

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	17 May 2017
	REPORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM:	9	WARD: Horley West

APPLICATION NUMBER:	16/03006/F	VALID:	14/02/2017
APPLICANT:	Lyndendown Limited	AGENT:	Douglas Moat Practice LLP
LOCATION:	73-77 BRIGHTON ROAD HORLEY RH6 7HL		
DESCRIPTION:	Construction of ground floor extension to existing retail unit, and first floor extension to provide 2x1 bedroom flats at first floor level.		
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 seeking permission for the construction of a ground floor extension to an existing retail unit, and first floor extension to provide two 1 bedroom flats. One additional parking space would be provided within the residents' parking area.

The existing property is located to the North side of Brighton Road in Horley, forming part of a Local Shopping Centre, characterised by retail units providing a range of retail and commercial services at the ground floor, with residential above.

The extension would be positioned to the North West side of the existing building. It would mirror the domestic appearance of the host property by virtue of the hipped roof form, matching fenestration and materials. The residential floor space provision for future residents is considered to be acceptable, and would allow for a satisfactory internal layout, and would comply with the requirements of Policies Ho9 and Ho18 of the Borough Local in this regard. The development would be situated a sufficient distance away from neighbouring residential properties and as such harm to neighbouring amenity would be minimal.

The County Highway Authority has assessed the application and is satisfied subject to the imposition of conditions regarding the provision of parking spaces and cycle storage.

RECOMMENDATION(S)

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

Consultations:

Highway Authority: The proposed development has been considered by the county highway authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, has raised no objections subject to the imposition of appropriate conditions.

Horley Town Council: No objections have been raised.

Representations:

Letters were sent to neighbouring properties on 7th March 2017.
1 responses have been received raising the following issues:

Issue	Response
Impact on trees	See Paragraph 6.4
Inadequate Landscaping	See Paragraph 6.4
Inappropriate location of bin store	See Paragraph 6.3
Litter	See Paragraph 6.6

1.0 Site and Character Appraisal

- 1.1 The site is occupied by a detached building currently comprised of retail to the ground floor with three flats at the first floor. A residents parking area is located to the rear (west) of the site. The building incorporates hipped roofs to the original building and later extensions, cream render and uniform fenestration to the first floor front elevation, giving it a domestic appearance.
- 1.2 The building is located to the west side of the A23, a main road linking the north and south of the borough. The site forms part of a small local shopping centre, with the east and west sides of the road occupied by a range of retail and commercial units at the ground floor level, with residential largely occupying upper floors. This small local centre sits within a wider area that is characterised largely by residential development, comprising of semi-detached, two storey housing with a smaller amount of flatted development.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: formal pre-application advice was sought from the Local Planning Authority prior to submission. It was advised that the principal of extending the building would be acceptable. The design and scale was considered to be appropriate as it would integrate with the existing building. Concern was raised regarding proposed windows to the rear elevation serving the newly created flats in respect of potential impact on neighbour amenity of 2 Southlands Avenue. The level of residential floor space provision was considered acceptable.

- 2.2 Improvements secured during the course of the application: Improvements have not been secured during the course of the application as the proposal is deemed to be acceptable.
- 2.3 Further improvements could be secured: Further improvements to be secured via conditions relating to landscaping and car parking.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|------------------------------|---|
| 3.1 | 94/11110/F | Two storey side extension | Granted
28 April 1995 |
| 3.2 | 98/06010/F | Installation of cash machine | Approved with
Conditions
16 June 1998 |

4.0 Proposal and Design Approach

- 4.1 This is a full application for the construction of a ground floor extension to the existing retail unit, and first floor extension to provide 1x1 bed and 1x2 bed flat at first floor level.
- 4.2 The proposed extension would be of a hipped roof design that would be largely integrated in to the existing building, albeit with a marginal set back from the front elevation. The extension would have a maximum width of 2.5m and would be rendered to match the existing building. A new galvanised steel door would feature to the front elevation.
- 4.3 The ground floor would comprise of a new extension to the retail demise for customers, increasing this by approximately 30 sq. m. It would replace an existing storage area to the side of the building. The extension would feature a mix of retail space to the front with cool store and plant room to the rear. The proposed fire exit would be located to the rear. The proposed bin stores would be located externally to the South East of the site.
- 4.4 At present there are three residential units to the first floor consisting of two 2 bedroom and one 3 bedroom flats (Flats A, B and C). The existing flat C would be reduced in size, allowing for the creation of flat D. This flat would provide a single bedroom towards the rear, with main living accommodation arranged to the front, with a window overlooking Brighton Road. It would provide 54sq. m of residential floor space. To the rear the property would be extended to a depth of approximately 6m to accommodate an additional 1 bedroom flat (Flat E) with a floor area of approximately 47 Sq. m. Windows would feature on the side elevations only. There would be no first floor rear facing windows.
- 4.5 The existing external staircase to the rear, which currently allows access to the flats, is to be replaced by a covered staircase. It is proposed to locate the residential bin stores and cycle storage to the east of the property fronting

Southlands Road. There are currently 5 car parking spaces to the rear serving the existing three residential units, with the view to increasing this by one additional space. Additional landscaping would feature in the form of raised bed fronting Southlands Avenue.

- 4.6 It is proposed to provide 6 parking spaces to the rear of the property for residents, with access via Southlands Avenue. It is proposed to mix new hard landscaping in the form of paving and gravel, with raised planters for soft landscaping.
- 4.7 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.
- 4.8 Evidence of the applicant's design approach is set out below:

Assessment	The site is characterised as being within a Local Shopping Area, with the surroundings being characterised by a mix of residential dwellings and retail/commercial uses.
Involvement	No community consultation took place, though tenants have been notified of the proposed works.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The statement does not explain why the proposal was chosen

- 4.9 Further details of the development are as follows:

Site area	0.07 Ha
Existing use	<i>Mixed use A1 (retail) and C3 (Residential).</i>
Proposed use	Mixed use A1 (retail) and C3 (Residential).
Existing parking spaces	5
Proposed parking spaces	6
Parking standard	1-1.5 parking spaces (maximum)
Net increase in dwellings	2

5.0 Policy Context

5.1 Designation

Urban area
Local Shopping Centre

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS5 (Valued People/Economic Development),
CS7 (Town/Local Centres),
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS14 (Housing Needs)

5.3 Reigate & Banstead Borough Local Plan 2005

Housing	Ho9, Ho13, Ho18
Employment	Em1, Em1A, Em2, Em3, Em4, Em5, Em6, Em7, Em8, Em9, Em10, Em11, Em12
Shopping Movement	Sh1, Sh2, Mo7

5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide A Parking Strategy for Surrey Parking Standards for Development Householder Extensions and Alterations
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

6.0 Assessment

6.1 The main issues to consider are:

- Design appraisal;
- Neighbour amenity;
- Highway Issues;
- Affordable Housing and CIL

Design and Character

- 6.2 It is considered that the proposed extension to the property would be acceptable from a design viewpoint. It would be integrated in to the fabric of the building by virtue of the hipped roof, and would maintain the domestic appearance. The materials would match, as would the fenestration to the first floor of the front elevation of the property.
- 6.3 It is a fundamental objective of planning policy and stated within the National Planning Policy Framework that we provide high quality housing that is well designed and built to a high standard. The advice is amplified further by policies Ho9 and Ho18 of the Borough Local Plan which states that the environment created for residents of the proposed development must be satisfactory. The proposed development would result in the extension to the existing building and the introduction of two flats. Although policy does not specifically require that new dwellings/conversions be built to a specific minimum size, it is implicit in the advice mentioned above that they are of a size to provide adequate standards of living for the future residents. Government guidance exists in the form of technical standards regarding the appropriate size of new dwellings.
- 6.4 The two flats would provide additional residential floor space of 54 sq. m and 47 sq. m respectively. It is considered that this provision would be acceptable and the internal layout would be satisfactory and comply with both Policy Ho18 of the Borough Local Plan 2005. Whilst there would be little in the way of outdoor amenity space for the residential occupants, the Horley Recreation Ground is located close nearby and as such this situation is acceptable.
- 6.5 The new flush 'goods entrance' steel door located at the ground floor front elevation would be acceptable in design terms, as it would not be out of character with retail frontage of the building. The location of the bin and cycle storage areas to the side of the existing building would have minimal impact on the visual amenity of the area.
- 6.6 The scheme proposes raised planters to the south and west of the site. Whilst welcomed, the site is currently void of any soft landscaping; therefore it is considered an ideal opportunity to enhance the visual appearance of the wider area. The Councils' Tree Officer has recommended a condition requiring the submission of a landscaping scheme prior to the commencement of development. There are a number of trees within the wider site; however none are subject to tree preservation orders and concern has not been raised regarding impact of the development on trees. There is a large tree located outside the east boundary of the site, which presently has significant value in terms of its contribution to the streetscene. As such a condition requiring the submission of a tree protection plan and arboricultural method statement prior to the commencement of development would be attached to a grant of permission.

Neighbour Amenity

- 6.7 The property is a detached building with no residential properties either side. Number 2 Southlands Avenue to the rear would be located in closest proximity to the proposed extension, positioned approximately 9m away at the closest point. This separation distance would be acceptable in order to avoid being overbearing in nature. The extension has been designed with no rear facing windows, in order to avoid harmful overlooking. The proposal is considered to be acceptable in regard to impact on neighbour amenity and would comply with Policy Ho9 in this regard.
- 6.8 Regarding issues of litter generation, it is considered unlikely that the proposed extension would result in a significant level of litter generation above the present situation. Refuse bins are provided in the location of the existing store.

Highway Issues

- 6.9 The proposed development has been considered by the County Highway Authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, has recommended conditions requiring the development to be laid out in accordance with approved plans for vehicles to be parked to turn so that they may leave the site in forward gear. A further condition requiring the provision of secure cycle storage would also be imposed on any grant of permission. Whilst only 1 additional space would be provided for the 2 proposed flats, this is not considered to warrant refusal given current policy requires a maximum standard, and the on-street parking conditions which prevail locally would mean there would be no unacceptable loss of amenity.

Affordable Housing and CIL

- 6.10 Policy CS15 of the Core Strategy states that the Council will negotiate to achieve affordable housing taking account of the mix of affordable units proposed and the overall viability of the proposed development at the time the application is made.
- 6.11 However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.12 In view of the Court of Appeal Judgement, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. As such, there is no requirement for this scheme to provide an affordable housing contribution.

- 6.13 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although, the exact amount would be determined and collected after the grant of planning permission.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

Plan Type	Reference	Version	Date Received
Floor Plan	PL	A	14.02.2017
Location Plan	PL 01		28.12.2016
Roof Plan	PL 07		28.12.2016
Block Plan	PL 02		28.12.2016
Floor Plan	PL 11		28.12.2016
Floor Plan	PL 12		28.12.2016
Floor Plan	PL 05		28.12.2016
Site Layout Plan	PL 04		28.12.2016
Roof Plan	PL 14		28.12.2016
Block Plan	PL 13		28.12.2016
Elevation Plan	PL 03		28.12.2016
Elevation Plan	PL 09		28.12.2016
Elevation Plan	PL 15		28.12.2016
Floor Plan	PL 08		28.12.2016
Floor Plan	PL 06		28.12.2016
Site Layout Plan	PL 10		28.12.2016

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. The development shall be carried out using the external facing materials specified in the application and no others without the prior written consent of the Local Planning Authority.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the

interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005, policies Sh2, Ho9 and Ho16

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

Reason: To ensure that the proposed development does not prejudice highway safety nor cause inconvenience to other drivers in order to satisfy Policies Mo7 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS17 of the Core Strategy 2014.

5. The development hereby approved shall not be first occupied unless and until the following facility has been provided in accordance with the approved plans for:
 - (a) The secure parking of bicycles within the development site, and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the proposed development complies with section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework.

6. No development shall commence until details of hard and soft landscaping is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include frontage tree and hedge planting and any other existing or proposed, soft or hard, landscaping in the front garden area, or adjacent to boundaries where appropriate. The soft landscape details shall include an establishment maintenance schedule for a minimum of 2 years, full planting specifications, planting sizes & densities. Upon implementation of the approved development all the landscaping works shall be carried out in strict accordance with the landscape details as approved, and these shall be completed, before building completion, occupation or use of the approved development whichever is the earliest.

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by the Local Planning Authority. The hedges detailed shall be retained at a minimum height of 1 metre, or if new, once grown to this height thereafter.

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 Pc4, Ho9, and Sh2 of the Reigate and Banstead Borough Local Plan 2005.

7. No development shall commence including demolition and or groundworks preparation until a detailed, scaled finalised Tree Protection Plan (TPP) and

the finalised related 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. The AMS shall also include a pre commencement meeting with the LPA, 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 policies Pc4, Sh2 and Ho9 of the Reigate and Banstead Borough Local Plan

INFORMATIVES

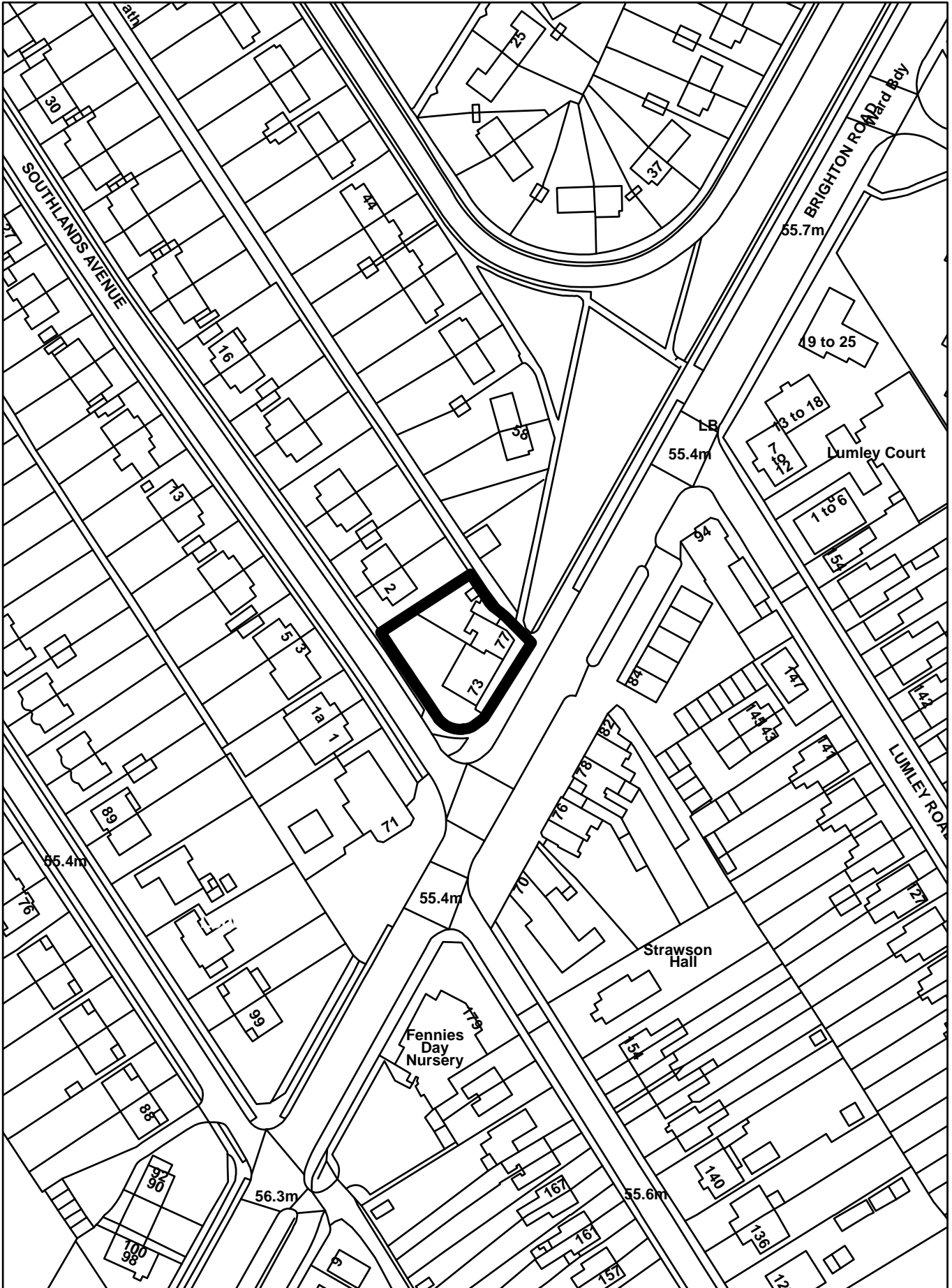
1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. 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;
4. The use of suitably experienced landscape architects is recommended to satisfactorily address both the design and implementation of the landscape details of the above condition although such landscaping is often straightforward and small scale in proportion to the approved development.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies Ho9, Ho13, Ho18 Em1, Em1A, Em2, Em3, Em4, Em5, Em6, Em7, Em8, Em9, Em10, Em11, Em12 Sh1, Sh2, Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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.

16/03006/F - 73 - 77 Brighton Road, Horley



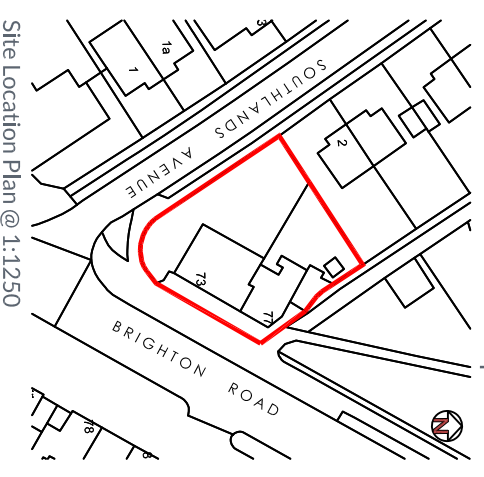


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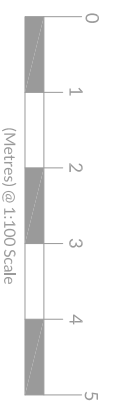
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A3



Site Location Plan @ 1:1250



Revision

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www.dmp-llp.co.uk

Client:
Lyndendown Limited

Address:
**73-77 Brighton Road,
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Project:
Scheme Development

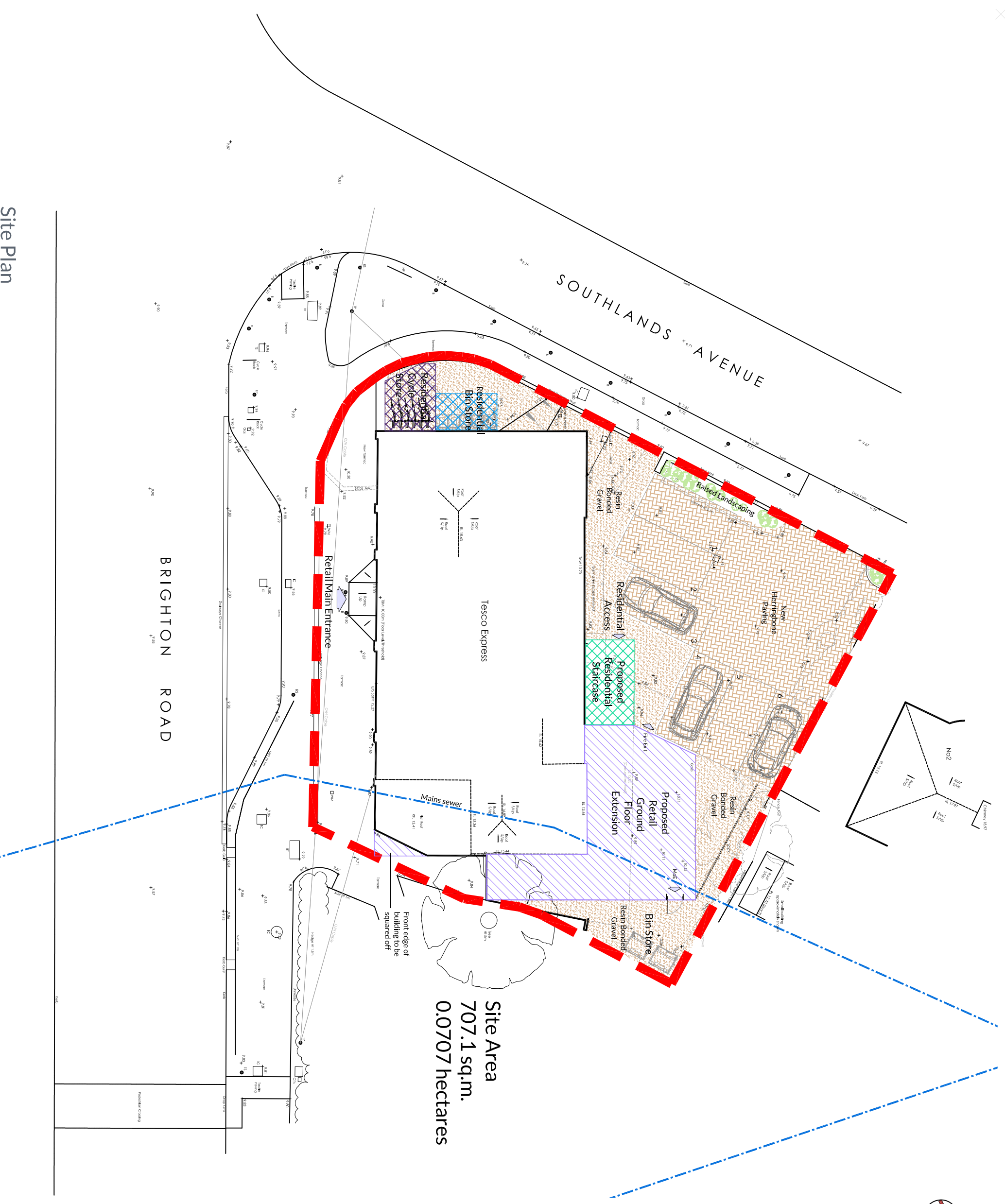
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As Proposed**

Purpose of Issue:
PLANNING

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56163	PL 10	

Site Plan



Site Area
707.1 sq.m.
0.0707 hectares

BRIGHTON ROAD

SOUTHLANDS AVENUE



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A4



Client.
Lyndendown Limited

Project.
Scheme Development

Address.
73-77 Brighton Road,
Horley,
RH6 7HL

Title.
Block Plan

Purpose of Issue.
PLANNING

Scale.
1:1500 @ A4

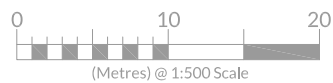
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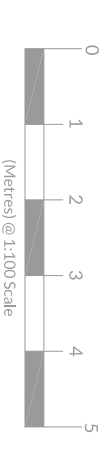
Revision.



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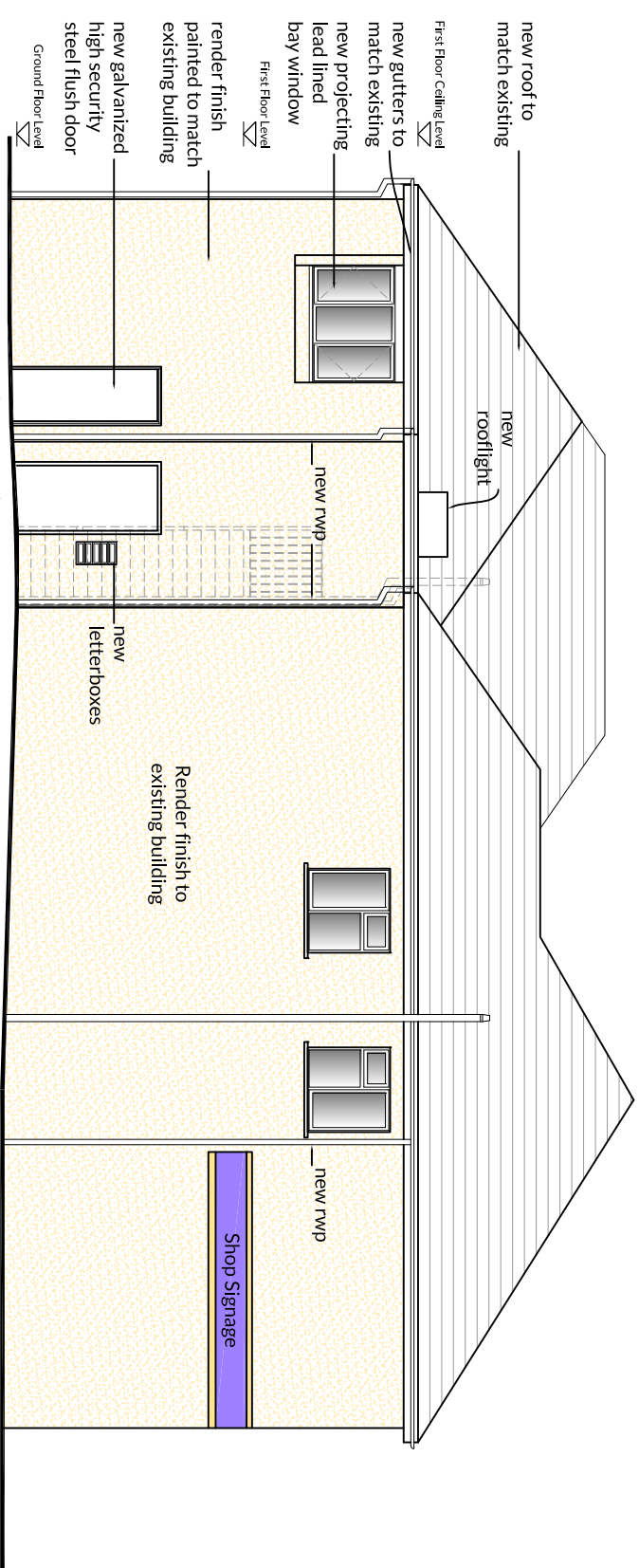
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 Scheme Development

Title:
 South West & North East Elevations
 As Proposed

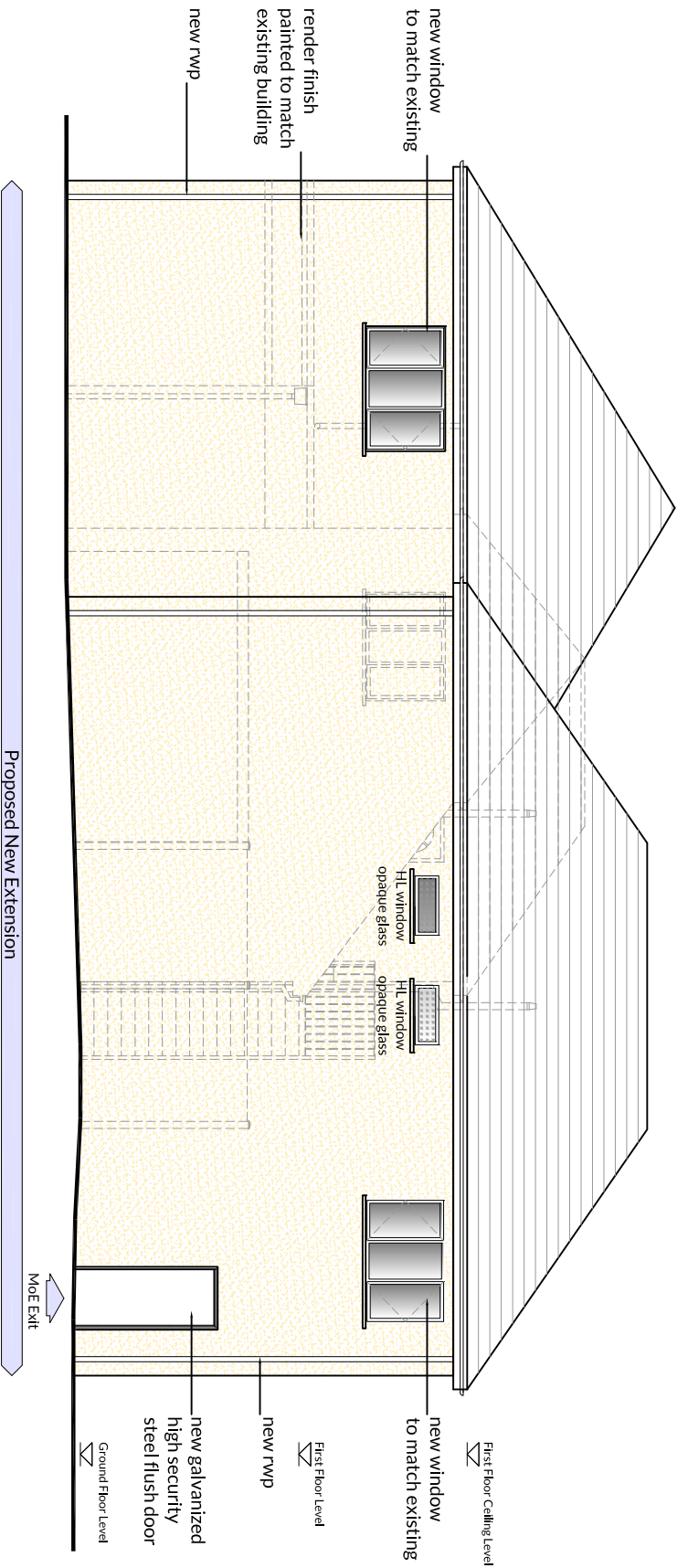
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South West (Side) Elevation

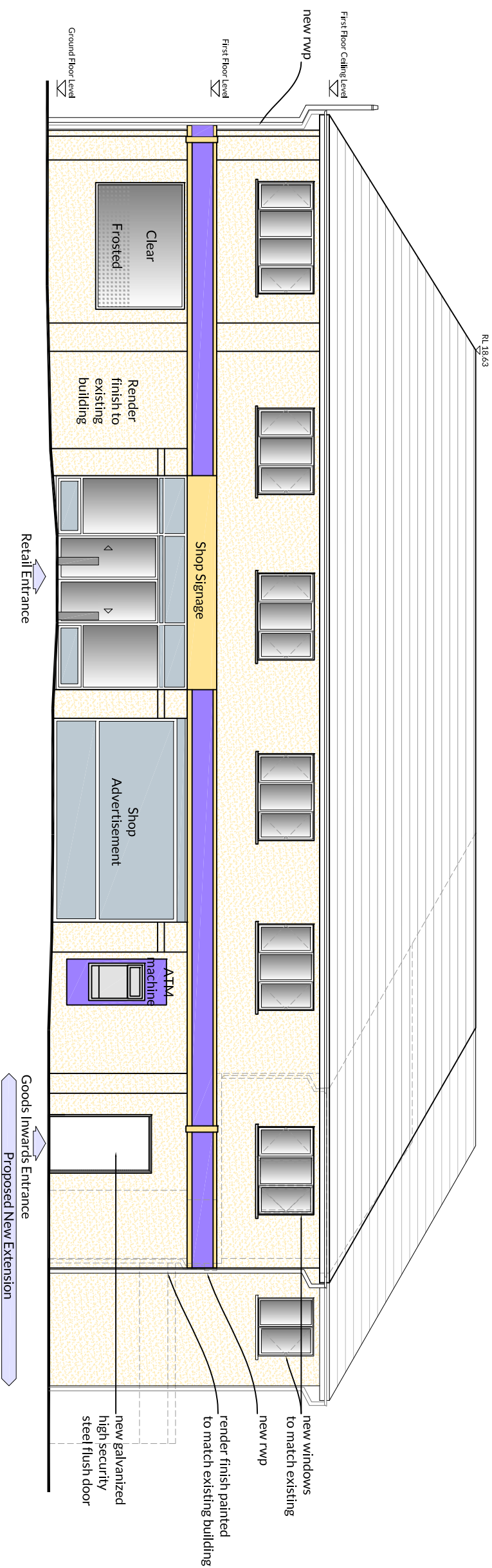


North East (Side) Elevation

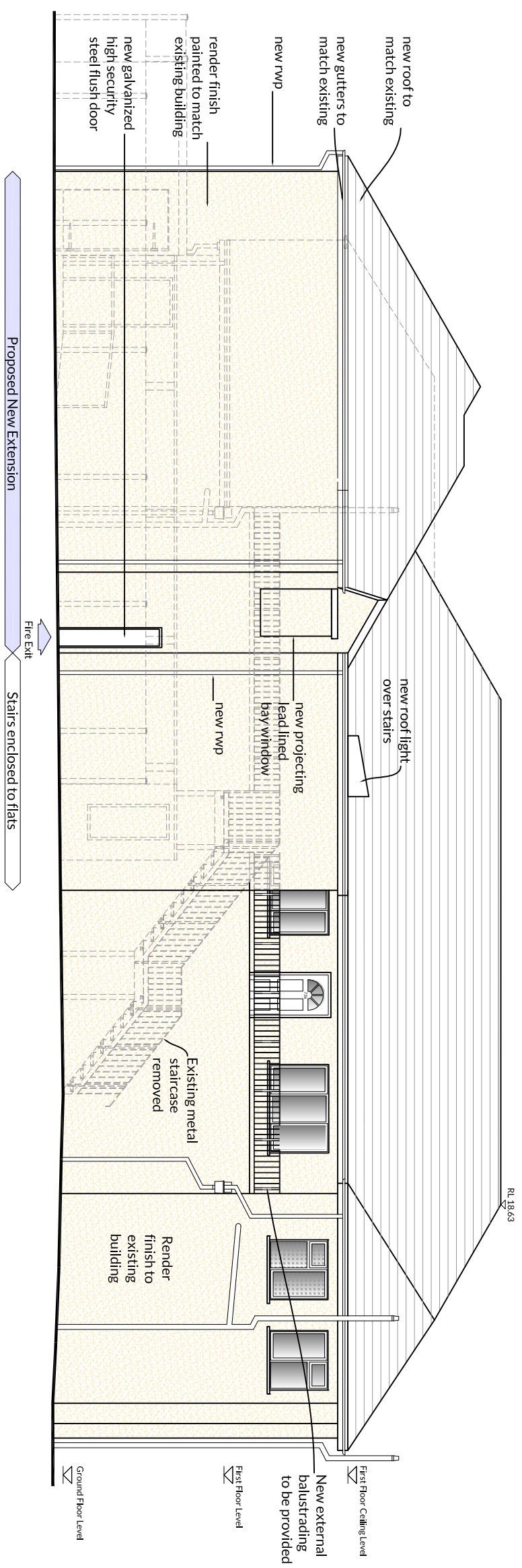
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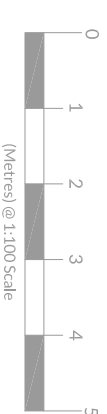
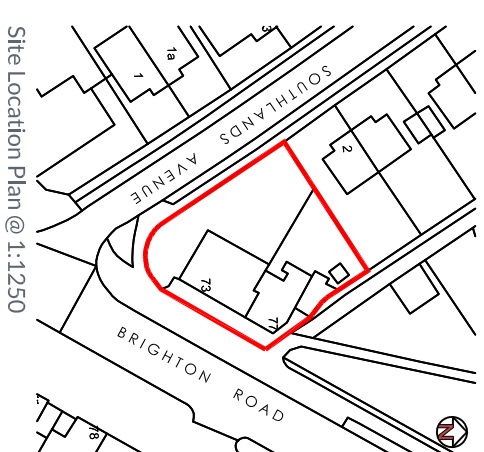
A3



South East (Front) Elevation



North West (Rear) Elevation



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 Lyndendown limited

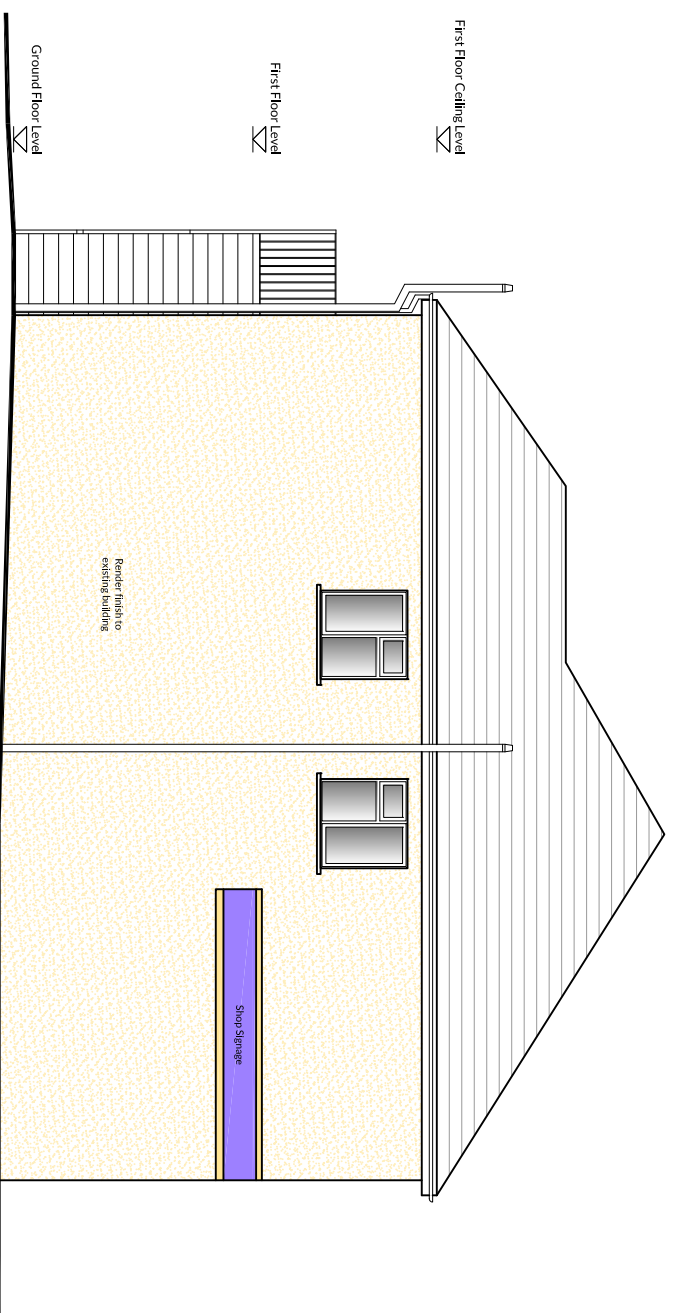
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Project:
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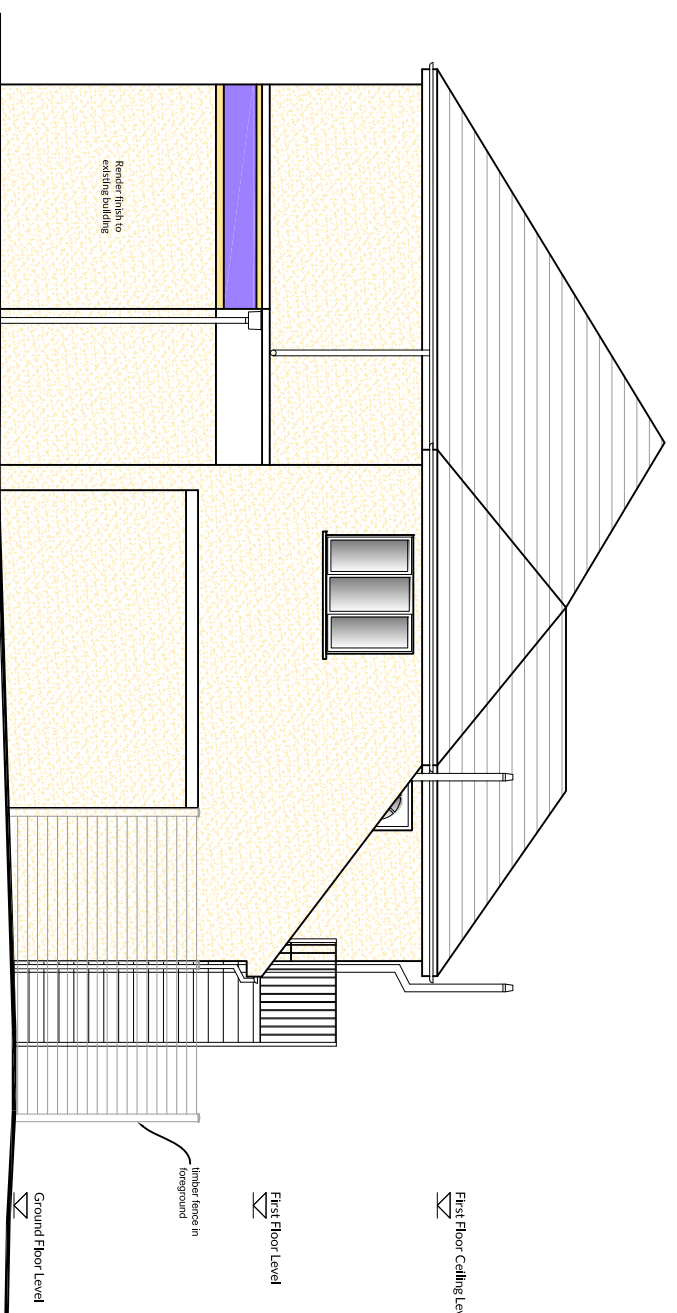
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 South East & North West Elevations
 As Proposed

Purpose of Issue:
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South West (Side) Elevation

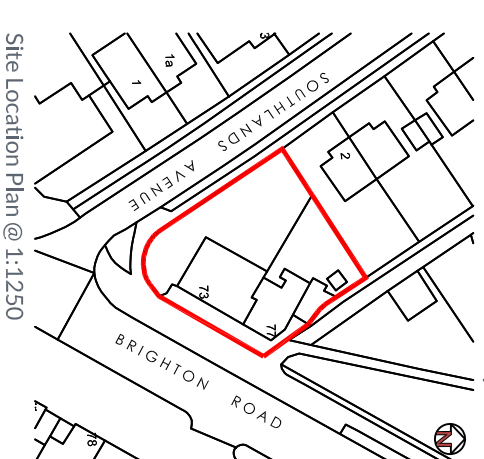


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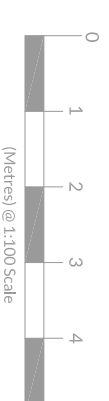
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Site Location Plan @ 1:1250



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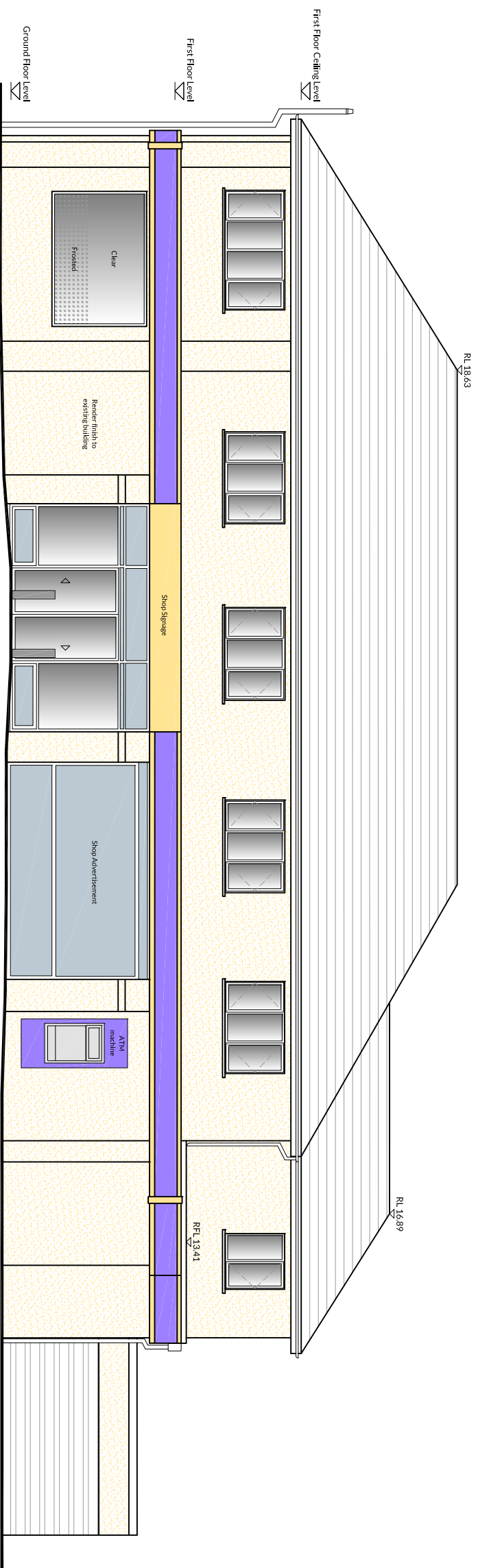
Project:
 Scheme Development

Title:
 South West & North East Elevations
 As Existing

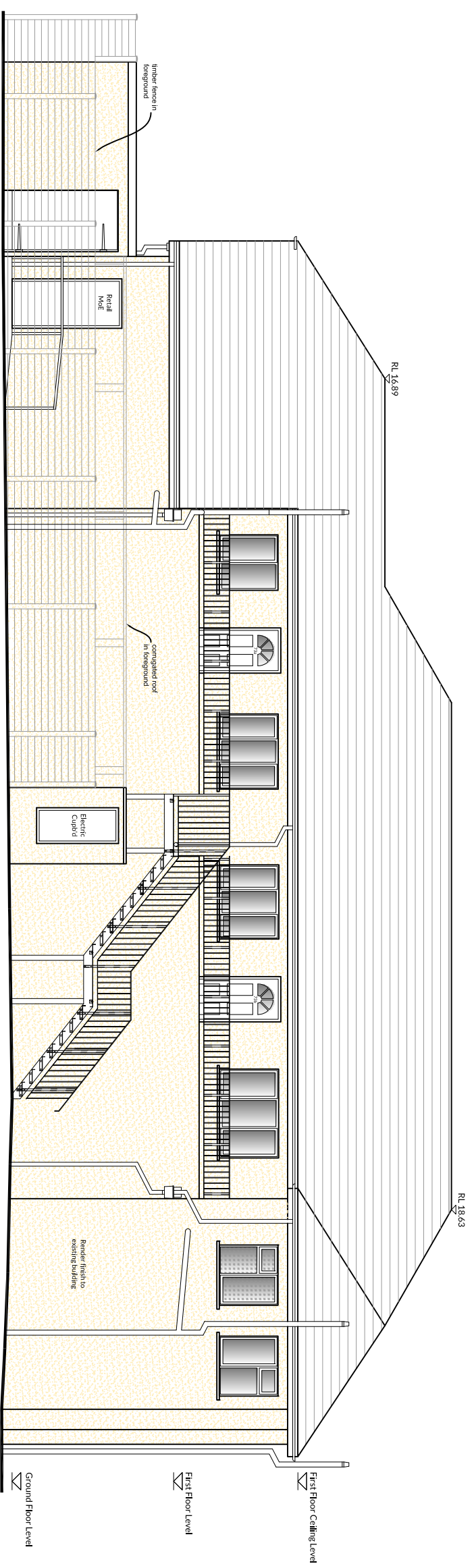
Purpose of Issue:
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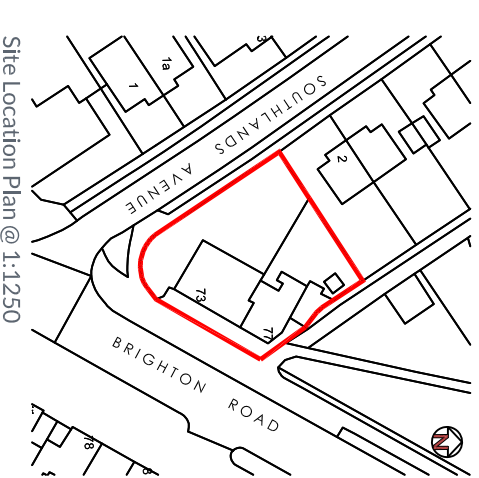




South East (Front) Elevation

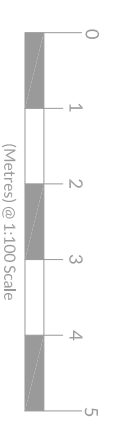


North West (Rear) Elevation



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Client:
 Lyndendown limited

Address:
 73-77 Brighton Road,
 Horley,
 RH6 7HL

Project:
 Scheme Development

Title:
 South East & North West Elevations
 As Existing

Purpose of Issue:
PLANNING

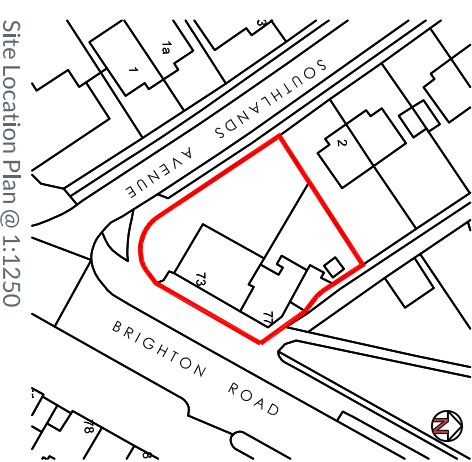
Scale:	D	C	Date:
1:100 @ A3	CAH	JRW	06.09.16
Job No.:	Drawing No.:	Revision:	
56163	PL 08		

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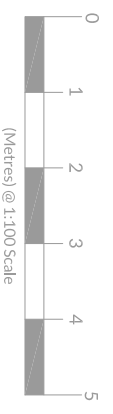
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A3



Site Location Plan @ 1:1250



Revision

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Client:
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RH6 7HL

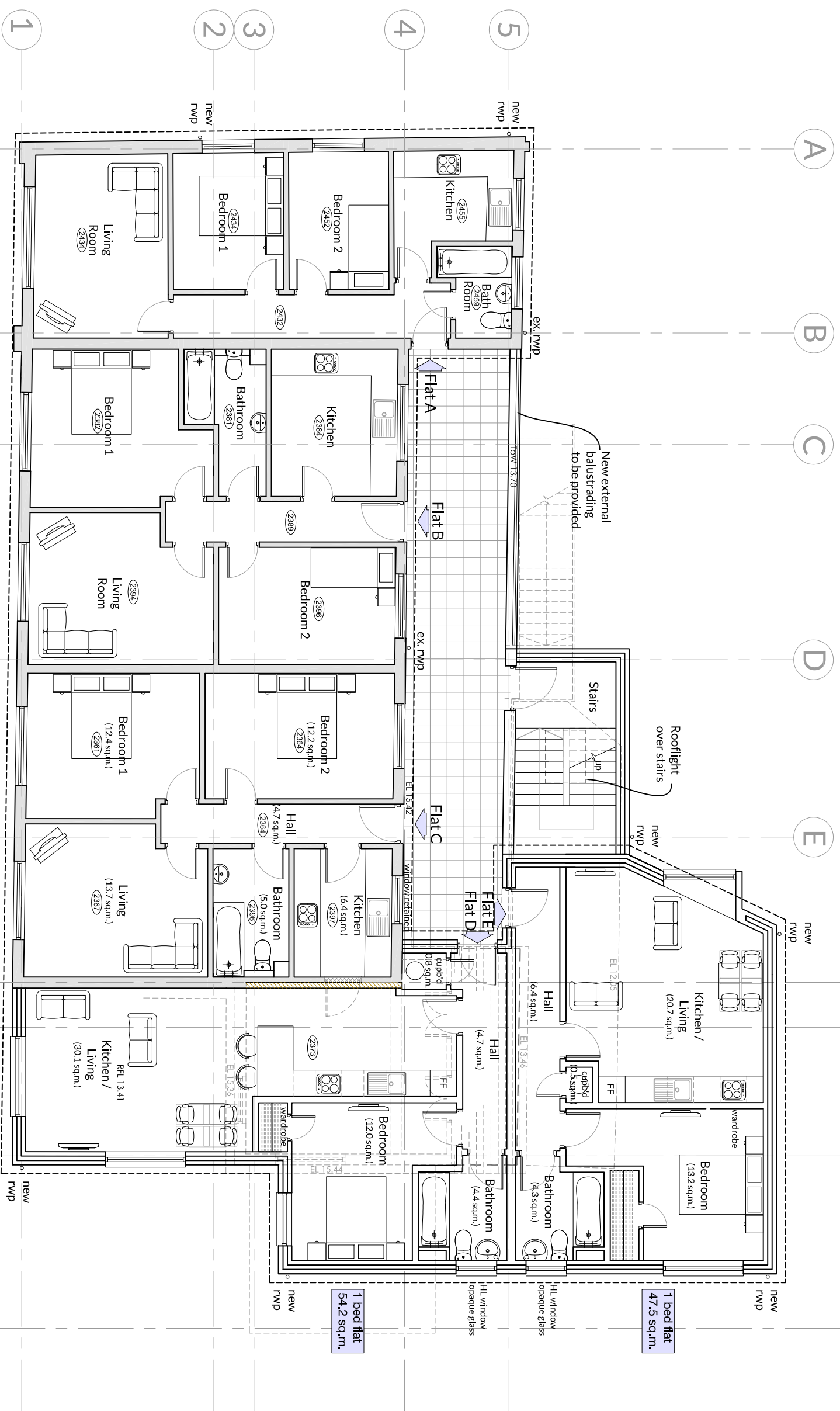
Project:
Scheme Development

Title:
**First Floor Plan
As Proposed**

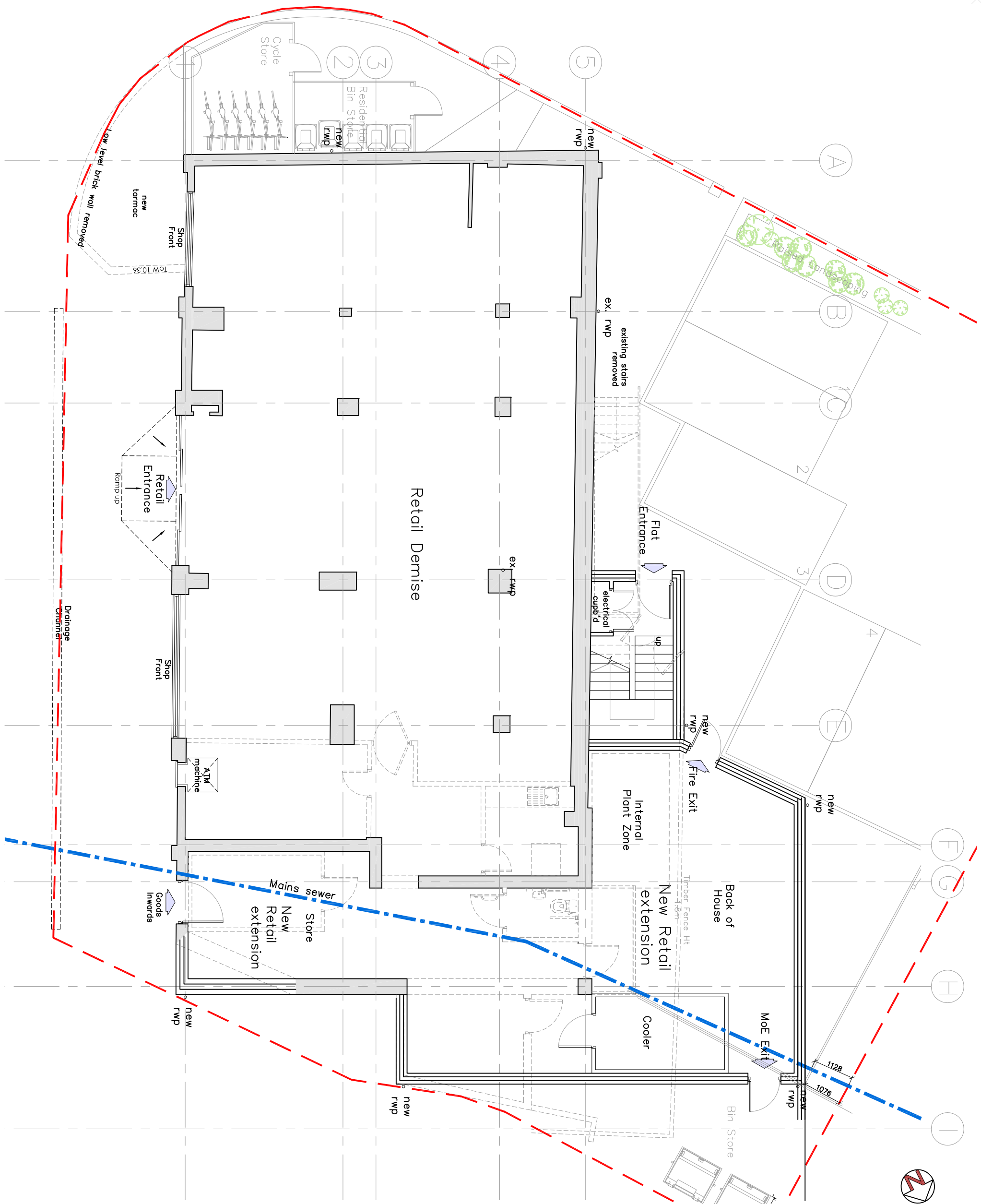
Purpose of Issue:
PLANNING

Scale:	D	C	Date:
1:100 @ A3	CAH	JRW	06.09.16

Job No.	Drawing No.	Revision:
56163	PL 12	



First Floor Plan



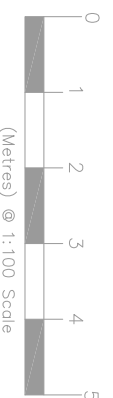
Ground Floor Plan



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A3



Revision A 14,021.16 sqm. removed SU

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Client:
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Address:
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Horley,
RH6 7HL

Project:
Scheme Development

Title:
Ground Floor Plan
As Proposed

Purpose of Issue:
PLANNING

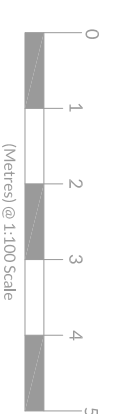
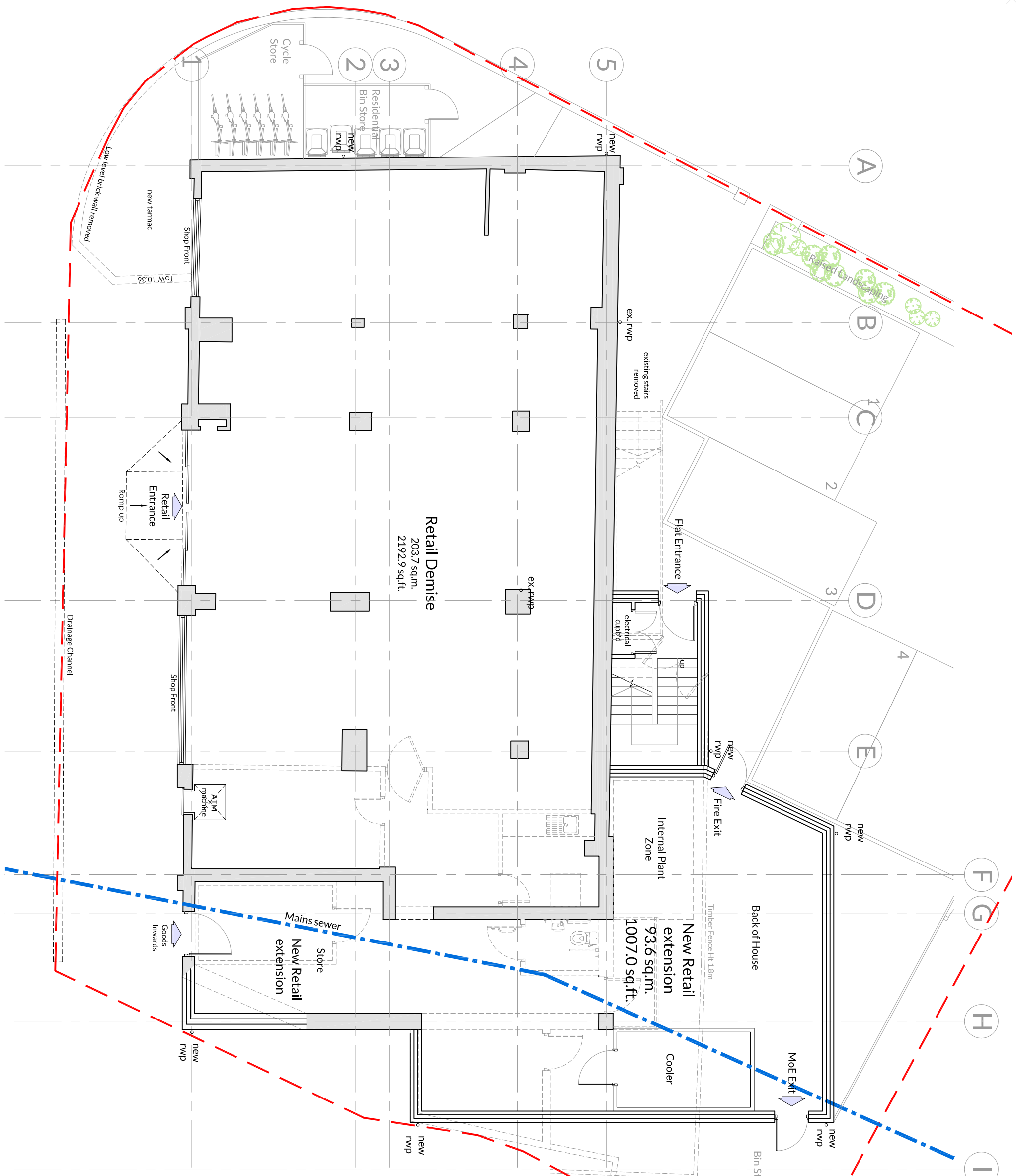
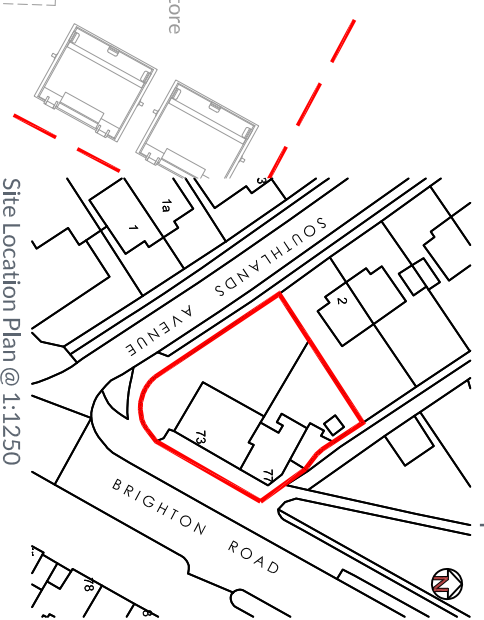
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Job No.	PL	Drawing No.	Revision.
561631		A	



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Client:
Lyndendown Limited

Address:
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Horley,
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Project:
Scheme Development

Title:
**Ground Floor Plan
As Proposed**

Purpose of Issue:
PLANNING

Scale:	D	C	Date:
1:100 @ A3	CAH	JRW	06.09.16
Job No.	Drawing No.	Revision:	
56163	PL 11		

Ground Floor Plan