

DEVELOPMENT MANAGEMENT COMMITTEE

ADDENDUM

3 JULY 2019

ITEM 1	<p><u>MO/2018/0638 - KINGSTON HOUSE GARDENS, LEATHERHEAD, SURREY, KT22 7HL</u></p> <p>Typing errors:</p> <p>7.32 first sentence should read: 'To the north east and south east.'</p> <p>Page 17, 'neighbour impacts', sixth bullet point: should be Block B</p> <p>Page 36, para 7.56, fourth line should read 'Block B.'</p> <p>Page 1</p> <p>Amend heading below</p> <p><u>Recommendation Subject to</u></p> <p>Delete (b) reference to revised plans and the further views of Environmental Services.</p> <p>As regards the S.106 agreement, the Heads of Terms have been agreed.</p> <p><u>Consultations</u></p> <p>Page 15, paragraph 4.9 – Environmental Services</p> <p>Further views received from Environmental Services. They had been concerned with the manoeuvring of the Refuse and Recycling Vehicle (RCV) in the service road fronting Block C. There had been a concern that parking spaces at the mouth of the turning head opposite Block C would hinder egress from the turning head. However, they have concluded:-</p> <p><i>'I can confirm that on reflection I expect that the RCV will not try and use the turning head as the layout would not allow an easy manoeuvre. Instead they will likely reverse into this section of the estate from a position parallel to block B. Therefore there will be no need to adjust the layout of the proposed turning head.'</i></p> <p><u>Representations</u></p> <p>One representation has been received from the occupiers of adjoining properties in Park Rise in which the following summarised points are raised:-</p> <ul style="list-style-type: none">• Occupancy rate of 133 is used in the report a number of times; this is misleading and assumes all 3-4 bed properties have only 3 people living in them. 13 of the dwellings are 3-4 bed, therefore a figure of 133-146 would be more accurate.
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- Page 14, paragraph 4.9 and 4.10 refers to Sycamore tree removals. Officer report states that proposals *could* result in loss of Sycamore tree screen when the Tree Officer states that the proposals would result in loss of tree screen. The trees are more visible than from Park Rise properties. The loss of the Sycamore trees is underplayed in the report;

- Trees are shown in Tree Report to be in the application site are in fact in Park Rise garden which is significant since one of the trees could be affected by the construction of the bin store adjacent to Block A;

Officer comment: The Tree report shows the trees to be in Park Rise gardens.

- In analysing the neighbour impacts (on Park Rise) insufficient emphasis is given to the scale, bulk and massing of the development;
- The depth and scale of Block A would be overpowering and dominating. It is the combination of the massing of the building and the change in levels which causes such a serious impact.

Officer comment: The change in the levels is detailed on pages 36-37 of the officer's report.

- The Block B was advised to be moved further away from the boundary with Park Rise as mentioned in the design and access statement, yet it is still too close;
- The living conditions of Block B will be poor due to the small gardens and the necessary height of screening fencing;
- The scheme only meets the minimum disabled accessibility standards:

Officer comment: This is a matter which would be covered under Building Regulations;

- Page 37: The ground floor of the Block B units would stand higher than Nos. 11 and 15 Park Rise (Not Block A as stated);
- Page 17: Ground floor windows in Block B would align with the first floor windows in Park Rise (Not Block A as stated)
- Trees shown in the sections are to be removed to accommodate the development and give false sense of screening.

Page 44

8. Recommendation

Subject to:-

Delete (b)

In light of concerns locally about traffic movements to and from the site, particularly during the construction phase and how these may impact on the road

	<p>infrastructure, the Highways Authority has recommended additions to their recommended Construction Management.</p> <p>Additionally, recommended condition 13 (electric car charging points) requires rewording as reference is made to all of the proposed dwellings being provided with charging points. This is not workable since the parking spaces in this scheme are unallocated. Instead it is recommended that at least 20% of the available parking spaces have access to a charging point. This is agreeable with the Highways Authority.</p> <p>Amend conditions 11 and 13 as follows:-</p> <p>11.</p> <p>No development shall commence until a Construction Transport Management Plan, to include details of:</p> <ul style="list-style-type: none"> (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) The types of delivery vehicles to be used and hours of their operation (f) vehicle routing (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused (h) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.00 and 4.00 pm (adjust as necessary according to individual school start and finish times) nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in (specify named roads) during these times (i) on-site turning for construction vehicles - <p>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.</p> <p>Reason: Unchanged.</p> <p>13. The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: unchanged.</p>
<p>ITEM 2</p>	<p><u>MO/2018/2173 - THE CHAPEL, REIGATE ROAD, LEATHERHEAD, SURREY, KT22 8RA</u></p> <p>Members are advised that the appeal decision for Planning Application number MO/2018/0815 was received on 26 June 2019.</p> <p>The development proposed in the appeal was “the installation of roof lights, additional windows and doors and alterations to the existing windows on the north, south, east and west elevations of the building”. For information the additional windows and doors and alterations to the existing windows on the</p>

north, south, east and west elevations of the building proposed in the appeal proposal were identical to those proposed in the current application. The application had been refused only in respect of the proposed rooflights.

Comments made by the Inspector included the following:-

“The roof is currently a very prominent feature of the building, particularly in views from Wesley Road, which has a simple and uninterrupted appearance. Whilst the building is set back from most of the nearby highways and there are some trees within the site, the building remains visible from vantage points in the area. Although no longer in use as a chapel, the building retains an unmistakable ecclesiastical character, most notably due to its distinctive elevations and simple roof”.

“The scheme proposes 13 roof lights to one roof slope and 10 to the other. The number of roof lights and their arrangement, in two rows on each slope and some near the ridge, would give the roof of the building a cluttered appearance that would detract from its existing simple, ecclesiastical form. Whilst not listed, nor on any local list, the cluttered appearance to the roof would be discordant and would result in harm to the buildings character and appearance. Given the visibility of the building from the surrounding area this would have a consequential adverse effect on the appearance of the area. However, given the extent of the works to a single building, the scheme would have a neutral effect on the areas character. I acknowledge the presence of dormer windows and other roof additions on the properties surrounding the building, however it is the number and positioning of those proposed in this scheme that results in harm”.

“I note that the building benefits from a previous planning permission which included the provision of roof lights. However, in that previous scheme which has now expired, the roof lights were arranged in a single row on each roof plane and restricted to a position near to the eaves of the building. As a result, they would have had less of a visual effect than that which is now proposed. Thus, there are significant differences between the two schemes and the grant of the previous permission does not justify granting approval for the current scheme, which as I have found above, would result in harm to the appearance of the building and the surrounding area. I also acknowledge the need to provide adequate light to the interior of the building, however it has not been substantively demonstrated that the proposed scheme is the only way of doing so”.

Members are asked to note that:-

- The additional windows and doors and alterations to the existing windows on the north, south, east and west elevations of the building in the appeal proposal were identical to those now shown in the current application. The previous application was refused only on the grounds that the proposed rooflights were unacceptable.
- The appeal Inspector has made no comments other than in respect of the rooflights – and therefore has accepted that there are no issues relating to the proposed new windows and doors or the alterations to existing windows. The Inspector did acknowledge the need to provide adequate light to the interior of the building. Comments and the decision made by the Inspector are material planning considerations in the current application.

	<ul style="list-style-type: none"> Consistency in decision-making is a well-established principle of planning law. In this case, the planning committee did not consider in the previous application that the additional windows and doors and alterations to the existing windows on the north, south, east and west elevations of the building were unacceptable and neither did the planning Inspector.
<p>ITEM 4</p>	<p><u>MO/2019/0641 - 1B, ROEBUCK CLOSE, ASHTEAD, SURREY, KT21 2DN</u></p> <p>Page 81</p> <p>Paragraph 2.5: reference made to appeal decision for the bungalow (MO/17/0472) being attached. The decision is now attached for reference.</p> <p><u>Recommendation</u></p> <p>Amend condition 4 as follows:-</p> <p><i>Replacement trees</i> shall be planted within the curtilage of the property in the first planting season following the felling of the <i>trees</i> hereby consented to be removed. The replacement tree shall be an extra heavy standard tree with a minimum of 12-14cm in girth and shall be maintained for a period of five years, such maintenance to include the replacement of the tree should it die. The owner shall inform the Local Planning Authority when the tree is planted.</p> <p>Reason: Unchanged.</p> <p>Add informative 3 as follows:-</p> <p>3. With reference to condition 4 above, the applicant is encouraged to give consideration to replacement tree planting to be native species.</p>
<p>ITEM 5</p>	<p><u>MO/2018/1894 - DORKING FOOTBALL GROUND, MEADOWBANK, MILL LANE, DORKING, SURREY</u></p> <p>Amend condition 2 to add the following plan numbers: General Arrangement Proposed (received 02/07/2019), 010119e, 010119g, 010119f, 010119h and 010119i</p>

Appeal Decision

Site visit made on 13 February 2018

by **David Cliff BA Hons MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th March 2018

Appeal Ref: APP/C3620/W/17/3185503

Rear of 10 Stag Leys, Ashted, Surrey KT21 2TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Biles & Company Estates Ltd against the decision of Mole Valley District Council.
 - The application Ref MO/2017/0472/OUT, dated 10 March 2017, was refused by notice dated 10 July 2017.
 - The development proposed is described in the application form as 'erection of 1 detached bungalow with integral single garage. Accessed from Roebuck Close. Located on land to the rear of No.10 Stag Leys'.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 1 detached bungalow with integral single garage accessed from Roebuck Close at rear of 10 Stag Leys, Ashted, Surrey, KT21 2TD in accordance with the terms of the application ref. MO/2017/0472/OUT, dated 10 March 2017 and subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The application is in outline with access and layout to be considered in detail as part of the application. Matters of appearance, landscaping and scale are reserved for future consideration. Although the submitted drawings also show details of scale, I have consider such details to only be illustrative given that scale is a reserved matter.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area, with particular regard to the effect upon existing trees.

Reasons

4. The existing trees on the site form part of a wider group of trees which together make a positive contribution to the character and appearance of the area. The siting of the proposed bungalow and access would require the removal of several existing trees. Two of these trees are subject to a Tree Preservation Order. However, the trees to be removed are on the periphery of the main group and are not particularly significant in terms of their visual contribution to the wider area. Their setting and proximity to other trees has

- precluded them from developing to their full potential. The trees of the most significant amenity value to the group as a whole would be retained towards the rear of the site.
5. Appropriate tree protection methods to safeguard retained trees during construction works can be secured by condition.
 6. The trees towards the rear of the site would overshadow large parts of the rear garden of the proposed dwellinghouse. However, I am satisfied that any adverse impacts on the living conditions of future occupiers could be resolved through limited pruning works which would be unlikely to result in any significant harm to the overall visual benefits or health of the retained trees. I note in this respect that given the orientation of the site, the retained trees would not obstruct sunlight for much of the day which would reduce the likelihood of any significant works being required.
 7. The trees that would be retained would ensure that a suitably pleasant setting is retained for both the proposal and the existing surrounding development. The amenity value of the overall group of trees would not be significantly affected. There would be only modest difference to the appearance of the site and its surrounds in views from either Stag Leys or Roebuck Close.
 8. I am therefore satisfied that the proposed development would not result in any significant harm to the overall value of the group of existing trees and consequently would safeguard the character and appearance of the area. The proposal would satisfactorily accord with the landscape and design aims of policies CS15 of the Mole Valley Core Strategy DPD (October 2009), ENV25 of the Mole Valley Local Plan (October 2000) and AS-En3 of the Ashtead Neighbourhood Development Plan (December 2016).

Other matters

9. Matters of scale and appearance would be reserved for future consideration, taking account of the siting of the proposed bungalow. However, I am satisfied that the dwellinghouse could be designed along with appropriate boundary treatment to safeguard the living conditions, including privacy, of the neighbouring property at 1A Roebuck Close.
10. There is no detailed evidence before me to suggest that services to the dwellinghouse would result in any significant harm to existing plants and shrubs outside of the site. I understand that Roebuck Close is an adopted highway and therefore measures would be available to remedy any damage that might be caused.

Conditions

11. I have attached conditions limiting the life of the planning permission and setting out requirements for the reserved matters in accordance with the relevant legislation. I have imposed a condition specifying the approved plans as this provides certainty. I have imposed the requirement for the construction of the dwelling to be carried out in accordance with the submitted arboricultural method statement as a separate condition to safeguard the retained trees.
12. A condition (6) is necessary in order in order to promote the use of renewable energy and reduce carbon emissions. Condition 7 is required in order to ensure there is satisfactory space for car parking within the site. The provision

and retention of boundary treatment (condition 8) is necessary to safeguard living conditions for both neighbouring residents and future occupiers of the proposed dwellinghouse. Conditions 9 and 10 are required in order to provide for the sustainable drainage of ground water. Details of proposed levels are necessary (condition 11) in order to safeguard neighbouring living conditions along with the character and appearance of the area. This condition requires details to be approved prior to commencement of development as it relates to construction and ground works.

13. The Councils suggested external material condition is not necessary as such approval would be the subject of a subsequent reserved matters application for appearance. Conditions limiting the floorspace of the proposed dwelling house and restricting it to one storey are not necessary as such matters would be able to be controlled as considered appropriate through a reserved matters application for scale. Furthermore, conditions removing permitted development rights are not necessary or reasonable. The Planning Practice Guidance advises that such conditions will rarely pass the test of necessity and should only be used in exceptional circumstances. The detailed design of the proposed dwellinghouse is subject to further approval and the Council has not demonstrated that exceptional circumstances exist to remove permitted development rights as part of this outline permission. A condition restricted the use of the proposed garage is also not necessary as adequate parking would be available on the proposed hardstanding at the front of the dwellinghouse.

Conclusion

14. Having regard to all matters raised, I have found that the proposed development would accord with the development plan and there are no material considerations that have led me to find that permission should be withheld. I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 2017-12-01 A.
- 5) The construction of the proposed development shall be carried out in accordance with the Arboricultural Method Statement by Challice Consulting Ltd including the tree protection measures shown on drawing no. TPP-CC/1710 AR3218.
- 6) Prior to any above ground works commencing details of measures (including a timetable for implementation) to reduce the carbon emissions of the predicted energy use of the development by at least 10% through the on-site installation and implementation of decentralised and renewable or low carbon energy sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and thereafter retained in operation.
- 7) The dwelling shall not be occupied until space has been laid out within the site in accordance with the approved drawings for cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.
- 8) The proposed boundary treatment shown on the approved plan No. 2017-12-01 A shall be completed prior to the first occupation of the development and thereafter shall be permanently retained as such.
- 9) Before any above ground works commence, details of the hard surfacing to be used within the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include either porous materials or the provision of a direct run-off from the hard surface to a permeable or porous area. All hard surfacing shall be carried out in accordance with the approved details, completed prior to the first occupation of the development hereby permitted and thereafter permanently retained as such.
- 10) The dwellinghouse hereby permitted shall not be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide, a management and maintenance plan for the lifetime of the development which shall include arrangements to secure the operation of the scheme throughout its lifetime.
- 11) No development shall take place until details of the existing ground levels of the site, the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.