to this application in light of the revised PPG. This is available to view on the Planning Services webpages:

33. The applicant has provided a legal agreement in the form of a unilateral undertaking to secure an affordable housing contribution but the value entered was incorrect. A revised UU is being prepared and is expected to be received prior to the North Area Planning Sub-Committee meeting.

34. The development also falls under development which is liable for CIL. It is estimated that approximately 238 sqm of new floor space (less the demolished building), including one self-build house, will require a contribution of approximately £6,000.

Matters Raised in Representations

35. The material planning considerations have been addressed above. The issue of setting a precedent for the sub-division of plots is not in itself an adequate reason to refuse planning permission as each application is considered on its merits. Regarding the additional impact on local services, each application is determined on its merits. Whilst development in the wider area can have a cumulative impact on services, in respect of this application the net gain of one house would not be considered to result in a significant strain on local services.

Conclusion

36. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission subject to the submission of an adequate UU to secure an affordable housing contribution.

Recommendation: Grant Permission

Conditions/Reasons

1 TIME LIMIT (FULL APPLICATION)
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 LIST OF APPROVED PLANS
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: WVH-PA - 001c and 003 received on 02 December 2016, and WVH/GUN / 001 and 002 received on 23 February 2017.
Reason: To ensure that the development is carried out in a satisfactory manner.

3 MATERIALS - APPROVED
The buildings shall not be erected other than in the materials detailed in the submitted application forms and the email from the agent received on 14 March 2017, or such other materials as have been approved in writing by the borough council.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

4 OBSCURE GLAZING
The first floor windows on the east side elevation of the proposed No. 22b hereby permitted shall be glazed with obscure glass and fitted with non-opening principal lights, and subsequently maintained in this form. Such glass shall be sufficiently obscure to prevent loss of privacy. The affixing of an obscure film will not be sufficient.

Reason: To preserve the reasonable privacy of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

5 TREE PROTECTION AND PRE-COMMENCEMENT INSPECTION
BEFORE DEVELOPMENT TAKES PLACE TREE PROTECTION MEASURES SHALL BE INSTALLED AND ANY FURTHER INFORMATION PROVIDED IN ACCORDANCE WITH THE SUBMITTED ARBORICULTURAL INFORMATION. THE APPLICANT SHALL ARRANGE A PRE-COMMENCEMENT MEETING AFTER THE INSTALLATION OF THE TREE PROTECTION BETWEEN THE BOROUGH COUNCIL AND THE APPLICANT’S PROJECT ARBORICULTURIST TO ALLOW INSPECTION AND VERIFICATION OF THE PROTECTION MEASURES.

Reason: This permission is granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the demolition and construction works could have implications for the future health and amenity of retained trees within the site.

6 TREE PROTECTION
In this condition “retained tree” means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, or submitted to meet a condition of consent shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. This condition may only fully be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.
Reason: This permission is granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the demolition and construction works could have implications for the future health and amenity of retained trees within the site.

7 PD LIMITATION
Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Part 1, Classes A and B of Schedule 2 to the said Order shall be carried out within the curtilage of any dwellinghouse, unless planning permission is first granted by the Borough Council.

Reason: To safeguard the character and amenities of the premises and adjoining properties and to comply with Policy DM2 of the Elmbridge Development Management Plan 2015.

8 FLOOD RISK MITIGATION
All flood mitigation measures shall be carried out in accordance with the approved details set out in the Flood Risk Assessment (Ref: QFRA468) prepared by UK Flood Risk Consultants received on 16 November 2016.

Reason: To reduce the overall and local risk of flooding and to comply with policy CS26 of the Elmbridge Core Strategy (adopted 2011) and the Flood Risk SPD (adopted 2016).

9 POTENTIAL LAND CONTAMINATION
There is a risk of ground contamination at the property. Any persons involved with ground works within the subject property should be made aware of this risk.

To ensure the potential for contamination has been investigated and the necessary action taken to make the development site suitable for its proposed use, the following must be completed to the satisfaction of the Council. There shall be no occupation of any part of the site by any end user prior to meeting the terms of this condition in full.

Following demolition of the building, a suitably qualified person shall investigate the ground in the location of the former drainage ditch, to confirm the absence or potential presence of contamination. This investigation should include a visual inspection, supported by relevant photographs, and if required, sampling of infill material. A written report of this investigation, detailing the condition of the ground shall be submitted to the Local Planning Authority (LPA) for approval.

If remediation is required, a written method statement detailing how the identified contamination shall be dealt with and risks mitigated shall be submitted to the Council for written approval. The agreed remediation method statement shall be implemented prior to occupation or the development being brought into use.

Upon completion of the remediation, and prior to occupation or the development being brought into use, a written report providing verification that the required works with regards to decontamination have been carried out in line with the agreed method statement shall be submitted the Council for written approval.

Reason: To ensure that the proposed development will not cause pollution of the environment or harm to human health in accordance with National Planning Policy Framework.
Informatives

1 COMMUNITY INFRASTRUCTURE LEVY
The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued as soon as practical after the day on which planning permission first permits development.

To avoid breaching the CIL regulations and the potential financial penalties involved, it is essential a prior commencement notice be submitted. A blank commencement notice can be downloaded from http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf. For the avoidance of doubt commencement of demolition of existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of the CIL regulations.

2 ADVICE TO DEVELOPERS REGARDING CONTAMINATION ASSESSMENTS
Before carrying out any contamination investigation or remediation of a site, the developer is strongly recommended to contact the Environmental Health & Licensing Team for guidance on the requirements for such investigations or remediation. Investigations, in particular, which do not adequately fulfil these recommendations, may result in additional work having to be carried out.

3 ASBESTOS CONTAINING MATERIALS (ACMS)
Please be aware that buildings constructed before 2000 may contain asbestos and we would recommend a suitable asbestos survey is undertaken before any redevelopment commences. Where a site has been subject to historical redevelopment, it is possible that asbestos containing materials are also present within the ground at the site. If materials containing asbestos are present on the site, a written Plan for either removal of the ACMs from the building or management of the ACMs within the building is required by the Health and Safety Executive. This is to ensure that the material is not broken up and left on site and does not pose a health risk to site workers or neighbouring residents. Asbestos advice is available at http://www.hse.gov.uk/asbestos/

4 NEW VEHICLE CROSSOVERS AND DROPPED KERBS
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.

5 MATERIALS DEPOSITED ON THE HIGHWAY
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 County 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 MAINTENANCE OF MITIGATION MEASURES
The applicant is advised that any maintenance and remedial works required in association with the flood risk mitigation measures are the sole responsibility of the owner/occupier of the property. These should be undertaken in accordance with the approved Flood Risk Assessment.

7 AWARENESS OF FLOOD WARNING AND EVACUATION PLANS
The applicant is advised that occupiers of the property should be made aware of the Flood Warning and Evacuation Plan or Personal Flood Plan included in the approved Flood Risk Assessment.
Existing Front Street Scene (North East) Elevation 1:100

Existing Rear (South West) Elevation 1:100

Existing Side Street Scene (South East) Elevation 1:100

Existing Side (North West) Elevation 1:100

Existing Ground Floor

Existing First Floor
Proposed Site Plan@1:200
Proposed Site 22b (South East) Elevation@1:100
Proposed Site 22a (North West) Elevation@1:100
Proposed Front (North East) Elevation@1:100
Proposed Side 22a (South East) Elevation@1:100
Proposed Side 22a (North West) Elevation@1:100
Proposed Side 22b (South East) Elevation@1:100
Proposed Side 22b (North West) Elevation@1:100
Proposed Front (North East) Elevation@1:100
Proposed Rear (South West) Elevation@1:100
Proposed Roof Plan@1:100
Proposed Ground Floor@1:100
Proposed First Floor@1:100
Proposed Roof Plan@1:100

Client: Mr. & Mrs. Gundogan
Project Address: 22 Broadfields Road

Proposed Plans

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Do not scale from this drawing
All dimensions are in millimeters
All dimensions to be checked on site
These drawings are to be used for planning purposes only

14/02/2016 Planning Application Prepared
23/09/2016 Levels Removed
01/12/2016 Proposed Ridge Height Added

Notes:

Drawing Number: WVH-PA-001c
Scale: 1:100@A1
Designated By: MG
Drawn On: Friday, 2 December 2016

Drawn By: JE

Drawing Status: PRELIMINARY

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Philip Andrews

Proposed Site Plan@1:200
Proposed Ground Floor@1:100
Proposed First Floor@1:100
Proposed Roof Plan@1:100
Proposed Front (North East) Elevation@1:100
Proposed Rear (South West) Elevation@1:100
Proposed Side 22b (South East) Elevation@1:100
Proposed Side 22b (North West) Elevation@1:100
Proposed Side 22a (South East) Elevation@1:100
Proposed Side 22a (North West) Elevation@1:100

Living Room
Kitchen
WC
Utility
Entrance
Living Room
WC
Study
Dining
Study
Kitchen
Dining
Master Bedroom
Bedroom 1
Bedroom 2
Family Bathroom
Bedroom 3

1:100 Scale

Existing Dwelling

\[ \text{Broadfields Rd} \]
\[ \text{Nº 22a} \]
\[ \text{Nº 22b} \]

\[ \text{Nº 20} \]
\[ \text{Nº 24} \]

\[ \text{SHED} \]
\[ \text{SHED} \]

\[ 7.70 \]
\[ 7.60 \]
\[ 8.85 \]
\[ 7.32 \]
\[ 7.11 \]
\[ 8.99 \]
\[ 9.50 \]
\[ 7.48 \]

\[ 5.13 \]

\[ 19.28 \]
\[ 140.951 \] m
\[ 89.167 \] m

\[ 4.16 \]
\[ 13.81 \]
\[ 17.30 \]

\[ 0.07 \]
\[ 0.50 \]