 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	19 December 2018
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Rosie Baker
	TELEPHONE:	01737 276173
	EMAIL:	rosie.baker@reigate-banstead.gov.uk
AGENDA ITEM:	7	WARD: Reigate Central

APPLICATION NUMBER:		18/01752/F	VALID:	10/09/2018
APPLICANT:	Ducannon Partnership		AGENT:	Daines Alonso Architects
LOCATION:	LAND TO THE REAR OF 4 BEAUFORT ROAD, REIGATE, SURREY, RH2 9DJ			
DESCRIPTION:	Change of use of the land, demolition of existing garage and ancillary building, and erection of 3 no. three bedroom dwellings. As amended on 25/10/2018			
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

This is a full application for the construction of a terrace of 3 dwellings with accommodation over two floors, the second floor being accommodated within the roof. The site comprises an existing garage site (12 garages) accessed from Beaufort Road via an unadopted private road in unknown ownership. It is understood that all but one of the garages are vacant, with one being utilised for non-vehicular storage purposes. Also on the site to the east is an existing Victorian workshop building used as a workshop / storage and office space. This building is not statutory or locally listed. The entirety of the site is hard surfaced.

There is no in principle objection to the redevelopment of the site. It is considered that the redevelopment of the site would make efficient use of land. The proposed houses are of traditional design with contemporary elements and subject to conditions regarding materials and an acceptable landscape scheme the design and layout is considered acceptable. The scale and siting of the terraced building is considered, on balance, appropriate to the site and responds appropriately to the surrounding built form. Details of boundary treatment would be subject to condition.

The relationship and distances to neighbouring properties would prevent harmful impacts to residential amenity. Whilst the development would result in a change in building relationships, the proposal would not, on balance, give rise to material harm with regards to loss of light or privacy, overshadowing, overlooking, overbearing or loss of outlook that would be contrary to policy in this regard.

There are no onsite trees, however there are a number of off-site trees close to the boundary of the application site. The tree officer has assessed the application and the submitted arboricultural information and has confirmed that subject to condition the development would have an acceptable impact on trees.

Concern has been raised by residents regarding the use of the shared private access drive. There is no objection to the use of this drive by the development both for access and manoeuvring and it is noted that ownership is not a planning matter. Whilst the drive is constrained in its dimensions and utilised by other users, the baseline traffic generation position that the application has to be considered against is that the site has historically and could continue to be used by 12 garages. The highway impacts of the development have been assessed by the County Highway Authority and considering the above position are deemed acceptable. Parking provision conforms with adopted standards and a construction method statement is proposed to be conditioned.

In light of the above the application is recommended for approval.

RECOMMENDATION(S)

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. The County Highway Authority therefore has no highway requirements subject to conditions

RBBC Tree Officer: No objection subject to conditions

RBBC Neighbourhood Services: No objection. Residents of individual properties must present their containers adjacent to the highway (at the front on Beaufort Road) for collection. An informative is added such that the applicant checks with the Council the number and type of recycling and refuse bins that are required to be supplied by the developer.

Environmental Health (Contaminated Land): There is some potential for contamination to be present associated with the existing buildings on site and historic garage use as such a condition to deal with contaminated land and an informative to provide additional guidance is recommended. Given the historic age of the building a condition in relation to asbestos is also added.

Beaufort Road Residents Association – Two representations made. Principle of residential use accepted but objection on grounds of: Overlooking and loss of privacy to residents of Beaufort Road, South Albert Road and Nutley Lane (nos 73 – 91); single storey extensions of 6 Beaufort Road and 6 South Albert Road not shown on plans; lack of clarity regarding boundary treatments; inadequate parking, loading and turning provision for existing and future residents; conflict with parking space owned by 4b Beaufort Road; concerns regarding bin store; introduction of unnecessary walkway to access road which will narrow access further; highway safety concern in relation to existing access, increase in traffic and congestion will exacerbate existing parking and highway issues; overshadowing and loss of light to maisonettes at 4 Beaufort Road, 6 Beaufort Road, 6 and 8 South Albert Road; loss of visual amenity to neighbouring properties; increased burden on local services (schools, doctors, dentists); inconvenience during construction; noise and disturbance post completion; overdevelopment; loss of building, and; alternative proposal preferred.

Representations:

Letters were sent to neighbouring properties on 11 September 2018 a site notice was posted 4 October. Neighbours were re-notified on the revised plans on 30 October 2018.

43 responses have been received raising the following issues, (it is noted a number of residents made multiple submissions responding to the consultation process reiterating their concerns):

Issue

Response

Inadequate parking, turning, loading space

See paragraph 6.22 – 6.27

Increase in traffic and congestion / exacerbation of existing parking and highway issues

See paragraph 6.22 – 6.27

Hazard to highway safety / highway safety concern in relation to existing access

See paragraph 6.22 – 6.27

Conflict with a covenant / Ownership matters. Use of and works to unadopted shared access drive in unknown ownership

Ownership is not a material planning consideration. In this case the applicant has, as required, completed the ownership certificate (certificate D). There is no objection in principle to the use of or works to the shared access road identified within the red line on the application drawings.

Certainty sought that residents of Nutley Lane who have access and parking rights for the access road can continue to reverse turn into the new development entrance to avoid backing out onto Beaufort Road when leaving or backing into the access road when arriving.

Ownership is a private matter and not a material planning consideration.

Clarity as to responsibility for repairs to private road

The road is in private ownership, this therefore is a private matter.

Introduction of walkway to access road would narrow access further

Amended plans have been received removing walkway.

Inconvenience during construction

See paragraph 6.19

Harm to Conservation Area

The site is not located within a conservation area. It is noted that it is proximate to a conservation area boundary with parts of Beaufort Road and Nutley Lane falling within a conservation area.

Poor design, Out of character with surrounding area

See paragraph 6.5 – 6.10

No need for the development /

Each application must be

Alternative location or proposal preferred	assessed on its own merits
Overdevelopment	See paragraph 6.5 – 6.10
Loss of building of heritage interest	The building is not statutory or locally listed and therefore there is no objection to its loss
Noise & disturbance	See paragraph 6.15 – 6.21
Loss of light, overlooking and loss of privacy	See paragraph 6.15 – 6.21
Separation distances are less than the adopted standard of 22m	The Council does not have an adopted standard with respect to building separation distances, each application must be assessed on its own merits.
Overbearing relationship, impact to outlook	See paragraph 6.15 – 6.21
Health fears - proximity of car parking and associated noise / exhaust fumes	See paragraph 6.15 – 6.21
Unsatisfactory refuse provision	See paragraph 6.10
Loss of / harm to trees / concern regarding proposed tree works and landscape scheme	See paragraph 6.11 – 6.14
Drainage / sewerage	See paragraph 6.20
Single storey extensions of 6 Beaufort Road and 6 South Albert Road not shown on plans	The submitted plans are based on Ordinance Survey base mapping. I undertook site visits of these properties and my assessment of the application is based on that knowledge
Lack of clarity regarding boundary treatments. Request that specification of brick be agreed with neighbours prior to construction of any replacement boundary wall.	The applicant has submitted additional drawings to clarify this matter. Materials would be conditioned.
Increased burden on local services (schools, doctors, dentists)	See paragraph 6.30 – 6.32
Conflict with parking space owned by 4b Beaufort Road,	Whilst ownership is not a planning matter the applicant has submitted details of his ownership and evidence to demonstrate access to this parking space is gained by the

resident of No.4b across the applicant's land, being permitted on an informal basis. There is an understanding that this is not a right of access. The proposal has been revised and the applicant has confirmed the arrangement to facilitate parking for 4b will continue. It is noted that the revised boundary treatment proposed does not alter existing land ownership.

Property devaluation This is not a material planning consideration

Loss of private view This is not a material planning consideration

Support – residential use in principle

1.0 Site and Character Appraisal

- 1.1 The site comprises an existing garage site (12 garages) accessed from Beaufort Road. It is understood that all but one of the garages are vacant, with one being utilised for non-vehicular storage purposes. Also on the site to the east is an existing Victorian workshop building used as a workshop / storage and office space. This building is not statutory or locally listed. The entirety of the site is hard surfaced.
- 1.2 The rear and flank brick walls of the garages form the existing boundary treatment to the west. To the north there is a tall brick wall along the boundary and the flank wall of the existing storage building which continues along the eastern boundary. To the south there is a combination of the garage wall and fence panels.
- 1.3 There are no trees on the site, however it has been established from my site visits of neighbouring properties that there are a number of offsite trees proximate to the application site. The application site increases in level from Beaufort Road to the south to the properties in South Albert Road to the north. The changes in level onsite are relatively small, however there is a significant change in level between the application site and the rear gardens of the properties in South Albert Road.
- 1.4 The application site is accessed from Beaufort Road via a shared unadopted private access road in unknown ownership. The access road is relatively narrow and utilised by adjacent residential development to the east in Nutley Road, a number of whom it is understood have established rights to access and park on the access drive. No 4b Beaufort Road also utilises a parking

space to the rear of their property accessed via the shared access. The parking which primarily takes place on the eastern side of the access road and to the rear of development in Nutley Road has the effect of narrowing the access road such that traffic can only pass in one direction.

- 1.5 The site is located outside of but proximate to a conservation area. It is surrounded by residential development and overlooked by neighbouring buildings, primarily Victorian residential dwellings, a number of which have been extended with private gardens backing on to the site. It is noted no 4 Beaufort Road forms four maisonette properties.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant entered into pre-application discussions with the Council. Advice was provided regarding the principle of the proposal, and matters of detailed design, including with respect to scale, mass, built form and concerns in relation to overdevelopment, unsatisfactory parking layout and neighbour amenity. Highway matters are for Surrey County Council to assess as the County Highway Authority. A revised layout, elevational design and reduction in the number of units were achieved together with matters of detail.

- 2.2 Improvements secured during the course of the application: The application was amended to:

- provide clarification regarding boundary treatments,
- provide tree survey and arboricultural input in relation to off-site trees
- provide clarification regarding ownership matters and a revised arrangement to enable the owner of 4b to continue to access their parking space (albeit that this is through an informal arrangement with the applicant to allow access by the neighbour across the applicant's land)
- remove the footway originally proposed to the western side of the shared access road
- Introduce a physical bin store and improved landscape arrangements to mitigate the impact of the proposed refuse arrangements
- Provide clarification on the current use of the existing garages
- Show the first floor dressing room window to unit 3 (adjacent to 6 Beaufort Road) in the southern elevation as opaque glazed and fixed shut except for a top opening fan light to overcome significant overlooking and loss of privacy concerns.
- Move the car parking bays for unit 3 to the east, enabling additional planting to be introduced to the rear of the car parking spaces between the bays and the western boundary
- Removal of the passage (for security reasons) to the rear of unit 1

- 2.3 Further improvements could be secured through the use of conditions.

3.0 Relevant Planning and Enforcement History

3.1 There is no relevant planning history on file.

4.0 Proposal and Design Approach

4.1 This is a full planning application for the demolition of the existing buildings on site (garages and existing Victorian storage/office building) and the change of use of the land and erection of 3 x 3 bedroom dwellings on the site. In addition the proposal seeks to improve the existing access to the site with the introduction of a wider bellmouth. (Proposals to introduce a pedestrian footway to the western side of the shared access road have been withdrawn.)

4.2 The proposed building is arranged as a row of terraced housing along an east-west axis, located approximately centrally on the site. The proposed building is two storeys with the second storey of accommodation located partly within the roof. The building is of traditional design and composition with gable projections and some contemporary detailing, for example the introduction of bifold doors to the rear. Traditional materials are proposed. The site frontage would be laid out to provide a total of 6 surface car parking spaces, alongside landscape planting and an enclosed refuse store. Private gardens are provided to the rear.

4.3 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.

4.4 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as a mix of two and three storey primarily residential and commercial buildings.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement explains how the scheme has evolved. The other development options considered were a scheme of 7 no two bedroom mews houses arranged in a terrace formation along the eastern boundary, and a scheme of 4 no. three bedroom townhouses located centrally within the site along an east-west axis. A further iteration was a detached property and a pair of semi-

	detached properties.
Design	The applicant's reasons for choosing the proposal from the available options were that it is considered to reflect the scale and character of the surrounding Victorian residential properties and responds to officer pre-application advice.

4.5 Further details of the development are as follows:

Site area	853 sqm
Existing use	Garages and store / office building
Proposed use	Residential
Existing parking spaces	12 garages together with informal parking for commercial building
Proposed parking spaces	6
Parking standard	6 (maximum)
Number of affordable units	0
Net increase in dwellings	3
Proposed site density	46 dph
Density of the surrounding area	38.3 dph (4 – 18 South Albert Road – even nos only) 58.2 dph (75-97 Nutley Lane – odd nos only) 59.7 dph (4 (A – D), 6 & 8 Beaufort Road)

5.0 Policy Context

5.1 Designation

Urban

Proximate to Reigate Town Centre Conservation Area

5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)

CS4 (Valued Townscapes and Historic Environment)

CS10 (Sustainable Development),

CS11 (Sustainable Construction),

CS13 (Housing Delivery)

CS14 (Housing Needs)

CS15 (Affordable Housing)

CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho16,
Employment	Em1A
Movement	Mo5, Mo7

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 Affordable Housing
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

6.0 **Assessment**

- 6.1 The application site is situated within 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. There is no objection in principle to a potential redevelopment of the site and such a redevelopment would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply. However, the principle of acceptability in this case rests upon considering the impact of the proposal and resultant harm and the need to provide additional housing and its resultant benefit. The following report sets out the key considerations.
- 6.2 Until such time as the applicant has submitted a certificate of lawfulness to demonstrate the site's existing use is B1 and not B8 with ancillary office use I do not give weight to a permitted development fallback position in regards to office to residential use. It should be noted that this permitted development would be subject to a prior approval process, the outcome of which is currently unknown.
- 6.3 The main issues to consider are:
- Loss of employment land
 - Design appraisal
 - Neighbour amenity
 - Highway matters

- Affordable Housing
- Community Infrastructure Levy
- Infrastructure contributions

Loss of employment land

- 6.4 Policy Em1a of the Local Plan resists the loss of existing suitably located business, industrial and storage and distribution uses within the urban area outside the areas defined for employment purposes. In this case the existing commercial unit is not considered to be suitably located being sited within a residential area where the demands of an employment site can conflict with the higher amenity standards expected within an otherwise residential environment. There is therefore no objection to the loss of employment land.

Design appraisal

- 6.5 The development proposes 2 storeys of accommodation with the second floor set into the roof to minimise the scale of the new buildings. The properties follow a similar domestic scale and massing as the existing two and two and a half storey houses in the immediate surroundings, which are of similar style, with a variety of traditional pitched roof and gabled forms. There is therefore no objection to the scale of the development proposed or to the density which is considered reflective of the local area.
- 6.6 Arranged as a row of terraced housing the architect states the proposal is a 'quiet take on the Victorian terraces houses common in Reigate'. Whilst the immediate context of Beaufort Road and South Albert Road is dominated predominantly by detached and semi-detached forms the terraced form proposed is not considered out of character given its presence within the wider locality, particularly along Nutley Lane proximate to the development site. There is therefore no objection to the terraced form.
- 6.7 The architectural design is considered appropriate to the site and reflects the character of the area, being traditional in appearance with some contemporary detailing. The gable end of the western house is rotated to provide variation to the ridgeline and front elevation whilst breaking up the silhouette of the terrace. Whilst there has been objection to this design form it is considered an improvement to a straight terrace with gable ends, both in terms of delivering an improved design as it delivers architectural variation and as it has the advantage of drawing the roof form away from the boundary with 6 Beaufort Road. I do not consider the additional height as a result of the introduction of the gable outweighs the advantages of this design approach. Conditions are proposed to restrict permitted development in order to provide control on future extensions.
- 6.8 The proposal is considered appropriated sited on the plot, with the terrace located approximately centrally, approximately 28m building to building between houses in South Albert Road to the north and approximately 21.6m to the maisonettes at 4 Beaufort Road to the south. 10m rear gardens are provided for future occupiers providing acceptable provision of private

amenity space and the front of the site has been arranged such that it is not dominated by car parking but is broken up with areas of soft landscaping particularly to the frontage of the western plot. The balance between hard and soft landscaping is therefore considered acceptable balancing the needs for parking and turning against retaining an appropriate setting for the development. A condition to secure an acceptable landscape scheme is proposed. Moving the development further north would result in reduction in garden space for future occupiers whilst moving the development further south would restrict the space available for vehicle movements. I am satisfied that the siting arrangement proposed by the applicant represents an acceptable arrangement.

- 6.9 The applicant has submitted revised plans to clarify boundary treatment proposals (drawing DA171121 015). The wall to the north is to be retained and made good where necessary. It is also proposed to retain the brick wall to the east and made good where needed, if the stretch is structurally unsound following removal of the garages it is proposed to replace it, with the stretch proximate to 6 Beaufort Road in brick to match existing. A condition is proposed to control boundary treatment and details of any replacement wall or fence will require approval by the Local Planning Authority. Any replacement boundary treatment should be of the same height as existing.
- 6.10 A bin store is provided within the scheme and a suitable landscape scheme would be required by condition. Whilst the siting of the bin store is considered acceptable the alternative would be for each dwelling to store their own bins within their rear gardens / site frontage – this is considered equally acceptable from a planning perspective. As set out by the Council's neighbourhood services team in their consultation response, in light of the constrained access, individual residents would be responsible for taking their bins to the adopted highway kerbside for collection. A condition requiring details of bin storage is proposed.

Impact on trees

- 6.11 There are no trees on site however there are a number of off-site trees proximate to the site boundary. The application has been supported by a detailed Arboricultural Implications Report compiled by Simon Jones and Associates. The arboricultural information supplied is of sufficient detail to make an informed and balanced judgment on the arboricultural and landscape issues.
- 6.12 The tree officer was consulted on the application and responded as follows:

“There are no significant trees of value that would suffer any long lasting impact or adverse affects from the proposed development. The trees subject to the tree survey are all located off site and have been assessed adopting the criteria and methodology set out within section 4 and table 1 of British Standard 5837 Trees in relation to design. Demolition and construction – Recommendations, all trees within the survey are of the lower category and have been categorised C.

To facilitate pruning the trees detailed within the report would require pruning involving the removal of overhanging branches and crown lifting in respect of tree numbers T5 and T6.

The root protection areas of the trees located off site have been calculated and the proposal would not result in any incursions into these areas, however, existing surfaces and structures are within root protection areas (RPAS) and the breaking out of these surfaces within the demolition phase should be supervised by the retained arboricultural consultant; these provisions are made within the submitted arboricultural information. The Tree Protection Plan provides details on the location of tree protection barriers and the methods that will be adopted to ensure that damage to the rooting environments of the off-site trees is protected. The report also states that a pre start meeting will be required and set out the levels and attendance in respect of the qualified arboricultural supervision and monitoring.

The proposal in respect of the arboricultural matters is considered to be acceptable subject to the tree protection measures, arboricultural supervision and monitoring being strictly adhered to as set out in the arboricultural report. I would recommend that a compliance condition is imposed in respect of the arboricultural matters.”

- 6.13 In light of the above and subject to condition the proposal is considered to comply with policy Pc4 of the Local Plan.
- 6.14 The applicant's attention is drawn to representations regarding boundary walls and offsite trees. An informative is added with respect to the Party Wall Act. Works to off-site trees is a private matter between individuals.

Neighbour amenity

- 6.15 The Councils adopted policies require each application to be assessed on a case by case basis and this includes separation distances. Separation distances (wall to wall) are provided below and are considered acceptable noting the closest relationship is between the western dwelling and 6 Beaufort Road.

6 Beaufort Road: 18m as shown on applicant's plans but correct position is approximately 14m. (Property has an approx 4m single storey extension to the rear not shown on the applicant's plans)

Maisonettes at 4 Beaufort Road: 21.8m

6 South Albert Road: 28.5m as shown on applicant's plans but correct position is approx 24m (Property has a conservatory extension)

8 South Albert Road: Approx 28m.

Properties in Nutley Lane: 17 – 29m

- 6.16 Due to the separation distances, design, siting and aspect between the dwellings proposed and neighbouring properties, no harmful loss of privacy or

light would occur and the proposed dwellings would be sufficiently distanced from neighbouring properties as to not result in harmful overbearing presence or unacceptable overshadowing. The closest relationship is with 6 Beaufort Road however this is an oblique relationship and as such the impact is diminished. Whilst the development will result in a change in the relationship between properties resulting in a level of greater presence, overlooking and change in outlook the impact would not be sufficient in my view to justify a refusal in this case. The window to window relationship will be different to that currently experienced but I do not consider the relationship more harmful to others within the locality where existing residential back gardens are overlooked from rear first floor windows of neighbouring properties in this urban environment. This view takes account of the change in levels on the site, noting particularly that the rear gardens of properties in South Albert Road are set at a higher level than the development site.

- 6.17 First floor bathroom windows can be conditioned to be obscure glazed and fixed shut except for a top hung fan light. No other windows at first floor are proposed in the building flanks. The first floor dressing room window in the western dwelling is proposed also to be obscure glazed to mitigate impact on 6 Beaufort Road. In light of the separation distances the first floor bedroom windows to the rear and front are not considered to give rise to amenity harm to existing residents. Future residents would be aware of the building relationships and level of overlooking to rear gardens prior to purchase and as such I consider the level of harm limited. In light of the above the development would not result in a harmful loss of privacy to neighbouring properties.
- 6.18 Living standards: The proposed dwellings in terms of their layout, size, accessibility and access to facilities is considered acceptable. The proposed dwellings have an acceptable floor space and the units would have access to private amenity space. When judged from a living standard perspective the proposal is considered acceptable.
- 6.19 Noise and disturbance resulting from the development when completed would be acceptable and accord with normal residential environments whilst any resulting from construction would be temporary. Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement would be secured by planning condition.
- 6.20 Objections have been received due to the loss of private views, ownership matters and conflict with covenant but these are not material planning considerations. Concern has been raised from neighbouring properties regarding health fears, flooding and drainage/sewage. The proposal would result in the redevelopment of rear gardens, new boundary treatment is proposed and the development is not considered to cause health issues associated with the proposed vehicle parking arrangements and associated

noise / exhaust fumes. The site is not located within a flood zone and sewage capacity would be assessed at building control stage. The proposal is considered to have a satisfactory impact with regards flooding and drainage/sewerage capacity. It is noted a condition could be applied to a grant of permission to ensure that sustainable drainage is present on the site and an appropriate surface water drainage scheme implemented

- 6.21 While giving rise to a degree of change in the relationship between buildings, the proposed scheme would not adversely affect the amenity of neighbouring properties, and complies with policy Ho9, Ho13 and Ho14 in this regard.

Highway matters

- 6.22 The existing access via a shared unadopted private access road in unknown ownership would be retained but improved with the introduction of a wider bellmouth. Proposals to introduce a pedestrian footway to the western side of the shared access road have been withdrawn. A total of 6 parking spaces are proposed.
- 6.23 The access road is relatively narrow and utilised by adjacent residential development to the east in Nutley Road, a number of whom it is understood have established rights to access and park on the access drive. The parking which primarily takes place on the eastern side of the access road and to the rear of development in Nutley Road has the effect of narrowing the access road such that traffic can only pass in one direction.
- 6.24 No 4b Beaufort Road also utilises a parking space to the rear of their property accessed via the shared access and across the applicant's land, being permitted on an informal basis. There is an understanding that this is not a right of access. The proposed plans have been revised and the applicant has confirmed as a gesture of good will the arrangement to facilitate parking for 4b will continue. (It is noted that the revised boundary treatment proposed does not alter existing land ownership.)
- 6.25 Concern has been raised by residents regarding the use of the shared private access drive. There is no objection to the use of this drive by the development both for access and manoeuvring and it is noted that ownership is not a planning matter.
- 6.26 The County Highway Authority having considered local representations has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision. Parking provision accords with adopted standards and on this basis is considered acceptable. The CHA note that there are currently 12 garages onsite. Considering the amount of trips that would be generated by 12 garages were they in full use the proposed development (with 6 car spaces) is likely to lead to a reduction in trip generation when considered against this baseline. The CHA is therefore satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway subject to conditions

relating to the access, parking and the requirement for a construction transport management plan.

- 6.27 There is therefore no objection to the scheme from a highway perspective and the proposal is considered to accord with the provisions of the NPPF, Core Strategy policy CS17 and Local Plan policies Mo5 and Mo7 in this respect.

Affordable Housing

- 6.28 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.
- 6.29 In view of this, and the publication of the 2018 NPPF which clarifies the policy position on residential development of 9 units or less, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 9 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

Community Infrastructure Levy (CIL)

- 6.30 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, road, public transport and community facilities which are needed to support new development. This development would be CIL liable and, although the exact amount would be determined and collected after the grant of planning permission.

Infrastructure Contributions

- 6.31 The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which state that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development.
- 6.32 As such only contributions that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on. It is therefore the responsibility of the service providers to demonstrate the infrastructure needs directly resulting from a development and make requests for such to the Local Planning Authority. In

this case, none of the service providers have been able to demonstrate the impact on infrastructure that this specific development would have. Accordingly, any request for an infrastructure contribution would be contrary to CIL Regulation 122.

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:

Plan Type	Reference	Version	Date Received
Block Plan	002	C	25.10.2018
Site Layout Plan	015		25.10.2018
Floor Plan	013	C	25.10.2018
Elevation Plan	014	B	25.10.2018
Location Plan	001	A	15.08.2018
Proposed Plans	UNNUMBERED		15.08.2018
Elevation Plan	004		31.08.2018
Site Layout Plan	003	B	31.08.2018
Elevation Plan	005		10.09.2018

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.

3. 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.

4. No development shall take place above slab level until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

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

5. No development shall commence including groundworks preparation and demolition until all related arboricultural matters including tree protection measures, pre-commencement meeting, arboricultural supervision and monitoring are implemented in accordance with the approved details contained in the Arboricultural Implications Report dated October 2018 and the Tree Protection Plan Ref: SJA TPP 00647-01 dated 24th October 2018 compiled by Simon Jones Associates.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policies Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan

Informative:

The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837

6. No development above slab level shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the LPA. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme and installed prior to occupation or within the first planting season following completion of the development hereby approved.

Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs of the same size and species.

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Ho9 of the Reigate and Banstead Borough Local Plan 2005 and relevant British Standards including BS8545:2014.

Informative:

The use of a landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant condition. The planting of trees and shrubs shall be in keeping with the character and appearance of the locality and have a strong native influence. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of Advanced Nursery Stock sizes with initial planting heights of not less than 4.5m with girth measurements at 1m above ground level in excess of 16/18cm.

7. 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
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

8. No part of the development hereby approved shall be first occupied unless and until the proposed bellmouth vehicular access to Beaufort Road has been constructed in accordance with the approved plans.

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 2012.

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas shall be retained and maintained for their designated purposes.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

10. Boundary treatments shall be retained and replaced in accordance with details contained on drawing 015. If existing boundary treatments cannot be

retained and repaired, details of new boundary treatments must first be submitted to the Local Planning Authority for approval. All boundary treatments are to be retained or replaced at their existing height. Brickwork to match existing shall be utilised in any replacement boundary wall. All boundary treatment shall be completed before the occupation of the development hereby permitted.

Reason: To preserve the visual amenity of the area and protect neighbouring residential amenities with regard to the Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Pc4.

11. The first floor windows in the east and west side elevations of the development and the first floor front facing window in the western dwelling serving a dressing room hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

Reason: To ensure that the development does not affect the amenity of the neighbouring properties by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

12. Prior to the commencement of development the developer must either submit evidence to the LPA that the building was built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and must be approved prior to commencement of the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

REASON: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the NPPF.

13. Prior to commencement of development a written comprehensive environmental desktop study report is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify.

The report shall be prepared in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

14. Prior to the commencement of development and in follow-up to the environmental desktop study, a contaminated land site investigation proposal, detailing the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model, shall be submitted to the Local Planning Authority. This is subject to the written approval in writing of the Local Planning Authority, and any additional requirements that it may specify, prior to any site investigation being commenced on site. Following approval, the Local Planning Authority shall be given a minimum of two weeks written notice of the commencement of site investigation works.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

15. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed in line with CIRIA C665 guidance.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

- 16a Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning

Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.

- 16b. Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should be in accordance with CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

17. Unexpected ground contamination: Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

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

Reason: To ensure that the development does not affect the amenity of the neighbouring property by overlooking and to protect the visual amenities of the area in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ho9.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions permitted by Classes A B and C of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13, and Ho16

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 permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or watercourse. The applicant is advised that a permit and potentially a Section 278 Agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge or any other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.
7. 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).
8. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture / equipment.

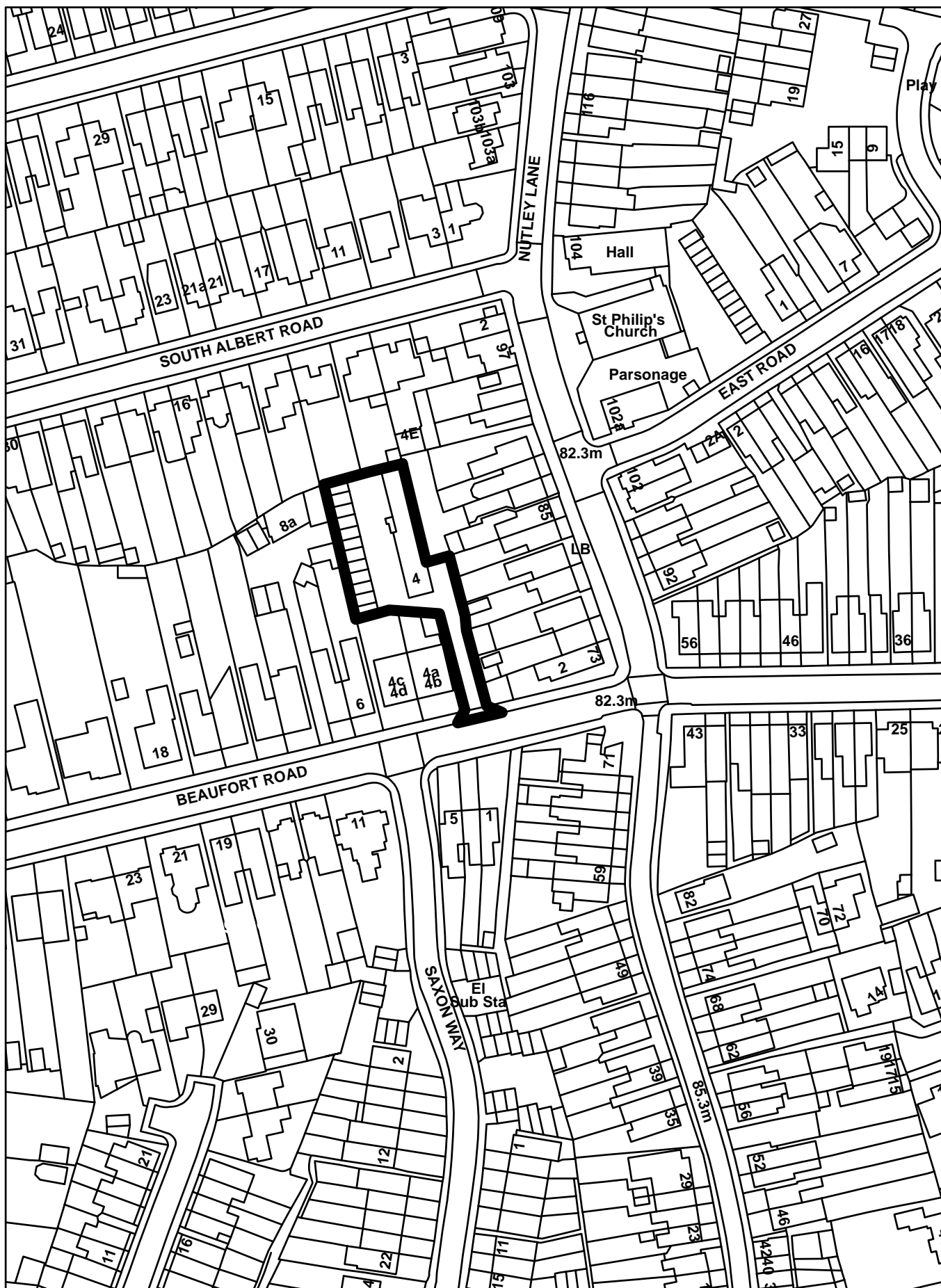
REASON FOR PERMISSION

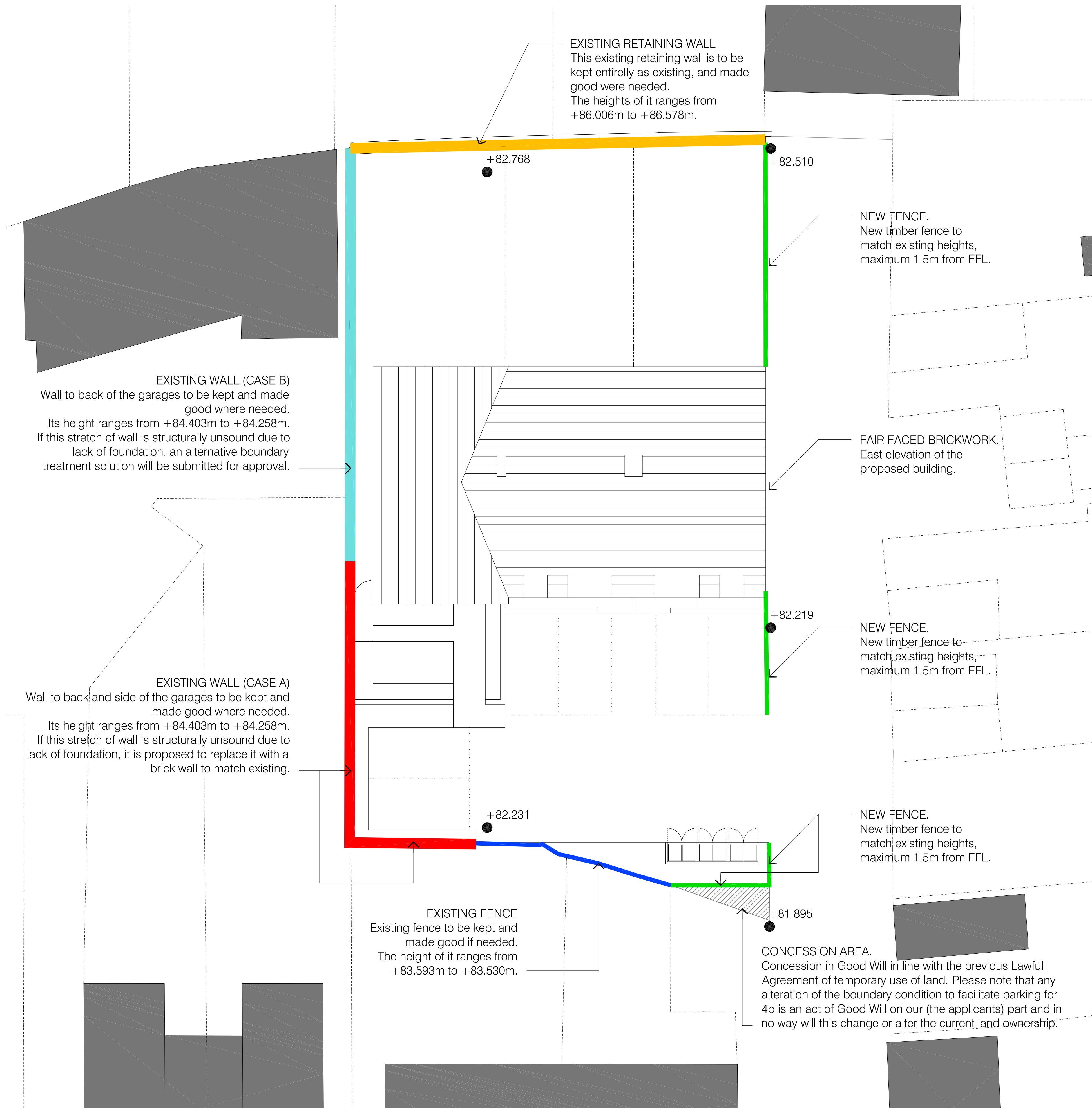
The development hereby permitted has been assessed against development plan policies CS1, CS4, CS10, CS11, CS13, CS14, CS15, CS17 and Pc4, Ho9, Ho13, Ho16, EM1A, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance 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.

18/01752/F - 4 Beaufort Road, Reigate



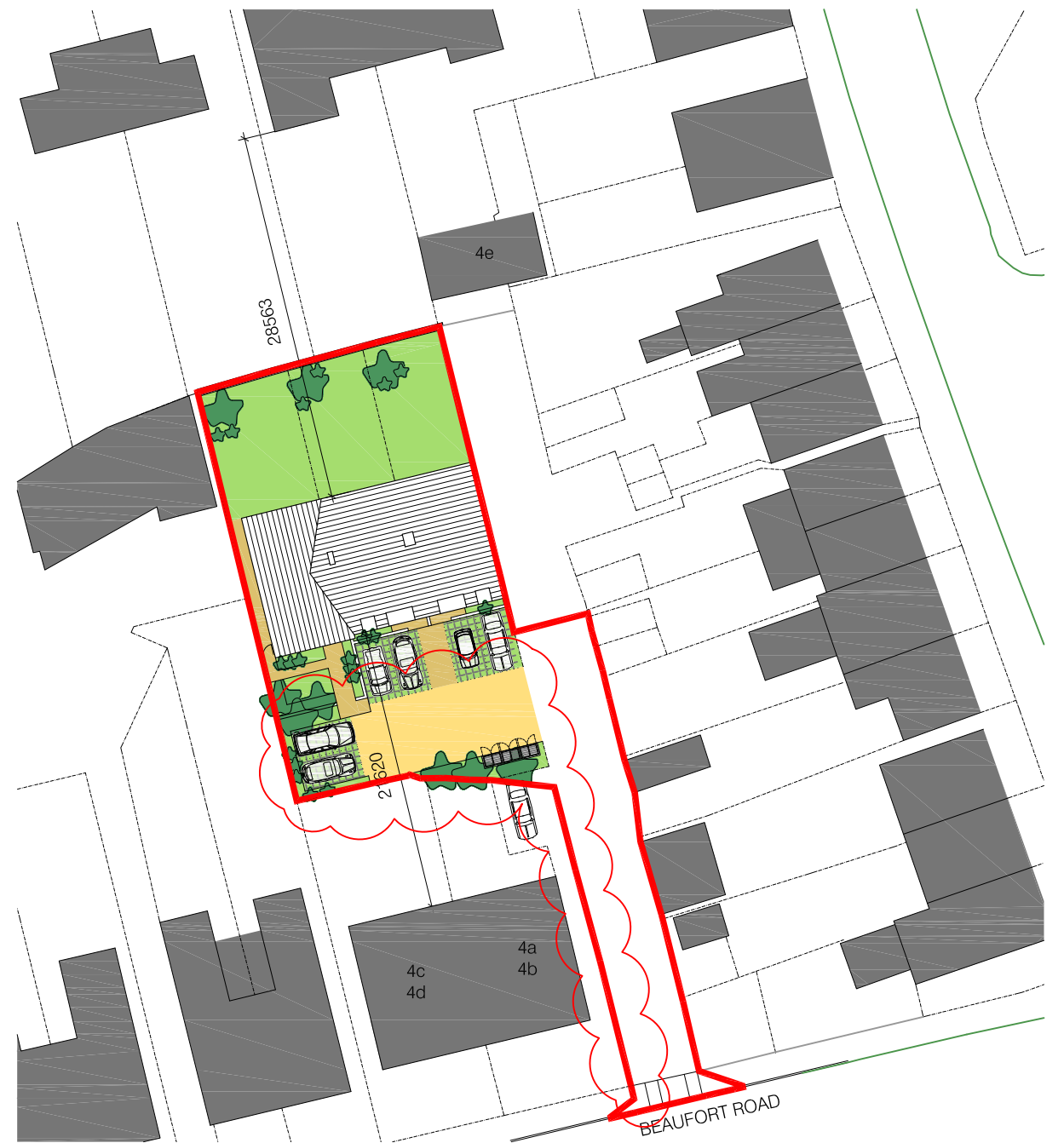


Overall Proposed Site Area

- Existing Reatining Wall.
- Existing Wall, case A.
- Existing Wall, case B.
- Existing Fence.
- New Fence.



A. EXISTING BLOCK PLAN

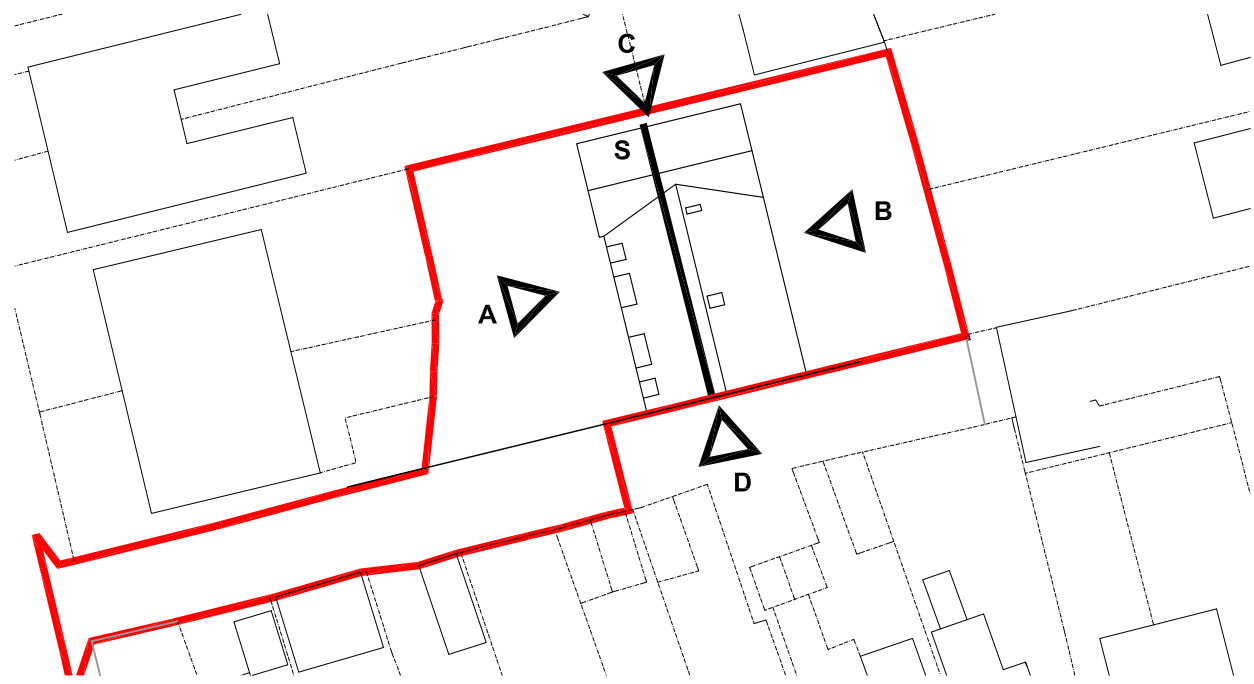


B. PROPOSED BLOCK PLAN

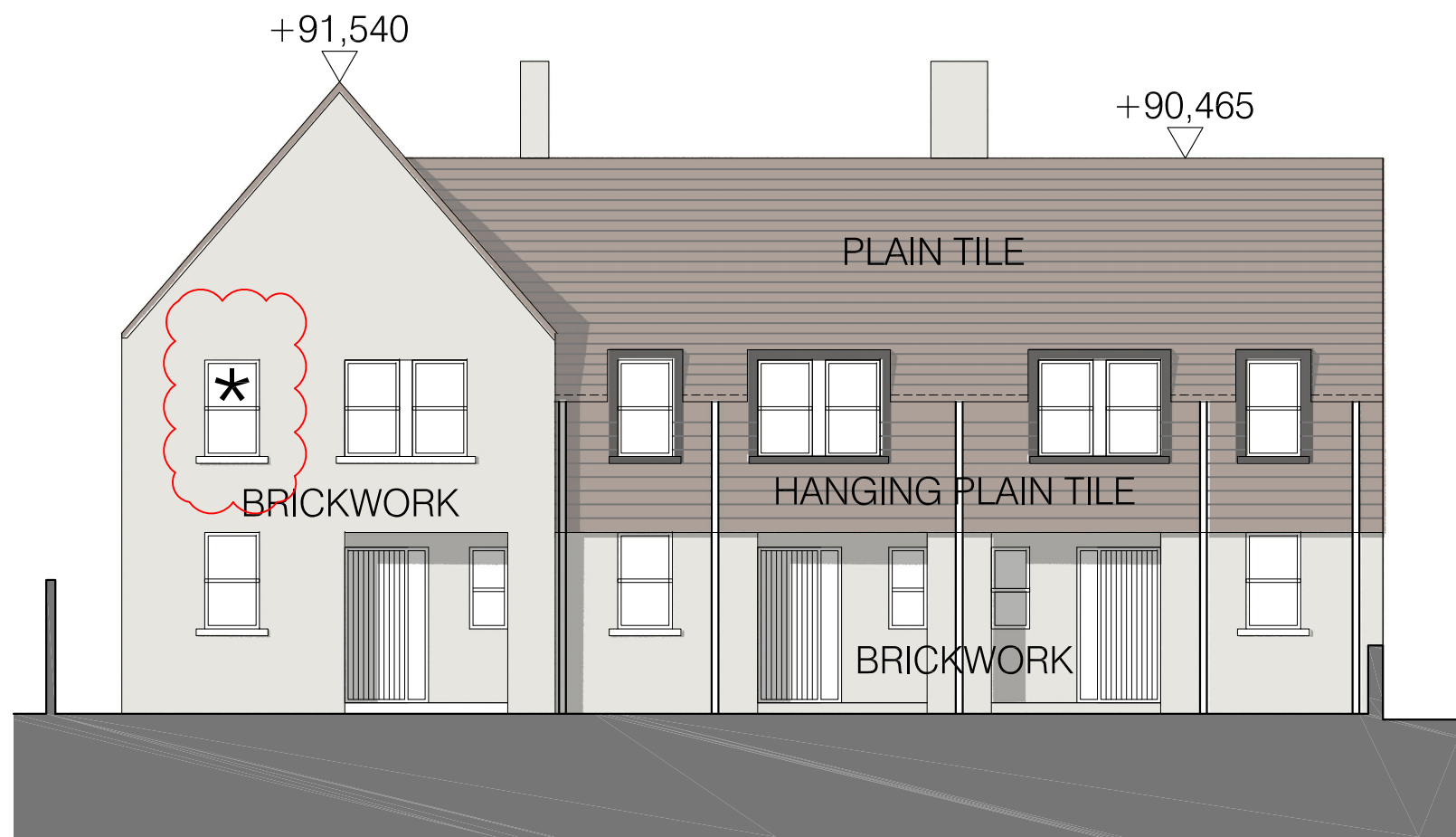
Certificate A

Certificate D

Public Highway



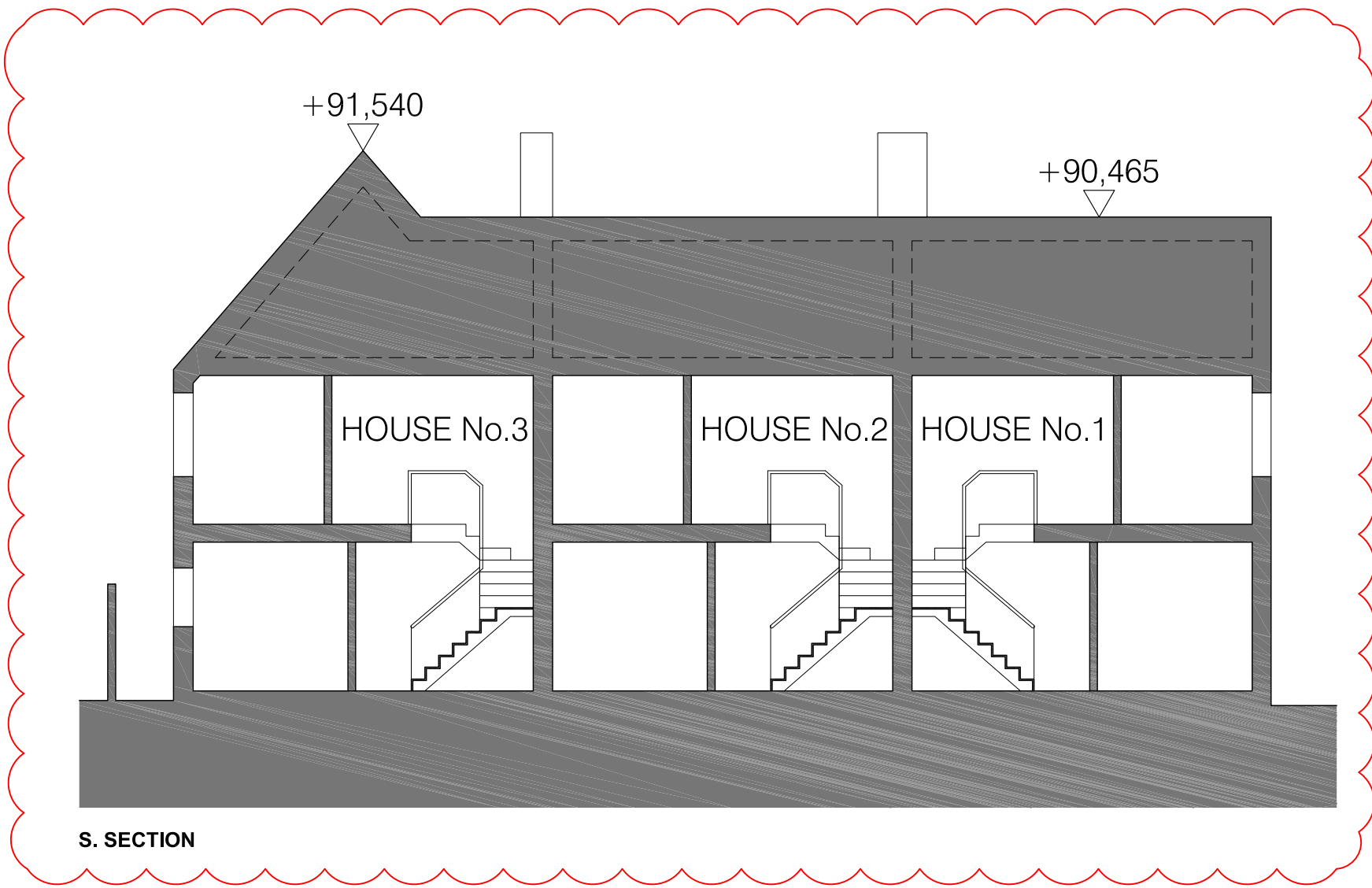
* Obscured glass; only the top light is openable.



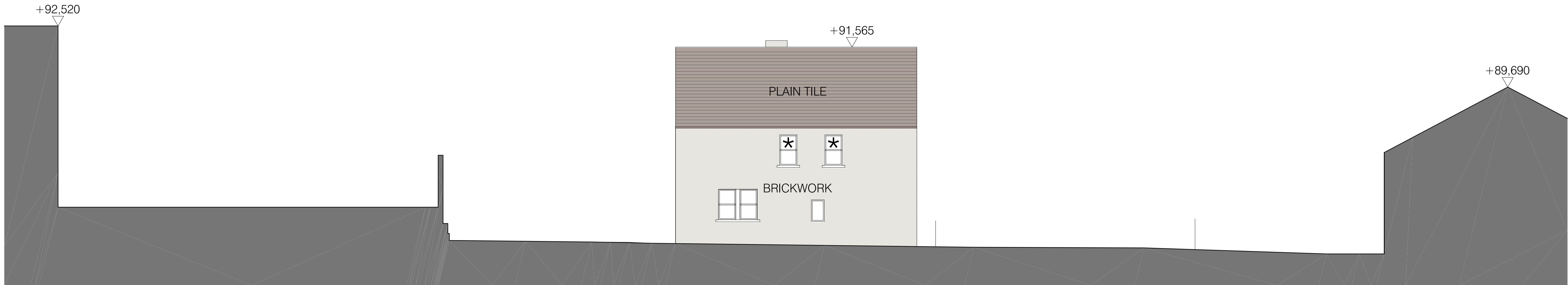
A. FRONT ELEVATION (SOUTH)



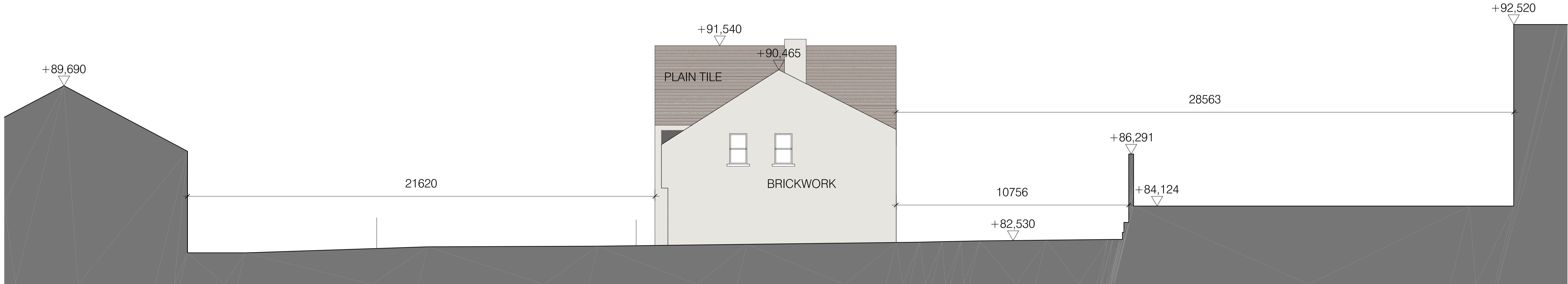
B. GARDEN ELEVATION (NORTH)



S. SECTION



C. SIDE ELEVATION (WEST)



D. SIDE ELEVATION (EAST)