



Appeal Decision

Site visit made on 28 March 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 MAY 2023

Appeal Ref: APP/M3645/W/22/3294022

79 Farleigh Road, Warlingham CR6 9EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Martyn Avery (Chartwell Land & New Homes (2) Limited) against the decision of Tandridge District Council.
 - The application Ref TA/2021/1113, dated 9 June 2021, was refused by notice dated 5 November 2021.
 - The development proposed is demolition of the existing buildings at 79-81 Farleigh Road, Warlingham and redevelopment of the site for 10 x residential units and 1 x commercial unit with associated access, parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing buildings at 79-81 Farleigh Road, Warlingham and redevelopment of the site for 10 x residential units and 1 x commercial unit with associated access, parking and landscaping at 79 Farleigh Road, Warlingham CR6 9EJ in accordance with the terms of the application, Ref TA/2021/1113, dated 9 June 2021, and the plans submitted with it, subject to the conditions in the schedule below.

Preliminary Matters

2. The planning application was in outline, with access, appearance, layout and scale to be considered at this stage. I have treated the landscaping details on drawing no. PL 21-579-08 as being indicative, since landscaping is a reserved matter. Likewise, where details of planting and soft landscaping are included on other application drawings, including the proposed site plan, block plans and sketch views, I have treated that aspect of the drawings as being indicative.
3. Although landscaping is a reserved matter, the layout of the site is among the matters included in the outline application. Therefore I have had regard to the tree protection plan (drawing no. 21-1218-TPP) when considering matters relation to the layout and its relationship with existing trees outside the site.
4. The appeal was accompanied by an updated Surface Water Drainage Technical Note¹ addressing points which had been raised by the Lead Local Flood Authority (LLFA) prior to determination of the application. The Council and the LLFA have had the opportunity to respond. Since the additional evidence does not change the nature of the proposed development, but merely provides additional technical evidence to support the drainage strategy as originally proposed, I am satisfied that no prejudice would arise to any party as a result

¹ Surface Water Drainage Technical Note, Mayer Brown, January 2022, ref SF/CPFARLEIGHRD.23

of this additional evidence. I have therefore had regard to it when considering the appeal.

5. My attention has been drawn to various policies in the submission version of the emerging Tandridge District Council Local Plan 'Our Local Plan: 2033', which was submitted for examination in public in January 2019. However, the reasons for refusal do not identify any specific conflict with these emerging policies and I have been given little evidence as to their current status or the expected date of adoption. As such, I have given the emerging Local Plan limited weight in my consideration of this appeal.

Main Issues

6. The main issues are:

- the effect of the proposed development on the character and appearance of the area,
- whether it would provide satisfactory living conditions for future occupiers, with regard to the extent of external amenity space, and
- whether the proposal would effectively mitigate flood risk, with particular regard to arrangements for drainage of surface water.

Reasons

Character and Appearance

7. The appeal site is a mainly commercial premises in somewhat dilapidated condition. Facing Farleigh Road is a pair of two storey semi-detached houses, one of which is used for commercial purposes while the other remains in residential use. To the rear are an assortment of single storey premises which the Council confirms are used for office, light industrial and storage purposes and which are currently occupied by a number of small firms. The existing buildings occupy a significant proportion of the site, with the remaining land being hard surfaced and used for parking and outdoor storage.
8. This section of Farleigh Road consists largely of two storey detached and semi-detached housing. Much of the existing housing is of typical mid 20th century design and appearance, although external materials and detailing vary. There are also some non-residential uses to either side of the appeal site, comprising a small office building (no. 77) to one side and a primary school to the other. The school building is set back from the road, with a playground and parking area in front.
9. This section of Farleigh Road follows a long, gradual curve, which allows for a gradually evolving street scene. As a result of the variety of building materials and detailing, together with the cluster of non-residential uses, the townscape around the appeal site is relatively varied in appearance. However, two storey buildings are typical and the dwellings on the south side of the road in particular have a fairly consistent scale and character.
10. The parties disagree as to the proposed density of development, while agreeing that it would, to a greater or lesser extent, exceed the upper threshold of 55 dwellings per hectare supported by Core Strategy Policy CSP19². This policy

² Tandridge District Core Strategy adopted 2008

allows for density above that threshold on sites within a specified distance of public transport and a centre providing convenience shopping. While the exact distance between the site and local services in Warlingham has not been provided, both parties describe the site as being within reasonable walking distance of local services and there are also bus services nearby. In addition, Warlingham is defined by the Council as a category 1 settlement, providing the highest standard of accessibility to local services.

11. While the Council's more recent Urban Capacity Study proposes a lower density figure, I have not been provided with any evidence as to the status of that study for decision-making purposes. Furthermore, the National Planning Policy Framework (the Framework) emphasises that in areas with a good standard of accessibility, minimum rather than maximum density standards may be appropriate.
12. Having observed its relationship with local services, I find that the site benefits from a good standard of accessibility. Therefore, taking the above into account, a higher density development would be acceptable in principle on the appeal site, provided the character of the area is not harmed.
13. Building C would be the largest element of the proposed development. By virtue of its three storey height and L-shaped footprint, it would be a more substantial and imposing building than is typical of the surrounding townscape. However, the design incorporates a number of elements to help integrate the building into the street scene. In particular, the third storey would be accommodated substantially within the pitched roof, which would reduce its overall bulk. The roofspace also incorporates fully hipped elements, enabling a gradual increase in height, with the eaves line along the site boundary being at a typical two storey height. The varied roof form would break up the massing of the building and would not appear unduly awkward or contrived.
14. Since Building C would adjoin the playground at the front of the school site, there would still be a sense of space along the street frontage, which would prevent the building appearing cramped.
15. Buildings A and B would be more modestly-proportioned semi-detached two storey dwellings. Their scale would be broadly consistent with the existing two storey housing along much of Farleigh Road.
16. On all three buildings, the proposed elevational detailing departs from the local vernacular. However, the design incorporates traditional local materials. It also adopts building elements typical of the surrounding development, such as projecting gables and bay windows, albeit these are given a more contemporary design. There would therefore be various points of consistency with the more established surrounding development, which is itself relatively varied in design. At the same time, the detailing of buildings within the development would have sufficient consistency to establish their own character and appearance within the site.
17. Overall, while there would be some degree of contrast with the surrounding buildings, the design approach would not be inherently harmful to the character of the area. It would be consistent with guidance in paragraph 130 of the Framework, which advocates a balance between ensuring that development is sympathetic to local character, while not preventing appropriate innovation and change.

18. The existing site is almost entirely devoid of soft landscaping and includes extensive areas used for car parking around the buildings. The plans indicate that there would be scope for increased soft landscaping along the site frontage, with details to be confirmed as reserved matters. Within the wider street scene, the amount of soft landscaping is varied, with some front gardens including trees and hedges, while others are hard surfaced and used predominantly for parking. As such, the proposed balance between hard and soft landscaping would be reasonably consistent with that found in the surrounding area.
19. The existing buildings are in poor condition and make no positive contribution to the street scene. This does not, in itself, justify the introduction of excessively large or intrusive development. However, for the reasons set out above, I do not find that the increased building mass on the site would be excessively prominent or overbearing. While the buildings would have a different scale and appearance to many of the surrounding buildings, the contrasting elements of the design would not be inherently harmful.
20. I conclude that the proposed development would not harm the character and appearance of the area. As such, it would not conflict with relevant requirements of Policy CSP18 of the Core Strategy or Policies DP7 and DP8 of the Part Two Local Plan³ These policies, amongst other things, require that development should respect the character and appearance of the area in which it is located, avoiding overdevelopment or unacceptable intensification.
21. With regard to Policy DP8, this policy is headed 'Residential Garden Land Development'. Only a very small area of garden land is involved in this case, being located in front of the existing dwelling. Therefore while I have had due regard to this policy, it is of limited relevance to the redevelopment of the commercial land which forms the larger proportion of the site.

Living Conditions of Future Occupiers

22. Although each of the four proposed houses would have a private garden, the six flats would have no private outdoor amenity space. The communal amenity space to the rear of Building C would be limited in extent. Much of this area would be hemmed in by buildings on three sides and the remainder would be somewhat exposed to the adjacent car parking areas. The modest size and constrained layout of this outdoor space would limit options for its use by a variety of residents. The only other soft landscaped area of any meaningful size would be located in front of Building C, where it would be exposed to the road and fragmented by a footpath. This area would lack privacy and would be of limited use for sitting out or other outdoor activities.
23. While no specific local standards for outdoor amenity space have been brought to my attention, I find that the proposed layout would not provide an adequate extent or quality of private outdoor amenity space for future occupiers of the flats. The availability of public open space within walking distance is a mitigating factor. However, it would not fully outweigh the lack of access to a convenient and pleasant outdoor space for casual everyday use.
24. I have had regard to the layout of developments permitted at 508 Limpsfield Road and 189 Westhall Road. Although these also provide a limited area of

³ Tandridge Local Plan Part 2: Detailed Policies 2014-2019 adopted 2014

communal amenity space, in both cases its layout would be less awkwardly hemmed in by the surrounding buildings. To that extent, the approved layouts are materially different from that proposed on the appeal site, which I have considered on its merits.

25. The private gardens proposed for each of the four dwellings would also be modest in area, but would be conveniently situated for each dwelling and in reasonable proportion to the extent of the accommodation. Although the garden to unit 1 (Building A) would be overlooked by a window on the flank wall of no. 77, the window is obscure glazed. Furthermore, the adjacent office is less likely to be occupied during evenings and weekends when garden areas are most in demand. As such, this relationship would not unduly undermine the privacy of the occupiers of unit 1.
26. Nevertheless, I conclude that the proposed development would not provide satisfactory living conditions for future occupiers of the proposed flats, having regard to the extent of external amenity space. This would conflict with relevant requirements of Core Strategy Policy CSP18, Policies DP7 and DP8 of the Part Two Local Plan and relevant paragraphs in the Framework. These policies, amongst other things, require that new development is of a high standard of design and provides a satisfactory environment for the occupiers of the new development, including outdoor amenity areas.

Flood Risk

27. When the application was considered by the Council, the LLFA initially raised concerns about the proposed approach to sustainable urban drainage. The LLFA identified further investigations which should be undertaken to demonstrate that the proposed deep bored soakaways would be an effective strategy for the drainage of surface water.
28. The updated Surface Water Drainage Technical Note submitted with the appeal, addresses points raised by the LLFA. In particular, the Technical Note includes the results of site-specific infiltration tests undertaken on site, following determination of the application.
29. Evidence in the Technical Note indicates that the proposed surface water drainage strategy is capable of enabling the development to be safely drained without increasing the risk of flooding to surrounding properties or downstream. In response, the LLFA has confirmed that they are satisfied that the proposed drainage strategy meets requirements set out in the Framework, relevant national planning guidance and the Non-Statutory Technical Standards for sustainable drainage systems.
30. While the Council has not confirmed that the additional evidence provided with the appeal overcomes the third reason for refusal, the Council's evidence otherwise points to the LLFA's concerns as being the origin of the Council's concern. The LLFA's response to the appeal confirms that development could proceed, subject to management of surface water drainage through appropriate conditions.
31. There is no substantive evidence of any other sources of flood risk which are relevant to the proposed development.
32. Based on the above, I conclude that the proposal would effectively mitigate flood risk, with particular regard to arrangements for drainage of surface water.

The development does not, therefore, conflict with Core Strategy Policies CSP11 and CSP15, Policy DP21 of the Part Two Local Plan or relevant paragraphs of the Framework. These policies, amongst other things, require that appropriate infrastructure is provided to support development, including the implementation of sustainable urban drainage systems to reduce both the case and impact of flooding.

Other Matters

33. While the Surrey Wildlife Trust raised concerns in relation to the effect of the proposal on the adjacent area of ancient woodland, the Council's Officer Report acknowledged existing risks to the woodland arising from the commercial use of the site. The existing commercial buildings, hardstandings and parking areas extend right up to the boundary, with no meaningful buffer zone alongside the woodland. Measures are proposed to mitigate potential harm to the ancient woodland, which can be secured through implementation of a Landscape and Ecology Management Plan. With this proviso, I am satisfied that the proposed development would not increase the risk of loss or deterioration of this irreplaceable habitat.
34. It is not unusual for consultation on planning applications to continue during school holidays and in any event arrangements for consultation are a matter for the Council and outside the scope of this appeal. Nevertheless, I have noted that there was a significant level of objection from interested parties and I have had regard to the issues raised.
35. The increased building mass would be particularly visible from the properties opposite and would change their outlook. However, there would be sufficient separation to prevent any material loss of daylight or sunlight to the occupiers of these neighbouring properties. The development would not have an unduly dominant or overbearing visual impact. Nor would it otherwise cause material harm to the living conditions of neighbouring residents.
36. In Building A, Unit 1 would be close to windows on the flank wall of no.77, which is used as offices. The windows in question are obscure glazed and were also obstructed by blinds at the time of my site visit. They appear to be secondary windows, facing north east, which are not the primary source of light or ventilation to the office space. There would not therefore be a material level of harm to the quality of the adjacent office accommodation.
37. Any future proposals at no. 77 would have to take account of the adjacent dwellings, but this need not prejudice alternative use of the site in principle, subject to suitable design.
38. The plans indicate that the proposed commercial unit would be a small office premises which the applicant has explained is intended for their own occupation. This use, and other activities within the same use class, would not be inherently intrusive or otherwise incompatible with the site's location within a residential area.
39. The adjacent school playground is already open to view from the street and dwellings opposite. Limited window openings are proposed in the flank elevation of Building C, which is the largest building element facing the school site. These would also be largely at a high level. At the rear, the outlook from Building B would be partly obstructed by an existing school building adjacent to

the boundary. The rear first floor windows would also be set at a high level, eliminating views from the upper storey. Therefore there would be no material harm to privacy within the school site.

40. There is no substantive evidence that future occupiers of the proposed flats would pose any specific risk to pupils or that the development would otherwise prevent school staff and governors from exercising their safeguarding responsibilities.
41. While there may be a modest increase in demand for school places as a result of the proposed development, no objective evidence has been provided that this would jeopardise local school capacity. Neither have I been presented with any evidence that use of the site for school expansion is a realistic possibility or that there is any formally recognised requirement to safeguard land for that purpose.
42. A degree of disruption during construction is unavoidable but this would be temporary in nature and can be regulated through appropriate conditions. Suitable planning conditions for the remediation of any contamination on site are set out below. Arrangements for demolition of the existing buildings, including safe disposal of any asbestos present, would be controlled by the appropriate regulatory regime.
43. I have had regard to a range of concerns raised about the capacity of Farleigh Road, the level of school traffic and associated risks including vehicles mounting the pavements. I note that no objection has been raised by the County Highways Authority on grounds of highway safety or capacity, subject to a range of conditions. The Council confirms that the proposed number of parking spaces is considered acceptable against local standards, taking account of the proximity to local services. Based on the evidence before me, I have no reason to reach a different conclusion.
44. The site is already in commercial use and although the buildings are currently not fully occupied, they do accommodate a number of small businesses, with associated traffic movements. At the time of my site visit, the number of vehicles I observed within the site was comparable to the number of spaces indicated for the proposed residential use. While no detailed evidence of existing and proposed traffic generation is before me, there is equally no substantive evidence that the proposed use would involve a materially greater number of traffic movements than the existing commercial use. On that basis, the proposal would not be harmful to highway safety or capacity.
45. The site access is within a lengthy area where stopping is restricted due to the proximity to the school entrance. This would not change and would also prevent overspill parking on the site frontage, since that would be contrary to the zig zag markings on the highway. I noted during my site visit that the appeal site appears to be used informally for parking by parents and carers during school pick-up periods. However, the site is not a public parking area and there is no evidence that the landowner is under any obligation to provide such facilities.
46. Introduction of a reduced speed limit would be a matter for the local authority and is outside the scope of this appeal.

Planning Balance

47. Evidence from both parties confirms that the Council cannot currently demonstrate a five year supply of housing land. Evidence from the appellant indicates that the housing land supply stood at under two years at the time of the Council's 2021 Authority Monitoring Report, based on application of the Local Housing Need standard methodology. I have been provided with no alternative or updated figures. As such, the evidence indicates that there is a substantial shortfall, with limited evidence of any clear timescale for this to be addressed through the emerging Local Plan or otherwise.
48. By virtue of the shortfall in housing land supply, the development plan policies which are most important for determining the application are deemed to be out of date. As a result, the proposed development falls to be considered against Framework paragraph 11, which articulates a presumption in favour of sustainable development.
49. While I have concluded that the proposed development would not be harmful in relation to the character and appearance of the area and would not increase the risk of flooding, I have identified harm in relation to the living conditions of future occupiers. The relevant development plan policies in this respect are broadly consistent with the Framework, notably paragraph 130 which says that decision-makers should ensure that developments promote health and well-being and provide a high standard of amenity for future users.
50. The limited outdoor amenity space is only one aspect of the living conditions of future occupiers, which would otherwise be acceptable. The good accessibility to public open space is also a mitigating factor. Nevertheless, I attribute moderate weight to the somewhat unsatisfactory living conditions and the consequent conflict with the development plan.
51. Set against that, the proposed development would contribute nine additional dwellings to the supply of housing land. These would be located in a category 1 settlement, which has been identified as providing a wide range of local services in comparison with other parts of the District. The site is next to a school and within walking distance of services in Warlingham. The proposal would therefore support social and environmental objectives relating to providing new housing in locations where occupiers have convenient access to services and facilities, without being unduly reliant on travel by car.
52. There would be modest economic benefits, both in the short term as a result of the development process and in the longer term as future occupiers make use of local businesses and services. While the amount of employment land would reduce, a small commercial unit would be provided, which would be in better condition than the existing units and suitable for a range of potential uses appropriate to a residential area.
53. Efficient use would be made of a previously developed site, on which the existing buildings are in poor condition and make no positive contribution to the street scene. Housing would be delivered on a small site within an existing settlement, which is supported in principle by paragraph 69 of the Framework.
54. A wider range of dwelling sizes, including family housing, may have been a better fit with the overall needs of the District. However, there is an identified need for two bedroom dwellings as a component of future housing provision,

which the development would help to address. The development would also include a variety of houses and flats, suitable for a range of occupiers.

55. I find that the proposal would make a meaningful contribution to the shortfall of housing land, in a suitable location and providing a range of associated benefits as outlined above. Taken collectively, these are matters to which I attribute significant weight. On that basis, the harm which I have identified to the living conditions of future occupiers does not significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. Therefore the proposal benefits from the presumption in favour of sustainable development as set out in paragraph 11 of the Framework and I conclude that planning permission should be granted.

Conditions

56. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity and have omitted others.
57. In all cases, I have omitted reference to phasing of development since there is no clear evidence that the appeal proposal, or indeed any development of the scale proposed, would be implemented in distinct phases.
58. I have imposed a condition specifying the approved plans as this provides certainty.
59. I have imposed a condition requiring approval and implementation of a Landscape and Ecology Master Plan (LEMP), which is justified given the proximity to the site to a parcel of ancient woodland. Implementation of the LEMP would secure mitigation measures set out in the ecological and arboricultural evidence submitted with the application. Approval of the LEMP is required prior to the commencement of development, to ensure that any required below ground works (for example the proposed root barrier) are incorporated at the outset.
60. Submission of a Construction Management Plan (CMP) was recommended by the Highways Authority and is required to manage the construction process, control pollution, protect residential amenity and minimise disruption of the adjacent school. I have also imposed the Council's suggested condition in relation to hours of construction work, in recognition of the proximity of the site to adjoining residential properties.
61. Approval of the CMP is required prior to commencement of development, to support management of demolition and construction works from the outset. As recommended by the Highways Authority, I have included a requirement for avoidance of heavy vehicle movements at the beginning and end of the school day, to reduce the risk of conflict at those busy times. However, since I have no clear evidence that the timings suggested by the Highways Authority align with the operational hours of the school in question, I have amended the wording so that these details can be clarified by the relevant parties and incorporated in the CMP.
62. Since planning conditions are not an appropriate mechanism for securing financial payments, I have not included a requirement to undertake highway condition surveys for purposes of cost recovery within the CMP.

63. Detailed approval of the drainage arrangements was requested by the LLFA and is justified in order to ensure effective implementation of the drainage strategy and avoid increasing the risk of surface water flooding. I have modified the Council's recommended wording to correspond with the updated wording provided by the LLFA in response to the appeal. This includes reference to the updated Technical Note, providing clarity as to the intended approach. Approval of surface water drainage details is required prior to commencement of development, since these details need to be confirmed prior to the commencement of groundworks on site.
64. I have not, however, included a condition requiring submission of a verification report for the drainage system, as was suggested by the LLFA, since inspection of drainage works is covered by other regulatory regimes. Arrangements for verification of any matters which are not so covered could be incorporated in the approval of drainage details as above.
65. I have imposed conditions requiring agreement and implementation of a staged approach to identification and remediation any contamination, including any previously unidentified contamination identified during construction. This is justified by the previous commercial use, including specific potential contaminants which have been highlighted by consultees. Approval of the scheme setting out an appropriate staged approach is required prior to the commencement of development, given that the initial demolition stage has potential to expose contaminants which require remediation.
66. The Environment Agency recommended a condition to prevent contamination of groundwater as a result of piling or other penetrative foundation design. I agree that this is justified, but have amended the recommended wording to avoid fettering the Local Planning Authority's ability to consider any submitted details on their merits at the time of submission.
67. In addition to a condition requiring approval of external materials, I have imposed a condition requiring approval of the detailed design of various key elevational elements. This will enable the Council to ensure good quality building detailing, to support integration of the buildings within the wider street scene. However, I have amended the wording so that the required details are limited to those found on the proposed elevations.
68. A condition restricting rainwater goods, vents, flues and grilles is not justified given that the development is not within a Conservation Area or otherwise particularly sensitive location. I have also not included a requirement to build a sample bay window, since the above conditions would provide sufficient safeguard without including this additional and somewhat onerous requirement.
69. I have imposed a condition requiring agreement of the details of external lighting, as recommended by the Council for reasons relating to maintaining the character and appearance of the area and providing a secure environment for future occupiers of the development. Control over external lighting is also justified for ecological reasons.
70. Conditions to secure provision and retention of adequate car and cycle parking are required in the interests of highway safety and maintaining the free flow of traffic. I have also imposed a condition recommended by the Highways Authority to maintain pedestrian visibility to either side of the access. This is justified in the interests of safety. However, I have not imposed a condition

referring to vehicular visibility splays, since the access already exists and no such visibility splays are specified on the plans.

71. I have not been provided with any specific policy justification for the Council's suggested conditions regarding provision of electric vehicle, e-bike charging points or compliance with the Optional Building Regulations M4(2) and M4(3). Therefore, based on the evidence before me, these conditions would not meet the required tests, since it has not been demonstrated that they are necessary in order for the development to be permitted.
72. The Framework states that planning conditions should not be used to restrict permitted development rights unless there is clear justification to do so. In this case, the form and layout of the proposed development is such that the scope for future additions under permitted development rights would be limited. Furthermore, any such alterations would be largely located in areas of the site not particularly exposed to public view. On that basis, I find that there is no clear justification for restricting permitted development rights for the alteration or enlargement of the permitted dwellings.

Conclusion

73. For the above reasons, I conclude that the conflict with the development plan relating to one aspect of the proposed development is outweighed by other relevant material considerations, notably the presumption in favour of sustainable development as set out in the Framework. Therefore, the appeal should be allowed subject to the conditions set out in the schedule below.

Jane Smith

INSPECTOR

Schedule of Conditions

- 1) Details of the landscaping, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - PL21-579-01 REV B, Site Location Plan and Existing Block Plan
 - PL21-579-02 REV B, Proposed Site Plan
 - PL21-579-03 REV C, Proposed Block Plan
 - PL21-579-04 REV B, Sketch Views 1
 - PL21-579-05 REV B, Sketch Views 2
 - PL21-579-06 REV B, Axo Views
 - PL21-579-07 REV A, External Works Comparison
 - PL21-579-A1 REV B, Building A Floor Plans
 - PL21-579-A2 REV B, Building A Elevation
 - PL21-579-A3 REV B, Building A 3d Views
 - PL21-579-B1 REV B, Building B Floor Plans
 - PL21-579-B2 REV B, Building B Elevation
 - PL21-579-B3 REV B, Building B 3d Views
 - PL21-579-C1 REV B, Building C Ground Floor Plan
 - PL21-579-C2 REV B, Building C First Floor Plan
 - PL21-579-C3 REV B, Building C Roof Space Plan
 - PL21-579-C4 REV B, Building C Roof Plan
 - PL21-579-C5 REV B, Building C Front and Side Elevation
 - PL21-579-C6 REV B, Building C Rear and Side Elevations
 - PL21-579-C7 REV B, Building C 3d Views
 - SF/CPFARLEIGH RD.10, Proposed Surface Water Drainage Strategy
 - 21-1218-TPP Tree Protection Plan
- 5) The development hereby approved shall not commence until a Landscape and Ecology Master Plan (LEMP) has been submitted to and approved, in writing, by the local planning authority, based on the avoidance, mitigation and enhancement measures set out within the Preliminary Ecological Appraisal and Preliminary Inspection for Bats Report (Version 002), prepared by aLyne Ecology, dated 16 April 2021 and Arboricultural Implications Assessment and Method Statement prepared by Canopy Consultancy, revision dated October 2021. The proposed development shall be implemented in accordance with the LEMP for so long as the development remains in existence.
- 6) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, to include details of:
 - a) parking for vehicles of site personnel, operatives and visitors,
 - b) loading and unloading of plant and materials,

- c) storage of plant and materials,
- d) provision of boundary hoarding behind any visibility zones,
- e) HGV deliveries and hours of operation, including measures to restrict HGV movements to or from the site within 30 minutes of the beginning or end of the Warlingham Village Primary School day,
- f) measures to prevent the deposit of materials on the highway, and
- g) on-site turning for construction vehicles or use of a Banksman.

Construction shall thereafter proceed in accordance with the approved details.

- 7) No construction or building works shall be carried out on the site except between the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays. No works shall be carried out on Sundays and Bank / Public Holidays.
- 8) The development hereby approved shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF, and Ministerial Statement on SuDS. The drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
 - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the drainage strategy detailed in the Mayer Brown Surface Water Drainage Technical Note, dated January 2022, ref SF/CPFARLEIGHRD.23.
 - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restriction and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1 m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of the half-drain times.
 - d) A plan showing exceedance flows (i.e during rainfall greater than design events or during blockage) and how property on and off site will be protected from flood risk.
 - e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- 9) The development hereby approved shall not commence until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

- a) Prior to commencement of demolition, a preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site with particular consideration of chlorinated solvents and asbestos.
- b) Prior to commencement of construction a site investigation scheme, based on the preliminary risk assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) Prior to commencement of construction above ground, submission to the local planning authority of the results of the site investigation and detailed risk assessment referred to in (a) and (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) Prior to commencement of construction above ground, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall thereafter be implemented as approved.

No occupation of any part of the development hereby approved shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be thereafter implemented as approved.

- 10) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall thereafter be implemented as approved.
- 11) No piling or other foundation design using penetrative methods shall take place other than in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, which demonstrates that there is no resultant unacceptable risk to groundwater.
- 12) Prior to installation of any external façade surfaces on any of the buildings hereby permitted, details and samples of all external facing materials for that building shall be submitted to and approved in writing by the Local Planning

Authority. The relevant works shall be carried out in accordance with the approved sample details.

- 13) Prior to the commencement of above ground works, detailed drawings plan/section/elevation at 1:20 of the following shall be submitted to and approved by the Local Planning Authority in writing:
 - a) bays
 - b) window reveals
 - c) headers and cills, and
 - d) entrances.The development shall thereafter be carried out in accordance with the approved details.
- 14) Prior to the first occupation of the development hereby permitted, full details of any proposed external lighting (the External Lighting Scheme) shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Scheme shall include details of the appearance and technical details/specifications, intensity, orientation and screening of lamps, siting, the means of construction and laying of cabling, and the timing of installation. The External Lighting Scheme is to be constructed and / or installed prior to occupation of any part of the development and shall be retained and maintained for the duration of the development.
- 15) No part of the development shall be first occupied unless and until pedestrian inter-visibility splays of 2m by 2m have been provided on each side of the vehicular access to the site, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall thereafter be erected within the area of such splays.
- 16) The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning area shall be retained and maintained for its designated purpose.
- 17) Prior to the first occupation of the development hereby permitted, details of the proposed cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. This should include the number of proposed spaces, specifications of the proposed stands, and details of security and lighting for the cycle storage area. The approved cycle storage shall then be implemented prior to first occupation of the site and thereafter retained.

END