	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	6 <sup>th</sup> June 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	8	<b>WARD:</b> Horley Central

<b>APPLICATION NUMBER:</b>	18/00222/OUT	<b>VALID:</b>	9 March 2018
<b>APPLICANT:</b>	Surrey County Council	<b>AGENT:</b>	WYG
<b>LOCATION:</b>	<b>HORLEY LIBRARY, 102 VICTORIA ROAD, HORLEY</b>		
<b>DESCRIPTION:</b>	Outline application with all matters except access reserved, for the demolition of the existing building and redevelopment of the site for residential purposes (maximum of 40 units), provision of associated parking and refuse facilities. Provision of replacement public car park with 12 spaces including creation of new access onto Kings Road.		
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 demolition of the existing Horley library and the redevelopment of the site (including the existing car parking and public car park) to provide 40 residential units and a replacement public car park with access onto Kings Road. The site is allocated for development, including the residential properties behind, under Policy Hr17 of the 2005 Borough local Plan which estimates 68 dwellings being developed. The policy requires relocation of the existing library but not retention or relocation of the existing parking.

In accordance with the above policy and policy Cf1 of the Borough Local Plan which seeks to resist the loss of community facilities unless they are no longer required and adequate replacement is made, a new library has opened in the Russell Square development to the south of the town which provides a modern and more appropriate facility to serve modern needs. Accordingly residential redevelopment of the site is felt to be acceptable in principle.

Although matters of detailed layout, scale and appearance are reserved for later consideration (and thus many of the submitted plans are purely illustrative), it is considered that an acceptable scheme could be achieved which is compatible with the character of the surrounding area. The density of the development (at c.140 dwellings per hectare) would be appropriate at this transition point to the town centre, particularly mindful of the densities permitted on nearby sites such as Lidl and Saxley Court. Within the

relatively varied character of this part of Horley, there would be ample scope through the reserved matters to achieve a high quality design which would contribute to the character and street scene on this key approach to Horley Town Centre.

The introduction of a residential use onto the site is not – in itself – felt to give rise to harm to neighbour amenity or be incompatible with adjoining residential users. Whilst detailed assessment of neighbour amenity impacts would however need to be undertaken as part of the assessment of any reserved matters (with particular regard to the relationships to the detached dwelling to the north east on Kings Road and the residential properties above the adjoining Lidl supermarket to the east), it is concluded that based on the likely scale, footprint and massing required for 40 units and the constraints of the site, an acceptable relationship with neighbours is achievable.

Concerns have been raised regarding the loss of car parking capacity in Horley. In terms of overall capacity of off-street car parking in Horley, there is ample alternative provision in the Town Centre (including Victoria Road car park opposite) such that the reduction in public spaces on this site is not considered to prejudice the overall vitality and viability of the town. Furthermore, there is no objection from the Highway Authority to the loss of public car parking on highway safety grounds and there is no requirement for re-provision within the adopted site-specific Policy Hr17. However, acknowledging the specific role which the current car park plays in terms of proximity to the adjoining health facilities, the retention of 12 spaces as proposed is considered reasonable and appropriate. It should be noted that whilst the current car park (24 spaces) is currently leased by the Borough Council; this lease expires later this year beyond which there would currently be little or no control over the use and operation of the car park. The Highway Authority has not identified any highway safety or capacity concerns associated with the proposed access points onto Kings Road.

The scheme would contribute to meeting local housing requirements including full policy compliant affordable housing provisions and would bring consequent social, economic and financial benefits all of which weigh in favour of the scheme.

## **RECOMMENDATION(S)**

Subject to the completion of all documentation required to create a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure:

- (i) 12 units of affordable housing (7 shared ownership and 5 affordable rent)
- (ii) The Council's legal costs in preparing the agreement;

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

In the event that a satisfactorily completed obligation is not received by 31 August 2018 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason:

The proposal fails to make adequate provision for affordable housing contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014 and the Affordable Housing SPD 2014.

## Consultations:

County Highway Authority: No objection subject to conditions. Response contains the following commentary:

*"The proposed development includes 36 parking spaces, which is less than the parking standard of 45 spaces. The shortfall is unlikely to cause a highway safety problem. The development is on the edge of the town centre and is within reasonable walking distance of public transport bus and train services. The site is also within walking distance and cycling distance of employment, retail and education land uses. The proposed development is therefore likely to be attractive to no car households. However, if demand for parking exceeds supply of spaces, there are on street parking restrictions that would prevent inappropriate parking on the highway, thereby preventing a highway safety problem."*

Tree Officer: No objection subject to conditions.

Contaminated Land Officer: Identifies potential for ground contamination to be present on and/or in close proximity to the site given historic use as car park and therefore recommends condition and informative.

Surrey Lead Local Flood Authority: No objection subject to conditions

UK Power Networks: No objections

Crawley CCG: No objections but may consider future CIL bid in relation to improvements at Clerklands Surgery (Vicarage Lane)

Horley Town Council: Objects due to a) lack of public parking, b) lack of disabled parking spaces, c) design is out of keeping with and would be a detriment to Horley Town Centre, d) overdevelopment and cramming of the site (DMP identified the site for 35 dwellings but proposal seeks 40); e) unsuitable access from Kings Road which is too narrow to accept increased traffic.

## Representations:

Letters were sent to neighbouring properties on 14<sup>th</sup> March 2018; a site notice was posted 23<sup>rd</sup> March 2018 and the application was advertised in local press on 21<sup>st</sup> March 2018.

7 representations were received, raising the following main issues as set out below. This includes a representation from Birchwood Medical Practice raising concerns about loss of public car parking.

Issue	Response
Hazard to highway safety	See paragraphs 6.21-6.27
Inadequate parking (including impact on public car park)	See paragraphs 6.21-6.27 and conditions 9, 10 and 12
Inconvenience during construction	See paragraph 6.19 and condition 6
Increase in traffic and congestion	See paragraphs 6.21-6.27

Overdevelopment	See paragraphs 6.8-6.13
Overlooking and loss of privacy	See paragraphs 6.14-6.20
Overshadowing	See paragraphs 6.14-6.20
Noise & disturbance	See paragraphs 6.19
Drainage/sewage capacity	See paragraphs 6.32 and conditions 5 and 14
No need for development	See paragraph 6.33
Alternative location/proposal preferred	No alternatives specified in representations or otherwise identified – each case on its merits
Property devaluation	Not a material planning consideration
Loss of private view	Not a material planning consideration

One of the representations also raised support based on community/regeneration benefit.

## **1.0 Site and Character Appraisal**

- 1.1 The application site is located to on the northern side of Victoria Road. The site is outside of, but immediately adjacent to, the designated boundary of Horley Town Centre. The site is allocated for residential development in the 2005 Borough Local Plan, subject to replacement of the community uses.
- 1.2 The site presently comprises the single storey library building fronting onto Victoria Road with a large surface car park to the rear, part of which is a public car park operated by the Borough Council. The library dates from circa.1960s and is of utilitarian appearance and does not contribute positively to the character of the area. It is noted that the library has been relocated to the recently completed Russell Square development to the south of the town.
- 1.3 The area surrounding the site is of mixed character both in terms of use and built form, typical of an edge of centre location. To the south east, the site is adjoined by the large footprint building containing the Lidl supermarket with residential and community uses above. To the North West – on the opposite side of Kings Road – are two, two storey buildings of traditional design (pitched roof, tile hanging) used as Doctors surgeries. On the opposite side of Victoria Road, the site faces the telephone exchange building and Saxley Court which is undergoing conversion and extension to provide a 4/5 storey flatted development.
- 1.4 As a whole, the application site extends to approximately 0.29ha.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: Pre-application advice relating to the redevelopment of the site was sought earlier this year. Advice was given in respect of the need to consider the height and massing of the development – including in respect of the relationship to the adjoining flats – and the need to provide some replacement/retained public car parking.

2.2 Improvements secured during the course of the application: None

2.3 Further improvements to be secured through planning conditions or legal agreement: Final scale, layout, landscaping and appearance are reserved matters. Various conditions are recommended to control landscaping, materials and other works to ensure a high quality development. A legal agreement will be required to secure the on-site affordable housing provision. A condition requiring the provision of a 12 space car park for public use and the submission of strategy for how the future charging regime, management and enforcement of the car park.

### **3.0 Relevant Planning and Enforcement History**

3.1 There is no relevant planning history

### **4.0 Proposal and Design Approach**

4.1 The proposed development seeks outline planning permission for the demolition of the existing library and the erection of a new building comprising up to 40 apartments with associated parking, including the retention of a 12 space public car park.

4.2 The application seeks outline approval only with all matters reserved except for access. In this respect, vehicular access to the residential and public car park are shown to be taken from Kings Road.

4.3 The application is supported by a number of illustrative plans which demonstrate how the quantum of development proposed might be achieved, showing a L-shaped building with frontages onto both of varying height/scale, ranging up to four storeys at the corner.

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	The majority of the town centre reflects Horley's traditional urban form. At the centre of town, Victoria Road and High Street are traditional town centre streets with a variety of 2-3 storey-terraced buildings directly addressing the pavement. Along Victoria Road as it reaches the edge of the town centre, the buildings are commonly set back from the street and are often larger and more imposing. The residential areas outside the town centre are generally low - medium density areas of
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	detached and semi-detached houses. These are commonly set back from the street with front gardens containing bushes and trees.
	No features worthy of retention are identified; however, the proposals make provision for retention of some public car parking.
Involvement	Pre-application advice was sought from the Council in 2017 and the proposals developed in response. No public consultation was undertaken.
Evaluation	The Design & Access Statement sets out the evolution of the design of the scheme, as a result of the pre-application discussions. This includes making provision for retained public car parking. Developed designs (although all of these matters are shown illustratively and reserved for future submissions) were informed by the desire to maximise development of a brownfield site whilst also the impact on first and second floor windows on the flats above Lidl.
Design	The redevelopment brief was to provide a mixture of private and affordable apartments, to contribute to the regeneration of Horley Town Centre and bring about environmental improvement to this part of town. The illustrative plans, which show an L-shaped building, were chosen to show maximum street frontage. The illustrative elevations show a mixture of 2, 3 and 4 storey elements to create variation and break down the larger mass. Height is proposed at the corner.

4.6 Further details of the development are as follows:

Site area	0.29ha
Existing use	Library (D1) and car parking (including public car park)
Proposed use	Residential (flats)
Net increase in dwellings	40
<i>Of which affordable</i>	12 (30%)
Proposed site density	137 dwellings per hectare (dph)
Density of the surrounding area	Varied 235dph – recently consented above Lidl 300dph – Saxley Court (as approved) 20dph – Kings Road (north end) 67dph – Regents Mews and 133-135 Victoria Rd
Proposed parking spaces	36 private + 12 public parking spaces
Parking standard	BLP 2005 – 45 (based on mix suggested in

	D&A statement)
Estimated CIL contribution	Nil (within Town Centre nil rated zone)

## 5.0 Policy Context

### 5.1 Designation

Urban Area (adj. to Town Centre)  
Flood Zone 1  
Allocated Housing Site

### 5.2 Reigate and Banstead Core Strategy

CS1 (Presumption in favour of sustainable development)  
CS4 (Valued townscapes and historic environment)  
CS5 (Valued people/economic development),  
CS10 (Sustainable development),  
CS11 (Sustainable construction),  
CS12 (Infrastructure delivery)  
CS13 (Housing delivery)  
CS14 (Housing needs of the community)  
CS15 (Affordable housing)  
CS17 (Travel options and accessibility)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Housing	Ho9, Ho13, Ho16
Community Facilities	Cf1
Movement	Mo4, Mo5, Mo6, Mo7, Mo8
Utilities	Ut4
Horley Masterplan	Hr17

### 5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Developer Contributions SPD Affordable Housing SPD Local Distinctiveness Design Guide Surrey Design
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010 (as amended) Conservation of Habitats and Species Regulations 2010

## **6.0 Assessment**

- 6.1 The application site comprises the existing Horley Library and associated car parking (including public car parking). The site is adjacent to Horley Town Centre boundary (as per the 2005 Borough Local Plan) and is an allocated housing site with Policy Hr17 of the adopted Borough Local Plan 2005, estimating its potential for 68 new dwellings, including land to the rear whilst requiring replacement of the library.
- 6.2 The main issues to consider are therefore:
- Loss of community use
  - design and impact on the character of the area
  - effects on the amenity of neighbouring properties
  - access, parking and highway implications
  - affordable housing and infrastructure contributions
  - other matters

### Principle of development and loss of community use

- 6.4 The site comprises the existing Horley Library site (a D1 use) and is therefore in active community use. In this respect, the provisions of Policy Cf1 (and similar provisions of Core Strategy Policy CS12) apply.
- 6.5 Both of these policies generally seek to resist the loss of community facilities; however, both also include scope for exceptions where the existing use is surplus to requirements or equivalent/better provision is to be made. In this case, the latter circumstance is considered to apply as a new library is being provided within the Russell Square development at the southern end of Victoria Road. This facility, whilst smaller in size than the existing, provides a quality, modern facility, suitable for modern-day needs in a highly accessible and prominent location within the town. A condition preventing development – including demolition – on this site until the new library has been provided and is operational is recommended in order to safeguard this position.
- 6.6 On this basis, the principle of the loss of the community use on this site is not felt to be objectionable and being a brownfield and highly accessible urban site, adjacent to the Town Centre, residential development is also considered acceptable. This is also consistent with the provisions of the existing allocation on the site (Policy Hr17 in the Borough Local Plan) and those in the emerging Development Management Plan.

### Design and impact on the character of the area

- 6.7 The application is made in outline, with all matters reserved except access at this stage.
- 6.8 The application was however supported by a Design & Access Statement and illustrative plans demonstrating how the 40 residential units and associated car parking and replacement public car parking could be achieved. The illustrative



layout plans indicate an L-shaped building, providing frontages onto both Kings Road and Victoria Road and ranging from 2 storeys to 4 storeys, with height at the corner. The private residential parking is indicated as being provided in a parking court in behind the block.

- 6.9 Whilst the detailed layout, scale and appearance are matters reserved for a future submission, it is considered that an acceptable scheme could be achieved which is compatible with the character of the surrounding area. At the maximum 40 units, the scheme would achieve a density of c.140 dwellings per hectare which is less than recent approvals at the adjoining Lidl (235dph) and opposite at Saxley Court (300dph), and would therefore be appropriate at this transition point to the town centre.
- 6.10 The illustrative layout also gives confidence that an appropriate scheme could be achieved. For example, in principle, an L-shaped perimeter building is considered to be an appropriate urban design response, providing strength to the corner and offering the potential for active and visually interesting elevations onto both Kings Road and Victoria Road to create a more consistent street frontage. The plans show that it would be possible to respect the existing building line created by the Health Centre and Lidl, providing some space along both street frontages for landscaping to soften the urban realm on the approach to the town centre. Such an approach would also help to largely conceal the residential parking from public view.
- 6.11 The illustrative elevations and Design & Access Statement suggest a building ranging from 2 storeys to 4 storeys, with the tallest element indicated as being on the corner of Kings Road and Victoria Road. Whilst some sensitivity would be needed at reserved matters scheme in respect of the height along Kings Road to respect the tighter, more domestic scale of this street, a building up to four storeys would fit comfortably in townscape terms along the wider main thoroughfare of Victoria Road, particularly when considered alongside emerging schemes (such as that above Lidl - 3 storeys/12m, and Saxley Court - up to 5 storeys/14.7m).
- 6.12 The surrounding area incorporates a relative variety of architecture and building forms, ranging from buildings with more traditional pitched roofs and brick-led elevations, to more contemporary flat roof buildings (such as Saxley Court) incorporating render and more extensive glazing. Within this context, there is ample scope to achieve a high quality design which would contribute to the character and street scene on this key approach to Horley Town Centre. Whilst there is no objection in principle to a building of the broad form and massing shown on the illustrative CGIs in the Design & Access Statement, greater attention would be expected to the design of the elevations to better articulate the massing of the building.
- 6.13 Taking the above into account, it is therefore considered that a scheme of up to 40 units could be achieved on the site in a manner respecting the character and townscape and general scale of development in this part of Horley. On this basis, the proposal complies with policy Ho9, Ho13 and Ho16 of the Borough Local Plan 2005.

Effects on the amenity of neighbouring properties

- 6.14 As the application is made in outline with layout, scale and appearance reserved, the submitted plans do not enable precise assessment of the impact on neighbouring properties – this would take place at reserved matters stage.
- 6.15 The sensitivities in relation to neighbour amenity are considered to particularly relate to the detached dwelling to the north east on Kings Road and the residential properties above the adjoining Lidl supermarket to the east.
- 6.16 In relation to the neighbour to the north-east, the illustrative layout plans propose that the retained public car park would be sited adjacent to the boundary with this neighbour, with the building itself being some 14m+ from the boundary. The illustrative plans also indicate that this element of the building would be two storeys which, taken together with the separation, gives confidence that an acceptable relationship could be achieved with this neighbour in terms of overbearing and overshadowing. Matters of privacy and overlooking would need to be considered further at reserved matters stage with the benefit of full plans, including the position of windows and balconies.
- 6.17 In terms of the properties above Lidl, these have side (west) facing first floor windows which look towards the application site and the current library building. Whilst the illustrative plans show the building dropping to two storeys adjacent to the boundary with Lidl in an attempt to address this relationship (which would likely satisfy the 25 degree overshadowing rule), with the flank wall at such close proximity, both overbearing and loss of outlook would require careful consideration. This could be resolved at detailed design/reserved matters stage by increasing the separation to this boundary which is considered achievable within the constraints and parameters of the site. The additional second floor flats above Lidl (granted under 17/00693/F but not yet implemented) are not considered to be unduly prejudiced in terms of their amenity given the conclusions above and given they would be a storey higher than the existing flats.
- 6.18 The application was supported by a daylight, sunlight and overshadowing assessment which concludes that there will not be a significant impact on neighbouring properties. However, given much of the detail of scale, massing and layout is not confirmed at this stage, limited weight is ascribed to this conclusion and a full assessment would be required as part of future reserved matters submissions.
- 6.19 The introduction of a residential use on this urban site within an edge of town centre location is not considered to give rise to a level of noise and disturbance which would be harmful to the amenity of neighbours. Whilst it is acknowledged that disruption may occur during construction, such impacts would be temporary and would not constitute a sustainable reason for refusal. Other legislative regimes, including statutory nuisance legislation, exist to protect neighbours and surrounding residents should significant unacceptable events and disturbance occur. The County Highway Authority has recommended a Construction Transport Management Plan be required to ensure that activities do not have a prejudicial effect on highway safety or operation.

- 6.20 Based on the above, whilst any scheme would likely give rise to a change for neighbouring properties, it is concluded that based on the likely scale, footprint and massing required for 40 units, an acceptable relationship with neighbours is achievable – compliant with policies Ho9 and Ho13 – within the parameters and constraints of the site. Detailed assessment will be required at reserved matters stage once the final scale, layout and positioning of windows and balconies is known.

Accessibility, parking and highway implications

- 6.21 Vehicular access to the site is proposed to be via Kings Road for both the residential element of the scheme and the replacement public car parking, with separate accesses for each.
- 6.22 Concerns have been raised in representations regarding the ability of Kings Road to accommodate the movements which might be associated with both uses. However, the overall car parking capacity suggested on the illustrative plans (12 public parking spaces and 36 residential car parking spaces) would be similar to – if not less than – the existing car parking capacity to the rear of the site. The applicants Transport Statement estimates (using TRICS data) that the current use generate 129 two way vehicle movements per day, with 8 in the AM peak and 12 in the PM peak. This could be seen as an underestimate given the car park ticket sales data shows that 24,490 tickets were sold for the car park between May 2017 and March 2018, equivalent to a crude average of 72 per day (i.e. 144 two-way movements).
- 6.23 In contrast, a residential use of 40 units generates 100 two way movements per day, including 8 in the AM peak and 10 in the PM peak. Even allowing for the residual movements which might result from the retained smaller 12 space public car park, it is concluded that there is unlikely to be a material increase in movements such that there would be a severe or otherwise unacceptable impact on Kings Road (or adjoining roads) from a congestion or highway operation perspective. No objection has been raised by the County Highway Authority in this respect.
- 6.24 Concerns have been raised regarding the loss of car parking capacity in Horley. In terms of the overall capacity and availability of off-street car parking in Horley, there is ample alternative capacity within the Town Centre (including Victoria Road car park opposite the site and Consort Way/High Street car park) such that – in general terms - the loss of this car park is unlikely to result in harmful displacement on street parking by town centre users/visitors or prejudice the vitality and viability of the Town Centre. However, it is acknowledged that the current car park on site – whilst in part serving the library and the wider town – does provide a specific utility given its proximity to the adjoining health facilities on Kings Road (which are likely to be visited by those less able to walk long distances). Mindful of the discussion above, retention of the 12 spaces is therefore considered to be reasonable and acceptable to serve this purpose. It should also be noted that such re-provision is not required by Policy Hr17. Whilst the current car park (24 spaces) is currently leased by the Borough Council; this lease expires later this year beyond which there would currently be little or no Council control over the use and operation of the car park.

- 6.25 The provision of the 12 space public car park will be secured through condition: this will also require the submission, approval and implementation of a strategy detailing the future management and enforcement of the car park. The condition will also set out that the charging regime should reflect prevailing local authority parking charges in the Town Centre and be for short term only.
- 6.26 In terms of residential car parking, the illustrative layout demonstrates how 36 spaces could be provided on-site for the proposed flats, equivalent to a ratio of 0.9 per unit. The Transport Assessment submitted by the applicant includes analysis of Census car ownership data which shows that 83% of households living in flats or apartments in Horely Central ward own 1 car or less (34% own no cars). Mindful of this data, the highly accessible location right on the edge of Horley Town Centre and the County Highway responses which raises no objection to this level of parking from a highway safety perspective, it is considered that an acceptable level of parking could be achieved on the site through the subsequent reserved matters. In coming to this view, the Highway Authority acknowledges the sustainable and accessible location of the site, presence of on-street parking restrictions in the locality and the existence of other public car parks very nearby which both town centre users and residents of the development would have access to.
- 6.27 Subject to the conditions proposed by the County Highway Authority and the additional conditions to secure the public car parking and appropriate cycle provision to encourage sustainable travel, the proposal is considered to comply with policies Ho9, Mo4, Mo5 and Mo7 of the Borough Local Plan and policy CS17 of the Core Strategy.

#### Community Infrastructure Levy (CIL) and requested contributions

- 6.28 As the proposals involve the creation of new dwellings, the development would technically be CIL liable. However, the site falls within the Redhill and Horley town centre charging zone (Zone 1) which is subject to a nil charge for residential development. As such, no contributions would be due through this mechanism based on the Council's current charging schedule.
- 6.29 The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which states 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. 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. In this case, no requirements have been identified.

#### Affordable housing

- 6.30 Core Strategy Policy CS15 and the Council's Affordable Housing SPD sets out that, on schemes of 15 or more net units such as this, the Council will expect 30% of units on-site to be provided as affordable housing.

- 6.31 The application was accompanied by an Affordable Housing Statement which sets out a commitment to provide 12 affordable housing units, thus meeting the policy requirement of Policy CS15. These units will be required to be mixed tenure (60:40 split as per the Council's Affordable Housing SPD). This will be secured through a legal agreement.

Other matters

- 6.32 The site is within Flood Zone 1 and therefore at low risk of fluvial flooding; however, there is some identified risk of surface water flooding on the car park element of the site. The application was accompanied by an initial surface water drainage strategy which proposes a system of geocellular storage to attenuate surface water run-off and then to enable discharge to the existing sewers and outfalls at a restricted discharge rate. This initial drainage scheme has been reviewed by Surrey County Council as the LLFA who have confirmed no objection subject to conditions.
- 6.33 The proposal would make a positive contribution towards meeting the identified housing needs and requirements of the borough, with consequent local financial, economic and social benefits. There is no requirement for the applicant to demonstrate a specific need for this development, in this location. As above, the site has long been allocated in the adopted 2005 Borough Local Plan (under Hr17) for potential housing development.

**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:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	UNNUMBERED		12.02.2018
Existing Plans	A102973[ST3] 08		09.03.2018
Existing Plans	CM1573 D300		12.02.2018
Other Plan	A102973[ST2] 09		20.04.2018

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. Approval of details of the appearance, landscaping, layout and scale of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority before the expiration of three years from the

date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

4. The submitted reserved matters shall provide for no more than 40 dwellings at a maximum of four storeys and a maximum overall height of 13.1 metres above ground level.

Reason:

To define the permission and to ensure that the site is not overdeveloped so as to safeguard the character and appearance of the scheme and the wider area with regard to policy Ho9 of the Reigate and Banstead Borough Local Plan 2005.

5. No development shall commence until the detailed design of the surface water drainage scheme has been submitted to an approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national non-statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The submitted details shall include:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC%) allowance for climate change storm events, during all stages of the development (pre, post and during). Associated discharge rates and storage volumes shall be provided using a discharge rate of 4 litres/second.
- b) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, long and cross sections of each drainage element including details of any flow restrictions and how the elements will be protected from blockage or root damage
- c) Details of how the runoff (including any pollutants) from the development will be managed during construction
- d) Details of management and maintenance regimes and responsibilities for the drainage system
- e) A plan showing exceedance flows and how property on and off site will be protected
- f) Evidence to show a Thames Water sewer connection exists and is in good condition within Kings Road, and confirmation from Thames Water that capacity exists within their system and that a connection is acceptable.

Reason:

To ensure that the development is served by an adequate and approved means of drainage which would not increase flood risk on or off site and is suitably maintained throughout its lifetime to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005, Policy CS10 of the Core Strategy 2014 and the requirements of non-statutory technical standards.

6. 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) On-site turning for construction vehicles
- (e) Construction vehicle routing to and from the site
- (f) Measures to encourage use of non-car modes of transport to the site during construction
- (g) Provision of boundary hoarding behind any visibility zones
- (h) Programme of works (including measures for traffic management)
- (i) Measures to prevent the deposit of materials on the highway

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:

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.

7. No development shall commence on site until a scheme for the landscaping and replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping (including materials), 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, prior to occupation or within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing with the local planning authority.

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, and 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 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

8. No development above ground floor slab level of any part of the development hereby approved shall take place until written details of the materials to be used in the construction of the external surfaces of the building, including but not limited to external walls, fenestration, balconies 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.

9. No part of the development hereby approved shall be first occupied unless and until space has been laid out within the site for a public car park in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide for a public car park capable of accommodating a minimum of 12 car parking spaces and the associated turning space so that vehicles may enter and leave the site in forward gear.

The public car park and turning areas shall thereafter be retained exclusively for their designated purpose and for no other use.

Reason:

In order that the development should provide adequate parking so as to not prejudice highway safety, cause inconvenience to other highway users or undermine the vitality of the town centre with regard to policy Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and policy CS7 of the Reigate and Banstead Core Strategy 2014.

10. No part of the development hereby approved shall be first occupied unless and until a Public Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Such a strategy shall provide for the use of the car park by the general public for short stays only (up to 3 hours) at charges consistent with the prevailing local authority rates and shall include details of how the public car park will be managed and effectively enforced, including roles and responsibilities.

The approved strategy shall be implemented prior to the first occupation of any part of the new development and thereafter maintained on an on-going basis.

Reason:

In order that the development should provide adequate parking so as to not prejudice highway safety, cause inconvenience to other highway users or undermine the vitality of the town centre with regard to policy Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and policy CS7 of the Reigate and Banstead Core Strategy 2014.

11. Notwithstanding the approved plans, the development hereby approved shall not be first occupied unless and until the existing access from the site to Victoria Road has been permanently close and any kerbs, verge and/or footway fully reinstated.

Reason:

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.

12. The residential units hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted



and approved in writing by the Local Planning Authority for vehicles associated with the residential use to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the residential parking/turning areas shall be retained and maintained for their designated purposes.

Reason:

To ensure that the development would 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.

13. The residential units hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority for the secure parking of bicycles within the development site. Thereafter the cycle parking shall be retained and maintained for their designated purposes.

Reason:

To ensure that the development would 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.

14. The development hereby approved shall not be first occupied unless and until a verification report demonstrating that the sustainable urban drainage system has been constructed as per the agreed scheme has been submitted to and approved in writing by the Local Planning Authority. The validation report should be carried out by a qualified drainage engineer.

Reason:

To ensure that the development is served by an adequate and approved means of drainage which would not increase flood risk on or off site and is suitably maintained throughout its lifetime to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005, Policy CS10 of the Reigate and Banstead Core Strategy 2014 and the requirements of non-statutory technical standards.

15. If, prior to or during development, ground contamination is suspected, identified or otherwise manifests itself, the Local Planning Authority shall be notified at the earliest practicable opportunity and no further development (unless otherwise agreed by the Local Planning Authority) shall be carried out until an appropriate remediation strategy has been submitted to and approved in writing by the Local Planning Authority.

Remediation shall thereafter be implemented in accordance with such details as may be approved and the development shall not be first occupied unless and until a remediation validation report demonstrating that the agreed strategy has been complied with has been submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that any contamination risks which might arise on the site are fully assessed and appropriately remediated to ensure that the development will not give rise to risk of harm to human health or pollution of controlled waters with regard to policy CS10 of the Reigate and Banstead Core Strategy 2014 and the NPPF.

16. No plant or machinery, including fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within or on the building without the prior approval in writing of the Local Planning Authority. Any approved plant or machinery shall be installed and thereafter maintained in accordance with the approved details and any manufacturer's recommendations.

Reason:

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

## 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](http://www.firesprinklers.info).
2. The applicant is advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the required number and specification of wheeled bins on [rc@reigate-banstead.gov.uk](mailto:rc@reigate-banstead.gov.uk) or on the Council's website at [http://www.reigate-banstead.gov.uk/info/20051/commercial\\_waste](http://www.reigate-banstead.gov.uk/info/20051/commercial_waste).
3. Your attention is drawn to the benefits of using the Secured by Design award scheme.
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](http://www.ccscheme.org.uk/index.php/site-registration).

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme). The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see: [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)
6. 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 vehicle 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 and 149).
7. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
8. In seeking to address the discharge of the unexpected contamination condition above, the applicant's attention is drawn to the fact that the application site is stated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land.

Visual and olfactory evidence of contamination which may be unexpectedly encountered on site can take many forms including hydrocarbon or solvent odours, ash and clinker, buried wastes, burnt wastes/objects, metallic objects, staining and discolouration of soils, oily sheen on ground water and fragments of asbestos containing materials (ACMs) (note: this list is intended to be used as a guide and is not exhaustive)

Groundworkers should be made aware of the potential for contamination and the evidence above. Should no contamination be encountered, a statement submitted to the Local Planning Authority to that effect following development would be sufficient to discharge the condition.

9. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in

respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

10. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality. 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 street 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.

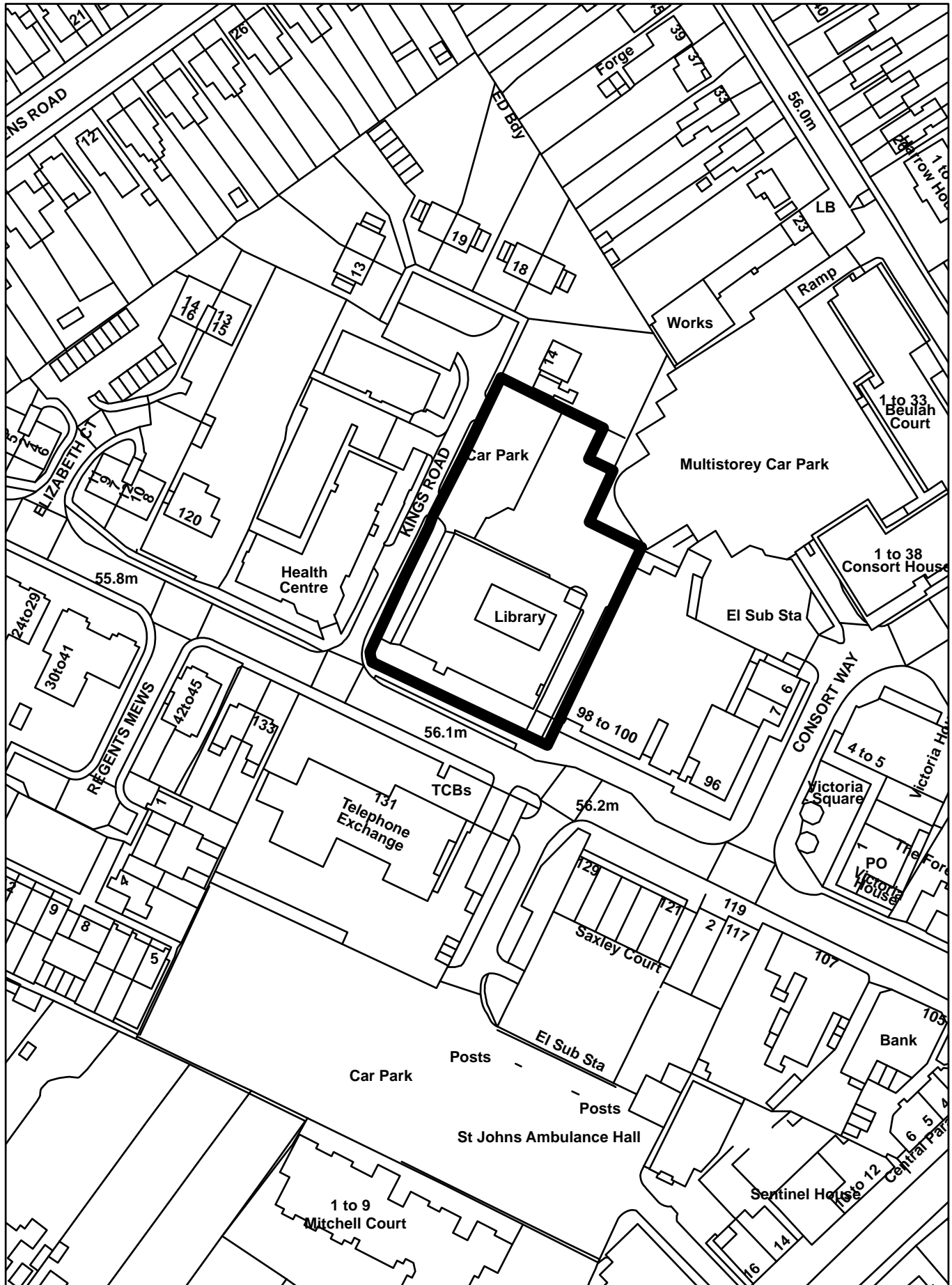
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS10, CS11, CS12, CS13, CS14, CS15, CS17, Cf1, Ho9, Ho13, Mo4, Mo5, Mo6, Mo7, Mo8, Ut4 and Hr17 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.

# 18/00222/OUT - Horley Library, 102 Victoria Road, Horley



## Horley Library, Horley Illustrative ground floor

# 03

\* Indicative location and spread of existing trees.

### Tenure

- Private
- Affordable

### Quantum

	1 bed	2 bed	
Ground	6	2	
First	11	3	
Second	9	3	
Third	4	2	
<b>Total</b>	<b>30</b> 75 %	<b>10</b> 25 %	<b>40</b> [12 affordable required @ 30 %]

### Parking provisions

Residents - 0.90 space per dwelling

**Total provided - 36 spaces**



A102973[ST3]03

File: A102973[ST3]drf01\_v1

03 November 2017

Scale 1:500 @A3

creative minds safe hands

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**Horley Library,  
Horley**  
**Proposed Access**

09

\* Indicative location and spread of existing trees.

**Key**

- Application boundary
- Proposed vehicular access to residential car park
- Proposed vehicular access to public car park
- Proposed pedestrian access



A102973[ST2]09  
File: A102973[ST3]drf01\_v1

20 April 2018  
Scale 1:500 @A3

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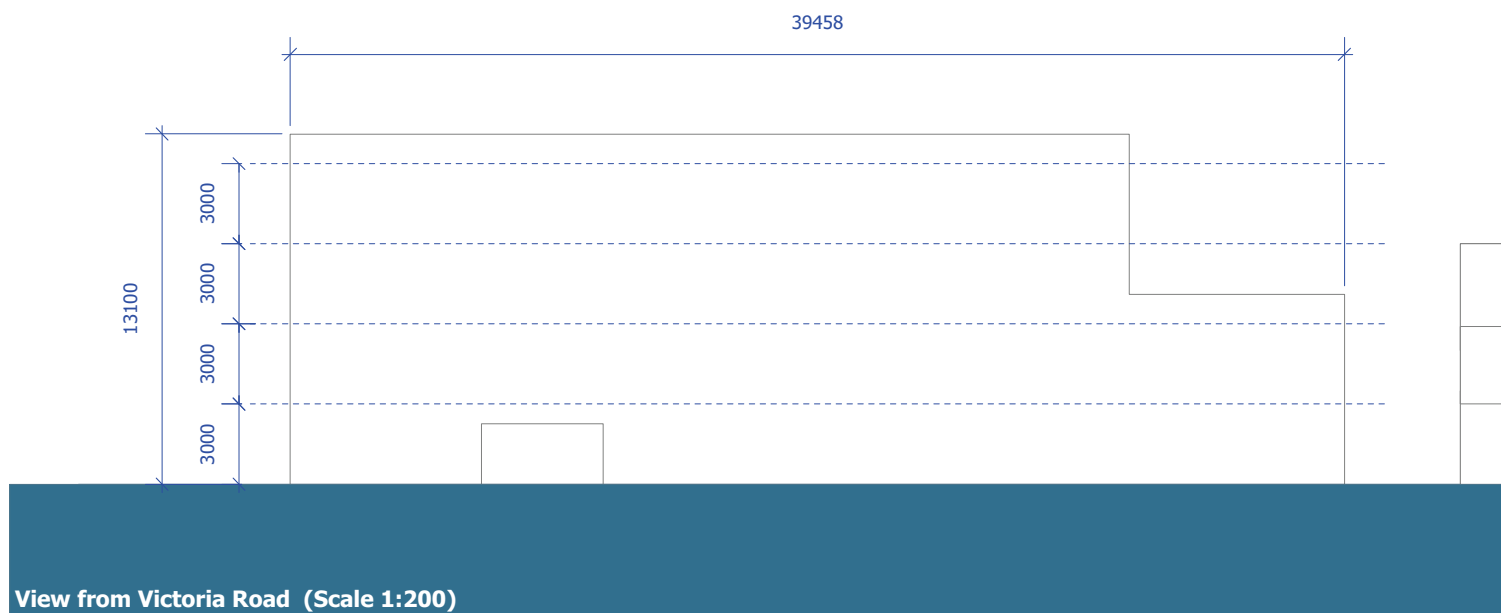
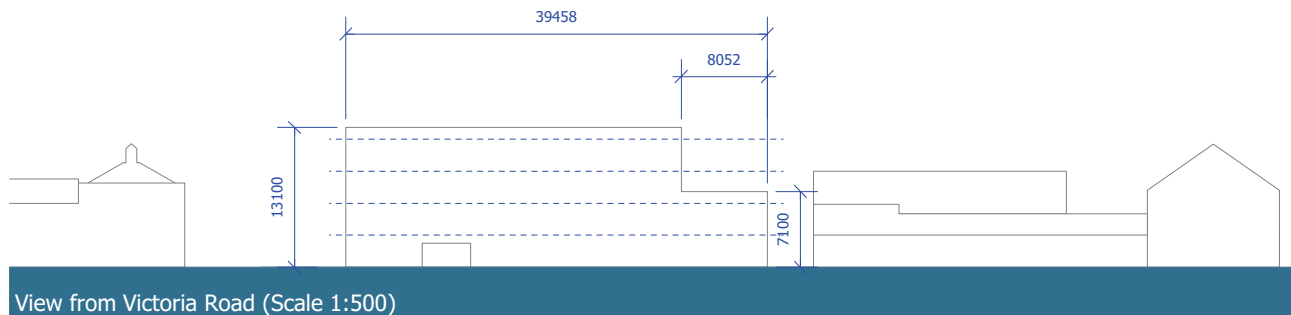
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**Horley Library,  
Horley**  
**Illustrative elevation**

**07**

\* Indicative location and spread of existing trees.



A102973[ST3]07

03 November 2017

File: A102973[ST3]drf01\_v1

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