

To: Planning & Regulatory Committee

Date: June 2023

By: Planning Development Manager

District(s) Elmbridge Borough Council

Electoral Division(s):

Cobham

Mr Lewis

Case Officer:

Chris Turner

Purpose: For Decision

Grid Ref: 510675 160577

Title: Surrey County Council Proposal EL/2022/2251

Summary Report

Coveham Hostel, Anyards Road, Cobham KT11 2LJ

Erection of 2x two storey buildings comprising 6 x 1 bed self-contained flats (12x1 bed flats total) for supported independent living, new substation and associated bin stores, cycle stores and hard and soft landscaping.

Coveham Hostel is located to the north of Oakfield Road and to the west of Anyards Road, south of the A307. Residential properties are located to the south, east, and west of the site and to the north is the A307 and beyond that a car dealership.

The site was formerly a part single, part two storey, brick built hostel building with pitched roof and a two storey detached house with a pitched roof which formed part of the hostel. There are some mature trees on the site. The existing entrance to the site is located to the south of the site and joins onto Oakfield Road. There is limited parking on the site.

The hostel buildings were relatively contained within the site with high fences and walls on the boundaries. The hostel has been demolished.

The proposal is for the erection of two identical two storey buildings (referred to on the submitted plans as the northern and southern buildings), which will each comprise six, one bed roomed flats providing accommodation for supported independent living.

Each building will have a height of approximately 8.6m and a width of 18.9m. They would have a depth of approximately 20.5m. At first floor level there would be balconies serving the flats.

On the southern building balconies would be located on the first floor level on the southern and northern elevations. On the northern building, the balconies would be located on the first floor level on the north east and south western elevations. The buildings are to be constructed of brick elevations with zinc roofing. To the north east of the site there is an amenity area proposed.

Bicycle storage, visitor parking, bin storage and a new substation are proposed on the eastern boundary of the site, adjacent to no. 2 Lavender Cottages. Parking is also to be provided on the south eastern edge of the site.

Principal access to the site is proposed from an existing access onto Anyards Road, but a further access onto Oakfield Road would also be provided.

6 letters of objection have been received and the Borough Council has also raised objection on grounds set out in the report. No objections have been received from other consultees but several conditions have been recommended by consultees.

The proposal would provide affordable housing within a sustainable location as such it is recommended for approval subject to conditions.

The recommendation is Approve subject to conditions

Application details

Applicant

SCC Property

Date application valid

29 June 2022

Period for Determination

16 June 2023

Amending and Amplifying Documents

Land Condition Report Dated December 2021

HSG264 – Asbestos Demolition Survey

Arboricultural Appraisal and Impact Dated 22nd September 2022

Email from agent dated 21/10/22 Regarding additional landscape information.

Preliminary Ecological Appraisal and Bat and Preliminary Roost Assessment dated 25/10/2021

Building Heights Sketch

Email from Agent dated 18/11/22 regarding additional landscape information

Flood Risk Assessment, Atkins, April 2022, revision 1.0, document reference: PE02-5586-RP-C-77001

Proposed Surface and Foul Water Drainage Layout, Atkins, April 2022, revision P01, document reference: PE02-5586-DR-C-00001

Drainage Response to LLFA comments, Sept 2022

Drainage and Pavement Standard Details (4sheets), Atkins, April 2022

Hydraulic Calculations, Atkins, April 2022

Technical Note – Drainage Strategy Supplementary Information, Atkins, March 2023, revision -, document reference: PEO02-5586

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Principle of Development	Yes	28-35
Need for Development	Yes	36-43
Housing Land Supply	Yes	44-47
Housing Mix	Yes	48-52
Affordable Housing	Yes	53-56
Sustainable Location	Yes	57-59
Impact on the SPA	Yes	60-66
Standard of Accommodation	Yes	67-76
Biodiversity	Yes	77-82
Design and Visual Amenity	Yes	83-97
Landscape and Trees	Yes	98-105
Impact on Residential Amenity	Yes	106-135
Highway, Access and Parking	Yes	136-149
Waste and Refuge	Yes	150-155
Drainage	Yes	156-159
Contaminated Land	Yes	160-163
Tilted Balance	Yes	164-169

Illustrative material

Site Plan

Plan PEO2-5586-DR-A-90103 Rev C01

Aerial Photographs

Aerial 1 – Surrounding Area

Site Photographs

Figure 1 - Looking North along Anyards Road

- Figure 2 - Looking NE within the site towards Anyards Road
 Figure 3 - No. 131 Anyards Road
 Figure 4 - Existing Hostel Building
 Figure 5 - Rear of 131 Anyards Road
 Figure 6- Rear of no. 131 and 129 Anyards Road
 Figure 7 - View of the site from Portsmouth Road
 Figure 8 - View of the site from Portsmouth Road. no. 96 Portsmouth Road visible
 Figure 9 - View from Portsmouth Road with no. 96 visible
 Figure 10 - Southern boundary - Looking East along Oakfield Road
 Figure 11 - Looking East from within the site towards no. 2 Lavender Cottage
 Figure 12- Looking South from within the site towards Holmwood.
 Figure 13 - Anyards Road to the East of the Site
 Figure 14 - Looking West along Oakfield Road
 Figure 14 - Looking West towards Anyards Road Entrance
 Figure 15 - Looking South West from the top of Anyards Road
 Figure 16 - Present Site looking towards no. 96

Background

Site Description

1. Coveham Hostel is located to the north of Oakfield Road and to the west of Anyards Road, south of the A307. Residential properties are located to the south, east, and west of the site and to the north is the A307 and beyond that a car dealership.
2. The site formally comprised a part single, part two storey, brick built hostel building with pitched roof and a two storey detached house with a pitched roof which formed part of the hostel. There are some mature trees on the site. The existing entrance to the site is located to the south of the site and joins onto Oakfield Road. There is also an entrance onto Anyards Road. There was some limited parking on the site.

Planning History

1979/0976	Erection of two storey building as 24 place hostel for mentally handicapped adults with staff accommodation	Approved 17/10/1979
2022/2789	Prior approval for demolition	Approved 29/09/2022

The Proposal

3. The application seeks planning permission for the erection of 2 x two storey buildings, comprising 6 x 1 bed self-contained flats. This would be provide 12 x 1 bed flats in total for supported independent living. The proposal also includes a

new substation, associated bin stores, cycle stores and hard and soft landscaping.

4. The proposals would be arranged with one block central to the site known as the north block and one block on the south of the site known as the south block. On the north east of the site is an amenity area adjacent to Anyards Road and Portsmouth Road.
5. Access to the site would utilise the existing entrance on Anyards Road with a second access onto Oakfield Road.
6. The substation, bin stores and cycle stores would be located on the eastern boundary. These would be single storey in height. These buildings would measure 2.3m in height.
7. The proposed buildings would each have a ridge height of 8.64m and would have a width of 20m and a depth of 18.9m.
8. On the northern building, balconies are proposed on the north east and south west elevations at first floor level.
9. On the southern building balconies are proposed on the southern and northern elevations at first floor level.

Consultations and publicity

District Council

10. Elmbridge Borough Council: planning – Objects on the grounds of:
 - The height and massing of the development;
 - Not ideal location of the rear vehicle access and bin/ cycle stores wrapping around the existing residential premises;
 - The extensive use of yellow stock brick
 - Loss of privacy from that the first-floor balconies and windows in the side elevation of the southern block;
 - Potential for noise nuisance from the proposed cycle and bin store;
 - Under provision of car parking spaces;
 - Location of the bin store not in line with the Council's Guidance on Recycling and Waste Provision
11. Elmbridge Borough Environmental Health officer – No objection subject to conditions

Consultees (Statutory and Non-Statutory)

12. County Arboriculturalist – No objection subject to conditions
13. County Historic/Listed Buildings Officer - No objection
14. Natural England – No objection
15. Rights of Way – No objection

16. South East Water – No objection
17. Lead Local Flood Authority – No objection subject to conditions
18. County Ecologist – No objection
19. Thames Water – No objection
20. Transport Development Planning – No objection subject to conditions
21. County Landscape Architect – No objection subject to conditions.

Parish/Town Council and Amenity Groups

22. No comments from Parish or Town Council received.

Summary of publicity undertaken and key issues raised by public

23. The application was publicised by the posting of 4 site notices and an advert was placed in the local newspaper. A total of 123 owner/occupiers of neighbouring properties were directly notified by letter.

There have been 6 household objections received on the proposal. The main issues raised were:

- The access onto Oakfield Road and Anyards Road is not suitable for construction traffic.
- There is an existing lack of parking for residents on Anyards Road/ Oakfield Road.
- Cars and Lorries will struggle to navigate down Anyards Road.
- The removal of hedging/ trees will result in a loss of privacy to neighbouring residents.
- The height and massing of the proposal could potentially lead to a loss of light to neighbouring residents.
- The height and massing of the proposal is greater than the surrounding buildings.
- A parking review is required for both the demolition and construction stages.
- The proposal would result in severe disruption for local residents during the construction process.
- The proposal could result in pollution through dust and noise through the demolition/construction process.
- Concerns are raised for safety during the demolition/ construction stages.
- The scheme should not be considered in isolation but should also be considered with other adjacent planning applications such as 2021/3243.
- Oakfield Road is not strong enough for construction traffic.
- The proposal will conflict with the recreation ground.
- The parking arrangements on the site are inadequate.
- Concern regarding loss of privacy from the balconies.
- Concern regarding potential glare from solar panels.
- Concern relating to the boundary treatments on the site.
- Concern relating to damage to Oakfield.

Planning considerations

Introduction

24. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

25. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008, Elmbridge Core Strategy 2011 and Elmbridge Development Management Plan 2015, Elmbridge Design and Character Supplementary Planning Document, Parking Standards SPD.
26. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
27. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: Principle of Development, Lawful use of the site, Housing Land Supply, Housing Mix, Affordable Housing, Sustainable Location, Impact on the SPA, Standard of Accommodation, Biodiversity, Design and Visual Amenity, Landscape and Trees, Impact on Residential Amenity, Highways, Access and Parking, Waste and Refuge.

PRINCIPLE OF DEVELOPMENT

Elmbridge Core Strategy

CS1 – Spatial Strategy

Elmbridge Development Management Plan 2015

DM1 – Presumption in Favour of Sustainable Development

28. CS1 of the Elmbridge Core Strategy 2011 sets out the areas for growth in the District. The Policy states that new development will be directed towards previously developed land within the existing urban area. Cobham is considered to be a service centre/ rural fringe area within the Policy alongside Oxshott, Stoke D'Aberton and Downside. The policy goes on to state that the majority of new development within this area will be directed towards Cobham as it is the most sustainable location.
29. CS10 of the Elmbridge Core Strategy states that there is scope for additional residential development within the area of Cobham through redevelopment of previously developed land.
30. Policy CS17 of the Core Strategy states that new development will be required to deliver high quality and inclusive sustainable design, which maximises the efficient use of urban land whilst responding to the positive features of individual locations, integrating sensitively with the locally distinctive townscape, landscape, and heritage assets, and protecting the amenities of those within the area. Innovative contemporary design that embraces sustainability and improves local character will be supported. New development should enhance the public realm and street scene, providing a clear distinction between public and private spaces.
31. Policy CS26 sets out that development must be located, designed and laid out to ensure it is safe; the risk of flooding is minimised whilst not increasing the risk of flooding elsewhere; and that residual risks are safely managed.
32. DM1 of the Elmbridge Development Management Plan 2015 sets out in accordance with the NPPF there will be a presumption in favour of sustainable development. Planning applications that accord with Policies in the plan will be

approved without delay unless material considerations indicate otherwise. It reflects the presumption in favour of sustainable development contained in the NPPF and set out in paragraph 11 (where that presumption is applicable).

33. Paragraph 11 of the NPPF requires that decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

34. Footnote 8 states that ‘the policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change.

35. The site is located within the Developed Area of Cobham, which is considered to be a service centre and a sustainable location. The proposal would provide the redevelopment of a previously developed site used for residential purposes and providing the proposal would not result in harm to the visual amenity or residential amenity it is considered there is no policy objection to the principle of residential development which is being proposed.

NEED FOR DEVELOPMENT

Elmbridge Core Strategy 2011

CS16 – Social and Community Infrastructure

36. CS16 of the Elmbridge Core Strategy seeks to ensure the provision of accessible and sustainable social and community infrastructure. It defines community infrastructure as any facility owned by a publicly funded body to provide frontline services. The proposal would provide 6 x 1 bedroom flats for supported independent living accommodation, provided by SCC.

37. In the submitted ‘Statement of Need’ the applicant explains that: “National benchmarking indicates that insufficient accommodation provision exists for individuals with a learning disability and/or autism; and SCC funds a higher percentage of people in residential care than most similar authorities. A much lower percentage of this population are supported to live in their own home. JSNA data indicates that, across England, on average 76.2% of adults with a learning disability and/or autism are supported to live in their own home; Surrey’s average is 65.8%.

38. National guidance and best practice strongly advocate a move towards enabling individuals with a learning disability and/or autism to have more choice and control over their lives and to be able to live in their own home in the community rather than in an institutional setting.
39. The National Disability Strategy was updated in July 2021 following extensive consultation with people and their families, this highlighted the need for a greater level of affordable and accessible housing across the UK. Similarly, SCC and NHS Surrey Heartlands consulted with stakeholders and published the All-Age Autism Strategy 2021-2026 in 2021. This also highlighted key issues in relation to accommodation provision such as a lack of suitable housing options and affordability.
40. SCC Cabinet approved the *Transformation of Accommodation-based Care and Support for Working Age Adults: Delivering Supported Independent Living Options report* in November 2020. The November paper outlined SCC's ambition to deliver an additional 500 units of accommodation by 2030 in support of its strategic aim to reduce the number of people with a learning disability and/or autism in residential care by 40-50% over the next five years. Circa 22% of the additional capacity is forecast to be delivered by redeveloping SCC-owned sites or through site acquisition.
41. The Community Vision for Surrey Document 2030 also sets out that *"By 2030, Surrey will be a uniquely special place where everyone has a great start to life, people live healthy and fulfilling lives, are enabled to achieve their full potential and contribute to their community, and no one is left behind."* One of the underpinning principles is that "Everyone has a place they can call home, with appropriate housing for all". The development of supported independent living accommodation is central to this Vision being realised for working age adults in Surrey who are eligible for accommodation with care and support.
42. Adult Social Care has identified the Borough of Elmbridge as an area of need for affordable provision of Supported Independent Living. SCC data shows that there are people with a learning disability and/or autism placed in residential care in the borough who may be suitable to move into supported independent living. Alongside this there are young people coming through Transition to ASC who will require some form of accommodation in the short to medium term. Total demand over the next 5 years is estimated to be in the region of 26 to 50 units".
43. The proposal would provide an alternative social or community facility in an accessible located and would assist in meeting a demonstrated need. It is therefore considered to be in accordance with Policy CS16 of the Elmbridge Core Strategy 2011.

HOUSING LAND SUPPLY

Elmbridge Core Strategy 2011

CS2 – Housing provision, location and distribution

44. Housing Policy CS2 of the Councils Core Strategy 2011 provided a housing target for the district. The District Council acknowledges that this Policy is now out of date. Paragraph 61 of the NPPF states that 'to determine the minimum number of homes needed, strategic policies should be informed by a local

housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals’.

45. Paragraph 62 goes on to state that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
46. The latest measure of housing need for Elmbridge identifies the requirement to provide 776 dwellings per annum across the borough.
47. In accordance with the Council’s Monitoring Report 2021/22, the Council’s 5 Year Housing Land Supply is 4.36 years and therefore the Council cannot demonstrate a 5 Year Housing Land Supply as such Para. 11 d) of the NPPF would be triggered, which states that decision takers should grant permission where policies most important for determining the application (in this case relating to the supply of housing) are out of date, unless ‘the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.

HOUSING MIX

Elmbridge Core Strategy 2011

CS19 – Housing Type and Size

48. 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 (Strategic Housing Market Assessment) in terms of the size and type of dwellings.
49. Development Management Policy DM10 requires residential development on sites of 0.3 hectares or more to promote house types and sizes that meet the most up to date local housing need whilst reflecting the character of the area.
50. The Local Housing Needs Assessment (LHNA) breaks down the annual requirement to identify the type, size and tenure of new homes that should be provided to meet local housing needs. The LHNA identifies the overall need within Elmbridge is for affordable, smaller units with one to three bedrooms.
51. For affordable housing specifically the LHNA identifies the net annual need broken down as:
- 1 bed (15%)
 - 2 bed (34%)
 - 3 bed (11%)
 - 4 bed (40%)
52. The proposal would provide 100% 1 bedroom affordable assisted living accommodation. Whilst the proposal would not strictly accord with this recommended mix, it is not considered that the proposed mix would cause sufficient harm so as to recommend refusal on this basis.

AFFORDABLE HOUSING

Elmbridge Core Strategy 2011

CS19 – Housing Type and Size

CS21 – Affordable Housing

Elmbridge Development Management Plan 2015

DM10 – Housing

53. Elmbridge Borough Council's Core Strategy Policy CS19 sets out the Council's approach to securing a range of housing types and sizes on developments across the Borough reflecting the most up to date evidence in terms of the size and type of new homes.
54. CS21 of the Core Strategy sets out the criteria for when affordable housing is required. On public land such as that owned by the County Council, there will be a requirement that 50% of housing will be affordable.
55. In support of the Planning Application, the applicant has submitted an Affordable Housing Statement. The Statement sets out that whilst the proposed housing would provide accommodation for residents with disabilities, defined as accommodation with care and support in the form of supported independent living, the rents will be affordable for all tenants as they will be set at a level which can be funded by Housing Benefit; thus the homes will qualify as affordable housing.
56. As the proposal would be 100% affordable housing, the proposal would meet the needs of Policy CS21 of the Core Strategy.

SUSTAINABLE LOCATION

Elmbridge Core Strategy 2015

CS25 – Travel and Accessibility

57. CS25 of the Elmbridge Core Strategy states that the Council will promote improvements to sustainable travel and accessibility to services through a variety of measures by directing new development to previously developed land within sustainable locations.
58. The proposal site is located to the north of Cobham High Street. It is approximately 0.4km from the high street which is approximately a 6 minute walk. The high street has a range of shops and services and includes bus routes to the wider area including Guildford and Kingston. Portsmouth Road to the north which is approximately a 1 minute walk from the site also has bus routes to Guildford and Kingston. The closest Doctors is located 0.4km from the site to the north east.
59. The site is considered to be within a sustainable location and therefore, the proposal is considered to accord with Policy CS25 of the Elmbridge Core Strategy 2015.

IMPACT ON THE SPECIAL PROTECTED AREA

Elmbridge Core Strategy 2011

CS13 – Thames Basin Heath

60. CS13 of the Core Strategy relates to the Thames Basin Heaths Special Protection Area. The site is located within the Thames Basin Heaths SPA buffer zone where New residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin Heaths Special Protection Area (SPA) will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.
61. Natural England have been consulted on the proposal. They have raised no objection subject to securing the appropriate mitigation for recreational pressure impacts on habitat sites. The County Council has conducted a Habitats Regulations Assessment for the site.
62. This assessment has considered the potential for the development proposed in planning application ref. EL/2022/2251 (SCC Ref. 2022/0090) to give rise, alone or in-combination, to likely significant effects on the Thames Basin Heaths SPA.
63. For the Thames Basin Heaths SPA, designated for breeding populations of European nightjar, Woodlark and Dartford warbler, this assessment concludes the proposed development would not give rise to likely significant effects on those populations as a result of disturbance associated with human recreational use of the heathlands. The scheme involves the provision of social and affordable housing for adults with learning disabilities and/or autism, and in accordance with the Elmbridge BC Developer Contributions SPD is exempt from financial contributions towards SANG and SAMM provision.
64. The County Planning Authority concludes that there would be no likely significant effects on the SPA as a result of the development proposed under planning application EL/2022/2251 alone or in-combination.
65. Furthermore, the site is served by a limited number of parking spaces. Therefore, given the location of the site relative to the SPA it is unlikely that residents of the site will have good accessibility to the SPA which could contribute to the recreational pressure associated with residential development within the SPA Buffer Zone.
66. The proposal is therefore considered to accord with Policy CS13 of the Elmbridge Core Strategy 2011.

STANDARD OF ACCOMMODATION

Elmbridge Development Management Plan 2015

DM10 – Housing

67. Paragraph 130 of the NPPF requires the protection and high amenity of the future occupiers of developments, and Policy DM10 of the Local Plan indicates that proposals for new housing development will be expected to offer an appropriate standard of living, internally and externally in line with national space standards. It further indicates that residential accommodation should offer residents an appropriate level of light, outlook and amenity, including gardens or outdoor space, commensurate with the type and location of housing proposed.
68. The Nationally Described Space Standards and Policy DM10 of the Development Management Plan indicate the minimum internal floor space requirement for new dwellings.

69. The proposal would provide 12 x 1 bedroom dwellings.

70. The following table provides a comparison between the proposed floor area and the technical housing document:

South Block

	Technical Requirement	Proposed Internal Floor Area
Unit 1 – 1 Bedroom, 2 persons, 1 storey	50sqm	54.8sqm
Unit 2 - 1 Bedroom, 2 persons, 1 storey	50sqm	68.57sqm
Unit 3 - 1 Bedroom, 2 persons, 1 storey	50sqm	55.1sqm
Unit 4- 1 Bedroom, 2 persons, 1 storey	50sqm	54.8sqm
Unit 5- 1 Bedroom, 2 persons, 1 storey	50sqm	64.6sqm
Unit 6 - 1 Bedroom, 2 persons, 1 storey	50sqm	55.1sqm

North Block

	Technical Requirement	Proposed Internal Floor Area
Unit 7 – 1 Bedroom, 2 persons, 1 storey	50sqm	54.8sqm
Unit 8 - 1 Bedroom, 2	50sqm	64.6sqm

persons, 1 storey		
Unit 9 - 1 Bedroom, 2 persons, 1 storey	50sqm	55.1sqm
Unit 10- 1 Bedroom, 2 persons, 1 storey	50sqm	54.8sqm
Unit 11- 1 Bedroom, 2 persons, 1 storey	50sqm	64.6sqm
Unit 12 - 1 Bedroom, 2 persons, 1 storey	50sqm	55.1sqm

71. The following table provides an analysis of the bedroom sizes against the national technical space standards:

Dwelling	Technical Standard	Proposed Size
Unit 1	11.5m	16sqm
Unit 2	11.5m	18sqm
Unit 3	11.5m	16sqm
Unit 4	11.5m	16sqm
Unit 5	11.5m	18sqm
Unit 6	11.5m	16sqm
Unit 7	11.5m	16sqm
Unit 8	11.5m	18sqm
Unit 9	11.5m	16sqm
Unit 10	11.5m	16sqm
Unit 11	11.5m	18sqm
Unit 12	11.5m	16sqm

72. The proposed dwellings would meet all the required standards regarding floor area and bedroom sizes. Furthermore, the bedrooms each meet the required minimum widths and are served by an appropriate level of light and outlook.

- 73. As such, the proposal would be considered to provide an adequate standard of accommodation for future residents.
- 74. On promoting healthy communities, the NPPF sets out that the planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public area. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.
- 75. The ground floor flats each include a private garden area. The first floor flats provide balconies. Included in each block is a communal area. Adjacent to the northern block and accessible within the site there is an outdoor amenity space. Officers consider the level of amenity space provided to be adequate and suitable for its location within the developed area.
- 76. The proposal is therefore considered to provide an appropriate level of amenity and standard of accommodation in accordance with Policy DM10 of the Elmbridge Development Management Plan 2015.

BIODIVERSITY

Elmbridge Core Strategy 2011

CS15 – Biodiversity

- 77. CS15 of the Elmbridge Core Strategy States that the Council will ensure new development does not result in a net loss of biodiversity and where feasible contributes to a net gain through the incorporation of biodiversity features. The policy also seeks to direct development towards previously developed land.
- 78. In support of the application the applicant submitted a Preliminary Ecological Appraisal, Bat Survey and Biodiversity Net Gain Assessment. Surrey Wildlife Trust have been consulted on the proposals.
- 79. Surrey Wildlife Trust consider that in accordance with the Biodiversity Net Gain Report, the site has the feasibility to provide a measurable net gain for biodiversity. The report recommends a Habitat Management Plan is required prior to the commencement of the development. Therefore, Surrey Wildlife Trust advise that this should be a condition should planning permission be recommended for approval.
- 80. In relation to bats, Surrey Wildlife Trust requested clarification on which trees would be impacted during the construction process. The applicant subsequently provided clarification on this point and Surrey Wildlife did not request any further survey work in relation to bats on the site.
- 81. A condition was recommended in order to ensure that the proposal should not result in a net increase in external lighting.
- 82. Subject to the implementation of these conditions, the proposal is considered to accord with Policy CS15 of the Elmbridge Core Strategy 2011.

DESIGN AND VISUAL AMENITY

Elmbridge Core Strategy 2011

CS17 – Local Character, Density and Design

Elmbridge Development Management Plan 2015

DM2 – Design and Amenity

Elmbridge Local Plan Design and Character SPD 2012

83. DM2 of the Elmbridge Development Management Plan requires that all new development to achieve high quality design, which demonstrates environmental awareness and contributes to climate change mitigation and adaptation. All development proposals must be based on an understanding of local character including any specific local designations, such as Green Belt, and take account of the natural, built and historic environment. Proposals should preserve or enhance the character of the area, taking into account attributes such as the appearance, scale, mass, height, levels or topography.
84. Policy CS17 requires new development to deliver high quality and inclusive sustainable design, which maximises the efficient use of urban land whilst responding to the positive features of the landscape, and heritage assets, and protecting the amenities of those within the area. New development should enhance the public realm and street scene, providing a clear distinction between public and private spaces. New development should be appropriately landscaped, and where appropriate should incorporate biodiversity habitat, and enhance the Borough's green infrastructure network.
85. The Elmbridge Local Plan Design and Character SPD provides design guidance relating to all new development in the Borough. The companion guide for Cobham, Stoke D'Abernon, Oxshott and Downside forms part of the SPD with specific character areas. The proposal site is identified as being within the Tartar Hill sub area. The companion guide identifies the area as generally comprising of two storey housing of detached, semi-detached and terraced type. It also states that a noticeable characteristic in this sub area is wide verges with houses set back.
86. The proposal site is a corner plot, sitting adjacent to Anyards Road and Portsmouth Road, with Oakfield Road to the south. To the west of the site is a footpath which runs between Oakwood Road and Portsmouth Road.
87. To the east of the site along Anyards Road residential development runs along the eastern side of the road in a linear pattern. The dwellings along this part of the road comprise a mix of detached properties, terraces and semi-detached properties. These buildings are a mix of brick built and some are painted/rendered in lighter colours. Generally the buildings are all two storeys in height and have similar ridge heights. It is noted on the end of the street at the northern tip is a piano showroom, which has a greater mass than the other properties in proximity to this building.
88. Immediately to the east of the site, on the western side of Anyards Road there are two dwellings, no. 129 and 131 Anyards Road which are in a semi-detached arrangement. No. 131 Anyards Road is three storeys in height and has a gable roof. No. 129 is two storeys in height with a pitched roof which sits slightly lower than no. 131. These properties are finished in white render.
89. To the south of the applications site there are two residential dwellings on the northern side of Oakwood Road known as 1 and 2 Lavender Cottages. These are two storey detached dwellings constructed of red brick and finished with pitched roofs.

90. On the southern side of Oakwood Road, there are residential dwellings with side elevations which face towards the application site. 121 Anyards Road is a bathroom showroom shop on the ground floor with some residential accommodation at first floor. There is a storage unit/workshop to the rear of this property. This property is a two storey end of terrace property with the northern elevation facing towards Lavender Cottages.
91. Holmwood is located to the south of the proposal site, on the southern side of Oakwood Road. This is a large semidetached dwelling which faces onto the Anyards Road recreation ground. The building is three storeys in height and is finished in red brick with a pitched roof.
92. The proposal site occupies a prominent location within the village of Cobham at the junction of Portsmouth Road and Anyards Road and it is visible from those roads but also from Oakfields Road and the playing field to the south. The immediate surrounding area is predominantly residential in nature comprising mainly two storey semi-detached and terraced dwellings built close to the road frontages with on street parking.
93. The proposed design of the scheme would comprise two blocks of flats with each building finished with asymmetric pitched roofs. Relative to the surrounding buildings, the proposed buildings would be larger than those typically found along Anyards Road, and would be slightly higher than these buildings and of a different visual form. However, the buildings are to be set within the site and would be set back from Anyards Road by approximately 28m. Therefore despite their size, the buildings would not be overly dominant or detract from the existing residential buildings along Anyards Road.
94. The southern block would measure approximately 14m from Holmwood. Holmwood is a large three storey building, and therefore, despite the scale of the proposed building, in combination with the separation distance to this building, the proposal would not appear overly incongruent in the street scene having regard to this existing dwelling.
95. The most prominent building to Portsmouth Road, would be the northern block. This would be visible when travelling east or west along Portsmouth Road. Portsmouth Road is an A road with a car dealership on the northern side of the road to the proposal site. The character along this part of the road, is not therefore as defined as part of the residential roads surrounding and therefore, the proposal would not harm the streetscene along this road.
96. The materials proposed for the buildings are red brick. This was amended from the original submission, which previously proposed a yellow brick. This was in response from comments received from Elmbridge and the local residents. Based on the mix of materials of the surrounding dwellings, Officers raise no objection in this regard, as the materials would be in keeping with the surrounding dwellings.
97. The proposals use materials which are similar and in keeping to the surrounding dwellings. Whilst it is acknowledged the proposed buildings are larger than those typically found in the surrounding area, the proposed buildings are not considered so significantly larger as to be unacceptable. The proposal site is on a corner plot whereby there is greater opportunity to deviate from existing vernacular and scales. The proposed buildings are well separated from any of the surrounding street scenes and therefore would not result in significant harm to the character

of the surrounding area. The proposal is therefore considered to accord with Policy DM2 of the Elmbridge Development Management Plan and Policy CS17 of the Elmbridge Core Strategy 2011.

LANDSCAPE AND TREES

Elmbridge Development Management Plan 2015

DM6 – Landscape and Trees

98. Policy DM6 of the Elmbridge Local Plan states that development proposals should be designed to include an integral scheme of landscape, tree retention, protection and/or planting.
99. The Council's Landscape Officer has been consulted on the proposals. The landscape Officer expresses concern in relation to the use of close board fence to surround the site. Therefore, a condition is recommended so that details of the boundary fence can be considered as part of the details pursuant stage of the proposal. This was also raised in neighbour objections.
100. With the exception of the boundary fencing the Landscape Officer raises no concern with the hard and soft landscaping strategy for the site. They have recommended conditions to ensure that planting be replaced if it should fail within the first five years and that a suitable landscape management plan with appropriate aftercare be submitted. Subject to the implementation of these conditions, the proposal is considered to be acceptable in landscape terms.
101. In relation to trees there are a number of existing trees on the site, some of which will be removed or lopped in order to accommodate the proposal. In support of the application, the applicant submitted an Arboricultural Impact Assessment.
102. The Council's Arboricultural Officer has been consulted on the proposals.
103. They have raised no objection to the proposal, however they have recommended that conditions are attached in relation to the long term management of landscaping and tree planting on the site, this includes replacing any failed planting on the site within 5 years and a landscape and management plan to be maintained for 5 years.
104. Officers note that some tree works have been carried out on site under the authorisation of the Council's Arboriculture Officer in connection with and to facilitate the demolition works.
105. The County Council considers that the proposed landscaping for the site and management of trees proposed is considered to be acceptable subject to the implementation of conditions. The proposal is therefore considered to accord with Policy DM6 of the Elmbridge Development Management Plan 2015.

IMPACT ON RESIDENTIAL AMENITY

Elmbridge Development Management Plan 2015

DM2 – Design and Amenity

106. Policy DM2 of the Elmbridge Development Management Plan comprises a mix of criteria relating to good design. On amenity the policy states that all new development should demonstrate they protect the amenity of adjoining and

potential occupiers and users. Development proposals should be designed to offer appropriate outlook and provide adequate daylight, sunlight and privacy.

107. The proposal site is located in the residential area. To the north of the site is Portsmouth Road. There are no residential dwellings to the north of the site. There are however residential dwellings to the east, south and west.
108. In relation to the existing dwellings, the northern block would measure a minimum of 9m from the closest adjacent dwelling at no. 131 Anyards Road. The southern block would measure a minimum of 5m from the boundary with no. 96 Portsmouth Road.
109. To the east of the site is Anyards Road, which has residential dwellings on the eastern side of the road and western side of the road.

96 Portsmouth Road

110. To the west of the site is residential property no. 96. Portsmouth Road which is a two storey semi-detached dwelling. The northern block would measure approximately 20m from this dwelling and therefore, in relation to this block Officers consider this to be a sufficient distance that there would be no overbearing impact, loss of light or outlook. Whilst there are balconies proposed on the south west elevation of this block which would have views towards no. 96 Portsmouth Road, these separation distances are considered sufficient such that there would be no direct views into the private amenity space of this resident or primary room windows and therefore there would be no loss of privacy from these balconies.
111. The southern block would be sited approximately 5m from the boundary of no.96 and would be located to the east of this existing dwelling, running along the length of the boundary enclosing this property's rear garden. In relation to an overbearing impact, the proposed block would be two storeys in height, however, as it would be set back by 5m from the boundary to this property, Officers are satisfied that the proposal would not result in an unacceptable overbearing impact to this property.
112. The Elmbridge Design and Character SPD Companion Guide for Home Extensions sets out some guidelines for extensions, which can be applied to new developments when assessing their impact on neighbouring dwellings. The 45 degree guideline can be used to assess the impact on adjoining neighbouring properties for two storey developments, closer than 15m to each other.
113. When a line is drawn at 45 degrees from the sight line of the closest habitable window, the proposal should not be within 15m of this window.
114. From the rear of no.96, the closest window at first floor level serves a bathroom window and therefore is not an amenity room. When a line is drawn at 45 degrees from the bedroom window, the separation distance measures approximately 10m. This would not strictly accord with the guideline of the SPD. However, it is noted that the site is within the developed area, whereby it is not always possible to achieve precisely the requirements of the SPD. In addition to the south west of no. 96 there is a long neighbouring garden. Therefore the rear of this dwelling remains relatively open. Officers are therefore satisfied the proposal would not result in a harmful loss of light to this property. As the

northern block is located to the east of this property, the proposal would not result in a harmful loss of outlook to the amenity windows of this dwelling.

115. In relation to privacy, units 5 and 4 would have five windows which face towards no. 96 at first floor level. However, it is proposed that three of these windows closest to no. 96 would be obscure glazed, so that there are no direct views of the primary rear amenity space serving these dwellings. The windows which overlook the far end of the garden would not be obscure glazed as this is not considered to be primary amenity space where a resident would occupy most often in the garden.
116. A balcony is proposed to serve unit 5 on the northern elevation of this southern block. In order to ensure there is no loss of privacy to no. 96 from the use of this balcony a condition is proposed to ensure that screening is maintained indefinitely on the western side of the balcony to a height of 1.7m.
117. Officers are therefore satisfied that in relation to no. 96, the proposal would not result in a materially harmful impact to the residential amenity of this neighbour.

Holmdale

118. Holmdale is located to the south of the proposed southern block. It comprises a two storey semidetached property. The proposed southern block would measure approximately 10m from this dwelling and would look towards the side elevation of Holmdale.
119. The separation distance is considered to be sufficient that there would not be an overbearing impact, harmful loss of light or outlook to Holmdale.
120. There are windows at first floor, and second floor on Holmdale on this side elevation. However, these windows are not primary amenity windows. Officers are therefore satisfied that the proposal would not result in a materially harmful loss of privacy to this property.

No. 131 Anyards Road and 129 Anyards Road

121. No. 129 Anyards Road is located to the east of the proposal site. It comprises a two storey semi-detached dwelling with garden space to the rear which is adjacent to the proposal site. At first floor level the windows on this neighbouring dwelling measure between 6-10m from the proposal site.
122. The proposed southern block would measure 24m from the first floor to the rear windows of this property. From the southern block to the boundary this separation distance would be approximately 18m. The Design and Character SPD advises that separation distances from back to back properties should measure 22m. In relation to the southern block Officers are satisfied the proposal accords with these guidelines. Furthermore the part of the southern block closest to this property at first floor level does not feature windows as it is a plant room. Therefore there would be no loss of privacy overbearing impact or loss of light to this neighbour.
123. In relation to the northern block, the closest element of this building to this dwelling is the plant room at first floor level which features no windows. Habitable accommodation which faces towards this dwelling at first floor level measures

approximately 17.5m from the boundary with this property. The northern block is positioned at an angle to this property and therefore there would be no direct views towards this property from the habitable accommodation at first floor. Officers are therefore satisfied that in relation to no. 129 Anyards Road, the proposal would not result in a loss of privacy, overbearing impact, loss of light or outlook to this building.

124. The proposed bin store would back onto this property and the cycle store would be adjacent to the bin store. The bin store and cycle stores are both single storey in height and therefore, would not have an overbearing impact on this property, loss of light, outlook or privacy.
125. No. 131 Anyards Road is located to the east of the proposal site. It is a two-storey semi-detached dwelling. It features a two storey gable end which extends towards the proposal site and does not feature windows at first floor on this gable facing towards the proposal site.
126. When a straight, direct line is drawn from the gable end to the closest proposed building, this would measure 16m to the northern block. When a line is drawn at an angle the building measures approximately 10m. The Design and Character SPD generally seeks two storey development to be 22m back to back. Whilst this would represent a minor shortfall, the proposed northern block is set at an angle to the existing dwelling and therefore, doesn't directly face towards this building. Officers are therefore satisfied the proposal, owing to the separation distance would not result in an overbearing impact or loss of outlook, light or privacy to this dwelling.
127. In relation to the northern block, the closest element of this building to this dwelling is the plant room at first floor level which features no windows. Unit 12 which is the closest unit at first floor level would measure 16m to the rear of this dwelling. Furthermore, the proposed block is at an angle to this building and does not therefore have direct views towards the rear of no. 131 therefore, Officers are satisfied the proposal would not result in a harmful loss of privacy to this existing neighbouring dwelling.
128. Concern had been raised by neighbours in representations to the County Planning Authority regarding the impact on residential amenity. However, the impact on amenity of residential neighbours has been considered above and Officers are satisfied that through appropriate conditions it would not have a materially harmful impact on the residential amenity of adjoining neighbours.
129. Officers are therefore satisfied that in relation to no. 131 Anyards Road, the proposal would not result in a harmful impact on the residential amenity of this neighbour.

No. 2 Lavender Cottages

130. No. 2 Lavender Cottages is located to the west of the site. It comprises a two storey semi-detached dwelling.
131. Adjacent to this neighbouring dwelling would be the disabled parking bays, new substation and bin stores.
132. The new substation would be located closer to the dwelling than the existing substation. The Environmental Health Officer at Elmbridge has been

consulted on the proposals and therefore has recommended a condition to ensure that a noise survey is conducted on the substation prior to its use and that should any mitigation be required on the substation that this is installed prior to its operation. Subject to the implementation of this condition, Officers are therefore satisfied the substation would not result in unacceptable noise impacts on Lavender Cottages.

133. The proposed northern block would measure approximately 22m from the boundary of this dwelling. This separation distance would accord with the Design and Character SPD. Therefore Officers are satisfied this element of the proposal would not result in an overbearing impact, harmful loss of light or outlook.
134. The proposed southern block is located to the west of this dwelling. It would measure 15m to the boundary with no.2. At first floor level there would be windows serving the bedroom and lounge area of unit 6 which would have views towards the rear amenity space of no. 2 Lavender Cottages. In order to prevent a loss of privacy the Design and Character SPD generally advises there should be a minimum of 22m back to back distance between dwellings. This would therefore generally require an 11m separation distance to boundaries. The 15m separation distance would therefore meet this requirement and Officers are satisfied there would be no materially harmful loss of privacy to this neighbour. Furthermore, views from these windows would be obscured by the existing boundary fences.
135. Officers are therefore satisfied the proposal would not result in a materially harmful impact on the residential amenity of surrounding neighbours and would accord with Policy DM2 of the Elmbridge Development Management Plan.

HIGHWAYS, ACCESS AND PARKING

Elmbridge Development Management Plan 2015

DM7 – Access and Parking

Parking Standards SPD

136. Policy DM7 of the Elmbridge Development Management Plan sets out that access to the site should be acceptable in terms of amenity, capacity, safety, pollution, noise and visual impact. It goes on to say the proposal should minimise the impact of vehicle and traffic nuisance, particularly in residential areas and other sensitive areas.
137. On parking, the Policy says that the proposed parking provision should be appropriate to the development and not result in an increase in on-street parking stress that would be detrimental to the amenities of local residents.
138. The Parking Standards SPD sets out the parking requirements for new development. For one bedroom developments, within town centres, the SPD sets out that there should be a minimum of 1 parking space per unit.
139. The proposal seeks to provide 4 parking spaces and 2 disabled parking spaces. It will also utilise existing accesses to the site. One access adjoins Anyards Road and one access adjoins onto Oakfield Road. Within the submitted transport note, the applicant has described the site operating in a way that traffic will enter on Anyards Road and will leave on Oakfield Road.

140. The Surrey County Council Transport Development Planning team have assessed the application on safety, capacity and policy grounds. They have raised no objection to the scheme subject to the implementation of conditions relating to the modifications to the access onto Anyards Road. These must be completed, prior to the occupation of the flats, with space to be laid out for parking and electric charging to be provided on the site.
141. Concerns have been raised by neighbours in relation to the access to the site particularly during deliveries of materials for construction and for the removal of materials during the demolition stage. The applicant has submitted a Construction Traffic Management Plan (CTMP) in support of the application which has been reviewed by the County Highways Team and is considered to be appropriate.
142. During construction it is proposed that access is taken from Anyards Road using the existing access. The contractor will be responsible for ensuring that good access will be available to and from the site from the start of construction for construction vehicles including adequate visibility and a banksman if required.
143. Neighbour comments concerned the suitability of Oakfield Road for construction traffic and the conflict with users of the recreation ground. The County Highway Team considers this in their consideration of the CTMP and raises no concern. Furthermore, it is not proposed Oakfield Road is used during the construction phase.
144. It has been asked by neighbours whether the former access to Portsmouth Road can be reinstated during the construction/demolition process, however, this access has been closed since 1981 according to the applicant, and the submitted Construction Traffic Management Plan is considered to provide sufficient arrangements to manage access to the site in a way to minimise disruption to the local community.
145. The Construction Traffic Management plan seeks to ensure contractors using the access stagger deliveries and hauling of material offsite throughout the day and that timing of deliveries is carefully managed to avoid peak times.
146. Concern had also been raised in relation to the potential conflict with construction traffic with another planning application: 2021/3243 - Elm Villa, 160 Anyards Road, Cobham, KT11 2LH. This application has now been withdrawn
147. In relation to parking the site would provide an under provision for parking relative to the Parking Standards SPD. However, the site is in a highly sustainable location with bus routes and the town centre in walking distance of the site. Furthermore, the County Council or someone chosen by the Council would be responsible for the management of the site, therefore, parking could be restricted by the management terms. The provision of disabled bays and the parking bays provided would provide parking for visitors to the site.
148. Despite the shortfall in parking the County Council is therefore satisfied that the site is in a highly sustainable location and that parking demand can be managed on site

149. The proposal is therefore considered to provide a suitable access and a suitable level of parking provision in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015 and the Elmbridge Parking Standards SPD.

WASTE AND REFUSE

Elmbridge Development Management Plan 2015

DM8 – Refuse, recycling and external plant

Elmbridge Recycling and Waste Provision – Guidance for property developers

Surrey Waste Plan 2019-2033

Policy 4 – Sustainable Construction and Waste Management in New Development

150. DM8 of the Elmbridge Development Management Plan 2015 states that proposals will be acceptable provided that appropriate waste and recycling facilities are provided on all new developments, the design and siting of bin storage and external plant respect the visual amenities of the host building and the area and storage points for refuse and recycling are accessible for collection vehicles as well as regular users..
151. Policy 4 of the Surrey Waste Plan 2019-2033 states that planning permission for any development will be granted where it has been demonstrated on-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.
152. As part of the proposals a bin store has been provided on the eastern edge of the site. The Elmbridge Recycling and Waste Provision – Guidance for property developers sets out the requirements for the bins for flats and what is considered appropriate bin storage.
153. The Guidance requires that bin storage is within 10m of the highway for refuse vehicles to ensure that the drag distance for bin workers is not beyond 10m for them to make collections. The proposed bin store would not accord with this guidance. However, the applicant within their supporting statement explains that the bins will be taken to a hard surface area by staff prior to the day of collection which is adjacent to Oakfield Road. This is within the required 10m. The Joint Waste Solutions team which provides refuse for the Elmbridge Area have been consulted on this element of the proposal and have raised no objection subject to the collection area for bins to be taken to being within 10m of the highway. Officers are satisfied this requirement can be met.
154. The applicant also confirms that the space within the bin store will be sufficient to meet the requirements of the Waste and Recycling Guidance in terms of the volume of bins and types of bins required which according to the guidance is 120L of normal waste and 120L of recycling waste per property as well as 24L of food waste.
155. The proposal is therefore considered to provide appropriate bin storage for the proposed development and would through management meet the requirement of the Waste and Recycling Guidance. The proposal is therefore considered to accord with Policy DM8 of the Elmbridge Development Management Plan 2015 and Policy 4 of the Surrey Waste Plan 2019-2033.

DRAINAGE

Elmbridge Development Management Plan 2015

DM5 – Pollution

156. Policy DM5 of the Elmbridge Development Management Plan 2015 states that development proposals should be designed and/or located to prevent or limit the input of pollutants into water bodies and the groundwater. Sustainable Drainage Systems (SuDS) should be incorporated wherever practical to reduce the discharge of surface water to the sewer network.
157. In support of the application, the applicant has submitted a Flood Risk Assessment and Drainage Strategy and details. The Surrey County Lead Local Flood Authority has been consulted on the proposals.
158. The site is located within Flood Zone 1. The Lead Local Flood Authority raise no objection to the proposal, subject to the implementation of conditions for a detailed drainage scheme to be submitted prior to commencement of development and for a verification report to be submitted ahead of first occupation.
159. The proposal is therefore considered to accord with Policy DM5 of the Elmbridge Development Management Plan 2015.

CONTAMINATED LAND

Elmbridge Development Management Plan 2015

DM5 – Pollution

160. DM5 of the Elmbridge Development Plan states that development affecting contaminated land will be permitted provided that the site is remediated to ensure it is suitable for the proposed use, taking into account the sensitivity of future occupants/users to pollutants, and that remedial decontamination measures are sufficient to prevent harm to living conditions, biodiversity or the buildings themselves.
161. The Borough Council's Environmental Health Officer has been consulted on the proposal and has reviewed the Land Condition Report submitted as part of the Planning Application.
162. They have concluded that there is unlikely to be a significant source of contamination on the site, however, should contamination be found, they have recommended a condition that if contamination is found on the site, that the County Planning Authority be notified and development be halted for an investigation to take place and suitable remediation and verification of any remediation to be submitted to the County Planning Authority.
163. Therefore the proposal is considered to accord with Policy DM5 of the Elmbridge Development Management Plan 2015.

TILTED BALANCE

164. Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development
165. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

166. The reference to policies being out-of-date includes instances in which the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (as clarified by footnote 8), which applies in this case. Accordingly, the so called 'tilted balance' in favour of granting permission is engaged. There is no policy within the Framework which would provide a clear reason for refusing the development proposed (as listed in footnote 7 of the NPPF) and so the appropriate test is to consider whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

167. It is acknowledged that the Council cannot demonstrate a five-year supply of housing and this currently stands at 4.36 years. Paragraph 11) is engaged in the absence of a five-year housing land supply.

168. The proposal would add 12 new affordable dwellings which is of an acceptable unit mix, officers attribute significant weight to this. The proposal is also considered to accord with development plan in relation to mix, sustainability, impact on the SPA, standard of accommodation, biodiversity, design and visual amenity, landscape and trees, impact on residential amenity, highways, access and parking, waste and refuge and drainage.

169. The County Council has not identified any adverse impacts of the proposal which would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. As such the proposal is recommended for approval.

HUMAN RIGHTS IMPLICATIONS

170. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.

171. Officer's view is that the proposal has no human rights implications.

Conclusion

The proposed development is located in the developed area of Cobham where the principle of development is generally supported. The proposal will provide specialist independent living accommodation within a sustainable location which will provide an

appropriate level of amenity. Officers are satisfied that through the application of appropriate conditions, the proposal would not result in a materially harmful impact on the residential amenity of surrounding neighbours. The layout and design of the proposed development is unique in view of the needs arising from the specialist accommodation it is providing. However it is considered that given the size and nature of the site and the distances retained between the proposed buildings it can be comfortably located. Officers acknowledge the proposal will introduce a different built form that than which predominates however this will not give rise to any adverse impact on the visual appearance of the area.

It is therefore recommended that the application is approved subject to conditions.

Recommendation

That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. EL/2022/2251 be PERMITTED subject to the following conditions:

Conditions:

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

Coveham Proposed Site Plan (with dims) – 221104

PEO2-5586-DR-A-90202 Rev C02 Proposed Site Elevations dated 1 April 2022

PEO2-5586-DR-A-90213 Rev C02 South Building - Elevations (2of2) dated 1 April 2022

PEO2-5586-DR-A-90212 Rev C02 South Building - Elevations (1of2) dated 1 April 2022

PEO2-5586-DR-A-90211 Rev C02 North Building - Elevations (2of2) dated 1 April 2022

PEO2-5586-M3-A-90701 Rev C2 Site Aerial View dated 22 July 2022

PEO2-5586-DR-A-90210 Rev C02 North Building - Elevations (1of2) dated 1 April 2022

PEO2-5586-DR-A-90101 Rev C01 Location plan dated 1 April 2022

PEO2-5586-DR-A-90102 Rev C01 Existing Site Plan dated 1 April 2022

PEO2-5586-DR-A-90103 Rev C01 Proposed Site Plan dated 1 April 2022

PEO2-5586-DR-A-90104 Rev C01 Proposed Site Roof Plan dated 1 April 2022

PEO2-5586-DR-A-90110 Rev C01 North Building - Ground Floor Plan dated 22 June 2022

PEO2-5586-DR-A-90111 Rev C01 North Building - First Floor Plan dated 22 June 2022

PEO2-5586-DR-A-90112 Rev C01 North Building - Roof Plan dated 22 June 2022

PEO2-5586-DR-A-90113 Rev C01 South Building - Ground Floor Plan dated 22 June 2022

PEO2-5586-DR-A-90114 Rev C01 South Building - First Floor Plan dated 22 June 2022

PEO2-5586-DR-A-90115 Rev C01 South Building - Roof Plan dated 22 June 2022

PEO2-5586-DR-A-90201 Rev C02 Existing Site Elevations dated 22 July 2022

PEO2-5586-DR-A-90301 Rev C01 Proposed Site Sections dated 1 April 2022

PEO2-5586-DR-A-90310 Rev C01 North Building - Section dated 22 June 2022

PEO2-5586-DR-A-90311 Rev C01 South Building - Section dated 22 June 2022

PE02-5586-DR-A-90312 Rev C01 Apartment Block - Main Entrance Bay Study dated 22 June 2022
 PE02-5586-DR-A-90313 Rev C01 Apartment Block - Typical Balcony Bay Study dated 22 June 2022
 PE02-5586-DR-A-90314 Rev C01 Apartment Block - Perforated Wall Bay Study dated 22 June 2022
 PE02-5586-DR-L-00001 Rev C01 General Arrangement Plan dated 31 March 2022
 PE02-5586-DR-L-00002 Rev C01 Illustrative General Arrangement Plan dated 31 March 2022
 PE02-5586-DR-L-00003 Rev C01 Hard Landscape Plan dated 31 March 2022
 PE02-5586-DR-L-00004 Rev C01 Soft Landscape Plan dated 31 March 2022
 PE02-5586-DR-L-00005 Rev C01 Tree Removal Plan dated 31 March 2022
 PE02-5586-DR-L-00006 Rev C01 Sections dated 31 March 2022
 PE02-5586-DR-L-00007 Rev C01 Planting Palette dated 31 March 2022
 PEO2-5586-DR-L-00009 Rev C01 Soft Landscape Standard Details dated 31 March 2022
 PEO2-5586-DR-A-90410 Rev C01 Bin/Bike Store/Substation Plan dated 22 July 2022
 PEO2-5586-DR-A-90411 Rev C01 Communal Bin and Bike Store dated 22 July 2022
 PEO2-5586-DR-A-90412 Rev C01 Bin Store/Bike Store/ Substation Section 22 July 2022
 PEO2-5586-DR-A-90413 Rev C01 Existing Hostel Building Elevations 1 of 2 dated 5 August 2022
 PEO2-5586-DR-A-90414 Rev C01 Existing Hostel Building Elevations 2 of 2 dated 5 August 2022
 PEO2-5586-DR-A-90415 Rev C02 Existing Warden House Elevations dated 16 August 2022

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
3. The potential for significant ground contamination to be present at the subject property is considered likely to be low. However, if, during development, ground contamination is found to be present at the site it must be reported immediately to the County Planning Authority. Development must be halted and an investigation shall be agreed, in writing, with the Council. The investigation shall be carried out by a competent person, to assess the condition of the land with respect to contamination.

In the event that remediation is required, a written method statement detailing how the identified contamination shall be dealt with and risks mitigated shall be submitted to the Council for written approval. The agreed remediation method statement shall be implemented prior to occupation or the development being brought into use.

Upon completion of the remediation, and prior to occupation or the development being brought into use, a written report providing verification that the required works with regards to remediation of contamination have been carried out in line with the agreed

method statement shall be submitted the Council for written approval. 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.

4. Prior to the Commencement of the Development hereby permitted a Habitat Creation, Management and Enhancement Plan shall be submitted to and approved in writing by the County Planning Authority. The Habitat Creation, Management and Enhancement Plan should be based on the proposed landscaping and the biodiversity net gain assessment specified in the above referenced report and should include, but not be limited to following:
 - a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions, together with a plan of management compartments
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
 - g) Details of the body or organisation responsible for implementation of the plan
 - h) Ongoing monitoring and remedial measures
 - i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
 - j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme

The development shall be implemented in accordance with the approved details

5. The applicant shall ensure that the proposed development will result in no net increase in external artificial lighting.
6. No part of the development hereby permitted shall be first occupied unless and until the proposed modified vehicular accesses to Anyards Road has been constructed in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.
7. No part of the development hereby permitted shall be first occupied unless and until space has been laid out within the site in accordance with the approved plan PEO2-5586-DR-A-90103 Rev C01 Proposed Site Plan dated 1 April 2022 for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
8. No part of the development hereby permitted shall be first occupied unless and until each of the proposed parking spaces are provided with a fast-charge Electric

Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with the approved plans and thereafter shall be retained and maintained to the satisfaction of the Local Planning Authority.

9. The flats hereby permitted shall remain as affordable housing (supported independent living accommodation) for rent in accordance with the definition as defined within the glossary of the NPPF 2021 or subsequent Government Guidance.
10. No part of the development hereby permitted shall be first occupied unless and until the BS8233 and BS4142 assessment and its mitigation measures as detailed within the Supported Independent Living: Coveham Hostel Site, RIBA Stage 3 Acoustic Design Report, Surrey County Council 14 March 2022 2022/FEB/05 has been fully implemented in accordance with the approved details. The works and scheme shall thereafter be retained, in accordance with the approved details for the life time of the development.

Before first occupation, post-completion testing shall be carried out to ensure that the sound insulation values have been achieved. This shall be carried out by a suitably qualified person and the results of the assessment shall be submitted to and approved in writing, by the Local Planning Authority.

11. The windows on the west elevation of the southern block serving the first floor flats 4 and 5 as shown on plan PE02-5586-DR-A-90114 shall be obscure glazed as per this plan and shall remain obscure glazed in perpetuity.
12. The western side of the balcony located on the northern elevation of the southern block shall be fitted with solid screening to a height of 1.7m. The screening shall be maintained and remain in place in perpetuity.
13. No part of the development hereby permitted shall be first occupied unless and until the approved hard landscaping has been provided in accordance with the Hard Landscape Plan PE02-5586-DR-L-00003 Rev.
14. No part of the development hereby permitted shall be first occupied unless and until a Landscape Management Plan including, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the County Planning Authority. The landscape management plan shall include five years of aftercare maintenance. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.
15. No part of the development hereby permitted shall be first occupied unless and until a soft landscaping plan shall be submitted to and approved in writing by the County Planning Authority. The soft landscaping plans shall include:
 - details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include: 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;

- a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- specifications for operations associated with plant establishment and maintenance that are compliant with best practise;

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

16. No part of the development hereby permitted shall be first occupied unless and until details of the types and dimensions of all boundary treatments have been submitted to and approved in writing by the County Planning Authority.
17. The development hereby permitted shall be implemented in accordance with the Arboricultural Appraisal and Impact Assessment dated 22nd September 2022 including all recommended tree protection methods.
18. The development hereby permitted shall be implemented in accordance with the Outline Construction Traffic Management Plan dated 24 June 2022.
19. No above ground development of the flats shall take place until samples of all external facing materials have been submitted to and approved by the County Planning Authority in writing. The relevant works shall be carried out in accordance with the approved sample details.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
3. To ensure that the proposed development will not cause pollution of the environment or harm to human health in accordance with National Planning Policy Framework and Policy DM5 of the Elmbridge Development Management Plan 2015.
4. In order that the proposal provides an adequate biodiversity net gain and the proposal accords with Policy CS15 of the Elmbridge Core Strategy 2011.
5. In order that the proposal would not lead to harm to protected species and accords with Policy CS15 of the Elmbridge Core Strategy 2011.
6. The condition is required in order to meet the objectives of the NPPF (2021), and to satisfy policy CS25 of the Elmbridge Core Strategy (2011), and policy DM7 of the Elmbridge Development Management Plan (2015).
7. The condition is required in order to meet the objectives of the NPPF (2021), and to satisfy policy CS25 of the Elmbridge Core Strategy (2011), and policy DM7 of the Elmbridge Development Management Plan (2015).
8. The conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are also

required recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

9. To ensure the proposal meets the definition of affordable housing and therefore contributes to the Elmbridge affordable housing need in accordance with Policy CS21 of the Elmbridge Core Strategy 2011.
10. To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 180 of the National Planning Policy Framework and the Noise Policy Statement for England.
11. In order to prevent a materially harmful loss of privacy to the adjoining neighbour in accordance with the guidance of the Elmbridge Design and Character SPD and Policy DM2 of the Elmbridge Local Plan 2015.
12. In order to prevent a materially harmful loss of privacy to the adjoining neighbour in accordance with the guidance of the Elmbridge Design and Character SPD and Policy DM2 of the Elmbridge Local Plan 2015.
13. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.
14. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015
15. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015
16. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio diversity benefits and to enhance its setting within the immediate locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.
17. Required to safeguard trees and enhance the character and amenity of the area, to provide ecological, environmental and bio diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.
18. The condition is required in order to meet the objectives of the NPPF (2021), and to satisfy policy CS25 of the Elmbridge Core Strategy (2011), and policy DM7 of the Elmbridge Development Management Plan (2015).
19. In the interests of the character and amenity of the area in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015

Informatives:

1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on landscape/ecology/visual impact and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions and the County Planning Authority has also engaged positively in the preparation of draft legal agreements. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2021.
2. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
4. 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 to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs
5. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings,

highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage
8. 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).
9. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
10. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
11. 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/flooding-advice.

Contact Chris Turner

Tel. no. 07812 776002

Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Elmbridge Borough Council planning register for this application can be found under application reference EL/2022/2251.

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Local Plan 2019-2033](#)

[Elmbridge Development Management Plan 2015](#)

[Elmbridge Core Strategy 2011](#)

[Elmbridge Design and Character SPD](#)

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