



Application Number and Registration Date	MO/2019/0016 (Detailed) 07-Jan-2019
Applicant	Concept Developments Ltd.
Case Officer	Aidan Gardner
Amendments /amplifications	Amended by plans received 27/02/19 and 11/03/19. Amended by Transport Report dated 04/02/19. Amplified by email dated 28/02/19.
Committee Date	3 April 2019
Ward(s)	Bookham South
Proposal	Erection of 7 No. dwellings with associated parking and landscaping together with alterations to the existing access arrangements following demolition of two existing dwellings.
Site Description	Corner Cottage and Crossways, Leatherhead Road, Bookham, Leatherhead, Surrey, KT23 4PG

RECOMMENDATION: Approve subject to conditions

Summary

The application site lies at the junction of Leatherhead Road and Crabtree Lane in Bookham within the Built up Area. The site presently accommodates two detached dwellings, Crossways and Corner Cottage, fronting Leatherhead Road. Permission is sought for the redevelopment of the site to create 7 No. houses. In 2017, an application for 9 dwellings was refused on the grounds of overdevelopment and poor environment for future occupants of one of the dwellings (MO/17/1694). An appeal was lodged which was dismissed in July 2018. The Inspector shared the concern on overdevelopment but considered that the layout was acceptable in terms of future living conditions.

The current application is for a reduced scheme of 7 dwellings with revisions to the design of the houses to reduce their height and massing. It is considered that the layout and appearance would now not be harmful to local character and amenities.

Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Council cannot demonstrate a 5 year supply

of housing and therefore, the 'tilted balance' embedded in the NPPF is engaged. Those Development Plan policies affecting housing land supply are out of date. However, those policies relating to detailed design, as set out in the Core Strategy, Local Plan and Bookham Neighbourhood Plan are not in conflict with the policies in the NPPF and are not out of date. It is considered that the proposal would not be in conflict with the policies and would not be harmful to the character and amenities of the locality. Permission is therefore recommended.

1. Development Plan

1.1. Built up area

2. Relevant Planning History

MO/06/1471	Outline application for consideration of siting and means of access for the construction of a part three and part two storey building comprising 16 flats with associated car parking, refuse and cycle store following demolition of existing dwellings.	Refused 13/12/06
MO/07/0686	Building to create 16 flats, revised scheme	Refused 25/06/07. Appeal dismissed 08/05/08.
MO/17/1694	Erection of 9 houses following demolition of existing dwellings.	Refused 30/11/17. Appeal dismissed 18/07/18.

3. Description of Development

3.1. The application site lies at the junction of Crabtree Lane and Leatherhead Road and accommodates two detached properties, Crossways and Corner Cottage fronting Leatherhead Road together with a detached garage serving Corner Cottage which fronts Crabtree Lane with its own separate access.



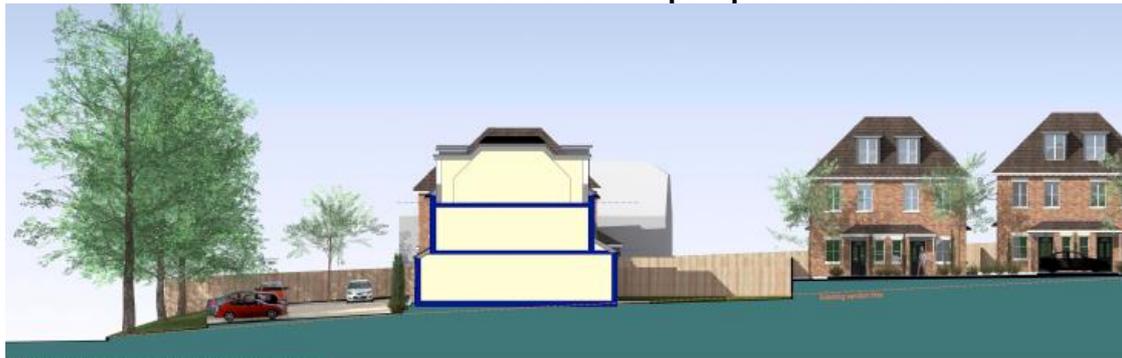
- 3.2. The site extends to some 0.21 hectares. The northern boundary adjoins Leatherhead Road (A246) and is marked by large trees standing on the highway verge with fence behind. The western boundary adjoining Crabtree Lane is marked by an evergreen hedge which is some 3-4 metres in height. Residential properties lie to the east, west and south. The land slopes gently upwards in an easterly direction and more steeply running south along Crabtree Lane. The site is adjoined on the Leatherhead Road by Silverdene, a bungalow with rooms in the roof, and 1 Crabtree Lane, a detached house. Across the junction from Corner Cottage is a pair of houses, known as Ralph's Cross which are Grade II listed.
- 3.3. Corner Cottage is a traditional two storey detached house and stands closest to the junction. Crossways is a detached bungalow. Immediately north of the site is a petrol filling station with associated shop and garage workshop. To the east of the filling station is a small parade of shops (Beckley Parade)

Background information

- 3.4. There is a history of applications for residential redevelopment of this site, going back some 13 years. During the period 2006-2007, two applications were received for 16 apartments housed in a single building. These were both refused, on the grounds of overdevelopment, neighbour amenity impacts and lack of sufficient car parking. The later application was appealed and the appeal dismissed. The Inspector was concerned about the form and massing of the proposal but concluded that the proposal would not unacceptably affect neighbouring occupiers through overbearing impact, privacy or loss of light. Noise disturbance from manoeuvring vehicles was identified as a concern however.
- 3.5. In 2017, an application was received under MO/17/1694 for a development of 9 houses, comprising two pairs of semi-detached houses and a single detached house along the Leatherhead Road frontage with two pairs of semi-detached houses along Crabtree Lane. The dwellings were to be served from two new accesses to Crabtree Lane; the existing accesses from Leatherhead Road and Crabtree Lane were to be closed off. The layout and street scenes are shown below:-



Section/streetscene to Crabtree Lane with perspective below left



PROPOSED SITE ELEVATION/SECTION E-E



VIEW 1



REFERENCE PLAN

- 3.6. Permission was refused on the grounds of: overdevelopment in a cramped form and; poor layout detrimental to the privacy of future occupants of one of the houses in the development.
- 3.7. Turning to these aspects in more detail, it was noted that one of the prevailing characteristics of the area is that the buildings are subservient to their garden settings. It was considered that the proposal would detract from this character since the site area would be almost completely given over to building mass, parking and manoeuvring areas. As regards the proposed buildings, the majority of the properties in the area are either single storey, chalet style or two storey dwellings. In this context, it was considered that the proposals would have appeared dominating and overbearing, particularly given the prominent corner location.
- 3.8. Turning to the second issue, the concern related to the relationship between the central single dwelling proposed along Leatherhead Road (Plot 3) and the first dwelling of the four along Crabtree Lane (plot 6). It was considered that the bulk of Plot 6 would have appeared forbidding and intrusive in the view from Plot 3.
- 3.9. An appeal was lodged against the decision and the Inspector's letter is appended for information. The Inspector considered the layout to be cramped and also expressed concern over the impact of the proposed parking areas from Crabtree Lane (Paragraphs 6 and 7). He identified concern over the design of the houses and their use of dummy pitched roofs to accommodate roof dormers (Paragraph 8). Given the size of the dormers he felt that the houses would have had a top heavy and bulky appearance. He concluded that the use of dummy pitched roofs was *'an unfortunate design compromise, indicative of the scheme having an unduly intense form of development on the site'*.

- 3.10. Regarding the amenity concern of the Council, the Inspector considered the relationship between Plots 3 and 6 to be acceptable. He therefore identified no issue of concern in terms of layout and the amenities of future occupiers (Paragraphs 12-13).
- 3.11. As regards the setting of the heritage asset at Ralph's Cross, the Inspector considered there to be sufficient separating distance to allow the listed building's setting to be preserved (Paragraph 10).
- 3.12. Finally, the Inspector considered the proposal made a useful contribution, albeit not a particularly sizeable one, to the significant Housing Land Supply shortfall in the Council's area. There would be some social and economic benefits arising from the development, whilst the new homes would be in an accessible location. (Paragraph 15).

Current proposal

- 3.13. The current proposal is for a reduced scheme of 7 houses, which would be served from Crabtree Lane as before with two new accesses. The layout is shown layout below:-



- 3.14. Along the Leatherhead Road frontage, there would be one fewer unit (4 in place of 5), which allows the development to be freed up considerably, as shown above. The reduction in the numbers of the units and the provision of garaging to two of the houses has resulted in a reduction in the amount of hardsurfacing in front.
- 3.15. The remaining three houses would form a terrace along Crabtree Lane, in place of the two pairs of semi-detached houses previously proposed. These units would be served from a second new access alongside the position of the existing garage access which

would be closed off. The existing access to the donor properties along Leatherhead Road would also be closed off.

3.16. As can be seen from the layout above, the houses would have fully expressed hipped roofs with no flat roofed elements. Street scenes have been provided showing the houses compared with the previously proposed houses and these are shown below. The upper drawing shows the elevation to Leatherhead Road, the lower drawing, the elevation to Crabtree Lane:-



- 4.2. Sustainability Consultant: Sufficient evidence has been submitted to prove how the applicant will meet the 10% requirement from on-site technology through the installation of solar PV.
- 4.3. Surrey Wildlife Trust: Has reviewed the applicant's Extended Phase 1 Ecological Survey and considers that it is appropriate in scope and methodology. It is recommended that should the Council be minded to grant permission, the applicant should be required to implement the recommended precautionary working practices set out in the report.
- 4.4. Environmental Services (Waste Team): No objections or concerns.

Comments received in connection with appeal scheme MO/17/01694

- 4.5. Tree Officer – No objections
- 4.6. Historic Environment Officer – Raised no heritage objections on grounds of effect on setting of adjacent Grade II listed buildings on the other side of junction (Ralph's Cross)

Officer comment: The Inspector agreed with this view (Paragraph 10).

5. Representations

- 5.1. 12 representations have been received, including one from the Bookhams Residents' Association, in which the following summarised points are raised:-

- Overdevelopment of the site in a cramped form, out of keeping with the character of the area;
- Lack of sufficient landscaping;
- The roofs to the houses would allow conversion to additional rooms at future stage;

Officer comment: A condition is recommended removing permitted development rights for openings in the roofs

- The new access point too close to a busy junction with Leatherhead Road, which would be dangerous. Traffic emerging from the development would not be able to turn right as there are frequently queues backing up from the lights for a considerable distance.
- To prevent parking near the new access, yellow lines would need to be introduced.

Officer comment: The Highway Authority is not raising objections in the light of further information provided by the applicant. The point of access is unchanged from the appeal scheme and the Inspector identified no harm in this respect.

- The Transport Report states that there are opportunities for non-car mode forms of travel. However, due to infrequent bus services most journeys would be undertaken by car.
- Insufficient off-street car parking, with only 12 spaces shown. A condition is recommended to control the use of the garages.

Officer comment: The layout shows provision for 17 spaces, which is sufficient to meet the Council's parking standards and allows for an element of visitor parking. A condition is recommended in respect of the garages.

- Additional traffic generation and associated noise with consequent impact on motorists and pedestrians especially during the construction phase;

Officer comment: The schedule of conditions below includes one requiring submission of a construction management statement

- There is insufficient space within the site for turning of vehicles within the parking courtyards;

Officer comment: The submitted transport report includes tracking plan showing how the spaces can be accessed and allow egress from the site in a forward direction. The layout is acceptable to the Highway Authority.

- Conflict with Development Plan policies;
- Unsatisfactory refuse storage arrangements;

Officer comment: The Waste Officer has raised no objections

- Increased load on existing services and infrastructure

Officer comment: This was not identified as an issue of concern by the appeal Inspector. The current application would generate a CIL contribution of nearly £79,000

- The traffic report states that Crabtree Lane is a dead end; however, several roads feed off it.
- Loss of trees and green vegetation;
- Overshadowing and loss of privacy to adjoining properties;
- No provision for storm water drainage;

Officer comment: The conditions below include a drainage condition.

Following amendments to reduce the height and width of some of the houses, re-notification has been carried out and further views have been requested by 22 March 2019. Any further comments received will be reported at the meeting.

6. Main Planning Policies

6.1. National Planning Policy Framework (Feb 2019)

Section 2: Achieving Sustainable Development
Section 5: Delivering a sufficient supply of homes
Section 11: Making effective use of land
Section 12: Achieving well designed places

6.2. Mole Valley Core Strategy

CS1: Where Development will be Directed.
CS2: Housing Provision and Location

CS3: Balancing Housing Provision
CS14: Townscape, Urban Design and the Historic Environment
CS15: Biodiversity and Geological Conservation
CS29: Sustainable Construction, Renewable Energy and Energy Conservation

6.3. Mole Valley Local Plan

ENV22 – General Development Control Criteria
ENV23 – Respect for setting
ENV24 – Density of Development and the Space about buildings
MOV2 – Movement implications on new development
MOV5 – Parking standards

6.4. Bookham Neighbourhood Development Plan

BKEN1: Trees and hedgerows
BKEN2: Design and local character
BKH1: Smaller homes for downsizing and new families
BKH2: Infill and garden development
BKH3: Parking space standards
BKIN1: Drainage

6.5. Other Documents

Built up Area Character Appraisal for Bookham and Fetcham (South Bookham)

7. Main Planning Issues

7.1. The main planning issues for consideration are:

- Principle of the development;
- Whether the issues of concern to the appeal Inspector have been addressed;
- Effect on the character and appearance of the area
- Impact on the amenities of neighbouring properties
- Highways and parking
- Trees
- Sustainable Development

Principle

7.2. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that, in terms of the decision-making process, this means approving development proposals that accord with the development plan without delay, and, where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

i. the application of policies in the Framework that protect areas or assets of particular importance; or

Such areas include land designed as Green Belts, an Area of Outstanding Natural Beauty, and Conservation Areas. (This does not apply in this case).

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

- 7.3. The Council can currently only demonstrate 2.17 years of Housing Land Supply (HLS) and as such, the 'tilted balance' in paragraph 11 is engaged. This means granting permission for residential development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so, when assessed against the NPPF as a whole, or there is a clear reason for refusing development because of a conflict with policies in the NPPF that protects areas or assets of particular importance. It is pertinent to note that the appeal Inspector considering the previous application commented that the proposals before him would have made a useful contribution to the Council's HLS shortfall. At the time of his deliberations, the Council could demonstrate 2.48 years of HLS. As noted above, this figure has since decreased to 2.17; the need for provision of new housing is therefore more pressing.
- 7.4. In assessing the benefits, the proposals would contribute five net additional residential units to the housing market and the District's wider housing supply. The site lies within reasonable distance of the shopping centre at Bookham, a factor noted by the appeal Inspector who judged the location to be accessible. The development would also increase footfall in the local shops and other outlets. This element would be consistent with the social and economic role of sustainable development and attracts weight.
- 7.5. Paragraph 127 of the NPPF states that planning policies and decisions should ensure the developments, inter alia: (a) will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development; (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.6. Policies CS1 and CS2 advise that new development will be directed towards previously developed land within the built up areas of Leatherhead, Dorking, Bookham, Fetcham and Ashted. The site lies within the built up area of Bookham: the principle of residential development is therefore acceptable.
- 7.7. Policy CS3 states that the Council will particularly seek the provision of two and three bedroom dwellings. The proposal would provide 4 No. three bedroom dwellings and 3 No. 4 bedroom dwelling and therefore accords with this policy. Policy BKH1 of the Bookham Neighbourhood Plan supports proposals for homes with two or three bedrooms on sites outside the Central Area (the case here) and also requires that on developments of more than five dwellings, at least 50% of the homes should have two or three bedrooms. This requirement is fulfilled in the proposal as 57% of the houses would have three bedrooms.
- 7.8. Mole Valley Core Strategy policy CS14 advises that all new development must respect and enhance the character of the area in which it is proposed whilst making the best possible use of the land available.
- 7.9. Mole Valley Local Plan policy ENV22, General Development Control Criteria sets out seven general criteria for sound development control practice. Criterion 1 requires that development should be appropriate to the site in terms of its scale, form and appearance. Criterion 2 requires that the proposal does not significantly harm the amenities of neighbouring occupiers by reason of overlooking or its overshadowing or overpowering effect. Criterion 3 requires that development should respect the character and appearance of the locality.

- 7.10. Mole Valley Local Plan policy ENV23, Respect for Setting requires that development should take account of the scale, character, bulk and proportions of the surrounding built environment, and that it should not comprise overdevelopment in relation to the size of the plot and/or surrounding developments. Criterion 3 requires that new development has regard to established townscape features, including the space around buildings.
- 7.11. Mole Valley Local Plan policy ENV24 advises that development will not be permitted where it would result in a cramped appearance having regard to the general spacing around buildings in the locality.
- 7.12. Policies BKEN1, BKEN2 and BKH1-3 of the Bookham NDP, briefly summarised, seek to maintain the character of existing environments, retain trees and green infrastructure, safeguard neighbouring occupiers' amenities, provide an acceptable housing mix and, accommodate sufficient off-street car parking.
- 7.13. Policy BKH2 relates to infill and garden development. Part of the preamble to the policy states: 'There are still some opportunities for the development of garden land within the village and residents have indicated that development of these sites is to be preferred to the release of land within the Green Belt.'

Effect on the character and appearance of the area

- 7.14. In the Built up Area Character Appraisal, the area of South Bookham key characteristics are described as follows;
- *Pleasant and varied residential environment, often with wide streets and grass verges adding a sense of space to the street scene;*
 - *Good mixture of housing densities;*
 - *Several stretches of lower density housing, with mature gardens and harmonious mix of housing designs;*
 - *Network of small open spaces and larger recreation grounds providing relief to otherwise continuous built up frontages. Also belts of mature trees through some back garden areas;*
 - *Mixture of contrasting house styles not always harmonious;*
 - *Little local distinctiveness.*
- 7.15. This part of Leatherhead Road is characterised by medium to large sized detached dwellings, standing in spacious well treed plots. Whilst often large, the buildings are in secluded settings and are subservient to their setting. The individual appearance of the houses adds to the pleasant character. The presence of trees, verges and other vegetation lends the area an attractive verdant character.
- 7.16. The previous application was refused on the grounds of overdevelopment by reason of the number, form and layout of the houses. as covered in the opening section of this report, the Inspector considered the layout to be cramped and also expressed concern over the impact of the proposed parking areas from Crabtree Lane (Paragraphs 6 and 7 of his letter, appended). He identified concern over the design of the houses and their use of dummy pitched roofs to accommodate roof dormers (Paragraph 8). Given the size of the dormers he felt that the houses would have had a top heavy and bulky appearance. He concluded that the use of dummy pitched roofs was '*an unfortunate design compromise, indicative of the scheme having an unduly intense form of development on the site*'
- 7.17. The refused application was a for a total of 9 No. dwelling houses, comprising 4 No. pairs of semi-detached houses and 1 No. detached house. The proposed buildings

were 2.5 storeys in height with roof accommodation and were served by a two parking courtyards providing a total of 20 No. spaces.

7.18. The current application is for a total of 7 houses, a reduction of 2 dwellings. This has allowed the buildings to have a greater level of separation, allowing a gap of some 8 metres between the main walls of the pair of semi-detached houses fronting Leatherhead Road. The dwellings fronting Crabtree Lane have been changed from two pairs of semis to a terrace of three houses with smaller proportions. The street-scenes to Leatherhead Road and Crabtree Lane are shown below, with the previous buildings overlain in colour for comparison purposes:



7.19. The scheme responds to the concerns of the appeal Inspector by having the new houses designed to be solely two storey in height with no roof accommodation. The comparison drawings show that the houses would have considerably less bulk and massing than the refused scheme. The top heavy characteristics identified by the appeal Inspector are no longer present.

7.20. Since the submission of the current application, amendments have been undertaken to reduce further still the ridge height and widths of the buildings.

7.21. The appeal Inspector also identified concerns over the visual impact of the proposed car parking areas when viewed from Crabtree Lane. The current application is for a reduced number of dwellings which would, in turn result in less areas of hardsurfacing, as shown below, with the refused scheme at the top:-



- 7.22. The reduction in areas of hardsurfacing would allow for more areas of landscaping which would be a further benefit.
- 7.23. In conclusion, it is considered that the proposal successfully addresses the concerns raised in respect of the previous application and that the character and appearance of the area would not be adversely affected.
- 7.24. Conditions are recommended removing permitted development rights for extensions and additional window openings.

Impact on the amenities of adjoining properties

- 7.25. The grounds for refusal for the previous application, involving larger and taller buildings, did not give rise to unacceptable impacts on neighbouring properties. The Inspector did not identify any concerns in this regard.

- 7.26. In terms of the relationship with Silverdene, it is considered that this would not give rise to unacceptable impacts on this property through loss of light or overlooking. The Inspector did not identify issues with regard to this property.
- 7.27. With regard to 1 Crabtree Lane, the Plot 9 unit would stand forwards of this property, however, it would not project through a 45 degree line taken from the front corner of No. 1. There is screening along the boundary in the form of vegetation.
- 7.28. Conditions are recommended that would remove permitted development rights for extensions and additional window openings.

Parking

- 7.29. In accordance with the Council's parking standards, 2 No. parking spaces would be required for each dwelling. Each dwelling in this scheme has a minimum of such provision. Additionally, there is provision for visitor spaces. To comply with policy BKH3 of the BNDP, two and three bedroom dwellings should have minimum of two off-street spaces, four bedroom units and larger, three spaces. Under this policy, therefore, 17 spaces would be required and such provision is made on the plans.

Trees

- 7.30. The previous application involved buildings in the same position within the site but was a more intensive form of development with larger areas of hardsurfacing to the Leatherhead Road element. The Tree Officer raised no objections to the proposal and no issues of concern were identified by the appeal Inspector. The current application is accompanied by a Phase 1 ecological survey report and Surrey Wildlife Trust is content with its findings.
- 7.31. The schedule of conditions below includes a landscaping condition.

Sustainability

- 7.32. The application is supported by an Energy Statement. The Council's Sustainability Consultant advises that sufficient evidence has been provided to prove how the applicant will meet the 10% requirement from on-site technology via the installation of solar PVs.

Community Infrastructure Levy

- 7.33. The Localism Act 2011 amended the Town and Country Planning Act 1990 to state that Authorities should also take into account 'any local finance considerations, so far as material to the application'
- 7.34. 'Local finance considerations' include 'sums that a relevant Authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)'
- 7.35. Policy CS17 of the Core Strategy states that development should make provision for new infrastructure where necessary. However the Community Infrastructure Levy (CIL) has now been introduced, which places a mandatory charge on new residential developments to be used to fund infrastructure projects within the District. The Council has produced the following list of infrastructure types that will be funded through CIL receipts (known as the Council's Regulation 123 List
- Transport schemes other than site-specific access improvements;
 - Primary Health Care;
 - Leisure and Recreation;

- Community Facilities;
- Flood Defences and Mitigation Works;
- Waste Collection and Recycling Works

7.36. This development is CIL liable and a CIL contribution of £78,688.32 would be generated from the development. However, this figure may be amended if further information is forthcoming, and it may also be subject to an application for exemption.

Conclusion

7.37. When assessed against the policies in the Framework taken as a whole, it is considered that the development would simultaneously achieve the social, economic and environmental dimensions necessary to be considered as sustainable development as defined and sought by the NPPF. The adverse impacts identified above would be limited and would not significantly and demonstrably outweigh the benefits of these proposals when measured against the policies in the NPPF. Noting that the proposal also accords with Development Plan policies. Taking all of these factors into account it is concluded that planning permission should be granted.

8. Recommendation

Subject to the receipt and consideration of any further comments from residents by 22 March 2019, permission be **GRANTED** subject to the following conditions/reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plan numbers set out in applicant's drawing schedule dated 06/03/19, Arboricultural Impact Assessment Plan No.17/035-02 Rev 4 and Energy Statement contained within the application and no variations shall take place.

Reason: To accord with the terms of the submitted application and to ensure minimal impact on local amenity and the environment in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22.

3. Before any above groundworks take place details of a landscaping scheme shall be submitted to and approved by the Local Planning Authority including planting of trees, shrubs, herbaceous plants and areas to be grassed. The landscaping shall be carried out in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.

Reason: To ensure the provision and maintenance of trees, other plants and grassed areas in the interests of visual amenity and in accordance with Mole Valley Local Plan policy ENV25 and policies CS14 and CS15 of the Mole Valley Core Strategy.

4. No occupation of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected/retained. The boundary treatment shall be completed prior to the first occupation of the development, shall be carried out in accordance with the approved details and thereafter permanently retained as such.

Reason To preserve the visual amenity of the area and protect neighbouring residential amenities in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

5. Before any above ground works commence, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development harmonises with its surroundings in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

6. Before any above ground works commence, details of the hard surfacing to be used within the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall indicate either porous materials or the provision of a direct run-off from the hard surface to a permeable or porous area. All hard surfacing shall be carried out in accordance with the approved details, completed prior to the first occupation of the development hereby permitted and thereafter, permanently retained as such.

Reason: To preserve the visual amenity of the area and prevent the increased risk of flooding, in accordance with Mole Valley Local Plan policy ENV25 and policies CS14 and CS20 of the Mole Valley Core Strategy.

7. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions within Schedule 2, Part 1, Classes A, B, or C to any dwelling hereby permitted shall be erected.

Reason To control any subsequent enlargements in the interests of the visual and residential amenities of the locality, in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, glazed openings, or roof lights other than those expressly authorised by this permission shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy..

9. Prior to the first occupation the first floor windows in the north eastern elevation of the Plot 4 dwelling and the south eastern elevation of the Plot 7 dwelling hereby permitted

shall be glazed in obscured glass and permanently retained in that condition thereafter.

Reason To protect the amenities and privacy of adjoining residential properties in accordance with Mole Valley Local Plan policy ENV22.

10. No development shall take place until details of the existing ground levels of the site, the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted and to protect the amenities and privacy of adjoining properties in accordance with Mole Valley Local Plan policy ENV22.

11. Prior to the commencement of the development hereby permitted, surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework.

The assessment shall provide information of the design storm period and intensity (typically a 1 in 100 year storm of 30 minutes duration with an allowance for climate change), the method employed to delay and control the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. Where applicable, the details shall include infiltration tests, calculations and controlled discharge rates. If the development is to discharge water into the ground in any form, then a full BRE Digest 365 infiltration test (or falling head test for deep bore soakaways) will have to be submitted to the Local Planning Authority prior to commencement of any works on site. The suitability of infiltration methods should be verified (i.e. possible contaminated ground).

The approved drainage scheme shall be implemented prior to the first occupation of the development.

Reason: The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted and, in the interests of sustainable development, in accordance with the advice contained in the National Planning Policy Framework and policy CS20 of the Mole Valley Core Strategy.

12. No part of the development shall be first occupied unless and until the proposed vehicular accesses to Crabtree Lane have been constructed and provided with visibility zones in accordance with the approved plans (Drawing No. P02) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in order to meet the objectives of the NPPF (2019), and to satisfy policies MOV2 and MOV5 of the Mole Valley Local Plan

13. The development hereby approved shall not be first occupied unless and until the existing accesses from the site to Crabtree Lane and Leatherhead Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in order to meet the objectives of the NPPF (2019), and to satisfy policies MOV2 and MOV5 of the Mole Valley Local Plan

14. The development hereby approved 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 and turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in order to meet the objectives of the NPPF (2019), and to satisfy policies MOV2 and MOV5 of the Mole Valley Local Plan.

15. No development shall commence until a Construction Transport Management Plan, 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) programme of works (including measures for traffic management)
- (e) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in order to meet the objectives of the NPPF (2019), and to satisfy policies MOV2 and MOV5 of the Mole Valley Local Plan.

16. The recommendations set out within the applicant's ecological survey (Ronson Ecology dated 12/12/18) and submitted in support of the application shall be carried out in full before the development is occupied.

Reason: To safeguard the ecological interest of the site in accordance with policy CS15 of the Mole Valley Core Strategy and the National Planning Policy Framework.

17. Prior to any above ground works commencing, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the development.

Reason: To optimise renewable energy and its conservation, in accordance with policy CS19 of the Mole Valley Core Strategy.

Informatives

1. In the interests of sustainability and the reduction of waste your attention is drawn to the desirability of recycling building materials wherever possible. The demolition or

dismantling of structures on the site should be considered as part of the development process to maximise the reuse or recycling of materials rather than disposal as waste. For further information about re-use and recycling of building materials, the applicant is advised to ring the Surrey County Council Contact Centre on 03456 009009.

2. The applicant is reminded that the demolition and construction stage of the proposed development may give rise to problems of smoke pollution and/or noise, which will depend on the measures taken to control such potential problems. It is, therefore, strongly recommended that you contact the Council's Environmental Health Department at an early opportunity in order to discuss appropriate measures to be adopted for control of burning, noise and other potential problems for neighbouring residents

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-
8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
with no working at any times on Sundays and Bank Holidays.

3. The clearance of vegetation by burning is likely to give rise to problems of smoke nuisance. The applicant is therefore encouraged to remove such green waste from the site in order that it may be recycled through composting, chipping, waste to energy transfer (alternatively, logging) or other similar processes.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
5. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. 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).
7. When an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
8. The development is likely to offer some opportunities to restore or enhance biodiversity; such measures are in line with the NPPF, will assist the Local Authority in meeting their duty under the Natural Environment and Rural Communities (NERC) Act 2006 and also help offset any localised harm to biodiversity caused by the development process. Guidance on suitable measures is set out in Surrey Wildlife Trust's response dated 11/03/19 which can be viewed on the Council's website.



Appeal Decision

Site visit made on 26 June 2018 by

Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2018

Appeal Ref: APP/C3620/W/18/3194653 Corner Cottage and Crossways, Leatherhead Road, Bookham KT23 4PG

- 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 Concept Developments Limited against the decision of Mole Valley District Council.
 - The application Ref MO/2017/1694/PLA, dated 22 September 2017, was refused by notice dated 30 November 2017.
 - The development proposed is erection of 9 dwellings with associated parking and landscaping together with alterations to the existing access arrangements following demolition of two existing dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Reference has been made to the site's previous planning history, which includes the dismissal of an appeal¹ on 8 May 2008 for a block of 16 flats. As the current proposal for nine houses is of an entirely different form to the previous flat scheme, making comparisons between those developments is of no particular relevance to the determination of the current appeal. Accordingly I shall make no further reference to the flat block scheme.
3. The appellant contends that the Council cannot currently demonstrate the availability of a five year supply of deliverable housing sites (HLS), with it being submitted the supply is around 2.5 years. The Council has not disputed that claim. Accordingly having regard to paragraph 14 of the National Planning Policy Framework (the Framework) I have approached the determination of this appeal on the basis that planning permission should be granted unless '... any adverse impacts of doing so would significantly and

¹ APP/C3620/A/07/2056351

demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted'.

Main Issues

4. The main issues are the effect of the development on: the character and appearance of the area; and the living conditions for the occupiers of the development, with particular regard to outlook.

Reasons

Character and Appearance

5. The four pairs of semi-detached houses (units 1 and 2, 4 and 5, 6 and 7 and 8 and 9) and the detached house (unit 3) would have accommodation on three floors and would replace Corner Cottage (a house) and Crossways (a bungalow). The site occupies a prominent position at the Leatherhead Road's junction with Crabtree Lane and two accesses off Crabtree Lane would be formed to access the two parking areas with a combined capacity for twenty cars.
6. There would be little space between: units 2 and 3, 3 and 4 and 7 and 8; and the boundaries that units 5 and 9 would respectively share with Silverdene and 1 Crabtree Lane. I consider that those siting characteristics of the new houses would mean that this scheme would appear as an unduly intense form of development in this prominent streetscene location. While the site is in the more intensively developed 'Great Bookham Village Centre' character area and the development's density would be in the middle of the density range for the area, as calculated by the appellant, my concern is not with the scheme's density per se, but with its cramped appearance given the lack of space between the above mentioned units.
7. The site's boundaries with Leatherhead Road and Crabtree Lane are marked by hedge and shrub planting giving Corner Cottage and Crossways a verdant appearance in the streetscene. The formation of the accesses for the parking areas would require the removal of some of the boundary planting in Crabtree Lane and would expose the parking areas, particularly the larger one, to views from the street. I consider the provision of the parking areas would significantly harden the site's appearance. The harshness of the parking areas would only in part be softened by the retained trees and hedging and the proposed new planting. I also consider that the retained and new planting would do little to relieve the collective bulk of units 1 to 5, when those houses were viewed from Crabtree Lane.
8. The second floor of each of the dwellings would be dependent on the formation of dormers and to accommodate those dormers the roof design for the semi-detached units would include dummy pitched hipped roofs. Dummy pitched roofs being an uncharacteristic roof form for this area. Many of the dormer windows would not be subservient in scale to the first floor windows and when that aspect of the dwellings' design is coupled with their roof forms, I consider that the houses would have a top heavy and bulky appearance. In that regard I consider the inclusion of dummy pitched roofs to be an

unfortunate design compromise, indicative of this scheme being an unduly intense form of development for this site.

9. I recognise that for corner sites a frequently used design approach is to emphasise the scale of a development, as a means of creating a distinctive focal point within a streetscene. However, I consider that in this instance there would be nothing particularly innovative about the development's design, not least because of its heavy reliance on the use of dummy pitched roofs, creating a roofscape that would be uncharacteristic of its surroundings. While unit 1 has been designed to present an 'active frontage' to Crabtree Lane, I consider that aspect of the development's design would do little to assist with its assimilation into the streetscene. I therefore consider that this development would be an unsympathetic response to its corner siting.
10. While I have found that the development would have an unacceptable effect on the appearance of the area within the vicinity of the site, I consider there would be sufficient distance between the new houses and the listed building known as 1 and 2 Ralphs Cross for the latter's setting to be preserved.
11. For the reasons given above I conclude that the development would unacceptably harm the character and appearance of the area. The development would therefore be contrary to saved Policies ENV22, ENV23 and ENV24 of the Mole Valley Local Plan of 2000 (the Local Plan), Policy CS14 of the Mole Valley Local Development Framework Core Strategy of 2009 (the Core Strategy) and Policies BKEN2 and BKH2 of the 'Bookham Neighbourhood Development Plan 2015 to 2026' made in 2015 (the Neighbourhood Plan). That is because the development's design and layout would not be respectful of the character and appearance of the locality, with the development appearing cramped. I also consider that there would be conflict with paragraphs 17, 56, 58, 60 and 64 of the Framework because the development would not be of good design, with it failing to respond well to area's character or add to its overall quality.

Living Conditions

12. The concern with respect to the living conditions for the occupiers of the development relates to the effect the siting of unit 6's flank wall would have on the rearward outlook for the occupiers of units 1 to 5. Unit 6's flank wall would be directly behind unit 3 and the elevation to elevation distance between those units would be of the order of 13.5 metres (based on the dimension stated on the application drawings). While that separation distance would not be great, I consider it would be sufficient to ensure that the outlook for the occupiers of unit 3, either in terms of the outlook from within that house or its rear garden, would be adequate. The views of unit 6's flank wall from the rear of units 1, 2, 4 and 5 would be more oblique and I consider that the flank wall's presence would not adversely affect the outlook for the occupiers of those units.
13. On this issue I conclude that the development would provide acceptable living conditions for its occupiers. In that regard I consider that the development would accord with Policy ENV22 of the Local Plan, Policy CS14 of the Core Strategy, Policy BKH2 of the Neighbourhood Plan and paragraph 17 (the fourth core planning principle) of the Framework. That is because the

development would be of a design that would provide a satisfactory living environment for its occupiers, with there being an acceptable level of outlook.

Planning Balance and Conclusion

14. I have found that the development would provide acceptable living conditions for its occupiers, having regard to the provisions of the development plan and the Framework. However, I have concluded that the development would unacceptably harm the character and appearance of the area. That harm gives rise to conflict with local policies that are consistent with national policy and I attach great weight to that conflict.
15. The development would make a useful contribution, albeit not a particularly sizeable one, to the significant HLS shortfall in the Council's area. There would therefore be some social and economic benefits arising from the development, while the new homes would be in an accessible location. However, I consider those benefits of the development to be outweighed by the harm to the character and appearance of the area that I have identified. That harm being of a nature that I consider could not be overcome by the imposition of reasonable planning conditions. I therefore consider that the adverse impacts of granting permission would significantly and demonstrably outweigh this development's benefits, when those benefits are assessed against the policies of the Framework taken as a whole.
16. I therefore conclude that this would be an unsustainable form of development and that the appeal should be dismissed.

Grahame Gould

INSPECTOR