 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:		PLANNING COMMITTEE
	DATE:		19 December 2018
	REPORT OF:		HEAD OF PLACES & PLANNING
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AGENDA ITEM:	6	WARD:	Horley Central

APPLICATION NUMBER:		18/01576/F	VALID:	09/08/2018
APPLICANT:	Mr M Vickers		AGENT:	WS Planning and Architecture
LOCATION:	43-49 HIGH STREET, HORLEY, SURREY			
DESCRIPTION:	Erection of a three storey rear extension to provide nine flats			
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.				

SUMMARY

The application site consists of 43-49 High Street, a three storey flat roofed building in Horley Town Centre. At ground floor level retail units front the High Street and six flats are provided at first and second floor levels. The flat-roofed ground floor element of the building, accommodating shop space, extends to the rear beyond the first and second floors. There is an external fire escape at the north-west corner.

This is a full application for the erection of ground floor additions for enhanced floor areas for the existing ground floor shops; and first and second floor additions to the rear of the existing building, over the flat-roofed single storey rear extension with proposed projection, culminating in a new third floor flat-roofed structure set well back from the front facade, to provide nine flats, three per floor. Flats 7-12 on the proposed floor plans have been previously approved under application no.16/01758/F. The rear elevation would be made slightly deeper than previously approved and would follow one flat facade instead of being stepped. A secure bin and bicycle store would be provided to the rear. The new additions to the scheme comprise flats 13-15 which would be located on the new third floor. The extension would be recessed from the front building line with the existing flat roof space in front of the flats being upgraded to a sedum green roof. These three flats are all dual aspect. Amenity space would be in the form of the green roof and juliet balconies.

The extension would provide 5x2 bedroom units and 4x1 bedroom units. The flats would have internal access. There would be a bin and cycle store to the north and there would be no change to the existing 12 parking spaces on the site.

The proposed extension is considered to be of a design and scale that would echo the existing buildings and those within the locality. The scale of development is such that no harm is also considered to occur to the amenity of neighbouring properties. With regards to the units themselves, these are considered to be of an adequate size and would afford an acceptable level of outlook and day light provision.

The proposed development is considered to cause no harm to the character of the area and the amenity of neighbouring properties and would be acceptable.

RECOMMENDATION

Planning permission is **GRANTED** subject to conditions.

Consultations:

Highway Authority The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. No objection is therefore raised subject to conditions relating to a Construction Transport Management Plan and provision of cycle parking.

RBBC Contaminated Land Officer: No objection. Recommends a contaminated land informative.

Horley Town Council: no objection.

Representations:

Letters were sent to neighbouring properties on 24 August 2018 and site notice posted 29 August 2018. Two letters of support. Five representations have been received relating to:

Issue	Response
Inadequate parking	See paragraphs 6.13 & 6.14
No need for the development	Consideration on merits
Noise & disturbance	See paragraphs 6.13 & 6.14
Inconvenience during construction	See paragraphs 6.13 & 6.14
Overdevelopment	See paragraph 6.12
Increase in traffic and congestion	See paragraphs 6.13 & 6.14
Out of character with locality	See paragraphs 6.3 & 6.4
Overlooking and Loss of privacy	See paragraph 6.11 & 6.12
Property devaluation	Not a planning consideration
Overshadowing	See paragraphs 6.11 & 6.12

Compatibility with adj off-airport parking Separate matter

1.0 Site and Character Appraisal

- 1.1 The application site comprises of 43-49 High Street, which is a three storey flat roofed building in Horley Town Centre. At ground floor level retail units front the High Street and six flats are provided at first and second floor level, three per floor. The ground floor retail units extend to the rear beyond the upper levels of the building and have flat roofs. To the rear of the building is a parking area, which is accessed from Lumley Road. The adjoining unit - 41 High Street - currently extends beyond the application site at three storey level.

- 1.2 The surrounding area is characterised by a mix of retail development, which is generally located at ground floor level with flats or offices above. The site is located immediately adjacent to the Gatwick Islamic Centre and there are residential dwellings relatively close in Lumley Road and Yattendon Road.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: the applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application: An additional side elevation was submitted with the application, as this was missing from the original submission.
- 2.3 Further improvements could be secured: Conditions will be applied regarding materials to ensure the extension integrates sufficiently with the existing.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|--|-----------------------------|
| 3.1 | 11/00423/F | Renewal of the previously granted application 08/00130/F: demolition of buildings fronting 43-49 High Street and erection of 3 to 4 storey building comprising of retail, office and 11 x 2 bed & 8 x 1 bed residential units (total of 19 units). | Granted
25 November 2011 |
| 3.2 | 16/00276/F | Erection of third floor roof extension, 39-41 High Street & 2 Lumley Road. | Granted
31 May 2016 |
| 3.3 | 16/01758/F | Erection of rear first and second floor additions for six flats. | Granted 24
January 2017 |

4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of a three storey rear extension to accommodate nine flats, following approval of rear first and second floor additions to the existing building to accommodate six flats (to the front side). In addition there would be small rearward projections of the existing ground floor retail units resulting in a level facade in place of the staggered form: the floors above would encompass the entire roof area (including proposed rear projections) of the single storey rear extension. The approved six flats under the 2016 permission are also in this position, although in that scheme the staggered back wall of the rear single storey extension remains. By dint of the third floor flat-roofed structure, its overall height would be that of the adjoining

four storey building to the west, at nos. 39/41. External materials would match the existing apart from the rooftop extension which would be clad in zinc, echoing the similar extension at 39/41.

- 4.2 The proposal would include additional ground floor space serving the existing shops having the effect of projecting beyond and “smoothing out” the staggered wall arrangement. The third floor extension atop the building would have a flat roof design, reflecting that of the existing building.
- 4.3 Nine flats would be provided, three per floor, 5x2 bedroom units and 4x1 bedroom units. These would be to the rear of the existing six 1 bedroom flats on the first and second floors, three per floor. The flats would have internal access via a common front entrance. There would be a bin and cycle store to the north and there would be no change to the existing 12 parking spaces on the site. The flats would enjoy dual aspect and the existing roof space in front of the flats would have a green sedum top, an amenity feature for future occupiers.
- 4.4 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.5 Evidence of the applicant’s design approach is set out below:

Assessment	Mixed character with mainly retail units at ground floor and either residential or offices above with the railway station close by, within the urban area.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	Principle of development established with previous approved scheme for six flats.
Design	The design and scale of the extension, with new recessed third floor structure, would complement those of the existing building, in a highly sustainable locality.

- 4.5 Further details of the development are as follows:

Site area	0.5ha
Existing parking spaces	12
Proposed parking spaces	12

Parking standard	9 (recommended maximum)
Net increase in dwellings	9
CIL contribution	nil
Existing site density	12dph
Proposed site density	30dph (cumulative total of 15 flats)

5.0 Policy Context

5.1 Designation

Urban Area
Horley Town Centre

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS7 (Town/Local Centres)
CS10 (Sustainable Development)
CS11 (Sustainable Construction)
CS12 (Infrastructure Delivery)
CS14 (Housing Needs)
CS15 (Affordable Housing)

5.3 Reigate & Banstead Borough Local Plan 2005

Housing	Ho9, Ho9A, Ho13, Ho18
Movement	Mo5, Mo7, Mo13
Horley Master Plan	Hr25

5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide A Parking Strategy for Surrey Parking Standards for Development
Other	Human Rights Act 1998

6.0 Assessment

- 6.1 The application site is situated in the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms.
- 6.2 The main issues to consider are:
- Design appraisal
 - Neighbour amenity
 - Access and parking
 - Affordable Housing
 - CIL

Design appraisal

- 6.3 The proposed third floor addition would have a flat roofed design, which although not usually encouraged, would follow that of the existing building, in terms of zinc cladding in particular. The fenestration would also replicate that which exists on the front elevation. The overall design of the extension would be that which currently exists on the site but with a new recessed third floor structure which would not be prominent from the street. The depth of the three storey extension would reflect that at rear ground floor level (as in approved application no. 16/01758/F) but this would be acceptable in terms of bulk and scale, compared to other buildings in the locality.
- 6.4 The three storey extension would be at the rear of the building, over the entire surface of the existing single storey rear extension and its proposed projections, similar to the arrangement under application no. 16/01758/F. Although this would result in its extending beyond the adjoining property, this would not be by a significant amount, and the scale of built form is considered to be comparable with that within the locality.
- 6.5 The proposal also includes the provision of a bin and cycle store, which would be located to the north of the site, within the existing car park. No details have been submitted regarding the design of these, and as such further details of their appearance would be requested by condition.
- 6.6 With regards to the units themselves, these are considered to be of an adequate size and would afford an acceptable level of outlook and day light provision. Amenity space to serve the units would be limited but this is not uncommon for residential flats within a town centre location.
- 6.7 The proposed development is considered to cause no harm to the design or character of the locality, and would be acceptable in this regard. As such, the proposal would comply with policies Ho9, Ho9A, Ho13 and Ho18 of the local plan.

Neighbour amenity

- 6.8 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. The application site adjoins number 41 High Street and is immediately adjacent to 51-53 High Street (Gatwick Islamic Centre, and 1 Yattendon Road.
- 6.9 The proposal would extend beyond number 41 by approximately 2.6 metres, which is such that no adverse harm would occur to this property by way of loss of light or overbearing impact. Bathroom windows are proposed on the west elevation of the extension facing no. 41, which would be obscured glazed by condition. Main habitable room windows would have a north/south aspect, looking towards the car park and High Street respectively.
- 6.10 The proposed extension would also extend beyond the Gatwick Islamic Centre. This building has an office use at ground floor level and a community use above. Although some loss of light may occur to this property, it would not be materially harmful so as to be contrary to policy.
- 6.11 Adjacent to the site, 1 Yattendon Road has been converted into five self-contained flats. Although the proposal would extend the boundary with number 1, the separation distance between the proposed extension and the existing building is such that no adverse harm would occur by way of loss of light or overbearing impact. Although the side facing windows proposed to serve a bedroom of flats 9 (first floor) and 12 (second floor) and kitchen/living area of flat 15 (third floor), would face number 1, the separation distance is such that no mutual overlooking is considered to occur between the properties.
- 6.12 The distances between the proposed development and other neighbouring properties is such that no adverse harm would occur to these properties as a result of the proposal. The proposal is considered to cause no harm to the amenity of neighbouring properties and would comply with policies Ho9 and Ho13 of the local plan.

Access and parking

- 6.13 The application site is in a town centre location and the Highway Authority observe that the development is in a sustainable location, with access to sustainable modes of transport - therefore future occupants of the site do not have to be fully reliant on car use. There are parking controls in the High Street and in surrounding roads that would prevent any overspill parking from the site from taking place in locations where it is considered dangerous. Therefore, subject to conditions being included within any permission granted, the CHA has no objection to the proposed development.
- 6.14 These suggested conditions/informatives are noted and endorsed as appropriate means of ensuring highway safety and promoting sustainable means of transport.

Affordable Housing

- 6.15 Core Strategy policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.16 In view of this, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

CIL

- 6.17 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development.
- 6.18 This development would normally be CIL liable but the site is located within zone 1 where CIL is exempt and so no payment would be required.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:
To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Reason: To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.
Note: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard

application forms and you should consult with us, to establish the correct type of application to be made.

Plan Type Received	Reference	Version	Date
Proposed GF	10		20.07.2018
Proposed FF	11		20.07.2018
Proposed 2F	12		20.07.2018
Proposed 3F	13		20.07.2018
Prop Front EI	14		20.07.2018
Prop Rear EI	15		20.07.2018
Prop Side EI	16		20.07.2018
Prop Side EI	17		20.07.2018
Prop Secs	18		20.07.2018
Prop Secs	19		20.07.2018
Steel Layout	20		20.07.2018
Front roof pers	21		20.07.2018
Rear roof pers	22		20.07.2018
Block Plan	23		20.07.2018
Site Plans	24		20.07.2018
Roof plan	28		09.08.2018
Prop street scene	29		09.08.2018

Reason: To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

- No development shall take place until the developer obtains the Local Planning Authority's written approval of details of both existing and proposed ground levels and the proposed finished ground floor levels of the buildings. The development shall be carried out in accordance with the approved levels.

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

- Prior to the construction reaching slab level, details of materials to be used in the construction of the external surfaces, including fenestration, roof and main roof railings/fencing, must be submitted to and approved in writing by the Local Planning Authority, prior to the construction reaching slab level. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory external appearance is achieved with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

- 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)

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2018.

6. 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 12 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purpose.

Reason:

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2018.

7. The development hereby approved shall not be first occupied unless and until the facilities have been provided in accordance with the approved plans for the secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

The above condition is required in order that sustainable travel is promoted with regards Policy Mo7 of the Reigate and Banstead Borough Local Plan 2005, Policies CS10 and CS17 of the adopted Reigate and Banstead Core Strategy 2014 and Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018.

8. The development hereby approved shall not be occupied until details of the refuse bin store have been submitted to and approved in writing by the Local Planning Authority, such approved store to be provided and maintained thereafter to the approval of the Local Planning Authority.

Reason:

To provide adequate waste facilities in the interests of the amenities of the locality and to encourage the recycling of domestic refuse in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ho9.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.

2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

5. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive

work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

6. The application site is on or in close proximity to land that could be contaminated by virtue of previous historic uses of the site. As a result there is the potential for a degree of ground contamination to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and personal protective equipment measures (if required) are put in place and used. Should significant ground contamination be identified the Local Planning Authority should be contacted promptly for further guidance.

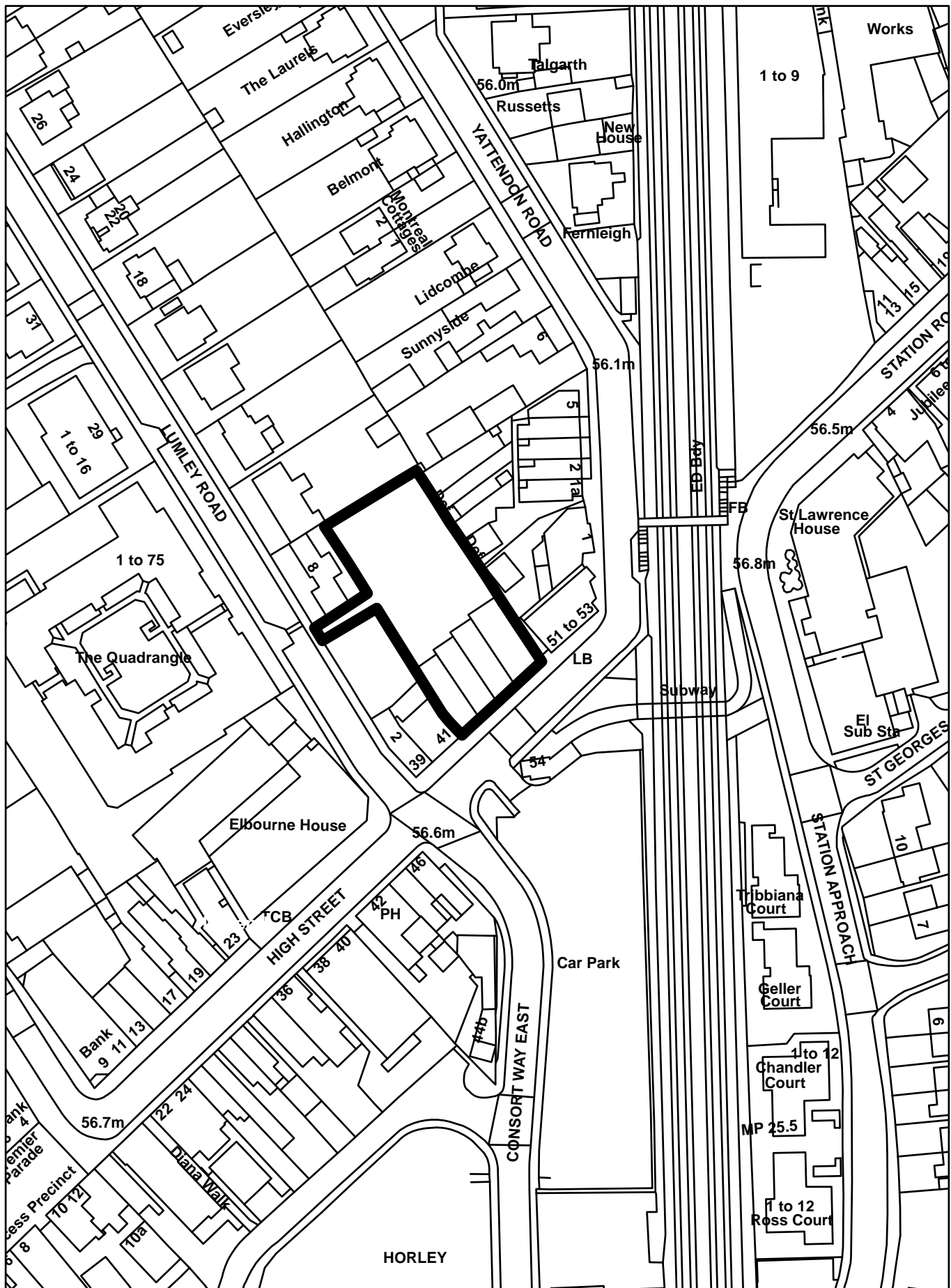
REASON FOR PERMISSION

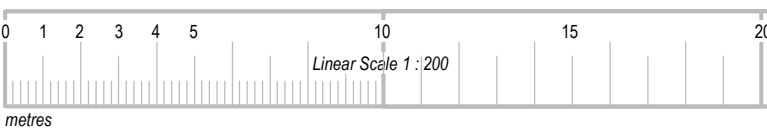
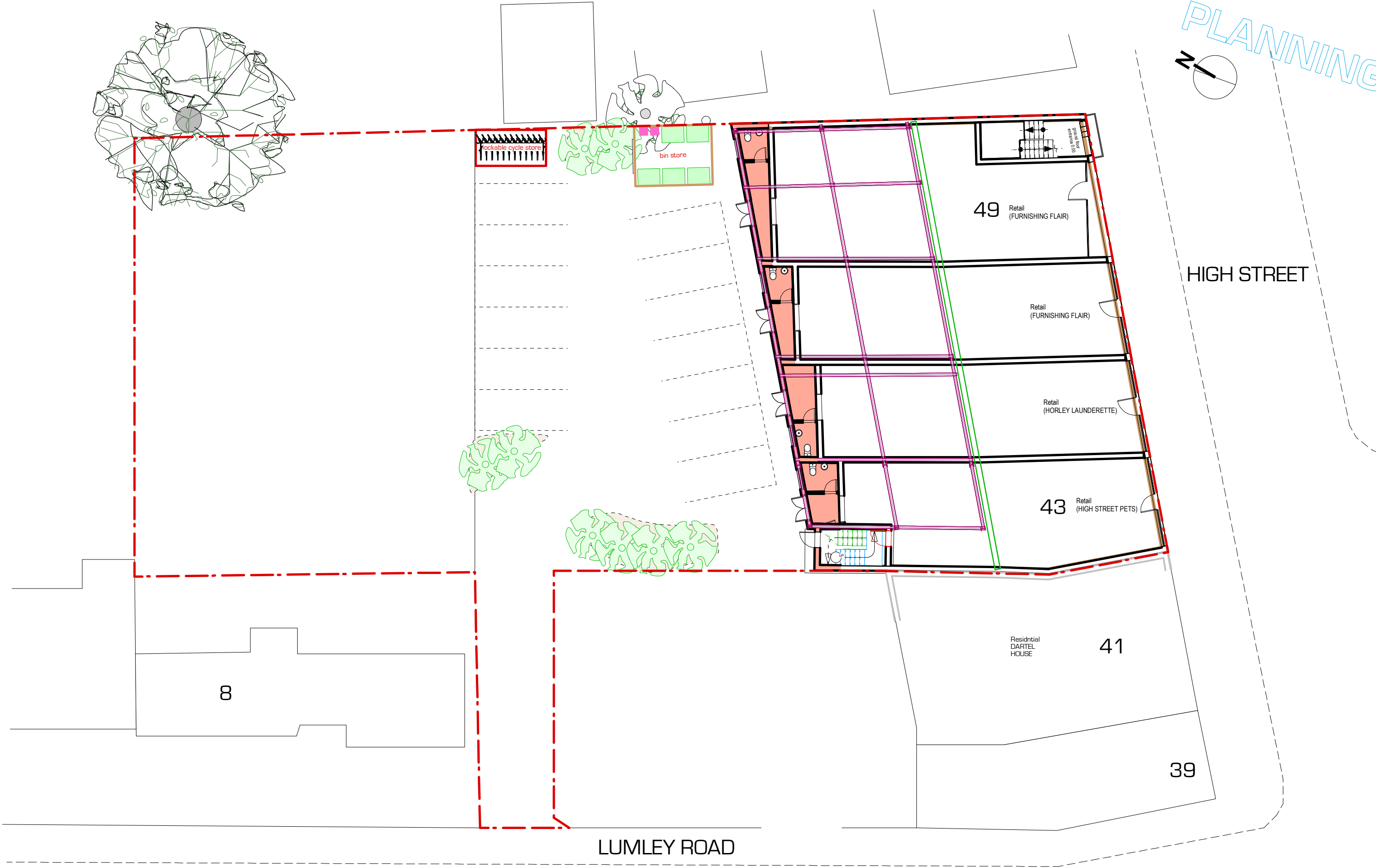
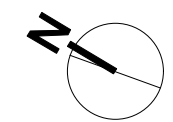
The development hereby permitted has been assessed against development plan policies Ho9, Ho9A, Ho13, Ho18, Mo5, Mo7, Mo13, Hr25, CS1, CS4, CS7, CS10, CS11, CS12, CS14, CS15, and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

18/01576/F - Middleton House, 43 - 49 High Street, Horley





Design Firm
Roger Card Construction
61 The Street
Charlwood,
Surrey, RH6 0DS

Project Title
Proposed 3 Storey Rear Extension to Provide 9 New Flats

Site Address
43-49 High Street,
HORLEY,
Surrey, RH6 7BN

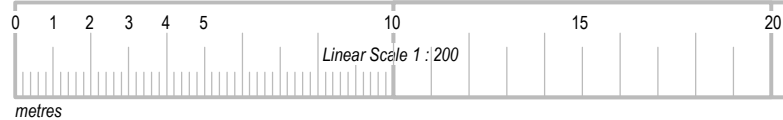
Drawing Title
BLOCK PLAN

For
Mark Vickers
Properties

Date
June 2018

Scale @ A3 paper size 1/200

Drawing No. 23



Design Firm
Roger Card Construction
61 The Street
Charlwood,
Surrey, RH6 0DS

Project Title
Proposed 3 Storey Rear Extension to Provide 9 New Flats

Site Address
43-49 High Street,
HORLEY,
Surrey, RH6 7BN

Drawing Title
Street View

For
Mark Vickers
Properties
Date
Oct 2018

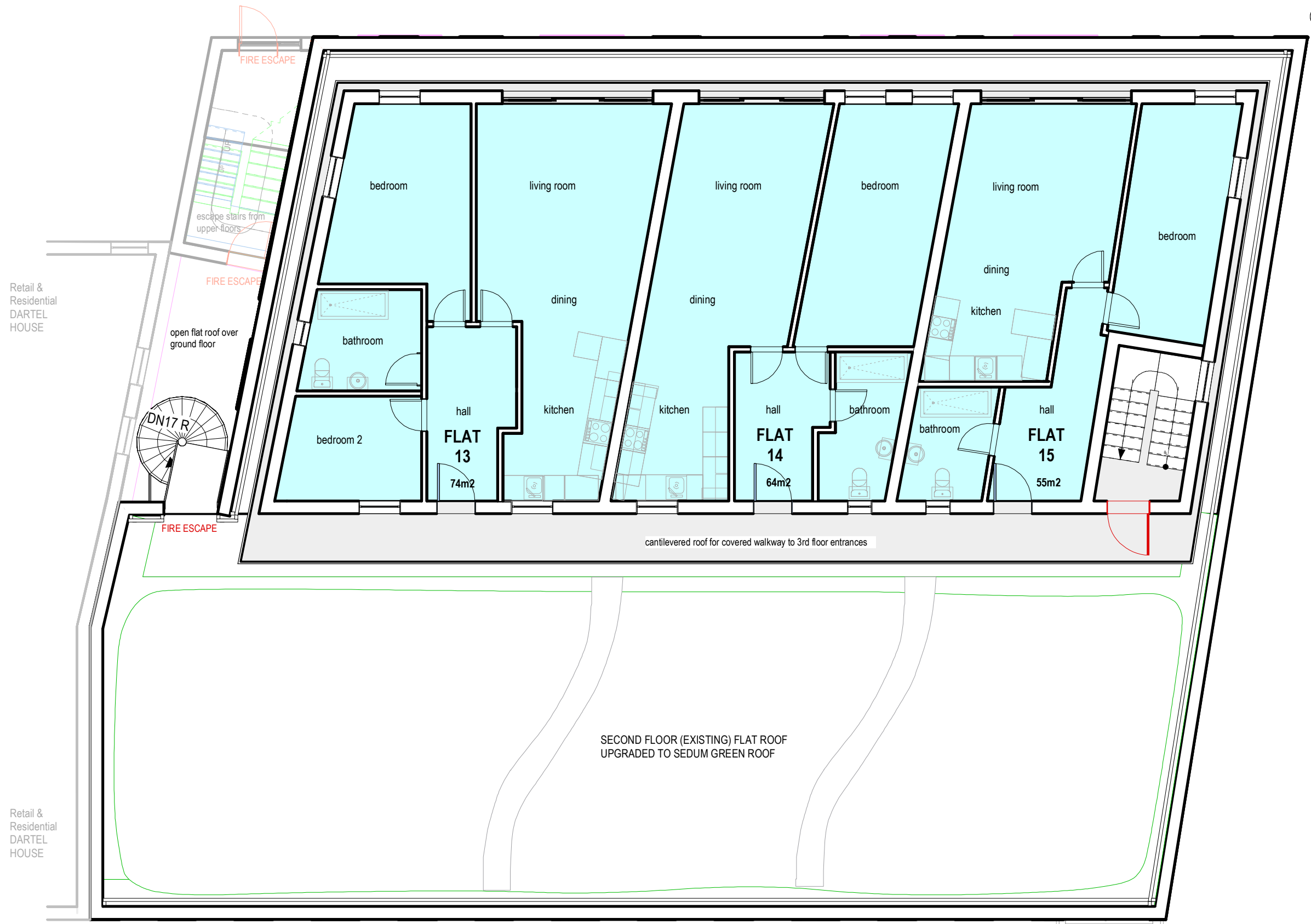
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29 R



FRONT PERSPECTIVE



REAR PERSPECTIVE



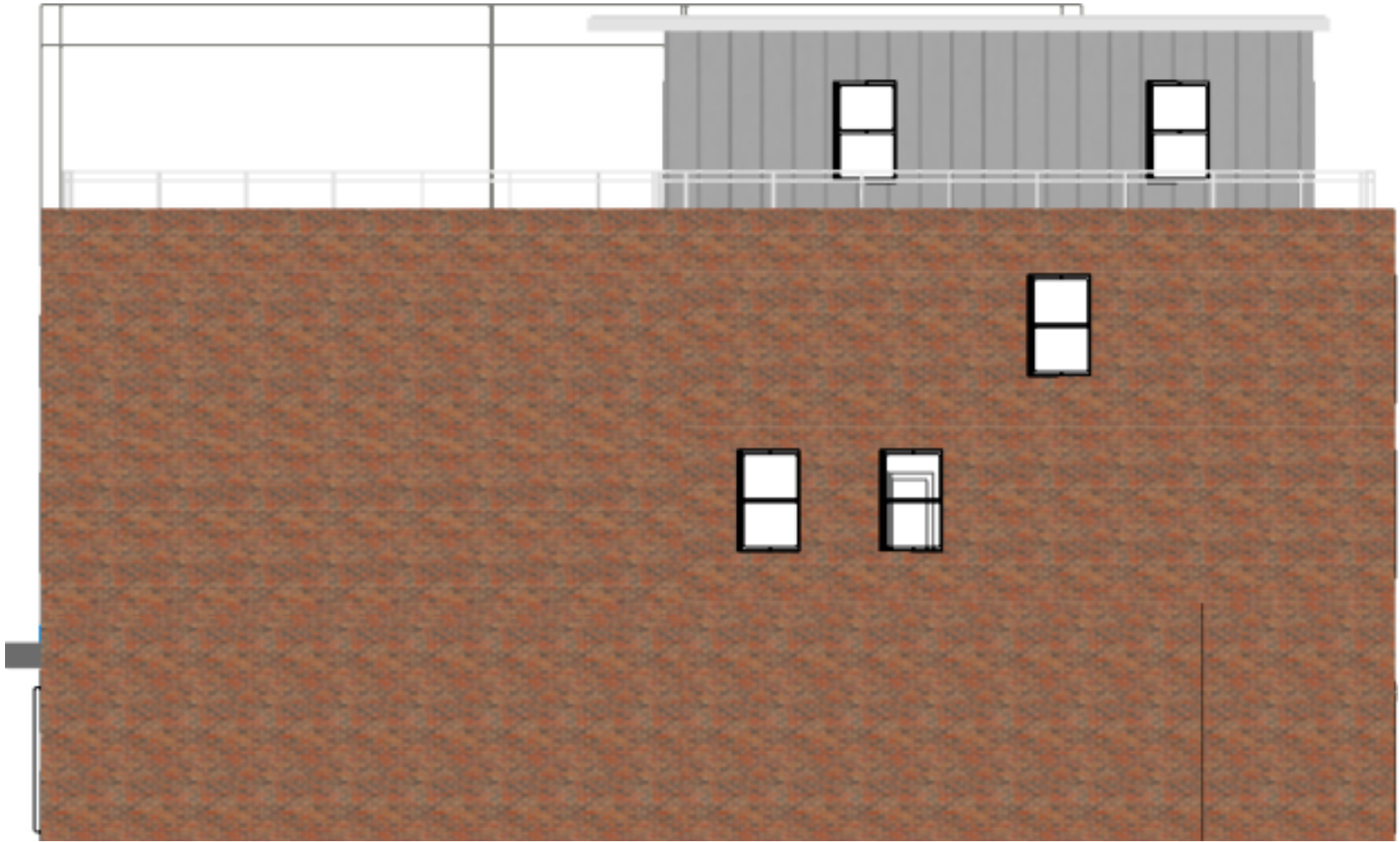
Additional internal area of proposed third floor 207 sq. m.



FRONT ELEVATION



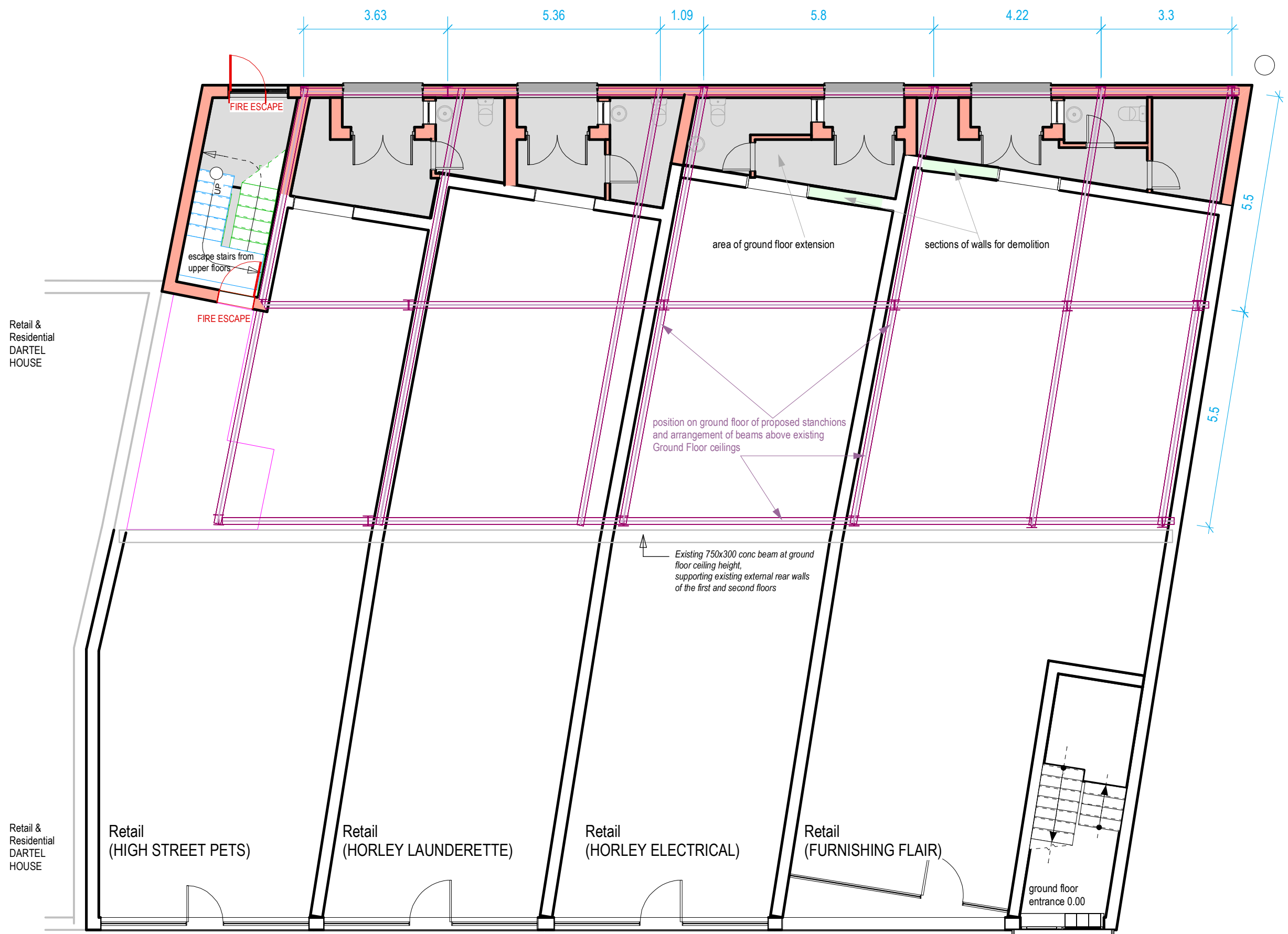
REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



Additional internal
area of proposed
ground floor
58 sq. m.

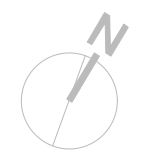


Additional internal
area of proposed
second floor
256 sq. m.



Retail & Residential
DARTEL
HOUSE

Retail & Residential
DARTEL
HOUSE



Additional internal
area of proposed
first floor
256 sq. m.