

To: Planning & Regulatory Committee

Date: 25 March 2021

By: Planning Development Manager

District(s) Elmbridge Borough Council

Electoral Division(s):

Walton South & Oatlands

Mr Samuels

Case Officer:

Stephanie King

Purpose: For Decision

Grid Ref: 510170 166013

Title: Surrey County Council Proposal EL/2020/3112

Summary Report

10 former Ashley Road, Walton on Thames, Surrey KT12 1HU

Development of a new Children's Home and No Wrong Door Facility with associated parking, access and landscaping.

The application site is approximately 0.21 hectares (ha) and is currently vacant with only the remnants an air raid shelter present and a number of trees covered by a Tree Protection Order (TPO). The application site is located within a residential area on the western side of Ashley Road (B365). The Ashley Church of England Primary School playing field lies to the rear of the application site.

The proposal comprises the construction of a building to accommodate a new Children's Home and 'No Wrong Door Facility', new vehicle and separate pedestrian accesses off Ashley Road, car parking, the removal of a number of trees and associated landscaping. Trees that are to be retained, are to be protected throughout the development. The proposal includes provision for sustainable drainage and external lighting; alongside mitigation measures for traffic, dust and noise during the construction phase.

There is an identified need for a new Children's Home in Elmbridge Borough to replace another which is no longer fit for purpose in Cobham. Walton is identified as one of the most sustainable locations in Elmbridge for this development. The Children's Home will accommodate four 12 to 17 year old residents and three members of staff and the No Wrong Door Facility will accommodate two emergency and temporary residents and one member of staff.

The proposed building would have separate entrances and rear gardens for the Children's Home and the No Wrong Door Facility and would be approximately 23.1 metres (m) in length, approximately 13.2m in width and approximately 8.5m in height. It is to be finished in red facing brick and fibre cement slates on the pitched roof. To compensate for the loss of the trees, the applicant is providing new planting resulting in a total 11% biodiversity net gain for the site. Other ecological mitigation is proposed.

No objections have been received from the statutory consultees. Six letters of objection have been received from residents raising concerns on traffic and highway matters, the principle of the development, the design of the proposal and its proposed location in a residential area, and the loss of trees. These have been addressed throughout the report.

The proposal has been thoroughly assessed and is considered to comply with the relevant Development Plan Policies.

The recommendation is PERMIT subject to conditions.

Application details

Applicant

SCC Property

Date application valid

18 November 2020

Period for Determination

2 April 2021

Amending Documents

Drawing ref: 60642443-AEC-00-00-DR-AR-100101 Rev P2 Location Plan dated 18 November 2020

Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021

Drawing ref: 20/083/01 Rev A Detail Survey dated 16 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100102 Rev P2 Existing Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW001 Rev C Tree Constraints Plan dated 18 February 2021

Utility, Flood Risk and Drainage Strategy Rev P03 dated 13 January 2021_Redacted

Biodiversity Net Gain Metric 2.0 dated 5 January 2021 redacted

Amplifying information on revised T1 RPA email dated 11 February 2021

Revised Appendix D Tree Protection Plan Rev B of the Arboricultural Impact Assessment

Design and Access Statement Rev P2 dated 17 February 2021

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 |
|---|---|--|
| Need and Location Suitability | Yes | 29-37 |
| Scale & Layout, Design, and Landscaping | Yes | 38-69 |
| Trees and Tree Preservation Order | Yes | 70-86 |
| Ecology and Biodiversity | Yes | 87-99 |
| Drainage | Yes | 100-107 |
| Impact on Residential Amenity | Yes | 108-115 |
| Highways, Traffic and Access | Yes | 116-143 |

Illustrative material

Site Plan

Site location plan and application site area 1

Aerial Photographs

Aerial 1, 2 and 3 location and site context

Site Photographs

Photo 1 View from Hawthorn Lodge site access of the application site frontage onto Ashley Road

Photo 2 View from 1-6, 17 Ashley Road site access of the application site frontage onto Ashley Road

Photo 3 View along Ashley Road looking north

Photo 4 View along Ashley Road looking south

Background

Site Description

1. 10 former Ashley Road is located within the residential area of Walton on Thames, in the Ashley Park area. The application site is approximately 0.21 hectares (ha) and is currently vacant with no existing buildings located on the site, with the exception of a partially underground redundant air-raid shelter structure and small, short, circular tile wall. At present, the site is covered in low level vegetation and a number of trees which are covered by a TPO (Tree Preservation Order EL:05/16).

2. The application site is located on the western side of Ashley Road (B365), which has a speed limit of 30 miles per hour (mph). The application site does not have access onto Ashley Road and there are double yellow lines and pedestrian footways along both sides of Ashley Road. Ashley Road connects to the A244 to the north which leads into Walton town centre and the Queens Road (A317) to the south. Four bus stops are located within a 5 minute walk of the site and Walton-on-Thames Train Station is within a 15 minute walk of the site. Walton town centre is within a 5 to 10 minute walk from the site.
3. The site is bounded to the east by Ashley Road (B365). A three-storey detached building of flats lies beyond Ashley Road on the other side. To the south of the application site is a two-storey detached residential property and dental practice with further residential properties beyond. The Ashley Church of England Primary School playing field lies immediately to the west, and a three-storey purpose built block of flats to the north with another three-storey purpose built block of flats and Ashley C of E Primary School beyond.
4. The application site is located within Flood Zone 1, the lowest level of fluvial flood risk, and an area of a low risk level of surface water flooding and major groundwater vulnerability.

Planning History

5. There is no recent or relevant planning permission pertaining to this site. The site has been vacant since approximately the mid-1960s. The only recent decisions are for works to trees covered by the TPO EL:05/16 in 2017 and 2009.

The Proposal

6. The proposal is for development of a new Children's Home and No Wrong Door Facility with associated parking, access, and landscaping. Surrey County Council has a duty to establish comfortable and safe homes for children in the county. There is an identified need to replace a current Children's Home that is no longer fit for purpose in Cobham. The application site is proposed as a replacement because of its location within Surrey and in line with Ofsted's recommendations for children to grow up in family-sized units. Surrey County Council also has a requirement to provide a 'No Wrong Door' facility that provides emergency accommodation for young people while family issues are resolved. This proposal seeks to meet this need.
7. The proposal is for the construction and use of a two-storey detached building for both the Children's Home and No Wrong Door facility. The Children's Home is proposed to house a maximum of four residents aged 12 to 17 and 3 staff. The No Wrong Door facility is proposed to provide emergency and temporary accommodation for two residents who require rapid relocation aged 12 to 17 and 1 member of staff.
8. The proposed building is approximately 23.1 metres (m) in total length and approximately 13.2m in total width with a pitched roof giving a total height of 8.5m from the finished floor level. The external building walls would be finished in red facing brick and the roof in fibre cement slates. The windows and doors are proposed to be grey aluminium and timber composite and have case stone lintels and sills. The two entrance doors will be made of timber and would have a porch canopy extending approximately 0.9m from the building. External lighting would be down-lit and recessed under the front canopies and mounted on the walls, and low level bollard lighting will be placed along the pedestrian access.
9. The Children's Home section is the larger of the two sections as it will house four residents aged 12 to 17 years old and three support staff. The Children's Home section

would be 10.5m (l), 13.2m (w) and approximately 8.5m (h) with a smaller section where the Children's Home connects to the NWD facility. The small, connecting part of the building would be approximately 3.9m (l), 5.1m (w) and approximately 8.5m (h). Together, these parts make up the Children's Home section and comprise an entry hall, visitor WC, two offices, hallway, quiet room, living room, dining room, kitchen, downstairs bathroom, utility, laundry, multi-purpose room and six bedrooms with ensembles. The DAS appendix details the room types are standard room sizes and preferred layouts in accordance with the London Housing Design Guide¹ recommendations. The Children's Home has its own entrance and private rear garden with a terrace, growing beds, garden shed, cycle parking, bin storage and plant enclosure. The private garden will be fenced from the site boundary, NWD facility, and the front of the property. A gate connecting the rear garden to the front to the property is proposed to allow access for maintenance, for the private cycle parking and to move the bins when required.

10. The NWD facility section is smaller than then Children's Home section at approximately 8.7m (l), 8.4m (w) and 8.0m (h). The NWD facility section comprises an entry hall, hallway, resource/living room, downstairs WC, Kitchen/dining and three bedrooms with ensembles, two for emergency and temporary residents aged 12 to 17 years old and one for staff. As with the Children's Home, the room sizes and layout accord with the London Housing Design Guide. The NWD facility section is designed to have a separate front door entrance and rear garden containing a terrace, cycle parking and bin storage. As the NWD facility is smaller and will house fewer residents, the rear garden is also smaller than that of the Children's Home. The rear garden will be enclosed by a fence. A gate connecting the rear garden to the front to the property is proposed to allow access for maintenance, for the private cycle parking and to move the bins when required.
11. To facilitate the proposal, 2 category B trees and a small number of trees within the sites tree group (ID G15) will need to be removed. The remaining trees will be protected during and after construction. The existing boundary fence will be replaced with 1.8m high close board timber fencing. Planting is proposed around the garden borders and grass lawns to the rear of the building, with some raised planting beds for the Children's Home garden. The proposal includes space for waste bin storage.
12. Surface water is proposed to be managed by way of a sustainable drainage strategy, which includes a 19 metres squared (m²) attenuation tank buried under the car park and 14m³ porous paving system on the vehicle access and car park.
13. New vehicle and pedestrian accesses off Ashley Road (B365) are proposed for the site. The vehicle access has an achievable visibility splay of 2.4m by 45m. The pedestrian access footpath is located to the north of the vehicle access² and will be finished with block paving and have low level bollard lighting. A shared car park finished in permeable paving is proposed in front of the building, with 4 standard bays and 1 accessible bay. The parking area will also include a dual EV charging point allowing 2 vehicles to charge at once. Cycle parking is proposed for the front of the building and for each part of the property within the rear gardens.

Consultations and publicity

District Council

14. Elmbridge Borough Council No objection

¹ [London Housing Design Guide dated August 2010](#)

² As illustrated on drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 attached to this report.

Consultees (Statutory and Non-Statutory)

- | | |
|-------------------------------|---|
| 15. County Arboriculturist | No objection subject to the inclusion of conditions inclusion requiring a detailed Landscaping scheme, Existing Structure Method Statement, Updated Construction and Environment Management Plan, and Material Storage plan |
| 16. County Ecologist | No objection subject to 2 conditions in relation to an updated Construction and Environment Management Plan and site clearance. |
| 17. County Landscape Officer | No objection subject to the inclusion of a condition for a detailed hard and soft landscaping scheme for the site. |
| 18. Affinity Water | No comment received. |
| 19. Lighting Consultant | No objection. |
| 20. SuDS & Consenting Team | No objection subject to the inclusion of 2 conditions. |
| 21. Thames Water | No objection subject to the inclusion of three informatives. |
| 22. County Highway Authority | No objection subject to the inclusion of 5 conditions on new access, parking and turning, cycle parking, Construction Transport Management Plan and electric vehicle charging. |
| 23. Southern Gas Network Ltd. | Awaiting comments |

Summary of publicity undertaken and key issues raised by public

24. The application was publicised by the posting of 2 site notices and a total of 110 of owner/occupiers of neighbouring properties were directly notified by letter. To date 6 letters of representation have been received from local residents raising the following concerns:
- Ashley Road (B365) already has lot of traffic, so object to the increase in traffic from the proposal as the increase in traffic from proposal will increase risk to residents and pedestrian's safety, especially school children due to sites proximity to school.
 - Ashley Road (B365) is very narrow, damaged, potentially dangerous and cannot support an increase in traffic.
 - Increase in traffic from the proposal will worsen existing air pollution in the area.
 - The proposed access is in close proximity to a difficult junction and has poor visibility.
 - Request road signs to slow traffic as lots of speeding on Ashley Road
 - The proposal is out of place and out of character of the area and is not fitting with the existing surroundings and residential area
 - The land should go to Ashley Church of England (C of E) School.
 - The proposal will possibly increase the anti-social behaviour in the area and could bring an undesirable element to the area which is of high value residential homes.
 - Impact on property value (note this is not a material planning consideration).

- Request further information on which trees are being retained and that new trees be planted elsewhere to compensate the removal of the existing trees

25. One of the representations received was from the Headteacher at Ashley C of E Primary School stating that the school has a right to the land from the previous owners and that the site should be used for education purposes. Other representatives also stated that the land should go to the school. Officers note that planning permission runs with the land, therefore the School's claim to the land cannot prevent the issuing of any decision. Following investigations by the SCC legal team and correspondence with the School, it has been confirmed that the School does not have a claim on the land and the School no longer objects to the proposal. Therefore, this matter has been resolved.

Planning considerations

Introduction

26. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
27. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008, the Elmbridge Borough Council Development Management Plan 2015, the Elmbridge Borough Council's Core Strategy 2011, the Parking Supplementary Planning Document (SPD) dated July 2020, the Elmbridge Design and Character SPD dated April 2012, and the Design and Character SPD Companion Guide: Walton On Thames dated April 2012. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
28. 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: need and location suitability; scale and layout, design, and landscaping; trees and the TPO; ecology and biodiversity; drainage; residential amenity; and highways, traffic and access.

NEED AND LOCATION SUITABILITY

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS1 – Spatial Strategy

Policy CS3 – Walton on Thames

Policy CS16 – Social and Community Infrastructure

29. EDMP 2015 Policy DM9 encourages new development for social and community facilities that meets identified local need, is sited in a sustainable location that is safe and accessible to the local community, accords with the character and amenity of the area particularly in residential area. Policy CS1 of ECS 2011 identifies Walton and Weybridge as the most sustainable locations for new development within the borough of Elmbridge and is clear that new development is directed towards previously developed land (PDL) within the existing built up area, taking account of the relative flood risk of available sites.

30. Policy CS3 of ECS 2011 states that new development outside of the town centre is promoted through redevelopment of previously developed land, taking account of relative flood risk, in a way that integrates with and enhances local character. Policy CS16 of ECS 2011 requires the provision of sustainable social and community infrastructure that is accessible by public transport, cycling and walking.

Need

31. Looked After Children Property Projects – New Children’s Home and Shaw Family Centre, Item 13 of Cabinet meeting dated 21 July 2020³ was approved for the delivery of two new community Children’s Homes and the rebuilding of the Shaw Family Contact Centre following the closure of the Faircroft Children’s Home in Cobham due to it no longer being fit for purpose and on Ofsted’s recommendations is too big for the small number of children that Surrey County Council (SCC) can look after in them. 10 Ashley Road, Walton-on-Thames, KT12 1HF was identified as a location suitable for providing Children’s Home provision plus two places in a ‘No Wrong Door’ facility annex.
32. Officers consider that there is an identified need to replace the Faircroft Children’s Home within Surrey as set out in the report approved by Cabinet and there is a need and priority to provide comfortable and safe homes for SCC children.

Location suitability

33. The Cabinet report details that Surrey County Council (SCC) has a statutory duty to children in SCC care to ensure they remain in touch with their birth families and significant others. The Cabinet report explains that this is called ‘contact’ and is often the subject of court orders and regulations, and for many children their ‘contact’ is restricted to four to six times a year. Therefore, the Cabinet report is clear that it is essential that the quality of this ‘contact’ provides children with the best possible experience. In view of the ‘contact’ requirements and that this proposal is replacing another Children’s Home in Elmbridge, Officers consider that the application site is an appropriate location for the nature of the development in accordance with EDMP 2015 Policy DM9.
34. The application site is located within a residential area, south of Walton-On-Thames town centre. Officers recognise that Policy CS1 of the ECS 2011 encourages development to PDL, however having reviewed the definition of PDL within the National Planning Policy Framework (NPPF)⁴ Officers consider that the application site does not fall within this definition of PDL as the previous building was removed from the site several decades ago and the remaining partially underground structure and small tile wall have blended into the landscape. However, as Policy CS1 does not require development to be located on PDL, in view of this, and that the application site is within Walton which is one of two most suitable locations for new development within the borough of Elmbridge and falls within Flood Zone 1, Officers are satisfied that the proposal accords with ECS 2011 Policies CS1 and CS3 in this regard.
35. As detailed in paragraph 2 above, the application is located on the western side of Ashley Road. Pedestrian footways are on both sides of the highway and the application site is within a 5 to 10 minute walk of Walton town centre and a 10 minute walk of Elm Grove Recreation and St Boundary Park. Whilst Ashley Road does not have dedicated cycle lanes, there are cycle networks in the local vicinity including National Cycle Route 4 and the proposal includes the provision of onsite cycling parking. In terms of public transport, the application site is located within a 5 minute walk of four bus stops which

³ [Cabinet meeting dated 21 July 2020: Agenda, decisions, and minutes](#)

⁴ ‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes... land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’.

provide good access to the local and wider bus network; and is within a 15 minute walk of Walton-on-Thames Train Station, which provides a direct line to London, Woking and beyond. Overall, Officers are satisfied that the application site is a sustainable location with regards to walking and cycling and is located with good access to public transport and therefore accords with ECS 2011 Policy CS16 in this regard.

36. Elmbridge Borough Council raise no objection to the proposal regarding the application site location.

Conclusion

37. Officers are satisfied that there is an identified need for the proposed development within the borough of Elmbridge-and that the application site is an appropriate and sustainable location for new development within the borough of Elmbridge and has access to sustainable travel options. Consequently, Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

SCALE AND LAYOUT, DESIGN, AND LANDSCAPING

Surrey Waste Local Plan Part 1 – Policies 2020 (SWLP 2020)

Policy 4 – Sustainable Construction and Waste Management in New Development

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM2 – Design and amenity
 Policy DM6 – Landscape and Tress
 Policy DM8 – Refuse, recycling, and external plan
 Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS1 – Spatial Strategy
 Policy CS17 – Local Character, Density and Design

Elmbridge Design and Character Supplementary Planning Document dated April 2012 (DCSPD 2012)

Design and Character Supplementary Planning Document Companion Guide: Walton On Thames dated April 2012 (DCSPDWOT 2012)

38. SWLP 2020 Policy 4 is clear that planning permission for any development will be granted where it has been demonstrated that:
- a) The waste generated during the construction, demolition and excavation phase of development is limited to the minimum quantity necessary.
 - b) Opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised.
 - c) 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.
 - d) Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.
39. There are a number of policies within the EDMP and ECS that relate to design, layout and landscaping. Policy DM2 of the EDMP 2015 states that all new development should

achieve high quality design that demonstrates environmental awareness and contributes to climate change mitigation and adaptation. Policy DM2 also states that all development proposals must be based on an understanding of local character including any specific local designations, and take account of the natural, built, and historic environment.

40. In addition, Policy DM2 requires proposals to preserve or enhance the character of the area, taking account of the design guidance in the Design and Character SPD, and with particular regard to: appearance, scale, mass, height, levels and topography, prevailing pattern of built development, separation distances to plot boundaries, and character of the host building, in the case of extensions. Policy DM2 also requires proposals to take account of landform, layout, building orientation, massing, and landscape to minimise energy and waste consumption, and for proposals to create safe and secure environments, reducing opportunities for crime.
41. Policy DM6 of the EDMP 2015 is clear that development proposals should be designed to include an integral scheme of landscape, tree retention, protection and/or planting that, inter alia:
 - a) reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity;
 - b) contributes to biodiversity by conserving existing wildlife habitats, creating new habitats, and providing links to the green infrastructure network; and
 - c) encourages adaptation to climate change, for instance by incorporating, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements.
42. Policy DM8 of the EDMP 2015 requires all new development, including changes of use, to provide appropriate waste and recycling facilities. Policy DM8 is clear that proposals are acceptable provided that:
 - a) the location and design of bin storage, waste facilities and any proposed external plant, such as air conditioning units and extract flues, have been considered at the outset and are integral to the development;
 - b) the design and siting of bin storage and external plant respect the visual amenities of the host building and the area; and
 - c) Storage points for refuse and recycling are accessible for collection vehicles as well as regular users.
43. Policy DM9 of the EDMP 2015 is clear that new social and community development must accord with the character and amenity of the area, particularly in residential areas, and achieve a high-quality design that allows for flexible use and provides inclusive access for all.
44. Policy CS1 of the ECS 2011 requires all new developments to be high quality, well designed and locally distinctive. New development should also be sensitive to the character and quality of the area, respecting environmental and historic assets and, where appropriate, introduce innovative contemporary designs that can positively improve local character. Policy CS17 of the ECS 2011 requires new development to deliver high quality and inclusive sustainable design, making efficient use of urban land, integrating sensitively with the local landscape, and protecting the amenities of those within the area. The policy requires new development to enhance the public realm and street scene, providing a clear distinction between public and private spaces, and be appropriately landscaped with biodiversity habitat provides where appropriate. New buildings should be physically integrated into the community through safe permeable access routes which minimise opportunities for crime. Policy CS17 also supports high quality design that creates a harmonious, complimentary, and vibrant environment, in which a range of uses can function and flourish.
45. The DCSPD 2012 requires a Design and Access Statement to be submitted for all planning applications, except householder applications. Ashley Park is identified as an

area of high architectural quality in the DCSPDWOT 2012 comprising large detached houses set in regular generous plots and often have significant open green space to their curtilage. There is generally a fixed building line with landscaped boundaries and mature trees and groups.

46. The National Planning Policy Framework at paragraph 130 states that *‘where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’* The NPPF also seeks to ensure vitality in Town Centres. Paragraph 87 states *‘When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored’.*

Scale and layout

47. The application site is approximately 0.21 hectares (ha) and is currently vacant, heavily vegetated with low lying vegetation and with no existing buildings located on the site, with the exception of a partially underground air-raid shelter structure and small, short, circular tile wall. The proposal is for the construction and use of a two-storey detached building for provision of a Children’s Home and No Wrong Door (NWD) facility with associated parking, access, and landscaping⁵. The proposed building is approximately 23.1 metres (m) in total length, approximately 13.2m in total width and approximately 8.5m in total height. The proposed building has a pitched roof.
48. The submitted Design and Access Statement (DAS) details that the surrounding properties on Ashley Road are a mix of two storey, detached houses with private gardens and three storeys, purpose built block flats, and all contain a mix of hard standing and soft landscaping. The proposed site layout takes elements from these surrounding properties. The proposed building is two storeys high and is setback from Ashley Road in line with the property to the south of the application site. The proposed site layout also comprises two distinct private, landscaped gardens to the rear of the property and a mix of hard standing and landscaping in front of the property onto Ashley Road. Officers consider that the proposal offers a clear distinction between public and private space in accordance with ECS2011 Policy CS17. Furthermore, as a DAS has been included in the submission, Officers are satisfied that the proposal meets the relevant requirements set out in the DCSPD 2012.
49. The proposed building is centrally located within the site, with the Children’s Home section in the northern half of the building and the smaller NWD facility section in the southern half. Officers are satisfied that the proposed site layout is in keeping with the prevailing pattern of built development in the site locality, includes sufficient separation distance from the plot boundaries, and that the proposed total height is in keeping with neighbouring properties in accordance with EDMP 2015 Policy DM2. Officers are also satisfied that the proposal reflects the local landscape and would integrate into the neighbourhood in accordance with EDMP 2015 Policy DM6 (a).
50. The submitted Planning Statement and DAS are clear that the applicant has sought to retain as many trees on site as possible while also delivering the proposed building including those on the site boundary to maintain the visual appearance of the site as densely vegetated and achieve the highest public amenity value from the retained trees.

⁵ Attached Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

The proposed development frontage onto Ashley Road will comprise four retained trees, amenity grass, both vehicle and pedestrian accesses, and the site car park with the existing fence being replaced. Officers recognise that whilst the proposal would result in a change to the frontage of 10 Ashley Road, that with the retention of perimeter trees and provision of landscaping this change would be in keeping and would ameliorate with the immediate surrounding area. Officers are therefore satisfied that the proposal accords with EDMP 2015 Policies DM2 and DM6 (a) and ECS2011 Policy CS17 in this regard.

51. As the proposed building will be surrounded by retained trees, Officers are satisfied that the proposed development will provide appropriate outlook. Officers consider that the proposed windows and locations across all faces of the building will help to ensure adequate daylight and sunlight into the property, and therefore accords with EDMP 2015 Policies DM2 and DM5 in this regard.
52. Officers are satisfied that the scale, height and massing are such that they are not incongruous with the surrounding properties on Ashley Road, and that the proposed building is appropriately scaled for the site and its function; and that the building is sufficiently set back from the road in a similar manner to the other properties in the locality. Officers are satisfied that the proposal makes efficient use of space in accordance with ECS 2011 Policy CS1. As such Officers are satisfied that the proposal meets the requirements of EDMP 2015 Policy DM2 and DM6 (a) and ECS2011 Policy CS17 to ensure it is of a suitable scale and is well screened.
53. Elmbridge Borough Council raise no objection to the proposal and have made no specific comments with regards to the proposed scale and layout of the development.

Design

Building Materials

54. The DCSPDWOT 2012 details Ashley Park as an area of high architectural quality, comprising large detached houses set in regular generous plots and often have significant open green space to their curtilage. The DCSPDWOT 2012 also notes that generally a fixed building line with landscaped boundaries and mature trees and groups. Paragraph 8 above details the external materials and lighting for the proposed building. The applicant explains in the DAS that the proposed materials are natural and high quality to give the building warmth and reflect the character of the local area. The DAS notes that the area is dominated by large detached and semi-detached properties including a mixture of modern 20th development with pockets of distinctive 18th and 19th century properties. The DAS explains that local architectural details such as vertical fenestration with taller windows on the ground floor and case stone lintels and sills have been incorporated into the building design to be congruous with the local character. The DAS is clear that the local character, functionality, sustainability, and homely need of the residents have been considered and incorporated into the design, making the property a cohesive and inviting space that integrates well into the neighbourhood.
55. In addition to the design, the applicant has provided details on how the proposed building has been designed to address climate change adaptation including the provision of an air source heat pump to provide low carbon heating and hot water; and high levels of insulation and air tightness to ensure energy efficiency. Officers consider that the proposes building orientation and central location within the site with the retained trees surrounding the site will help to optimise useful solar gains to reduce heating and lighting demand whilst reducing the risk of overheating.
56. The County Landscape Officer raised concerns that the proposed bollard lighting may create spill light however, the County Lighting Consultant considers that the down-lighting and use of low level bollard lighting will mitigate against glares to adjoining

properties and raise no objection to the proposal. Officers are satisfied a condition can be imposed to control lighting from the application site so not to create light spill.

57. Officers are satisfied that the proposed design of the building reflects the local character of the area which would be congruous with other properties in the area. Furthermore, given the detached nature of the building and the landscaping proposed, Officers are satisfied that the proposal meets the description set out in the DCSPDWOT 2012 and therefore accords with the DCSPDWOT 2012.
58. Officers are satisfied that given the pallet of materials chosen to reflect those already existing in the locality that the proposed development accords with EDMP 2015 Policies DM2 and DM9 and ECS 2011 Policies CS1 and CS17. Details provided within the application outlining how energy consumption would be minimised and how climate change has been considered, Officers are satisfied that the proposal accord with EDMP 2015 Policies DM2 and DM6 (c) and ECS 2011 Policy CS17.

On site waste management

59. A Construction and Environmental Management Plan (CEMP) has been submitted with the application providing details that to minimise re-use and recycle construction waste, a Site Waste Management Plan (SWMP) will be prepared. The CEMP provides some initial detail on the SWMP, and Officers are satisfied that construction waste will be managed in accordance with the requirements set out SWLP 2020 Policy 4 in principle, but further detail on this is required. Officers note that other elements of the CEMP remain to be completed and therefore proposed to secure further details, including an updated SWMP by condition.
60. The proposal includes information on external bin storage facilities proposed for each part of the building which are proposed to be located on the sides of the building within each rear garden. The bin storage is proposed be finished in timber planting. Refuse and recycling is proposed to be collected on the street as is the case for the neighbouring properties along Ashley Road. Officers consider that the proposed size of the bin storage is appropriate for the size of the development and that the design is in keeping with the other site finishing's in terms of visual amenity. Officers are satisfied that the proposed location offers good access from the building and is also accessible when it comes to collection days. Therefore, Officers consider that the proposal accords with EDMP 2015 DM8 in this regard.

Secure environments and reducing opportunities for crime

61. The proposal includes details for a new 1.8m high close board timber fencing around the perimeter of the site, with the exception of the site access, and gates are proposed from the front of the site to the rear gardens to allow access to the private cycle parking, move the bins from the bin storage to the front of the site for waste collection, and maintenance access. Officers are satisfied that the proposed fencing is in keeping with the surrounding environment and will create a secure site in accordance with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17. Officers also consider that the congruous design further helps to create a safe environment for Ashley Road in accordance with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17.
62. Officers note that residents have raised concerns the proposal will possibly increase the anti-social behaviour in the area, that the nature of the development could bring an undesirable element to the area which is of high value residential homes, that a Children's Home is not fitting with the existing surroundings and residential area, and that the proposal is out of place and out of character of the area.
63. Officers note that concerns expressed in the objections about potential impacts on property values are not material planning considerations. Officers, whilst recognising the

concerns raised by residents, note that there is a need for the development within Elmbridge and that the application site is a suitable location. Officers consider that the nature of the development is in keeping with surrounding residential area, is a suitable and sustainable location in accordance with development plan policy and has been designed to be congruous with the character of the surrounding residential properties. Therefore, Officers do not consider that nature of the development is undesirable or out of keeping with the local environment. Furthermore, the proposal does not provide any indication that the residents will insight anti-social behaviour during their residency and the design of the proposal is not one that encourages or facilities anti-social behaviour. Therefore, Officers consider that there is no evidence to support that the proposal will result in an increase in anti-social behaviour. The fears of an increase in anti-social behaviour can be a material consideration, however where the fear is irrational it is not a material consideration. Officers consider that this fear is not founded on any evidence and therefore it is not a material consideration and does not carry any weight. Accordingly, for the reasons outlined above, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM2 and ECS 2011 Policy CS17 in this regard.

Landscaping

64. As detailed in paragraph 11 above, 2 category B trees and a small number of trees within the sites tree group are proposed to be removed to facilitate the development. The remaining ten trees and number of trees from the site tree group (ID: G15) are proposed to be retained and will continue to provide amenity and biodiversity value to the site. Given the small scale of the site, Officers recognise that it is not possible for the applicant to provide replacement trees on the site with sufficient space for their root systems and to grow.
65. However, the applicant proposes to address the loss of biodiversity and vegetation through the planting of 0.69 hedgerow units in the form of medium to large (1.5 to 3m maturity) native shrubs along the boundaries of rear gardens. Amenity grass is also proposed for the rear gardens and the front garden where not covered by the access and car park hard standing. The County Landscape Officer comments that the proposed development will result in the removal of substantial areas of shrubby habitat which is particularly good for birds and recommends that special consideration be given to re-providing a diversity of native shrubs and hedges, and plants suitable for pollinating insets. Officers consider that the proposed conservation of the existing trees and creation of new shrub habitats contributes to the biodiversity of the site and therefore accords with EDMP 2015 Policy DM6 (b) and ECS 2011 CS17.
66. With regard to hard landscaping, the applicant proposes to finish the rear garden terraces with paving slabs and the vehicle access and car park with permeable paving⁶. The proposed footpath around the perimeter of building are proposed to be finished in block paving. The County Landscape Officer supports the use of permeable paving as it provides a more aesthetically interesting appearance. Four raised growing beds for resident's use are proposed within the Children's Home rear garden. The County Landscape Officer supports their inclusion. The County Landscape Officer raises no objection to the proposal subject to the provision of a condition requiring the submission and approval of a hard and soft landscaping scheme. The County Ecologist and County Arboriculturist also raise the need for a detailed hard and soft landscaping scheme.
67. Officers are satisfied in principle with the proposed landscaping and consider that the site will be appropriately landscaped with ECS 2011 Policy CS17. Officers concur with these statutory consultees that further detail is required including species for the replacement shrubs, type of permeable paving and locations for the growing bed. Officers are satisfied this detail can be secured through condition.

⁶ As can be seen in Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 attached to this report.

Conclusion

68. Elmbridge Borough Council raise no objection to the proposal and consider the design of the building to be in keeping with the character of the area.
69. Officers are satisfied that the proposed scale and layout of the development makes efficient use of space, is in keeping with surrounding properties in terms of scale and mass, and that the proposed building is appropriately scaled for the site and its function. Officers are also satisfied that the proposed design integrates into the local character, is sustainable and supports the nature of the development. Officers recognise that given the small scale of the site and limited space due to the number of the retained trees that it not possible to offer other forms of climate change adaption. However, Officers also note that additional planting is proposed to compensate the loss of the proposed trees. Officers are satisfied that the proposed landscaping enhances the site in terms of biodiversity, amenity, and design. Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

TREES AND TREE PROTECTION ORDER

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM6 – Landscape and Trees

70. Policy DM6 of the EDMP 2015 is clear that development proposals should be designed to include an integral scheme of landscape, tree retention, protection and/or planting that:
- a) reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity;
 - b) contributes to biodiversity by conserving existing wildlife habitats, creating new habitats and providing links to the green infrastructure network;
 - c) encourages adaptation to climate change, for instance by incorporating Sustainable Drainage Systems (SuDS), providing areas for flood mitigation, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements;
 - d) does not result in loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area, unless in exceptional circumstances the benefits would outweigh the loss;
 - e) adequately protects existing trees including their root systems prior to, during and after the construction process;
 - f) would not result in the loss or deterioration of irreplaceable habitats including ancient woodland and ancient or veteran trees, unless in exceptional circumstances the benefits would outweigh the loss; and
 - g) includes proposals for the successful implementation, maintenance and management of landscape and tree planting schemes.
71. To ensure high quality landscape schemes and depending on the scale, nature and location of the development, Policy DM6 seeks to attach appropriate conditions to planning permissions to secure various improvements. These may include tree retention and protection, the submission and implementation of a landscape or tree-planting scheme, surface materials, screen walls, fences and planting.
72. In considering consent for works to trees protected by Tree Preservation Order (TPO), Policy DM6 requires the amenity value of the tree or woodland and the likely impact of

the proposal on the amenity of the area to be assessed, and from this consider whether or not the proposal is justified, having regard to the reasons put forward in support of it.

Tree Preservation Order (TPO)

73. An existing TPO (ref: EL:05/16) covers the whole of the site and a couple of trees outside the site boundary. Most of the trees are category B with one category A tree in the south easter corner of the site and a category U tree on the eastern side of Ashley Road on third party land. In Elmbridge Borough Council's (EBC) officer report, the EBC Tree Officer comments that a Tree Works application would be required for the removal of the trees and other pruning works to assess the loss of the trees on the site.
74. Officers note that an assessment is undertaken within this planning application, the submitted information within this application, namely the Arboricultural Impact Assessment dated October 2020, and the Officers report. Therefore, a Tree Works application would not be required. The County Arboriculturist and EBC Tree Officer concurs with this approach. As EBC have not raised an objection on any other grounds, Officers consider that EBC are therefore satisfied with the proposal and therefore raises no objection.

Loss of trees

75. The applicant has submitted a number of documents with regards to the trees on site includes plans and an Arboricultural Impact Assessment. Given the heavily vegetated nature of the site and the number of trees, it is not possible to retain all the trees under the TPO. However, the applicant is clear that they have sought to retain as many trees as possible, including the category A tree, and this is reflected in the design and layout of the development. The proposal would involve the removal of 2 trees and part of the tree group to make space for the proposed building and car park comprising of a silver birch, a false acacia and 4 younger trees within the tree group⁷. Works including reducing the crown of a hornbeam and the crown of a beech are also proposed. Officers note that a tree has already been felled but remains on site, so it is proposed to remove it and the County Arboriculturist concurs with its removal. Officers also note that a category U tree (ID T16) on third party land that falls within the TPO is recommended to be felled within the Tree Survey Schedule.
76. In respect of EDMP 2015 Policy DM6 (d), Officers recognise that local residents will be accustomed trees on the site and that there will be an amenity impact from their removal. However, Officers consider that the proposed removal of certain trees on site will not have a significant adverse impact on the site contributing to amenity nor result in a significant change to the character of the site, especially as the majority of the trees are being retained including those at the front of the property. Consequently, Officers consider that the proposal will not result in loss of trees that are making a significant contribution to the character or amenity of the area, and therefore exceptional circumstances on why the benefits would outweigh the loss are not required in accordance with EDMP 2015 Policy DM6 (d).
77. The County Arboriculturist and the County Landscape Officer raise no objection to proposed removal of trees on the site, and Officers are satisfied that given their category B status no irreplaceable habitats will be lost through the process. Consequently, Officers are satisfied that exceptional circumstances where the benefits outweigh the loss of the trees is not required, and that the proposal accords with EDMP 2015 Policy DM6 (f) in this regard. In view of the site TPO, Officers propose to include a condition securing that only the proposed trees are removed.

⁷ Trees in this group include: false acacia, hornbeam, beech, sycamore, cherry laurel, holly, common hazel, blackthorn, buddleia, firethorn.

Retained trees protection

78. As stated in paragraph 50 above, the applicant has sought to retain as many trees as possible on the site and has design the layout of the proposed development outside the root protection zones of the retained trees. A total of one category A and nine category B trees are proposed to be retained on the site alongside a number of smaller trees. To protect the retained trees during construction, on the Tree Protection Plan the applicant has illustrated the location of tree protection fencing and a construction exclusion zone (CEZ) within which tracking of plant, materials storage, excavation, and all other construction activities are excluded for the purposes of protecting tree health.
79. However, Officers recognise that in retaining as many trees as possible on the site, there is limited space for the proposed development to be located without being within parts of the RPA, particularly at the front of the site. For example, Officers note that there is one area where a small section of surface water drainage piping is proposed to go through the CEZ at the norther western corner of the CEZ for a mature Hornbeam (T1) and a Lawson Cypress (T2). Officers and the County Arboriculturist having assessed this, consider that an exception can be made to allow construction within the CEZ provided it can be managed by way of a condition detailing how the works will be undertaken to protect these two trees, including the use of hand digging. The Tree Protection Plan also illustrates three small areas where the RPA of a False acacia (T5) for the pedestrian access and for the mature Hornbeam (T1) for the vehicle access and a corner of one of the southern car parking spaces. These areas are illustrated as part of the CEZ on the Tree Protection Plan and allow managed construction processes in accordance with the principles set out within the Arboricultural Impact Assessment (AIA). Whilst protection methods have been provided in the AMS for the False acacia and the small group of trees (G15), Officers consider method details also need to be provided for working in the RPA for T1. The proposed incursions into the RPAs will also involve minimal excavation and in the case of the T1 RPA will be finished with permeable paving.
80. Officers are satisfied that the applicant is retaining existing trees and that during construction, their root systems can be protected and consider that further detail on the particular circumstances outlined above are required. the Therefore, Officers will secure the submission of a drainage method statement by way of condition. Consequently, Officers consider that the proposal accords with EDMP 2015 Policy DM6 (e). Officers and the County Arboriculturist are satisfied that the proposed utilities and drainage strategy will not be located within the RPAs of the retained trees. Officers are satisfied that post construction, their root systems will be protected, and their continued presence is in keeping with the surrounding environment in accordance with EDMP 2015 Policy DM6 (a) and (e).
81. Concern had been raised by the County Arboriculturist with regards to the root protection of a high quality mature hornbeam (category A tree) which is bounded by hardstanding from Ashley Road and the western footway to the east, and a driveway at 18 Ashley Road to the south that it was unlikely its root system followed the originally suggested Root Protection Area (RPA) of an equal distance from the tree trunk in all directions. Following this, the applicant has submitted an updated Tree Protection Plan and Tree Constraints Plan with a revised RPA which is understood to be more realistic reflecting the impact from the highway and permeable surfacing to the south. Following consultation on the revised plans, the County Arboriculturist is satisfied with the RPA for this tree.
82. The County Arboriculturist has also raised concerns over the quality of the retained trees as many of the trees are covered in ivy and the heavily vegetated state of the site means it is not possible to examine the state of the tree base. The County Arboriculturist has particular concerns with T9 (Hornbeam) which show signs of structural weaknesses; and the quality of T5 and T6 (both False acacia) at the front of

the property and recommends that further issues found following the removal of ivy from them should be addressed. Therefore, Officers recommend that details of what will happen to these trees, should they be damaged during construction, be included in the updated CEMP secured by condition.

83. In view of the number of trees proposed to be retained on site, particularly to the rear of the property within the private gardens, Officers are satisfied that the proposal encourages adaptation to climate change through shading from those trees with respect of the requirements in EDMP 2015 Policy DM6 (c). Officers also note that additional planting is proposed to compensate the loss of the proposed trees. Given the scale of the site and heavily vegetated nature, Officers recognise that it is not possible to replace all the trees that would require to be removed from the proposal. Nevertheless, Officers are satisfied that the applicant has demonstrated how retained trees would be protected and that they have sought to minimise the number of trees that require removal to facilitate this proposal. Consequently, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM6 (c).
84. As detailed in paragraph 66 above, Officers propose to include a condition which secures landscaping details for the site, including how the landscaping will be managed and maintained. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM6 (g) in this regard.

Existing structure

85. There is an existing partially underground air-raid shelter structure and short circular tile wall to the rear of the property in the north western section. The proposals were reviewed by Surrey County Council's archaeology officer who advised that specific studies would not be required. The County Arboriculturist raises concerns with the proximity of T14 (Beech) to the existing structure as it is less than 0.5m from the entrance of the structure and the removal of the structure has the potential to destabilise the tree. The County Arboriculturist notes that paragraph 2.11 of the AMS is non-committal on the methods to remove the structure and the protection of T14. Therefore, while the County Arboriculturist is satisfied in principle that the protection of T14 can be achieved, they recommend that further details are provided on method of removal by condition. Officers concur with the County Arboriculturist's recommendations and propose to secure this further detail by condition in the updated CEMP.

Conclusion

86. The County Arboriculturist and Elmbridge Borough Council's planning officer and tree officer raise no objection to the proposed removal of trees. The County Arboriculturist is satisfied that the retained trees will be protected during the construction and the use of the development in principle and recommends the inclusion of conditions to secure further details on the methods of retained tree protections. Officers concur with the County Arboriculturist that the proposed removal of the trees is acceptable and are satisfied that the retained trees will be protected from the development in principle. Officers consider that further detail on how the trees will be protected is required and are happy that conditions will control this. Officers consider that the proposed development satisfies Policy DM6 of the Elmbridge Development Management Plan 2015.

ECOLOGY AND BIODIVERSITY

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM21 – Nature conservation and biodiversity

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS15 - Biodiversity

87. Policy DM21 of the EDMP 2015 expects all new development to preserve, manage and where possible enhance existing habitats, protected species and biodiversity features, in accordance with ECS 2011 Policy CS15. Policy DM21 also supports proposals that enhance existing and incorporate new biodiversity features, habitats, and links to habitat networks into the design of buildings themselves as well as in appropriate design and landscape schemes of new developments with the aim of attracting wildlife and promoting biodiversity.
88. Policy CS15 of the ECS2011 seeks to avoid loss and contribute to a net gain in biodiversity across the region by, inter alia:
- a) managing and maintaining a mosaic of habitats and rich variety of wildlife
 - b) maximising the contribution of other green spaces and features to provide ecological 'stepping stones' and form a coherent local and regional biodiversity network; and
 - c) ensuring 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.

Impact to Ecology

89. As outlined above, there are a number of trees proposed to be retained as part of the development and information has been provided that the root protection areas of the retained trees will be protected from the proposed development, with the exception of two small incursions consider acceptable by the County Arboriculturist and Officers as discussed in paragraph 79 above. Officers are therefore satisfied that most of the existing trees as habitats and biodiversity features will be preserved as part of this proposal and as such the proposal accords with EDMP 2015 Policy DM21 in this regard.
90. The submitted Ecological Impact Assessment Report dated October 2020 (EIARR) outlines a desk study which found that the site has the potential to support protected species, including bats, reptiles, nesting birds, hedgehogs, great crested newts, hazel dormice, and badgers. However, of those only protected bats, reptiles and nesting birds are likely to be present on the site. There are no recordings of the other protected species within 2km of the site.
91. The EIARR recognises that broadleaved woodland found on the site supports nesting birds, and Officers are satisfied that the retention of most of the existing trees will continue to support this. To mitigate the impacts to nesting birds during the construction of the proposed development, the EIARR states that habitat suitable to support nesting birds will be cleared between March and September inclusive, and an ecologist will be required to confirm the absence of active bird nests immediately prior to works commencing. If a nest is discovered, clearance or other construction works will be stopped immediately within an exclusion zone and the nest monitored until it is confirmed that all fledglings have flown and that no other nests are in use within the exclusion zone, vegetation clearance or construction can continue. Officers are satisfied that the proposed mitigation measures will minimise the impacts of the proposed development on nesting birds.
92. The EIARR identifies the south and west of the site to provide potentially suitable habitat for reptiles within wood piles and under compost bins which will be lost through the proposed development. To mitigate injury of potential reptiles on site during site clearance, the EIARR is clear that an ecologist will be present to check the habitat suitable to support reptile's species before the commencement of vegetation clearance to remove the areas of scattered scrub and log piles within the Site boundary. The EIARR notes that the remaining vegetated woodland on the site is not suitable for

reptiles. Officers recognise that the small scale of the site does not afford space for replacement reptile habitat and that the nature of the proposed development would not be appropriate for this. If any reptile species are encountered during these checks, works must stop whilst the reptile is translocated from the area by the ecologist to a designated area of suitable retained habitat. Officers are satisfied that the proposed mitigation measures will ensure the proposed development will not have a significantly adverse impact to reptiles on site.

93. Officers recognise that given the small scale and heavily vegetated nature of the site; it is not possible for all of the existing habitats to be retained on the site. The EIAR identifies that the existing habitat to be lost compromises ornamental shrubs such as cherry laurel and bamboo, and dense bramble shrub. Officers and the County Landscape Officer are satisfied that replacement landscaping planting will offer better quality, native species, details of which are to be provided in a detailed landscaping plan by condition. Given the above, Officers are satisfied that the applicant has demonstrated that should nests or reptiles be found on the application site, that they will be dealt with appropriately. Consequently, Officers consider that the proposal accords with EDMP 2015 Policy DM21 in this regard.

Bats and existing structure

94. The EIAR states that the over several site visits, the site was examined for signs of bats, including bat droppings and stains around entrance holes. Each tree on site was classified on whether they could support roosting bats, with nineteen trees having low suitability, one tree (ID T11) having moderate suitability, and the rest having negligible suitability. All of the trees proposed to be removed have low suitability to support bat roosting. The EIAR recommends that six bat boxes be installed on retained trees at suitable locations to provide replacement roosting provision.
95. The EIAR establishes that the partially underground structure located in the north eastern area of the site could support hibernating bats but not a summer roost. Bats are protected species under the Wildlife and Countryside Act (1981) (as amended) and Conservation of Habitats and Species Regulations (2017) (as amended). During the ecologist's site visits it was not possible to enter the structure as it was not deemed safe for health and safety reasons. However, the structure was considered to be capable of supporting hibernating bats, therefore bat hibernation survey was undertaken in December 2020, January 2021, and February 2021. The results of the survey confirm that no hibernating bats or evidence of hibernating bats was recorded within the structure. However, bats were recorded outside the structure, passing it without entering. The BHSR concludes that the structure is not being used by hibernating bats and is therefore a feature of low importance on the site but recommends that its removal be undertaken during the active bat season when hibernating bats are unlikely to be present (between May and September inclusively) and if a bat is identified prior to or during demolition, works should cease immediately, and a licence sought from Natural England. Furthermore, as it is not currently in use, removing the structure is considered to have a low impact on ecology and habitats and would have a negligible impact.
96. The County Ecologist concurs with the BHSR conclusions and proposed methods for demolition and recommends these are secured by condition. Officers concur with this approach.

Biodiversity net gain assessment

97. The applicant has submitted a Metric 2.0 Biodiversity Net Gain Assessment (BNGA) which details the changes in biodiversity following the proposed development. The BNGA finds that while the proposed development is predicted to result in a loss of 0.58 habitat units due to the proposed removal of trees, there is a 0.69 gain in hedgerow

units. The BNGA proposes to detail the management methodology within a Landscape Masterplan/Ecological Management Plan.

98. The County Ecologist recognises that the site is small and therefore there are limited opportunities for biodiversity net gain at the site. The County Ecologist considers the BNGA to be reasonable and considers that further landscaping details are required as indicated in the BNGA. Officers concur with the County Ecologist and consider the required landscaping details can be secured from condition. Officers recognise that due to the small scale of the site it is not possible to provide like-for-like replacement trees on the site to mitigate the biodiversity and habitat lost. However, existing habitat to be lost compromises ornamental shrubs such as cherry laurel and bamboo, and dense bramble shrub, which does not offer significant benefits in terms of biodiversity. Officers consider that the BNGA provides a suitable assessment of the changes in biodiversity and Officers are satisfied that the provision of new biodiverse habitats on the site will result in a 11% biodiversity net gain for the site. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM21 and ECS2011 Policy CS15 in this regard.

Conclusion

99. Officers are satisfied that the impacts on ecology and biodiversity have been appropriately considered and that suitable mitigation measures are proposed to ensure ecology is not harmed during the construction and the retained biodiversity is protected and enhanced through the development. Officers consider that the submitted documentation demonstrates that the existing shelter is not of significant habitat value and therefore can be removed. Officers are satisfied with the proposed 11% biodiversity net gain mitigates the biodiversity lost from the proposed tree removal and vegetation clearance. Officers consider that the proposed development satisfies Policy DM21 of the Elmbridge Development Management Plan 2015 and Policy CS15 of the Elmbridge Core Strategy 2011.

DRAINAGE

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM5 – Pollution

Policy DM6 – Landscape and Trees

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS26 – Flooding

100. The application site lies within Flood Zone 1 but is not greater than a hectare. Policy DM5 of the EDMP 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. Policy DM5 also requires the incorporation of Sustainable Drainage Systems (SuDS) wherever practical to reduce the discharge of surface water to the sewer network. Policy DM6 of the EDMP 2015 encourages adaptation to climate change, for instance by incorporating Sustainable Drainage Systems (SuDS), providing areas for flood mitigation, green roofs, green walls, tree planting for shade, shelter and cooling and a balance of hard and soft elements.
101. Policy CS26 of the ECS 2011 states that development must be located, designed and laid out to ensure that it is safe; the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere; and that residual risks are safely managed. The proposal must be located in the lowest appropriate flood risk zone, as demonstrated through a sequential test, and must not constrain the natural function of the flood plain, impede

flood flow or reduce storage capacity. Where sequential and exceptions tests have been undertaken, any development that takes place where there is a risk of flooding will need to ensure that flood mitigation measures are integrated into the design to minimise the risk to property and life should flooding occur. New developments will need to contain SuDS. Where SuDS have not been used in these areas the applicant should justify these reasons.

102. Proposals should not increase flooding off site. This proposal seeks to remove existing vegetation and replace it with a building and areas of hard surfacing. The existing site has a very low greenfield run off rate for surface water. The applicant has stated that it is currently not possible to carry out infiltration tests on the application site due to the vegetation coverage which would allow removal for this to be carried out. Discharge by infiltration would be a higher level of SuDS on the Surrey County Council SuDS Design Guidance⁴ hierarchy of discharge destinations. National Planning Practice Guidance (nPPG) section on flood risk and coastal change⁸ details the flood risk vulnerability classification. Within Table 2⁹, the flood risk for children's homes are classified as more vulnerable. Under Table 3¹⁰, more vulnerable development is appropriate where it lies within Flood Zone 1. As this site is in Flood Zone 1 Officers are satisfied that a sequential test is not required to be undertaken and the site is located in the lowest appropriate flood risk zone in accordance with ECS 2011 CS26.
103. Consequently, to meet this low runoff rate for the proposal, the applicant is proposing to install an attenuation tank some 19m³, which would be situated beneath the northern car parking spaces, which can temporarily store surface water runoff and then later release it at a controlled rate. In addition to this, the applicant proposes to use 14m³ of porous pavement which would discharge to the attenuation tank. The applicant has stated that a green roof is not possible due to the pitched roof profile that has been designed to be in keeping with the local building design.
104. Officers recognise the limited options for a SuDS feature on site and consider that the proposed method of surface water drainage using an attenuation storage tank represents the most viable option in accordance with the Surrey County Council SuDS Design Guidance hierarchy of discharge destinations¹¹. The applicant has stated that following the removal of the identified vegetation, that an infiltration test would be carried out, and should infiltration rate testing indicate the suitability for soakaway design, then further methods of drainage will be viable. Officers and the Lead Local Flood Authority (LLFA) recognise that it is currently not possible to undertake infiltration testing at this time. As the proposed drainage strategy will offer sufficient capacity to manage proposed site surface water discharge, Officers and the LLFA are satisfied with the proposed approach and mitigation measures. The LLFA has asked for confirmation of the results once the infiltration testing is complete which Officers will secure by condition. The LLFA also recommend the inclusion of a condition requiring the submission of a verification report prior to the occupation of the development. Officers are satisfied that the surface water drainage system proposed incorporates adaptation to climate change and projected event and is designed to accommodate the site surface water and not increase the risk of flooding in accordance with ECS 2011 Policy CS26 and Policy DM6 of the EDMP 2015.
105. Thames Water as the sewerage provider for the area raise no objection to the proposal subject to the inclusion of three informatives.

⁸ [National Planning Practice Guidance: Flood risk and coastal change](#)

⁹ [National Planning Practice Guidance: Flood risk and coastal change](#) Paragraph: 066 Reference ID: 7-066-20140306 Revision date: 06 03 2014

¹⁰ [National Planning Practice Guidance: Flood risk and coastal change](#) Paragraph: 067 Reference ID: 7-067-20140306 Revision date: 06 03 2014

¹¹ [Surrey County Council SuDS Design Guidance Version 1.1 dated 2 July 2019](#)

106. During construction, the applicant is clear that the impacts, including arising pollutants will be mitigated. The CEMP details the emergency preparedness plan which explains how spillages will be controlled. As detail in paragraph 132 below, the CEMP also includes details of dust mitigation which will also help to mitigate the chances of pollutants and contaminants from entering the local water network. Officers are satisfied in principle that these impacts can be address but recommend that an update CEMP be submitted with further details. Officers consider that these details can be provided through condition. Therefore, Officers are satisfied that the proposal accords with EDMP 2015 Policy DM5 in this regard.

Conclusion

107. Officers are satisfied that the proposed surface water drainage strategy will accommodate the site surface water and not increase the risk of flooding at the rest or in the locality. The LLFA, Elmbridge Borough Council, and Thames Water raise no objection to the proposal. Officers consider that the proposed development satisfies Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the Elmbridge Core Strategy 2011.

IMPACT ON RESIDENTIAL AMENITY

Policy

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM2 – Design and amenity

Policy DM5 – Pollution

Policy DM9 – Social and community facilities

108. Policy DM2 of the EDMP 2015 states that development proposals should be designed to offer an appropriate outlook and provide adequate daylight, sunlight, and privacy to protect the amenity of adjoining and potential occupiers and users. This is particularly important for proposal with windows, external staircases, balconies, raised terraces and roof gardens. Policy DM5 of the EDMP 2015 seeks to minimise the impact of development and potential sources of pollution in terms of: noise, odour, and light; floodlighting; air quality; water quality; and land contamination; and where there are emissions that appropriate attenuation measures to mitigate the effect on existing and future residents are provided. For new development located near to existing noise, odour or light generating uses, Policy DM5 requires proposals to demonstrate compatibility and acceptable living standards, for example through mitigation measures, the design of the building and its orientation and layout. Policy DM5 also requires the incorporation of Sustainable Drainage Systems (SuDS) wherever practical to reduce the discharge of surface water to the sewer network. Policy DM9 of the EDMP 2015 encourages new development for social and community facilities where the effects on traffic movement and highway safety are acceptable.
109. The proposed building is centrally located within the site and set back from Ashley Road in line with the properties to the south of the application site. Windows are proposed on all sides of the building, with the majority on the rear, western face of the building. One roof light is proposed to be angled south on the Children's Home roof section to provide light into the section's downstairs and upstairs hallways. All the rooms are proposed to have at least one window with exception of the downstairs WCs in both sections of the property. To assist in screening the property, several trees are to be retained around the site alongside the installation of a 1.8m high close boarded timber fence to run the perimeter of the site with the exception of the site accesses. Officers also consider that the proposed screening and site layout will also ensure the privacy of the proposed residents from the neighbouring properties and users of Ashley Road. Furthermore, Officers also consider that the proposed fencing separating the

rear gardens, separate entrance doors, and separate bin storage and private cycle parking will help to maintain the privacy of the Children's Home residents and the NWD facility residents from each other. Officers are satisfied that the proposed development will be well screened and thereby maintain the privacy, amenity, and security of the neighbouring properties and residents of the proposal; and has been orientated and set back not to cause overlooking or overshadowing of neighbouring properties in accordance with EDMP 2015 Policies DM2 and DM5.

110. The rear of the property faces west towards Ashley C of E Primary School playing field. Officers are satisfied that the proposed fencing and retained trees towards the rear of the property and the trees within the school playing field will ensure the privacy and safeguarding of the school's pupils. Officers are satisfied that the proposed development, by nature, is very similar to any other residential property along Ashley Road and with a shared boundary with the school playing field. Therefore, Officers are satisfied that the privacy, amenity and safeguarding of the school children will be maintained in accordance with EDMP 2015 Policy DM2.

Noise

111. Officers consider that the nature of the development is similar to other residential uses along Ashley Road and will not result in any increased impacts relative to those properties. Residents will spend most of their time within the building and use the rear gardens much in the same way as adjoining residential properties. Therefore, Officers are satisfied that the proposal will not result in any significantly adverse impacts in terms of noise once complete and in use, and therefore accords with EDMP 2015 Policy DM5 in this regard.
112. Officers recognise that the nature of construction work means there will be some temporary impact in terms of noise to local residents. The applicant proposes construction hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays, which Officers consider to be appropriate. Officers will secure these construction hours by condition and also limit construction working on public and bank holidays. The applicant has also included noise mitigation measures in the CEMP including fitting silencers to plant where possible and keeping plant and equipment serviced and maintained to high standards, keeping all plant and equipment switched off when not in use, and not permitting radios for external use. Officers are satisfied that proposed measures will mitigate the impact of noise to residents during the construction phase such that they are not significantly adverse in accordance with EDMP 2015 Policy DM5 in this regard.

Lighting

113. Down lit, external lighting is proposed to be located on the building recessed under the front canopies for the two main entrance and mounted on walls by the four doors accessing the rear gardens. Three low-level lighting bollards are also proposed to be located along the pedestrian access. The County Landscape Officer recommends that the lighting is downward focussed to avoid light spill and the Lighting Consultant raises no objection and consider the down lit lighting will eliminate nuisance glare. Officers are satisfied with this and recommend imposing a condition to secure this. Therefore, Officers are satisfied that the proposed lighting will not have a significantly adverse impact to residential amenity and consider the proposal accords with EDMP 2015 Policy DM5 in this regard.
114. During the construction phase of the development, the applicant details in the CEMP that there will be a need for flood lighting attached to the site office/welfare facility for security and health and safety purposes. This lighting will be downward facing and of a spectrum to avoid disturbing bats and residents. The security lighting will also be set on a motion sensor with a 1 minute timer. The use of lighting will be limited to the hours of construction. Officers are satisfied that the proposed lighting and mitigation measures

will ensure the proposal will not result in significantly adverse impacts in terms of lighting during the construction phase and therefore accords with EDMP 2015 Policy DM5 in this regard.

Conclusion

115. Elmbridge Borough Council have raised no objection to the proposal and consider that the proposal will have no undue detrimental impact on the visual amenities of the neighbouring occupiers regarding loss of light, outlook, overbearing impact or privacy. The Lighting Consultant is also satisfied that measures are proposed to eliminate nuisance glare from lighting on site. Officers are satisfied that the proposed development will not result in any significantly adverse impacts in terms of residential amenity and that appropriate mitigation measures are proposed for impacts during the construction phase of the development. Officers consider that the proposed development satisfies Policies DM5, DM7, and DM9 of the Elmbridge Development Management Plan 2015 and Policy 25 of the Elmbridge Core Strategy 2011.

HIGHWAYS, TRAFFIC AND ACCESS

Policy

Surrey Waste Local Plan Part 1 – Policies 2020 (SWLP 2020)

Policy 4 – Sustainable Construction and Waste Management in New Development

Elmbridge Development Management Plan 2015 (EDMP 2015)

Policy DM7 – Access and parking

Policy DM9 – Social and community facilities

Elmbridge Core Strategy 2011 (ECS 2011)

Policy CS25 – Travel and Accessibility

Parking Supplementary Planning Document dated July 2020 (PSPD 2020)

116. Policy DM7 of the EDMP 2015 requires the layout and siting of accesses to be acceptable in terms of amenity, capacity, safety, pollution, noise, and visual impact. Policy DM7 is clear that provisions for loading, unloading and the turning of service vehicles are expected to be designed into the scheme ensuring highway and pedestrian safety. Policy DM7 also requires access to and from the highway to be safe and convenient for pedestrians, cyclists, and motorists, and minimise the impact of vehicle and traffic nuisance, particularly in residential areas and other sensitive areas.
117. Regarding parking, Policy DM7 is clear that 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. In such instances, a minimum provision of one space per residential unit will be required. Policy DM7 also states that garaging, cycle stores and car parking designs should be integrated into the scheme and respect the character of the area, and that hardstanding should be designed and constructed with permeable (or porous) surfacing. Impermeable paving should be limited, and the use of soft landscape maximised. Policy DM7 also requires car, cycle, and disabled parking provision to accord with the Elmbridge Parking Standards at Appendix 1.
118. Policy DM9 of the EDMP 2015 encourages new development for social and community facilities where the level of parking provision and the effects on traffic movement and highway safety are acceptable.

119. Policy CS25 of the ECS2011 directs new development that generates a high number of trips to PDL in sustainable locations within the urban area, including town centres and areas with good public transport accessibility as outlined in national policy. Policy CS25 also requires maximum parking standards to all uses and a transport assessment and travel plan for all major development proposals, to promote the delivery and use of sustainable transport. Policy CS25 seeks to protect existing footpaths, cycleways, and bridleways; delivering new cycling and walking schemes; and supports development that increases permeability and connectivity within and outside the urban area. Policy CS25 also supports improvements to transport infrastructure, with those relating to new development being delivered through the collection of developer contributions subject to viability.
120. Policy CS25 also states that detrimental environmental effects caused by transport, particularly with regards to HGVs, should be mitigated through a variety of measures, including greening the roadside and parking environment, improving air quality, noise reduction measures and traffic calming. Policy CS25 supports schemes that help to meet the commitments contained in the Elmbridge Air Quality Strategy.
121. The PSPD 2020 does not contain specific parking standards for Children's Home and NWD facility and state that individual assessment and justifications are required working on the presumption that sufficient car parking should be provided in accordance with the parking standards and reliance should not be made of on-street parking unless it has been appropriately designed. The PSPD 2020 is clear that the minimum dimension of a car parking space should be 2.5m x 5.0m. The PSPD 2020 also requires sufficient space to be provided for visitors, and operational and servicing needs. The PSPD 2020 considers cycle parking to be a key element of development and significantly encourages its provision. The PSPD 2020 is clear that cycle parking should be provided undercover, lit, secure, clearly signed and as close to the destination as possible (within 20m). As with car parking there are not specific standards on cycle parking for a Children's Home and NWD facility.
122. The PSPD 2020 expects new developments to provide EV charging points and applications should provide details of the type and location of the facilities although does not provide specific requirements for a Children's Home and NWD facility.
123. SWLP 2020 Policy 4 is clear that planning permission for any development will be granted where it has been demonstrated that:
- a) The waste generated during the construction, demolition and excavation phase of development is limited to the minimum quantity necessary.
 - b) Opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised.
 - c) 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.
 - d) Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.

Traffic Generation

124. Several of the residents that made representations raised concerns over the increase in traffic the proposed development would bring. Residents are concerned that Ashley Road already has a lot of traffic, and is very narrow, damaged, potentially dangerous so cannot support an increase in traffic. Residents are concerned that the proposal will increase the risk to residents and pedestrian's safety, especially school children due to the application sites proximity to Ashley C of E Primary School. Concerns were also raised that the increase in traffic from the proposal will worsen existing air pollution in the area.

125. Traffic from this proposal would be generated from the construction phase and the operational phase. For the construction phase, the applicant has submitted a Construction Transport Management Plan (CTMP) which details the key considerations and challenges for the CTMP and the management strategy that is proposed to reduce construction traffic related impacts on the highway network and to the local community. The CTMP outlines that the construction phase would span 52 weeks and that the number of deliveries access the site is likely to be limited to one or two vehicles a day (2-4 movements). 10-15 staff are likely to be based at the site. The CTMP states the proposed construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00. Officers are satisfied that these hours of construction are reasonable and will help to mitigate the impact of noise to local residents, and therefore will secure them by condition. With regards to the operational phase of the development, as detailed above the building would accommodate 4 residents and 3 staff in the Children's Home and 2 residents and 1 staff in the NWD facility. Vehicle movements generated from the site will be from the site staff and an average of one visitor a day. The nature of the development is very similar to any other residential property along Ashley Road. A new access to the site is proposed and is designed in accordance with Manual for Streets. As such, whilst Officers recognise residents' concerns, Officers are of the opinion the number of vehicle movements proposed during both the construction and operational phases are not so significant for the vehicle movements to have a significant impact on highway safety or capacity, or pedestrian safety.

Construction Traffic Management Plan

126. Concerns have been raised within representations with regards to traffic from the construction phase. The CTMP breaks the construction phase into four components: enabling works, lead-in and mobilisation, construction and practical completion. The CTMP outlines that vehicles associated with this phase would be contractors' vehicles, muck away lorries, haulage vehicles and concrete mixer trucks, concrete and brick deliveries, flat bed lorries and box vans.
127. The enabling works are the first stage and include establishing of the site access, vegetation clearance, and formation of the permanent car parking area to facilitate on-site parking for construction staff. Following this would be site set up by installing site hoarding along the boundary and signage. Space would be made available for the storage of materials and waste and for the unloading and loading of haulage vehicles. However, as outlined in the above section on trees, further detail is required with regards to the location on site of the materials storage area to ensure it is not within the CEZ for trees and as such Officers have included the provision of a material storage plan within the updated CEMP condition. Parking would be made available on site for construction staff to limit off site parking although the CTMP recognises there is parking available at Ashely Park Car Park and The Heart Car Park alongside other sustainable transport methods to the site including cycling and public transport.
128. As outlined above and as can be seen in the photographs appended to this report, a new site access onto 10 Ashley Road will be required and a new pedestrian access is proposed. Vehicle access is proposed to be directly onto the B365 Ashley Road via a new vehicle crossover. A visibility splay of 2.4m x 45m will be provided for the site access in accordance with the Manual for Street standards for a road with a 30mph speed limit and the Surrey County Council Vehicle Crossover Guidance Document dated June 2020¹². Officers also consider that the proposed separate vehicle and pedestrian accesses will ensure conflict between vehicles and pedestrians are avoided on the application site. Therefore, Officers are satisfied that the proposal accords with EDMF 2015 Policy DM7 in terms of site access layout, safety, and capacity. The site access and car park are proposed to be finished with permeable surfacing and the

¹² [Surrey County Council Vehicle Crossover Guidance Document dated June 2020](#)

pedestrian access footpath is proposed to be finished with block paving and have low level bollard lighting. The proposed location for the pedestrian access is in the middle of the site's frontage with Ashley Road and the vehicle access is in the middle of the southern half of the site's frontage onto Ashley Road. Officers consider that the proposed access locations along the site frontage onto Ashley Road are appropriately distanced from the site's neighbouring properties to the north and south to mitigate noise and pollution to those residents. Officers also consider that the proposed vehicle access is sufficiently offset from the access of 15 Ashley Road opposite the application site on the eastern side of Ashley Road. Consequently, Officers are satisfied that the proposal accords with EDMP 2015 Policies DM7 and DM9 in terms of site access siting, safety, amenity, visual impact, and pollution.

129. The CTMP outlines that the site access would be constructed as part of the temporary works package and would be delivered under a Section 184 of the Highways Act¹³. To allow for its construction, temporary diversion of pedestrians may be necessary from the western footway of Ashley Road. Temporary pedestrian diversions to the eastern footway are proposed to mitigate this impact and will be agreed with the CHA.
130. The CTMP outlines that construction vehicles would load and unload within the application site on the dedicated car park area with a banksman managing safe access to and from the site. Because of the number of trees on site, larger vehicles visiting the site will be unable to turn within the site and as such would have to access the site in forward gear and egress in reverse gear on the supervision of a banksman or visa versa. Swept path drawings for a small skip van and a tipper have been provided in the CTMP.
131. The CTMP states that construction traffic would use the most direct and strategic routes to access the site. The CTMP explains that the site manager will use a material control register to schedule deliveries to the site, so they are staggered throughout the day, typically between 09:00 and 15:00 to avoid peak highway network and school drop-off and pick-up times. The CTMP is also clear that access to neighbouring residential properties will be maintained through the construction of the development unless prior agreement has been received. The CTMP states a "Construction Liaison Officer" will be appointed to manage this communication and any complaints that arise and the site management contact details will be displayed on the site hoardings. Officers are satisfied that the proposed measures will help to ensure the safety of residents and other highway users. Officers are also satisfied that should residents have concerns; these can be managed by the construction liaison officer. Therefore, Officers are satisfied that the proposal accords with ECS2011 Policy CS25 in this regard. Officers are also satisfied that the proposed delivery management outside peak congestion hours will assist to mitigate congestion on the highway and accords with ECS2011 Policy CS25 in this regard.
132. The CTMP details the management and monitoring of the CTMP and construction phase of the development, including health and safety requirements for construction staff and the appointment of a CTMP Coordinator to oversee the implementation and management of the CTMP. The CTMP provides details of dust suppression measures, noise and vibration control and also measures for keeping the public highway clean including wheel washing facilities at the site entrance, damping down materials to control dust and provision of a hard standing loading area to minimise vehicles crossing over mud. Vehicles importing and exporting materials will be covered with sheeting, and a water bowser will be available onsite during periods of extended dry weather, this will be used to damp down roadways and walkways. Officers are satisfied that the proposal accords with EDMP 2015 Policy DM7 and ECS2011 Policy CS25 in this regard.

¹³ Vehicle crossings over footways and verges.

133. The applicant has provided a number of documents outlining how the construction phase would work including an indicative site set-up and logistics plan within the AMS, a Construction Traffic Management Plan (CTMP) and the Construction and Environmental Management Plan (CEMP). These plans suggest locations for the site office/welfare facility and for material storage. Officers have noted in these documents that the material storage across all the plans are partially located within the CEZ and the County Arboriculturist has also raised concerns on this aspect. Although space is limited on the site due to the number of retained trees, Officers consider there is sufficient space for the material storage and site office/welfare facility to be located outside the CEZ. Officers recommend the approval of the Tree Protection Plan which will secure the CEZ and proposed tree protection fencing and consider further detail should be provided as to where the material storage and site office/welfare facility will be located and how the risk to tree root protection systems are mitigated. Therefore, Officers propose the further details be included in the updated CEMP by condition. Officers also consider that further information should be provided with regards to site waste management in the CEMP as the current information is incomplete.
134. The County Highway Authority (CHA) has undertaken an assessment of the proposal on safety, capacity, and policy grounds including the proposed manoeuvring of lorries into and out of the site and recommends the inclusion of a condition requiring the development be constructed in accordance with the CTMP. The CHA also recommends a number of informatives on other works to the highway, mud/debris on the highway, accommodation works, damage to the highway, and statutory utility works. The CHA recommends this condition and these informatives to ensure the development will not prejudice highway safety or inconvenience other highway users.
135. Officers recognise that the construction phase will result in some temporary impact in terms of traffic and highway, however the applicant has proposed mitigation measures within the CTMP. Officers consider the proposed swept path drawings are appropriate to ensure the safety of highway users during construction deliveries and once the vehicle is parked on site, will not impact on highway traffic and flow. The County Highway Authority has not raised any issues with the proposed approach and seeks to secure the maintenance of the highway by condition. With regards to the new access itself, Officers note that residents are concerned with the proposed site accesses close proximity to a difficult junction with poor visibility. However, Officers are satisfied that the proposed vehicle access will offer sufficient visibility to ensure safe entry and egress from the site and without compromising the safety of other users on Ashley Road. The CHA has undertaken an assessment of the proposal in terms of safety, capacity, and policy grounds, and raises no objection to the proposed access subject to a condition on requiring the new access to be completed with the proposed visibility splays prior to the first occupation of the development. The CHA also recommends that the access condition require the visibility zones to be kept permanently clear of any obstruction over 1.05m high. In terms of access, the CHA also recommends an informative on new/modified vehicle crossovers and dropped kerbs.
136. Therefore, Officers are satisfied that the construction phase and installation of a new access accords with EDMP 2015 Policy DM7 and DM9 in terms of highway safety.

Onsite Parking

137. The Transport Statement explains that as the four residents in the Children's Home and two emergency residents in the 'No Wrong Door' facility will be aged between 12 and 17 years old, they will not own a private vehicle in need of site parking. Therefore, the site access and parking has been designed to accommodate the site staff and an average of one visitor per day. The applicant proposes a car park with total of five park spaces, including one accessible bay. The submitted Planning Statement explains that parking spaces will be standard size, and that the proposal has been designed to accommodate sufficient parking on site, thus negating the need for on street parking.

Officers note that the PSPD 2020 recommends that parking spaces are 2.4m by 5.0m, however the proposal comprises standard parking spaces which are 2.4m by 4.8m. The County Highway Authority commented that the proposed sizes are acceptable and in accordance with the recommendations in the Surrey Transport Plan: Parking Strategy¹⁴. The proposed car park location is setback from Ashley Road and located in front of both parts of the building. Officers consider that the setback location of car park minimises the impact of noise and pollution from site traffic and parking for users of Ashley Road. The proposed parking area will include a dual EV charging point allowing 2 vehicles to charge at once. Officers are satisfied that the proposed car and disabled parking provision accords with the Elmbridge Parking Standards at Appendix 1 and the PSPD 2020 and that the proposal accords with EDMP 2015 Policies DM7 and DM9, and ECS2011 Policy CS25.

138. Visitor cycle parking is also proposed to be located at the front of the proposed Children's Home part of the building and to the north of the pedestrian access alongside cycle parking within each of the rear gardens for the residents of both parts of the property. The CHA recommends that the proposed cycle parking be covered, and this is also reflected in the PSPD 2020. Officers consider that this can be addressed by condition. Officers are satisfied that the proposed locations for the cycle parking integrate well with the site layout and will offer appropriate provision for the residents, staff, and visitors of the site. Officers are also satisfied that the cycle parking accords with the Elmbridge Parking Standards at Appendix 1 and the PSPD 2020. Therefore, Officers consider the proposal accords with EDMP 2015 Policy DM7 and the PSPD 2020 in this regard. Officers are satisfied that the provision of multiple cycle parking and the electric charging points supports the use of the sustainable travel options alongside the proposed site's location also encourages walking and use of public transport. Consequently, Officers are satisfied that the proposal maximises opportunities for sustainable travel and therefore accords with ECS2011 Policy CS25 in this regard
139. The CHA has undertaken an assessment of the proposal in terms of safety, capacity, and policy grounds, and raises no objection to the proposed parking subject to two conditions requiring sufficient space to be laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear; and all cycle parking to be secure, covered and lit. The other conditions require the installation of the two electric vehicle charging points prior to the first occupation of the building. The CHA also recommends the inclusion of an informative on electric vehicle charging on the responsibility of the development to ensure electricity supply is sufficient and meet future demands.

Conclusion

140. Elmbridge Borough Council raise no objection to the proposal on highway, traffic, parking, or access. The CHA also raises no objection subject to a number of conditions to secure the development is undertaken as proposed and will not prejudice highway safety or inconvenience other highway users. Officers consider that the proposed parking and access design, scale and layout is appropriate for the requirements of the development and will not compromise the safety of residents, staff and visitors of the development and other highway users.
141. Officers recognise that the construction phase will result in temporary disruption to other highway users and acknowledge residents' concerns of the proposed development's impact on traffic on Ashley Road where traffic is already perceived to be severe. However, Officers are satisfied that the applicant has proposed sufficient mitigation measures to minimise the impact of the development during construction. Therefore, in view of the temporary nature and proposed mitigation measures, Officers

¹⁴ [Surrey Transport Plan: Parking Strategy January 2020 Update](#)

consider the proposed impacts from the construction of the development will not result in significantly adverse impacts in terms of traffic.

142. Residents have also requested that road signs to slow traffic as lots of speeding on Ashley Road. Officers are satisfied that the small number of vehicle movements generate from the site does not justify the need for road signs and that speeding on Ashley Road is not relevant to this application. Officers propose to raise the resident concerns with the relevant department within the County Highway Authority to see whether these can be addressed another way.
143. In view of paragraphs 124 to 142, Officers consider that the proposed development satisfies Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
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Human Rights Implications

144. 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.
145. It is recognised that there would be short term slight adverse impacts in terms of minor highway disruption during the construction phase of development. Officers consider that once constructed, however, the impacts would be negligible. Nevertheless, it is Officer's view that the scale of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impacts can be mitigated by planning conditions. As such, this proposal is not considered to interfere with any Convention right.
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Conclusion

146. The proposal is for the development of a new Children's Home and No Wrong Door Facility with associated parking, access and landscaping at 10 former Ashley Road, Walton on Thames.
147. Officers consider that there is an identified need for the proposed development within the borough of Elmbridge, and Officers are satisfied that the application site is a suitable location for new development within the borough of Elmbridge with good access to sustainable travel options. Officers are satisfied that the proposed scale and layout of the development makes efficient use of space, is in keeping with surrounding properties in terms of scale and mass, and that the proposed building is appropriately scaled for the site and its function. Officers consider that the proposed design integrates into the local character, is sustainable and supports the nature of the development. Officers are satisfied that the proposed landscaping enhances the site in terms of biodiversity, amenity, and design.
148. Officers consider that the proposed removal of trees is acceptable and are satisfied that the retained trees will be protected during and following the construction of the development. Officers are satisfied that the impacts to ecology and biodiversity have been appropriately considered and that suitable mitigation measures are proposed to ensure ecology is not harmed during the construction and the retained biodiversity is protected and enhanced through the development. Officers consider that the submitted documentation demonstrates that the existing shelter is not of significant habitat value and therefore can be removed. Officers are satisfied with the proposed 11% biodiversity net gain mitigates the biodiversity lost from the proposed tree removal and vegetation clearance.
149. Officers consider that the proposed surface water drainage strategy will accommodate the site surface water and not increase the risk of flooding at the rest or in the locality. Officers are satisfied that the proposed development will not result in any significantly

adverse impacts in terms of residential amenity and that appropriate mitigation measures are proposed for impacts during the construction phase of the development.

150. Officers consider that the proposed parking and access design, scale and layout is appropriate for the nature of development and will not compromise the safety of residents, staff and visitors of the development and other highway users. Officers are satisfied that the applicant has proposed sufficient mitigation measures to minimise the impact of the development during construction.
151. Of the consultees that have responded, none have raised an objection to the proposal, including Elmbridge Borough Council, the County Landscape Officer, the County Ecologist, the County Arboriculturist, and the County Highway Authority. A number of conditions have been proposed by consultees for the provision of further details. Six letters of representation have been received as part of the proposal raising concerns with traffic and the nature of the development which Officers have addressed in the report where appropriate.
152. In view of the details in paragraphs 29 to 143 above, Officers are satisfied that the proposal accords with the relevant development plan policy and therefore should be approved.

Recommendation

153. That, pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, planning application ref: **EL/2020/3112** be **permitted** subject to the following conditions:

Conditions:

Commencement

1. 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.

Approved Plans

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

Drawing ref: 60642443-AEC-00-00-DR-AR-100101 Rev P2 Location Plan dated 18 November 2020

Drawing ref: 60642443-AEC-00-00-DR-AR-100102 Rev P2 Existing Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021

Drawing ref: 60642443-AEC-00-XX-DR-AR-100001 Rev P1 Existing Site Elevations Sections dated 28 October 2020

Drawing ref: 60642443-AEC-00-XX-DR-AR-100003 Rev P1 Proposed Site Sections and Elevations dated 28 October 2020

Drawing ref: 60642443-AEC-00-ZZ-DR-AR-100002 Rev P3 Proposed Floor Plans and Elevations dated 7 December 2020

Drawing ref: 20/083/01 Rev A Detail Survey dated 16 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021

Drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW001 Rev C Tree Constraints Plan dated 18 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-UT-000001 Rev P02 Utility Connection Plan dated 28 October 2020

Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021

Drawing ref: 60642443-ACM-XX-00-DR-CE-000001 Rev P02 Site Access GA Visibility Splay dated 28 October 2020

Hours of Construction

3. In carrying out the development hereby permitted, no construction activities shall take place except between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. There shall be no working on Sundays, Bank, National or Public Holidays.

Construction and Environment Management Plan

4. Prior to the commencement of development hereby permitted (including demolition and ground works), an updated Construction and Environment Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) shall include the following.
 - a) Introduction
 - b) Planning Context
 - c) Overview and Project Introduction
 - d) Ecology and Environment Aspects
 - i. Risk assessment of potentially damaging construction activities.
 - e) Project Contact List
 - i. Responsible persons and lines of communication.
 - ii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - f) Construction Site Rules
 - g) Complaints Procedure
 - h) Emergency Spillage Plan
 - i) CEMP requirements
 - j) Access and Deliveries
 - k) Site Logistics
 - l) Mitigation and Control Measures

- i. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - ii. The location and timing of sensitive works to avoid harm to biodiversity features.
 - iii. The times during construction when specialist ecologists need to be present on site to oversee works.
 - iv. Use of protective fences, exclusion barriers and warning signs.
 - v. Management of existing trees during construction (including replacement procedure of trees damaged/removed during/for construction);
- m) Site Waste Management Plan and management procedure for construction waste.
- n) Structure removal
- i. details of any structural works to be carried out;
 - ii. details of any remediation or restoration works to be carried out including what material would be used as infill and to what depth the material would be spread to; and if further soil is to be added details of the volume, depth and how the soil would be placed between any air gaps in the infill material to avoid soil being washed away over time;
 - iii. details of how trees around the existing structure would be protected during any works;
 - iv. whether further surveys are required;
 - v. Details of what plant and machinery to be used; and
 - vi. Access for structure removal including with regards to the Tree Protective measures
- o) Material Storage Plan

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Arboricultural Method Statement

5. The development hereby permitted shall be carried in accordance with the approved Arboricultural Method Statement Rev 00 dated 18 February 2021.

The development shall be implemented and managed strictly in accordance with the approved scheme.

Landscaping

6. Within 3 months of the commencement of development, a Hard and Soft Landscaping Scheme shall be submitted to and be approved in writing by the County Planning Authority. The scheme shall include details of:

- a) The nature of the hard surfacing to be used for the car park and footpaths on the site;
- b) A plan showing where soft landscaping shall be provided and a planting schedule of what planting shall be carried out in the form of species, density of planting, proposed numbers, sizes of plant and management arrangements; and
- c) Location and measurements of four raised growing beds for the Children's Home rear garden
- d) Maintenance programme as a matrix:
 - i. walkover visits to occur between March and September over the 5 years;
 - ii. regular watering in line with recommendations outlined in BS 8545:2014 undertaken during the summer months (ideally using industry standard watering bags (Approximately 60 litres) single bag around each tree to minimise manual watering and reduce plastic built up in the environment);
 - iii. annual weeding and re-application of mulch around each tree;
 - iv. formative pruning as necessary; and
 - v. the regular adjustment of tree ties and stakes and their eventual removal when the tree becomes self-supporting. The ties between the tree and the double stakes should ideally be biodegradable hessian material (or similar).

Such maintenance shall also include the replacement of any tree or shrub which is removed, uprooted, destroyed, dies or becomes in the opinion of the County Planning Authority seriously damaged, defective or not to BS 8545:2014. The replacement shall be of the same species and size and in the same location as that originally planted.

Each maintenance site visit is to be recorded in a template, recording date, type of works undertaken, photographs of works to be included within the template report and report signed off by the operative. This is to be supplied to the County Planning Authority on completion of works.

In the event of the failure of any soft landscape planting in the first five years of planting, such planting shall be replaced with an equivalent number of live specimens of the same species by not later than the end of the first available planting season following the failure, damage or removal of the planting. The development shall be implemented and managed strictly in accordance with the approved scheme.

Ecological Protection

7. Any vegetation clearance carried out in connection with the development hereby permitted, including to facilitate the discharge of prior to commencement conditions, shall be carried out in accordance with the Ecological Impact Assessment Report dated October 2020. Should any works take place during the bird or reptile breeding season, a pre-works check shall be carried out by a suitably qualified ecologist to confirm the absence of birds, reptiles and bats on the site and this confirmation provided in writing to the County Planning Authority within five working days of this check.

Tree Protection

8. Prior to the commencement of the development hereby permitted, the Tree Protection measures, including tree protection fencing and construction exclusion zone shall be installed on the site in accordance with the approved drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021 and retained during the construction phase of the development.

Tree Removal

9. No trees shall be removed except for those identified on the approved drawing ref: 60642443-ACM-XX-XX-DR-AB-CHW002 Rev B Tree Protection Plan dated 5 February 2021 and retained during the construction phase of the development.

Lighting

10. The installation of external lighting as part of the development hereby permitted shall be installed in accordance with approved drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021. In order to avoid any upward glare of light from the external lighting installed to minimise light spill outside the boundary of 10 Ashley Road, all external lights should be directed downwards.

Sustainable Drainage Strategy

11. The development hereby permitted shall be carried out in accordance with the approved Utility, Flood Risk and Drainage Strategy Rev P03 dated 13 January 2021 and Drawing ref: 60642443-ACM-XX-00-DR-DR-000001 Rev P04 Surface and Foul Water Drainage Strategy dated 17 February 2021.

The development shall be implemented and managed strictly in accordance with the approved scheme.

Drainage Method Statement

12. Prior to the commencement of development, a method statement detailing how the surface water drain and chamber, as shown on plan 60642443-ACM-XX-00-DR-DR-000001 rev P04 "Surface and Foul Water Drainage Strategy" dated 17 February 2021, is to be installed where it crosses the tree protection fencing shall be submitted to and approval in writing by the County Planning Authority. This must include the supplying of a digital record (photograph) to show the section of the trench within the root protection area once excavation has been undertaken to the County Planning Authority. The development shall be implemented and managed strictly in accordance with the approved scheme.

Infiltration Testing

13. Prior to the commencement of the development hereby permitted the results of groundwater investigation survey and soakage test to confirm soil conditions, groundwater levels and the potential for infiltration shall be submitted to and approved in writing by the County Planning Authority.

Verification Report

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the County Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the

details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Construction Transport Management Plan

15. The development hereby permitted shall be carried out in accordance with the approved Construction Traffic Management Plan, Rev 1 dated 27 October 2020 submitted with the application, subject to the final detailed site locations for materials storage and site office as required in accordance with the CEMP under condition 4 above.

Parking and turning

17. Prior to occupation, parking shall be provided within the site in accordance with the approved plan drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 for vehicles to be parked, for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, and turning areas shall be retained and maintained for their designated purposes.

Cycle Parking

18. The development hereby permitted shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development site, have been provided in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the County Planning Authority.

New Access

19. Prior to occupation the proposed vehicular and pedestrian accesses to Ashley Road must be constructed and provided with visibility zones in accordance with the approved drawing ref: 60642443-ACM-XX-00-DR-CE-000001 Rev P02 Site Access General Arrangement dated 28 October 2020 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Electric Vehicle Charging

20. Prior to occupation two of the vehicle parking spaces must be provided with a fast charge socket (current minimum requirements – 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with the approved drawing ref: 60642443-AEC-00-00-DR-AR-100104 Rev P3 Proposed Site Plan dated 17 February 2021 and thereafter retained and maintained.

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. For the avoidance of doubt and in the interests of proper planning.
3. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, nor adversely impact residential amenity, in accordance with Policies DM5 and DM7 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.

4. To ensure that construction works can be carried out to mitigate impacts of the development on ecology, retained trees and residential amenity and in place prior to construction work commences on the site. To ensure the health and safety of site operatives can be protected throughout the development prior to site operatives commence working on the site, and to ensure that waste can be sustainably managed on site and avoid polluting the environment prior to works commencing on the site.

To prevent pollution to the environment, to protect species of conservation concern, to ensure proper waste management; and to protect residential amenity Policy 4 of the Surrey Waste Local Plan Part 1 – Policies 2020, Policies DM6, DM8 and DM9 and of the Elmbridge Development Management Plan 2015; and BS:42020.

5. To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011
6. To ensure that the development integrates well with its surroundings and protects the amenity of the locality in accordance with Policies DM2, DM6, DM21 of the Elmbridge Development Management Plan 2015 and Policies CS1 and CS17 of the Elmbridge Core Strategy 2011.
7. To ensure the protection of ecology and biodiversity during the construction phase in accordance with Policy DM21 of the Elmbridge Development Management Plan 2015
8. To ensure tree root systems are protected from compaction and other impacts and that the construction exclusion zone and tree protective fencing is installation on site before construction work begins on site.

To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011.

9. To safeguard existing trees and landscape features and to ensure their contribution to the character of development and the character of the local area in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015 Policy CS15 of the Elmbridge Core Strategy 2011.
10. To safeguard residential amenity and minimise impact on bats in accordance with Policies DM5 and DM21 of the Elmbridge Development Management Plan 2015
11. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, and in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.
12. To ensure that the tree root systems of T1 and T2 are protected during the installation of the surface water drainage pipe through the construction exclusion zone and tree protection fencing prior to commencement of work on site and the installation of tree protection fencing.

To ensure the protection of tree root systems in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

13. To ensure that infiltration is carried out in accordance with the SuDS hierarchy and included into the development should it be found to be viable prior to commencement of workings on site.

To ensure infiltration is investigated as a possible mode of SuDS in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.
14. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, and in accordance with Policies DM5 and DM6 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the of the Elmbridge Core Strategy 2011.
15. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
16. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
17. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
18. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.
19. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with Policies DM7 and DM9 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011

Informatives:

1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: (delete as appropriate) entering into pre-application discussions; scoping of the application; 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 noise/traffic/odour/air quality/dust/heritage/flooding/landscape/ecology/visual impact/Green Belt 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 2019.

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 advised to read the Thames Water guide on working near or diverting Thames Water pipes: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
4. Prior approval from Thames Water Developer Services is required for the discharge of surface water into a public sewer. Please refer to the Thames Water website for further information: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via ww.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
7. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in

advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

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. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
10. 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.
11. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
12. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html>

 for guidance and further information on charging modes and connector types.
13. Biosecurity is very important to minimise the risks of pests and diseases being imported into the UK and introduced into the environment. It is recommended that all trees grown abroad, but purchased for transplanting, shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees entered the UK, their origin and the length of time they have been in the nursery should be requested before the commencement of any tree planting. If this information is not available, alternative trees sources should be used. You are advised to consult the relevant UK Government agencies such as the Animal and Plant Health Agency (APHA) and the Forestry Commission for current guidance, Plant Passport requirements and plant movement restrictions. Quality Assurance Schemes followed by nurseries should also be investigated when researching suppliers. For larger planting schemes, you may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.

Town and Country Planning Act 1990 – guidance on the determination of planning applications

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to [National Planning Policy Framework](#) (NPPF) was updated

in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) [waste](#); [traveller sites](#); [planning for schools development](#); [sustainable drainage systems](#); [parking and Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social and environmental.

The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications, the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

Human Rights Act 1998 Guidance For Interpretation

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions

and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions. These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

Contact Stephanie King

Tel. no. 020 8541 9525

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.

Other documents

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 Plan 2008](#)

[Elmbridge Borough Council Development Management Plan 2015](#)

[Elmbridge Borough Council's Core Strategy 2011](#)

[Parking Supplementary Planning Document dated July 2020](#)

[Elmbridge Design and Character Supplementary Planning Document dated April 2012](#)

[Design and Character Supplementary Planning Document Companion Guide: Walton On Thames dated April 2012](#)

Other Documents

[Surrey Transport Plan: Parking Strategy January 2020 Update](#)

[Surrey County Council Vehicle Crossover Guidance Document dated June 2020](#)

[Cabinet meeting dated 21 July 2020: Agenda, decisions, and minutes](#)

[Surrey County Council SuDS Design Guidance Version 1.1 dated 2 July 2019](#)

[London Housing Design Guide dated August 2010](#)
