

Mr James Lloyd
Create Planning
Wigglesworth House
69 Southwark Bridge Road
London
SE1 9HH

TOWN & COUNTRY PLANNING ACT 1990

GRANT OF PLANNING PERMISSION

Proposal: 5 pairs of two-storey semi-detached houses with rooms in the roof space, dormer windows, detached outbuildings/cycle stores, detached two-storey building with rooms in the roof space comprising 5 flats and new access with associated car parking and amenity areas following demolition of the existing house.

Applicant: Mr John Harding

Location: 85 and Land rear of 77 - 83 Manor Road North Esher Surrey KT10 0AB

The decision of Elmbridge Borough Council on the application registered as valid by the Council on 17/04/2019 and described above is to **Grant Permission** subject to the conditions (if any) set out below:

Conditions/Reasons

1 **TIME LIMIT (FULL APPLICATION)**

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

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 **LIST OF APPROVED PLANS**

The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: AAL-19-103-P01; AAL-19-103-P02; AAL-19-103-P03; AAL-19-103-P04; AAL-19-103-P05; AAL-19-103-P06; AAL-19-103-P07; AAL-19-103-P08; AAL-19-103-P09; AAL-19-103-P10; AAL-19-103-P11; AAL-19-103-P12; AAL-19-103-P13; DPA-7001-03 Rev D; AAL-19-103-P11 and DPA-7001-01 all received on 3rd April 2019.

Reason: To ensure that the development is carried out in a satisfactory manner.

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3 OBSCURE GLAZING

Prior to the first occupation of the development hereby permitted the upper floor flank elevation windows facing number 87 Manor Road North of the development hereby permitted shall be glazed with obscure glass that accords with level three obscurity as shown on the Pilkington textured glass privacy levels (other glass suppliers are available) and only openable above a height of 1.7m above the internal floor level of the room to which it serves. The window shall be permanently retained in that condition thereafter.

Reason: To preserve the reasonable privacy of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

4 NO WINDOWS

The development hereby permitted shall have no additional windows or other openings inserted into any elevations unless planning permission has first been granted by the Borough Council.

Reason: To preserve the reasonable privacy of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

5 LANDSCAPING - SCHEME

No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the borough council and these works shall be carried out as approved. this scheme shall include indications of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out, and details of the measures to be taken to protect existing features during the construction of the development.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

6 MATERIALS SAMPLES

No development shall take place until samples of the materials to be used on the external faces and roof of the building have been submitted to and approved in writing by the borough council. development shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

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7 TR101 - TREE PRE-COMMENCEMENT MEETING

No development including groundworks and demolition shall take place and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until a pre-commencement meeting has been held on site and attended by a suitable qualified arboriculturist, representative from the Local Planning Authority and the site manager/foreman. The site visit is required to ensure operatives are aware of the agreed working procedures and the precise position of the approved tree protection measures or/and that all tree protection measures have been installed in accordance with the approved tree protection plan DPA-7001-03 Rev D. The tree protection measures shall be maintained for the course of the development works. To arrange a pre-commencement meeting please email tplan@elmbridge.gov.uk with the application reference and contact details.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14, DM6 of the Councils Core Strategy 2011 and Development Management Plan 2015. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

8 TR104 - TREE PROTECTION MEASURES (WITH PRE-COMMENCEMENT MEETING)

After the agreed tree protection measures have been installed in accordance with the approved plans, all tree protection measures shall be maintained for the course of the development works. The development thereafter shall be implemented in strict accordance with the approved details and method statements contained in Arboricultural report produced by DPA dated March 2019.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14, DM6 of the Councils Core Strategy and Development Management Plan.

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9 **TREE RETENTION**

All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the proposed development.

a) no retained tree, hedge or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning shall be carried out in accordance with British Standard 3998: 2010 (tree work) and in accordance with any approved supplied arboricultural information.

b) if any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14, CS15, DM6 of the Councils Core Strategy and Development Management Plan.

10 **SURFACE WATER DRAINAGE SCHEME**

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the 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 required 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 and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of as close as reasonably practicable to the greenfield runoff rate.

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 restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

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.

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.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

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11 **DRAINAGE VERIFICATION REPORT**

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

12 **NEW ACCESS**

No part of the development shall be first occupied and until the proposed vehicular and pedestrian access to Manor Road North has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

13 **CLOSURE OF EXISTING ACCESS**

The development hereby shall not be first occupied unless and until existing access from the site to Manor Road North has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

14 **PEDESTRIAN INTER-VISIBILITY SPLAYS**

The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Manor Road North, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

15 **PARKING AND TURNING**

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 area(s) shall be retained and maintained for their designated purposes.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

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16 **ELECTRIC VEHICLE CHARGING POINTS**

(a) For flats, the development hereby approved shall not be occupied unless and until at least 1 (20%) of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

(b) For houses, the development hereby approved shall not be occupied unless and until each of the proposed dwelling(s) are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

17 **CONSTRUCTION TRANSPORT MANAGEMENT PLAN**

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) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) no HGV movements to or from the site shall take place between the hours of 08.30 and 09.15 and 14.55 and 15.40 nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Manor Road North during these times
- (k) 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 conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

18 **ECOLOGY**

The development hereby permitted shall be carried out in accordance with the recommendations and enhancements identified within the Preliminary Ecological Survey prepared by Greenlink Ecology Ltd dated March 2019 and Protected Species Survey Report also prepared by Greenlink Ecology Ltd dated March 2019.

Reason: To ensure that the development is carried out in accordance with Policy CS15 of the Elmbridge Core Strategy 2011 and the NPPF.

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19 **SURFACE MATERIALS**

Details of the surface materials for the roads, car parking areas and driveways shall be submitted to, and approved in writing, by the borough council prior to the commencement of development. All approved materials shall be used in the construction of the development hereby permitted.

Reason: To safeguard the visual amenities of the locality in accordance with Policies DM2 and DM7 of the Elmbridge Development Management Plan 2015.

Informative(s): (if applicable)

1 **COMMUNITY INFRASTRUCTURE LEVY**

The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued as soon as practical after the day on which planning permission first permits development.

To avoid breaching the CIL regulations and the potential financial penalties involved, it is essential a prior commencement notice be submitted. The notice is available at www.planningportal.co.uk/cil

For the avoidance of doubt commencement of demolition of existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of the CIL regulations.

2 **WORKS TO HIGHWAY**

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs

DRAINAGE

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.

Please see

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

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

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If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.



Kim Tagliarini
Head of Planning Services

Date: 06 November 2019

N.B. THE ATTENTION OF THE APPLICANT AND AGENT IS DRAWN TO THE FOLLOWING INFORMATIVES WHICH PROVIDE IMPORTANT INFORMATION.

STANDARD INFORMATIVES – GUIDANCE FOR APPLICANTS

Approval of details reserved by conditions

Attention is drawn to the conditions that have been attached to the planning permission together with the reason for their imposition. Particular attention is drawn to those conditions that require the submission of further information to the local planning authority and its approval of such further information before building works commence. In the case of a reserved matters approval you must also take account of the conditions imposed on the outline permission.

Appeals to the Secretary of State

If you are aggrieved by a decision to refuse permission or to grant it subject to conditions you can appeal to the Planning Inspectorate. Appeals can be made using a form which you can get online at: gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. Only the applicant has the right of appeal. In some circumstances the Planning Inspectorate may refuse to consider an appeal.

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If you want to appeal against your local planning authority's decision and it doesn't fall into any of the above categories, then you must do so within 6 months of the date of this notice.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.
- If you intend to submit an appeal that you would like examined by inquiry, then you must notify the local planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at: gov.uk/planning-inspectorate

Purchase notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

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In these circumstances, the owner may serve a purchase notice on the Council requiring them to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

Positive and proactive engagement

The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met within Elmbridge through the availability of pre-application advice.

Local plan

The above decision makes reference to the Core Strategy and the Development Management Plan. Should you wish to read the wording and content of any of these policies, the documents can be viewed online at: elmbridge.gov.uk/planning/planning-policy

Site notice

In the interests of protecting the character of the environment, please remove any planning notice that may have been displayed on the site of the application.