

Planning report

Application number: 17/00976/FUL

Application location: 91 Chessington Road, West Ewell, Surrey, KT19 9UU

Proposal: Demolition of existing dwelling and erection of 9 properties (3 X 2 bedroom and 6 X 3 bedroom) with associated works.

Planning history

Reference number	Proposal	Decision	Decision date
17/00668/PREAPP	Demolition of existing dwelling and erection of 9 properties (3 X 2 bedroom and 6 X 3 bedroom) with associated works.	Withdrawn as invalid	N/A

Comments from third parties

We consulted 45 nearby neighbours. By 29 December 2017, one letter of representation has been received objecting to the proposal on the following grounds:

- We have concerns regarding the two houses at the back close to the boundary which would look into No.87.
- Loss of privacy
- Screening should be erected to protect privacy
- Drainage
- Loss of outlook
- Lack of Parking

Consultations

County Highway Authority: Please see below

Tree Officer: The Tree Officer has viewed the application and has considerable concerns regarding how close the proposed dwellings would be to nearby trees and the affect that this would have on the living conditions of future occupants. Concerns were also raised with regard to the limited amount of landscaping proposed.

Ecology Officer: “I have had a look at the ecological survey. This recommends further surveying in the form of a bat survey. The initial bat survey required is a preliminary bat roost assessment which can take place now, however if any further surveys are recommended these would not be able to be carried out until spring 2018”.

Planning Policy: “The proposal would fail to Comply with Core Strategy Policy CS9 (affordable Housing) and Policy DM24 of the Development management Policies Document (loss of employment).

Planning policy

Key policy documents

National Planning Policy Framework – March 2012
Ewell Village Conservation Appraisal
Core Strategy 2007
Development Management Policies Document 2015
Parking standards-residential development 2015
EEBC Environmental Character Study 2008

Key policies

CS1 - General policy
CS3 - Biodiversity and nature conservation
CS5 - The built environment
CS6 - Sustainability in new developments
CS8 - Broad location of housing development
CS9 - Affordable housing and housing need
CS16 - Transport and travel
DM4 - Biodiversity and new development
DM5 - Trees and landscape
DM8 - Heritage assets
DM9 - Townscape character/distinctiveness
DM10 - Design for new developments
DM11 - Housing density
DM12 - Housing standards
DM13 - Building heights
DM16 - Backland development
DM19 – Development and Flood Risk

DM22 - Housing mix
DM35 - Transport and new development
DM37 - Parking standards

Site description, planning considerations and conclusion

Site description

The application site consists of a detached bungalow with a gable roof set back from the road by a small front garden. The property has two side facing dormer windows and a large single storey side/rear extension. The site is mostly hard surfaced at the side and rear and is currently used for storage for the parking of vehicles, however this use is unlawful.

The application site is situated on the southern side of Chessington Road. The area is residential in character and comprises of a mixture of single storey and two storey detached and semi-detached dwellings. The site is located in Character Area: 13 of the EEBC Environmental Character Study which lists Chessington Road as a prominent street. The study identifies the built form in this character area to be predominantly semi detached, built in the 1930s and 1950s with strongly defined building lines and medium sized plot sizes. The study identifies the key characteristics to protect or enhance to be the overall scale of built form, green space setting around fringes; uniformity of 30s and 50s properties, setting, original details and materials of the Victorian/Edwardian properties; and plot boundaries.

A recreation ground is situated directly to the west of the application site a large hedgerow runs along this boundary partially obscuring views of the recreational ground. To the east of the site lies 89 Chessington Road is a two storey detached dwelling with a hipped roof. No 89 has a two storey side extension with an integral garage.

Planning considerations

Principle of development

The overarching principle for the strategy of Epsom and Ewell is to achieve sustainable development. Core Strategy (2007) Policy CS1 states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development. Changes should protect and enhance the natural and built environments of the borough. It is not considered that the proposal meets the requirements of this policy because it would lead to adverse impacts on the environmental quality of the site through damage to trees and it would have an adverse visual impact on the area's established character.

CS8 – broad location of housing development – reuse of suitable previously developed land to a certain extent such as the front portion of the site. To be considered in conjunction with DM16.

The proposals would result in redevelopment of a site, which is partly previously developed land (the front portion where the existing bungalow sits) and partly

backland development, currently a garden serving the existing unit of accommodation. A denser development of the front portion of the site for residential purposes would be in accordance with the Local Plan subject to other policy considerations such as DM11– Housing Density. Consideration of the rear section of the site would require an assessment in terms of policy DM16.

As previously noted the majority of the existing garden has been lost and is being used unlawfully for the storage of motor vehicles. This use has continued since 2009.

Policy DM16 refers to backland development and states that there is a presumption against loss of rear domestic gardens, due to the need to maintain local character, amenity space, green infrastructure and biodiversity. In exceptional cases, modest redevelopment on backland sites may be considered acceptable, subject to demonstration that there would be no significant adverse impact on a number of criteria; garden land, impact on neighbours, vehicular access, mass and scale of development and flora and fauna.

Delivering a wide choice of high quality homes

Paragraph 53 of the NPPF states that local planning authorities should consider setting out policies to resist inappropriate development of residential gardens where development would cause harm to the local area.

Policy DM11 requires new housing development to make the most efficient use of sites within the existing urban area and must show how density would contribute towards maintaining the visual character and appearance of the wider townscape and lead to no net loss of biodiversity. This policy seeks development to not exceed 40 dph in most cases. The proposals would deliver a density of 36 dph. The proposal would therefore comply with Policy DM11.

Visual appearance and character of the area.

Policy DM9 of the Development Management Policies Document 2015 states that we will seek enhancement of the townscape and planning permission will be granted for proposals, which make a positive contribution to the visual character and appearance of an area.

The proposal would not respect, maintain or enhance the character or local distinctiveness of this area. The layout does not respect the characteristic frontage development and plot widths and depths of the dwellings proposed are smaller than the existing neighbouring properties. However, the application site is not in a conservation area and plot sizes differ in the surrounding area.

It is therefore considered by Planning Officers that it would not be justified to refuse planning permission on this ground.

Policy DM10 sets out that development proposals will be required to incorporate principles of good design, the most essential element identified as contributing to the character and local distinctiveness of a street, which should be respected,

maintained or enhanced. As such the prevailing typology, scale, layout, height, form and massing should be respected.

Policy DM16 states that in exceptional cases, modest redevelopment on backland sites may be considered acceptable. Any such development would need to demonstrate that there will be no significant adverse impact on:

1. Garden land – Rear garden land which contributes either individually or as part of a larger swathe of green infrastructure to the amenity of residents or provides wildlife habitats must be retained;
2. Impact on neighbours – The privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
3. Vehicular access or car parking – These must not have an adverse impact on neighbours in terms of visual impact, noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
4. Mass and scale of development – Development on backland sites must be more intimate in scale and lower than frontage properties to avoid any overbearing impact on existing dwellings and associated gardens;
5. Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided.

The proposed dwellings would be two storey in height with hipped roofs which would appear similar to the neighbouring dwellings in the road. While the properties would be slightly different in design to some neighbouring dwellings, properties in the area to differ in design and appearance with the result that the proposal would not harm the appearance of the street or the character of the area.

The proposal would not result in a loss of garden land which contributes either individually or as part of a larger swathe of green infrastructure with the result that the proposal would comply with criterion 1 of Policy DM16.

Impact on neighbouring amenity

Concerns were raised by neighbouring occupants that the proposal would result in a loss of privacy and outlook of neighbouring occupants.

Policy DM10 requires development to have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.

The distances between the proposed dwellings at the rear of the application site generally increase in depth along the rear boundary. The proposed rear windows of plot 4 would be sited 16.3m from the rear boundary of No.14 Hollymoor Lane and 30.3m from the built form of No.14, while the proposed rear windows of Plot 9 would

be sited approximately 33m from the rear boundary with No.26 Hollymoor Lane and 52m from the built form of No.26.

The separation distance retained combined with the significant planting which exists along the rear boundary would ensure that the proposed dwellings would not harm the privacy of the neighbouring occupants along Hollymoor Lane.

Plot 1 would be situated approximately 3m from the shared boundary with No.89 Chessington Road. Due to the separation distance retained Plot 1 would not harm the privacy, light, or outlook of neighbouring occupants at No.89 Chessington Road.

However, the proposed rear plots would be in close proximity to the rear garden of No.89 and due to their size and scale would adversely affect the outlook of the neighbouring occupants.

Plot 4 and Plot 5 would be sited approximately 1.8m from the shared boundary with No.89 Chessington Road. It is noted that it is proposed to erect a 1.8m high fence with a 0.45m high trellis on top along the boundary with No.89. While this might protect the privacy of the neighbouring occupants from views from the ground floor windows it would not protect the privacy of neighbouring occupants from views at first floor level. The proposal would therefore harm the privacy and amenities of neighbouring occupants at No.89.

Criterion 2 of Policy DM16 states that the privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided. Vehicular access and car parking must not have an adverse impact in terms of visual amenity, noise or light. Access roads between dwellings will not normally be acceptable.

It is proposed to run an access road past the shared boundary with No.89. It is noted that the application site currently has vehicular movements as a business. However, it is like that vehicular movements would increase for the number of residential units proposed and would have a greater impact on the neighbouring occupants as they would often be outside “working hours”. It is therefore considered that the proposal would cause undue noise and disturbance to neighbouring occupants.

Criterion of Policy DM16 states that “Development on backland sites must be more intimate in scale and lower than frontage properties to avoid any overbearing impact on existing dwellings and associated gardens”.

The proposed development would fail to be more intimate in scale and lower than the frontage properties and due to its scale and design would have a harmful impact on the neighbouring occupants.

The proposal would therefore cause significant harm to the amenities of neighbouring occupants of No.89 Chessington Road. The proposed would fail to comply with Policy DM16 of the Development Management Policies Document.

Amenity for Future Occupiers

Policy DM 12 states that “The Council will only grant planning permission for new dwellings that provide adequate internal space and appropriate external private and/or communal amenity space to meet the needs generated by the development. Development must comply with the space standards set out in the Council’s Design Quality SPD.

Amenity space for all new dwellings should be:

- (i) private, usable, functional, safe and bio-diverse;
- (ii) easily accessible from living areas;
- (iii) orientated to take account of the need for sunlight and shading;
- (iv) of a sufficient size to meet the needs of the likely number of occupiers; and
- (v) provide for the needs of families with young children where the accommodation is likely to be occupied by such”.

The table below summarises the proposed internal floor areas and private amenity spaces of the proposed dwellings in comparison to required standards;

Unit No	No. of bedrooms	No. of bed spaces	Required space standard (sqm)	Proposed floor space (sqm)	Required private amenity space (sqm)	Proposed amenity space (sqm)
Plot 1	2	4	70	76	40	38
Plot 2	2	4	70	76	40	41.8
Plot 3	2	4	70	76	40	70.8
Plot 4	3	5	93	93	70	98.84
Plot 5	3	5	93	93	70	81.45
Plot 6	3	5	93	93	70	72.4
Plot 7	3	5	93	93	70	68.16
Plot 8	3	5	93	93	70	70.8
Plot 9	3	5	93	93	70	72.32

Policy DM12 in Development Management Policies (2015) refers to housing standards and states that all housing developments are required to comply with external and internal space standards. The proposed dwellings would have internal areas, which comply with the minimum standards.

It is noted that the majority of the proposal complies with the space standards in terms of size. However Policy DM12 states that amenity space must be private, usable, functional, safe and bio-diverse.

The rear gardens of Plots 1, 2 and 3 would be sited in close proximity to the front windows of the rear dwellings, plots 7, 8 & 9 in particular, with the result that the amenity space of these dwellings would not be private.

Furthermore, the rear gardens of plots 4 and 5 would be too close to neighbouring trees with the result that the rear gardens would gain insufficient natural daylight to these areas.

The proposed layout with parking spaces adjacent to plot 1 would result in vehicles often travelling past Plot 1 which result in a significant amount of noise and disturbance to the future occupants of Plot 1

The proposal would therefore cause significant harm to the amenities of d the future occupants of some of the proposed dwellings. The proposed would fail to comply with Policy DM12 of the Development Management Policies Document.

Impact on Highway Safety

Concerns were raised that the proposal would result in a loss of parking.

The Council has recently adopted local parking standards - Parking Standards for Residential Development Supplementary Planning Document (December 2015). These standards require 4+ bedroom houses to have 3 spaces per unit. The minimum dimensions of these spaces must be 2.4m by 4.8m. The majority of the proposal would accord with these parking standards.

Notwithstanding the above, the application site is located in a highly sustainable location within walking distance to a number of shops and services. The County Highway Authority has assessed the parking arrangement and raised no concerns with regard to parking provision.

The County Highway Authority has also undertaken an assessment in terms of the likely net additional traffic generation and access arrangements and have raised the following concerns:

There is no space within the curtilage of the site to turn a refuse vehicle or delivery vehicle of any kind. Please ask applicant to revise the drawings to accommodate a refuse vehicle turning manoeuvre.

Amended drawings have been received which allow the proposal to accommodate refuse tuning manoeuvres. Following the amendments the Highways department requested a number of conditions be imposed on any granted of planning permission.

No objection is therefore raised in this instance.

Trees and Landscaping

The Council's Tree Officer has assessed the application and has made the following comments "My objection to this housing development proposal concerns the

adverse impact it will have on significant trees on the site. The trees outlined below will be at risk of damage from root severance, or compaction during construction. Additionally certain plots are so close to existing trees that they will overly dominate the houses and gardens. There is no growing space and there will be constant demands from occupiers for felling or harmful pruning.

Plots 3 and 9. Neither of these building plots are considered viable. There is an extensive tree screen along the boundary of the adjoining Chessington Road Recreation Ground. The tree screen is of young-early middle aged Hornbeam trees. Hornbeams of larger stem increment are around 340mm stem diameter measured at 1.5m above ground level. This means they have a root protection area radius of 4m. Unfortunately on the inappropriately scaled tree protection plan this shows the Hornbeam trees set back from the boundary when in fact they grow right up to it. With a root protection area extending almost half the way across the proposed building of plots 3 and 9 this means there is no scope for foundation construction, service installation (including drains) and other ancillary construction works - without potential damage to the trees.

Furthermore, the stem increment of these trees has been checked by the trees general close spacing. This means the trees are larger and more dominant than the stem size alone would have you believe. The Hornbeams form a very significant tree belt in the landscape of the open space, with a high level of landscape amenity. However, the notable size and mass of the trees mean they will make the living environment for residents of these plots uninviting and unusable. There will be a constant overshadowing of the gardens, branches will continually grow to encroach on the buildings and will need to be constantly pruned back. Shade, Leaf fall and associated detritus will be a constant source of annoyance to future occupants. All of this will create undesirable living condition resulting in a strong and persistent pressure from resident to remove the trees. The proposal seeks to reduce the trees height and prune them back further. Height reduction will reduce the trees landscape amenity and further reduction on the south-east side will create further canopy asymmetry. This tree work proposal is considered unacceptable.

Plots 4 and 5

The proposed layout will also poorly integrate with existing desirable trees situated in the rear garden of 89 Chessington Road. A large Ash and Sycamore tree located in the rear corner of that garden will severely impact the utility of plots 4 and to a lesser extent plot 5. With insufficient spatial separation and unfavourable building alignment there will be a heavy shadow cast over the rear garden from these trees and significant nuisance from biological consequences such as leaf and twig debris. Again undesirable living conditions are envisaged that will bring pressure to remove or adversely prune the trees. Plot 4 is not considered viable because of the existing tree constraints.

Landscaping and the protected tree

Internally the layout provides little scope for landscaping. There appears to be no designated footway to the rear houses and the central sector is dominated by a car park. There needs to be less hardscape elements and more provision of space for

soft landscaping and tree planting. The protected tree noted by Jon Harper was an Ash Leaved Maple (T1 of TPO 321). Permission was given to fell the tree by the Council in 2001. This was not undertaken and the tree collapsed several years later”.

Internally the layout provides little scope for landscaping. There appears to be no designated footway to the rear houses and the central sector is dominated by a car park. There needs to be less hardscape elements and more provision of space for soft landscaping and tree planting. The protected tree noted by Jon Harper was an Ash Leaved Maple (T1 of TPO 321). Permission was given to fell the tree by the Council in 2001. This was not undertaken and the tree collapsed several years later”.

It is considered that the proposal fail to comply with Policy DM5 of the Development management Policy Document (2015)

Ecology

Policy CS3 of the Core Strategy states that the biodiversity of Epsom and Ewell will be conserved and enhanced. Policy DM4 of the Development Management Policies Document 2015 states that development affecting nature conservation sites and habitats of local importance will only be permitted if the development would enhance the nature conservation potential.

A Preliminary Ecological Appraisal dated July 2017 has been submitted with the application which the Council's Ecology Officer has been consulted on.

This recommends further surveying in the form of a bat survey. The initial bat survey required is a preliminary bat roost assessment which can take place now, however if any further surveys are recommended these would not be able to be carried out until spring 2018.

However, no such assessment has been received, without this information it is considered that the proposal would fail to comply with Policy CS3 of the Core Strategy and Policy DM4 of the Development Management Policies Document 2015

Community Infrastructure Levy (CIL)

The development will be CIL liable at a rate of £125/m².

Sustainable Construction

Policy CS6 requires development to be provided in a sustainable environment and to reduce or have a neutral impact upon pollution and climate change.

It is considered that this can be controlled by a suitably worded planning condition if the proposal is considered to be acceptable.

Affordable Housing

Policy CS9 of the Core Strategy 2007 states the Council has a target that overall, 35% of new dwellings should be affordable. This equates to the provision of 950 new affordable homes over the period 2007 to 2022.

New housing developments should include a mix of dwelling types, sizes and tenures which help meet identified local housing needs and contribute to the development of mixed and sustainable communities.

The Council's Planning Policy has given the following advice regarding the scheme:

The key planning policy issue is that the applicant has failed to comply with Core Strategy Policy CS9 – which seeks to secure the necessary affordable housing contribution from new housing developments. In this case the policy would normally seek to secure at least 20% of the development as affordable provision, which could be in the form of on-site provision or a financial contribution. The key point to emphasise is that the Borough Council's policy approach provides applicants with an opportunity to negotiate the scale of contribution dependent upon financial viability – through an open-book assessment. We have maintained this approach and can evidentially demonstrate that it has been successful, and critically has not made the development of small sites unviable. As the applicant has failed to meet the requirements of Policy CS9 the Borough Council may decide to refuse this application – on that basis and because affordable housing need across the Borough is acute.

I note that the applicant makes the claim that the Government's Written Ministerial Statement (WMS) in some way over-rides local planning policy. This is not the case. While the WMS has been proven to be an expression of national planning policy, local planning policy remains a material consideration in the determination of applications where local evidence demonstrates that there is a case for it to be weighed against national planning policy. The Borough Council has clearly stated this position in a Statement originally released during December 2016. The key points are as follows:

1. There is compelling evidence that affordability continues to be an acute issue for Epsom & Ewell. This is compounded by the Borough's distinctive low turn-over of affordable housing provision.
2. Due to the current nature of the Borough's housing land supply situation the affordable housing contribution from small sites will remain important to meeting need for at least the next five years – this is key local distinction to Epsom & Ewell.
3. We can clearly evidence the valuable contribution made by small-sites in meeting our acute affordable needs – the absence of that contribution will have an adverse impact on our short-medium term ability to respond to need.

4. There is no evidence that our policy approach has in any way prevented small sites from coming forward or deterred developers in bringing forward new housing; and
5. There is no evidence that Policy CS9 has had an adverse impact upon SME builders and their ability to bring forward small sites. Indeed, our policy approach provides developers with a transparent mechanism to demonstrate the viability of new proposals.

The Council has due regard to the WMS and the associated changes to national planning practice guidance. Nevertheless, we need to comply with both the Government's policy delivering development on previously land and continue to deliver affordable units (to meet the identified local need) as required under NPPF Paragraph 50.

This can only be achieved by continuing to apply Core Strategy Policy CS9 as part of the planning application decision making process. Where applicants consider that the requirement is disproportionate, we will request that the relevant information setting out scheme viability is submitted for independent assessment as set out in our Developer Contributions SPD. All relevant evidence will then be considered on a case by case basis and be used to assess the weight to be attached to local and national policies and guidance. The provision within CS9 has not been exercised by the applicant and a viability assessment has not been submitted.

The applicant has not signed the necessary S106 agreement in relation to an affordable housing. As such, the proposal is contrary to Policy CS9 of the Core Strategy 2007".

Taking into account the viability of the development proposed and other planning objectives, the Council will negotiate to achieve the provision of affordable housing as set out below:

Residential developments of between five and fourteen dwellings gross (or on sites between 0.15ha and 0.49ha - irrespective of the number of dwellings proposed) should include at least 20% of dwellings as affordable".

The application proposal provides no affordable housing provision. The applicant states that affordable housing is not required because the proposal would be less than 10 units.

However, there is compelling evidence that affordability continues to be an acute issue for Epsom & Ewell. This is compounded by the Borough's distinctive low turn-over of affordable housing provision.

Furthermore due to the current nature of the Borough's housing land supply situation the affordable housing contribution from small sites will remain important to meeting need for at least the next five years – this is key local distinction to Epsom & Ewell.

The local authority can clearly evidence the valuable contribution made by small-sites in meeting our acute affordable needs – the absence of that contribution will have an adverse impact on our short-medium term ability to respond to need.

Furthermore there is no evidence that this policy approach has in any way prevented small sites from coming forward or deterred developers in bringing forward new housing; and

There is no evidence that Policy CS9 has had an adverse impact upon SME builders and their ability to bring forward small sites. Indeed, our policy approach provides developers with a transparent mechanism to demonstrate the viability of new proposals.

The Council has due regard to the WMS and the associated changes to national planning practice guidance. Nevertheless, there is need to comply with both the Government's policy delivering development on previously land and continue to deliver affordable units (to meet the identified local need) as required under NPPF Paragraph 50.

This can only be achieved by continuing to apply Core Strategy Policy CS9 as part of the planning application decision making process. Where applicants consider that the requirement is disproportionate, we will request that the relevant information setting out scheme viability is submitted for independent assessment as set out in our Developer Contributions SPD. All relevant evidence will then be considered on a case by case basis and be used to assess the weight to be attached to local and national policies and guidance. The provision within CS9 has not be exercised by the applicant and a viability assessment has not been submitted.

It is therefore considered that the proposal would fail to comply with Policy CS9 and the Revised Developer Contributions SPG (2014).

Flooding and Drainage

Concerns were raised by neighbouring occupants that the proposal would result in an increase in flooding.

Policy DM19 of the Development Management Policies Document 2015 states "In order to manage flood risk, we will take a sequential approach to the allocation of sites in a Site Allocations Policy Document and when determining planning applications.

The application site is not within a flood zone and is noted that the majority of the site is currently hard surfaced.

It is therefore considered that the proposal would comply with Policy CS9 of the Core Strategy and Policy DM19 Development Management Policies Document 2015.

Loss of employment Land

It is noted that the application appears to currently in use for the storage of vehicles. The owner of the site has confirmed that the use started in 2009 and that therefore it is currently unlawful. Normally, if a proposal resulted in a loss of employment land it would be required to market the site for in excess of 18 months. However, in this instance as the use of the site is currently unlawful and the proposal would result in a net benefit for housing in the borough it is not considered that it would be justified to recommend that the application be refused on this ground.

Conclusion

Due to its design, siting, bulk and scale, plots 4 & 5 of the proposed development would have a harmful impact on the privacy and outlook of and would appear overbearing to the neighbouring occupants at No. 89 Chessington Road.

Insufficient information has been submitted with the application to demonstrate that the proposal would not be harmful to bats with the result that the proposal would fail to comply with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies (2015).

The close proximity of the proposed buildings (particularly at Plots 4 and 5) to the large Ash and Sycamore, is likely to have an adverse impact on the living conditions of the occupants of the proposed houses.

The application proposal would have an unacceptable layout with parking spaces adjacent to Plot 1, which would cause significant harm to the amenities of the potential occupants of the proposed dwelling due to noise and disturbance. Lastly, the front windows of the proposed dwellings sited at Plot 7, Plot 8 and Plot 9 would be located in close proximity to rear gardens and to lesser extent habitable windows of the dwellings at Plot 1, Plot 2 and Plot 3, which would cause overlooking. This would harm the privacy of the potential future occupants of these dwellings.

Recommendation: REFUSE

- 1 Due to its design, siting, bulk and scale, plots 4 & 5 of the proposed development would have a harmful impact on the privacy and outlook of and would appear overbearing to the neighbouring occupants at No. 89 Chessington Road contrary to Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM16 of the Development Management Policies (2015).
- 2 Policy CS9 of the Core Strategy (2007) requires the provision of 20% affordable units for residential developments of between five and fourteen dwellings gross (or on sites between 0.15ha and 0.49ha - irrespective of the number of dwellings proposed). The proposal would provide no affordable housing with the result that the proposal would fail to comply with Policy CS9 of the Core Strategy (2007) and the Policy CS9 and the Revised Developer Contributions SPD (2014).

- 3 Insufficient information has been submitted with the application to demonstrate that the proposal would not be harmful to bats with the result that the proposal would fail to comply with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies (2015).
- 4 The close proximity of the proposed buildings (particularly at Plots 4 and 5) to the large Ash and Sycamore, is likely to have an adverse impact on the living conditions of the occupants of the proposed houses, and is therefore likely to result in future pressure to remove or heavily prune trees to the detriment of the visual amenity of the locality. Furthermore, due to the separation distance retained between Plots 3 and 9, the development would result in potential root damage to trees as during the construction of the proposed dwellings. The application is therefore contrary to the requirements of Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5, DM10 and DM12 of the Development Management Policies (2015).
- 5 The application proposal would have an unacceptable layout with parking spaces adjacent to Plot 1, which would cause significant harm to the amenities of the potential occupants of the proposed dwelling by reason of noise and disturbance, contrary to CS5 of the Core Strategy (2007) and Policies DM5, DM10 and DM12 of the Development Management Policies (2015).
- 6 Due to the proposed layout, the front windows of the proposed dwellings sited at Plot 7, Plot 8 and Plot 9 would be located in close proximity to rear gardens and to a lesser extent habitable windows of the dwellings at Plot 1, Plot 2 and Plot 3, which would cause overlooking. This would harm the privacy of the potential future occupants with the result that the proposal would fail to comply with Policies DM10 and DM12 of the Development Management Policies (2015).

Informatives

- 1 You are advised that the following policies and/or proposals in the development are relevant to this decision:

National Planning Policy Framework – March 2012
Core Strategy 2007
Development Management Policies Document
Parking standards-residevelopment 2015
Revised developer contributions 2015
Sustainable design 2012
Single plot/resi infill dev 2003

Key policies

CS1 - General policy
CS3 - Biodiversity and nature conservation
CS5 - The built environment
CS6 - Sustainability in new developments

CS8 - Broad location of housing development
CS9 - Affordable housing and housing needs
CS12 - Developer contributions
CS16 - Transport and travel
DM4 - Biodiversity and new development
DM5 - Trees and landscape
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DM9 - Townscape character/distinctiveness
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