



Appeal Decision

Hearing held on 21 February 2023

Site visit made on 21 February 2023

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2023

Appeal Ref: APP/L3625/W/22/3307999

64 Shelveys Way, Tadworth KT20 5QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Daniel Corcoran, Devine Homes PLC against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/02108/F, dated 26 July 2021, was refused by notice dated 29 July 2022.
 - The development proposed is Demolition of 64 Shelveys Way and the erection of 3 x 4 bedroom dwellings and 1 x 3 bedroom dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of 64 Shelveys Way and the erection of 3 x 4 bedroom dwellings and 1 x 3 bedroom dwelling at 64 Shelveys Way, Tadworth, Surrey KT20 5QF in accordance with the terms of the application, Ref 21/02108/F, dated 26 July 2021, subject to the attached Schedule of Conditions.

Preliminary Matters

2. The description of the proposal was amended by the appellant to reduce the number of dwellings proposed from 7 to 4. The Council based its decision on the amended description and plans which refer to 4 proposed dwellings, which also formed the focus of the Hearing. I have therefore relied on the amended description of the development proposed for the banner heading above.
3. Since the appeal was lodged, planning permission¹ has been granted by the Council to demolish 64 Shelveys Way and erect 3 dwellings to the rear, with an access road ('the Approved Scheme'). The main difference between the Approved Scheme and the appeal scheme is that the Approved Scheme would not include a dwelling at the front of the appeal site, where plot 1 would be located in the appeal scheme. I was presented with copies of documents relating to the Approved Scheme during the hearing, which are a relevant material consideration in this appeal.

¹ The Council's ref: 22/02449/F

Main Issues

4. The main issues are:

- whether the proposal would provide acceptable living conditions for future occupiers of the proposed dwelling at plot 1, with particular regard to noise and disturbance;
- the effect of the proposal on the living conditions of occupiers of 62 Shelveys Way, with particular regard to noise and disturbance; and
- the effect of the proposal on the character and appearance of the area, with particular regard to the size and design of the proposed dwelling and the size of the proposed plot at plot 1.

Reasons

Living Conditions: Plot 1 and 62 Shelveys Way

5. It is proposed to demolish the existing dwelling and erect a narrower and taller dwelling (plot 1) in its place, together with an access road leading to 3 proposed dwellings with a garage and car barn at the rear of the appeal site. The access road would include a footpath along part of its western side and a shared surface with 2 visitor parking spaces.
6. The appellant has provided an Environmental Noise Survey² (ENS), which relies on ambient noise levels recorded at the front and rear of the existing dwelling within the appeal site. The ENS concludes that predicted noise levels associated with the proposed development would be significantly lower than ambient noise levels, based on expected vehicle movements. The Council confirmed that it had no evidence to dispute the findings of the ENS.
7. Neighbouring residents explained during the hearing that the ambient noise levels which the ENS relies on were observed during school holidays, when it was claimed less traffic on surrounding roads would have created lower ambient noise levels than those regularly experienced by residents. The ENS therefore presents a 'worst case scenario' for existing ambient noise levels compared to noise which would be created by the proposal.
8. The proposed access road would run the full length of plot 1 and would be separated from the east elevation wall of the proposed dwelling at plot 1 by a 1.8 metre high close-boarded fence and a strip of planting. The proposed dwelling would be 3.4 metres from the edge of the footpath and 5.4m from the edge of the carriageway of the proposed access road. There would be no windows or doors on the east elevation wall of the proposed dwelling at plot 1, but there would be 2 roof lights in the east roof slope.
9. Noise from pedestrians and vehicles using the proposed access road would likely be experienced within the dwelling and garden of plot 1. However, the evidence shows that the level and frequency of that noise would be very low and unlikely to create unacceptable living conditions for future occupiers. This would be due to the small number of households the proposed access road would serve, the slow speeds of vehicles using the proposed access road, existing ambient noise levels, and the intervening space, fencing and planting between the proposed dwelling and garden and the proposed access road.

² Adnitt Acoustic Services Ltd., Report E22116/R1a-, dated 23 September 2022

10. The eastern side of the proposed access road would not have a footpath and would be bordered by a wider landscaping strip, in comparison to the western side. A 1.8 metre high close boarded fence would run the length of the boundary, dropping to 1.2 metres in height at the front of the site. A single storey garage at 62 Shelveys Way abuts the boundary with the appeal site. The ENS shows the nearest side facing window at 62 Shelveys Way would be 12.8 metres from the centre of the proposed access road.
11. The proposed access road would therefore be a greater distance from the nearest window and the garden of 62 Shelveys Way than those of the proposed dwelling at plot 1. The ENS explains that predicted noise levels resulting from the proposal at the nearest window and garden space would be significantly lower than existing ambient noise levels. For the same reasons set out above in relation to plot 1, noise associated with the proposal would not harm the living conditions of occupiers of 62 Shelveys Way.
12. Vehicle lights would be unlikely to cause disturbances to future occupiers of the proposed dwelling at plot 1 or occupiers of 62 Shelveys Way on account of the positions of windows and boundary treatment in relation to the proposed access road layout.
13. The proposal would not therefore conflict with Policy DES1 of the Reigate & Banstead Local Plan Development Management Plan (2019) (LPDMP) with regard to the living conditions of future occupiers of the proposal or those of occupiers of 62 Shelveys Way. Policy DES1 requires, amongst other things, development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing buildings.

Character and Appearance

14. The appeal site is located in a residential area characterised by a mix of mainly detached and semi-detached houses which vary in style and scale, set behind off-street parking areas and planting. Large pairs of 1930s semi-detached houses with hipped roofs, set in generous plots, comprise the predominant form of development on Shelveys Way. However, there are also smaller and different styles of detached houses on the northern side of the road.
15. Plot and building widths vary locally and although there is a general sense of spaciousness within plots on Shelveys Way, many houses appear to occupy almost the full width of their plots. The existing 'in and out' drive of the appeal site is not a notable feature of the locality, despite there being a few other examples nearby.
16. The proposed dwelling at plot 1 would be narrower than most buildings locally. It would be set behind off-street parking and landscaping, and positioned centrally within its plot, with 3 metre and 1 metre gaps between its west and east boundaries. I have been referred to various local plot widths, some of which would significantly exceed that of plot 1 and others which would be similar to that of plot 1.
17. Although the proposed dwelling and plot at plot 1 would both be narrower than most neighbouring buildings and plots, there is considerable variety in the street scene on the northern side of Shelveys Way. The proposed dwelling at plot 1 would be seen and experienced as part of a series of detached houses of different styles and scales. Its overall size and height, with a hipped roof with

front gable projection, would not deviate greatly from the range of buildings seen along Shelveys Way. In this context, the size and design of the proposed dwelling and the size of the proposed plot at plot 1, including their widths, would not disrupt the rhythm and pattern of development along Shelveys Way, or otherwise harm the character and appearance of the area.

18. The proposed access road would not be as spacious as the access road which would form part of the Approved Scheme, but it would not create an uncharacteristic squeezed or cramped form of development. There would remain space for planting at the front of the appeal site and along the sides of the proposed access road, and although these landscaped areas would not be as generous as those in the Approved Scheme, they would maintain the spacious characteristics of the area.
19. The proposal would not therefore harm the character and appearance of the area and would not conflict with Policies DES1 and DES2 of the LPDMP. These require, amongst other things, development to respect the character of the surrounding area, including the visual appearance of the immediate street scene, to incorporate plot widths, front garden depths and spacing between buildings in keeping with the prevailing layout in the locality, and to provide well-designed access roads with space for suitable landscaping.

Other Matters

20. I have been provided with detailed descriptions of local flooding issues, including overloading of the sewer network and surface water flooding. These have caused considerable problems for local residents, and I have been referred to intended sewer improvement works to potentially address these issues. Until such works are complete, it has been suggested by neighbouring residents that no development should take place where it could increase water run-off or contribute to sewer flows locally.
21. The appeal site is located within Flood Zone 1 and has a low-risk surface water flow route running across part of it. The Lead Local Flood Authority declined to comment on the proposal³, but recommended conditions in relation to surface water drainage in the case that planning permission is granted. The Council's Drainage Consultant has advised⁴ that the proposal does not need a flood risk assessment and should not be refused planning permission on flood risk or drainage grounds, subject to drainage design being approved prior to the commencement of development. The Council's Drainage Consultant has also advised that ground conditions at the appeal site comprise topsoil over loam, over chalk, which may provide opportunities for infiltration devices within the appeal site.
22. Paragraph 167 of the Framework advises that when determining planning applications, flood risk should not be increased elsewhere. Although I have heard emotional accounts of local flooding issues, I am unconvinced that the proposal would increase flood risk on account of the advice provided by the Council's Drainage Consultant.
23. The Approved Scheme is subject to conditions relating to the disposal of surface and foul water. The evidence suggests that there would be opportunities to ensure water run-off from the appeal site is not increased,

³ Letter dated 7 March 2022 from Surrey County Council, ref: LLFA-RE-22-0219

⁴ Email dated 8 March 2022 from PPCP Limited T/A Patrick Parsons, ref: 21/02108/F

details of which could be required to be approved prior to the commencement of development. I do not therefore consider it reasonable to withhold planning permission for the proposal on account of existing local flooding issues.

24. A number of trees have been removed from the appeal site prior to the submission of the planning application. An Arboricultural Report⁵ shows how existing trees of appropriate amenity value would be retained as part of the proposal and protected during construction works. I appreciate the concerns voiced by neighbouring residents relating to the potential impact that the loss of trees may have had on biodiversity and flood risk, but any tree works already carried out, including any alleged unauthorised works to protected trees, do not form part of the proposal for me to consider.
25. The Arboricultural Report shows that the proposal would be capable of retaining trees of sufficient quality. A shading assessment undertaken as part of the Arboricultural Report demonstrates that none of the retained trees would lead to excessive shading of proposed garden spaces. I do not therefore consider it likely that there would be justified pressure from future occupiers to remove or substantially reduce those retained trees.
26. Plans⁶ have been submitted which show that a refuse collection vehicle could enter and exit the proposed development in a forward gear, provided parking restrictions are in place on part of Shelters Way to prevent parked vehicles blocking access. I have been provided with plans⁷ showing the extent of the parking restrictions proposed, which would cover areas in front of neighbouring driveways and create a portion of Shelters Way where no vehicles could park. I consider it unlikely that this would lead to vehicles driving at unsafe speeds along this section of Shelters Way, which has speed bumps, or otherwise increase risks to highway safety. I have not been provided with evidence of high parking stress on Shelters Way, where properties are served by generous off-street parking areas, and I am unconvinced that parking restrictions may lead to unacceptable inconvenience to existing residents. I also note that similar restrictions would be required as part of the Approved Scheme.
27. It was explained by local residents that Shelters Way is used as a cut-through by drivers from the A217 and that vehicles parked on the highway force traffic to regularly stop and accelerate along the length of Shelters Way. Be that as it may, the proposal would include 13 residents' parking spaces and 2 visitors' parking spaces, which would exceed the minimum 10 spaces necessary to accord with the Council's parking standards. The proposal would lead to a small increase in vehicles using Shelters Way and surrounding roads, but I am unconvinced that this would have any material impact on highway safety. The Highway Authority has not objected to the proposal, subject to conditions being imposed on any grant of planning permission, and I see no reason to form a different view based on everything I have seen and heard.
28. Neighbouring residents have also referred to the claimed cumulative impacts of development on local infrastructure and services, including schools and doctors' surgeries. I have not been provided with precise and unambiguous evidence which demonstrates that the proposal would lead to unacceptable impacts on

⁵ Updated Arboricultural Report by David Archer Associates, dated May 2022

⁶ Drawing number: 21008-A—PL-012 Revision B, dated December 2021

⁷ Drawing number: 211413/TS/01 Revision A

local infrastructure and services in comparison to the Approved Scheme. As such I do not assign significant weight to these objections to the proposal.

Conditions

29. It would be necessary to attach a condition requiring the commencement of development within the relevant timeframe and for the development to be carried out in accordance with the approved plans, in the interests of clarity.
30. Suggested conditions put forward by the Council have been agreed by the appellant with regard to the need for further details to be approved prior to the commencement of development in respect of a Construction Management Statement, proposed levels, a Construction Environmental Management Plan, and a Landscape and Ecological Management Plan. This would be to avoid potential harm to protected species and the living conditions of neighbouring residents. No details of existing land levels would be required as these have already been provided⁸.
31. For the reasons set out above, details of how surface and foul water would be disposed of would need to be approved prior to the commencement of development. Those details would need to have regard to the drainage hierarchy set out in the Planning Practice Guidance⁹ and the non-statutory technical standards for sustainable drainage systems¹⁰. It would be necessary to require approval of a verification report prior to the first occupation of any dwelling, to ensure the approved drainage details have been implemented in full. Those works would also need to be maintained for the lifetime of the development to ensure the proposal would not unreasonably increase flood risk. The written Ministerial Statement on sustainable drainage systems¹¹ is not relevant to the proposal, as it comprises less than 10 dwellings.
32. A finalised tree protection plan and arboricultural method statement would need to be approved prior to the commencement of development, to take account of underground services. It would also be reasonable and necessary to require a pre-commencement meeting with the Council's Tree Officer, as suggested in the documents submitted, in the interests of avoiding damage to retained trees.
33. An outlier badger sett near to the appeal site has been assessed and found to be inactive¹². To avoid potential harm to protected species, it would be reasonable and necessary for further badger monitoring surveys to be undertaken prior to the commencement of development. If those surveys find the outlier sett has become active, a badger mitigation strategy would also need to be approved prior to the commencement of development.
34. Further details would also need to be approved, but not before the commencement of development above slab level, in respect of electric vehicle charging sockets, landscaping, boundary treatment, external materials, waste management storage and collection points, and water efficiency measures. Such conditions would be reasonable and necessary to ensure appropriate finishes to the proposal, to avoid harm to the living conditions of neighbouring

⁸ Tree Constraints Plan TCP 01

⁹ Paragraph: 056 Reference ID: 7-056-20220825

¹⁰ Department for Environment, Food and Rural Affairs (March 2015)

¹¹ HCWS161, dated 18 December 2014

¹² Badger Survey by Arbtech Consulting limited, Issue 2 dated 5 July 2022

residents and protected species, and to achieve compliance with sustainability targets referred to by Policies TAP1 and CCF1 of the LPDMP.

35. It would be reasonable and necessary to approve details of a Construction Transport Management Plan (CTMP) prior to the commencement of development to protect the living conditions of neighbouring residents and in the interests of highway safety. The Council's suggested wording for such a condition includes the need to provide details of 'before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused'. It was suggested that 'the highway' could be defined as the section of Shelveys Way between the appeal site and the A217, but this would not cover any damage caused to other roads or to the west of the appeal site. Furthermore, works relating to development of a similar scale at 76 Shelveys Way are ongoing, which would leave significant uncertainty as to who may be responsible for any development related damage caused to the highway.
36. I was referred to damage claimed to have been previously caused to the highway by other developments in the locality, which created significant disruption to local residents. However, I have not been presented with suitable wording for a condition which would require any future developer of the proposal to repair any damage they may cause to any highway, in accordance with the relevant tests¹³. The Council's suggested wording in this regard would not be sufficiently precise, reasonable or enforceable and I shall amend the recommended condition accordingly.
37. It would be reasonable and necessary in the interests of highway safety to require the first 20 metres of the proposed access road to be constructed prior to the commencement of works on the proposed dwellings specifically, rather than the commencement of development generally. This is because the construction of the proposed access road would comprise part of the development. This can be controlled through the CTMP.
38. Parking restrictions would need to be provided to enable a refuse vehicle to enter and exit the appeal site in a forward gear. It was explained at the hearing that details of those parking restrictions are shown on drawing number 211413/TS/01 Revision A, but these are not clearly annotated and further details would need to be agreed by the Highway Authority. It would therefore be reasonable and necessary to require the approval of details of parking restrictions prior to the commencement of development and their completion prior to the first occupation of the proposed dwellings at plots 2 – 4.
39. The Council has suggested a condition would be necessary to require the approval of details of a 1.8 metre wide footway on the eastern side of the proposed access road leading to parking spaces in front of proposed plot 4. This, it is claimed, would be to ensure the proposal would not prejudice highway safety. The proposal would include a footway on the western side of the access road, leading up to proposed visitor parking spaces, with the access road at that point being annotated 'shared surface'. A similar arrangement is shown on the plans¹⁴ forming part of the Approved Scheme, which is not subject to a condition requiring an additional footway leading all the way to the rear of the appeal site.

¹³ Paragraph 56 of the Framework

¹⁴ Drawing numbers: 21008-A-PL-052 Revision A and 21008-A-PL-053 Revision A

40. On account of the small number of houses which would be served by the proposed access road, the use of a shared surface for pedestrians and vehicles for the short distance between the proposed footway and dwellings at plots 2 – 4 would be unlikely to cause any conflict between highway users. I do not therefore consider it reasonable or necessary in the interests of highway safety to require the approval of details of an additional footway leading all the way to the rear of the appeal site, which would reduce landscaping opportunities.
41. A condition requiring side elevation windows located above ground floor level to be obscured glazed and of restricted opening would be reasonable and necessary to prevent unacceptable levels of overlooking of neighbouring properties. To be enforceable, details of the obscured glazing would need to be approved and installed prior to the first occupation of any dwelling. The west elevation first floor window at plot 4 would not need to be subject to this condition as it would not result in unacceptable levels of overlooking due to it facing the blank east elevation and open front garden of plot 3.
42. It would be reasonable and necessary to attach conditions requiring the provision and retention of proposed parking spaces in the interests of highway safety, and the provision of broadband infrastructure to promote access to, and expansion of, a high quality electronic communications network in accordance with Policy INF3 of the LPDMP.
43. A condition prohibiting the installation of any external lighting, other than that approved by the Council, would be reasonable and necessary to avoid any potential harm to bats.
44. The Council confirmed during the hearing that Policy DES7 of the LPDMP, with regard to accessible and adaptable housing, is only applicable to developments of 5 or more houses. It is not therefore necessary to require details of how a proportion of the proposed dwellings would be accessible and adaptable.

Conclusion

45. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

L Douglas

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21008-A-PL-046 A, 211413/TS/01 A, 211413/TS/02 A, 21008-A-PL-042 A, 21008-A-PL-031 B, 21008-A-PL-033 B, 21008-A-PL-045 B, 21008-A-PL-039 B, 21008-A-PL-032 B, 21008-A-PL-035 B, 21008-A-PL-040 B, 21008-A-PL-036 B, 21008-A-PL-037 B, 21008-A-PL-012 B dated December 2021, 21008-A-PL-038 B, 21008-A-PL-044 B, 21008-A-PL-034 A, Tree Constraints Plan TCP 01, 21008-A-PL-001 A, and 21008-A-PL-014 A.
- 3) No development shall take place until details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 4) No development shall take place until a strategy for the disposal of surface and foul water is submitted to and approved in writing by the local planning authority. The design must satisfy the sustainable drainage strategy hierarchy and be compliant with the national Non-Statutory Technical Standards for sustainable drainage strategies and the National Planning Policy Framework. The development shall be carried out in accordance with the approved details.
- 5) No development shall take place until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) a programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) vehicle routing
 - (g) measures to prevent the deposit of materials on the highway
 - (h) on-site turning for construction vehicles
 - (i) how the belmouth vehicular access to Shelveys Way and the first 20 metres of the new access road will be provided prior to the commencement of development on the dwellings hereby approved.The approved CTMP shall be adhered to throughout the construction period for the development.
- 6) No development shall take place until a Construction Management Statement has been submitted to and approved in writing by the local planning authority. The CMS shall include details of:
 - (a) Prediction of potential impacts with regard to water, waste, noise, vibration, dust, emissions and odours on wildlife. Where potential impacts are identified, mitigation measures should be identified to address these impacts.
 - (b) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
 - (c) Means of communication and liaison with neighbouring residents and

businesses.

(d) Hours of work

The approved CMS shall be adhered to throughout the construction period for the development.

- 7) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of:
- (a) the locations of all relevant ecological features
 - (b) a risk assessment of any potential harm to protected species by construction activities
 - (c) practical measures to avoid and reduce any adverse impacts on protected species during the construction period of the development
 - (d) the location and timing of works to avoid harm to any relevant biodiversity features
 - (e) responsible persons and lines of communication
 - (f) any protected fences, exclusion barriers and warning signs
 - (g) an Invasive Plant Species Management and Removal Plan prepared by a suitably qualified individual that details how the control of invasive species will be managed on site, including roles and responsibilities.
- The approved CEMP shall be adhered to throughout the construction period for the development.
- 8) No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Ecological Appraisal and Preliminary Inspection for Bats report (aLyne Ecology, 2022) and shall include:
- (a) a description and evaluation of features to be managed
 - (b) ecological trends and constraints on the site that might influence management
 - (c) aims and objectives of management
 - (d) appropriate management options for achieving aims and objectives
 - (e) prescriptions for management actions, together with a plan of management compartments
 - (f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - (g) details of the body or organisation responsible for implementation of the plan
 - (h) ongoing monitoring and remedial measures
 - (i) legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
 - (j) a monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
 - (k) an Ecological Enhancement Plan
 - (l) details of how native trees will be retained where possible, and how any trees removed as a result of the development will be replaced with equivalent numbers of native species trees.
- The approved LEMP shall thereafter be adhered to.

- 9) No development shall take place until a detailed, scaled finalised Tree Protection Plan (TPP) and a related finalised Arboricultural Method Statement (AMS) is submitted to and approved in writing by the local planning authority. These shall include details of:
- (a) the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees shown to scale on the TPP, including the installation of service routings, type of surfacing for the entrance drive and location of site offices
 - (b) a pre-commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and individuals and personnel responsible for the implementation of the approved development
 - (c) timings and frequency of the supervision and monitoring regime and an agreed reporting process to the local planning authority
 - (d) a qualified arboriculturist who will undertake the supervision, monitoring and reporting processes
- The approved TPP and AMS shall be adhered to throughout the construction period of the development.
- 10) No development shall take place until a badger sign and monitoring survey in respect of the outlier sett referred to by the Badger Survey by Arbtech Consulting Limited, Issue 2, dated 5 July 2022 has been submitted to and approved in writing by the local planning authority. The badger sign and monitoring survey shall show how the development will accord with The Protection of Badgers Act 1992. Should the badger sign and monitoring survey confirm the outlier sett as being active, then a suitably qualified ecologist shall design a badger mitigation strategy to be submitted to and approved in writing by the local planning authority before any development takes place, and that badger mitigation strategy shall thereafter be adhered to. Should this require a licence from Natural England then no development shall take place until the licence is granted by Natural England.
- 11) Notwithstanding the details shown on the approved plan drawing number 211413/TS/01 Revision A, no development shall take place until parking restrictions to enable a refuse collection vehicle to enter and exit the site in a forward gear have been submitted to and approved in writing by the local planning authority. The dwellings hereby approved at plots 2 – 4 shall not be first occupied until the approved parking restrictions have been completed and they shall thereafter be retained.
- 12) No development shall take place above slab level until a Water Efficiency Statement has been submitted to and approved in writing by the local planning authority. The Statement shall detail how the development will ensure that the potential water consumption by occupants of each new dwelling would not exceed 110 litres per person per day. The development shall be carried out in accordance with the approved details and any measures specific to any individual dwelling(s) shall be implemented, installed and operational prior to its first occupation.
- 13) No development shall take place above slab level until details of all waste management storage and collection points have been submitted to and approved in writing by the local planning authority. All waste storage and collection points should be of an adequate size to accommodate the bins and

containers required for the dwellings which they are intended to serve in accordance with the Council's guidance contained within Making Space for Waste Management in New Development. The approved waste management storage and collection points shall be installed prior to the first occupation of the dwellings hereby permitted and they shall thereafter be retained for those purposes.

- 14) No development shall take place above slab level until a plan indicating the positions, design, materials, and type of boundary treatment to be erected has been submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be completed before the first occupation of the dwellings hereby permitted.
- 15) No development shall take place above slab level until a scheme for the soft and hard landscaping (including hard surfacing and any street furniture), including details of existing landscape features to be retained or pruned, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to first occupation of the dwellings hereby permitted or in accordance with a programme agreed in writing with the local planning authority. All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837 (Trees in relation to construction). Any trees, shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or plants of the same size and species.
- 16) No development shall take place above slab level until details of the materials to be used in the construction of the external surfaces, including fenestration and roofs, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 17) No development shall take place above slab level until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. The approved electric vehicle charging points shall be installed prior to the first occupation of the dwellings hereby permitted and shall thereafter be maintained and kept available for the charging of electric vehicles.
- 18) No dwelling hereby permitted shall be first occupied until a drainage verification report carried out by a qualified drainage engineer has been submitted to and approved in writing by the local planning authority. The drainage verification report shall demonstrate that the approved strategy for the disposal of surface and foul water has been complied with and all associated drainage works completed, or it shall detail any minor variations. The drainage verification report shall provide details of how the completed drainage works shall be maintained for the lifetime of the development, any relevant management company, and shall state the national grid reference of any key drainage elements (surface water attenuation devices/area, flow restriction devices and

outfalls). The approved strategy for the disposal of surface and foul water and all associated drainage works shall thereafter be retained and maintained in accordance with the agreed details.

- 19) The dwellings hereby permitted shall not be first occupied until the east and west elevation windows, including roof lights, of the dwellings at plots 1 – 3 and the east elevation windows of the dwelling at plot 4 at first floor level have been fitted with obscured glazing. No part of those windows that is less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
- 20) No dwelling hereby permitted shall be first occupied until space has been laid out within the site in accordance with drawing no. 21008-A-PL-012 B dated December 2021 for 15 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
- 21) No dwelling hereby permitted shall be first occupied until the necessary infrastructure to facilitate connection to high-speed broadband has been provided. Unless otherwise agreed by the local planning authority, this shall include a broadband connection accessed directly from the nearest exchange or cabinet and cabling with easy access for future repair, replacement or upgrading.
- 22) No external lighting shall be installed other than any approved in writing by the local planning authority. Any external lighting approved by the local planning authority shall be installed and operated in accordance with the approved details.

APPEARANCES

FOR THE APPELLANT:

Spencer Copping	WS Planning & Architecture
Robert Adnitt	Adnitt Acoustic Services Ltd
Joseph Fowler	Devine Homes PLC
Luke Eldridge	Devine Homes PLC

FOR THE LOCAL PLANNING AUTHORITY:

Hollie Marshall	Reigate & Banstead Borough Council
Natalia Achilleos	Reigate & Banstead Borough Council

INTERESTED PARTIES:

Caroline Pinnock	Local Resident
Rod Ashford	Ward Councillor
Mandy O'Brien	Local Resident
Gillian Hein	Tadworth & Walton Residents' Association
Rachel Berende	Local Resident
Rachel Turner	Ward Councillor
Paul O'Brien	Local Resident
Deborah Sheldon	Local Resident

DOCUMENTS SUBMITTED AT THE HEARING

- Policy TAP1 of Reigate & Banstead Local Plan Development Management Plan (2019)
- Signed copy of Statement of Common Ground
- Surrey County Council consultation response dated 7 March 2022, ref: LLFA-RE-22-0219
- Documents relating to planning permission 22/02449/F: Decision notice dated 16 December 2022, Planning Committee report dated 14 December 2022, Drawing number 21008-A-PL-050 Revision A, Drawing number 21008-A-PL-053 Revision A

DOCUMENT SUBMITTED AFTER THE HEARING

- Plan referred to by condition 9 of planning permission 22/02449/F: Drawing number 21008-A-PL-052 Revision A