

 <p>Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate</p>	TO:	PLANNING COMMITTEE
	DATE:	27 March 2024
	REPORT OF:	HEAD OF PLANNING
	AUTHOR:	Michael Parker
	TELEPHONE:	01737 276339
	EMAIL:	Michael.parker@reigate-banstead.gov.uk
AGENDA ITEM:	9	WARD: <i>Chipstead, Kingswood and Woodmansterne</i>

APPLICATION NUMBER:	23/01425/F	VALID:	23/08/2023
APPLICANT:	Aquilonis	AGENT:	Third Dimension Arch. Design Ltd
LOCATION:	11 - 12 WATERHOUSE LANE KINGSWOOD SURREY KT20 6EB		
DESCRIPTION:	Demolition of existing buildings and construction of part 2 and part 3 storey building containing commercial space at ground floor with 9 apartments above. Layout parking, bin stores and cycle store. As amended on 13/10/2023, 22/11/2023, 23/11/2023, 01/12/2023 20/02/2024 and on 05/03/2024		
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SUMMARY

This is a full application for the demolition of existing buildings and construction of part 2 and part 3 storey building containing commercial space at ground floor with 9 apartments above. Layout parking, bin stores and cycle store. There would be seven 2-bedroom flats and two 1-bedroom flats. The ground floor would provide 277m² of commercial floorspace. The ground floor commercial floorspace smaller than the existing ground floor area (existing is 550m² compared to 277m²).

The proposal is within the urban area where there is a presumption in favour of sustainable development and significant weight is given to the re-use of previously development land. On the basis that a commercial (class E) unit is being retained on the ground floor the proposed redevelopment with a mixed Class E and residential use above is considered acceptable in principle in this local centre location.

The premises were successfully nominated as an Asset of Community Value on 14th November 2023, given it serves a purpose to the community. The planning application proposes re-provision of a Class E unit on the ground floor (that being the same use as currently) and, there being no proposed change of use, it is not considered that planning permission could be withheld for this reason. The asset of community value listing may however allow the community to re-provide a community café on the ground floor, if the relevant conditions were met.

Vehicular access to the parking area would utilise the existing western crossing point. The eastern entrance would be closed, allowing for additional on street parking along Waterhouse Lane. The scheme would provide 12 on-site parking spaces. 1 would be allocated per flat. There would then be 2 spaces to be used for visitors and 1 space allocated for the commercial unit.

The design is traditional in nature with the use of gable and hipped roof forms and gables dormer windows. The roof would use handmade sandfaced clay plain tiles. The elevations would be a mix of render, hanging handmade sandfaced clay plain tiles and red brickwork. It will also feature chimneys.

The site is located on the northern side of Waterhouse Lane and is within the Waterhouse Lane Local Centre boundary and designated urban area. The site is within a medium accessibility area in relation to the Council's parking standards. The site adjoins the Kingwood Conservation Area to the east, which starts at the car park to the Kingswood Arms Public House.

The replacement is much larger than the existing buildings on the site in terms of height and massing but the footprint would be commensurate and taking in to account the height and scale of properties within the Waterhouse Lane Local Centre and the neighbouring public house it is considered that the scale and massing and layout would be in keeping with that of the site and surrounding area. It is considered that the scheme is a well-designed and of a scale and form which would not appear prominent in the street scene and appropriately reflects the more historic buildings within the surrounding area. As such, the scheme would not result in an overdevelopment of the site or have a detrimental impact on the character of the area or setting of the adjoining Conservation Area.

The proposal would provide parking in accordance with the Council's minimum parking standards for the residential element of the scheme and taking in to account the sustainable location of the site within a local centre and the existing use of the site it is considered that the parking for the commercial element is acceptable.

Whilst giving rise to a significant degree of change in the relationship between the site and neighbouring buildings, the proposed scheme would not have an adverse effect upon existing neighbouring properties and would accord with the provisions of DMP Policy DES1

Subject to conditions, the proposal would also be acceptable with regard to the impact on trees and ecology, drainage, contamination and sustainable construction. A condition securing a Construction Management Statement would help to mitigate the impacts of neighbouring occupants during construction.

RECOMMENDATION

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

Consultations:

Contamination Officer: recommends asbestos and ground contamination conditions

Kingswood Residents' Association: "The proposed does not appear to be contrary to current Planning Policy. In doing so, it offers an opportunity to replace a somewhat decayed and haphazard accretion of structures with a more aesthetically pleasing street scene." They also encourage the applicant to take in to account the view of residents when it comes to future retail/hospitality offerings.

Surrey County Council Highway Authority: no objection subject to conditions.

Surrey County Council Minerals and Waste Planning Authority: recommends a waste management plan condition

Thames Water: has provided a consultation response requesting conditions in relation to foul and waste water infrastructure to ensure that the proposal will not impact on the capacity of the existing system and secure network upgrades if required.

Surrey Wildlife Trust: no concerns with the suitability of the submitted ecology Preliminary Ecological Assessment (PEA) and follow up Bat Emergence Survey Report. Advise that biodiversity net gain information is provided.

Representations:

To date 56 responses have been received, 55 objecting to the proposal for the following reasons:

Issue	Response
Alternative location/proposal preferred	See paragraph 6.1-6.6
Crime fears	See paragraph 6.43
Health fears	See paragraph 6.21-6.25 and 6.45,
Inadequate parking	See paragraph 6.26-6.30
Inconvenience during construction	See paragraph 6.44
Inadequate parking	See paragraph 6.26-6.30
Increase in traffic and congestion	See paragraph 6.26-6.30
Hazard to highway safety	See paragraph 6.26-6.30
Harm to Conservation Area	See paragraph 6.8-6.21
Loss of existing café	See paragraph 6.1-6.5

Loss of buildings	See paragraph 6.1-6.5
Poor design	See paragraph 6.7-6.20
Out of character with surrounding area	See paragraph 6.6-6.20
Overshadowing	See paragraph 6.21-6.25
Overbearing relationship	See paragraph 6.21-6.25
Overdevelopment	See paragraph 6.7-6.20
Loss of private view	This is not a material planning consideration
No need for development	Each case must be considered on its own merits. Also see paragraph 6.1-6.6
Overlooking and loss of privacy	See paragraph 6.21-6.25
Drainage/Sewerage capacity	See paragraph 6.41
Flooding	See paragraph 6.41
Noise and disturbance	See paragraph 6.22-6.26
Any approval will result in further applications to redevelop other shops along street	Each case must be considered its own merits. It does not set a precedence.

1.0 Site and Character Appraisal

- 1.1 The site is located on the northern side of Waterhouse Lane and is within the Waterhouse Lane Local Centre boundary and designated urban area. The site is within a medium accessibility area in relation to the Council's parking standards.
- 1.2 The site adjoins the Kingwood Conservation Area to the east, which starts at the car park to the Kingswood Arms Public House. The Conservation Area lies primarily to the south-east of the railway, comprising an estate of 'arts and crafts' style housing set within substantial landscaped plots, but the Conservation Area extends north-west of the railway to encompass the station building and also The Kingswood Arms, including that part of the pub car park which borders the eastern boundary of the application site. To the

north the land rises significantly in height up to the residential road Furze Hill. Directly to the rear of the site is the car park for the Kingswood Arms.

- 1.3 The application site itself comprises a range of buildings, with No.12 being a relatively modern flat-roofed single storey building, and No.11 being partly flat-roofed single storey and partly flat roofed two/three storey with a single storey detached building to the rear. There are two current vehicular crossovers from Waterhouse Lane. The access to No.11 is in use, and provides access to the existing service yard, parking and bin collection areas. The access to No.12 is currently closed off by railings, behind which sits a marquee.
- 1.4 The site is currently occupied by a café (at No.11). The premises has been successfully nominated as an Asset of Community Value, given it serves a purpose to the community. This means that, should it be put up for sale, the community are given six months in which to raise funds and bid to purchase it.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: a pre-application enquiry was provided under ref. PAM/23/00066 for 9 flats and Class E space on the ground floor. This provided the Council an opportunity to comment on the principle of such an application and make the applicant aware of key planning concerns such as design, neighbouring amenity, highways, trees and ecology.
- 2.2 Improvements secured during the course of the application: Officers requested and secured the following alterations;
 - change to the elevational treatment and design
 - change to layout, one less parking space
 - additional tree information
 - additional transport information
 - additional levels and cross section plans
- 2.3 Further improvements to be secured through conditions or legal agreement: The following conditions are recommended to be attached to the permission:
 - Materials and design measures
 - Drainage
 - Landscaping
 - Ecology
 - Sustainability measures
 - Broadband
 - Highway conditions

3.0 Relevant Planning and Enforcement History

None relevant

4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of existing buildings and construction of part 2 and part 3 storey building containing commercial space at ground floor with 9 apartments above. Layout parking, bin stores and cycle store. There would be seven 2-bedroom flats and two 1-bedroom flats. The ground floor would provide 277m² of commercial floorspace.
- 4.2 The ground floor commercial floorspace smaller than the existing ground floor area (existing is 550m² compared to 277m²). It is understood that there are offices and storage areas within the existing site but are either no longer in use or are used ancillary to the main restaurant uses on the ground floor. The front elevation is designed to facilitate the use of the proposed commercial space either as a single unit, or subdivision to create two or three smaller units, thereby offering optimum flexibility for future use.
- 4.3 Vehicular access to the parking area would utilise the existing western crossing point. The eastern entrance would be closed, allowing for additional on street parking along Waterhouse Lane. The scheme would provide 12 on site parking spaces. 1 would be allocated per flat. There would then be 2 spaces to be used for visitors and 1 space allocated for the commercial unit.
- 4.4 Each flat is provided with secure cycle storage. Refuse and recycling facilities are also provided in a secure store. A landscaped amenity space for residents is provided to the side and rear of the building, and there is also potential for an area of roof terrace to be created at the rear of the building, at first floor.
- 4.5 The design is traditional in nature with the use of gable and hipped roof forms and gables dormer windows. The roof would use handmade sandfaced clay plain tiles. The elevations would be a mix of render, hanging handmade sandfaced clay plain tiles and red brickwork. It will also feature chimneys.
- 4.6 A design and access statement (D&A) 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.
- 4.7 Evidence of the applicant's design approach is set out below:

Assessment	The submitted Design and Access Statement (DAS) considers the site context in section 2, looking at the site location, site history, the existing building, local constraints and transport links, aerial and street views of the site and surrounding area
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Involvement	No evidence is provided that community consultation took place but the applicant did undertake a pre-application submission under PAM/23/00066
Evaluation	Section sets out the design process, looking at the architectural forms and materials of the surrounding area, site concept, elevation concept
Design	The DAS as section 4 details the design response to the design process. Including the site plan, layout, accommodation schedule, elevations, streetscene impacts, parking, access and landscaping, quality of accommodation and refuse/waste management

4.8 Further details of the development are as follows:

Site area	0.13ha
Existing use	Commercial (Class E)
Proposed use	Mixed Residential (7 x 2 bed dwellings and 2 x 1 bed dwellings) and commercial (Class E)
Existing parking spaces	6
Proposed parking spaces	12 (9 no residential, 2 no visitor, 1 retail space)
Parking standard residential	Minimum 11
Parking standard commercial	Maximum 9
Number of affordable units	0
Net increase in dwellings	9
Proposed site density	69 dph
Density of the surrounding area	50 dph (5-9 Waterhouse Lane - a similarly mixed commercial and residential block) 140 dph (3-4 Waterhouse Lane – a similarly mixed commercial and residential block)

5.0 Policy Context

5.1 Designation

Urban area, Waterhouse Lane Local Centre, Primary Shopping Area, medium accessibility area (in relation to parking standards), setting of Kingswood Conservation Area.

5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)
CS4 (Valued townscapes and the historic environment)
CS5 (Valued People/Economic Development),
CS7 (Town/Local Centres
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS12 (Community Facilities)
CS14 (Housing Needs)
CS17 (Travel Options and accessibility)

5.3 Reigate and Banstead Development Management Plan 2019

RET1 (Development within identified retail frontages and local centre)
RET3 (Local Centres)
DES1 (Design of New development)
DES4 (Housing Mix)
DES5 (Delivering High Quality Homes)
DES8 (Construction Management)
DES9 (Pollution and Contaminated Land)
TAP1 (Access, Parking and Servicing)
CCF1 (Climate Change Mitigation)
CCF2 (Flood Risk)
NHE2 (Protecting and enhancing biodiversity)
NHE3 (Protecting trees, woodland areas and natural habitats)
NHE9 (Heritage Assets)
INF2 (Community Facilities)
INF3 (Electronic communication networks)

5.4 Other Material Considerations

National Planning Policy Framework
National Planning Practice Guidance
Supplementary Planning Guidance

Local Character & Distinctiveness
Design Guide SPD 2021
Climate Change and Sustainable
Construction SPD 2021
Horley Design Guide
SCC Vehicle and Cycle Parking
Guidance 2018
SCC Transportation Development
Planning Good Practice Guide 2016
Householder Extension & alterations
SPG

Other

Human Rights Act 1998
Community Infrastructure
Regulations 2010

6.0 Assessment

- 6.1 The application site is within the urban area. Therefore, there is a presumption in favour of sustainable development, which means approving development proposals that accord with an up-to-date development plan without delay. Such a scheme would also accord with the 'urban areas first' approach of the Core Strategy which seeks to encourage new development within the existing urban areas.
- 6.2 It should also be noted that the site is previously developed land and that both the Council's Development Plan and the NPPF promote the efficient use of the urban area. The NPPF at paragraph 120 c) states that planning policies and decisions should; "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land".
- 6.3 There have been responses from residents concerned about the loss of the existing café and the potential closure of the café due to changes to leases. The premises were successfully nominated as an Asset of Community Value on 14th November 2023, given it serves a purpose to the community. As such policy INF2 of the Development Management Plan applies and the community use is a material planning consideration. The planning application proposes reprovision of a Class E unit on the ground floor (that being the same use as currently) and, there being no proposed change of use, it is not considered that planning permission could be withheld for this reason. The asset of community value listing may however allow the community to re-provide a community café on the ground floor, if the relevant conditions were met.
- 6.4 The ground floor of the properties are currently occupied by cafe/restaurant uses. Policy RET1 relates to development within identified retail frontages and Local Centre and sets out a number of criteria (1a to e) that development must meet including keeping an active frontage to the ground floor which this proposal does. Policy RET1 also allows for C3 (residential) uses on the upper floors. Policy RET3 relates specifically to development within Local Centres and requires marketing information to demonstrate the loss of former Class A uses. In terms of RET3 the proposal would retain a commercial use across the ground floor of the proposed building. Therefore, as long as the proposed Class E use on the ground floor would be restaurant/cafe, retail or community uses then the proposal would comply with RET3.
- 6.5 Therefore the principle of a replacement Class E unit on the ground floor and residential development above is considered acceptable. It is noted that Class E allows uses that go beyond retail, community or restaurant uses such as creche or day nursery or office accommodation. These uses would not generally be expected on the ground floor of a local centre. There are also a number of permitted development rights for Class E uses. Therefore were this application to be granted, in order to ensure that the ground floor unit

continues to positively contribute to the vitality and viability of the local centre it is recommended that a condition is attached which restricts the uses of the ground floor to class E (a - retail)(b - restaurant) (c-professional service)(d-indoor sport and recreation) or (e- medical and health services) only.

6.6 The main issues to consider are:

- Design appraisal and heritage considerations
- Neighbour amenity
- Quality of accommodation for future occupants
- Highway matters
- Impact on trees and ecology
- Sustainable Construction
- Community Infrastructure Levy
- Other matters (crime, drainage, contamination and construction impacts)

Design appraisal and heritage considerations

6.7 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.

6.8 DMP Policy NHE9 states that “In considering planning applications that directly or indirectly affect designated heritage assets, the Council will give great weight to the conservation of the asset, irrespective of the level of harm. Any proposal which would result in harm to or total loss of a designated heritage asset or its setting will not be supported unless a clear and convincing justification is provided.” And that “All development proposals must be sympathetic to a heritage asset and/or its setting by ensuring the use of appropriate high quality materials, design and detailing (form, scale, layout and massing).”

6.9 In this case the existing site is a previously developed site which is of limited architectural merit and which is not listed or locally listed and is not within a Conservation Area. Therefore, there is no objection to the demolition of the buildings within the site. The key is the quality of the replacement building and proposed site layout.

6.10 In terms of layout and footprint the scheme would essentially follow that of the existing site with the main entrance at the western end of the site with the parking court in the western side of the site. The rear most element of the scheme would not extend as deep into the site or be as wide increasing the

spacing to the western and northern boundaries. The overall height and massing of the replacement building would be larger than the existing however as set out within the Design and Access Statement and as was apparent on the site visit the three-storey height and massing of the building would be similar to other development along the Waterhouse Lane Local Centre. The Kingswood Arms is also a large prominent building within the streetscene. The proposed building has also been designed so that the 2nd floor is within the roof space which helps to minimise the bulk of the development. The scheme when assessed against this context is considered to be in keeping with the scale and layout of the existing site and that of the surrounding area. The fact that the proposed will make use of the existing ground levels and further dig into the rear by pushing the retaining wall further back in to the site also means that the development will not be prominent when viewed from the north and would be seen as a continuation of the existing built form along the northern side of Waterhouse Lane.

- 6.11 The design and proposed materials are also considered to be in keeping with the form and materials which are predominant in the surrounding area. The rise of the roof i.e. the distance between the ridge and eaves is considered to be of a traditional proportion with appropriate roof pitch. The roof form, well-proportioned dormer windows and chimney features help to give the building an arts and craft character. The initial scheme did have timber frame but this has been removed for render and tile hanging which is considered a better design solution which competes less with the adjacent Kingswood Arms public house.
- 6.12 The Conservation Officer, following amendments to the scheme, has raised no objection in terms of the impact on the setting of the Conservation Area subject to conditions to ensure appropriate materials and fenestration. The proposal is considered to have no material impact on the setting of the Conservation Area.
- 6.13 The existing site has limited trees or soft landscaping with some located along the eastern and northern boundaries, none of which are of high quality. The proposed layout provides an opportunity to establish additional and/or replacement planting.
- 6.14 Taking all these factors in to account it is considered that the scheme is a well-designed and of a scale and form which would not appear prominent in the street scene and appropriately reflects the more historic buildings within the surrounding area. The depth and layout of the scheme is appropriate in this location and would not result in an overdevelopment of the site or have a detrimental impact on the character of the area or setting of the adjoining Conservation Area.
- 6.15 Conditions are recommended to secure finalised details of the proposed external materials, detailing of the balconies and means of enclosure to ensure a good quality finish.

- 6.16 DMP Policy DES4 relates to Housing Mix and states that all new residential developments should provide homes of an appropriate type, size, and tenure to meet the needs of the local community. The proposed housing mix must on sites of up to 19 homes provide at least 50% of market as smaller (one and two bedroom) homes. In this case all of the units would be smaller homes and therefore the scheme complies with this requirement.
- 6.17 DMP Policy DES5 relates to the delivery of high-quality homes and requires, *inter alia*, that as a minimum, all new residential development (including conversions) must meet the relevant nationally described space standard for each individual units except where the Council accepts that an exception to this should be made in order to provide an innovative type of affordable housing that does not meet these standards. In addition, the policy also requires all new development to be arranged to ensure primary habitable rooms have an acceptable outlook and where possible receive direct sunlight.
- 6.18 Each dwelling would have a floor area which accords with the relevant standard in the Nationally Described Space Standards. In terms of amenity space 5 of the 9 flats would have access to private balconies, all units would have access to the communal terrace area on the first floor and rear garden area. Such amenity provision is considered acceptable for a flatted scheme in a local centre. All units would have adequate outlook and access to light.
- 6.19 Policy DES7 requires that on sites of 5 or more homes, at least 20% of homes should meet the Building Regulations requirements for 'accessible and adaptable dwellings' (M4(2)). The plans and submitted accommodation schedule show that flats 1 and 7 will be M4(2) compliant. A condition is recommended to ensure these are implemented in accordance with these standards.
- 6.20 Based on the above it is considered that the standard of accommodation is acceptable.

Neighbour amenity

- 6.21 There is currently a car park to the rear (north of the site) and to the east and fields to the south. The nearest residential properties to be considered are those located to the north-west of the site and west of the site.
- 6.22 The location and footprint of the proposed building would also be very similar to that of the existing as would the height of the element closest to the existing properties to the west and north-west. In terms of the properties to the north-west as evidenced by the submitted cross section plans these dwellings are located at a much higher land level. The rear most element of the development which is two storeys would be below the level of these properties rear garden with only the ridge of this element visible above their fencing. The nearest three storey element would be over 22m from the northern-western corner of the site and over 30m from nearest elevation of Florian House (the closest dwelling in Furze Hill). Therefore, I consider that the relationship is acceptable and would not result in an adverse impact to

these occupants with regarding to overbearing impact, obtrusiveness, overshadowing, overlooking and loss of privacy.

- 6.23 In terms of the properties to the west, as set out above the proposal essentially follows the footprint of the existing built form and the front part of the building is further away from the neighbouring property at 10 Waterhouse Lane with the removal of the existing first floor 'bridge' element at the front of the site which currently attaches to no.10. Therefore, the scheme will not have an adverse impact on the adjacent dwelling with regard to overbearing impact, obtrusiveness and overshadowing. In terms of overlooking there would be a number of west and south facing windows which could impact amenity however these windows, with the exception of the west facing bedroom window for flat 4 and 5, would either serve non-habitable rooms or secondary windows. These can be conditioned to be obscure glazed. In terms of the side facing windows for flat 4 and 5 these windows would allow some views towards the side elevation of the adjacent property and their rear terrace area. However, any view would not be direct and given they are bedrooms, and not living rooms, I consider that the level of overlooking would be acceptable in the context of a local centre location. A condition securing the making good of the link to no.10 could also secure some additional screening to the side of their existing terrace to limit the impact.
- 6.24 In terms of the proposal and potential noise, disturbance and pollution given the historic use of the site as a commercial site and the modest scale of the proposal it is considered that the proposals would not materially impact on the neighbouring residential properties regarding noise, disturbance and pollution.
- 6.25 In conclusion, whilst giving rise to a significant degree of change in the relationship between the site and surrounding buildings, the proposed scheme would not have an adverse effect upon existing neighbouring properties and would accord with the provisions of DMP Policy DES1.

Highway matters

- 6.26 As set out above 12 parking spaces are proposed, 11 for the residential use and 1 for the commercial unit. The submitted Transport Statement advises that as the commercial unit would be smaller than existing the level of traffic generated by this element would be no worse than the existing and so the key consideration is the traffic from the residential use. The report states that the 9 new flats would generate during the morning peak period (7am – 10am) up to 9 two-way vehicle trips and, there would be 12 two-way vehicle trips in the evening peak period (4pm – 7pm). It concludes that this level of traffic movement is negligible. No noticeable change in delivery activity is expected for the non-residential use, given the existing conditions at the site. It is estimated that there could be on average 1 – 2 deliveries per day associated with the residential dwellings based on 10 – 15 deliveries per 100 dwellings. The submitted Transport Statement advises that this level of delivery activity is considered negligible and would not impact on the operation of the local highway network.

- 6.27 The proposed access arrangements and parking layout been assessed by the County Highway Authority (CHA), regarding highway safety, capacity and policy matters and has raised no objection to the current proposal subject to conditions to secure the implementation of the access, parking and refuse collection and further details in relation to cycle storage, travel plan and a Construction Transport Management Plan (CTMP) and electric charging points.
- 6.28 In terms of parking the site is in an area which is assessed as having a medium accessibility rating. In such areas, the Council's adopted parking standards require the provision of a minimum of 1 space for each of the 1 and 2 bedroom flats and 2 visitor spaces. Therefore, the proposal is providing parking in accordance with the minimum requirements for the residential element of the scheme. In terms of parking for the commercial use there would only be 1 parking space. However, it is important to note that parking for non-residential uses are maximum standards and therefore there is no minimum requirement. In this case depending on the use a maximum of 9 (for a retail or professional services use) to 55 spaces (restaurant use) would be allowed on site. However, taking in to account the existing situation where the current site does not provide anywhere near the maximum allowed parking for its existing uses (110 spaces maximum for the restaurant uses and 11 spaces for the storage/office element) with just 6 spaces on site. The fact that the site is in a local centre where there is provision of a substantial amount of on street parking. As well as the sustainable location of the site near to the Kingswood Train Station and the fact that Surrey County Council has not objected in relation to the amount of parking proposed it is considered that the level of on street parking proposed is acceptable.
- 6.29 Secure and covered cycle storage is proposed to the rear of the ground floor. A bin store is proposed adjacent to the car parking and access road and would be 7.5m from the site entrance ensuring that the Council's refuse team can collect the refuse with minimum disruption. This location is adequate as an area for bin storage. Conditions are recommended to secure provision of the bin store and cycle storage.
- 6.30 Accordingly, it is considered that the proposals are acceptable from a highway point of view and accord with the provisions of DMP Policy DES1 and TAP1.

Impact on trees and ecology

- 6.31 The site is located within the urban area and the site is covered in hardstanding with limited trees or habitat features on the site. As the existing building is being demolished the application is supported by a Preliminary Ecological Appraisal (PEA). The PEA found habitats worthy of special protection and only found potential for bats and birds. As a result, a further Bat Emergence Survey was recommend. The bat survey found no evidence of roosting bats and therefore the site is of negligible value to bats. Surrey Wildlife Trust has considered the submitted surveys and has advised that the

report is appropriate in scope and methodology and therefore officers are satisfied that the proposal is unlikely to result in harm to protected species. Conditions are recommended to secure the implementation of precautionary mitigation measures during construction.

- 6.32 In terms of trees site is bounded by trees and there are some located to the rear and along the eastern side of the site. The submitted tree survey recommends the removal of three trees, T1, G1 and T5 which are all grade C trees. The Council's Tree Officer has reviewed the submitted report and advised as follows: *"My comments are based on a desk top review of the arboricultural report submitted with this application. The report dated 4th March 2024 identifies trees to be removed, all of which are low quality and their removal will have minimal impact on the character of the area, and canopy cover. The report does not provide a separate tree protection plan for the demolition phase, but this can be secured by condition. The revised layout shows one of the parking bays next to where T5 is located [has been removed,] this will create space for replacement planting"*. Therefore based on the comments of the tree officer the loss of the trees is acceptable and there is adequate space to secure meaningful replacement trees. A condition is recommended to secure a finalised tree protection plan and a landscaping scheme.
- 6.33 In terms of biodiversity gain and ecological enhancement measures the applicant has submitted Biodiversity Management Plan which demonstrates that with an appropriate soft landscaping strategy the site can achieve a 226% increase in biodiversity. The report also recommends enhancement measures in the form of bird boxes and bricks. A condition is recommended to secure a finalised biodiversity net gain plan and landscaping plan to include details of planting and management.
- 6.34 Officers are therefore satisfied that the proposal would not result in unacceptable harm to protected species or habitats.

Sustainable Construction

- 6.35 DMP Policy CCF1 relates to climate change mitigation and requires new development to meet the national water efficiency standard of 110litres/person/day and to achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.
- 6.36 The application has provided a Carbon Reduction Statement which confirms it will go beyond the latest building regulations which require a 27% reduction part of this will be through the use of Air Source Heat pumps (ASHP) but details are to be finalised
- 6.37 Following the recent changes to building regulations energy efficiency measures are now in excess of the 19% requirement. Therefore, it is not considered reasonable or necessary to include a condition requiring the 19% improvement. The water efficiency measures are still however required. If

planning permission is to be granted, a condition would be imposed to secure further details of the water efficiency measures in order to comply with this element of DMP Policy CCF1. A condition is also recommended to secure the finalised details of any proposed renewable energy measures such as solar panels of ASHP to ensure that the location is acceptable from a visual and neighbour amenity point of view.

- 6.38 A condition is also recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP. As above a condition is also recommended to secure the implementation of electric car charging points throughout the site.
- 6.39 The Surrey County Council Minerals and Waste Planning Authority has raised no objection subject to Council being satisfied that adequate waste storage and recycling is provided and the submission of a waste management plan to make sure as much of the material is re-used and recycled as possible. It is considered that the waste storage provision shown on site would be adequate. A condition is recommended in line with the recommendation.

Community Infrastructure Levy (CIL)

- 6.40 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, although the exact amount would be determined and collected after the grant of planning permission.

Other Matters

- 6.41 The site is not located within flood zone 2 and 3. As such no concern is raised with regard to fluvial flooding. The sewage capacity for the site would be assessed at building control stage. In terms of drainage, no drainage information has been provided at the application stage. To meet the requirements of policy CCF2 and ensure that it does not increase drainage risk on the site and surrounding area a condition is recommended to secure further drainage details. In addition, Thames Water have provided a consultation response requesting conditions in relation to foul and waste water infrastructure to ensure that the proposal will not impact on the capacity of the existing system and secure network upgrades if required.
- 6.42 The Council's Environmental Protection Officer has identified the potential for ground contamination and asbestos to be present on and/or near the application site. Therefore, conditions are recommended to mitigate against any potential harm.
- 6.43 Concerns have been raised regarding crime, the scheme seeks to replace an existing commercial site with a mix of commercial and residential. Therefore, the site will become more active with greater activity and surveillance.

- 6.44 In terms 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. To ensure that the impacts of construction are reduced a condition is recommended to secure a method of construction statement.

CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Site Layout Plan	63482BWLS-01		20.02.2024
Proposed Plans	207	P4	20.02.2024
Combined Plan	205		02.08.2023
Other Plan	46356BWLS-01		11.07.2023
Floor Plan	46356BWLS-02		11.07.2023
Combined Plan	46356BWLS-03		11.07.2023
Floor Plan	201	P4	23.11.2023
Elevation Plan	204	P4	23.11.2023
Street Scene	206	P4	23.11.2023
Proposed Plans	203	P4	23.11.2023
Floor Plan	202	P4	23.11.2023
Site Layout Plan	200	P4	23.11.2023
Proposed Plans	205	P4	23.11.2023

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.

2. 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.

3. No development shall take place until the developer obtains the Local Planning Authority's written approval of full and finalised details of the proposed ground levels (including details of the finalised heights of the proposed retaining walls) and the proposed finished ground floor levels of the building. 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 Development Management Plan 2019 Policy DES1.

4. No development shall commence until a Construction Management Statement, to include details of:
 - a) Prediction of potential impacts with regard to water, waste, noise and vibration, dust, emissions and odours. Where potential impacts are identified, mitigation measures should be identified to address these impacts.
 - b) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
 - c) Means of communication and liaison with neighbouring residents and businesses.
 - d) Details of parking for vehicles of site personnel, operatives and visitors, loading and unloading of plant and materials, storage of plant and materials, and measures to prevent the deposit of materials on the highway
 - e) Hours of work.

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

Reason: The condition above is required in order that the development is managed in a safe and considerate manner to help mitigate potential impact on the amenity and safety of neighbours and to accord with Reigate and Banstead Development Management Plan 2019 policy DES8.

5. No development shall commence until a strategy for the disposal of surface and foul water (surface water drainage scheme) is submitted to and 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. Details of drainage management responsibilities and maintenance regimes for the drainage system must also be included. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the site is satisfactorily drained and in order to protect water and environmental quality with regard to Policy CS10 of the Core Strategy 2014, Policy CCF2 of the Development Management Plan 2019 and the NPPF.

6. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDs and the implemented drainage design does not increase flood risk on or off site in accordance with policy

CCF2 of the Reigate and Banstead Borough Council Development Management Plan 2019.

7. Prior to the commencement of the development a Waste Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall demonstrate how the waste generated during the demolition, excavation and construction phase of the development is limited to the minimum quantity necessary and opportunities for re-use and recycling of any waste generated are maximised. The development shall then be implemented in accordance with the approved Waste Management Plan.

Reason: To ensure that the development maximises opportunities for re-use and recycling of any waste generated in accordance with Policy 4 of the Surrey Waste Local Plan 2019.

8. The developer must submit to and be approved in writing by the Local Planning Authority either evidence 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 shall be submitted to the LPA and must be approved prior to commencement to the development. The scheme as submitted shall 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. The development shall then be undertaken in accordance with the approved details.

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 the Reigate and Banstead Local Plan Development Management Plan 2019 and the NPPF.

9. Prior to commencement of development a written comprehensive environmental desktop study report (preliminary risk assessment) 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 Land Contamination: Risk Management Guidance (2020) 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 the Reigate and Banstead Local

Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

10. Prior to commencement of development, 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. Please note this means a proposal is required to be submitted and approved prior to actually undertaking a Site Investigation.

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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

11. 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 Land Contamination: Risk Management Guidance (2020) 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 inline 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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

- 12.a. 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.
 - b. 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 have regard to 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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

13. 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.

Note: Should no further contamination be identified then a brief comment to this effect shall be required to discharge this condition

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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

14. No development shall commence including demolition and or groundworks preparation until a detailed, scaled finalised Tree Protection Plan (TPP) and the related finalized Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings, type of surfacing for the entrance drive and location of site offices. The AMS shall also include a pre commencement meeting, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. All works shall be carried out in strict accordance with these details when approved.

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 reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

15. No development above slab level shall commence on site until a scheme for the soft and hard landscaping and replacement tree planting within the site has been submitted and approved in writing by the local planning authority. The Landscaping scheme shall be based on the recommendations within the submitted Biodiversity Management Plan by Ecology Link dated 19/1/2024 and shall include details of hard landscaping (materials and finish), 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 programme. The scheme shall also take in to account the recommendations of the submitted ecology reports.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority.

All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction.

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 NHE3 and DES1 of the Reigate and Banstead Borough Development Management Plan 2019, British Standards including BS8545:2014 and British Standard 5837:2012.

16. No development shall commence until an updated Biodiversity Net Gain and Ecological Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority (LPA). The Plan shall be based on the recommendations of the submitted Biodiversity Management Plan by Ecology Link dated 19/1/2024 and shall detail the finalised on-site biodiversity enhancement measures to achieve a net gain in biodiversity and details of proposed onsite ecological enhancement measures. The Plan shall also include details of the management and monitoring of the proposed net gain enhancement measures.

The agreed details shall be implemented before occupation of this development, unless otherwise agreed in writing by the LPA, and maintained/monitored in accordance with the agreed details.

Reason: To provide enhancements to the biodiversity of the site in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

17. The development shall be carried out in accordance with the mitigation measures set out within the submitted Ecology Link Preliminary Ecological Appraisal (PEA) report and Bat Emergence Survey report.

Reason: To ensure that any potential impact to protected species is adequately mitigated in accordance with the provisions of the National Planning Policy Framework and policy NHE2 of the Development Management Plan 2019.

18. The development shall not be occupied until the modified access has been provided with pedestrian inter-visibility splays of 2m by 2m on both sides of the access, the depth measured from the back of the footway and the width outwards from the edges of the access in accordance with the submitted TTP Consulting plan numbered 2023 4833 003 (within the submitted Transport Statement dated December 2023). No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

19. 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 and turning areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

20. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials

- (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (j) on-site turning for construction vehicles
- 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 condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 Parking, access , and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

21. The development hereby approved shall not be occupied unless and until each of the proposed flats are provided with a fast charge socket (current minimum requirements – 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority

Reason: In order that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

22. The development hereby permitted shall not be occupied unless and until a Travel Information Pack containing information on employment, education, retail and leisure land uses within 2 km walking distance and 5km cycling distance of the site and details of public transport within 400 metres of the site and the destinations they serve has been submitted to and approved in writing with the Local Planning Authority. The approved document shall be distributed to residents of the proposed development upon first occupation.

Reason: In order that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

23. The development shall not be occupied until the commercial and residential bins stores have been provided in accordance with the approved plans and made ready for use (with bins provided).

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy DES1 and TAP1 Parking, access , and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

24. Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a revised scheme for each of the proposed bicycle parking spaces to be fitted with an electric bike charging point. Thereafter the bike parking area shall be retained and maintained for its designated purpose.

Reason: In order that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

25. The development hereby approved shall not be first occupied unless and until the existing eastern access from the site to Waterhouse Lane has been permanently closed and any kerbs, verge, footway, fully reinstated in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework and Policy TAP1 of the Reigate and Banstead Development Management Plan 2019.

26. Notwithstanding the approved drawings, the proposed external finishing materials and details shall be carried out using the external facing materials and details specified below and there shall be no variation without the prior approval in writing of the Local Planning Authority;
- a) All tiles and tile hanging shall be of reddish brown handmade sandfaced plain clay tiles. A photographic sample of the tiles shall be submitted to and approved in writing by the Local Planning Authority (LPA) before their installation.
 - b) With the exception of the tiles prior to the any works above slab level full details of the proposed materials to be used in the construction of the external surfaces of the walls, windows and dormer windows shall be submitted to and approved in writing by the LPA.
 - c) All bargeboards shall be of black painted timber with an architrave to the top edge and no boxed ends.
 - d) All-joinery shall have a casement in each opening to ensure equal sightlines and all glazing bars shall have an external traditional profile.
 - e) Details of all balconies shall be submitted to and approved in writing by the LPA before their installation and shall be of a traditional painted timber profile.
 - f) Prior to any works above slab level details of how the exposed walls and structure of the neighbouring property, 10 Waterhouse Lane, will be made good and finished following the demolition of the existing building which attaches to this property. This shall also include details of adequate screening to the eastern edge of this property's rear terrace area. All approved works shall be undertaken prior to the first occupation of the development hereby approved.

Reason: To ensure that the development hereby permitted is only constructed using the appropriate external facing materials and detailing in the interest of maintaining the visual amenity of the site and setting of the adjacent Conservation Area, and neighbouring amenity, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and NHE9.

27. Prior to any works above slab level full details of the positions, design, materials and type of boundary treatment to be erected shall be submitted to and agreed in writing by the Local Planning Authority. All gates and fencing shall be of vertically boarded feather edge timber with timber posts and timber gravel boards.

Reason: To ensure that the development hereby permitted is only constructed using the appropriate external facing materials and detailing in the interest of maintaining the visual amenity of the site and setting of the adjacent Conservation Area, and neighbouring amenity, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and NHE9.

28. Notwithstanding the approved plans no external lighting shall be installed on the buildings hereby approved or within the site until an external lighting scheme, which shall include indication of the location, height, direction, angle and cowling of lights, and the strength of illumination, accompanied by a light coverage diagram has been submitted to and agreed in writing by the local planning authority.

The external lighting shall be implemented in accordance with the approved scheme and be retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: To protect the visual amenity of the area and neighbouring residential amenities with regard to Reigate and Banstead Core Strategy 2014 Policy CS10 and policy DES1, DES5, DES9 and NHE9 of the Reigate and Banstead Development Management Plan.

29. The development hereby approved shall not be first occupied unless and until a Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day.

The development shall be carried out in accordance with the approved details and any measures specific to an individual dwelling(s) shall be implemented, installed and operational prior to its occupation.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS10 of the

Reigate & Banstead Core Strategy 2014 and Policy CCF1 of the Reigate & Banstead Development Management Plan 2019.

30. Details of the final siting and positioning and model/make of any external renewable energy equipment such as Air Source Heat Pumps (ASHP) and/or solar panels shall be submitted to an approved in writing by the Local Planning Authority prior to the first occupation of the development. In relation to ASHP this will also include details in relation to anticipated noise impacts and any required mitigation.

Thereafter, the ASHP shall be installed and operational on each relevant dwelling prior to the first occupation of that dwelling.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions and protects the visual and neighbouring amenity of the site and surrounding area with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policy CCF1 and DES1 and NHE9 of the Reigate & Banstead Development Management Plan 2019.

31. All dwellings within the development hereby approved shall be provided with the necessary infrastructure to facilitate connection to a high speed broadband. Unless otherwise agreed in writing with the Local Planning Authority, this shall include as a minimum:
- a) A broadband connection accessed directly from the nearest exchange or cabinet
 - b) Cabling and associated installations which enable easy access for future repair, replacement or upgrading.

Reason: To ensure that the development promotes access to, and the expansion of, a high quality electronic communications network in accordance with Policy INF3 of the Reigate & Banstead Development Management Plan 2019.

32. The development shall be implemented so that Flat 1 and 7 meet the Building Regulations requirements for 'accessible and adaptable dwellings' (Part M4(2)) prior to their first occupation unless an alternative scheme is submitted to and agreed in writing by the Local Planning Authority.

Reason: In order that the scheme provides accessible housing in accordance with Reigate and Banstead Development Management Plan 2019 policy DES7.

33. No development shall be occupied until confirmation has been submitted to and agreed in writing by the Local Planning Authority that either:
1. Foul water Capacity exists off site to serve the development; or
 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place

other than in accordance with the agreed development and infrastructure phasing plan; or

3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents and ensure that the scheme meets the requirements of policies INF1 and DES9 of the Development Management Plan 2019.

34. No development shall be occupied until confirmation has been submitted to and agreed in writing by the Local Planning provided that either:

1. Surface water capacity exists off site to serve the development; or

2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; Or

3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents and ensure that the scheme meets the requirements of policies INF1 and DES9 of the Development Management Plan 2019.

35. The first and second floor windows in the west elevations of the development hereby permitted, with the exception of the windows that serve 'bedroom two' in flats 4 and 5, and the windows in south elevation of flat 3 shall upon first installation be glazed with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, unless an alternative scheme of measures to prevent outlook from these windows is submitted to and agreed in writing by the Local Planning Authority. The windows shall be maintained as such at all times thereafter.

Reason: To ensure that the development does not affect the amenity of the neighbouring property to the west by overlooking with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the ground floor unit (marked on the approved plans as a commercial unit) shall not be used other than for those uses within Schedule 2, Part A, Class E (a)(b)(c)(d) or (e) of the Schedule to the Town and County Planning (Use Classes) Order 1987 (as amended) or any subsequent legislation.

Reason: To ensure that the use does not adversely impact on the vitality and viability of, or consumer choice and trade within the local centre or adversely impact upon investment within the centre with regards to policy RET3 of the Reigate and Banstead Borough Development Management Plan 2019 and the National Planning Policy Framework.

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.org.uk.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. The Council's Neighbourhood Services team can be contacted on 01737 276292 or via the Council's website at http://www.reigate-banstead.gov.uk/info/20085/planning_applications/147/recycling_and_waste_developers_guidance
4. You are advised that the Council will expect the following measures to be included and considered as part of the required Construction Management Statement (CMS) details 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 Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found http://www.reigatebanstead.gov.uk/info/20277/street_naming_and_numbering
6. 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 <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.
7. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance, obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
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.

9. 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).
10. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
11. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
12. The use of landscape/arboricultural consultant is recommended to provide acceptable submissions in respect of the above tree protection and landscaping condition. Replacement planting of trees and native hedging shall be in keeping with the character and appearance of the locality.
13. Environmental Health would like to draw the attention of the applicant to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.
14. Thames Water:
 - The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail:

- devcon.team@thameswater.co.uk) prior to the planning application approval.
- The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
 - We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
 - There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

REASON FOR PERMISSION

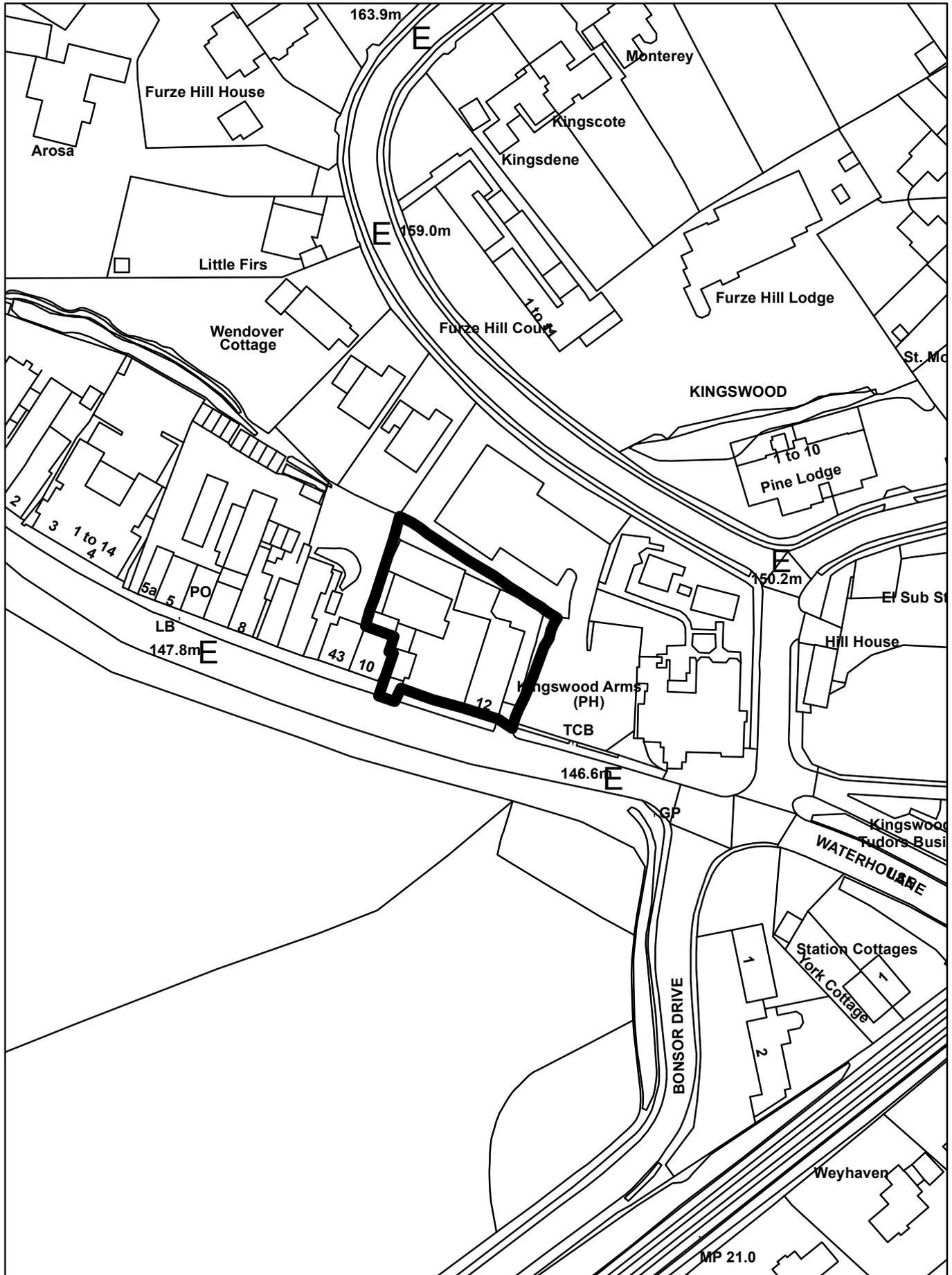
The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS7, CS10, CS11, CS14, CS17, RET1, RET3, DES1, DES4, DES5, DES8, DES9, TAP1, CCF1, CCF2, NHE2, NHE3, NHE9, INF2, INF3 and material considerations, including third party representations. It has been

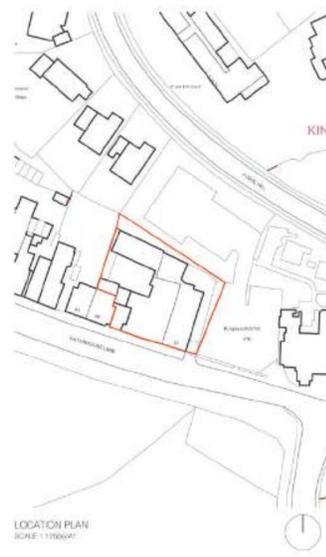
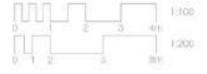
concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements

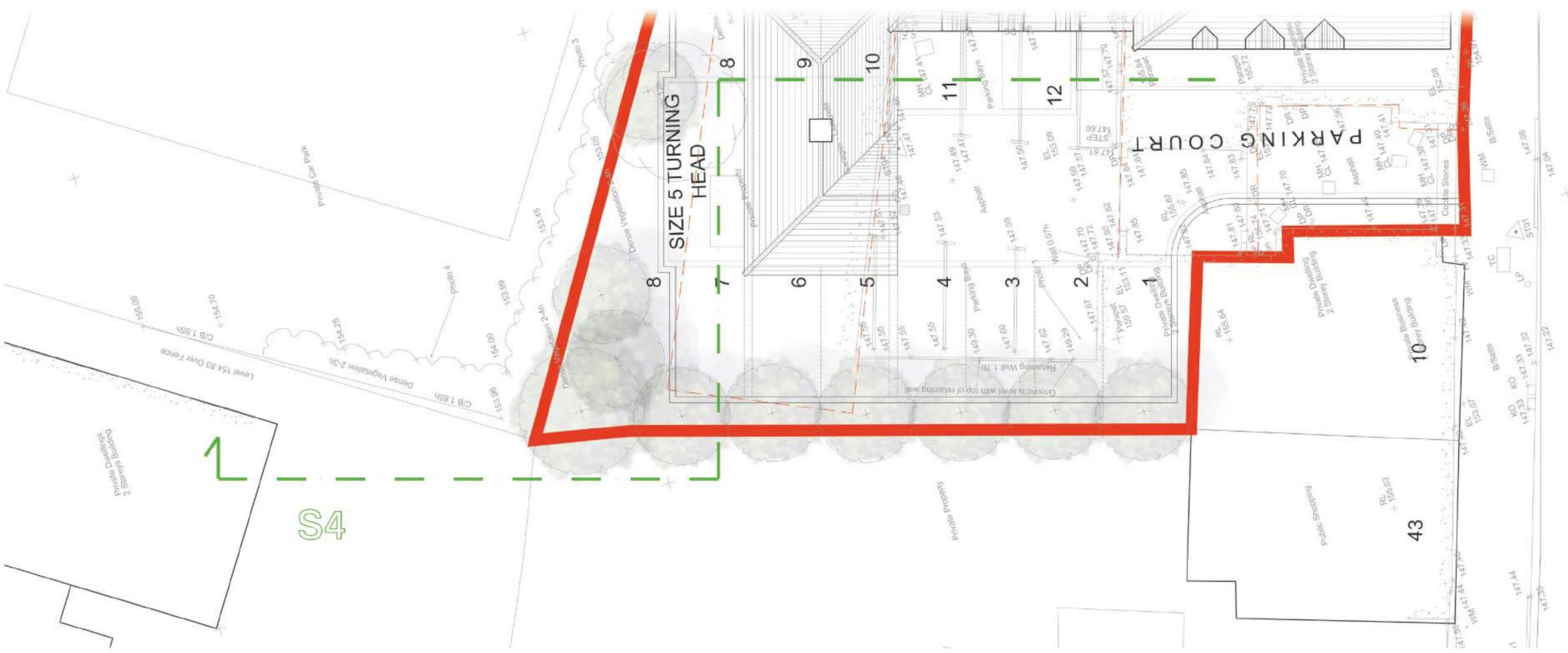
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

23/01425/F - 11 - 12 Waterhouse Lane, Kingswood





PROPOSED SECTION 4
DATE: 15/01/2024
SCALE: 1:100/200



SITE EXTRACT (TOPO OVERLAY)
SCALE: 1:100/200

Rev	18/11/2023	DOOR/FRAME/DETAILS	RM
Project		Amendment	Drawn

11-12 WATERHOUSE LANE
KINGSWOOD
BANSTEAD, TADWORTH
KT20 6EB



15-17 AVIATION WAY, SOUTHEND-ON-SEA, ESSEX, SSG2 5JZ
T: 01202 542354 F: 01702346454
info@thirdimension.org www.thirdimension.org

PLANNING PACKAGE
PROPOSED SECTION - REQUESTED
Client:

Scale:	1:100 @ A1	DWG No:	207
Date:	FEBRUARY 2024	Project No:	
Drawn:	RM	Check:	GC

