<table>
<thead>
<tr>
<th>Application No:</th>
<th>2019/0837</th>
<th>Application Type:</th>
<th>FULL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Officer:</td>
<td>Rob Naylor</td>
<td>Ward:</td>
<td>Hinchley Wood and Weston Green Ward</td>
</tr>
<tr>
<td>Expiry Date:</td>
<td>19/06/2019</td>
<td>Proposal:</td>
<td>Two-storey side/rear extension with rooms in the roof space, rear and side dormer windows, front roof lights and alterations to fenestration to create 8 residential units, with associated bin store and parking, following partial demolition of existing house.</td>
</tr>
<tr>
<td>Location:</td>
<td>2 Hillcrest Gardens Esher Surrey KT10 0BS</td>
<td>Applicant:</td>
<td>Mr P Cook</td>
</tr>
<tr>
<td>Agent:</td>
<td></td>
<td>Decision Level:</td>
<td>Permit – Sub-Committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Refuse – Sub-Committee</td>
</tr>
<tr>
<td>Recommendation:</td>
<td></td>
<td></td>
<td>Permit</td>
</tr>
</tbody>
</table>

## Report

### Description

1. The application site is located on the western side of Hillcrest Gardens close to the junction with A309 (Kingston by-pass). The application site relates to a two-storey detached dwelling to the west of Hillcrest Garden, a residential road in Hinchley Wood. The site is located within the DHW03 Hinchley Wood character area identified in the Elmbridge Design and Character SPD. This is a residential area characterised predominantly by detached dwellings.

### Constraints

2. The relevant planning constraint is:

   - Potential land contamination

### 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
   CS8 – Thames Ditton, Long Ditton, Hinchley Wood and Weston Green
   CS15 - Biodiversity
   CS17 – Local Character, Density and Design
   CS19 – Housing type and size
   CS21 – Affordable Housing
   CS25 – Travel and accessibility
   CS26 – Flooding
   CS28 – Implementation and Delivery

   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
### 4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/2958</td>
<td>Two-storey side/rear extension with rooms in the roof space, rear and side dormer windows, front roof light and alterations to fenestration to create 8 residential units following partial demolition of existing house.</td>
<td>Refused permission for the following reasons: The proposed development by reason of its size, bulk and massing would lead to an overdevelopment of the plot which would have a harmful impact on the character of the area. This proposal is therefore contrary to Policy DM2 and DM6 of the Development Management Plan 2015, Policies CS8 and CS17 of the Elmbridge Core Strategy 2011, Elmbridge Design and Character SPD and National Planning Policy Framework 2012. The proposed parking area at the front of the site would dominate the streetscene and have a harmful visual impact on the streetscene which would be harmful to the character of the area. The proposal is therefore contrary to Policy DM2 and DM7 of the Development Management Plan 2015, Policies CS8 and CS17 of the Elmbridge Core Strategy 2011, Elmbridge Design and Character SPD and National Planning Policy Framework 2012. The decision was appealed and dismissed by the Planning Inspectorate. The Inspector cited that the two main issues of the appeal were a) the living conditions of the neighbouring property at 4 Hillcrest Gardens and b) the character and appearance of the area. In regard to point a) given that the proposal had a number of windows that faced the adjoining property and it would have been unreasonable to condition these to be obscured glazed the Inspector concluded that the proposed development would harm the living conditions of neighbouring occupiers at No 4 with particular regard to privacy and future occupiers of the proposed development with particular regard to outlook. However, in respect to point b) the Inspector found would retain the traditional character of the original house, would continue the rhythm and design of the existing windows giving the overall effect of a large traditional house that would be in keeping with the character of Hillcrest Gardens. The proposed development would not harm the character and appearance of the street scene or surrounding area with particular regard to the parking area. It would therefore accord with DMP Policies DM2, DM6 and DM7 in this regard.</td>
</tr>
</tbody>
</table>
Proposal

5. This is the second application following the previously refused and dismissed scheme and is seeking to address the concerns and reasons for refusal. The proposal is for a two-storey side and rear extension with rooms in the roof space, rear and side dormer windows, front rooflight windows and alterations to fenestration to create 8 residential units (4 x 2 beds and 4 x 1 bed units) following partial demolition of existing house.

6. The main differences between the current scheme and the previously refused scheme have been highlighted in the tables below (NB: images are not to scale):

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed front elevation</td>
<td>Proposed rear elevation</td>
<td>Proposed side elevation (facing 4 Hillcrest Gardens)</td>
</tr>
</tbody>
</table>

7. The current scheme has sought to address the concerns of the previous refusal and dismissed scheme, specifically:

- The roof height has been re-designed to allow for a subservient section and the ridge height has been reduced;
- The dormer windows, first floor and ground floor side facing windows adjacent to No. 4 Hillcrest Gardens have all been removed;
- The floor layouts have been amended to allow for improved room sizes.

Consultations

8. Elmbridge Housing Services – Would require 2 onsite affordable units to be supplied along with a commuted sum subject to viability.

9. Head of Environmental Services (Environmental Health) – No objections subject to conditions and informative in regard to potential land contamination

10. Head of Environmental Services (Joint Waste Solutions) – Further information is required in respect to bins stores and number of bins which can be conditioned.

11. Surrey County Council (Highways Authority) – Initially raised some concerns in respect to encroachment on to the public highway. Following negotiations with the applicant they have revised this to no objection, subject to suggested conditions and informatives
12. Natural England – No comment to make. Standing advice

**Positive and Proactive Engagement**

13. 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.

14. Following the refused and appealed scheme the applicant undertook public consultation prior to the submission of the current application. The local residents that originally objected to the original application were encouraged to comment on the new scheme. A total of 24 letters were posted and 3 responses were received. Subsequently changes have been made from this process including additional proposed landscaping.

**Representations**

15. The Council notified 87 number of properties and a site notice was displayed outside the site.

16. A total 19 responses have been received in respect to the current application all objecting to the scheme and have raised the following concerns:

- Flats are too small
- Not enough parking and increase in on street parking
- Lack of amenity space and communal gardens
- Impact on the local infrastructure
- Impact on the highway safety
- Issues over boundary treatment and land ownership
- Mass and size are not in keeping with the surrounding area
- Negative impact on parking
- Not in keeping with the character and appearance of the area
- Too many units and too dense for the area
- Over development
- Refuse and recycling arrangements are in adequate
- Disruption caused by noise and smell
- Loss of privacy
- Supporting comments are no affected by the development

17. A further 15 responses have been received in support to the scheme stating the following:

- Sensible approach for providing housing for smaller families
- Good transport links
- Sustainable location
- In character with the area
- Use of previously developed land
- Providing good quality and much needed housing

18. A further representation has been received claiming that supporting letters would appear to be connected to the developers Matthew Thomas Cook and Peter David Cook, showing a vested interest in the site.

**Planning Considerations**

19. The main planning considerations of the proposal are as follows:

- Principle of development
- Affordable housing
- Design and impact on local character
- Impact on amenity of neighbouring properties
Principle of Development

20. The NPPF seeks a presumption in favour of sustainable development with emphasis on the needs to secure high-quality design and a good standard of amenity for all existing and future occupiers of different areas. Under policy CS2 the Council will encourage appropriate housing development on previously developed land within the urban area, by delivering high density housing developments in the most sustainable locations.

21. The site falls within the definition of previously developed land given that it is currently occupied by a single family dwellinghouse. The application is for demolition of the existing property and replacement with a flatted development providing 8 additional smaller homes within the borough. The application seeks to provide 8 smaller 1 and 2 bed units of which the borough has an identified shortage. The application for additional residential accommodation is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

22. Furthermore, the principle of flatted development has already been found acceptable as part of the assessments of the previous planning applications and it would be unreasonable to reach alternative view here.

Affordable Housing requirements

23. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development resulting in the net gain of 6 - 14 residential units should provide 30% of the gross number of dwellings on-site as a financial contribution. It is acknowledged that a revised 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.

24. 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.

25. 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...’
26. 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.

27. 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.

28. 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.

29. 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 effect on small schemes. Where evidence is submitted to the contrary, the Council will, in accordance with policy CS21 and the Development Contributions Supplementary Planning Document (SPD) (2012), allow flexibility.

30. The applicant has submitted a viability assessments and additional information in relation to open market valuations and build costs. This has been reviewed by an independent Financial Viability consultants (DSP) who have concluded that the scheme could not support a contribution to affordable housing. Since the previous scheme, the build costs have significantly increased on average whereas there has been only a minimal increase in sales values locally. As such a nil-contribution is considered acceptable in this instance.

Design and impact on local character

31. The NPPF places weight on achieving well-designed places highlighting that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy CS17 identifies Elmbridge’s unique environment and characteristics and requires new development to deliver high quality inclusive and sustainable design to maximise the efficient use of the urban land.

32. Policy DM2 highlights that development proposals must be based on an understanding of local character including any specific local designations and take account of the natural, built and historic environment. Development proposals will be expected to take account of the

33. The application site is located in the Hinchley Wood character area (DHW03) sub area which highlights that the area which was mostly developed in the early 1930s with much homogeneity and cohesiveness although the later development of parts of Lynwood Road, Woodfield Road and Hinchley Park vary in character. Large semi-detached and detached houses are generally set in large deep plots with gardens to the front and rear. All houses have off street parking often with garages converted to additional accommodation or integral to later extensions. The consistency in house design and use of materials within roads is a strong part of the character of this part of the settlement area. This is combined with the high quality public realm, particularly the presence of street trees, which accentuates the leafy suburban character.

34. The previous scheme (2017/2958) was refused as the size, bulk and massing was considered to lead to an overdevelopment of the plot which would have a harmful impact on the character of the area. However, in dismissing the appeal, the Planning Inspectorate found the "proposed extension would echo design features common to Hillcrest Gardens and repeat features of the existing building such as the hipped roof and gable projection. Furthermore, the height of the ridge would be the same as existing which would lessen the impact when viewed from the residential area. The proposed extension would retain the traditional character of the original house, would continue the rhythm and design of the existing windows giving the overall effect of a large traditional house that would be in keeping with the character of Hillcrest Gardens. These features would be in accordance with the Design and Character SPD (SPD) which places importance in massing for determining the character and appropriateness of proposed." (paragraph 16)

35. Paragraph 17 of the Inspectors report further states: “While I acknowledge concerns that the proposed development would create a higher density of dwellings than the neighbouring properties, there is no evidence before me of any harm that would result or any policy conflict.” The application has been further amended specifically in that the roof height has been reduced and a subservient section has been added to the northern section. Furthermore, the side dormer has been removed from the southern side of the roof thus further reducing the bulk.

36. The design approach seeks to respect the dominant character type of large detached dwellings in appearance, and although a flatted development, would appear akin to a large detached dwelling-house rather than a "block of flats". The overall height of the proposal would be similar to the adjoining properties and again would be an acceptable relationship between eaves and ridge heights. Whilst it is acknowledged that the proposal would provide two/three storeys with accommodation in the roof, the proposal has been designed to appear similar to a two-storey dwelling-house. The resulting building would retain comparable distances to others in the vicinity and not result in a terraced appearance and the setting ensures that the development does not appear overly cramped in its plot.

37. A large portion of the front garden would be given over to hard-standing to allow for off street parking for the new dwellings. The driveway has been stated as being level with the road, and would therefore require excavation works, however as the Inspector opined this would appear less prominent than if it was sloping up towards the proposed building. The Inspector also stated: “Furthermore, the majority of properties on both Hillcrest Gardens and Hinchley Drive have paved driveways, and while the proposed driveway would be larger than some in the area, it would not be incongruous such that it would harm the character and appearance of the street scene. Additionally, the proposed driveway would be situated adjacent to a portion of the road that is visually separate from the rest of Hillcrest Gardens and would be less sensitive in terms of character given the relative close proximity to the Kingston Bypass.” (Paragraph 19)

38. Given the overall scale of the development, the extent of hardstanding would not be excessive. The site offers sufficient opportunities for soft landscaping and this can be secured by way of a condition.
39. Having considered all of the above, against the backdrop of housing need, officers of the opinion that the proposed development would not harm the character and appearance of the street scene or surrounding area with particular regard to the parking area. It would therefore accord with the Development Management Plan Policies DM2, DM6 and DM7 in this regard which seek to achieve high quality design and acceptable access and parking provision. It would also not conflict with the Core Strategy Policies CS8 and CS17 which require new development to be well designed and contribute to local character. It would also accord with the SPD and the Framework in this regard.

Impact on amenity of neighbouring properties

40. 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. The properties most effected are those at number 4 Hillcrest Avenue adjoining the site to the south and 1 Hinchley Drive to the east.

41. It is acknowledged that the previous scheme was refused and dismissed at appeal specifically as the proposed development would harm the living conditions of neighbouring occupiers at No 4 with particular regard to privacy and future occupiers of the proposed development with particular regard to outlook. The proposed scheme has sought to address these concerns through the following measures:

- Removal of the dormer windows, first floor and ground floor side facing windows adjacent to No. 4 Hillcrest Gardens

4 Hillcrest Avenue

42. The previous scheme was found not to create any additional impact in terms on the neighbouring property and did not create any loss of light upon the occupiers of the neighbouring residential property, which was accepted by the Inspector. However, the main concerns of the Inspector were the addition of windows in the flank elevation which would overlook the neighbouring rear garden including patio area at close proximity thereby causing harm to the privacy of the occupiers of 4 Hillcrest Avenue.

43. The alterations to the scheme have removed all the flank windows in this elevation which is an improvement on the existing site which has three first floor windows. As such, any overlooking from here has been mitigated given that there are now no flank windows and would not provide additional overlooking beyond that currently experienced which is an acceptable arrangement.

1 Hinchley Drive

44. The Inspector found that there was no impact on amenity to this property that would warrant a refusal stating: “I acknowledge the concerns from occupiers of No 1 Hinchley Drive regarding privacy. However, given that this property is on the opposite side of the road to the appeal site, and is not located directly opposite to the proposed building, any effect of the proposed development on the privacy of the occupiers of this dwelling would be negligible.” The same is true of this application.

45. In regard to noise and disturbance the proposed development would not result in undue noise, light or air pollution as a result of an increased number of occupants on the site given the proposal is for eight flats. The use would intensify the vehicular movement at the site, but this would not be significant given the surrounding residential area. Overall subject to suitable conditions any harm to amenity can be mitigated.

Provision of suitable living conditions

46. Policy CS19 of the Core Strategy states that the council will seek to secure a range of housing types and sizes on developments across the borough in order to create inclusive and
sustainable communities reflecting the most up to date SHMA in terms of size and type of dwellings.

47. 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. All of the residential units would comply with the minimum internal floor areas. The proposed development would provide spacious accommodation throughout with suitable outlook, natural lighting and ventilation.

48. The three ground floor flats will each benefit from a small private garden area with the remaining flats having to share a small communal area at the front of the site. Whilst the Council’s guidance does not specify the amount of communal space that needs to be provided for flatted development, the site is located very close to the Hinchley Wood Centre and the large woodland/common area which would provide the future occupiers with large public amenity areas. The proposed communal garden area would be adequate complying with the expectations of the development plan. There would be adequate space for the suitable storage of refuse and recycling facilities in the single storey element at the front although further details are required in respect to this, and this can be secured by way of a condition.

49. The development will result in a high-quality development all with adequate amenities and provides a good standard of accommodation for future occupiers in accordance with policy

Highways impact

50. The County Highways Authority (CHA) has made an assessment relating to the impact that this development would have in terms of safety, capacity and policy grounds on the public highway. This proposal is not considered to create any significant impact upon highway safety or capacity grounds subject to the provision of conditions.

51. The CHA is aware that concerns have been raised by residents regarding the highway impact of the development, and the CHA has previously raised concerns regarding Highway land encroachment by the development. The latter has been subject to an amended plan submitted by the Applicant indicating that Highway land will not be encroached on, and the CHA is satisfied with the amendment in this respect.

52. Regarding the other concerns raised in relation to the development and the potential impact on highway safety, the CHA has carried out several site visits to understand the concerns and carried out an RTI (Road Traffic Incident) check to ascertain whether there is an existing highway safety problem within the vicinity of the site. The RTI check has demonstrated there have been four recorded incidents within the vicinity of the Hillcrest Gardens/Kingston Bypass, since 2008, the most recent being in 2011. None of these have been demonstrated as being in relation to the junction itself. There is therefore not sufficient evidence to demonstrate the presence of an RTI blackspot.

53. The presence of parked vehicles causing a concern, and the potential for overspill from the development has been considered (in highway safety terms) and, during the site visits carried out it was noted that there are minimal on street parking restrictions within Hillcrest Gardens or the surrounding residential roads.

54. The Highway Code (HC rule 243) recommends that drivers do not park within 10 metres of a junction. Given the visibility afforded by the junction, and the recommendation within the HC, it is considered that drivers should be able to exit the Kingston Bypass and enter Hillcrest Gardens safely if they are driving at a speed where they are able to stop within the distance they can see to be clear.

55. It is likely that the majority of motorists using this junction will be residents - there is no through road from Hillcrest Gardens. As such they will have the benefit of the knowledge of the road layout and the increased presence of hazards typically found in these kind of residential locations. Motorists in these environments tend to alter their behaviour accordingly - driving
more slowly with a greater awareness. This leads to lower RTI rates and reduced highway safety risks.

56. Finally, the CHA has considered the location of the site, and the future occupiers. There are opportunities for sustainable travel within close proximity to the site, including Bus Stops and Hinchley Wood Railway Station. Local services are provided at Hinchley Wood neighbourhood centre and considering the development is for one/two bedroom apartments the demographic expected to be drawn to occupy such a development is reasonably expected to have a lower reliance on private vehicle transport. The location is relatively sustainable in transport terms.

57. Given the above, the relatively limited additional trip rates associated with the development, and the lack of a significant or severe impact on the local highway network, the CHA raises no further objections to the proposal on highway safety or capacity grounds, subject to the inclusion of conditions within any permission granted, it is also considered prudent to impose a condition requiring a Construction Method Statement to be provided.

Impact on trees

58. The proposal requires the removal of 3 semi-mature trees that are of moderate/poor quality. As with the previous application given that there is limited space for replanting no objection is raised to this proposal on arboricultural grounds. It has also been confirmed that there is no requirement for any conditions to be imposed.

Biodiversity

59. The application site is not near an area of special scientific interest or a site of nature conservation value. During the officer’s site visit, there is no evidence to suggest that any protected species are on site. With regard to additional wildlife concerns, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

Financial Considerations

60. 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.

61. 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).

62. 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)

63. The proposed development is liable for CIL. The applicant has provided the relevant forms in accordance with the relevant regulations. The CIL payment would be £66,325.16

Matters raised in Representations

64. Representations have raised concerns that the local infrastructure and community services will be unable to cope with additional families moving into the area. The development will be
liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools, GPs, etc.

65. Representations have been raised in respect to the pressure on the existing infrastructure (waste pipes). This is not an issue that can be considered as part of this planning application. It will be for the developer to ensure that suitable measures are put in place during the construction phase.

66. All other matters have been addressed in the report above.

Conclusion

67. 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.

The proposed development does require a CIL payment

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: 19/HG/NPA-04 and 19/HG/NPA-01 received on 9th April 2019; 19/HG/NPA-05 received on 11th April 2019; 19/HG/NPA-02 received on 24th May 2019; and 19/HG/NPA-03 Rev A received on 4th June 2019.

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

3. POTENTIAL LAND CONTAMINATION
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 steps must be completed to the satisfaction of the Council. No demolition or site clearance shall be commenced until step (a) has been completed by a competent person. Furthermore, 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.

a) Preliminary Investigation of the Site
A preliminary investigation shall be carried out by a competent person prior to any site clearance or demolition, to assess the condition of the land to be re-developed, in respect of contamination. The preliminary investigation must, as a minimum, include a desk-based evaluation, site walkover and Conceptual Site Model and may include intrusive investigation. A written report of the investigation shall be submitted to the Council for written approval.

If the Council are satisfied that there is a significant possibility that the site could pose a significant risk to future occupiers under its proposed redevelopment use as a result of contamination, then the following additional steps shall also be carried out.

b) Site Investigation, Method Statement and Remediation
A written site-specific investigation plan using the information obtained from the preliminary investigation, providing details of the investigation for soil, gas and controlled waters where appropriate, shall be submitted to, and approved by, the Council.

The site investigation shall be undertaken in accordance with the scheme agreed by the Borough Council. The results of the site investigation, a refined conceptual model and a risk assessment of any contamination found shall be submitted in writing to, and approved by, the Council.

A written Method Statement detailing any remediation requirements shall be submitted to, and approved by, the Council.

c) Development in accordance with the Method Statement

The development of the site shall be carried out in accordance with the approved Method Statement, and any addenda submitted by the developer, and agreed in writing by the Borough Council. Any post remediation monitoring identified in the Method Statement, shall be installed by the developer within the timescales identified in the Method Statement and maintained and operated for as long as identified by the Method Statement.

d) Unsuspected Contamination

If, during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and had approved by the Council, a written addendum to the Method Statement detailing how the unsuspected contamination shall be dealt with.

e) Piling

Development approved by this permission shall not commence unless the method for piling foundations (if piling is to be used on site) has been submitted to, and agreed in writing, by the Borough Council. The piling shall be undertaken only in accordance with the approved method.

f) Imported material

Clean, uncontaminated rock, soil, brick rubble, crushed concrete or ceramic only shall be permitted as infill material. The developer shall not import any material until a sampling program, including appropriate import criteria for the proposed end use and frequency of sampling, has been submitted in writing, and approved by, the Council. The Developer shall carry out the approved sampling program to check that all imported material conforms to the agreed criteria. Where the permitted end use is residential, the sampling program shall also include samples taken from the imported material after final placement. Written confirmation of the suitability of all imported materials shall be provided to the Council as part of step (g). This shall include both the results of the sampling program and also details of the origin, transport, final deposition and any temporary stockpiling of the imported materials.

g) Completion of Remediation and Verification Report

Verification by an independent, competent person must be carried out prior to occupation of any part of the site by any end user.

Upon completion of the remediation detailed in the Method Statement, and before occupation of any part of the site by any end user, a written Verification Report shall be submitted to, and agreed in writing by, the Council providing verification that the required works regarding decontamination and installation of post remediation monitoring, have been carried out in accordance with the agreed Method Statement and any addenda thereto. The verification shall be carried out and reported by an independent, competent person, stating that remediation was carried out in accordance with the approved remediation scheme and that the site is suitable for the permitted end use.

Reason: To avoid adverse effects from pollution on the environment, harm to human health or general amenity, in accordance with the National Planning Policy Framework.
4 BIN STORAGE
Prior to first occupation of the development hereby approved, details of bin storage; collection point and management plan shall be submitted to Local Planning Authority for approval. Once approved, the details shall be implemented and permanently maintained.

Reason: To ensure that future occupants have satisfactory facilities for the storage of refuse and recycling and to preserve the amenities of the area in accordance with Policies DM2 and DM8 of the Development Management Plan 2015.

5 MATERIALS TO MATCH
The materials to be used in the construction of the external surfaces of the extension shall match as nearly as is practically possible those of the existing building to which it is attached, in colour, type, finish and profile.

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.

6 LANDSCAPING - SCHEME
NO DEVELOPMENT SHALL TAKE PLACE UNTIL FULL DETAILS OF BOTH HARD AND SOFT LANDSCAPING WORKS HAVE BEEN 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.

7 FLAT ROOF - NO OTHER USE
The flat roof to the extension hereby permitted shall not at any time be altered or adapted to form a balcony, roof garden or similar amenity area without the grant of a further specific permission from the Borough Council.


8 NEW ACCESSES
No part of the development shall be first occupied unless and until the proposed vehicular accesses and modified access to the site has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with policy DM7 of the Elmbridge Local Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National Planning Policy Framework 2019.

9 PARKING PROVISION
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 and cycles to be parked. All cycle parking shall be secure, covered and lit. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with policy DM7 of the Elmbridge Local Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National Planning Policy Framework 2019.
10 ELECTRIC VEHICLE CHARGING PROVISION
The development hereby approved shall not be occupied unless and until each of the
proposed parking bays are provided with a fast charge socket (current minimum requirements
- 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in
accordance with a scheme to be submitted and approved in writing by the Local Planning
Authority and thereafter retained and maintained to the satisfaction of the Local Planning
Authority.

Reason: To ensure that the development should not prejudice highway safety nor cause
inconvenience to other highway users in accordance with policy DM7 of the Elmbridge Local
Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National
Planning Policy Framework 2019

11 CONSTRUCTION MANAGEMENT PLAN
No development shall commence until a Construction Transport Management Plan, to include
details of:
(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) provision of boundary hoarding behind any visibility zones
(f) measures to prevent the deposit of materials on the highway
(g) before and after construction condition surveys of the highway and a commitment to fund the
repair of any damage caused
(h) on-site turning for construction vehicles, or equivalent traffic management 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: To ensure that the development should not prejudice highway safety nor cause
inconvenience to other highway users in accordance with policy DM7 of the Elmbridge Local
Plan April 2015 & CS25 of the Elmbridge Core Strategy, and in recognition of the National
Planning Policy Framework 2019

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 ELECTRIC VEHICLE CHARGING
It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet
future demands and that any power balancing technology is in place if required. Please refer
to: http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html for guidance and further information on charging modes and connector
types.
OTHER WORKS ON THE HIGHWAY
The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council’s Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice

NEW DROPPED KERB/ACCESS
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

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.
Notes:
- Do not scale dimensions from this drawing
- Do not copy this drawing without express permission from Wynngate Ltd
- All boundaries, dimensions and levels are to be checked on site
- Any discrepancies in the information contained should be reported to Wynngate Ltd

Title:
SITE LOCATION PLAN

Address:
2 HILLCREST GARDENS, Esher, Surrey
KT10 0BS

Client:
Mr Cook

Scale:
1:1250

Paper Size:
A4

Drawing No:
19/HG/NPA-04

Rev:

Date:
23.01.2018

Developer:
Wynngate Ltd
Title: Proposed Street Elevation & Site Layout

Address: 2 Hillcrest Gardens, Esher, Surrey KT10 0BS

Client: Mr. Cook

Contact: Wynngate ltd
6th Floor
Charles House
108-110 Finchley Road
London
NW3 5JJ

e: office@wynngate.co.uk
t: 0207 8662114
w: wynngate.co.uk

Notes:
- Do not scale dimensions from this drawing
- Do not copy this drawing without express permission from Wynngate ltd
- All boundaries, dimensions and levels are to be checked on site
- Any discrepancies in the information contained should be reported to Wynngate ltd

Contact:
Wynngate ltd
6th Floor
Charles House
108-110 Finchley Road
London
NW3 5JJ

e: office@wynngate.co.uk
t: 0207 8662114
w: wynngate.co.uk

Revisions:
Revision A:
- Red line boundary updated
- Car parking and landscaping layout redesigned

Date: 03.06.2019

Scale: 1:100
Proposed Plans and Elevations

Address:
2 Hillcrest Gardens, Esher, Surrey
KT10 0BS

Client:
Mr. Cook

Contact:
Wynngate ltd
6th Floor
Charles House
108-110 Finchley Road
London
NW3 5JJ

e: office@wynngate.co.uk
t: 0207 866 2114
w: wynngate.co.uk

Notes:
- Do not scale dimensions from this drawing
- Do not copy this drawing without express permission from Wynngate ltd
- All boundaries, dimensions and levels are to be checked on site
- Any discrepancies in the information contained should be reported to Wynngate ltd

Title:

Address:

Client:

Contact:

Notes:

Title:

Address:

Client:

Contact:

Notes:

Title:

Address:

Client:

Contact:

Notes:

Title:

Address:

Client:

Contact:

Notes:

Title:

Address:

Client:

Contact:

Notes: