<table>
<thead>
<tr>
<th>Application No:</th>
<th>2019/0560</th>
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<tbody>
<tr>
<td>Application Type:</td>
<td>FULL</td>
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<tr>
<td>Ward:</td>
<td>Cobham and Downside Ward</td>
</tr>
<tr>
<td>Case Officer:</td>
<td>Peter Brooks</td>
</tr>
<tr>
<td>Expiry Date:</td>
<td>27/05/2019</td>
</tr>
<tr>
<td>Location:</td>
<td>36 Stoke Road Cobham Surrey KT11 3BD</td>
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<tr>
<td>Proposal:</td>
<td>2 detached two-storey buildings with rooms in the roof space comprising a total of 10 flats, associated parking and landscaping following demolition of existing buildings.</td>
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<tr>
<td>Applicant:</td>
<td>Queenshill</td>
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</tbody>
</table>
| Agent:                  | Miss Heather Yuen  
  Collective Planning  
  1 Long Lane  
  London  
  SE1 4PG |
| Decision Level:         | If Permit – Sub Committee  
  If Refuse – Sub Committee |
| Recommendation:         | RECOMMENDATION A  
  Grant planning permission, subject to the completion of a satisfactory legal agreement for affordable housing and Strategic Access and Management Monitoring within 3 months of the resolution to grant permission.  
  
  RECOMMENDATION B  
  If a satisfactory legal agreement for affordable housing and Strategic Access and Management Monitoring not be completed within 3 months of the resolution to grant permission Delegated authority be given to the Head of Planning Services to refuse planning permission for the following reason(s):  
  1. The proposal would, by reason of the lack of legal agreement in relation to a financial contribution for affordable housing, would be contrary to the requirements of Policy CS21 of the Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012.  
  2. The proposal would, by reason of the lack of legal agreement in relation to a financial contribution for Strategic Access and Management Monitoring, would be contrary to the requirements of Policy CS13 of the Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012. |

***This application qualifies for public speaking***

**Report**

**Description**

1. The site comprises a detached dwelling located on the southern side of the Stoke Road, opposite the junction of Stoke Road and Oxshott Way. The wider area is characterised by a mix of dwellings types, from large detached dwellings, to flats and smaller semi detached dwellings located in infill developments to the south. The site is within the ‘South of Stoke Road’ character area (COS07) as outlined in the Cobham, Oxshott, Stoke D’Abernon and Downside Companion Guide to the Design and Character SPD.
Constraints

2. The relevant planning constraints are:
   - 5km buffer Thames Basin Heath Special Protection Area
   - To the rear of the site medium risk area of surface water flooding

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
CS1 – Spatial Strategy
CS2 – Housing provision, location and distribution
CS10 – Cobham, Oxshott, Stoke D’Abernon and Downside
CS13 – Thames Basin Heaths Special Protection Area
CS17 – Local Character, Density and Design
CS19 – Housing type and size
CS21 – Affordable Housing
CS26 – Flooding

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
& Companion Guide: Cobham, Oxshott, Stoke D’Abernon and Downside

Flood Risk SPD 2016

Developers Contributions SPD 2012

4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
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<tbody>
<tr>
<td>2018/2408</td>
<td>2 pairs of semi-detached two-storey houses with rooms in the roof space, dormer windows, rear balconies and associated amenity space, parking and refuse storage following demolition of the existing house.</td>
<td>Refused (currently at appeal)</td>
</tr>
</tbody>
</table>

Proposal

5. Permission is sought for the erection of 2 detached two-storey buildings with rooms in the roof space comprising a total of 10 flats, associated parking and landscaping following demolition of existing buildings.

Representations

6. The Council notified 7 neighbouring properties and placed a site notice outside the site.

7. 20 letters of objection from 18 addresses have been received raising the following points:
   - Insufficient parking
   - Previous planning history
• Increase in vehicle movements/impact on highway safety
• Lack of infrastructure
• Out of character
• Impact on neighbouring amenity
• Overdevelopment
• No need for market housing in the Borough

Consultations

8. Lead Local Flood Authority (SCC) – No objections subject to conditions.
10. Waste and Minerals (SCC) – No comments to make.
11. County Highway Authority (SCC) – No objections subject to conditions.
12. Surrey Police – No objection subject to condition.
13. Natural England – No objection subject to appropriate mitigation towards the SPA. Raised no objections to the submitted Appropriate Assessment (AA).
14. Tree Officer – No objections subject to conditions.
15. Surrey Bat Group – Refer to comments made for application 2018/2408 (raised no objections subject to conditions).
16. Surrey Wildlife Trust – No objections subject to conditions.

Positive and Proactive Engagement

17. The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met within Elmbridge through the availability of pre-application advice.

18. No formal pre-application was sought prior to the submission of this application.

Planning Considerations

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

• Previous planning history
• The principle of the development;
• Affordable housing;
• Impact on the character of the area and the streetscene;
• Impact on the amenities of the adjoining neighbouring properties and proposed occupiers;
• Highway safety and parking provision;
• Impact on flooding;
• Impact on trees;
• Impact on ecology;
• Financial considerations.

Previous planning history

20. Application 2018/2408 was refused for three reasons, repeated below:
1) The proposal, would, by reason of its density and unit mix fail to make the most effective use of land within the urban area in order to meet the Boroughs identified housing need. The proposal is therefore contrary to Policy CS19 of the Elmbridge Core Strategy 2011 and Policy DM10 of the Elmbridge Development Management Plan 2015, and the revised National Planning Policy Framework 2018.

2) In the absence of a completed legal agreement, the proposed development fails to secure the necessary affordable housing provision contrary to the requirements of Policy CS21 of the Elmbridge Core Strategy 2011 and the Developer Contributions SPD 2012.

3) In the absence of a completed legal agreement, the proposed development fails to secure the necessary mitigation towards the Thames Basin Heath Special Protection Area contrary to the requirements of Policy CS13 of the Elmbridge Core Strategy 2011.

21. The first reason for refusal related to the proposal not making the most effective use of land by virtue of its density, and the fact the development proposed provided large 4+ bed units which do not meet the identified housing need within the Borough. the second and third reasons related to lack of completed legal agreement to secure both financial contributions toward affordable housing and mitigation of the developments impact on the Special Protection Area.

22. The Council whilst refusing the application on the above grounds did not find that it would cause harm to the character of the area, cause harm to the amenities of neighbouring properties, have an adverse impact on highway safety, adverse impact on flooding, trees or ecology.

23. Whilst the proposal under consideration here is materially different to that previously refused by virtue of the number and type of residential units proposed, the sites layout and overall position and scale of built form remains comparable to that scheme previously considered acceptable in those regards. Whilst each planning application is assessed on its own merits, weight must be given to relevant planning history, and as such application 2018/2408 is of relevance in the determination of this application.

The principle of development

24. 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 approx. 50dph. Policy CS19 seeks to secure housing which meets the most up to date SHMA. The latest measure of housing need is the 2016 Strategic Housing Market Assessment (SHMA) for Kingston and North Surrey. The SHMA identifies the need within Elmbridge is for smaller 1, 2 and 3 bedroom units. The proposal under consideration here provides a mix of 2 and 3 bed units (4 x 2 bed, 6 x 3 bed).

25. The new 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’.

26. In regard to achieving appropriate densities, Para. 123 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’,

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).’

27. The proposal would, as demonstrated above in Para. 22 deliver development above the minimum density requirement as stipulated by CS17, and would make more effective use of this land within the urban area. The development would also provide a mix of 2 and 3 bed units which are the unit sizes which meet the identified need within the Borough, so demonstrating compliance with CS19. Policy CS19 requires development provide housing types and sizes which reflect the most up to date SHMA, in this case the 2016 SHMA. The identified need in the Borough is for 1, 2 and 3 bed units. At the end of the 2017/18 monitoring year, the Council recorded a total of 231 additional homes completed. Of these homes 1, 2, 3 and 4-bedroom homes accounted for 16.2%, 23.1%, 13.7% and 46.9% of the delivery respectively. Homes with bedrooms of 4 or more should account for 10% or 1% (based on the Core Strategy or SHMA respectively) of homes but in this monitoring year accounted for 46.9%, 16.4% more than the previous year. It is clear therefore that the need for smaller units is greatest within the Borough, and so Policy CS19 which requires developments to reflect the most up to date SHMA (the 2016 SHMA) means developments should be providing smaller units.

28. The Council acknowledges that it is unable to demonstrate a five year supply of deliverable housing sites, and as such Para. 11 d) of the NPPF would be triggered, which states that decision takers should grant permission where policies most important for determining the application (in this case relating to the supply of housing) are out of date, unless ‘the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’. As demonstrated above the proposals density and unit mix would comply with both relevant local and national policy, and it is considered that subject to the other material considerations, there would not be any harm caused by the proposal which would outweigh the benefits.

29. Notwithstanding the above considerations, 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 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.

30. In summary, the proposal is considered to make more effective use of land within the urban area, it would provide residential units which meet the identified housing needs in the Borough, and has overcome the reason for refusal of application 2018/2408 in regard to making use of land. The proposal is therefore considered acceptable in principle, subject to the other material planning considerations.

Affordable Housing

31. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development resulting in 6-14 residential units should provide 30% of the gross number of dwellings on site. 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 or more. This proposal for 10 units is therefore major development, and both national and local policy therefore seek to secure affordable housing contributions.

32. 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: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified...’

33. Based on the above, the appropriate level of affordable housing provision was calculated (3 on-site units). The applicant submitted a financial viability appraisal (FVA) which sought to argue that the scheme would not be viable if it made the required financial contribution. The FVA was reviewed by the Council’s viability consultants who found that whilst the scheme would be unable to make the full policy on-site provision, the development would be able to generate a surplus (£121,780) which could be used to make a contribution towards affordable housing. The applicant agreed to the principle of making this financial contribution and at the time of writing is preparing the required legal agreement. The proposal would therefore make the required contribution towards affordable housing and would comply with Policy CS21.

Impact on the character of the area and the streetscene

34. The proposal would see 2 two storey buildings with rooms in the roof built in place of the existing detached bungalow. The proposed building would have a comparable form and appearance when viewed from Stoke Road to the previously refused scheme 2018/2408, although as noted previously in this report the design of the form of the buildings was considered acceptable in the determination of that application.

35. The two buildings would have a matching design, with crown roofs over. The buildings have been designed to have the appearance of large detached dwellings, which represents the predominant built form in the street. It is considered the siting and position of the buildings would have an acceptable impact upon the streetscene and the character of the area. The buildings would respect the building line to those properties to the west and the east (with the exception of the church to the east of the site which is set back from the street) and would also respect the mixed character and scale of residential properties within Stoke Road. The proposed buildings have a deeper two storey rear projection than the previously considered scheme (2018/2408) but it is not considered that this element would have a harmful impact on the character of the area or the streetscene due to its significant set back into the site. It is noted that there are examples of flatted development within Stoke Road, and it is not considered the proposal would have a harmful impact on the area by virtue of the provision of flatted development.

36. The proposed streetscene indicates that the new buildings would be higher than both neighbouring buildings. It is not considered however that the height difference, having regard to the building’s physical separation to its neighbours, and the mixed streetscene within Stoke Road, would have a harmful impact upon the streetscene. It is considered the physical separation between the proposed buildings, and separation to the neighbouring buildings, would integrate successfully into the streetscene.

37. The proposed layout of the site, with off street parking to the front, screened behind indicated soft landscaping, would have an acceptable impact on the streetscene. It is acknowledged that the primary form of off street parking in the vicinity is set to the front of buildings. The proposed layout would respect this. It is further acknowledged that the adjoining church to the east has a large car park to its front, and so the provision of parking spaces to the front of the site would not appear incongruous. The proposed arrangement for the shared amenity space
to the rear of the buildings would be appropriately scaled for this area, and there would be sufficient physical separation to that property to the sites rear so as to not provide a cramped appearance on the site.

38. It is therefore considered the proposal would have an acceptable impact upon the character of the area. Conditions to secure final details of building materials and landscaping are recommended to be attached if permission was to be granted.

Impact on the amenities of the adjoining neighbouring properties and proposed occupiers

39. Any proposed development should have an acceptable impact upon the amenities of the adjoining neighbouring properties, and not result in any unacceptable impacts upon their amenity. It is considered the overall design and scale of the proposed buildings would not result in any unacceptable harm to the amenities of the adjoining properties, or the amenities of the proposed occupiers of the proposed units, whilst the proposed buildings would be larger at their rear than the previous considered scheme and contain terraces and balconies on the rear elevation, the majority of the built form is comparable to that which was previously considered by application 2018/2408 to have an acceptable impact upon neighbouring amenity.

40. The proposed buildings would not infringe horizontal 45 degree lines within 15m for two storey development or single storey development within 8m when measured from windows serving habitable rooms of the adjoining properties. The 45 degree line is used as a guide to ensure that new development does not block light reaching windows which serve habitable rooms. It is considered the interrelationship between the proposed buildings would be acceptable and not result in any unacceptable impacts in regard to light, outlook or overbearing impact to the occupiers of the proposed flats. It is considered the buildings would be located at a sufficient distance from the existing neighbouring dwellings (over 7m to No. 32 to the west, over 8m to the church to the east, and over 26m to the dwelling to the south No. 34) to prevent unacceptable impacts upon light, outlook or overbearing impact.

41. In regard to privacy it is considered the proposed separations are sufficient to prevent any unacceptable overlooking. It is acknowledged the proposed buildings would be higher than the existing, and include window openings and terraces/balconies at higher level to the rear which would result in a greater level of overlooking than the existing situation. It is nevertheless considered due to the physical separation between the proposed buildings and the property to the south, and the fact the overlooking would be to the front of that property, and the fact that boundary screening would further reduce overlooking, that the impacts on privacy would be acceptable. Proposed flank windows on the outside (west and east) elevations of the building would serve as secondary sources of light to the rooms they serve, and can be obscurely glazed by condition to prevent unacceptable overlooking. Balconies and terraces can have screening secured by condition to prevent overlooking to the flanks. The proposed rooflights would afford views to the flanks of the development. the outside flank rooflights on the eastern building would overlook the church and car park and are not considered to cause harm to amenity. The outside rooflights of the western building would face towards the flank of No. 32. It is considered that this relationship, and the presence of mature trees which would be retained as part of the development would ensure that no loss of privacy would occur to the occupiers of this dwelling.

42. Turning to the impact on proposed occupiers, each unit would exceed the minimum internal space standard for new dwellings, and offer either outlook to the front or rear of the building. They would be served by an amenity area of an appropriate size commensurate for the buildings they serve. Each unit would benefit from one off street parking space to the front of the site which is considered appropriate in this location. refuse storage would be provided to serve occupiers in the parking area which would make for a practical refuse solution for occupiers. The existing access which serves No. 34 to the rear would be retained, and it is considered that the separation between this and proposed buildings would be sufficient to avoid adverse impacts on amenity, having regard to the existing situation.
43. It is considered that the proposal as a whole would be sited at sufficient distance from other neighbouring boundaries and elevations to avoid material harm to amenity.

**Highway safety and provision**

44. The County Highway Authority were consulted on the proposal and raised no objections after considering the application on safety, capacity and policy grounds subject to conditions in relation to parking and the submission of a construction management plan to ensure no adverse impacts on highway safety during construction. It is acknowledged that Stoke Road is a busy road, but the development would utilise the existing access. The proposed car parking area would allow sufficient space to vehicles to turn so they could enter and exit the site in a forward gear.

45. The proposal is considered to provide sufficient parking to serve the new units in accordance with the Councils parking standards, which are set as a maximum, and a condition could be applied to ensure electric car charging is included within the development. The storage of bicycles is proposed in the rear amenity area of the site.

**Impact on flooding**

46. The rear garden of the site is classified as an area at risk of surface water flooding. No part of the new dwellings would be located in this area. Surrey County Council in their role as the Lead Local Flood Authority (LLFA) were consulted on the proposal in regard to the provision of sustainable drainage (SuDS) to manage surface water. Following submission of amended information, the LLFA were satisfied of the impact of the proposal on surface water subject to the suggested conditions. On this basis the impact on flooding from the development is considered to be acceptable.

**Impact on trees**

47. There are a number of trees on and around the site, and one minor tree which would need to be removed to enable the development which is located at the rear of the site. The Councils Tree Officer was consulted on the proposal and raised no objections subject to the imposition of conditions in relation to tree protection to ensure the trees on site and in adjoining sites are protected during construction works and a condition to secure new tree planting. A landscaping condition can be applied to any grant of consent to secure high-quality landscaping on the whole site.

**Impact on ecology**

48. The application was supported by an ecological survey. Both Surrey Wildlife Trust and the Surrey Bat Group raised no objections to the proposal subject to the imposition of a condition to ensure any recommendations for the protection and enhancement of biodiversity are carried out. On this basis it is considered the proposal would not have a harmful impact upon ecology.

49. The applicant has provided a draft legal agreement to secure the appropriate mitigation for the potential impact upon the TBHSPA, to secure Strategic Access and Management Monitoring (SAMM). A final signed legal agreement is at the time of writing being prepared, and subject to receipt of this prior to determination the application would secure appropriate mitigation to the TBHSPA area, and as such would comply with Policy CS13. The Council carried out an Appropriate Assessment (AA) in regard to the development impact upon the TBHSPA and Natural England confirmed that subject to the required mitigation towards SAMM being secured the development would not have a likely significant effect on the TBHSPA.
Financial considerations

New Homes Bonus

50. 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.

51. 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 2019/20 is £957,930 (approx.).

52. 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.

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. Addressed in the above report.

55. Infrastructure improvements can be sought via the Community Infrastructure Levy which this scheme would make a contribution.

Conclusion

56. On the basis of the above, and in light of any other material consideration, the proposal is considered to be in accordance with the development plan. Consequently, the recommendation is to grant permission subject to the receipt of the satisfactory legal agreement securing the requisite financial contributions towards affordable housing and the SAMM within 3 months of a resolution to grant permission (Recommendation A). If the required legal agreement is not secured within the requisite time then Recommendation B would see permission be refused for this reason under delegated authority.

The proposed development does require a CIL payment of £171,904.42

RECOMMENDATION A

Grant planning permission, subject to the completion of a satisfactory legal agreement for affordable housing and Strategic Access and Management Monitoring within 3 months of the resolution to grant permission.

RECOMMENDATION B

If a satisfactory legal agreement for affordable housing and Strategic Access and Management Monitoring not be completed within 3 months of the resolution to grant permission Delegated authority be given to the Head of Planning Services to refuse planning permission for the following reason(s):

1. The proposal would, by reason of the lack of legal agreement in relation to a financial contribution for affordable housing, would be contrary to the requirements of Policy CS21 of

2. The proposal would, by reason of the lack of legal agreement in relation to a financial contribution for Strategic Access and Management Monitoring, would be contrary to the requirements of Policy CS13 of the Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012.

**Recommendation:** Grant Permission subject to receipt of completed legal agreement to secure affordable housing and SAMM within 3 months of the resolution to 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: 2018 P 373 301, 2018 P 373 302, 2018 P 373 303, 2018 P 373 304, 2018 P 373 305, 2018 P 373 306, 2018 P 373 307, 71058-01, 71058-02 received on 25/02/2019.

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

3. **MATERIALS SAMPLES**

   NO ABOVE GROUND DEVELOPMENT SHALL TAKE PLACE UNTIL SAMPLES OF THE MATERIALS TO BE USED ON THE EXTERNAL FACES AND ROOF OF THE BUILDING HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE BOROUGH COUNCIL. DEVELOPMENT SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED DETAILS.

   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. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

4. **OBSCURE GLAZING**

   Prior to the first occupation of the development hereby permitted the above ground floor window(s) on the flank elevation(s) 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 of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

5. **BALCONY SCREEN**

   Prior to the first occupation of the development hereby approved details of the screens for the rear balconies and side terraces shall be submitted to and approved by the Local Planning Authority. The screens shall be erected and maintained permanently in strict accordance with the approved plans.
Reason: To preserve the privacy of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

6 LANDSCAPING SCHEME
Prior to first occupation [being brought into use] written details and plans of the following landscaping works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This scheme shall include:

a) positions, height, species, design, materials and type of boundary treatment(s);
b) hard surfacing materials;
c) secure and covered cycle storage; and
d) refuse/recycling bin storage and collection

Development shall be carried out in accordance with the approved details and shall be maintained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

7 TREES PRE-COMMENCEMENT MEETING
No development including groundworks and demolition shall take place and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until a pre-commencement meeting has been held on site and attended by a suitable qualified arboriculturist, representative from the Local Planning Authority and the site manager/foreman. To agree working procedures and the precise position of the approved tree protection measures or/and that all tree protection measures have been installed in accordance with the approved tree protection plans. The tree protection measures shall be maintained for the course of the development works.

To arrange a pre-commencement meeting please email tplan@elmbridge.gov.uk with the application reference and contact details.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

8 TREES PROTECTION MEASURES
No development including groundworks and demolition and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until all tree protection measures have been installed in the positions identified on tree protection plan ref: 71058-02 received on 25/02/2019.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

9 TREES RETENTION
All existing and trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed 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, hedge or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning shall be carried out in accordance with British Standard 3998: 2010 (tree work) and in accordance with any approved supplied arboricultural information.

b) if any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained landscape features.
TREES PLANTING & MAINTENANCE
Prior to first occupation [first use] or the completion of the development hereby permitted, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. Details are to include species, sizes, locations, planting pit design, supports, and guards or other protective measures to be used. Details shall also include planting times and maintenance schedules for aftercare to ensure good establishment. If within a period of 5 years from the date of the planting of any tree, that tree, or any planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of same size and species shall be planted at the same place, in the next available planting season or sooner. The development shall be completed in accordance with the approved details.

Reason: To protect and enhance the appearance and character of the site and locality.

PARKING AND TURNING/RETENTION OF PARKING AND TURNING
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 for vehicles / cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the [parking/turning] area(s) shall be retained and maintained for their designated purpose(s).

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

METHOD OF CONSTRUCTION STATEMENT
NO DEVELOPMENT SHALL COMMENCE UNTIL A CONSTRUCTION TRANSPORT MANAGEMENT PLAN, TO INCLUDE DETAILS OF [DELETE WHERE APPROPRIATE]:
(a) PARKING FOR VEHICLES OF SITE PERSONNEL, OPERATIVES AND VISITORS
(b) LOADING AND UNLOADING OF PLANT AND MATERIALS
(c) STORAGE OF PLANT AND MATERIALS
(d) PROGRAMME OF WORKS (INCLUDING MEASURES FOR TRAFFIC MANAGEMENT)
(e) MEASURES TO PREVENT THE DEPOSIT OF MATERIALS ON THE HIGHWAY
(f) ON-SITE TURNING FOR CONSTRUCTION VEHICLES

HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE LOCAL PLANNING AUTHORITY. ONLY THE APPROVED DETAILS SHALL BE IMPLEMENTED DURING THE CONSTRUCTION OF THE DEVELOPMENT.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 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 on highway safety and amenity and should be agreed before any works begin.

ELECTRIC VEHICLE CHARGE POINTS
An electric vehicle charging point shall be provided to 20% of the available parking spaces.

**SUDS Detailed Design of System**

No above ground works and construction of the development hereby approved shall take place until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during), associated storage volumes shall be provided using an infiltration based strategy.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

**Reason:** To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

**SUDS Verification Report**

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

**Reason:** To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

**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 [STM Environmental ref: FRA-2018-001028 V 1.0] received on [25/02/2019].

**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).

**BIODIVERSITY MITIGATION**

The development shall be carried out in accordance with the conclusions and recommendations in the Ecology Report (ref: 193073/JDT) including any biodiversity enhancements by AA Environmental Limited dated 20/02/2019 (received on 25/02/2019).

**Reason:** In the interest of preserving and enhancing protected species and biodiversity in compliance with Policy DM21 of the Elmbridge Development Management Plan 2015 and the NPPF 2018.

**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

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 OBSTRUCTION OF PUBLIC HIGHWAY
The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

3 SUDS - AFFECTING A WATERCOURSE
If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the SCC website.

4 SUDS - SOURCE PROTECTION ZONE
If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

5 THAMES WATER PUBLIC SEWERS
As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way. The applicant is advised to read the Thames Water guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.

6 THAMES WATER MINIMISING GROUNDWATER DISCHARGE
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/jwastewaterquality.

7 THAMES WATER SURFACE WATER DRAINAGE
With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water Thames Water would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services

8 THAMES WATER - WATER SUPPLY
With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000

9 SECURED BY DESIGN
The applicant is recommended that the development should achieve the full Secured by Design award. The SbD scheme can be viewed at: www.securedbydesign.com