Representations: 18 letters of objection were received from 15 properties raising the following summarised concerns:

- Overdevelopment – the plot is only suitable for a single dwelling
- Out of keeping with the character of the street scene and surrounding area
- The dwellings are too high
- Parking and highway safety
- Limited private amenity space
- Impact on the amenities of the neighbouring properties – loss of light, overbearing impact, loss of privacy, noise and disruption, loss of outlook
- It does not comply with planning policy
- Loss of trees
- The removal of the hedge will result in loss of habitat with no scope to compensate this by landscaping
- Surface water drainage and sewerage
- The dwellings would not constitute affordable housing
- No boundary treatment details have been provided
- Disruption during the construction process
- Asbestos on the site
- Health and Safety issues on the site in the past
- Covenants/restrictive deeds
- Setting a precedent
- The road is a private road and residents pay for upkeep, the development has legal and financial implications on the road access and usage
- Boundary ownership/maintenance
- Insufficient neighbour notification
- The site notice was not suitably displayed near the site

***This item is eligible for public speaking***

Report

Description

1. The application property occupies a corner plot on the south side of Molember Road in the settlement area of East Molesey. The site is approximately 0.06ha and currently contains a
two-storey detached dwellinghouse. The site is situated within character sub area MOL10 (Ember Lane Environs) as defined in the Elmbridge Design and Character SPD.

Constraints

2. The relevant planning constraints are as follows:
   - 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 the determination of this application:

   Core Strategy 2011
   CS2 – Housing Provision, Location and Distribution
   CS7 – East and West Molesey
   CS15 – Biodiversity
   CS17 – Local Character, Density and Design
   CS19 – Housing Type and size
   CS26 – Flood Risk

   Development Management Plan 2015
   DM1 – Presumption in Favour of Sustainable Development
   DM2 – Design and Amenity
   DM6 – Landscape and trees
   DM7 – Access and Parking
   DM8 – Refuse, Recycling and External Plant
   DM10 – Housing

   Design & Character SPD 2012
   East and West Molesey

   Developer Contributions SPD 2012

   Flood Risk SPD 2016

4. Relevant Planning History

   None

Proposal

5. Planning permission is sought for the demolition of the existing property and the erection of two detached two-storey dwellings one of which would have rooms in the roof. The proposed development would provide 2 x 3 bed dwellings together with parking and amenity space.

Consultations

6. Planning Trees – no objections subject to planning conditions

7. Environmental Health (Contaminated Land) – recommend a planning condition relating to contaminated land

8. Surrey Wildlife Trust – raise no objections

9. Surrey Bat Group – raise no objections

10. Natural England – confirmed no comments
Positive and Proactive Engagement

11. 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.

12. Pre-application advice was sought for the Council prior to the submission of the planning application (ref: PreApp70724319). The Council agreed that the principle of the development was acceptable and commented on the design and layout of the proposal. The advice given appears to have been taken into consideration in the planning application submission.

Planning Considerations

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

- The principle of the development
- The impact on the appearance and character of the street scene and the locality
- The impact on the residential amenities of the neighbouring properties
- Provision of suitable living conditions
- Parking and Highway Safety
- Flooding
- Trees
- Ecology
- Financial considerations

The principle of the development

14. The Core Strategy indicates that there is scope for residential development through the redevelopment of existing sites with well-designed schemes that integrate with and enhance the local character. The new development is required to deliver high quality design, which maximises the efficient use of land and which responds to the positive features of individual locations; integrating sensitively with locally distinct townscape while protecting the amenities of those living in the area. Innovative contemporary design that embraces sustainability and improves local character will be supported. The Council promotes development that contributes to an overall housing target of 40 dwellings per hectare and achieves a minimum of 30 dwellings per hectare (dph). The proposal would represent development density of approximately 33dph on this site (0.06 hectares).

15. The revised NPPF in regard to the making effective use of land, states at para. 117:

‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions’.

16. In regard to achieving appropriate densities, Para. 12 states

‘Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site’.

17. and this is supported by point C) of Para. 123 which states:

‘local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would
otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).’

18. Para 122 in regard to achieving appropriate densities further states that:

‘Planning policies and decisions should support development that makes efficient use of land, taking into account:

c) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.’

19. The proposal would meet locally adopted density policy (30dph), and so would make the most efficient use of land. As identified above in para. 122a development should meet the identified need for housing, which is identified with the 2016 Strategic Housing Market Assessment (SHMA) for Kingston and North Surrey. The SHMA identifies the need within Elmbridge is for smaller 1-3 bedroom units. The proposal under consideration here provides 2 x 3 bed dwellings.

20. The publication of the updated NPPF provides a new policy framework in which the local authority, as the decision maker, must have regard. The proposal would make the most efficient use of land in the urban area and it would provide 2 units which meet the most up to date measure of housing need. The proposed development is therefore considered to comply with the requirements set out in Policy CS17 with regards to housing density and need.

21. The proposal seeks to erect new dwellings on garden land within the urban area. Policy DM10 of the Development Management Plan 2015 states in regard to development of garden land that it would be appropriate provided that the scheme respects the character of the area, that the relationship protects the amenities of existing and proposed occupiers, that the access is appropriate and that a high standard of landscaping is achieved. Whilst garden land does not fall within the definition of previously developed land, the NPPF does not preclude development on such land, and it is subject to other planning considerations.

22. In summary, the proposal is considered to accord with local and national planning policy in regard to the delivery of development which makes efficient use of land and it would provide housing which would meet the Borough’s identified housing need. The principle of the development is therefore considered to be acceptable.

The impact on the appearance and character of the street scene and the locality

23. Policy CS7 states that all new development will be expected to enhance the local character of the area. Policy DM2 states that all development proposals should preserve or enhance the character of the area, taking account of design guidance detailed in the Design and Character SPD, paying particular regard to the appearance, scale, mass, height and pattern of built development. The Design and Character Companion Guide for East and West Molesey identifies this area as MOL10: Ember Lane environs. Houses are detached with set backs from the street scene and separation gaps between houses.

24. The application site is located on corner plot. The surrounding area is characterised by detached dwellinghouses with gaps between properties providing separation. The proposed dwellings would be set back from the highway and would not project a significant distance past the building line in the road. Unit A would be situated approximately 2.2m from the neighbouring dwelling to the west and there would be a distance between the proposed dwellings of approximately 2m. The separation distances around the properties are considered to be in line with other properties in the locality.

25. The proposed dwellings would be approximately 0.79m higher than the neighbouring property to the west. The proposed dwellings are not considered to appear unduly prominent or excessive in the street scene nor would they appear cramped within the plot. The design and materials for the proposed dwellings are considered to be in keeping with the surrounding
area. It is considered that the proposed dwellings would not have a significantly detrimental impact on the character and appearance of the street scene or the surrounding area.

The impact on the residential amenities of the neighbouring properties

26. Policy DM2 states that to protect the amenity of adjoining and potential occupiers and users, development proposals should be designed to offer an appropriate outlook and provide adequate daylight, sunlight and privacy.

27. To the west of the site is Byblos. The proposed new dwellinghouses would not extend beyond the rear building line of Byblos and there would be no adverse impact in terms of loss of light. To the front, the proposed new dwellinghouses would be stepped and would project beyond the front Byblos. The proposed dwelling would not breach a 45 degree splay from the front facing windows. On the side elevation of Byblos there are two ground floor side facing windows, one of these is obscure glazed and appears to serve a non-habitable room and the other is a secondary window. It is therefore considered that the proposed development would not result in a significantly dominant or overbearing impact on that property.

28. Unit A of the proposed development which would be adjacent to the boundary with Byblos includes one first floor and one second floor side facing window in the west elevation. However, these would serve the staircases and therefore a planning condition could ensure that it is obscure glazed and fixed shut to a height of 1.7m above the internal floor level of the roof which they are to serve. It is therefore considered that the proposed development would not result in a significant loss of privacy to Byblos.

29. To the rear of the site is Hollygrove House which is orientated so that it faces east to west. The dwellinghouses would face the flank wall and the rear garden of Hollygrove House. There is one small first floor window in the side elevation of Hollygrove house, however this appears to serve a non-habitable room. The rear windows of one of the new dwellinghouses would face out onto the rear garden of Hollygrove House. Whilst there is only a separation distance of 11m, it is considered that the proposed development would not result in a significant loss of light or privacy to Hollygrove House nor would it have a significantly dominant or overbearing impact on that property.

30. To the east of the site the dwelling would adjoin the highway and would be situated approximately 20m from the neighbouring dwelling to the east. The proposed development is considered to be situated a sufficient distance from other neighbouring properties that it would not have a significantly detrimental impact on the reasonable privacy or amenities of those properties.

Permitted development rights:

31. It is important when considering the impact of a development to also consider any potential impact that may arise from further extensions to the property which may be carried out under Permitted Development. In this case it is considered that any further extensions to the property should be carefully considered under a planning application to ensure that they do not result in a loss of light, loss of privacy or have a dominant impact on the neighbouring properties. When referring to neighbouring properties this includes those proposed within the development. There is also limited amenity space to these dwellings and therefore the preservation of this should also be a consideration in any future development. It is therefore considered reasonable to remove permitted development rights for both extensions and outbuildings.

Provision of suitable living conditions

32. Policy DM10 and the Nationally Described Space Standards (NDSS) sets out the minimum internal space standards that should be applied to all new housing development. The proposed floor space is 133sqm and 134sqm for the dwellinghouses. Both dwellinghouses would be 3 bedroom houses. The NDSS requires an internal floor area of 102sqm (2 storey)
or 108 sqm (3 storey) for a 3 bed/6 person dwelling house. The proposed floor areas exceed the minimum internal floor areas required.

33. Policy DM10 goes on to state that residential accommodation should offer residents’ an appropriate level of light, outlook and amenity. The new dwellinghouses would be dual aspect and is likely to receive an adequate level of daylight and sunlight. To the rear, a garden would be provided. The Design and Character SPD recommends a minimum rear garden depth of 11m. 11m rear gardens would be provided for each dwellinghouse.

Parking and Highway Safety

34. The proposal utilises the existing dropped kerb and creation of a new dropped kerb to allow off-street parking in front of the two dwellinghouses.

35. The proposed development would provide off-street parking with sufficient space to park 2 cars for each dwelling free of the highway. It is therefore considered that the proposed development would not result in an increased requirement for on-street parking in the locality.

36. The Highway Authority were not consulted on the application as this is a private road. The creation of additional accesses onto the road would be a private matter between residents and the developers. With regards to the issue of cars reversing onto the road this is not seen to cause a significant highway safety issue as this is the arrangement with a number of properties in the locality and this is not a busy road.

Flooding

37. The application site is situated within Flood Zone 2. A Flood Risk Assessment was submitted with the application and this includes details of the flood mitigation measures to be incorporated into the design including flood resistant and resilient construction and raised floor levels. Details of the personal flood plan including escape routes have also been included.

38. With regards to surface water drainage on the site, the existing and the proposed development would occupy a similar surface area to the existing dwelling on the site. The applicant has confirmed that they will incorporate SuDs such as permeable paving and storage tanks to further aid surface water drainage.

39. The proposed development is not considered to result in an increased flood risk in the locality.

Trees

40. There is one large tree to the front of the site and a large cypress hedge to the rear of the site which the applicant details would be retained as part of the submitted scheme. A tree protection plan was submitted with the application detailing the tree protection fencing during the construction. The Tree Officer has not raised any objections to the scheme subject to planning conditions relating to tree protection. The planning conditions include a pre-commencement condition to which the applicant has provided their written agreement. The proposed development is not considered to have a significantly detrimental impact on trees in the locality.

Ecology

41. The applicants submitted an ecology survey with the application which details that there is no evidence of protected species on the site. The proposed development would retain the large tree and hedge on the site and therefore the proposed development is not considered to cause significant harm to ecology and biodiversity in the locality.

Financial considerations

42. 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.

New Homes Bonus:

43. 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 4 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 New Homes Bonus Scheme Grant Determination for 2018/19 is £1.1 million.

44. 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.

Affordable Housing:

45. 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 20% of the gross number of dwellings on-site as a financial contribution. It is acknowledged that a revised (July 2018) National Planning Policy Framework has been published and is a material consideration in the determination of all relevant planning applications. However, as set out in Section 38(6) of Planning and Compulsory Purchase Act 2004, the starting point for any decision is the Development Plan unless material consideration(s) indicate otherwise. As set out in paragraph 2 of the NPPF, this approach is required by planning law. It is therefore for the decision-maker to determine the weight to be applied.

46. Paragraph 63 of the NPPF states that ‘provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)’. Elmbridge Borough is not a designated rural area and major development sites are defined in the NPPF as development of 10 or more homes, or the site has an area of 0.5 hectares of more. Nevertheless, as set out in paragraph 3 of the NPPF, the Framework should be read as a whole (including its footnotes and annexes). In this context the following NPPF policies are also relevant in regard to the Council’s continuation to apply policy CS21.

47. Paragraph 59 of the NPPF state that within the context of significantly boosting the supply of homes ‘... that the needs of groups with specific housing requirements are addressed’. Paragraph 61 states ‘... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing...’ Finally, paragraph 62 states: ‘Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be on-site unless: b) off-site provision or an appropriate financial contribution in lieu can be robustly justified...’

48. Paragraph 63 of the NPPF is a clear continuation of the approach to developer contributions on small sites as set out in Government’s Written Ministerial Statement (WMS) (28 November 2014) and subsequent changes to Planning Practice Guidance (PPG) dated 19 May 2016. In response to this policy change, the Council set out in its Statement on the WMS (Update – February 2017), that its position was to continue to consider on a case by case basis whether local circumstances with regard to affordable housing and the nature of the development sites in the Borough were sufficient to warrant the application of policy CS21, or whether greater weight should be attached to the WMS and changes to PPG.

49. The Council’s approach has been repeatedly upheld by Appeal Inspectors recognising that policy CS21 was consistent with other policies of the NPPF (paragraphs 47 and 50 (NPPF,
2012)) which required local planning authorities to meet the full, objectively assessed needs for market and affordable housing and where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified. Furthermore, several Appeal Inspectors noted that whilst the WMS was a material consideration of considerable importance and weight, the intention of the WMS is to ensure that financial contributions do not become a disproportionate burden for small scale developers and thus frustrate housing supply. Appeal Inspectors have continuously addressed the Council’s Statement on the WMS (referenced above) and the significant difficulty in the delivery of affordable housing in the least affordable authority in England outside of London, noting that small sites make a significant contribution towards the delivery of affordable housing in the Borough.

50. Appeal Inspectors have also stated that there has been no substantive evidence to demonstrate that the requirements of policy CS21 are placing an unreasonable or disproportionate burden on developers. As a consequence, it has been found that whilst the WMS carried considerable weight, Inspectors do not consider it to outweigh the development plan given the acute and substantial need for affordable housing in the Borough (as evidenced by the Kingston & North-East Surrey Strategic Housing Market Assessment (SHMA)) (2016) and the importance of delivery through small sites towards this.

51. On the basis of the above and the evidence in relation to local housing need, affordability and housing land supply (as summarised in the Council’s Statement (Update – February 2017)), the Council will continue with its approach to apply Policy CS21 in the decision-making process where relevant. The Council has provided clear evidence of the acute need for affordable housing whereas, little evidence has been submitted by applicants suggesting that policy CS21 is having a disproportionate affect on small schemes.

52. The applicants as part of this scheme have indicated a willingness to enter into a Unilateral Undertaking in order to provide the requisite affordable housing contribution in line with policy CS21. At the time of writing the Unilateral Undertaking has not been provided. Subject to a Unilateral Undertaking being received within three months of the resolution to grant permission, the proposal would comply with the requirements of policy CS21.

Community Infrastructure Levy (CIL)

53. The proposed development is liable for CIL. The applicant has provided the relevant forms in accordance with the relevant regulations.

Matters raised in Representations

54. The connection of the proposed dwellings to the existing sewerage system would controlled by Building Regulations.

55. The applicant has stated that these would be open market dwellings and that a financial contribution would be provided towards the provision of affordable housing elsewhere in the Borough.

56. Details of the boundary treatments can be secured by a planning condition together with details of hard and soft landscaping.

57. Covenants/restrictive deeds, private road ownership and access rights and boundary ownership and maintenance, are private matters which are not material considerations which can be taken into account in the determination of the planning application.

58. The neighbouring properties were notified in line with the statutory legislation and the procedures set out in the Elmbridge Statement of Community Involvement.

59. The site notice was visible from the public domain on a lamp post opposite the application site. The site notice was considered to be suitably located.
60. With regards to disruption during the construction process, the scale of the development would not warrant a planning condition requesting a method of construction statement. If approved the decision notice would include informatives reminding them of the neighbourly construction processes.

61. Buildings Regulations and the Health and Safety Regulations enforced by the Health and Safety Executive would ensure that health and safety on the site is adhered to and that asbestos is handled and disposed of correctly.

62. Each planning application is considered on its individual merits and therefore this application would not set a precedent for development in the area.

63. Other matters raised in letters of representation have been considered within the remit of the above report

Conclusion

64. On the basis of the above, and in light of any other material consideration, the proposal, on balance, is considered to be in accordance with the development plan. Consequently, the recommendation is to grant permission subject to the receipt of a signed and acceptable Unilateral Undertaking to secure the payment of the affordable housing contribution.

The proposed development does require a CIL payment

Recommendation: Grant Permission subject to receipt of an acceptable Unilateral Undertaking within three months.

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: 1814 DR 005 Rev. 4 received on 6th September 2018.

Reason: To ensure that the development is carried out in a satisfactory manner.

3   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, B, C, D and E of Schedule 2 to the said Order shall be carried out within the curtilage of the/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.

4   MATERIALS - APPROVED
The development shall not be erected other than in the following materials Jewson Blenheim multistocks, dark brown clay tiles and white powder coated aluminium framed double glazing 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.
OBSCURE GLAZING

Prior to the occupation of the development hereby permitted the first and second floor windows on the west elevation of Unit A of the development hereby permitted shall be glazed with obscure glass that accords with level three obscurity as shown on the Pilkington textured glass privacy levels (other glass suppliers are available) and only openable above a height of 1.7m above the internal floor level of the room to which it serves. The window shall be permanently retained in that condition thereafter.

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

LANDSCAPING - SCHEME

Prior to the commencement of any above ground works full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Borough Council and these works shall be carried out as approved. This scheme shall include indications of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out, and details of the measures to be taken to protect existing features during the construction of the development.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

LANDSCAPING - IMPLEMENTATION

All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the Borough Council. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Borough Council, unless the Borough Council gives written consent to any variation.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

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.
9  **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 only 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.

10  **BIODIVERSITY MITIGATION**  
The development shall be carried out in accordance with the conclusions and recommendations in Report ref 183058/JDT, author Julian Thornber of AA Environmental Ltd, dated 7th March 2018 including any biodiversity enhancements.


11  **FLOOD RISK MITIGATION**  
All flood mitigation measures shall be carried out in accordance with the approved details set out in the Flood Risk Assessment prepared by RAB Consultants Ltd. received on 23 August 2018.

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).

**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. The notice is available at [www.planningportal.co.uk/cil](http://www.planningportal.co.uk/cil)

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.
Site Plan shows area bounded by: 515126.32, 167952.16 515267.74, 168093.58 (at a scale of 1:1250), OSGridRef: TQ15196802. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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