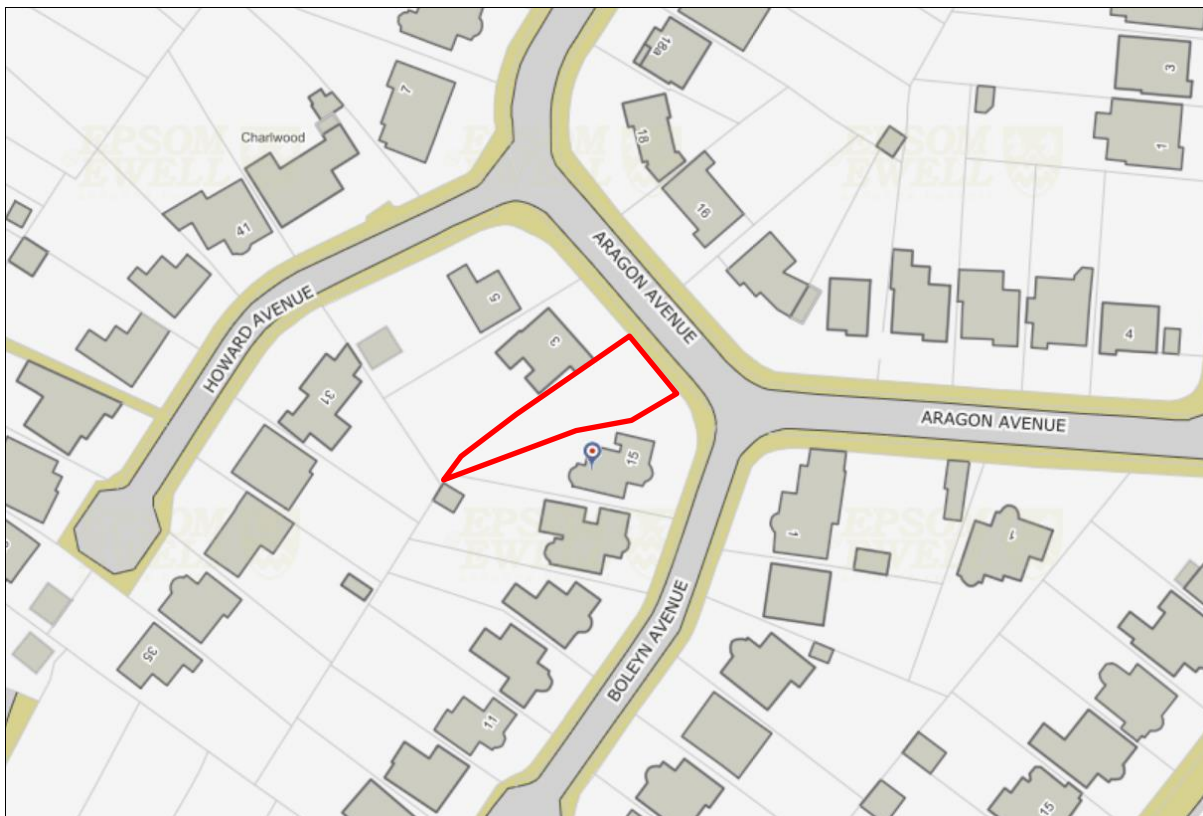


23/00656/REM 15 BOLEYN AVENUE, EWELL KT17 2QH

Application Number	23/00656/REM
Application Type	Section 73 variation
Address	15 Boleyn Avenue, Ewell KT17 2QH
Ward	Nonsuch Ward
Proposal	Variation of Condition 2 (Approved Plans) of planning permission 23/00257/FUL (Additional detached two-storey house with associated vehicular access; new vehicular access at No.15) to convert the garage to a habitable room and add a first-floor extension
Recommendation	Approval, subject to conditions and informatives
Expiry Date	08 September 2023
Contact Officer	Dana Nickson
Reason for Committee	Called in by Ward Member

A [glossary of Planning terms and acronyms](#) is available to view on the Council's website.



SUMMARY

1 Summary and Recommendation

- 1.1 The application was called to Planning Committee by Councillor Leach due to concerns of over development and amount of amenity space.
- 1.2 23/00257/FUL granted approval for the subdivision of the existing plot and erection of a two storey, 2 bed plus study, infill dwelling house with vehicular access on its northern side. The subject application seeks to modify the approved plans with:
 - The conversion of the single attached garage to a living room
 - A first-floor southern side extension comprising an ensuite bedroom
- 1.3 There were two previous refusals for an infill dwelling house within the vacant land. The scale and form of the proposed development, as varied in this application, is sufficiently different from those refused schemes and it is not significantly larger than the approved scheme. Four resident objections have been received relating primarily to over development and references to previous refusals on the site.
- 1.4 The impression on the character of the area is acceptable, neighbour amenity is not adversely affected and SCC Highways raised no objection. The proposal is recommended for approval, subject to a variation to Condition 2 to accommodate the amendments to the approved plans, Condition 4 to require additional obscure glazing and other conditions to reflect their discharged status.
- 1.5 The plans and supporting documentation for the planning application and representations for or against the proposal, if any, are held electronically on the [Council's website](#), correct at the time of publication.

KEY INFORMATION

	Existing	Proposed
Site Area	355m ²	
Units	One dwelling	One dwelling
Floorspace	113m ² including garage	128m ²
Density	28 dwellings/hectare	Unchanged
Affordable Housing Units	Nil	Nil
Car Parking Spaces	4 spaces including garage	3 driveway spaces
Cycle Parking Spaces	2 spaces	2 spaces

SITE AND PROPOSAL

2 Description of Site

2.1 The site currently includes a detached two storey house on a corner plot on the north-western side of Boleyn Avenue with a side return on Aragon Avenue. The immediately surrounding area is predominantly residential and comprises mainly two storey detached dwellings that display some variations in design and external materials but of an overall similar scale and character. Most dwellings benefit from small front gardens and medium sized rear gardens that generally follow the parallel side boundary lines at the front of the properties.

3 Description of Proposal

3.1 The original approval involved:

- Subdivision of the existing plot at 15 Boleyn Avenue
- Erection of a detached two-storey (9m height) infill house with attached garage
- Parking for three vehicles and new access from Aragon Avenue
- New vehicular crossover from Boleyn Avenue for the existing dwelling
- Associated works including bin and cycle stores, boundary fencing and landscaping

3.2 The proposal involves the following:

- Conversion of the single garage to a living room with the removal of a side door and inclusion of a front window and rear bi-fold doors
- Addition of a first floor ensuite bedroom with pitched roof on the southern side of the dwelling/above the converted garage

CONSULTATIONS

Internal Consultees

Highway Authority	No objection.
Flood Authority	

Public Consultation

Neighbours	<p>The application was advertised by means of notification to ten neighbouring properties, concluding on 05 July 2023. Four submissions were received. They raised the following issues:</p> <ul style="list-style-type: none"> • Adverse visual impact and harm to the character of the area • Out of character with Nonsuch Court Estate • Lack of garage not in keeping with the area • Over development • Lack of site area to accommodate development of this scale • Increasing from 3 to 8 double bedrooms <p><u>Officer comment:</u> The scale and form of the dwelling is appropriate in the context of the site area and its relationship with the surrounding area, as outlined in Section 6. The number of bedrooms within the dwelling has limited relevance in the consideration of overall density though it is appropriate for the site given there are no adverse implications for neighbour amenity, the proper use of the site by future occupiers and provision of parking.</p> <ul style="list-style-type: none"> • Planning by stealth • Previous schemes for 4-5 bedroom dwelling have been refused in the past • Previous proposal had fewer bedrooms and was refused • Proposal was always intended to be submitted and would result in a loft conversion <p><u>Officer comment:</u> Each application is considered on its own merits and includes a review against the past planning history. The variations are also considered against the original approval.</p> <ul style="list-style-type: none"> • Lack of garden space and poor triangular shape not suitable for a large family dwelling <p><u>Officer comment:</u> The proposal includes a rear garden of at least 100m², which accords with policy as outlined in paragraph 7.4.</p> <ul style="list-style-type: none"> • Impact upon on street parking
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	<u>Officer comment:</u> The proposal includes three parking spaces, which accords with policy as outlined in paragraph 9.1.
Ward Member	Councillor Leach called the item to Planning Committee due to concerns with over development of the site and lack of amenity space. These matters are addressed in the body of the report.

PROPERTY HISTORY

App No.	Description	Status
22/01173/FUL	Two storey infill dwelling house	Refused 8 February 2022
22/01917/FUL		Refused 8 November 2022
23/00257/FUL		Approved 11 May 2023
23/00411/FLH	Two storey front extension and relocation of access (existing dwelling)	Approved 1 June 2023
23/00630/FLH	Rear roof extension and side dormers (existing dwelling)	Pending
23/00651/COND	Discharge of conditions for 23/00257/FUL	Approved 9 August 2023

SITE CONSTRAINTS

- Built Up Area
- Site of Special Scientific Interest Risk Area
- Great Crested Newt Impact Zone
- Flood Zone 1
- Critical Drainage Area
- Unclassified Road

PLANNING POLICY AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 9: Promoting Sustainable Transport
- Section 12: Achieving Well-Designed Places
- Section 15: Conserving and Enhancing the Natural Environment

Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS5: The Built Environment
- Policy CS16: Managing Transport and Travel

Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments
- Policy DM12: Housing Standards
- Policy DM16: Backland Development
- Policy DM37: Parking Standards

Other

- Single Plot and Other Types of Residential Infill 2003
- Parking Standards for Residential Development Supplementary Planning Document 2015
- Sustainable Design Supplementary Planning Document 2016
- Technical Housing Standards – Nationally Described Space Standards 2015
- Community Infrastructure Levy Charging Schedule 2014

APPRAISAL

4 Presumption in Favour of Sustainable Development

- 4.1 Paragraph 11 of the NPPF stipulates that development proposals which accord with an up-to-date development plan should be approved and where a proposal conflicts with an up-to-date development plan, permission should not usually be granted. Currently, the Council does not have an up-to-date development plan on account of not being able to demonstrate a five-year supply of housing.
- 4.2 Paragraph 11(d) is engaged where the Council's policies which are most important for determining the application are out-of-date. The practical application and consequence of this is that unless the site is in an area or affects an asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

5 Principle of Development

- 5.1 The principle of the development was established in the original permission and nothing in this application alters this conclusion. The scope of the amendments is material and are appropriate within the scope of the s73 application. The site is located within the built-up area of Stoneleigh and the principle of development is acceptable, subject to the consideration of the principles, objectives, and policies in the CS, the DMPD and supporting guidance and documents.

- 5.2 One such policy is Policy DM16 of the DMPD which indicates a presumption against the loss of rear gardens to maintain local character, amenity space, green infrastructure, and biodiversity, unless there is retention of green infrastructure for residents and wildlife and of neighbour amenity, avoidance of long access roads, development of a lesser scale and protection of trees, shrubs, and wildlife habitats.
- 5.3 The scope of the changes is relatively limited and as advanced below, the proposal retains a suitable relationship within its plot and the surrounding area and no in principle objection is raised.

6 Design and Character

- 6.1 Paragraphs 125, 130 and 134 of the NPPF refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.
- 6.2 The conversion of the garage for habitable use includes provision of a window at the front and bi-fold doors at the rear. This aspect of the development does not involve any other change to the built form and there is a satisfactory relationship with the street and no objection is raised. Resident concerns include that the lack of a garage is atypical of the locality however there is no policy requirement that a development must include a garage. The façade of the dwelling remains appropriate, and three vehicles can still be parked forward of the dwelling which already partially obscure the front elevation. On this basis, no objection is raised.
- 6.3 The extension above the garage measures 16m² in area and will be built wholly within the approved footprint. It will reduce the openness through the site though this is already limited in its extent because of the curved frontage and narrowing plot. The overall impact is, however, still acceptable because the ridge height is 7.8m which is 1.3m below the main ridge. There is at least 1m (and up to 4.7m) separation to the boundary and at least 3.2m to the existing dwelling. In doing so, it accords with the guidance outlined in the Householder SPG (were it applicable) and in terms of its relationship with the existing plot, there is no over development of the site.
- 6.4 There are resident concerns with the number of bedrooms not being compatible with the character of the area. However, the number of bedrooms (an alternate measure of density) does not directly have an impact upon the character of the area. Rather, it may manifest in other

areas such as neighbour amenity or traffic generation, all of which is considered below.

7 Quality of Accommodation

- 7.1 Paragraphs 130 and 157 of the NPPF, Policy CS6 of the CS and Policies DM10 and DM12 of the DMPD aim for a functional, adaptable, and sustainable design, with a high standard of amenity, including with respect to layout, orientation, and massing. The orientation and outlook of the dwelling remains appropriate, including from the converted garage which will be used as a second living room. On this basis, no objection is raised.
- 7.2 The Nationally Described Space Standards 2015 sets out internal space standards for new dwellings at a defined level of occupancy. It further states that to provide two bed spaces, a double/twin bedroom must have a floor area of at least 11.5m² and a single bedroom is required to have a floor area of at least 7.5 m².
- 7.3 The approved development comprises two bedrooms (one double and one single). The study was not counted as a bedroom as it fell below 7.5m² in area. Where 70m² was required, the house had an internal space of 98m² and was therefore compliant. The internal changes in the subject variation are such that there are now three bedrooms (one double and one single). A first-floor laundry is noted but not included due to inadequate space for a bedroom. The total area is 128m² where 84m² is required. Compliance is therefore achieved. Bedroom sizes are also compliant.
- 7.4 Policy DM12 of the DMPD and the Householder SPG requires private outdoor space that is usable, functional, safe, and accessible with good access to sunlight and a minimum depth of 10m and area of 70m². With at least 100m², the proposal complies. There are objections from residents that the triangular nature of the space is not conducive to proper use as a rear garden. However, even when accounting for the narrowness at the very rear of the garden, there is still a good sized (and compliant) and well-proportioned garden space for use by future occupiers.

8 Neighbour Amenity

- 8.1 Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 185 of the NPPF and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 8.2 The proposed works are concentrated on the boundary with the existing dwelling at 15 Boleyn Avenue. The ground floor openings to the garage will be appropriately screened by boundary fencing and pose no overlooking concerns. A front facing bedroom window will address the street and is acceptable. There is an ensuite window to the rear of the

first-floor extension which would overlook directly into the rear garden of the existing dwelling and obscure glazed is required in Condition 4.

- 8.3 The additional built form of the first-floor extension would be apparent from the garden and side elevation of the existing dwelling but being alongside the side elevation, at least 1m from the boundary (and up to 4.7m) and being to the north, there are no foreseeable dominance or loss of light concerns.
- 8.4 The density of the development (increasing from 3 persons to 4 persons) is wholly appropriate in the context of the residential neighbourhood.

9 Parking and Access

- 9.1 Policy DM37 of the DMPD and the Parking Standards for Residential Development SPD specify a minimum requirement for two parking spaces for a 3-bed dwelling. The original approval included a new access to the public highway, three driveway parking spaces and one single garage space. As part of the variations, access and turning arrangements remain unchanged and the three driveway spaces are retained. The proposal involves the loss of one garage space but with three off street spaces retained, there is policy compliance, and no objection is raised.
- 9.2 Cycle provision (two spaces) is unchanged. The conditions within the original permission relating to EV charging and provision of access remain applicable. SCC Highways have also reviewed the proposal and raises no objection on the grounds of traffic generation.

10 Ecology and Biodiversity

- 10.1 No new concerns are raised. Biodiversity enhancements remain conditioned.

11 Flooding and Drainage

- 11.1 There are no new flooding or drainage concerns as there is no increase in footprint or change to floor levels. The LLFA have reviewed the proposal and raised no objection.

12 Refuse and Recycling Facilities

- 12.1 Refuse facilities remain unchanged and despite an increase in the number of bedrooms, the provision is acceptable for the proposed development. It remains conditioned.

13 Accessibility and Equality

- 13.1 Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient, and attractive access to be incorporated within the design of the development. The Council is also required to have regard to its

obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no adverse impacts because of the development.

14 Climate Change and Building Sustainability

14.1 On 23 July 2019, the Council committed to tackling Climate Change and addressing Epsom and Ewell Borough Council carbon emissions. Within the scope of the variations proposed within this application, the proposal remains acceptable in terms of building sustainability and addressing climate change.

15 Planning Obligations and Community Infrastructure Levy

15.1 The Community Infrastructure Levy Charging Schedule 2014 indicates that as the application is a variation to an existing infill dwelling, the application remains liable for CIL payments. It is payable at £125/m² index linked.

CONCLUSION BALANCE

16 Planning Balance

- 16.1 As the Council cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 (d) of the NPPF is engaged as the policies which are most important for determining the application are out-of-date. The presumption is therefore to grant permission for sustainable development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted.
- 16.2 Section 2 of the NPPF has an underlying presumption in favour of sustainable development which is carried through to the Development Plan. Policy CS1 of the CS expects development to contribute positively to the social, economic, and environmental improvements in achieving sustainable development whilst protecting and enhancing the natural and built environment.
- 16.3 The original proposal weighed in favour of granting approval having regard to the negligible impacts. There are no significant departures from the findings of the original approval. The development would continue to contribute towards delivering the Council's housing target (with an additional bedroom) and would therefore be consistent with the Framework and Council policy in so far as it seeks to boost the supply of homes. Economic factors remain relevant and are marginally increased with the provision of an additional bedroom. Likewise, social implications are improved because the dwelling can now be considered a family sized

dwelling. The scale and form of the development remains acceptable in the context of the surrounding development and therefore environmental benefits remain valid.

- 16.4 When weighing the impacts versus the benefits in the titled balance, approval is recommended. It is subject to the amendment of Condition 1 to reflect the revised timescale, Condition 2 to reflect the revised plans, Condition 4 to account for additional obscure glazing and Conditions 5, 7, 12 and 13 to account for their discharged status.
- 16.5 As a footnote, two previous applications on the site were refused due to concerns with over development of the site, lack of amenity space and lack of car parking. These concerns remain resolved despite a minor increase in the floorspace of the dwelling.

RECCOMENDATION

17 To grant planning permission subject to the following conditions and informatives:

Conditions

The amendment of Conditions 1, 2, 4, 5, 7, 12 and 13:

(1) Timescale

The development hereby permitted shall be commenced within 3 years from the date of the original planning permission (ie by 11 May 2026).

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) Approved details

The development hereby permitted shall be carried out in accordance with the plans numbered EP895-22-01 Rev H, EP895-23-02 Rev K and EP895-23-03 Rev H, all received 1 June 2023.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

(3) Materials

The development hereby permitted shall be constructed entirely out of the materials as detailed on the schedule of materials on the planning application form and specified in the Design & Access Statement.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of

the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

(4) Obscure glazing

The above ground and first floor side windows on the north-western elevation and to the rear of bedroom 3 of the development hereby permitted, shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

(5) Hard and soft landscaping

The approved landscape scheme ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND (except for planting, seeding, and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained. The approved landscape scheme shall mitigate tree loss and ensure an uplift in tree planting on Site.

Reason: To ensure the provision, establishment, and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(6) Drainage

The drainage system shall be installed in accordance with the Drainage Strategy Report by 2FP International, dated February 2023. The development shall be carried out strictly in accordance with the details as approved and maintained as such thereafter.

Reason: In the interests of flood prevention in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

(7) Ecology enhancements

The Ecology Enhancement scheme ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND are to be implemented prior to the occupation of the development hereby permitted and maintained for the life of the development.

Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

(8) Vehicular access

No part of the development shall be first occupied unless and until the proposed vehicular accesses Aragon Avenue and proposed modified access to Boleyn Avenue have been constructed in general accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

(9) 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 proposed accesses to Boleyn Avenue and Aragon Avenue, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access, in accordance with the approved plans. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

(10) Stopping up of existing access

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

(11) EV charging

The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast-charge Electric Vehicle charging point (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: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

(12) Cycle and bin storage

The development hereby permitted shall not be occupied until the cycle and bin storage is implemented in accordance with the plan ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

(13) Boundary treatments

The approved boundary treatments on the plan ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND shall be implemented prior to the first occupation of the development. The approved scheme shall thereafter be retained.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

Informatives

(1) Proactive discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs, and other informal written guidance, as well as offering a full pre-application advice service, to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

(2) Building regulations

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the

erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts.

A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

(3) Party Wall Act

Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall.
- build on the boundary with a neighbouring property.
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet.

(4) Works to the 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 to install dropped kerbs. Please refer to:

www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

(5) Felling of a highway tree

If the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.

(6) Street works

The applicant 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 streetlights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

(7) EV charging points

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

(8) Materials

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).

(9) Section 59 of the Highways Act

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

(10) Protected species

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.