Report To East Area Planning Sub-Committee – List A – Applications For Decision

<table>
<thead>
<tr>
<th>Application No:</th>
<th>2015/4481</th>
<th>Application Type:</th>
<th>FULL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Officer:</td>
<td>Steve Elliott</td>
<td>Ward:</td>
<td>Thames Ditton</td>
</tr>
<tr>
<td>Expiry Date:</td>
<td>07/03/2016</td>
<td>Proposal:</td>
<td>A terrace of 4 two storey houses with rooms in the roof space, dormer windows, front balconies and attached garages to Plots 1 and 4, and associated access and parking following demolition of existing buildings</td>
</tr>
<tr>
<td>Location:</td>
<td>Royston Portsmouth Road Thames Ditton Surrey KT7 0TF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Portchester Estates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agent:</td>
<td>Mr Sati Panesar</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DHA Planning &amp; Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cervantes</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ellesmere Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weybridge</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Surrey</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KT13 0HQ</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decision Level:</td>
<td>If Permit – Sub Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation:</td>
<td>Permit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Representations:** Seven letters of representation have been received from 5 separate households raising the following concerns:

- Inappropriate height and visual dominance
- Impact upon the transition into the Conservation Area
- The mansard style roof does not reflect the character and appearance of the area
- The design is comparable to an inner city development for multiple occupancy
- Loss of light
- Loss of privacy
- Loss of neighbouring amenity (Light and Noise pollution)
- Portsmouth Avenue needs resurfacing
- No bin store details
- Plans do not provide sufficient information

**Report**

1. The application site is a corner plot which currently occupied by a large detached two storey Edwardian dwelling with a single storey wing and attached single garage situated just outside of the Giggs Hill Green Conservation Area. To the rear of the site is a large expanse of hardstanding which serve a block of garages. The existing property fronts onto Portsmouth Road but has an additional vehicular access onto Portsmouth Avenue and is sited within an irregular shaped plot. There are a number of outbuildings to the rear of the main building. The site is adjacent to the Portsmouth Avenue ‘T’ junction with Portsmouth Road. The site is identified as being within Sub Area DHW02 (Thames Ditton, Giggs Hill Green & part of Long Ditton).
Constraints

2. The relevant planning constraints are:
   - Adjacent to a Conservation Area
   - Flood Zone 2
   - Classified A Road

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
   CS8 – Thames Ditton, Long Ditton, Hinchley Wood and Weston Green
   CS17 – Local Character, Density and Design
   CS21 – Affordable Housing
   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
   DM10 – Housing

   Design & Character SPD 2012

   Developer Contributions SPD

4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/3570</td>
<td>4 terraced two storey houses with rooms in the roof space, dormer windows, front balconies, attached garages to Plots 1 and 4 and associated access and parking following demolition of existing buildings</td>
<td>Withdrawn</td>
</tr>
</tbody>
</table>

Proposal

5. Planning permission is being sought for a terrace of 4 two storey houses with rooms in the roof space, dormer windows, front balconies and attached garages to Plots 1 and 4, and associated access and parking following demolition of existing buildings.

6. This proposal encompasses the entire footprint of the existing building, however, it extends nearer to the Portsmouth Avenue boundary. The new dwellings would front onto Portsmouth Road and would not be any closer to the road frontage or be any higher than that of the existing dwelling to be demolished.

Consultations

7. Conservation Officer – Raised no objection

8. Tree Officer – Raised no objection subject to suitably worded tree protection conditions being imposed.
9. Surrey County Council Transportation – Based upon the information supplied the Highway Authority has assessed the impact of the proposal on highway safety and capacity and raised no objections subject to suitably worded conditions and informatives being imposed. The development is considered to be in accordance with policy DM7 of the Elmbridge Development Management Plan 2015.

10. Environment Agency – No objection subject to application meeting the Standing Advice.

11. Surrey Bat Group – Raised no objection to the revised/amended details subject to a suitably worded condition being imposed.

12. Surrey Wildlife Trust – Raised a concern based upon the original Bat Survey. No comments have been received following the amended details.

Positive and Proactive Engagement

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

14. No formal pre-application advice was sought prior to the submission of this proposal.

Planning Considerations

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

- The design of the proposal and its impact on the character of the area and the streetscene
- The impact on the amenity of neighbouring properties
- The impact on garden space
- Trees
- Highways
- Ecology
- Flooding
- Developer contributions

The design of the proposal and its impact on the character of the area and the streetscene

16. There is an eclectic mix of property styles within the locality, both in terms of age and design. The mix includes detached and semi-detached houses, in addition directly opposite the site is a car dealership which includes a very large sales building and associated forecourt to display numerous cars. It is also noted that within 150m of the application there is a recently completed development of planning permission 2012/1518 for 6 detached two storey houses with part basement incorporating garages and dormer windows, these new dwellings could be described as townhouses.

17. The proposed development would have a central ridge height that is comparable to that of the existing building with the two slightly subservient wings being lower than the ridge of the existing building. In order to accommodate additional rooms in the roofspace it has been designed to have a crown roof. Such roofs whilst not being common features within the locality there are a number that exist, in addition there are a number of large expanses of flat roofed area located within close proximity to the application site.

18. The proposal includes a parking area which is to be accessed via Portsmouth Avenue, whilst this will increase the hardstanding in this area it will be largely screened by the existing hedging and therefore it is not considered to significantly detract upon the views from within the streetscene.
19. The Conservation Officer in assessing the proposal identifies that whilst it would be preferable to have two pairs of semi-detached dwellings as opposed to a terrace of four dwellings the proposed development would not adversely impact upon the setting of the Conservation Area.

The impact on the amenity of neighbouring properties

20. The proposed flank wall of Plot 1 project beyond the rear wall of the existing building however it will be located slightly further away. The plans also indicate that the proposed garage for Plot 1 will be set further back that of the existing under-croft area. Despite this the plans indicate that there would be no breach of the 45 degree angle from any habitable room windows within the neighbouring property and therefore it is considered that no adverse loss of light will be created.

21. The proposed plans indicate that there will be first floor side facing windows within Plots 1 and 4. The windows serving Plot 4 will only look over Portsmouth Avenue and therefore they will not create any adverse loss of privacy. The windows serving Plot 1 would however have unrestricted views into the neighbouring rear garden, as a result it is considered reasonable to impose an obscure glazing condition.

The impact on garden space

22. Each of the proposed dwellings will benefit from their own private rear gardens, the shortest of these gardens would be for Plot 3 which would be 12.25m with the others all having a depth of 14m or greater. Given the nature of other gardens within the locality it is considered that the garden sizes are commensurate to others within the locality.

Trees

23. The Tree Officer has assessed this proposal and raised no objection subject to suitably worded tree protection conditions being imposed. The suggested conditions are considered reasonable.

Highways

24. The Highway Authority have assessed this proposal and raised no objection subject to a number of suitably worded conditions being imposed. These conditions relate to the method of construction given the proximity of the development site to a Classified A road and the provision of suitable pedestrian inter-visibility splays to avoid a conflict occurring between pedestrians and vehicles exiting the site. These conditions are considered reasonable.

Ecology

25. A Bat Report prepared by Applied Ecology Ltd dated July 2015 accompanied this application in which both the Surrey Bat Group and Surrey Wildlife Trust raised a concern. This report was subsequently bolstered by an email dated 26 February 2016 from the agents which addressed these concerns. As a result of this email Surrey Bat Group have confirmed that subject to the suggested recommendations being carried out as identified within the original report no objection is raised. It is therefore considered reasonable to impose this suggested condition.

Flooding

26. A Flood Risk Assessment (FRA) prepared by Water Environment Limited dated September 2015 has accompanied this application and identified that the finished floor levels of the new dwellings will be 10.1m AOD, this is some 600mm above the 1% AEP flood water level of 9.50AOD. In addition this proposal will significantly reduce the combined coverage of roofed and hardstanding areas, which as a result will increase the permeable area within the site and subsequently the surface water runoff from the site will be reduced. In terms of the risk of flooding elsewhere it is acknowledged that due to the small nature of this site when compared
to the wider flood risk area it will not result in a reduction of the surface water flooding however it will not increase the risk.

Developer contributions

27. 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.

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

29. In the 2014-15 allocation, the Council received £2.07m through the New Homes Bonus. The Council’s New Homes Bonus allocation for 2015-16 is £2.45m.

30. Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the New Homes Bonus would be payable for the net increase in dwellings from this development.

31. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development resulting in four new dwellings should provide a financial contribution equivalent to the cost of 20% of the gross number of dwellings on site as Affordable Housing. A suitably worded Unilateral Undertaking has been provided to secure this contribution. The Unilateral Undertaking also includes the requisite financial contribution in relation to the Thames Basin Heath SPA (Strategic Access Management Monitoring).

32. The proposal is also liable for a contribution towards the Community Infrastructure Levy (CIL).

Matters Raised in Representations

33. The Highway Authority have not raised any issues relating to the resurfacing of Portsmouth Avenue and not raised any objection, nor have they requested that the applicant enters into any such legal agreement.

34. The proposed plans do not indicate a bin storage area as a result it is considered reasonable that a condition be imposed that would ensure that these details are provided to and agreed prior to first occupation.

35. The plans as submitted meet the national and local validation requirements and therefore the additional information requested is not information that the applicant needs to provide.

Conclusion

36. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.

<table>
<thead>
<tr>
<th>Case Officer Checklist</th>
<th>SEL 17/03/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbour Notifications</td>
<td>SEL 17/03/2016</td>
</tr>
<tr>
<td>Consultations</td>
<td>SEL 17/03/2016</td>
</tr>
<tr>
<td>Drawings</td>
<td>SEL 17/03/2016</td>
</tr>
<tr>
<td>Site Visit Notes</td>
<td>SEL 17/03/2016</td>
</tr>
</tbody>
</table>
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: 15-P1177-CP200, 15-P1177-201, 202, 205, 65026-LR-001 and Tree Protection Plan DPA-69791-03 Rev A received on 15 December 2015 and 15-P1177-200 Rev A and 203 Rev A received on 11 January 2016.

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

3 MATERIALS - APPROVED
The development hereby permitted shall not be erected other than in the materials listed on the application form or such other materials as have been approved in writing by the borough council.

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

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

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

5 OBSCURE GLAZING
The first floor side facing windows within Plot 1 of the development hereby permitted shall be glazed with obscure glass and fitted with non-opening principal lights, and subsequently maintained in this form. Such glass shall be sufficiently obscure to prevent loss of privacy. The affixing of an obscure film will not be sufficient.

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

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

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.
b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

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

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, or submitted to meet a condition of consent shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. This condition may only fully be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management.

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

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

8 REFUSE STORAGE
Prior to first occupation details of the refuse storage areas shall be submitted to and approved in writing by the Borough Council.

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

9 ECOLOGY
The development hereby permitted shall only be carried out in accordance with the recommendations and conclusion within the submitted Ecology Report dated July 2015 provided by Applied Ecology Ltd.

Reason: To ensure compliance with the National Planning Policy Framework.

10 METHOD OF CONSTRUCTION STATEMENT
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

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.

11 INTER-VISIBILITY SPLAYS
The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Portsmouth Avenue, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground shall be erected within the area of such splays.

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 Development Management Plan 2015.

Informatives

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

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

2 NEW VEHICLE CROSSOVERS AND DROPPED KERBS
The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

3 MATERIALS DEPOSITED ON THE HIGHWAY
The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).