

Planning Committee Agenda



Reigate & Banstead
BOROUGH COUNCIL
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7 May 2019

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To the Members of the PLANNING COMMITTEE

Councillors: S. Parnall (Chairman)

M. S. Blacker	V. H. Lewanski	C. Stevens
Mrs. R. Absalom	S. McKenna	Mrs. R. S. Turner
R. Biggs	R. Michalowski	S. T. Walsh
Mrs. J. S. Bray	J. Paul	C. T. H. Whinney
Vacancy	Vacancy	Vacancy
Vacancy	Vacancy	Vacancy

Substitutes

Councillors:

Conservatives:	T. Archer, M. A. Brunt, A. C. J. Horwood, F. Kelly,
Residents' Group:	G. J. Knight and T. Schofield
Green Party:	R. Harper and N. D. Harrison
	H. Brown and J. C. S. Essex

For a meeting of the **PLANNING COMMITTEE** to be held on **WEDNESDAY, 15 MAY 2019** at **7.30 pm** in the New Council Chamber - Town Hall, Reigate.

John Jory
Chief Executive

1. MINUTES (Pages 7 - 10)

To confirm as a correct record the Minutes of the previous meeting.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest.

4. ADDENDUM TO THE AGENDA (To Be Tabled)

To note the addendum tabled at the meeting which provides an update on the agenda of planning applications before the Committee.

PLANNING APPLICATIONS:

NOTES:

1. The order in which the applications will be considered at the meeting may be subject to change.
2. Plans are reproduced in the agenda for reference purposes only and are not reproduced to scale. Accordingly dimensions should not be taken from these plans and the originals should be viewed for detailed information. Most drawings in the agenda have been scanned, and reproduced smaller than the original, thus affecting image quality.

To consider the following applications :

5. 18/02548/F - 343 - 351 REIGATE ROAD, EPSOM DOWNS, SURREY, KT17 3LT (Pages 11 - 40)

Demolition of 345 Reigate Road and erection of 7 dwellings with associated access road, parking and landscaping. As amended on 28/02/2019, 12/03/2019, 13/03/2019 and on 20/03/2019.

6. 18/00816/F - ARLINGTON STABLES, 23A WOODMANSTERNE LANE, WOODMANSTERNE (Pages 41 - 62)

Stationing of mobile home for residential occupation by a single gypsy family and installation of a cesspit.

7. **18/02635/S73 - FORMER KINGS BARN, WATERHOUSE LANE, KINGSWOOD, SURREY** (Pages 63 - 94)

Erection of building comprising 9 apartments with associated landscaping, parking and cycle parking. Variation of conditions 1,3,6,8,9 & 13 of permission 16/02517/F. Amendments to plans, ground levels and site layout.

8. **19/00402/F - THE BARLEY MOW PUBLIC HOUSE, 3 EASTNOR ROAD, REIGATE, SURREY, RH2 8NE** (Pages 95 - 120)

Change of use from Public House (A4) to Physio Clinic and Hydrotherapy Centre (D1), retention of 2 bedroom flat (C3), internal and external alterations, single storey rear extension and extension to dropped kerb. As amended 13/03/2019, 03/04/2019, 11/4/2019 and on 16/04/2019.

9. **18/02478/F - GATWICK CASTLE, 28 MASSETTS ROAD, HORLEY** (Pages 121 - 142)

A new single storey rear annexe with roof-space accommodation containing seven new en-suite bedrooms, office, linen store and lobby, access stairs and landing. A new replacement guest dining room linking the annexe to the main building. A new ground floor owner's apartment formed by rearranging existing accommodation. Two new first floor extensions at the side and rear of the main property over existing single storey sections to provide six new en-suite bedrooms and a store room.

10. **18/01764/F - SKYLANE HOTEL, 34 BONEHURST ROAD, HORLEY, SURREY, RH6 8QG** (Pages 143 - 172)

Erection of 1st and 2nd floor extensions to link building and annexe to form additional guest rooms and lift. As amended on 06/12/2018, 08/04/2019 and 18/04/2019.

11. **18/02453/F - ELVINGTON LODGE, 40 REIGATE HILL, REIGATE** (Pages 173 - 186)

Installation of frontage boundary railings and sliding entrance gate as per design drawings to a height of 1.200 Metres to match the existing railings of the neighbouring property. As amended on 11/02/2019 and on 02/04/2019.

12. ANY OTHER URGENT BUSINESS

To consider any item(s) which, in the opinion of the Chairman, should be considered as a matter of urgency.

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Planning Committee
17 April 2019

Minutes

BOROUGH OF REIGATE AND BANSTEAD

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at the New Council Chamber - Town Hall, Reigate on 17 April 2019 at 7.30 pm.

Present: Councillors S. Parnall (Chairman), M. S. Blacker (Vice-Chair), Mrs. R. Absalom, R. Biggs, J. M. Ellacott, V. H. Lewanski, S. McKenna, R. Michalowski, J. Paul, M. J. Selby, J. M. Stephenson, C. Stevens, Ms. B. J. Thomson, Mrs. R. S. Turner, S. T. Walsh, C. T. H. Whinney and N. D. Harrison (Substitute).

119. MINUTES

The minutes of the previous meeting held on 20th March 2019 were approved.

120. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G. P. Crome and Mrs. J. S. Bray (substituted by Councillor N. D. Harrison).

121. DECLARATIONS OF INTEREST

There were no declarations of interest.

122. ADDENDUM TO THE AGENDA

RESOLVED that the addendum be noted.

123. 18/02285/F - LAND REAR OF 56-60 EPSOM LANE NORTH, EPSOM DOWNS, SURREY, KT18 5PY

The Committee considered an application at the land rear of 56-60 Epsom Lane North in Epsom Downs, Surrey, KT18 5PY for the demolition of 60 Epsom Lane North and the erection of 6 semi-detached properties to the rear of 56-60 Epsom Lane North together with access and parking.

Mr Murray Ross, the agent on behalf of the applicant, spoke in support of the application on the grounds that the design, scale and layout of the proposed development was consistent with similar developments in the local area and was considered to have a limited impact to the character of the local area; and, the amenity of local residents in respect of the Local Distinctiveness Design guide SPG by virtue of its rear garden location and proposed landscaping.

Mr Peter Devos, a local resident, spoke in objection to the application on the grounds that the visibility splays and location of the access road to the proposed development did not meet the criteria within the Design Manual for Roads and Bridges and was therefore prejudicial to highways safety.

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RESOLVED that planning permission be **REFUSED** for the following reasons:

1. The proposal, by virtue of restricted and uncharacteristically tight plot sizes, roof design, prevalence of hard landscaping and lack of meaningful landscaping opportunity, would be an incongruous, and cramped form of development out of keeping with and harmful to the character and appearance of the locality and contrary to policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Borough Local Plan 2005 and guidance contained within the Local Distinctiveness Design guide SPG.
2. The proposed development, by virtue of the close proximity of plots three, four, five and six, and 54 Epsom Lane North, would give rise to a high degree of overlooking to the rear garden which would represent a harmful loss of privacy to the occupants of 54 Epsom Lane North contrary to policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Borough Local Plan 2005.
3. The proposed development, in the absence of a legal agreement to provide a contribution of 6000 pounds towards the provision of Vehicle Activated Speed Signs in the vicinity of the application site, could lead to conditions prejudicial to highway safety, which would be contrary to the objectives of the National Planning Policy Framework, policy Mo5 of the Reigate and Banstead Borough Local Plan 2005 and objective 3 of the Surrey Transport Plan 2011-2026 'To improve road safety and the security of the travelling public in Surrey'.

124. 18/01072/F - LAND ADJACENT TO THE GROVE WELLS PLACE, MERSTHAM, SURREY

The Committee considered an application at the land adjacent to the Grove Wells Place in Merstham, Surrey for the erection of two detached commercial units for B1(b), B1(c), B2 & B8 use with associated car parking and yard areas.

RESOLVED that planning permission be **DEFERRED** for clarification of ancient woodland issues.

125. 18/02690/F - REIGATE GARDEN CENTRE, 143 SANDCROSS LANE, REIGATE

The Committee considered an application at the Reigate Garden Centre, 143 Sandcross Lane in Reigate for the erection of six dwellings and associated works including vehicular and pedestrian access, parking as well as hard and soft landscaping works.

RESOLVED that planning permission be **GRANTED, subject to Section 106 Agreement** and with conditions as per the recommendation within the planning officer's report and the addendum.

126. 18/00940/F - LAND TO THE REAR OF 41-43 GREAT TATTENHAMS, EPSOM DOWNS, KT18 5RE

The Committee considered an application at the land to the rear of 41-43 Great Tattenhams in Epsom Downs, KT18 5RE for the erection of 3 chalet style detached dwellings together with garaging and associated parking, access and landscaping.

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Reasons for refusal were proposed and seconded but upon a vote the motion to refuse the application was not carried.

RESOLVED that planning permission be **GRANTED** with conditions as per the recommendation within the planning officer's report in addition to condition(s) for permeable boundary treatments to allow for movement of hedgehogs.

Clerk's note: Councillors N. D. Harrison and S. T. Walsh requested that their dissent be noted in the minutes.

127. 18/02504/F - ROMANS GARAGE, BRIGHTON ROAD, BANSTEAD, SURREY, SM7 1AT

The Committee considered an application at Romans Garage, Brighton Road in Banstead, Surrey, SM7 1AT for an extension to the existing showroom and cleaning bay and conversion to showroom, with erection of a row of garages to rear of the site.

RESOLVED that planning permission be **GRANTED** with conditions as per the recommendation within the planning officer's report.

128. 18/02456/F AND 18/02457/LBC - HARPS OAK HOUSE, 180 LONDON ROAD NORTH, MERSTHAM, RH1 3BP

The Committee considered two applications at Harps Oak House, 180 London Road North in Merstham, RH1 3BP for planning permission (18/02456/F) and listed building consent (18/02457/LBC) for alteration (including partial rebuilding of the north wing), repair, refurbishment and conversion of a Grade II listed Harps Oak House to create four residential dwellings, and the rebuilding, extending and conversion of the associated outbuildings to create a further two residential dwellings (C3); and provision of car parking spaces and associated landscaping works, including the removal of trees and the creation of a new vehicular and pedestrian access from Harps Oak Lane.

The Committee:

- a) 18/02456/F: **RESOLVED** that planning permission be **GRANTED** with conditions as per the recommendation within the planning officer's report.
- b) 18/02457/LBC: **RESOLVED** that listed building consent be **GRANTED** with conditions as per the recommendation within the planning officer's report.

129. 18/02583/F - CORNERWAYS, SMUGGLERS, MOUNTFIELD, OUTWOOD LANE, CHIPSTEAD & 266 CHIPSTEAD WAY, WOODMANSTERNE, SURREY

The Committee considered an application at Cornerways, Smugglers, Mountfield, Outwood Lane, Chipstead & 266 Chipstead Way, Woodmansterne, Surrey for the demolition of existing properties and redevelopment to form 28 retirement living apartments for older persons including communal spaces, car parking and associated landscaping.

RESOLVED that planning permission be **GRANTED, subject to Section 106 Agreement**; with conditions as per the recommendation within the planning officer's

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report; and clarification of the number of vehicle charging points in respect of condition 20 with the applicant.

130. 19/00353/RET - RESPIREX UNIT E, 61 ALBERT ROAD NORTH, REIGATE, SURREY, RH2 9EL

The Committee considered an application at Respirex Unit E, 61 Albert Road North in Reigate, Surrey for the retention of storage containers at 61 Albert Road North.

It was noted for the purposes of transparency that the applicant was the Council.

RESOLVED that planning permission be **GRANTED** with conditions as per the recommendation within the planning officer's report.

131. 19/00494/HHOLD - 67 HOLMESDALE ROAD, REIGATE, SURREY, RH2 0BJ

The Committee considered an application at 67 Holmesdale Road in Reigate, Surrey, RH2 0BJ for a Single storey rear extension and internal alterations.

It was noted for the purposes of transparency that the applicant was related to an officer of the Council, who left the room for the duration of item 13.

RESOLVED that planning permission be **GRANTED** with conditions as per the recommendation within the planning officer's report.

132. DEVELOPMENT MANAGEMENT PERFORMANCE (Q4, 2018/19)

RESOLVED to note the report.

133. ANY OTHER URGENT BUSINESS


There was no urgent business to consider.

The Meeting closed at 10.03 pm

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18/02548/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 th May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Rosie Baker
	TELEPHONE:	01737 276173
	EMAIL:	rosie.baker@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: Nork

APPLICATION NUMBER:	18/02548/F	VALID:	28/02/2019
APPLICANT:	Denton Homes Ltd	AGENT:	WS Planning & Architecture
LOCATION:	343 - 351 REIGATE ROAD, EPSOM DOWNS, SURREY KT17 3LT		
DESCRIPTION:	Demolition of 345 Reigate Road and erection of 7 dwellings with associated access road, parking and landscaping. As amended on 28/02/2019, 12/03/2019, 13/03/2019 and on 20/03/2019.		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

SUMMARY

This is a full application for the construction of 7 dwellings in the rear gardens of 343 – 351 Reigate Road (odd nos. only). It is proposed to demolish 345 Reigate Road to create a new access road to the development. The access drive would lead to a row of 7 dwellings, (5 detached and a pair of semis), parallel to those fronting Reigate Road. The proposed dwellings (5no. four bed and 2no. three bed) are of traditional design set over two storeys with traditional facing materials in brick with tile hanging elements and clay tiled roofs.

This application follows a number of recently refused applications and dismissed appeals on the site, the most recent of which for 9 dwellings was dismissed at appeal for the sole reason of harm to the character and appearance of the area arising specifically from Plots 1-4, sited perpendicular to Reigate Road and adjacent to Juniper Place. The remainder of the scheme was considered acceptable by the Inspector. No objection was raised to the principle of the development, the siting of the access or the row of 5 dwellings (plots 5 – 9) parallel to those fronting Reigate Road, which were considered to “*maintain the spacious character of the area*”.

As such the principle matter for consideration is whether the scheme has overcome the Inspector’s previous concerns. It is considered that the proposed scheme has achieved this with a revised layout that removes the 4 perpendicular homes from the scheme and extends the previous row of 5 houses parallel to Reigate Road to 7. In addition the separation to Juniper Place has increased by an additional garden width

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(with the removal of the rear garden of 353 from the scheme), and a reduction in the number of homes proposed to 7.

The previous numbered plots 5-9 (now numbered 1 – 5 in this proposal) to which the Inspector raised no objection remain virtually identical in the current proposal and have been extended by two dwellings. The present proposal represents an extension to that development form and as such I do not consider that it would be harmful to the character of the area in this regard. In this respect the extent of visibility of the scheme from Reigate Road when it would be viewed between gaps between dwellings, from the access road and Juniper Place is considered acceptable. A condition is proposed to secure an acceptable landscape scheme that ensures appropriate planting both to the site boundaries with Juniper Place and Bridgfield Close, to the access road and within the site.

The proposed dwellings would be appropriately spaced from each other and their boundaries, with available space to provide a meaningful landscape scheme. Their relationship and distances to neighbouring properties (approx 35+ metres) would prevent harmful impact upon neighbouring amenity. The tree officer has assessed the application and confirmed subject to condition the development would have an acceptable impact on trees.

RECOMMENDATION(S)

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

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Consultations:

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions

Nork Residents Association – Objection on grounds of planning history, out of character, poor design, car-dominated, insufficient parking provision, too close to adjacent development at Juniper Close and Warren Farm Close, overdevelopment, overbearing impact, change in levels resulting in harmful overlooking and loss of residential amenity. Development will result in garden grabbing.

Neighbourhood Services – No objection. Advice provided on the waste requirements. (It is noted the applicant has submitted a vehicle tracking drawing demonstrating access and turning for a refuse vehicle can be achieved within the site.)

Representations:

Letters were sent to neighbouring properties on 17th January 2019 and a site notice was posted on 31st January 2019. Neighbours were re-notified on a revised development description for a 14 day period commencing 29th January 2019. Following receipt of amended plans which included a revised red line the application was re-started. Neighbours were re-notified on the amended plans for a 14 day period commencing 13th March 2019 and a new site notice was erected on 18th March 2019.

As of 1st May 2019 there were 64 responses, a number of which are from the same respondents noting the multiple consultations. The following main issues are raised:

Issue	Response
Increase in traffic & congestion, hazard to highway safety	See paragraph 6.22-6.26
Inadequate parking	See paragraph 6.22 -6.26
Siting of access	See paragraph 6.4, 6.10 and 6.22-6.26
Proximity of development to Juniper Place	See paragraph 6.1-6.14
Out of character with surrounding area, overdevelopment	See paragraph 6.6 – 6.14
Poor design	See paragraph 6.6 – 6.14
Overlooking and loss of privacy, overshadowing, overbearing relationship	See paragraph 6.15 – 6.18

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Impact of level change both to the front and rear – impact to neighbour amenity and visual impact of development to streetscene.	See paragraph 6.1– 6.18
Inconvenience during construction	See paragraph 6.20
Noise and disturbance	See paragraph 6.19
Loss of / harm to trees, proposed planting insufficient	See paragraph 6.13 -6.14
Harm to wildlife habitat	See paragraph 6.33
Flooding, drainage and sewerage capacity	See paragraph 6.32
Pollution (including light and air), crime and health fears	See paragraph 6.34
Loss of buildings	The building proposed for demolition is not protected and as such there is no in principle objection to its loss.
Affordable housing provision	See paragraph 6.27-6.28
Pressure on existing facilities	See paragraph 6.29
Planning history is a material consideration	See section 3 and paragraph 6.1-6.5
No need for development / Alternative location or proposal preferred	Each application must be assessed on its own merits
Property devaluation	This is not a material planning consideration
Loss of private view	This is not a material planning consideration
Harm to conservation area	The site is not located within a Conservation Area
Harm to green belt / countryside	The site is not located within the green belt / countryside
Conflict with a covenant	This is not a material planning consideration

Letter from Epsom & Ewell MP forwarding neighbour response.

A site visit has been requested by the resident of 11 Bridgefield Close. I have visited this property before and am familiar with the relationship between the properties in Bridgefield Close and the application site, noting the change in levels in this locality. I therefore did not consider it necessary to visit the site again. I note also that the resident has also submitted photographs from their property towards the application site. Invitations for a site visit were also received from a resident in Juniper Place and a further resident in Bridgefield Close I am content that my site visit from public land, previous visits to 11 Bridgefield Close and the application site and was sufficient in this regard.

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1.0 Site and Character Appraisal

- 1.1 The site consists of all of 345 Reigate Road and approximately the rear half of the gardens of 343, 347, 349 and 351 Reigate Road, located on the eastern side of the road. Originally the application also included the rear part of the garden of 353 Reigate Road, however the applicant amended the application during the determination period to remove this land.
- 1.2 Reigate Road is primarily residential and characterised by a mix of detached dwellings relatively wide within their plots, set back from the highway to provide deep front gardens, generally with open aspect but with good levels of trees and hedging. Gardens to the rear are long with mature trees and boundary vegetation. Levels rise up from Reigate Road towards the application site and from the road towards the west. There is also a slight change in level from north to south. The site is located in flood zone 1, although it is noted that Reigate Road is prone to surface water flooding. The site is not identified as being of significant ecological value.
- 1.3 The locality is identified as 1930s-1950s suburbia in the Council's Local Distinctiveness Guide. The character is that of predominantly detached linear development facing Reigate Road in long plots amidst which are small modern infill short cul-de-sac developments. Trees and shrubs are visible in the gaps between the houses due to the sloping nature of the land up towards the rear gardens. These modern cul-de-sac developments (accessed between and set behind frontage development), including Warren Farm Close, Hornbeam Close and Juniper Place have changed the appearance of the area in recent years and now form part of the character of the area. Juniper Place to the south, is a small recent linear development proximate to the site and at right angles to Reigate Road. It has a more urban character with the street layout dominated by the road and hardstanding with little space for landscaping. As identified by past appeal Inspector's the gap formed by Juniper Place creates a particularly open view of the highest part of the appeal site.
- 1.4 The site is located in a sustainable urban location, with good transport links and with access to local services and facilities

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application:
 - Development description revised to more accurately reflect development proposed.
 - Additional plans provided: Streetscene and cross-section with levels
 - Amended plans received: Removal of one unit (scheme amended from 8 to 7 dwellings) with amendment to red line (excluding rear garden of

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353 Reigate Road). Revisions to the internal layout including revision to house types (now 5no. detached houses and 1 pair of semis, previously 4no. detached houses and 2 pairs of semis) and resiting of semi-detached pair away from head of access road, enhanced landscape provision and amendments to vehicle parking and tracking to reflect revised layout. Supporting information updated to reflect the above changes.

- Amended plans received: Plot 7 returned to house type A
- Additional bat survey

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

3.0 Relevant Planning and Enforcement History

3.1	17/02253/F	Demolition of 345 Reigate Road and erection of 9 dwellings, with associated access road, parking and landscaping.	Refused 6 December 2017 Appeal dismissed 7 September 2018
3.2	16/02506/F	Demolition of 351 Reigate Road and erection of 9 dwellings, with associated access road, parking and landscaping.	Refused 10.January 2017 Appeal dismissed 27 April 2017
3.3	16/00806/F	Demolition of 351 Reigate Road and the erection of 9 dwellings with associated access and parking.	Refused 2/6/2016
3.4	15/00385/F	Demolition of 351 Reigate Road and the erection of 10 dwellings with associated access and parking	Refused 4 June 2015 Appeal dismissed 7 January 2016
3.5	15/00384/F	Demolition of 351 Reigate Road and the erection of 11 dwellings with associated access and parking	Refused 4 June 2015
3.6	12/00088/F	Demolition of number 349 Reigate Road, creating a new access to proposed development of 9 new detached houses on land behind numbers 343/345/347/349/351/353 Reigate Road, including garages, access road, and landscaping	Refused 23/03/2012 Appeal dismissed 16/01/2013
3.7	86/10020/OUT	Land Rear Of 345-353 Reigate Road Banstead – Erection of 7 detached 4 bed homes and garages	Refused 09.01.1987 Appeal dismissed 21.05.1987

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- 3.8 The following developments have been granted proximate to the site and as such are material planning considerations:

371 – 383 Reigate Road (Hornbeam Close):

14/01307/F - Demolition of 377 Reigate Road and the erection of 10 dwellings with associated access and parking – Granted - 10 February 2015. Development complete.

357 – 365 Reigate Road (Juniper Place)

11/00635/S73 - Variation of condition 2, amendments to 10/01048/F – Approved - July 2011. Development complete.

10/01048/F - Demolition of number 361 and 363 Reigate Road and the erection of 12 residential dwellings - Refused 19/08/2010. Appeal Allowed 15/02/2011

323 – 335 Reigate Road (Warren Farm Close)

09/01303/F - Erection of 8 detached houses with associated car parking, garaging, access road and landscaping. (Amendment to planning permission P/09/00078/F) – Approved with conditions. Development complete.

4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of 345 Reigate Road, to provide an access road to serve (following amendment) seven proposed dwellings to the rear of 343 - 351 Reigate Road (odd nos. only).
- 4.2 Originally the application also included the rear part of the garden of 353 Reigate Road; however the applicant amended the application during the determination period to remove this land (and the additional dwelling that was proposed upon it). The application was restarted to reflect this change.
- 4.3 The new access drive would lead to a row of 7 dwellings parallel to those fronting Reigate Road. Five detached houses are proposed together with a pair of semi-detached houses. 5no. four bedroom houses are proposed and 2no. three bedroom houses. The proposed dwellings are of traditional design set over two storeys with traditional facing materials in brick with tile hanging elements and clay tiled roofs. Private amenity areas are provided with space for refuse and recycling storage.
- 4.4 The application is supported by a landscape scheme which includes new tree planting both along the access road and within the site, including particularly to the rear of 351 Reigate Road in the south-west corner of the site. Two parking spaces are proposed per dwelling (with the detached dwellings including an integrated garage). The layout in addition includes 2 visitor parking spaces.
- 4.5 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

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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.

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

Assessment	The character of the surrounding area is assessed as predominantly residential, dominated by large detached dwellings in large elongated plots which are interspersed with later infill cul-de-sac developments.
	Site features meriting retention are the retention of the more valuable mature trees within the site
Involvement	No community consultation took place.
Evaluation	The scheme is considered alongside previously refused development options.
Design	The applicant's reasons for choosing the proposal from the available options were the proposal has been redesigned to overcome the reasons for refusal on the previous applications.

4.7 Further details of the development are as follows:

Site area	0.41 (inc 345 Reigate Road)
Proposed parking spaces	16
Parking standard	14 (LP and DMP)
Net increase in dwellings	6
Proposed site density	19.5 dph (based on 8 dwellings and 0.41ha)
Density of the surrounding area	8dph 343 – 351 Reigate Road (odds) (as existing) 18dph 306 – 336 Reigate Road (evens) 28.6dph Juniper Place 19.5dph Warren Farm Close 20dph Bridgefield Close

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5.0 Policy Context

5.1 Designation

Urban area

5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS12 (Infrastructure Delivery),
CS13 (Housing Delivery)
CS14 (Housing Needs)
CS15 (Affordable Housing)
CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho14, Ho16
Utilities	Ut4
Movement	Mo5, Mo7

5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide Vehicle and Cycle Parking Guidance 2018 Affordable Housing
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

6.0 Assessment

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms.

6.2 This application follows a number of recently refused applications and dismissed appeals on the site, the most recent of which for 9 dwellings (17/02253/F) was refused for the following single reason:

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“The proposed development, by virtue of its layout and the proximity of the collective bulk of the dwellings on Plots 1-4 in relation to Juniper Place, would result in an urban form with the appearance of a small estate rather than discrete individual developments. The development would therefore be at odds with and harmful to the spacious character of the area, which would be exacerbated by the position of the site on higher ground and consequent visibility between gaps in the frontage properties, and thus contrary to policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Local Plan 2005 and the Reigate and Banstead Local Distinctiveness Design Guide 2004.”

- 6.3 The scheme was dismissed at appeal for the sole reason of harm to the character and appearance of the area arising specifically from Plots 1-4, sited perpendicular to Reigate Road and parallel to properties fronting the northern side of Juniper Place. This element of the scheme was considered to *“introduce an element of greater bulk that would have an urbanising effect, contrast with and be harmful to the spacious character of the area”* in close proximity to Juniper Place and in a location where the site is at its highest level and views of the development site are most apparent.
- 6.4 The remainder of the scheme was considered acceptable. The Inspector raised no objection to the principle of the development, the siting of the access or the row of 5 dwellings (plots 5 – 9) parallel to those fronting Reigate Road, which were considered to *“maintain the spacious character of the area”* (para 7). In determining the application there was also no objection from the Council to matters including the scale and design of the proposed dwellings, their associated access, parking, landscaping (subject to condition) and the effect on the living conditions of nearby residents.
- 6.5 As such the principle matter for consideration is whether the scheme has overcome the Inspector’s concerns in relation to design and the impact on the character of the area. As it is a full planning consideration all other matters must be re-assessed, albeit noting that the planning history forms a material consideration in the determination of this application.

- Design and impact on the character of the area
- Neighbour amenity
- Highway matters
- Affordable Housing
- Community Infrastructure Levy
- Other issues

Design and impact on the character of the area

- 6.6 There have been a number of examples of infill development along Reigate Road and within the wider area, with backland development introduced accessed between and set behind frontage development. As with the previous application in my opinion these infill developments have changed the character and appearance of the street scene of Reigate Road and the wider locality. As such there is no in principle objection to the redevelopment of the site. However each application must be assessed on its own merits and

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the acceptability of this scheme rests on its individual impact on the design and character of the locality.

- 6.7 Policy Ho14 relates specifically to back land development. It states that such development must comply with a number of criteria. For example that the general pattern and form of development in the area is maintained and that proposed plot sizes and spacing between buildings reflect that predominating within the surrounding area.
- 6.8 Since the previous application the scheme has been amended as follows to overcome the concerns raised by the Inspector and by the Council:
- Development layout revised with the row of 4 perpendicular homes removed from the scheme and the previous row of 5 houses parallel to Reigate Road now extended to 7, (initially 8).
 - Revision, following submission, to exclude development to the rear of 353 Reigate Road, increasing the separation to Juniper Close by a further garden width, with consequential changes to the application red line and quantum of development proposed.
 - Additional planting proposed in the south-west corner of the site to the rear of 351 Reigate Road to mitigate visual impact of the development
 - Additional planting proposed within the access road to create a more attractive frontage to the development
 - Additional hedge planting proposed to the rear of plots 4 - 7
 - Small amendments to internal layout and detailed design of houses.
- 6.9 The previous numbered plots 5-9 to which the Inspector raised no objection remain virtually identical in the current proposal (following amendment) with regards to site layout. These plots are located to the rear of 343 -349 Reigate Road and are now renumbered 1 – 5 in the proposed scheme. The changes relate to small amendments to the detailed design and appearance of the houses.
- 6.10 The proposed design reflects many of the elements of the previous scheme in terms of the design and scale of the dwellings, siting of the access road, density and spacing between buildings to which historic Inspector's have considered acceptable. For example the Inspector in his consideration of 16/02506/F (a scheme for 9 dwellings) confirmed at para 10 of his decision: *"The density of the proposed scheme would be less than that of Juniper Place and Hornbeam Close. I accept that the amenity space and layout is acceptable and would not be dominated by car parking. An appropriate landscape strategy could also be put in place. I also accept that the scale and design. As well as the spacing between buildings would be similar to properties within the surrounding area and would not appear cramped and have appropriate separation alongside the access road."* As noted at para 6.9 of this report the layout of plots 1 – 5 is very similar to the previous scheme to which the Inspector raised no concern in this regard and considered this element to *"maintain the spacious character of the area"* (para 7 of 17/02253/F). The present proposal represents an extension to that development form and as such I do not consider that it would be harmful to

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the character of the area in this regard. In this respect the extent of visibility of the scheme from Reigate Road when it would be viewed between gaps between dwellings and from its access road is considered acceptable. As with the previous proposal and in accordance with the Inspectors conclusions there is no objection to these aspects of the proposal, although it is noted the landscape condition would need to include for additional planting to the rear of plots 4 – 7 where given the extent of tree /shrubby removal to the rear of the site and the level change to adjacent properties in Bridgefield Close sited at a higher level, insufficient replacement planting has been currently shown in this location. In light of this condition the design and character impact from Bridgefield Close is also considered acceptable.

- 6.11 A number of Inspector's have raised concern regarding the proximity of the development to Juniper Place and the visibility of the site from it. Particularly in relation to views across the rear gardens of nos 357 and 359 Reigate Road, (given the break in frontage development created by Juniper Place) and the change in levels as the land rises to the east and south. The revised scheme, with the removal of the perpendicular built form to Reigate Road, together with the additional garden's separation to Juniper Place, catslide roof form to plot 7, additional planting to the south-west corner and separation of the built form from the boundary is considered to overcome concerns raised by both this Inspector and previous Inspector's in this regard. Again a landscape condition is proposed to secure an acceptable level of planting, both to the SW corner of the site and the boundary facing Juniper Place beyond that currently submitted by the applicant.
- 6.12 In light of the above the proposed development is therefore considered to be acceptable in terms of its design and impact upon the character of the wider area, and complies with policies Ho9, Ho13, Ho14 and Ho16 of the Local Plan, all of which seek to ensure that new housing complements its surroundings and reflects the character and pattern of existing development.
- 6.13 The tree officer was consulted on the application and noted the scheme is similar to the two previous schemes with the same number of trees proposed for removal and retention. The tree officer has confirmed that the relevant tree protection measures have been identified and as long they are adhered to there will be no further loss of trees during the development phase. A landscape scheme has been submitted however this has not met with the tree officer's approval with regards species selection and a condition is proposed to secure revised details. In this case there is sufficient space and adequate scope for a structured planting scheme to be implemented ensuring a diverse selection of trees and vegetation throughout the site that can contribute to the local landscape. This would need to include tree and hedge planting to identified locations, with appropriate species sizes included and utilisation of evergreen native species to ensure annual coverage and improve biodiversity. The tree officer has provided further advice within his response.
- 6.14 A robust scheme of landscaping, adherence to the Tree Protection Plan and any other further necessary information can be secured by planning

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conditions. Subject to condition the proposal is considered to accord with policy Pc4 of the Local Plan in this regard.

Neighbour amenity

- 6.15 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. Historic applications on this site have not been refused with regards to their impact upon the amenities of adjacent occupiers. Whilst minor weight has been applied against the impacts identified the harm identified has not been considered sufficient to form a reason for refusal. The current proposal is not considered to materially change these findings. Whilst the proposal would clearly have a degree of greater presence (than existing) and as such the relationship between the site and surrounding properties would change and intensify, adequate planting/screening could be retained or provided where necessary to help mitigate this impact.
- 6.16 The proposed separation distances between the proposed dwellings and the frontage donor properties would range between approximately 45 metres. These distances are such that no significant overshadowing, loss of privacy or overbearing impact would occur to these properties, notwithstanding the change in levels.
- 6.17 The separation distances range between 34–38m between the rear elevations of plots 4 – 7 and the rear elevations of the adjoining properties in Bridgefield Close and approximately 38.5m between the flank elevation of plot 7 and the rear elevation of properties in Juniper Place. Whilst in light of the change in levels across the site a degree of overlooking is likely to occur, these separation distances are such that the impact this would not be harmful enough to warrant refusal of the application. The separation distance would also ensure that the proposal would not be significantly overbearing on these property, or result in harmful overshadowing, loss of light or loss of privacy. Landscape planting is also proposed along these boundaries, which would be subject to condition.
- 6.18 There would be a separation distance of approximately 2 metres between the flank elevation of plot 1 and the boundary with the rear garden of 341 Reigate Road. There would be oblique views into this rear garden from the first floor front window. As these views would be oblique, and due to the presence of boundary planting and the separation distance of approximately 43.5 metres between plot 1 and number 341, the impact of the proposal on this property is considered to be acceptable. No side facing windows are proposed within the flank elevation of this property. Similarly the relationship between plot 7 and 353 Reigate Road is considered acceptable, and again there are no windows in the flank wall facing the existing properties in Juniper Place.
- 6.19 The proposed access road and addition of dwellings would result in a degree of noise and disturbance. However, the separation distances with neighbouring properties and the scale of development would be such that the amount of noise and disturbance generated would not be significant enough

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to warrant refusal of the application and would be consistent with normal residential environments. The relationship of the proposal with neighbouring properties is also comparable to recent forms of development allowed on appeal, and is considered acceptable. Neither do I consider that the access road would generate unacceptable light pollution.

- 6.20 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement could be secured by planning condition.
- 6.21 While giving rise to a degree of change in the relationship between buildings, the proposed development is considered to cause no harm to the amenity of neighbouring properties and complies with policy Ho9 in this regard.

Highway matters

- 6.22 The application retains the access road in the same location as the previous application, requiring the demolition of 345 Reigate Road to create the new drive. There was no objection to the siting of the access road in this location in the previous refusal or appeal decision, and this is a material consideration to which I give weight.
- 6.23 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway subject to conditions relating to vehicular access, visibility splays, parking, the requirement for a construction transport management plan and pedestrian visibility splay.
- 6.24 The CHA confirms that adequate visibility in excess of 2.4m by 60m can be achieved in both directions, which exceeds the minimum requirement of 43m for accesses onto roads with a speed limit of 30mph.
- 6.25 Each of the proposed dwellings would have access to two parking spaces, either in the form of an integral garage and/or driveway parking. The proposed levels of parking (16 car spaces, 14 spaces for residents and 2 spaces for visitors) are in accordance with the adopted parking standards as set out in the Local Plan.
- 6.26 In light of the above the application is considered to accord with policies CS17 of the Core Strategy and policies Mo5 and Mo7 of the Borough Local Plan.

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Affordable Housing

- 6.27 The development would result in a net gain of six residential units. Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.28 More recently the NPPF was republished in 2018 and advised against requiring affordable contributions from non-major developments. Therefore the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

Community Infrastructure Levy (CIL)

- 6.29 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, road, public transport and community facilities which are needed to support new development. This development would be CIL liable and, although the exact amount would be determined and collected after the grant of planning permission, an informal calculation shows a CIL liability of around £116,578 prior to indexation.

Other matters

- 6.30 The proposal would make a positive contribution towards meeting the housing needs and requirements of the borough, with associated social and economic benefits. This attracts a limited amount of additional weight in favour of the application.
- 6.31 Living standards: The proposed dwellings in terms of their layout, size, accessibility and access to facilities are considered acceptable. The proposed dwellings have an acceptable floor space and the units would have access to private amenity space. When judged from a living standard perspective the proposal is considered acceptable.
- 6.32 Concern has been raised from neighbouring properties regarding flooding and drainage/sewage. The site is located within flood zone 1 and sewage capacity would be assessed at building control stage. The proposal is considered to have a satisfactory impact with regards flooding and drainage. It is noted a condition could be applied to a grant of permission to ensure that sustainable drainage is present on the site and an appropriate surface water

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drainage scheme implemented, noting that Reigate Road is identified as being at risk from surface water flooding.

- 6.33 Representations have also been received regarding the potential harm to wildlife. The application site comprises rear gardens containing lawn, trees and shrubs and there is no evidence that the area is of particular high wildlife value. The building at 345 Reigate Road is considered to constitute a feature of negligible bat roost potential. The applicant has undertaken an additional endoscope survey to confirm this position and a further survey is recommended prior to commencement of works in accordance with best practice. The tree with a cavity located within the garden of 353 Reigate Road is now excluded from the site boundary. Other precautionary arrangements are proposed to ensure no harm to protected species. Conditions are proposed to secure the ecological recommendations of Surrey Wildlife Trust who have been consulted on the application and have no objection subject to condition. Ecology enhancements will also be secured by condition. In light of this the impact with regards to ecology is considered acceptable. With regards to lighting the development will accord with normal residential environments and as such I am satisfied with regards impacts to ecology in this regard.
- 6.34 Concern has also been raised regarding health and crime fears. No health or crime issues would arise from the proposed development. Boundary treatment would be controlled via condition. The development is not considered to give rise to harm by reason of air pollution

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
Location Plan	021-02-20	D	04.04.2019
Site Layout Plan	021-02-24	D	04.04.2019
Site Layout Plan	021-02-25	D	04.04.2019
Floor Plan	021-02-26	C	04.04.2019
Elevation Plan	021-02-27	C	04.04.2019
Street Scene	021-02-32	D	04.04.2019
Floor Plan	021-02-22		28.02.2019
Site Layout Plan	021-02-21	A	28.02.2019
Elevation Plan	021-02-23		28.02.2019
Floor Plan	021-02-28	B	28.02.2019

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Elevation Plan	021-02-29	B	28.02.2019
Floor Plan	021-02-30	B	28.02.2019
Elevation Plan	021-02-31	B	28.02.2019
Landscaping Plan	766-L-01	A	28.02.2019
Arboricultural Plan	766-L-02	A	28.02.2019
Other Plan	447-003	D	20.03.2019

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

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

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

4. Immediately prior to the commencement of development:
 - a) a further follow up endoscope survey shall be completed of the three potential bat roosting features within 345 Reigate Road, in line with the methodology presented within the submitted Ecology Report
 - b) a further badger survey shall be completed to check for any badger activity, including that the existing sett remains disused and there are no new signs of badger sett construction on site, and
 - c) a report containing the results of the above surveys and details of mitigation measures (as appropriate) has been submitted to and approved in writing by the Council.

In the event that an active roost or badger activity is identified all works should cease immediately and the applicant should contact Natural England with regards the need to secure a European Protected Species License.

Reason: To protect the important species on the site in accordance with Policy Pc2G of the Reigate and Banstead Borough Local Plan 2005, Natural England standing advice and the provisions of the NPPF

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

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

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6. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Tree Protection Plan and Arboricultural Method Statement compiled by ACS, dated 12th March 2019 on drawing number TPP5_RR_7U dated March 19

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

7. No development above slab level shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the LPA. The landscaping scheme shall include additional tree species along the southern boundary of plot 7 and along the rear boundary. The hedgerow along the rear boundary shall be mixed native species comprising hawthorn, blackthorn, hazel, holly, spindle, field maple, yew, common alder, common dogwood, English oak, field maple, hornbeam, wild privet, wild crab apple. A minimum of 60% of the plants should be hawthorn or blackthorn. The remaining plants for the hedging should be a minimum of 6 of the above species. Each species should be a minimum of 5% of the total

The landscape scheme shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing with the local planning authority.

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

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

Informative:

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

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8. No pruning, removal or other works to the retained trees and hedges located both within and overhanging the site, shall take place during construction, or for one year after completion except with the prior written approval of the Local Planning Authority. Any tree work already approved as part of this consent and any other work undertaken should be done in accordance with British Standard 3998 'Recommendations for Tree Work'. If any of the retained trees or hedges, within the site, controlled by this condition, are removed, die, or become damaged or diseased within one year of completion, they shall be replaced before the expiry of one calendar year by trees or hedges, to a planting specification agreed in writing by the Local Planning Authority.

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 policy Pc4 of the Reigate and Banstead Borough Local Plan 2005.

9. 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 visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) measures to prevent the deposit of materials on the highway
 - (h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (i) 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 above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

10. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Reigate Road has been constructed as a bellmouth access with kerbs and provided with dropped kerbs, and tactile paving in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be permanently clear of any obstruction over 0.6m high above ground.

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

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11. The development hereby approved shall not be first occupied unless and until the existing vehicular access from the site to Reigate Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

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

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

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

13. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected incorporating wildlife-friendly accesses) has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the development hereby permitted.

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

14. The first floor windows in the north and south side elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

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

15. The development shall be implemented in accordance with Natural England best practice with regards to precautionary working methods with respect to reptiles, badgers and breeding birds (guidance provided within the Surrey Wildlife Trust response). In addition to delivering the ecology enhancements set out in section 6 of the submitted ecology report prepared by Applied Ecology dated April 2019 the development shall incorporate a minimum of 3 bat boxes or bat tiles and 5 bird boxes. This condition will be discharged on receipt of a letter from the project ecologist stating that the mitigation has been completed according to the recommendations.

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Reason: To protect the important species and habitats on the site, in accordance with Policy Pc2G of the Reigate and Banstead Borough Local Plan 2005, Natural England standing advice and the provisions of the NPPF

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

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

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

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

18. The development hereby approved shall not be occupied unless and until each of the proposed dwellings 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 and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF (2012), and to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan (2005).

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services

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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 taken during any building operations to control noise, pollution and parking:
- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

5. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
6. The 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

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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

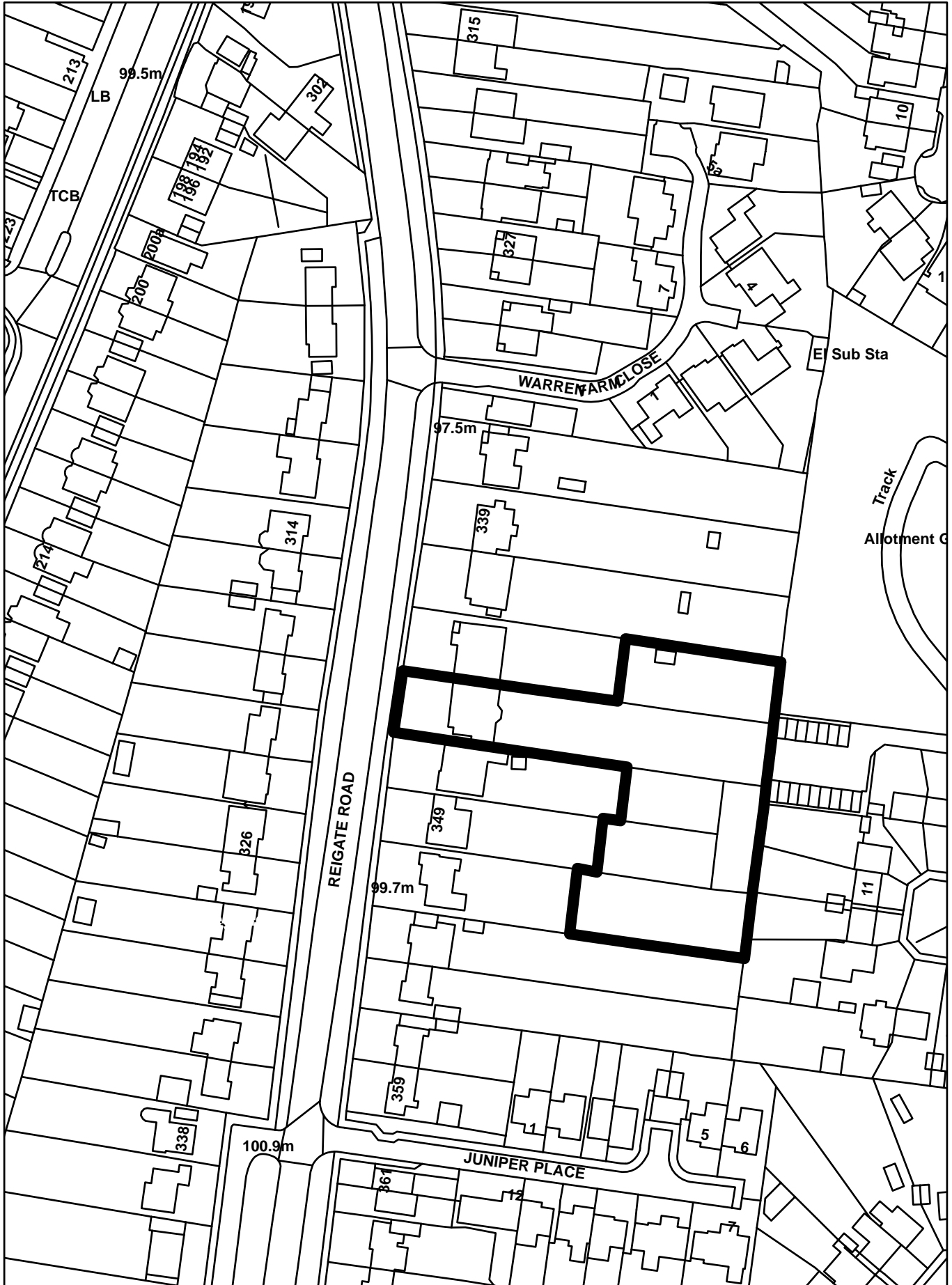
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS10, CS11, CS12, CS13, CS14, CS15, CS17 and Pc4, Ho9, Ho13, Ho14, Ho16, Ut4, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements

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

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18/02548/F - 343 - 351 Reigate Road,
Epsom Downs






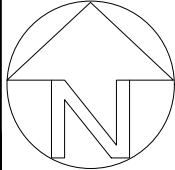
Rev D: April 2019 - Plot 7 house type amended to Type A

Rev C: March 2019 - Road outside Plots 1 & 2 amended for refuse tracking

Rev B: Feb 2019 - Garden from No 353 removed from the application



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	Project 343 - 351 REIGATE ROAD, EPSOM DOWNS				
	Drawing Title PROPOSED SITE PLAN				
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	Existing Trees Retained
	Retained Hedges

Allotment Gardens

REIGATE ROAD

Rev D: April 2019 - Plot 7 house type amended to Type A

Rev C: March 2019 - Road outside Plots 1 & 2 amended for refuse tracking

Rev B: Feb 2019 - Garden from No 353 removed from the application



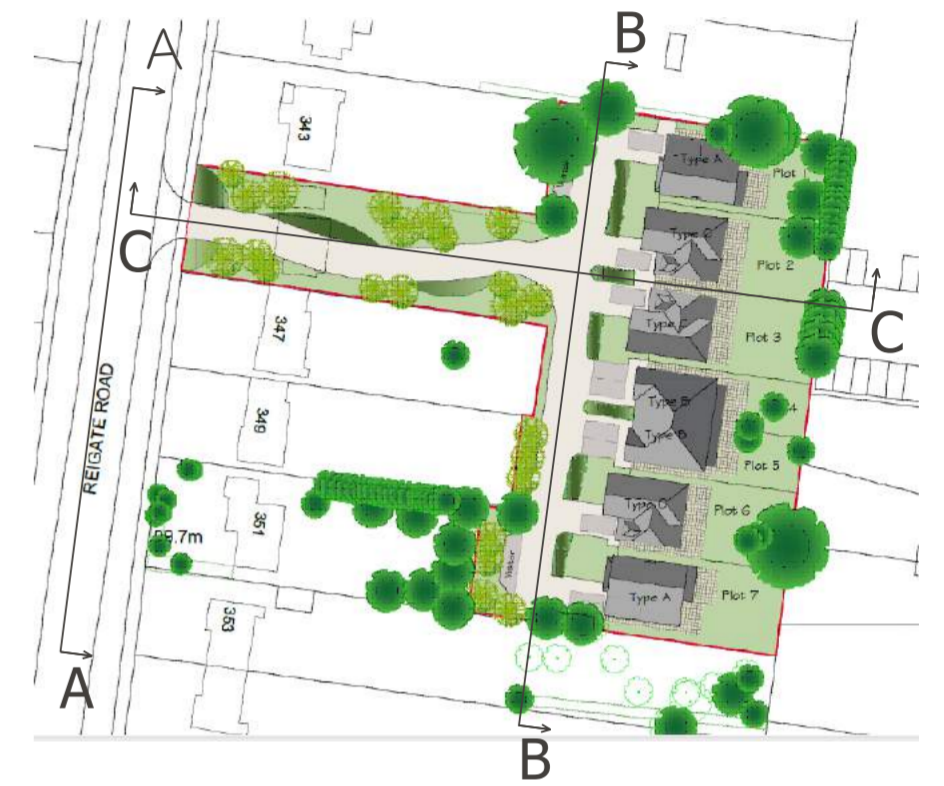
	Project 343 - 351 REIGATE ROAD, EPSOM DOWNS				
	Drawing Title PROPOSED SITE PLAN SETTING OUT				
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Existing Street Scene to Reigate Road (A-A)



Proposed Street Scene to Reigate Road (A-A)

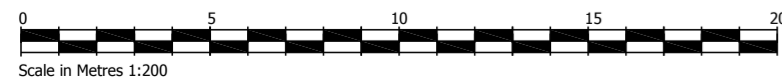


Street scene (B-B)

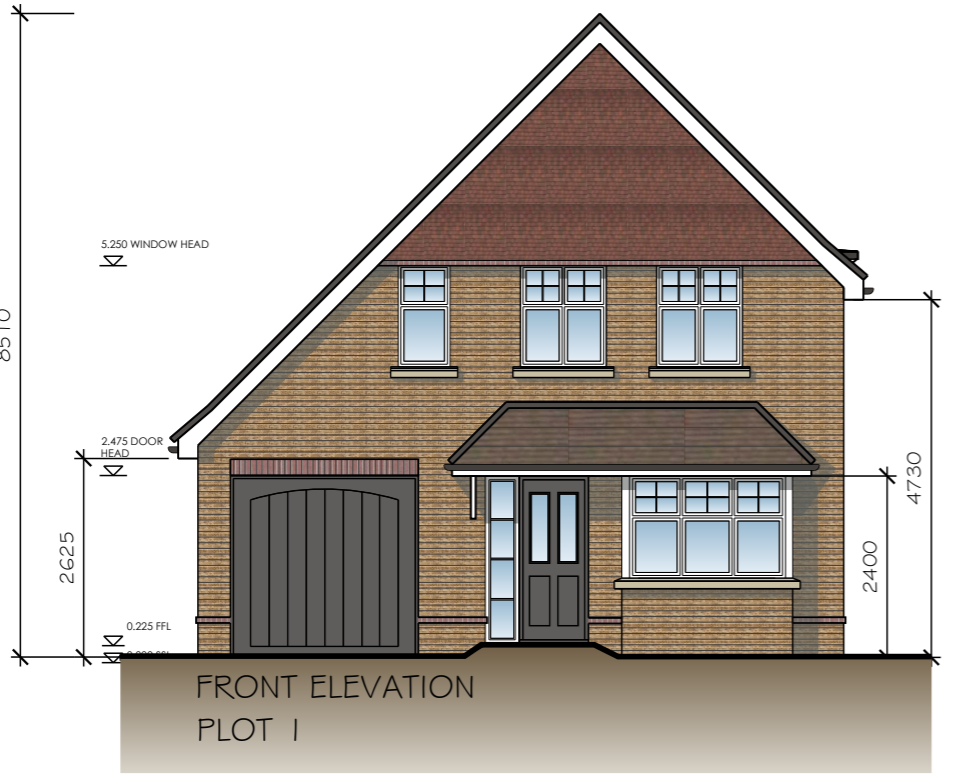


Section C-C

Rev D: April 2019 - Plot 7 house type amended to Type A



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	Drawing Title PROPOSED STREET SCENE & SECTIONS				
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	Jan 2019	1:200@A2		021-02-32	D
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FRONT ELEVATION
PLOT 1

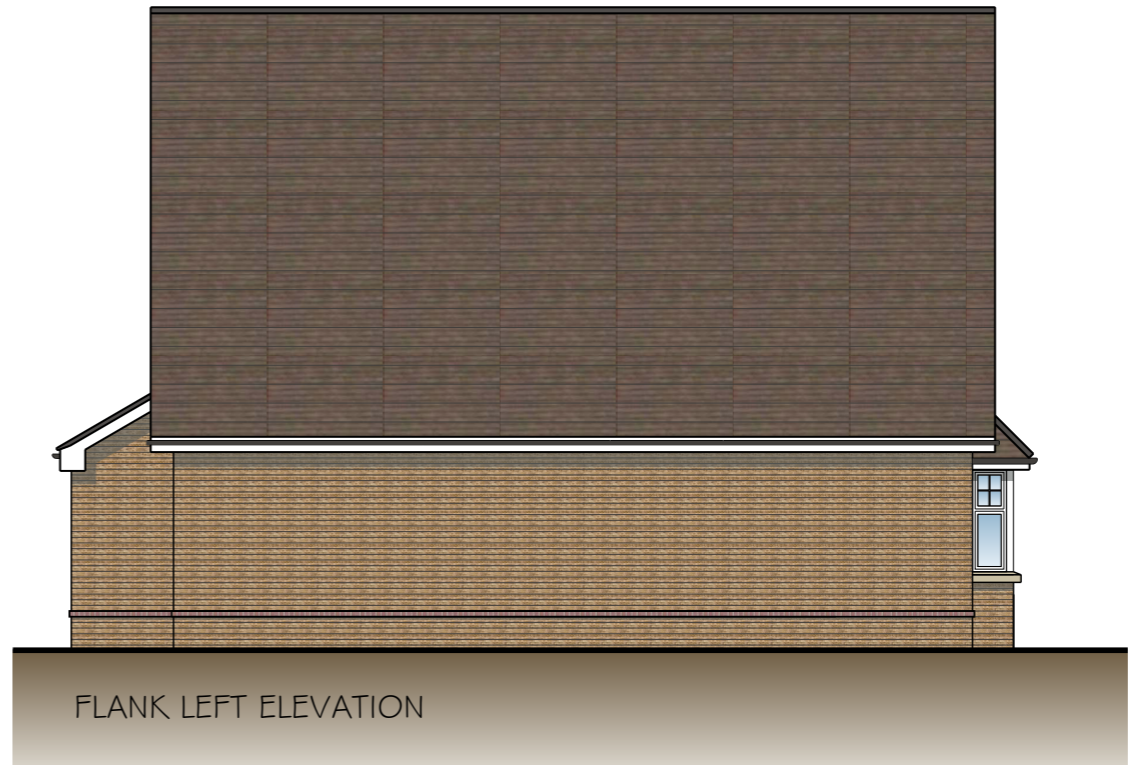
PLOT 7 Handed



FLANK RIGHT ELEVATION



REAR ELEVATION

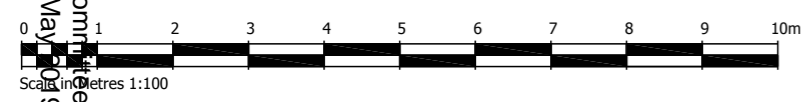


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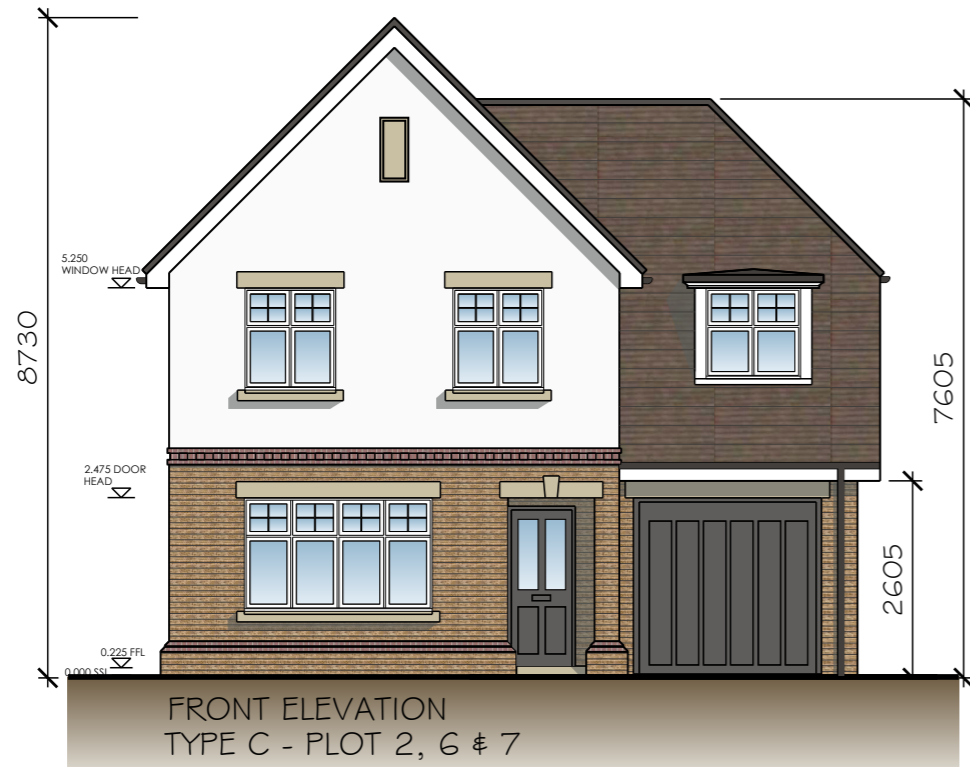
36

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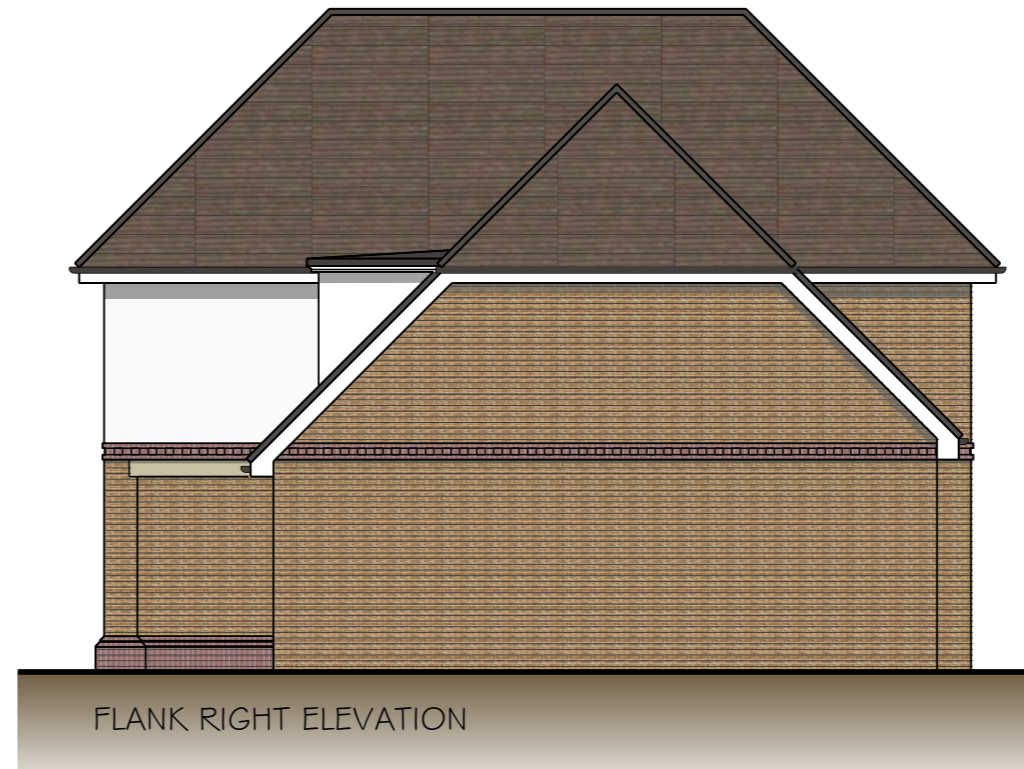
Rev C: April 2019 - Plot 7 house type amended to Type A
 Rev A: Feb 2018 - Garden from No 353 removed from the application



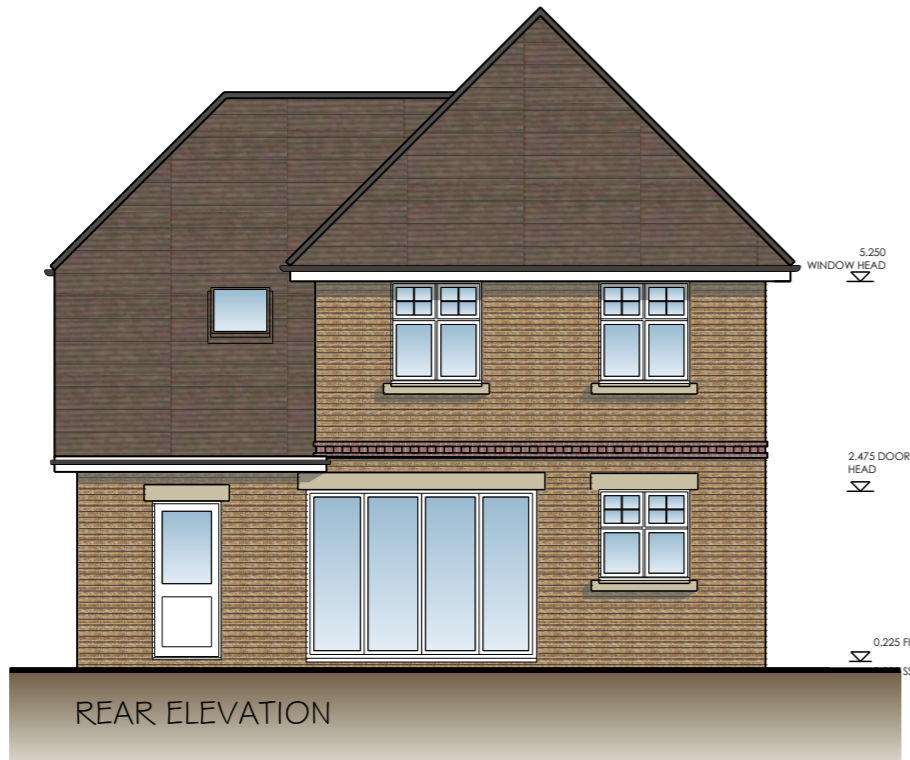
	Project 343 - 351 REIGATE ROAD, EPSOM DOWNS				
	Drawing Title ELEVATIONS - TYPE A				
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	NOV 2018	1:100@A3		021-02-27	C
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FRONT ELEVATION
TYPE C - PLOT 2, 6 & 7
PLOT 3 Handed



FLANK RIGHT ELEVATION

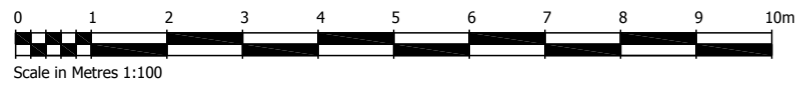


REAR ELEVATION



FLANK LEFT ELEVATION

Rev A: Feb 2018 - Garden from No 353 removed from the application



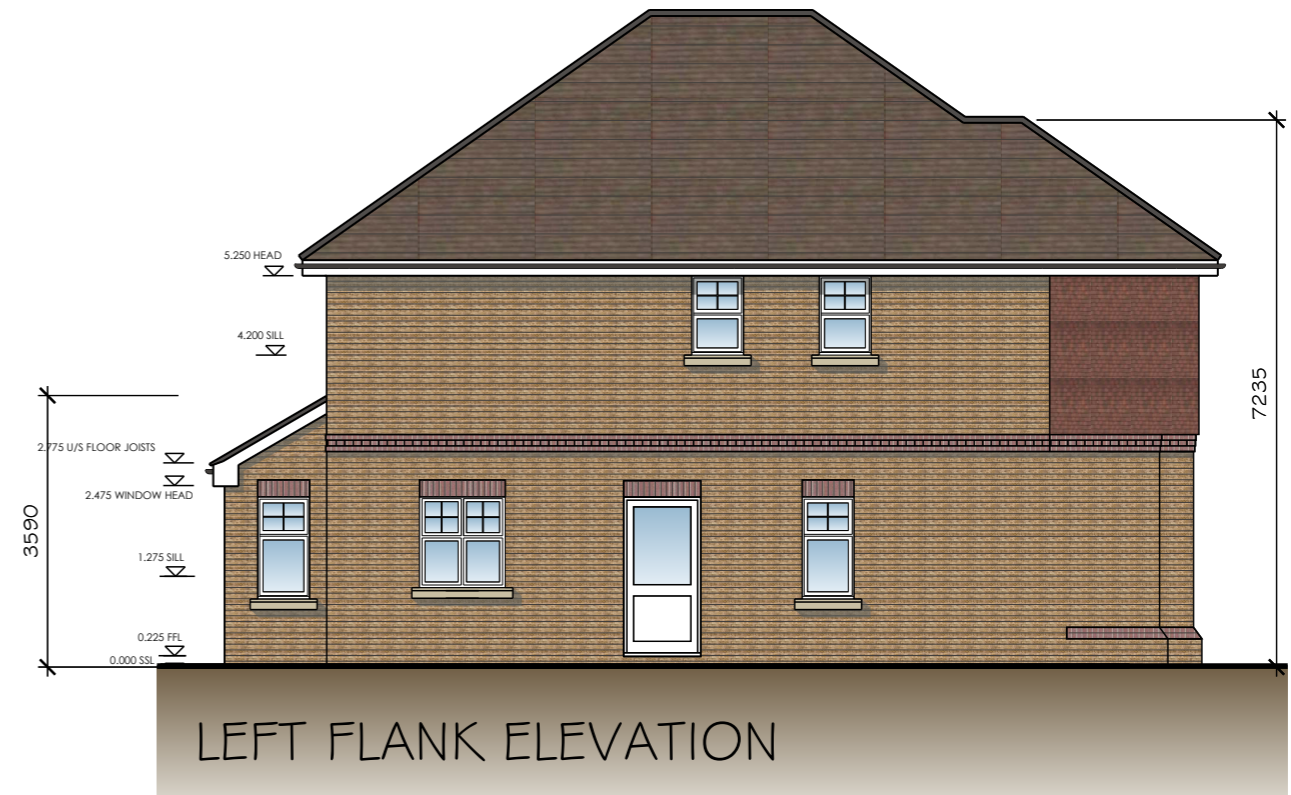
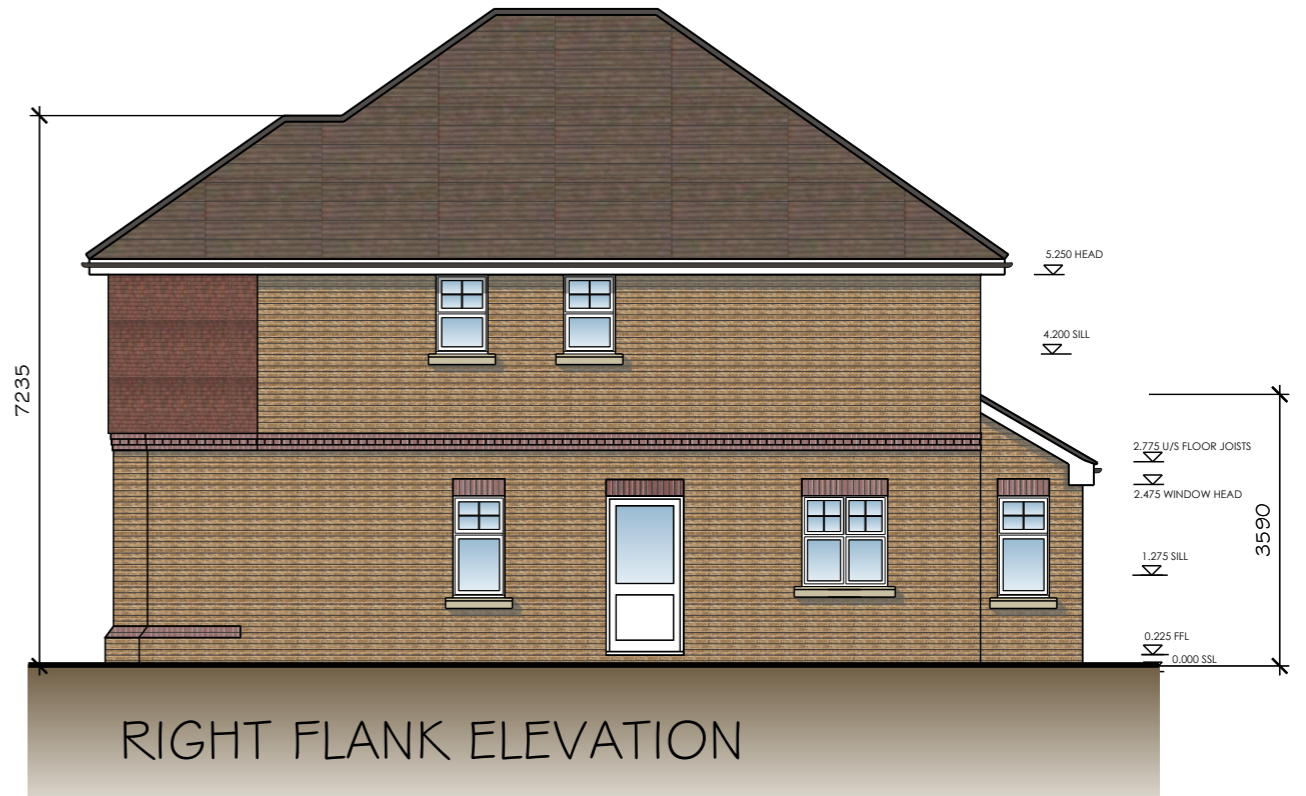
Project
343 - 351 REIGATE ROAD, EPSOM DOWNS

Drawing Title
PLANS - TYPE C

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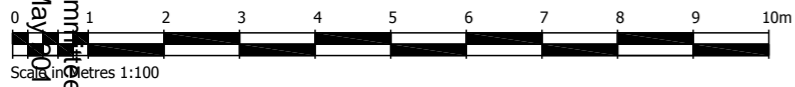
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19 May 2019
Rev A: Feb 2018 - Garden from No 353 removed from the application



Project
343 - 351 REIGATE ROAD, EPSOM DOWNS

Drawing Title
ELEVATIONS - TYPE B

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Date	Scale	Status	Drawing number	Rev
NOV 2018	1:100@A3		021-02-29	B

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18/00816/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	John Ford
	TELEPHONE:	01737 276112
	EMAIL:	john.ford@reigate-banstead.gov.uk
AGENDA ITEM:	6	WARD: Chipstead, Hooley & Woodmansterne

APPLICATION NUMBER:	18/00816/F	VALID:	08/06/2018
APPLICANT:	Mr Billy Chambers	AGENT:	WS Planning & Architecture
LOCATION:	ARLINGTON STABLES, 23A WOODMANSTERNE LANE, WOODMANSTERNE		
DESCRIPTION:	Stationing of mobile home for residential occupation by a single gypsy family and installation of a cesspit		
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.			

This application is referred to Committee in accordance with the Constitution by Cllr Walsh.

SUMMARY

The application relates to a site in a rural locality on the north side of Woodmansterne Lane within the Metropolitan Green Belt (MGB). The site has been occupied by the applicant and his family, who are gypsies. Accommodation in the form of a mobile home and touring caravan is located on the site.

The use of the site for the stationing of a mobile home and touring caravan and the associated works are inappropriate development in the MGB. The site was previously used as a paddock with a stable buildings. Since the occupation the site entrance and drive access has been formalised and a mobile home stationed to the rear of the site.

The Site is located in the Green Belt and also in a relatively narrow countryside gap between the designated urban areas of Banstead and Woodmansterne. The use of the site for this purpose has resulted in the change in character and this does, notwithstanding the landscaping, result in harm to the openness and landscaped character of the locality. However it is considered that in this instance there are very special circumstances that outweigh the harm caused to the openness and landscaped character of the MGB stemming from there continuing to be a need that cannot be met, namely:

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- o the Council's Gypsy and Traveller Accommodation Assessment (GTAA) shows a pressing short term local need;
- o the Council's TAA evidence for the Development Management Plan (DMP) examination shows the Council cannot meet this need on sites outside the MGB: the DMP does not make sufficient allocations that could be delivered in the short term (however planning permissions have since been granted for retention of permanent pitches that provide a total of 19 pitches towards meeting the identified needs);
- o a number of appeals relating to gypsy caravan sites in the MGB have been allowed recently on the basis of site under-supply;
- o The personal circumstances of the applicants including the best interests of the child considerations given their child is educated locally;
- o more broadly, the Human Rights Act gives all residents including gypsies and travellers a right to a family life.

Accordingly it is recommended that permission be granted subject to conditions restricting use of the site for gypsy accommodation, personal to the applicant and his family given the personal circumstances and safeguarding local visual amenities and living conditions through restrictions on external lighting and restricting of any commercial activities.

The use and development of the site does not raise objection from the County Highway Authority and by reason of its single storey form and distance from other residential uses does not result in any harmful impact y way of overbearing or other amenity impact.

RECOMMENDATION

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

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Consultations:

Highway Authority: *The County Highway Authority supports the application from a highway safety perspective because of the current access that the applicant is wanting to retain the use of, and the internal site layout as proposed in the existing site block plan numbered J002992/CD02, respectively show adequate sight lines and parking/turning space for the proposed development. However there is vegetation along the site boundary facing highway. This needs to be cut back to provide visibility as asked for by the condition. In terms of the location of the site, it is not sustainable from a transportation perspective. This is because there is a footway only on the opposite side of the carriageway from the development. There is sporadic street lighting and public transport. It is noted that there is more than one aspect to sustainable development, and it is for the Local Planning Authority to weigh up those different aspects of sustainable development along with other factors in deciding whether to grant planning permission.*

On the basis of their analysis the CHA has assessed the application on safety, capacity and policy grounds and raises no objection subject to condition to address the visibility splay.”

“Within three months of planning permission the sight lines at the existing access shall be modified to provide visibility of 43 metres to a point no more than 0.5 metre into the carriageway from near side by line in both directions from a point 2.4 metres back from the near side kerb line by cutting back the vegetation within the highway fronting the site for a distance of 12 metres towards the access from the western boundary and the vegetation from the eastern boundary has been cut back for a distance of 8 metres towards the access, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, all to be permanently retained.

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 2018 and Policy M05 highway safety of the Reigate and Banstead Local Plan 2005.*

Contaminated Land Officer: no comments.

Banstead Village Residents' Association: objects to unauthorised development in MGB not allocated for gypsy site in DMP.

Woodmansterne Green Belt & Residents' Association: objects on grounds of harm to MGB and wildlife habitat and development's being out of character with locality.

Representations:

Letters were sent to neighbouring properties on 12 June 2018 and a site notice was posted 19 June 2018.

Seven responses have been received raising the following issues:

Issue	Response
Highway hazards	See paragraph 6.11.

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No need for the development	Individual site assessment.
Visual amenity	See paragraph 6.10.
Out of character with surroundings	See paragraph 6.10.
Alternative location preferred	Individual site assessment.
Harm to MGB	See paragraphs 6.8 & 6.9.
Property devaluation	Not a planning matter.
Harm to MGB	See paragraphs 6.8 & 6.9

1.0 Site and Character Appraisal

- 1.1 The application relates to a site fronting the north side of Woodmansterne Lane within the MGB. The site contains a number of buildings including mobile home, sheds and stables as well as a caravan. Open countryside punctuated by scattered residential and agricultural properties characterises the land to the north of Woodmansterne Lane. The site is not designated as being of wildlife significance.
- 1.2 The MGB extends southwards beyond Woodmansterne Lane, but to the south-east of the site is a tract of suburban residential development not within the MGB and identified in the Council's Local Distinctiveness Design Guide as 1930s-1950s Suburbia. To the north is Hengest Farm (no. 21A) which has benefit of planning permission for redevelopment with 7 dwellings. Beyond this is the urban area of Banstead.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.3 Further improvements could be secured through the use of conditions.

3.0 Relevant Planning and Enforcement History

- 3.1 None but relevant planning/appeal decisions relating to other sites quoted at 4.3 & 4.4 below.

4.0 Proposal and Design Approach

- 4.1 The application is for stationing a mobile home and touring caravan on the site. Works for the development started on 15 March 2018, and the mobile home and touring caravan are already sited there. Accompanying the application is a statutory declaration by the applicant confirming his nomadic travelling lifestyle as part of his way of life, with the application site as his settled base, allowing his oldest child to regularly attend nursery school before his attendance at primary school later this year (two weekly observation sheets from the child's nursery are attached to the statutory declaration).

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4.2 With the application is a covering letter from the applicant which makes the following points.

- The application site was previously owned by the applicant's father for 18 years: he used the site to stable and graze horses and now lives on a local authority run caravan site in West Ewell.
- A touring caravan has been on the site on and off during this period to discourage burglary.
- The applicant has been travelling since he was 16 and is married with children. He travels for work purposes but needs to have a settled base for the elder of his children (3yrs old) to continue to attend a local pre-school nursery. The applicant carries out roofing work and is away from site for weeks at a time once he obtains work. He then leaflet drops an area to obtain further work. He also travels to fairs to buy and sell horses. He has had horses since he was 10.
- When he moved onto the site with his family he installed a cesspit and resurfaced the existing hardstanding, extending it slightly.
- The paddock area is being reseeded to allow for horse grazing.
- The Council cannot demonstrate a 5 year supply of pitches for Gypsy/ Travellers as evidenced by a recent appeal in Rectory Lane, Woodmansterne (PINS Ref: APP/L3625/W/17/3174813) (see details below) (the Council has approved 19 permanent pitches since April 2016 towards 5 year need for pitches of 23).
- The applicant is in need of a settled base and the application site is "previously developed land" and represents a good site for use as a single pitch Gypsy/Traveller site.

4.3 Details of the appeal decision quoted by the applicant in support of the application are set out below.

4.3.1 16/03004/F: 1 Kents Field, Rectory Lane: two additional static caravans with accompanying touring caravans for two Gypsy Traveller families including parking for four vehicles, associated hardstanding and limited operational development:

refused 03.04.2017 on the grounds that:

"The proposed development, by virtue of its location within the Metropolitan Green Belt, would represent an inappropriate form of development, harmful to the openness and rural character of the Green Belt and the purposes of including land within it. In the absence of very special circumstances that would outweigh such harm, the proposal is considered contrary to policies Co1, Ho4 and Ho5 of the Reigate and Banstead Borough Local Plan 2005, the National Planning Policy Framework, the Planning policy for traveller sites

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(August 2015) and policies CS3 and CS16 of the Reigate and Banstead Borough Council Core Strategy July 2014."

Appeal against this decision (PINS ref. APP/L3625/W/17/3174813) allowed 01.03.2018: the inspector's closing comments in his decision letter are as follows.

"...I have found the site to be acceptable for traveller use in all respects other than its Green Belt location but, as noted above, any traveller site allocated is also likely to be on land that is currently within the Green Belt.

...I accept that there is no current policy support for the proposal and that this Decision cannot and should not second guess the final outcome of the consultation on the DMP. However, until this emerging policy has been adopted there is little or no prospect of the appellant securing another site within the Borough.

...In the meantime, I find that the particular considerations in favour of allowing the appeal on this site, as set out above, are clearly sufficient to outweigh the Green Belt harm and amount to the very special circumstances needed to justify the grant of a temporary planning permission until the allocations are confirmed. I consider that 3 years is an appropriate time scale that would allow for the adoption of the DMP and for sites to subsequently come forward. This will put a time limit on the Green Belt harm whilst providing sufficient space for the appellant's family until the situation on suitable, available sites in the Borough is made clear."

4.4 The council's planning for gypsy and traveller accommodation has been successfully challenged in three recent appeals as below (including Kents Field, cited by the applicant and summarised below for convenience's sake) as forming part of the case for very special circumstances (VSC). (It is however important to note that these precede the DMP examination hearings and allocations for gypsies and travellers).

4.4.1 APP/L3625/W/16/3163732 (application no. 16/00922/F): Collendean Lane/Norwood Hill Road, Norwood Hill: appeal allowed 17.08.2017

In this case, the inspector gave little weight to the Gypsy and Traveller Accommodation (GTAA) having heard conflicting evidence from the appellant that suggested a much higher need. He determined that the previous and continuing shortcomings in supply reflect a failure of policy.

4.4.2 APP/L3625/W/17/3174834 (application no. 16/01964/F): land north of Crossways Cottage, Mason's Bridge Road, Redhill: appeal allowed 10.01.2018

The inspector found that the DMP site allocations had not made provision for five years' land supply. While this appeal was a s78 matter and not a Local Plan examination, the inspector was satisfied (refer paragraph 82) that the Council was able to show that there were no suitable sites on non-Green Belt land. Accordingly, she found that:

"If the Council is not able to alter the boundaries of the Green Belt through the DMP, when it is expecting to do so, then it is difficult to envisage the under-supply of traveller sites being addressed within the foreseeable future."

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4.4.3 APP/L3625/W/17/3174813 (application no. 16/03004/F): Kents Field, Rectory Lane, Woodmansterne: appeal allowed 01.03.2018

The inspector took careful account of the council's approach and confirmed that the council would not be able to make provision for gypsy and travellers on non-Green Belt land. The absence of any decisions to approve sites in recent years, in combination with this failure to allocate sites on non-Green Belt land, amounted to VSC. NB: since this appeal decision, the position as to approving additional pitches to meet identified need (19 permanent pitches approved) and progress of DMP pitch site allocations have changed significantly.

4.5 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.

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

Assessment	The statement does not include an assessment of local character
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options were he has family ties to the land which he considers appropriate for a gypsy/traveller site

5.0 Policy Context

5.1 Designation

Metropolitan Green Belt (MGB)

5.2 Reigate and Banstead Core Strategy July 2014

CS1(Sustainable Development)

CS3 (Green Belt)

CS16 (Gypsies, Travellers and Travelling Showpeople)

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5.3 Reigate & Banstead Borough Local Plan 2005

Metropolitan Green Belt	Co1
Housing	Ho4, Ho5, Ho9
Movement	Mo5

5.4 Other Material Considerations

National Planning Policy Framework
2019

National Planning Practice Guidance

Other

Planning Policy for Traveller Sites
(PPTS)
Development Management Plan
(DMP) (Submission version May
2018 with proposed Main
Modifications March 2019)
Reigate and Banstead Gypsy and
Traveller Accommodation (GTAA)
2017

Human Rights Act 1998
Equalities Act 2010

The United Nations Convention on
the Rights of the Child (Article 3)

6.0 **Assessment**

6.1 The application site is within the Metropolitan Green Belt (MGB). Use of the land for traveller accommodation is contrary to the adopted development plan (Local Plan policy Co1 and Core Strategy policies CS3 and CS16). Under and the NPPF 2019 and PPTS 2015 (particularly policies E "Traveller sites in Green Belt" and H "Determining planning applications), the proposed development is therefore inappropriate development unless very special circumstances (VSC) exist that outweigh harm to the MGB and any other harm. This and other relevant topics are identified and discussed below.

6.2 Thus the main issues to consider are:

- Policy framework including Metropolitan Green Belt (MGB)
- Demonstration of 5 year supply and any unmet need
- The availability (or lack) of alternative accommodation for the applicant
- Other personal circumstances of the applicant (including needs of any children)
- Neighbour amenity
- Highway implications

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Policy framework

6.3 The Council's planning policy team comments on the application's relevant policy considerations as follows.

"National policy in the Planning Policy for Traveller Sites (PPTS) 2015 advises (at policy E, para 16) among other things that "...Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances." However, this does not mean that personal circumstances and unmet need cannot outweigh harm to the Green Belt, just that they are unlikely to.

The courts have determined, and it is set out in national policy that the "best interest of the child" can be a key determining factor in considering planning applications for traveller pitches on land designated as Green Belt with regards to very special circumstances.

As information has been submitted regarding the children living on the site, including one attending pre-school in the area, the Human Rights Act and Equalities Act 2010 and the UN Convention on the Rights of the Child are relevant considerations, particularly in assessing whether a personal planning permission ought to be granted, restricted to this family by planning condition. Article 3 of the United Nations Convention on the Rights of the Child requires a child's best interest to be a primary consideration.

As submitted as part of this planning application, these details indicate that the proposal complies with criteria 3(a) and (c) of policy CS16 "Gypsies, travellers and travelling showpeople" of the 2014 Core Strategy in co-existing with the local community and local provision of schools for the family.

Para 3 of policy CS16 "Gypsies, travellers and travelling showpeople" sets out six criteria that will be used to assess the suitability of sites for allocation in the DMP and any planning applications for sites not allocated. These reflect the criteria in policy CS16.

The applicant has two children one of whom attends preschool and thus an attachment of one child to the area has been established. This in itself may amount to VSC that would justify the grant of permission for this family.

Following completion of the Development Management Plan (DMP) examination hearings, the inspector's post-hearing advice (ID-6) has been received and the Council has consulted (6 March to 18 April 2019) on Main Modifications which the inspector considers are needed for the DMP to be found "sound". Adoption of the DMP is scheduled for June 2019 in the Local Development Scheme (LDS).

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The emerging DMP (Main Modifications) seek to address the borough's identified need for gypsy and traveller pitches through policy GTT1. Policy GTT1 will allocate (inset from the Green Belt) four sites for approximately 18 traveller pitches. One of these, allocation site G3, has already been granted planning permission (in September 2018) for a maximum of 17 permanent mobile homes and ancillary touring caravans (ref. 06/00798/F) (it is to be allocated for approximately 5 pitches). This current application site is not one of those proposed for allocation.

Additionally, with regard to recent provision addressing the unmet need for traveller pitches, one permanent pitch was granted permission on appeal in January 2018 at Masons Bridge Road, Redhill (ref. 16/01964/F). A further permanent pitch was granted permission at Acres Stables, Horley in January 2018 (ref.15/01019/CU). These three sites have provided a total 19 additional permanent pitches since the 2016 survey for the 2017 GTAA, which informed the DMP site allocation policies.

There is a current planning application for retention of 12 pitches on proposed allocation site G4 (ref.18/02251/RET). Should this be granted planning permission, alongside the other two remaining site allocations of traveller pitches in DMP policy GTT1, this would provide sufficient pitches to provide a 5 year supply of deliverable sites. The only unmet need would therefore be in the years 6-15, for which there are a minimum of 11 pitches allocated on Sustainable Urban Extensions (SUEs).

The emerging DMP also includes traveller pitch allocations as part of the larger proposed sustainable urban extensions totalling a minimum of 11 pitches. At present therefore the Council cannot show it has a 5 year supply of deliverable sites.”

Metropolitan Green Belt (MGB)

- 6.4 Use of the land for traveller accommodation is inappropriate development and should not be approved unless very special circumstances (VSC) exist, under policy E of the PPTS. Policy E also advises that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish VSC: *“Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.”*
- 6.5 As noted above the proposal constitutes inappropriate development. However it is adjudged that there are a number of factors that, in combination, amount to very special circumstances that outweigh the harm to the MGB by virtue of the inappropriateness of the development, the openness and character of the MGB. These are:

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- o the Council's inability to meet need from within non MGB sites and measures being made in the DMP to address this;
- o recent appeal decisions (2017 and 2018) as detailed above at 4.3 & 4.4 that tested and concluded on unmet need and options for delivery in the urban area (or not);
- o the "best interest of the child": details about the applicant's family circumstances with regards to children living on the site; and
- o broader human rights and equality considerations with regards to the ethnicity of the family resident on the site.

Need and 5-year supply of traveller pitches

6.5.1 The emerging Development Management Plan (DMP) sets a target for 23 additional pitches in the five-year period from 2016-2021, with a further need in the longer term of 5 pitches between 2021 and 2027.

Since 2016, a total of 19 pitches have been granted permanent planning permission. However, this leaves a deficit of 6 pitches against the identified five-year requirement.

The allocation of sites through the Development Management Plan (DMP) will provide a robust strategy for the Council to bridge this gap.

As the Council is clearly making progress toward a 5-year supply through recent planning permissions for 19 pitches and is progressing towards adoption of the DMP and this application would only provide for a single pitch, unmet need should be given only limited weight.

6.5.2 The latest GTAA (July 2017) finds that the borough needs to plan for at least 12 additional pitches in the years 2016 to 2021 using the PPTS 2015 definition of a Traveller and 23 if the wider need for Travellers is taken into account.

6.5.3 A Traveller Site Land Availability Assessment (TSLAA) 2017 was prepared to inform the DMP. It reviewed the whole of the borough and confirmed that the Council is unable to meet any of its future need from non MGB land. The TSLAA forms the basis from the DMP seeks to allocate approximately an additional 18 pitches over the lifetime of the plan on four site allocations for gypsies and travellers only and at least an additional 11 pitches on seven Sustainable Urban Extensions (SUE) in the DMP proposed Main Modifications following Examination hearings.

Recent appeal decisions

6.5.4 Some recent local appeal decisions have added weight to the "failure of policy" given the shortfall in delivery of gypsy and traveller pitches in the borough in the recent past. However, given the recent consents granted, together with the positive strategy in the DMP for meeting future needs, I no longer consider this to be a factor which should attract weight in favour of the application.

Details about the applicant

6.5.5 These are set out in a supporting letter and a Statutory Declaration in which the following points are made.

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- o The site was previously owned and occupied by the applicant's father for 18 years: given his young family, he had outgrown the site which he previously lived on.
- o The applicant has been travelling since he was 16 and still does so for seeking work, but needs to establish a base to enable his younger child to continue to attend a local pre school nursery.

Broader human rights and equality issues

6.5.6 This application needs to be considered against the council's wider public sector equality duty under the Equality Act 2010. The Human Rights Act (Schedule 1, Part 1, Article 8) also gives all residents including gypsies and travellers a right to a family life. In many cases, such a right has been determined to amount to very special circumstances that would justify development that would otherwise be inappropriate within the Metropolitan Green Belt. While the applicant has not specifically raised human rights issues, it is incumbent on local planning authorities to have regard to the rights to a private and family life. The United Nations Convention on Human Rights of the Child (Article 3) requires a child's best interest to be a primary consideration. Information has been submitted to confirm that two children reside on the site and one is already settled in pre-school.

The issue of the best interest of the children settled on the site should be given substantial weight, as a primary consideration (under article 3 of the UN Convention on the Rights of the Child) alongside limited weight given to the current lack of a 5 year supply, which together may be opined outweighs the harm to the MGB by virtue of inappropriateness of the development in this location, the detrimental impact on its openness and to help safeguard the countryside from encroachment.

As the primary significant consideration weighing in favour of the development relates to the people resident on the land, a condition restricting occupation of the site to the people currently resident would be necessary to justify granting permission. Such a condition would also limit the harm to the MGB, as the permission, being personal, would not be tied to the land. The condition, without which the application should be refused, is justified by reference to para 25 of the PPTS 2015, viz:

"Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan."

On this basis very special circumstances are considered to be demonstrated in this case, warranting a personal permission given the personal circumstances of the applicant.

Neighbour amenity

- 6.6 The residential properties most likely to be affected are nos. 23 and 25 Woodmansterne Lane, to the west and east respectively. However because of generous separation distances and boundary screening provided by mature planting, it is not considered that the development for one pitch has an adverse effect on local living conditions in terms of overlooking, overshadowing or overbearing effect. The mobile home and caravan

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moreover are discreetly stationed so as not to draw undue attention to themselves when viewed from a public vantage point such as the adjoining highway. The scheme therefore complies with policy Ho9.

Highway matters

- 6.7 Although noting that the development is not sustainable from the transportation point of view, the Highway Authority supports the application, subject to a condition relating to cutting back of vegetation to achieve the acceptable sight lines incorporated in the scheme. Latterly an amended site layout plan has been submitted, showing a resited frontage post and rail fence and proposed new indigenous hedgerow (to comprise mainly hawthorn interspersed with hazel and holly planted in double staggered row at 0.5m centre). This arrangement is endorsed and there is no objection from the traffic perspective. The application is not considered to warrant refusal on a sustainability basis.

CONDITIONS

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

Plan Type	Reference	Version	Date Received
Site Location Plan	CD01		16.04.2018
Block Plan	CD02		16.04.2018

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

2. The use hereby permitted shall be carried on only by Mr Billy Chambers, his spouse and their resident dependants.

Reason: This restricted occupation is having regard to the very special circumstances of the case, with regard to policy Co1 of the Reigate and Banstead Borough Local Plan 2005, the relevant provisions of the National Planning Policy Framework and Policy E: Traveller sites in Green Belts PPTS 2015.

3. There shall be no more than 1 pitch on the site consisting of no more than 1 static caravan/mobile home and 1 touring caravan, as defined in the Caravan Sites Act 1968 and the Caravan Sites and Control of Development Act 1960, shall be stationed at any time unless otherwise agreed in writing with the Local Planning Authority.

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Reason: to control the use of the site in order to preserve the openness of the Green Belt having regard to policies Co1 and Ho9 of the Reigate and Banstead Borough Local Plan 2005.

4. No external lighting shall be installed on the site without the prior written approval of the Local Planning Authority.

Reason: to preserve the character and appearance of the locality having regard to policies Co1 and Ho9 of the Reigate and Banstead Borough Local Plan 2005.

5. No commercial activities shall take place on the site.

Reason: to preserve the character and appearance of the locality having regard to policies Co1 and Ho9 of the Reigate and Banstead Borough Local Plan 2005.

7. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 3 months of the date of failure to meet any one of the requirements below:

- i) within 3 months of the date of this decision full details of: a) prior to the access being used, the cutting back of the vegetation within the highway fronting the site by 12 metres towards the access from the western boundary and of the cutting back of the vegetation by 8 metres towards the access; b) repositioning of frontage post and rail fence and planting of a new indigenous hedgerow as indicated in site layout plan ref. J002992/CD02 Rev A; c) proposed and existing external lighting on the boundary of and within the site; shall have been submitted for the written approval of the local planning authority and the said schemes shall include timetables for implementation.

- ii) Within 11 months of the date of this decision, the above details shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuses to approve such details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

- iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

- iv) The approved details shall have been carried out and completed in accordance with the approved timetable.

Reason: 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 2018 and Policy M05 highway safety of the Reigate and Banstead Local Plan 2005.

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INFORMATIVE

1. The applicant should apply for a licence from Surrey Highways to cut back the vegetation he has planted.

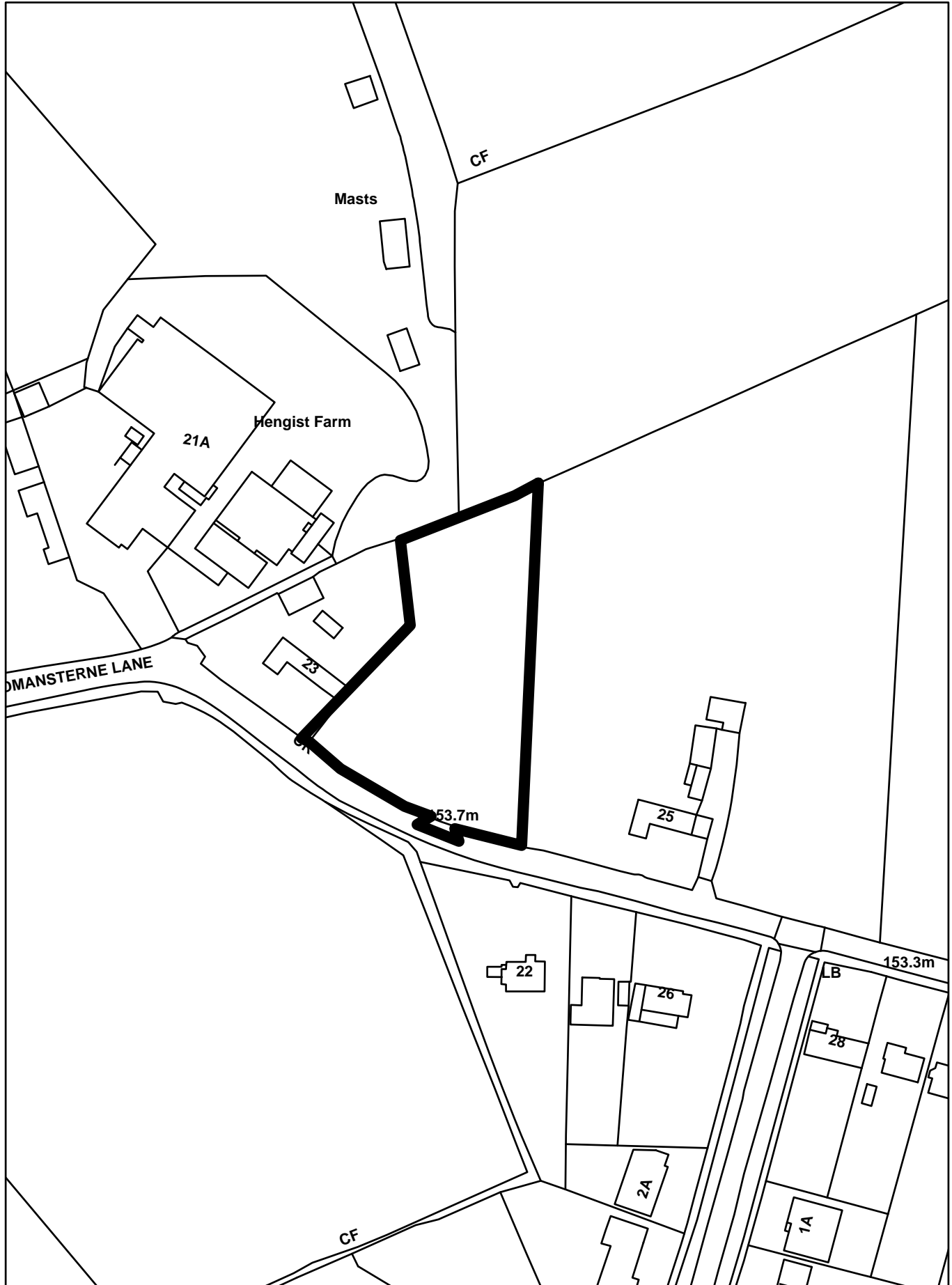
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS3, CS16, Co1, Ho4, Ho5, Ho9, Mo5 and material considerations, including third party representations, PPTS 2015 and the Equalities Act 2010, the Human Rights Act 1998 and the European Convention on the Rights of the Child. 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.

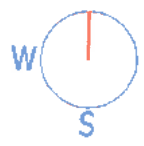
Proactive and Positive Statements

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.

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18/00816/F - Arlington Stables, 23A Woodmansterne Lane
Woodmansterne



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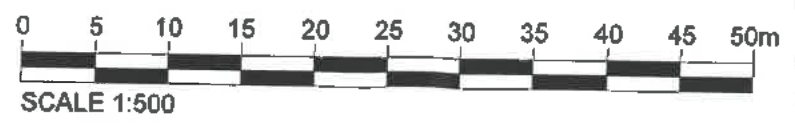


Legend:

- Trees
- Hedge
- Grass
- Gravel
- Concrete
- Mobile Home
- Touring Caravan
- Stable
- Shed

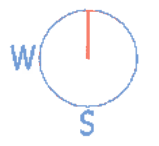


Site Block Plan As Existing 1:500



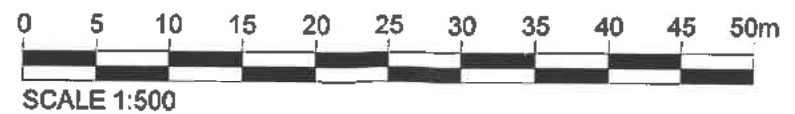
Rev	Date	Description
A	13/02/19	Addition of front hedge & fence
WS PLANNING & ARCHITECTURE Europe House Bancroft Road, Reigate, Surrey, RH2 7RP T. 01737 229711 F. 01737 226311 www.wsap.co.uk		
Date	Drawn By	
April 2018	JJ	
Scale	Checked	
1:500@A3	BW	
Client Mr Bill Chambers		
Project Land at Woodmansterne Lane, Surrey SM7 3EY		
Title As Existing Site Block Plan		
Drawn No.	Rev.	
J002992/ CD02		

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- Legend:
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 - Grass
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 - Mobile Home
 - Touring Caravan
 - Stable
 - Shed

A	13/02/19	Addition of front hedge & fence
Rev	Date	Description
WS PLANNING & ARCHITECTURE Europe House Bancroft Road, Reigate Surrey, RH2 7EP T. 01737 225714 F. 01737 226311 www.wspla.co.uk		
Date:	April 2018	Drawn By: JJ
Scale:	1:500@A3	Checked: BW
Client:	Mr Bill Chambers	
Project:	Land at Woodmansterne Lane, Surrey SM7 3EY	
Title:	As Existing Site Block Plan	
Drawing No.	J002992/ CD02	Rev.



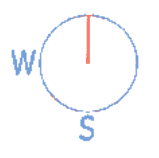
Site Block Plan As Existing 1:500

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Planning Committee
15 May 2019

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Legend:

- Trees
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- Grass
- Gravel
- Concrete
- Mobile Home
- Touring Caravan
- Stable
- Shed

A 13/02/19 Addition of front hedge & fence

Rev Date Description



Europe House
Banerdt Road,
Reigate
Surrey, RH2 7RP
T. 01737 225711
F. 01737 226913
www.wspa.co.uk

Date: April 2018
Drawn By: JJ

Scale: 1:500@A3
Checked: BW

Client: Mr Bill Chambers

Project: Land at Woodmansterne Lane, Surrey SM7 3EY

Title: As Existing Site Block Plan

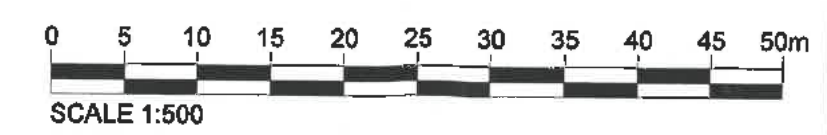
Drawing No. Rev.

J002992/ CD02

Planning Committee
15 May 2019

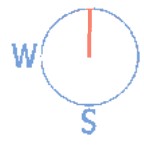
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Site Block Plan As Existing 1:500

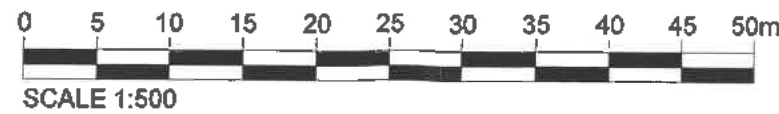
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 - Grass
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 - Stable
 - Shed



A	13/02/19	Addition of front hedge & fence
Rev	Date	Description
WS PLANNING & ARCHITECTURE Bourne House Bankfoot Road, Reigate Surrey, RH2 7RP T. 01737 223711 F. 01737 226311 www.wspla.co.uk		
Date	April 2018	Drawn By JJ
Scale	1:500@A3	Checked BW
Client	Mr Bill Chambers	
Project	Land at Woodmansterne Lane, Surrey SM7 3EY	
Title	As Existing Site Block Plan	
Drawing No.	J002992/ CD02	Rev.



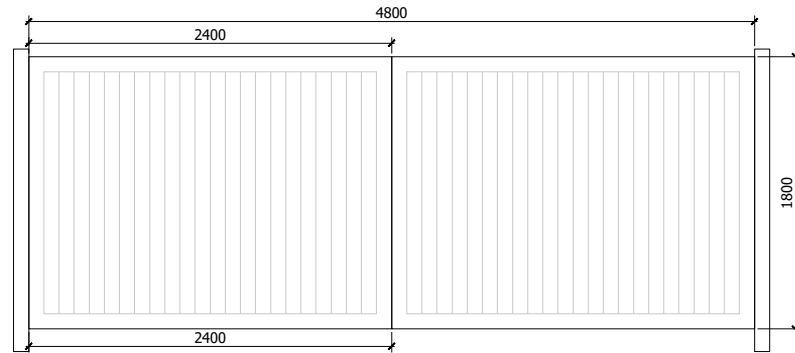
Site Block Plan As Existing 1:500

58

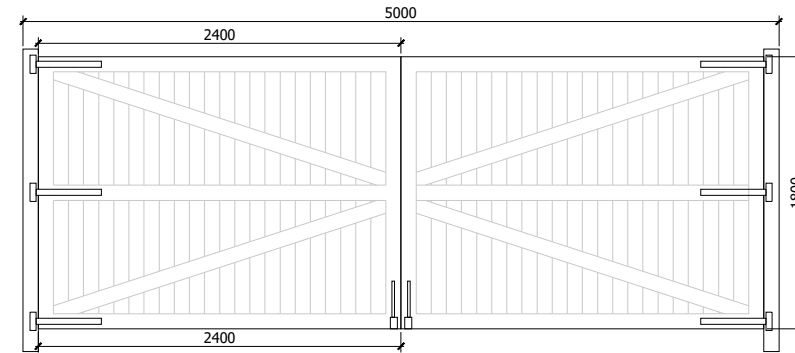
Planning Committee
15 May 2019

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Gate 1 - Closeboard Double Wooden Gate (Entrance)

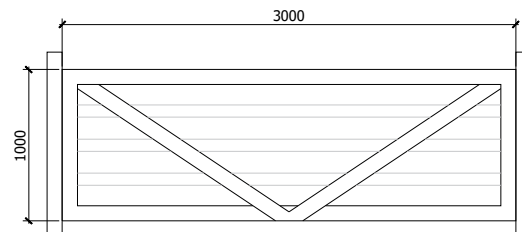


Front Elevation



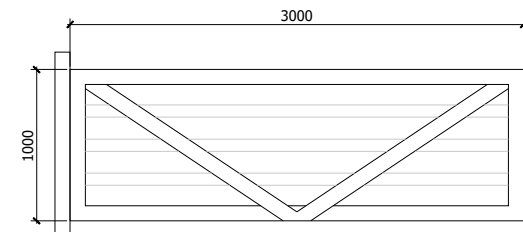
Rear Elevation

Gate 2 - Wooden gate (To East Paddock)



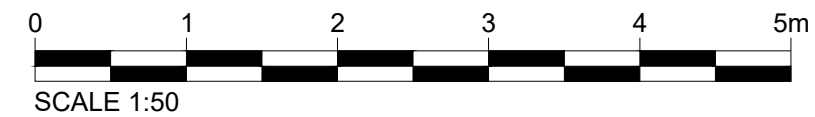
Front Elevation

Gate 2 - Wooden gate (To East Paddock)



Front Elevation

Gates Elevations 1:50



Rev	Date	Description
Europe House Bancroft Road, Reigate Surrey, RH2 7RP T. 01737 225711 F. 01737 226311 www.wspa.co.uk		
Date	June 2018	Drawn By JJ
Scale	1:50@A3	Checked BW
Client	Mr Bill Chambers	
Project	Land at Woodmansterne Lane, Surrey SM7 3EY	
Title	Gates Elevations	
Drawing No.	J002992/ CD03	Rev.

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Agenda Item 7

Planning Committee
15 May 2019

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18/02635/S73

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Matthew Holdsworth
	TELEPHONE:	01737 276752
	EMAIL:	Matthew.Holdsworth@reigate-banstead.gov.uk
AGENDA ITEM:	7	WARD: Chipstead, Kingswood, and Woodmansterne

APPLICATION NUMBER:	18/02635/S73	VALID:	02 January 2019
APPLICANT:	Whiteoak Developments Limited	AGENT:	WS Planning and Architecture
LOCATION:	FORMER KINGS BARN, WATERHOUSE LANE, KINGSWOOD, SURREY		
DESCRIPTION:	Erection of building comprising 9 apartments with associated landscaping, parking and cycle parking. Variation of conditions 1,3,6,8,9 & 13 of permission 16/02517/F. Amendments to plans, ground levels and site layout.		
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 minor amendment (section 73) application to vary a number of conditions to 16/02517/F which granted permission for the erection of a building comprising 9 apartments with associated landscaping, parking and cycle parking.

The application site comprises a large plot, which was previously accommodated by a large detached dwellinghouse. The existing dwelling has been demolished on the site, and a large apartment building has been constructed and is substantially complete. The site is located within the RASC and has protected trees to the frontage; it is also situated adjacent to the Conservation Area.

There is an extensive planning history on the site with a number of refused applications and dismissed appeals as well as the most recent applications (16/02517/F & 17/02292/S73) which were approved. During the implementation of these applications, it has become clear that the proposal was not being constructed in accordance with the approved plans, most notably that the building was significantly taller than approved, as well as other elevational changes and changes to the external materials. In addition, there were issues with the tree protection plan's implementation and a planning enforcement stop notice was issued and all work has since stopped on the site.

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Amended plans have been received which have reduced much of the additional height and bulk within the roof to the western side of the property and will necessitate the removal of the second floor and dormers in that part of the building. (The number of flats will remain the same, with the duplex apartments becoming single storey). In addition, these amended plans seek to regularise a number of the other changes relating to the design of the windows, the scale of the bay windows and the driveway to the basement.

Following comments from the conservation officer in relation to the barge boards, the false roof 'lip' on the eastern side of the building, and other minor elevational changes, the amended plans have sought to address these issues and the changes to the materials will be secured by condition.

It is noted that the building has not been built in accordance with the approved plans; however, this scheme in front of the committee is not 'as built' but seeks to address the harmful issues that have arisen due to the building not being built in accordance with the previously approved application. It is considered that these changes are acceptable and would not cause significant or material additional harm to the RASC, conservation area or to neighbouring amenities.

Following a meeting on site, and amended plans, the issues regarding the tree protection have been resolved and the tree officer has raised no further objection to the scheme. A condition will be added to the approval requiring the remedial work to the current building to be commenced within six months of the date of permission. Subject to this condition being complied with, it is considered that the proposal is acceptable.

RECOMMENDATION

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

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Consultations:

Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements subject to the conditions imposed on the previous application.

Kingswood Residents' Association: It is seen that Enforcement resulted in the work being stopped last October in relation to tree damage and that construction had significantly gone beyond the approved drawings. All this must reflect adversely on the applicant /developer. In addition, concern is raised regarding the sight lines to the east.

SES Water: No comments received

Conservation Officer: My comment is in terms of the impact on the setting of the Conservation Area. There are architectural details that are conditioned on the original permission and could be resolved by building works to rectify the errors, such as removing the boxed ends from the bargeboards and the addition of external glazing bars etc. The revised proposal seems to have addressed issues such as the crude roof form of the eastern block to the front where there is a jump in ridge height to false pitched roof and the oddly deep soffit dormers. Again these could be resolved by building works to rectify these errors. There is still a reduction in tree planting to the front which is important in screening the scheme from the Conservation Area. Can the tree on the north-west corner of the frontage be reinstated? If you are minded to approve, I consider the same conditions as before should be applied and a timetable for rectifying the unauthorised works.

Tree Officer: I have reviewed the revised arboricultural report and it addresses the issues raised during the on-site meeting between the agent and council officers.

Representations:

Letters were sent to neighbouring properties on 14 January 2019, 12 February 2019, and 02 April 2019. In addition, a site notice was posted 17 January 2019.

39 responses have been received raising the following issues:

Issue	Response
Not built in accordance with the plans	See paragraphs 6.20
Overdevelopment	See paragraphs 6.3-6.8
Out of character	See paragraphs 6.3-6.8
Overbearing	See paragraphs 6.9-6.12
Loss of privacy and overlooking	See paragraphs 6.9-6.12
Harm to trees	See paragraphs 6.13-6.14

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Inadequate parking	See paragraphs 6.15-6.16
Hazard to highway safety	See paragraphs 6.15-6.16
Harm to conservation area	See paragraphs 6.3-6.8

1.0 Site and Character Appraisal

- 1.1 The application site comprises a large plot, which previously accommodated a large detached dwellinghouse. The previous dwelling has been demolished and a block of flats with basement has been substantially constructed on the site. This building is in an advanced state of construction and is largely watertight. Work on the site has stopped due to the building not being constructed as per the approved plans.
- 1.2 The site is mostly in an elevated position relative to neighbouring property Burbank, and rises up from the road with a relatively open frontage and trees to the front of the existing dwelling, which are subject to a tree preservation order. The site is located within a designated Residential Area of Special Character, which is characterised by spacious forms of development within sylvan settings.
- 1.3 The area is characterised by large detached dwellings in spacious plots, generally with good levels of mature trees and hedging about their boundaries. Waterhouse Lane rises up from the east toward the west, and also demarcates the end of the Kingswood Conservation Area, which covers an area to the north/north east of the application site.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Not applicable.
- 2.2 Improvements secured during the course of the application: Reduction in height of the right hand section of the building to remove the second floor. Changes to the elevations as per the previously consented plans and the conservation's officers comments
- 2.3 Further improvements could be secured: Conditions will be re-applied from the previous application, along with a condition requiring the remedial work to be commenced within three months of the date of permission.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|--|--|
| 3.1 | 12/00170/F | Demolition of existing dwelling and erection of two dwellings, access, parking and tree protection | Refused
27 April 2015
Appeal dismissed
24 September
2012 |
|-----|------------|--|--|

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3.2	13/00724/F	Demolition of existing dwelling and erection of two detached dwellings, access, parking and landscaping	Refused 14 August 2013
3.3	13/02017/F	Demolition of existing dwelling. Erection of two new detached dwellings, access, parking and tree protection	Approved with conditions 31 December 2013
3.4	14/00564/OUT	Demolition of Building and erection of 9 apartments	Refused 27 May 2014 Appeal dismissed 24 December 2014
3.5	14/00563/OUT	Demolition of Building and erection of 7 apartments	Refused 27 May 2014 Appeal dismissed 24 December 2014
3.6	14/01359/OUT	Demolition of existing dwelling. Erection of building comprising 7 apartments with associated parking and cycle parking	Refused 28 August 2014 Appeal dismissed 24 December 2014
3.7	15/00623/F	Demolition of existing dwelling. Erection of building comprising 9 apartments with associated parking and cycle parking	Refused 15 May 2015 Appeal dismissed 06 July 2016
3.8	15/02275/F	Erection of building comprising 7 apartments, with associated parking and cycle parking	Refused 27 January 2016
3.9	16/02517/F	Erection of building comprising 9 apartments with associated landscaping, parking and cycle parking.	Approved 20 December 2017
3.10	17/02292/S73	Erection of building comprising 9 apartments with associated landscaping, parking and cycle parking. Variation of condition 1 of permission 16/02517/F. Amendment to approved plans regarding fenestration and additional accommodation in the roof space.	Approved 13 December 2018
3.11	18/00238/DNAP2	Development not in accordance with approved plans, windows configuration has been changed.	Pending

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3.12 As outlined above there is an extensive planning history on the site, with a number of refused applications and dismissed appeals. Whilst there are current, extant permissions (16/02517/F & 17/02292/S73), the building has not been constructed in accordance with the approved plans and there have been issues regarding works in proximity to trees on. This has resulted in a stop notice being issued and an enforcement investigation opened (18/00238/DNAP2). Following this and advice from the council, the applicants have stopped all work on site until the outcome of this application.

4.0 Proposal and Design Approach

4.1 This is a section 73 application to vary a number of conditions on the approved permission 16/02517/F. These conditions are as follows:

- Condition 1 (plans condition)
- Condition 3 (levels)
- Condition 6 (tree protection)
- Condition 8 (construction transport management plan)
- Condition 9 (vehicular access)
- Condition 13 (boundary treatment)

4.2 The principle of the development of the site for 9 units with an underground garage has been set by previous applications. This proposal seeks to regularise the situation on the site which is a building constructed not in accordance with approved plans and it is proposed to reduce the scale of the building and to change a number of the external finishes so that the proposal is closer in design and scale to what has been previously approved.

4.3 16/02517/F was approved for nine flats with basement parking and other ancillary works. During the course of the construction it was noted that the proposal was not being constructed to the approved plans and the whole building was being constructed taller than what had been approved, along with changes to the fenestration and external appearance (such as box end barge boards, changes to roof design, location of windows etc.) In addition, the two side 'extensions' have been built with a taller eaves height so that the first floor accommodation in those areas has full size windows, rather than the half-dormers as approved. Subsequently, work has been stopped until the outcome of the application.

4.4 Amended plans have been received during the course of the application, which correctly reflected the existing building on site. Following concerns that the building was too tall and dominant within the street scene as well as concerns to neighbour amenity, further amended plans have been received that have reduced the height of the ridge of the right hand side of the building by approximately 1.5m. This would necessitate the removal of the accommodation within the roof and the dormers. In addition, other remedial works, such as the removal of the 'lip' on the left hand side ridge has been proposed so that the coherence of the design is respected and that harm to the wider area is minimised.

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- 4.5 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.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	The site is identified as being located within the RASC and the Conservation Area. The surrounding area is characterised as being an attractive semi rural estate of large detached houses set within large plots.
	It has been noted by the applicant that the building has not been constructed according to the approved plans.
Involvement	No community consultation took place.
Evaluation	The current submission seeks to rectify the issues that have been outlined by the enforcement process.
Design	The minor amendments requested are in keeping with the approved designs and comply with the relevant Council policies regarding design and layout. The amendments improve the overall design of the proposed building without causing harm to the character of the area or neighbour amenity.

- 4.7 Further details of the development are as follows:

Site area	0.48 of a hectare
Proposed parking spaces	18
Parking standard	18 (maximum)
CIL contribution (approx.)	£194,250
Proposed site density	18.75 dwellings per hectare
Density of the surrounding area	3 dwellings per hectare [<i>Waterhouse Lane</i>] 19 dwelling per hectare [<i>Kingsworthy House, The Glade</i>]

5.0 Policy Context

5.1 Designation

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Urban Area
Kingswood Conservation Area
Tree Preservation Order RE1243 – T1, T2, G4
The Warren and The Glade Residential Area of Special Character

5.2 Reigate and Banstead Core Strategy

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

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Conservation Areas	Pc12, Pc13
Movement	Mo5, Mo7, Mo13

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 Affordable Housing Outdoor Playing Space Provision

Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010
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6.0 **Assessment**

6.1 The application site is located within the urban area where there is a presumption in favour of sustainable development.

6.2 The main issues to consider are:

- Impact on local character/conservation area
- Neighbour amenity
- Impact on trees
- Access and parking

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- Affordable housing
- CIL
- Other matters

Impact on local character/conservation area

- 6.3 As already discussed, there is no in principle objection to a building of nine flats on this site, as permission has already been granted. It is important to assess what is being proposed rather than the building that is on site, which the applicant has conceded has not been built to the approved plans and this application seeks to rectify.
- 6.4 The changes to the current building include the reduction of approximately 1.5m height to the right hand side of the building and the removal of the dormers and the accommodation in the roof (2nd floor on that side.) Other changes to the building include the removal of the false pitch to the left hand ridge, and the slight raising of the ridge in this part to overcome the appearance of the false ridge. This in turn reduces the impact of the skylights on that side of the property.
- 6.5 The amended scheme is therefore proposing to drop the height of the ridge on the western half of the building to approximately the same position as the scheme that was approved under 16/02517/F. It is appreciated that the scheme in front of the committee is still slightly more bulky with higher eaves than was approved under that permission. However, it is considered that the changes to the building currently built would overcome the harmful issues that arise, namely the reduction of the bulk and height to the northern part of the building as well as the removal of the dormers on that side of the property.
- 6.6 The changes to the approved scheme (16/02517/F) now are restricted to minor elevational changes in terms of the windows and materials, a higher roof to the western bay window to the front and the most substantial change to the previously approved plans relates to the two sections to the western and eastern sides of the building. This was originally approved to have half dormers to the front and rear with a lower eaves height; however, they are now proposed to remain as built, with the eaves of these parts of the building being the same height as the rest of the building. It is considered that these changes would not cause such harm to the design and character of the area to warrant refusal on this ground.
- 6.7 The Conservation Officer has also been consulted regarding the proposed development and has stated that the revised proposal seems to have addressed issues such as the crude roof form of the eastern block to the front where there is a jump in ridge height to false pitched roof and the oddly deep soffit dormers. There are architectural details that are conditioned on the original permission that could be resolved by building works to rectify the errors, such as removing the boxed ends from the bargeboards and the addition of external glazing bars etc. A condition will be added to the permission requiring these works to be carried out before occupation.

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- 6.8 A condition will be added to the permission requiring that the remedial works to the building will commence within six months of the decision. Subject to that condition being complied with, it is considered therefore that following amended plans to reduce the scale of the property from what has been built, on balance, harm to the design and character of the RASC or the Conservation Area would be minimised and the scheme would comply with policies Ho9, Ho13, Ho15, Ho16, and Pc13 of the local plan.

Neighbour amenity

- 6.9 The development as amended has been considered with regards to its impact on the amenity of neighbouring properties. It is important to note that the footprint of the building has not increased from that permitted under 16/02517/F.
- 6.10 The proposed building is considered to be of sufficient distance from the side boundaries to either side to ensure that no significant loss of light would result. There are side facing windows in the first floor side elevations, which would be conditioned as before to be obscure glazed to ensure that no overlooking occurs.
- 6.11 The building as amended would be visible from the neighbouring properties and a higher degree of amenity than normal can reasonably be expected given the RASC designation and character of large, spacious plots. However, I consider that the proposed building would not be unduly overbearing when viewed from the neighbouring properties, to the effect that their residential amenities would be significantly harmed. The two areas that would have higher eaves heights than what was previously approved are relatively small in scale when compared to the rest of the building and it is not considered that the retention of the higher eaves on this part of the building would cause significant harm so as to warrant refusal on this ground.
- 6.12 It is considered therefore that the development as amended would cause no additional significant or material harm to the amenity of neighbouring properties and would comply with policies Ho9 and Ho15 of the local plan.

Impact on trees

- 6.13 Due to incursions within the RPA of a protected tree during construction of the property, a stop notice was issued. Following an on-site meeting between the applicant's arboricultural adviser and the Council's tree officer, this matter has now been resolved.
- 6.14 Subsequently, subject to an amended condition reflecting the outcome of the above meeting relating to tree protection matters, it is considered that the scheme would be acceptable in this regard.

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Access and parking

- 6.15 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements subject to the conditions imposed on the previous application being imposed on this application.
- 6.16 The number of car parking spaces has not changed from the previous permission and the same access is to be utilised with the western access being changed to a pedestrian access only, all as per 16/02517/F. Consequently, subject to conditions, Highways have no objection to the proposed development, and as such the development is considered acceptable in this regard.

Affordable Housing

- 6.17 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.
- 6.18 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. More recently the revised NPPF resists the requirement for affordable housing contributions of minor developments such as this. Therefore the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less.

CIL

- 6.19 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.

Other matters

- 6.20 A number of representations have been received relating to the building being constructed not in accordance with the approved plans and that the building should be removed. However, the applicant has provided plans which reduce the scale of the property as built and therefore the proposal is considered acceptable subject to the remedial works necessary; the timing of which has

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been conditioned. The fact that the development proceeded in breach of the planning permission is not a material consideration to this application.

CONDITIONS

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

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

Note: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

Plan Type	Reference	Version	Date Received
Arboricultural Plan	752-L-02	D	03.04.2019
Landscaping Plan	752-L-01	H	03.04.2019
Street Scene	J002497/PL13	E	05.04.2019
Elevation Plan	J002497/PL10	E	05.04.2019
Elevation Plan	J002497/PL09	G	05.04.2019
Elevation Plan	J002497/PL12	E	05.04.2019
Elevation Plan	J002497-PL11	F	05.04.2019
Floor Plan	J002497-PL07	F	01.04.2019
Floor Plan	J002497-PL04	D	01.04.2019
Floor Plan	J002497-PL06	E	01.04.2019
Other Plan	J002497-PL17	A	01.04.2019
Roof Plan	J002497-PL08	F	01.04.2019
Section Plan	J002497-PL15	B	01.04.2019
Site Layout Plan	J002497-PL03	G	01.04.2019
Other Plan	TSP_WDL_P2000_201	F	01.04.2019
Other Plan	TSP/WDL/P2000/201/01	D	17.12.2018
Section Plan	16	A	17.12.2018
Section Plan	14	A	17.12.2018
Floor Plan	05	B	17.12.2018

2. The works permitted under this application shall be commenced within six months of the date of the decision.

Reason: In order that the unlawful building constructed is regularised to comply with the permission and to comply with policies Ho9, Ho13, Ho15, and Ho16 of the Borough Local Plan 2005.

3. The development hereby approved shall be carried out in accordance with the levels details as per drawing PL17 and drawing PL03 G.

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

4. The development hereby approved shall be carried out in accordance with the external finishing materials and details as approved by application 16/02517/DET04. Any remedial works to the materials should be commenced within six months of the date of permission

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

5. The development hereby approved shall be carried out in accordance with the external finishing materials and details as approved by application 16/02517/DET05.

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

6. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Arboricultural matters report by ACS reference ha/an3/kingsbarn/0419 dated 3rd April 2019.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policy Pc4 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

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

Any trees shrubs or plants planted in accordance the approved scheme which are removed, die or become damaged or diseased within five years of planting shall be replaced within the one year by trees, shrubs of the same size and species in the same location.

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 Ho9, Pc12 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

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8. The development hereby approved shall be carried out in accordance with the construction management plan PL 17.

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

9. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Waterhouse Lane has been constructed and provided with visibility zones of 2.4m by 44m to the east and 2.4m by 59m to the west in accordance with the approved plans (drawing no. TSP/WDL/P2000/201/01 Rev D) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

10. The development hereby approved shall not be first occupied unless and until the existing western vehicular access from the site to Waterhouse Lane has been permanently closed and any kerbs, verge, footway, fully reinstated, in accordance with the approved plans.

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

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

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

12. 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.

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Reason: The condition above is required in recognition of Section 4 "Promoting Sustainable Transport "in the National Planning Policy Framework 2012.

13. The development hereby approved shall be carried out in accordance with the boundary treatment condition as approved by Plan PL 03 C.

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

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

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

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;

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- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- (c) Deliveries should only be received within the hours detailed in (a) above;
- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

5. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority Local Highways Service Group (0300 200 1003) before any works are carried out on any footway, footpath, carriageway, or verge to form or modify a vehicle crossover or to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
7. When an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

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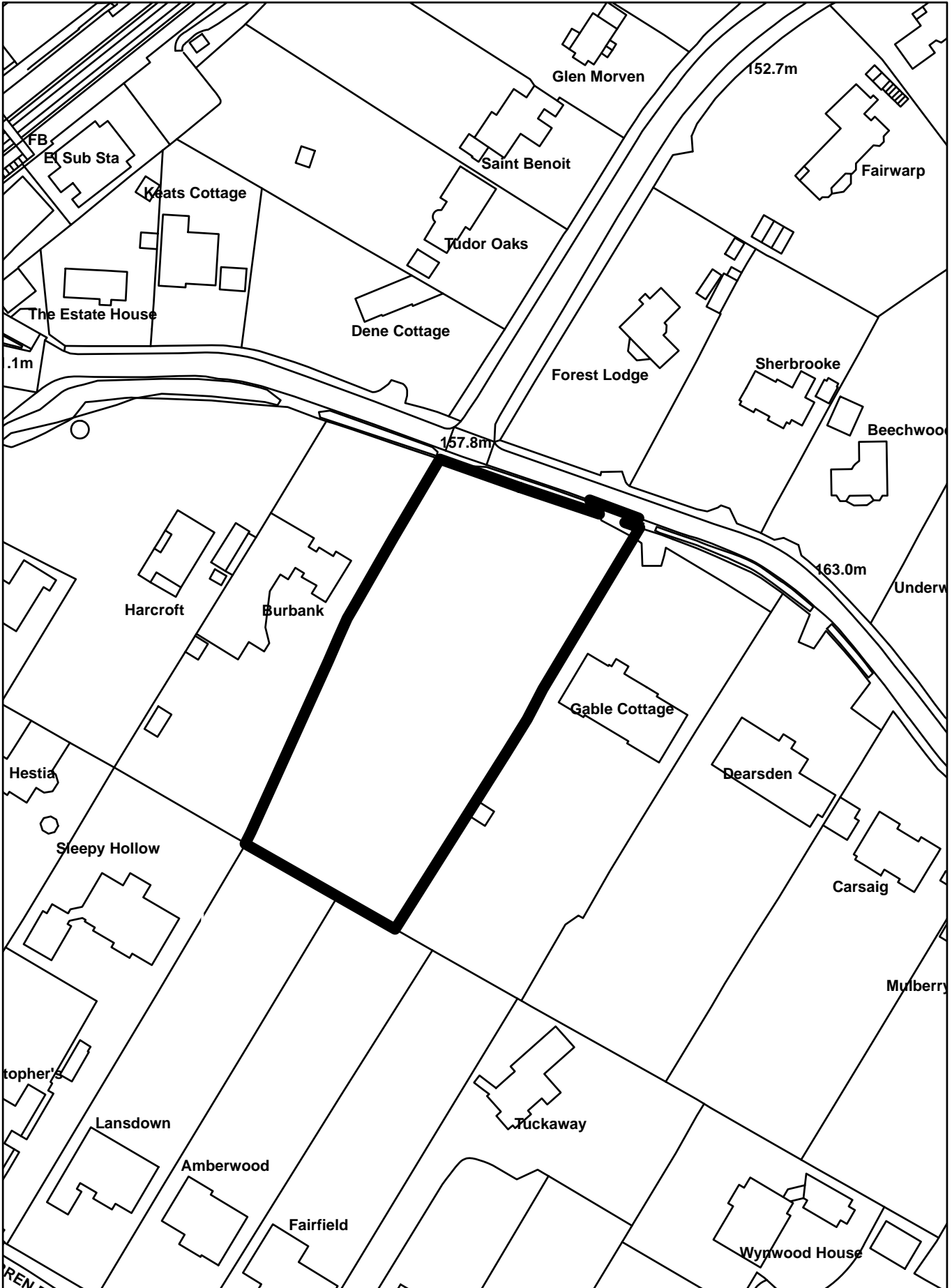
8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
9. 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.
10. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS10, CS11, CS12, CS14, CS15, Pc4, Pc12, Pc13, Mo5, Mo7, Mo13 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.

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18/02635/S73 - Former Kings Barn, Waterhouse Lane,
Kingswood







0 1 2 3 4 5 6 7 8 9 10m
1:200 Scale Bar



0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m

1:100 Scale Bar



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15 May 2019

fulcrum design

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**Proposed Side Elevation
Whiteoak Developments**

Kingsbarn, Waterhouse Lane, Kingswood

Site Area	Paper Size	Drawn by	Date	Scale	Drawing No.
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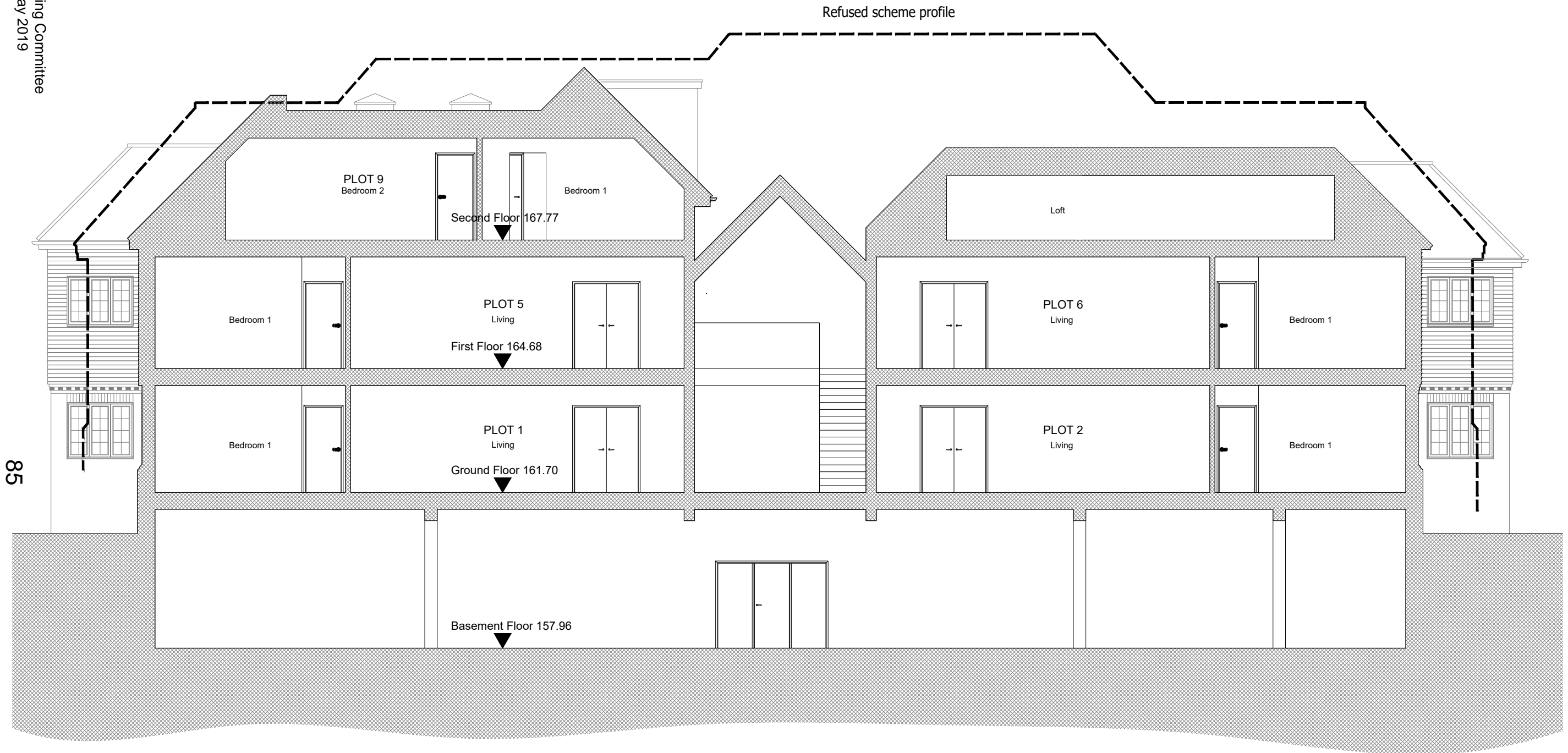
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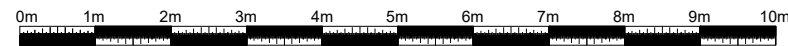
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1:100 Scale Bar

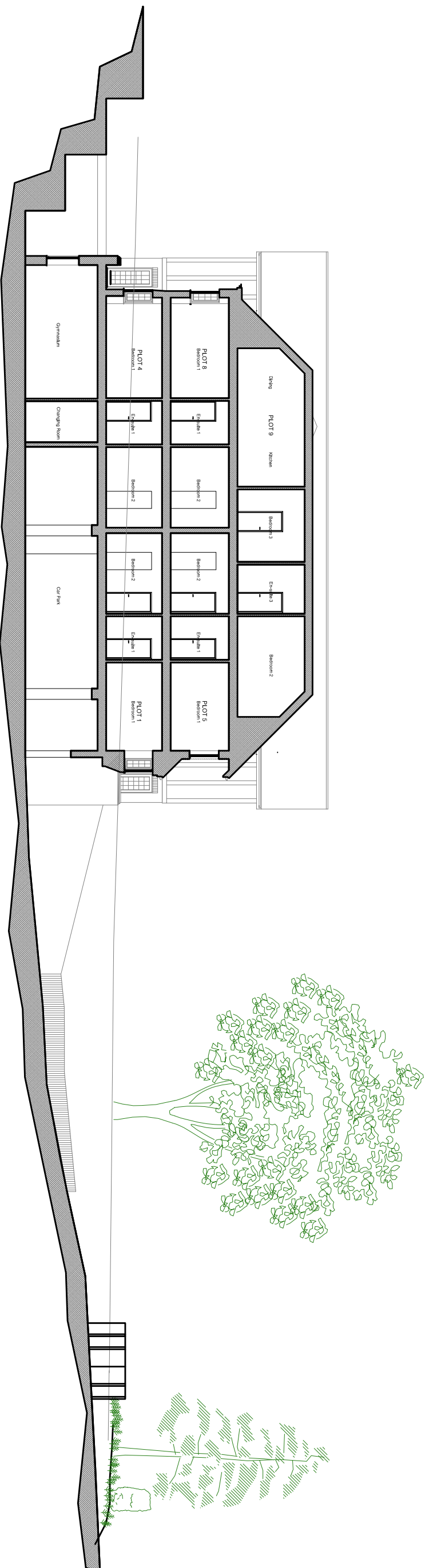




Proposed Section B - B



1:100 Scale Bar



Proposed Ramp Section



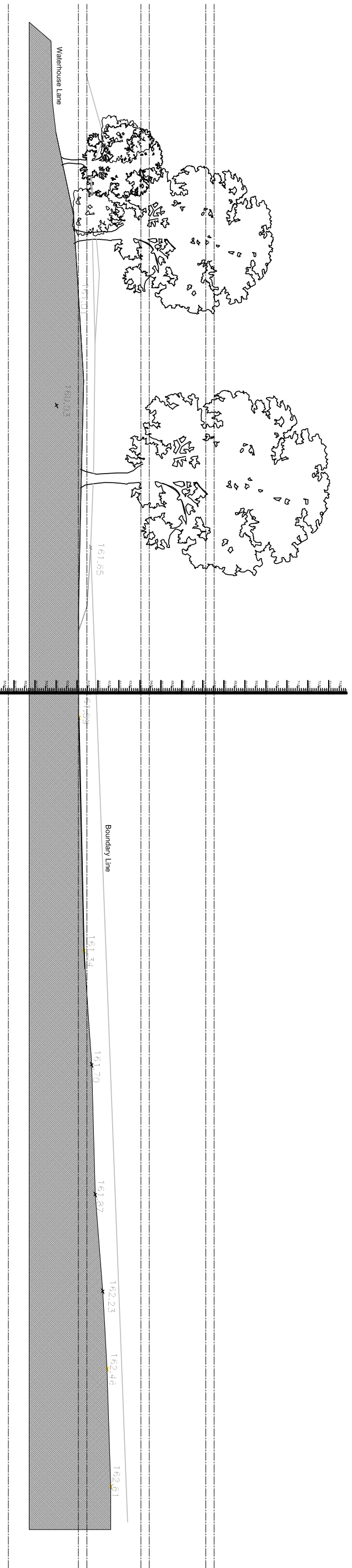
fulcrum design

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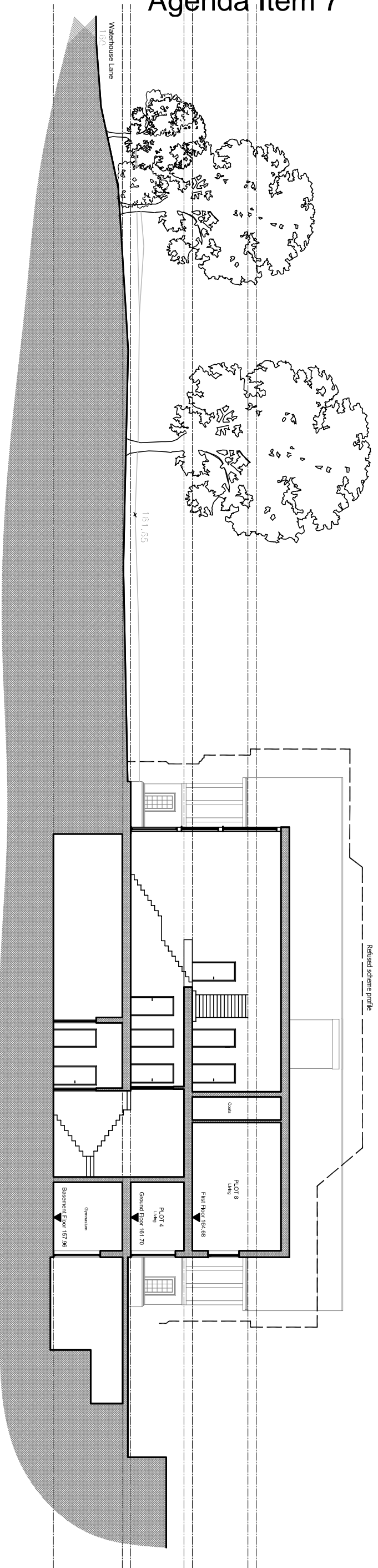
Proposed Ramp Section

Whiteoak Developments
Kingsbarn, Waterhouse Lane, Kingsbarn

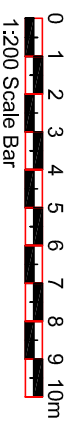
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Paper Size A3
Drawn by MB
Date 26-11-18
Scale 1:200
Drawing No. J002497 / PL 16A



Existing Section A - A



Proposed Section A - A



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Existing & Proposed Section A - A

Whiteoak Developments

Kingsbarn, Waterhouse Lane, Kingsbarn

Site Area

0.3983 Hectares

Paper Size

A3

Drawn by

MB

Date

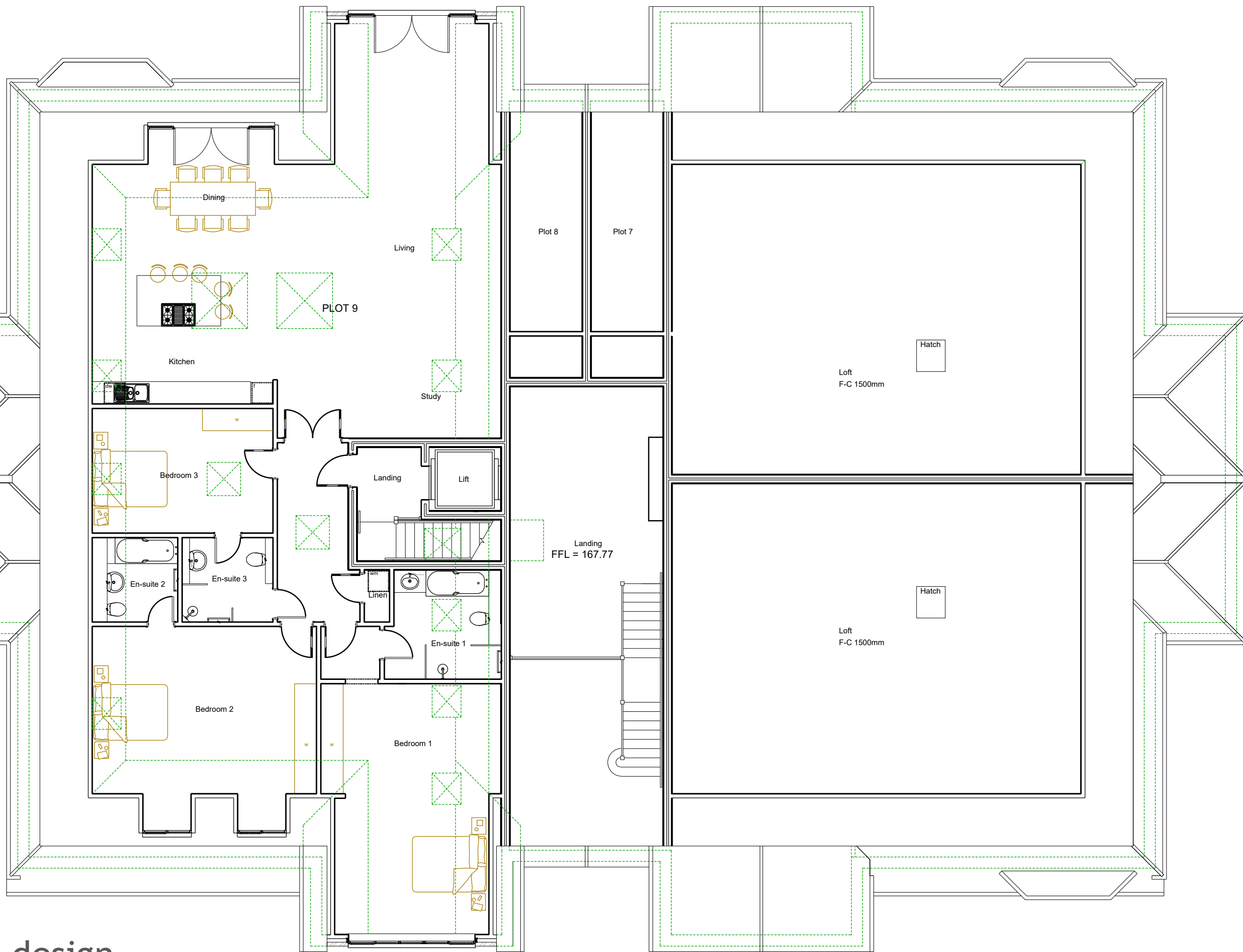
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J002497 / PL 14A



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culcrum design

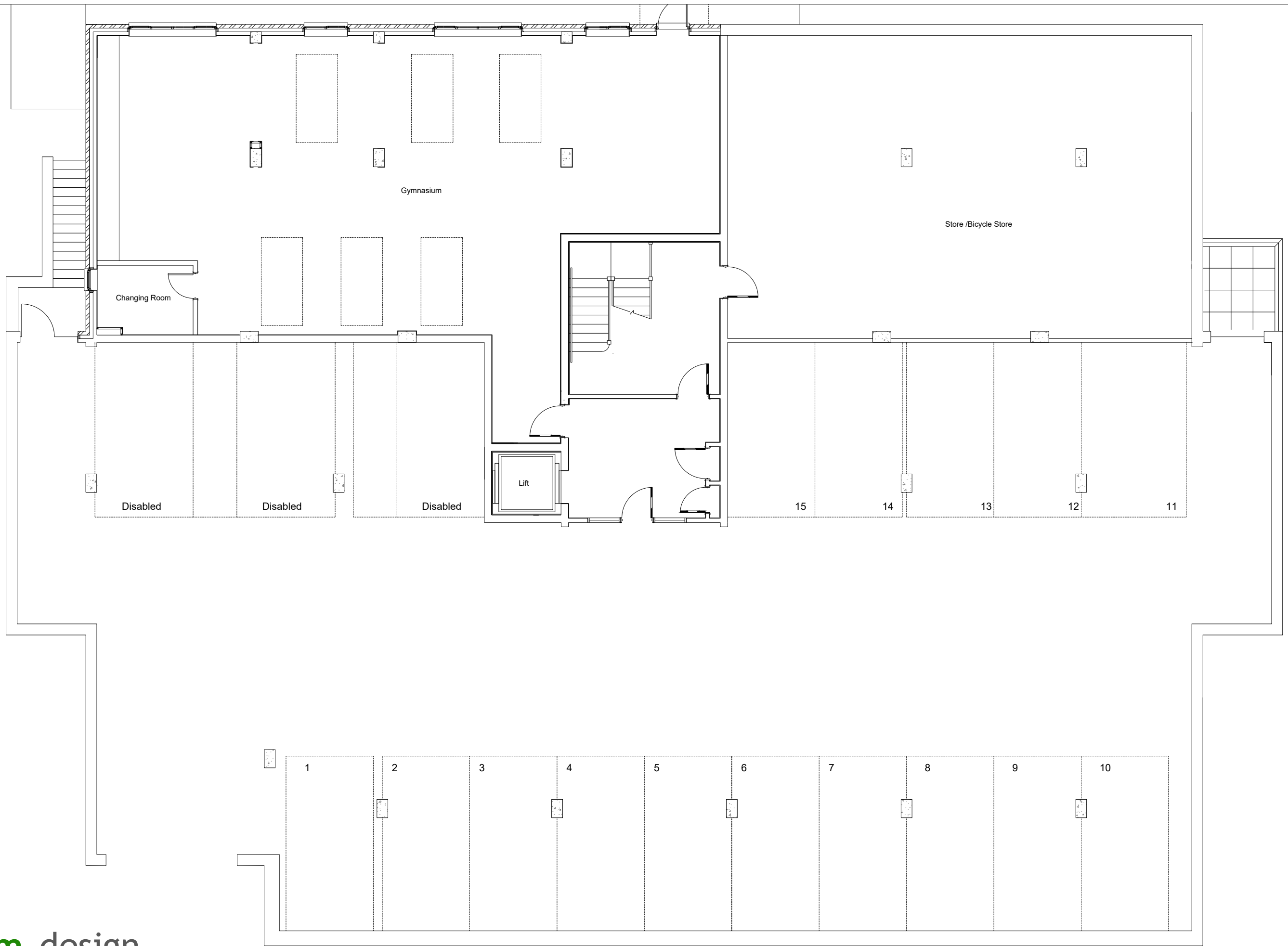
Proposed Second Floor Plan
Whiteoak Developments

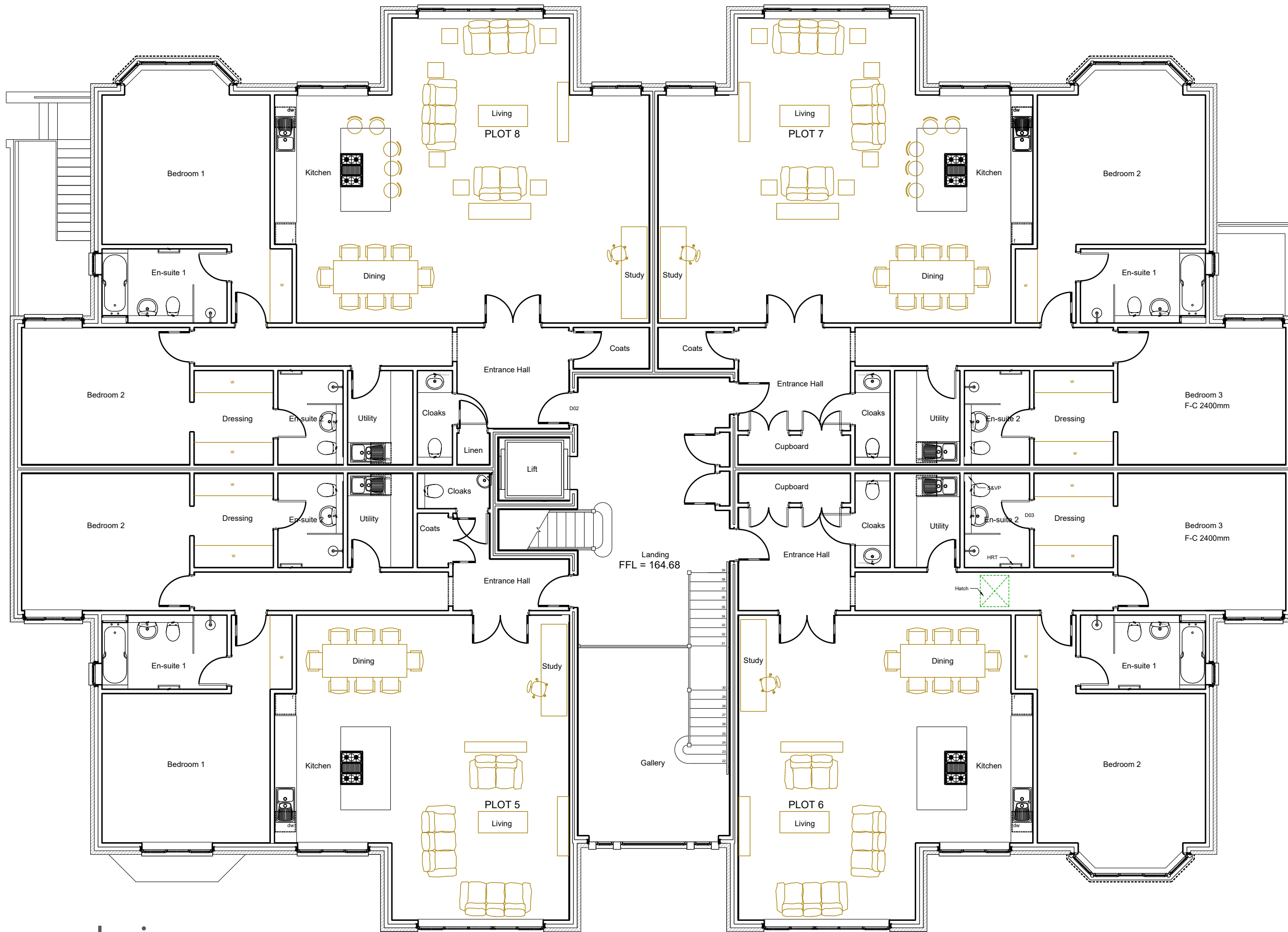
Kingsbarn, Waterhouse Lane, Kingswood



1:100 Scale Bar

Site Area	Paper Size	Drawn by	Date	Scale	Drawing No.
0.3983 Hectares	A3	MB	25-03-19	1:100	J002497 / PL 07F

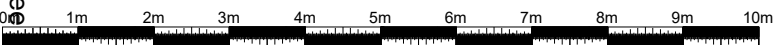




90

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tulcrum design

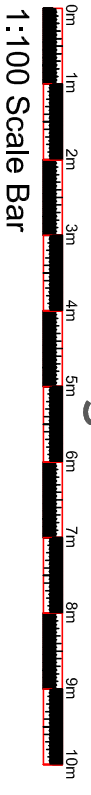
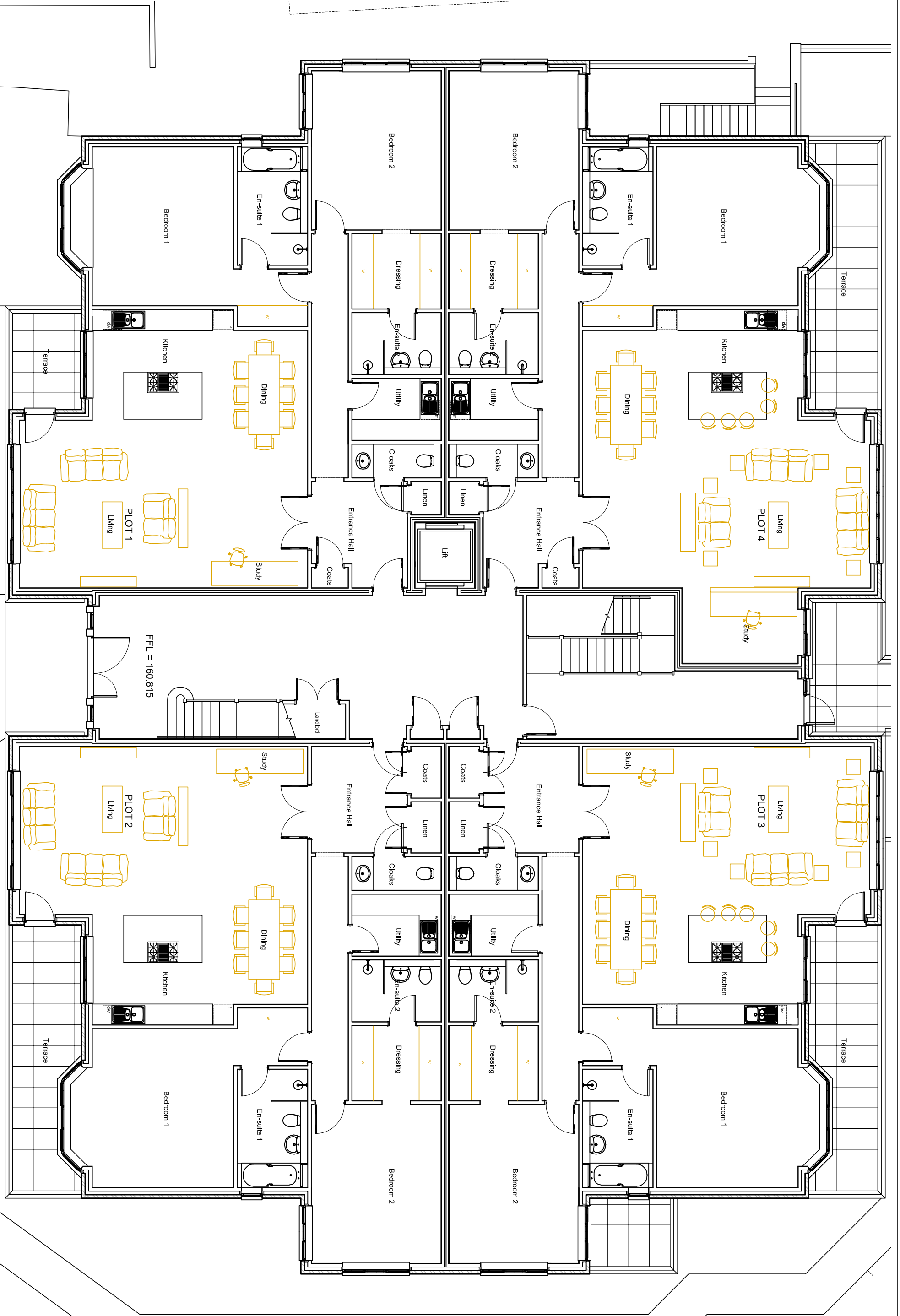


1:100 Scale Bar

Proposed First Floor Plan
Whiteoak Developments

Kingsbarn, Waterhouse Lane, Kingswood

Site Area	Paper Size	Drawn by	Date	Scale	Drawing No.
0.3983 Hectares	A3	MB	25-03-19	1:100	J002497 / PL 06E



fulcrum design

Proposed Ground Floor Plan
Whiteoak Developments

Kingsbarn, Waterhouse Lane, Kingsbarn

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Site Area 0.3983 Hectares
Paper Size A3
Drawn by MB
Date 26-11-18
Scale 1:100
Drawing No. J002497 / PL 05B

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 th May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Rosie Baker
	TELEPHONE:	01737 276173
	EMAIL:	rosie.baker@reigate-banstead.gov.uk
AGENDA ITEM:	8	WARD: South Park and Woodhatch

APPLICATION NUMBER:	19/00402/F	VALID:	01/03/2019
APPLICANT:	Children's Neuro Physio and Aqua Epps	AGENT:	WS Planning & Architecture
LOCATION:	THE BARLEY MOW PUBLIC HOUSE, 3 EASTNOR ROAD, REIGATE, SURREY RH2 8NE		
DESCRIPTION:	Change of use from Public House (A4) to Physio Clinic and Hydrotherapy Centre (D1), retention of 2 bedroom flat (C3), internal and external alterations, single storey rear extension and extension to dropped kerb. As amended 13/03/2019, 03/04/2019, 11/4/2019 and on 16/04/2019.		
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.			

This application is referred to Committee in accordance with the Constitution as the proposed floorspace is greater than 100 sqm.

SUMMARY

The application proposes the change of use of the existing pub to a physio clinic and hydrotherapy centre. The building is a detached locally listed Victorian public house located on the eastern side of Eastnor Road. The existing flat would be refurbished and retained at first floor with a new external entrance provided such that it can be accessed independently to the clinic. The change of use would involve internal and external alterations and a single storey rear extension to accommodate a hydrotherapy pool and associated changing facilities. The existing dropped kerb is proposed to be extended across the front of the site to enable safe access.

The applicant runs a specialist neuro paediatric physiotherapy service for babies, children and teenagers with a range of neuro disabilities (such as cerebral palsy). She is a leading professional in her field of work and works locally within (and outside) the borough, including within local schools and at the Children's Trust. The applicant has since 2013 been looking for a new site that meets the operational requirements of the business. Extensive community engagement has taken place and the applicant has submitted a marketing report to support the change of use.

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The clinic would operate two treatment rooms each running approx 6 sessions per day Monday – Friday (approx 12 clients per day), and 3 – 4 sessions per day at the weekend (approx 6 – 8 clients). The hydrotherapy pool will be used in conjunction with the clinics. When the treatment rooms are not in use (e.g Saturday afternoons and weekday evenings) the applicant is proposing that the hydrotherapy pool will be available for groups of up to 4 persons with their carers/ parents by local community groups.

The change of use would result in the loss of the public house. Having considered the evidence, including representations from local residents, the marketing report and Statement of Community Involvement submitted by the applicant which includes feedback from over 50 local residents who attended the two open evening events I do not consider that the existing pub represents a ‘valued community facility’ as set out in the NPPF. The evidence suggests that the pub was not publicly supported and was considered of limited community value, with many locals supportive of its closure. This is supported by the lack of interest from other parties in taking over the business, lack of commercial bidders at auction and that there has been no application to list the pub as an Asset of Community value. Nor do I consider that the proposal will result in a shortfall of local provision or reduce the community’s ability to meet its day-to-day needs given the high number of available alternative drinking establishments in the local area.

I also consider that the proposed use will deliver an alternative high quality community offer. Whilst it will be a completely different use, it will still deliver some wider community benefit and in the eyes of many may be considered an improved provision in comparison to the pub within this residential environment. The feedback from local residents being overwhelming in its support for the change of use. As such there is no objection to the loss of the pub or the introduction of the clinic use and the proposal is considered to comply with the provisions of the NPPF and emerging DMP policy INF2.

The extension would be set into the ground to provide a low profile and minimise impact on neighbouring properties and the setting of the building. The changes to the front of the building include the introduction of a disabled ramp, alterations to the existing porch, formalisation of parking provision and the introduction of planting. The conservation officer has been consulted on the application which is considered to have an acceptable impact on the locally listed building and there is no objection in this regard. There is also no objection on neighbour amenity grounds or from the County Highway Authority with the application unlikely to lead to further parking demand or traffic than the existing pub use of the site.

As such the application is considered to represent a welcomed new community asset and the applicant is commended on their engagement with the local community.

RECOMMENDATION(S)

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

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Consultations:

Highway Authority: No objection. No highway requirements.

The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements.

Reigate Society: No objection. Comment – This is likely to be a beneficial resource for the community

Conservation Officer: No objection subject to condition. See body of report for details.

Representations:

Letters were sent to neighbouring properties on 4th March 2019.

As of 29/4/2019 four letters of support had been received raising the following matters:

Issue

Response

Support – Community / regeneration benefit. Services proposed will benefit local and wider community

Support – Economic growth / jobs

Support - Visual amenity benefits. The existing building is falling into a state of disrepair and the proposal makes good the building

Support – Change of use

Representation supports applicant's statement regarding pub being an anti-social neighbour when operational and concerns regarding noise and fear of crime at this time.

Support – Building renovation and alterations / extension – renovation considered to improve appearance of building

Support – rear extension and use of garden as sensory garden considered by direct neighbours to have satisfactory impact on amenity

Support – Level of community engagement undertaken by applicant.

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1.0 Site and Character Appraisal

- 1.1 The application site relates to the Barley Mow public house, a detached locally listed Victorian public house located on the eastern side of Eastnor Road. The pub closed down in January 2018.
- 1.2 The site has an upward gradient running from west to east. Walls and fences bound the site to the rear, where there is a large pub garden. To the front the site is set to hardstanding with 5 car parking spaces immediately in front of the building. This urban hard setting and lack of planting to the site frontage detracts from its appearance within the streetscene. A public footpath runs alongside the property boundary to the north. There are no significant trees on the site. The neighbourhood is characterised by a wide mixture of residential properties, with relatively narrow streets. The site is accessed from Eastnor Road.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant entered into two pre-application discussions with the Council. Advice was provided regarding the principle of the change of use, including evidence necessary to justify the loss of the public house and introduction of the proposed D1 use. The applicant was encouraged to engage with the community in relation to pre-application discussions. Extensive community engagement has taken place and the applicant has submitted a marketing report to support the change of use. Advice was also given in relation to design noting the locally listed nature of the building, and design improvements to be delivered to the building frontage.
- 2.2 Improvements secured during the course of the application: Design amendments to deliver hedge planting (not in planters) to the site frontage and a revised design for the ramp and associated railings to minimise the impact on the local heritage asset.
- 2.3 Further improvements are proposed to be secured through the use of conditions

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|-----------|--|--|
| 3.1 | 05/02446/ | The erection of a new single storey porch to the front elevation and the re-positioning of existing double doors to the rear elevation with an additional window | Approved with conditions
01.02.2006 |
|-----|-----------|--|--|

4.0 Proposal and Design Approach

- 4.1 This is a full application for the change of use of the pub (A4 use) to D1 use for a physio clinic and hydrotherapy centre, together with refurbishment work to include internal and external alterations and a single storey rear extension. In addition the proposal would retain the existing 2 bedroom flat above.

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- 4.2 The applicant runs a specialist neuro paediatric physiotherapy service (established in 2013) for babies, children and teenagers with a range of neuro disabilities (such as cerebral palsy). She is a leading professional in her field of work and works locally within (and outside) the borough, including within local schools and at the Children's Trust. The applicant has since 2013 been looking for a new site that meets the operational requirements of the business but has been unable to compete with cash rich residential property developers
- 4.3 The following information has been provided regarding the proposed works:
- Addition of a small hydrotherapy pool and conversion and extension of garden room to changing facilities.
 - Conversion of the ground floor area into two clinic rooms, reception space, office, disabled wc, staff kitchenette and rearranged access to flat above.
 - Refurbishment of first floor flat
 - Extensive refurbishment works to bring the building back to modern standards, including to rectify extensive damp and repairs to the roof and chimneys
 - Alterations to the front porch and addition of disabled ramp to front entrance
 - Demolition of outbuildings to the rear
 - Overall approximately 110 sqm of new floorspace is proposed.
 - Materials are proposed to match the existing building with facing brick work and clay roof tiles to match. The proposed hydrotherapy pool is proposed with a dark grey powder coated profiled metal sheeting roof.
- 4.4 The proposed rear extension extends the existing garden room to the south and east to accommodate the hydrotherapy pool and associated changing facilities. The extension would be set into the ground to provide a low profile and minimise impact on neighbouring properties and the setting of the building. The changes to the front of the building include the introduction of a disabled ramp, alterations to the existing porch, formalisation of parking provision and the introduction of planting.
- 4.5 In response to the requirement for an onsite hydrotherapy pool the applicant's supporting statement states Local Surrey and Sussex Healthcare Trust hospitals (East Surrey, Dorking, Crawley, St Helier and Epsom) do not have hydrotherapy pools. The local pools in schools, Tadworth Children's Trust, Brooklands and Clifton Hill Special School are fully booked with baby groups and some private hire so there are no facilities available for adults or children with conditions ranging from back pain, arthritis, following surgery (hip/knee replacements) through to severe disability and complex needs. Leisure pools are too cold and have inadequate disabled hoisting and changing facilities. As such the new hydrotherapy pool is required to meet the client's operational needs.
- 4.6 The applicant proposes the following opening hours: 0800 – 2000 Monday – Friday, 0900 – 1700 Saturday, 0900 – 1300 Sunday and bank Holidays. It is proposed that the facility would be staffed by 3 clinicians and 1 facility manager.
- 4.7 The clinic will operate two treatment rooms each running approx 6 sessions per day Monday – Friday (approx 12 clients per day), and 3 – 4 sessions per day at the weekend (approx 6 – 8 clients). The hydrotherapy pool will be used in conjunction with the clinics. When the treatment rooms are not in use (e.g

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Saturday afternoons and weekday evenings) the hydrotherapy pool will be available for groups of up to 4 persons with their carers/ parents by local community groups, such as ante natal, baby groups, National Ankylosing Spondylitis Society, Multiple Sclerosis, Arthritis Care, Headway, Brain Injury Group, Parkinson's, Special Needs groups, ex-servicemen (as Headley Court has relocated) etc.

- 4.8 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.
- 4.9 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as residential, comprising a wide mixture of residential properties within relatively narrow streets. The site is proximate to Reigate town centre.
	Site features meriting retention are the locally listed building. There is evidence of damp within the existing building and extensive refurbishment works are required to bring the building back to modern standards. A number of outbuildings require demolition.
Involvement	In line with best practice the applicant has undertaken public consultation, including two open evenings with the local community to supplement private discussions with direct neighbours. Both open evenings were well attended and received positive feedback. Details of consultation undertaken and responses are set out within the submitted Statement of Community Involvement. In addition the applicant has undertaken two pre-application meetings with the LPA.
Evaluation	The application has been informed by pre-application discussions with the LPA and the applicant's operational requirements. The initial scheme showed a much larger extension, the depth and scale of which has now been reduced.
Design	The applicant's reasons for choosing the proposal were that it protects the heritage of the building, whilst still meeting the applicant's operational requirements and is supported by the local community.

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4.10 Further details of the development are as follows:

Site area	532 sqm
Existing use	Public house (vacant)
Proposed use	Physio clinic and Hydrotherapy centre
Existing parking spaces	4
Proposed parking spaces	4
Parking standard	Individual assessment
Net increase in dwellings	0

5.0 Policy Context

5.1 Designation

Urban area
Locally Listed Building

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS5 (Valued People/Economic Development),
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS12 (Infrastructure Delivery),
CS14 (Housing Needs)
CS15 (Affordable Housing)
CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Heritage Sites	Pc 10
Housing	Ho9, Ho13
Community Facilities	Cf2
Movement	Mo5, Mo7

5.4 Emerging Development Management Plan

Community Facilities	INF2
Heritage Assets	NHE9
Design of new development	DES1
Access, parking and servicing	TAP1

5.5 Other Material Considerations

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National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

Vehicle and Cycle Parking

Guidance 2018

Affordable Housing

Other

Human Rights Act 1998

Community Infrastructure Levy

Regulations 2010

6.0 Assessment

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development.

6.2 The main issues to consider are:

- Change of use - Loss of public house and introduction of D1 use
- Retention of residential flat at first floor
- Design appraisal
- Neighbour amenity
- Highway matters
- Affordable Housing
- Community Infrastructure Levy

Change of use - Loss of public house and introduction of D1 use

6.3 The proposed development would result in the loss of the existing (vacant) public house on the site. Following the recent appeal in relation to The Limes public house it is recognised that Local Plan policy Cf1 (Loss of community facilities) and policy CS12 of the Core Strategy (Infrastructure delivery), were not drafted with pubs in mind, as such they are not relevant in decisions relating to the loss of public houses. Notwithstanding the above there are provisions in national policy that are relevant. Paragraph 92 of the NPPF (2018) identifies public houses as community facilities and identifies the need to “*guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs*”.

6.4 The Council’s Development Management Plan has now reached an advanced stage with examination hearings having taken place at the end of last year and the Inspector’s Post Hearing Note having been published. As such increased weight can now be attributed to the emerging policies within it, which includes policy INF2 relating to community facilities. This policy has been drafted with public houses in minded as set out at supporting paragraph 4.9.2. Policy INF2 amplifies Core Strategy policy CS12 recognising that the loss or change of use of existing community facilities will be resisted unless it can be demonstrated that

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the proposed use would not have an adverse impact on the vitality, viability, balance of services and or evening economy of the surrounding community. The policy requires that either a 6 months marketing exercise is undertaken for the continuation of the existing use or an alternative community facility or that it is demonstrated that *“the loss of the community facility would not result in the shortfall of local provision of this type, or equivalent or improved provision in terms of quantity and quality or some wider community benefit”*. The policy goes on to state that the provision of new community facilities will be encouraged subject to identified criteria.

- 6.5 In this case the pub had already closed and was purchased by the applicant at auction. The applicant has provided a marketing document that sets out evidence of the circumstances of the pub closure, the level of interest in the property their operator requirements, search for a site and subsequent purchase of the property at auction. The submission also includes an assessment of available alternative pubs in the local area. The scale and details of the proposed operation including with respect to hours of operation, staffing and expected visitor numbers are clearly set out.
- 6.6 The applicant’s marketing document makes the following statements:
- The pub closed as it was not financially viable for a considerable length of time
 - The business was consistently loss making, lack of business led to non-payment of rent by the lessee, who then was evicted
 - The property is not configured to provide an adequate food offer
 - Alternative sites assessment – as set out at Appendix 1 of the marketing report - Local competition is strong with 33 pubs and other drinking establishments within 3km of the site
 - The auction advertised the property as a pub (both on Harman Healy auctioneers and on Rightmove) and there was no interest from any party with regards to taking over the business / continuing to operate a pub from the premises
 - The only interest at auction was from the applicants and a builder interest in the site for residential redevelopment.
 - The pub when operational was considered a ‘bad neighbour’ and was associated with anti-social behaviour
 - The pub is not considered a local community asset. When closure was announced there was no local petition to keep the pub open and the Council has received no application for the pub to be registered as an Asset of Community Value. There appears no desire for the community to take over the running of the pub / purchase the pub as a co-operative.
 - The locally listed property is in a state of disrepair, shows extensive signs of damp and requires significant investment
 - The proposed change of use would deliver a wide range of community benefits.
- 6.7 The applicant has also undertaken community engagement activities, including two open evenings. The details and feedback from these activities which were attended by over 50 individuals are set out in the submitted Statement of

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Community Involvement. The feedback from local residents supports the statements within the marketing report regarding the lack of community support for the pub. The feedback is also overwhelming in support for the proposed change of use.

- 6.8 Having considered the information provided by the applicant I do not consider that the existing pub represents a 'valued community facility' as set out in the NPPF. The evidence suggests that the pub was not publicly supported and was considered of limited community value, with many locals supportive of its closure. This is supported by the lack of interest from other parties in taking over the business, lack of commercial bidders at auction and that there has been no application to list the pub as an Asset of Community value. Nor do I consider that the proposal will result in a shortfall of local provision or reduce the community's ability to meet its day-to-day needs given the high number of available alternative drinking establishments in the local area.
- 6.9 I also consider that the proposed use will deliver an alternative high quality community offer. Whilst it will be a completely different use, it will still deliver some wider community benefit and in the eyes of many may be considered an improved provision in comparison to the pub within this residential environment. These community benefits can be set out as follows:
- Provision of physiotherapy and hydrotherapy service for babies, children and young adults with full disability access within the local and wider community
 - Use of the hydrotherapy pool at certain times during weekday evenings and weekend afternoons by community groups
 - Employment opportunities for local people (clinicians, administrative staff, general maintenance and domestic/ grounds servicing)
 - Use of local contractors in design, build and maintenance of the building and hydrotherapy pool
- 6.10 In light of the above I consider that in this case the loss of the local pub is justified and the application complies with emerging policy INF2 and the provisions of the NPPF in this regard.
- 6.11 There is no objection to the proposed D1 use which is considered compatible with the existing residential environment which provides the site context. The applicant has provided details of the proposed business operation including background to the professional service offered, the choice of site and alternatives considered, opening hours, proposed scale of operation / business, number of clinics per day and associated staff and visitor numbers. Noting the previous use of the site and the relative small scale of the operation proposed the proposal is not considered to result in any greater impact than the existing public house (when operational) and as such there is no objection to the proposed change of use. In my view the proposal represents an exciting opportunity to refurbish this locally listed building and introduce a new use that will continue to benefit the community.

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Retention of residential flat at first floor

- 6.12 The existing 2 bed flat at first floor is proposed to be retained and refurbished. The flat has been historically used ancillary to the pub. Alternative access arrangements are proposed such that the flat has a separate external access and is not reliant on access through the clinic. Access being gained to the side of the property via the public footpath and internal rearrangements to provide the necessary separation. As such I am satisfied that the flat would provide an acceptable unit of accommodation used either in association with the proposed clinic or used separately as an independent dwelling.

Design appraisal

- 6.13 The Barley Mow is a public house, first mentioned in 1860 and a locally listed building. Given its heritage value the Conservation officer was consulted on the application. He noted the older style sash windows and unusual curved parapets to the side elevation, commenting that the building is an attractive example of a modest public house of the 19th century, with neat front elevation based on axial symmetry, and historically one of only two recorded Cider Houses in Surrey, (there having been a large orchard on the farm land to the south).
- 6.14 The application has been informed by pre-application discussions with the LPA and the applicant's operational requirements. The initial scheme showed a much larger extension, the depth and scale of which has now been reduced such that it is now considered acceptable in both scale and form, with the cut into the existing ground level enabling the incorporation of a building that would appear of more limited height, eaves height approx 2m.
- 6.15 The principal area of historic interest relates to the front façade of the building, which is proposed to be retained and renovated. The porch which is a later addition is proposed to be altered, and a disabled ramp added. The design of the ramp has been governed by building regulations requirements which control the steepness of the ramp and thereby its length. Revised drawings have sought the incorporation of a more traditional and sympathetic railing such that its appearance is functional yet not overly dominant on the listed building.
- 6.16 Amended plans have also been received in relation to the proposed landscape works at the site frontage. These works are considered necessary to improve the appearance and setting of the listed building within the streetscene and mitigate the impact of the proposed disabled ramp and railing. All hard landscaping including tarmac and concrete shall be removed from the areas of hedge planting and bed planting, and all hedges shall be planted in trenches at least 300mm deep using improved soil to ensure species longevity and achieve appropriate landscape mitigation.
- 6.17 Subject to condition the proposed design is considered acceptable and conforms with policies Cf2, Pc10 and Pc4 of the Borough Local Plan.

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Neighbour amenity

- 6.18 The nearest neighbours are 1a Eastnor Road to the north, 5 Eastnor Road to the south and 22, rear of 22 and 24 Priory Road to the rear. To the rear proposed rear extension has been cut in to the existing ground level of enable the rear extension to be on the same level as the existing building and produce a building of more limited height, with an eaves height of approximately 2m.
- 6.19 The proposed extension is considered sufficiently distanced from the properties to the rear such that the impact of the built form would be acceptable. The dwelling to the rear of 22 Priory Road is a single storey pitched roof dwelling located on the rear boundary of the application site. Boundary treatment is located between the properties and from my site visit it was not apparent that there were any windows facing the application site.
- 6.20 The public right of way is situated between 1a Eastnor Road and the application site. No.1a has a two storey extension that extends approximately parallel with the existing garden room and outbuilding to be demolished. The hydrotherapy pool would extend approximately 6.8m beyond the existing rear building line. It's limited height and siting approximately 1m away from the side boundary to the PROW, coupled with the size of the rear garden would limit its impact on neighbouring properties. The building being set approximately 4.5m from the side boundary with 5 Eastnor Road. In light of the above I consider the proposal to have an acceptable impact with regards light, outlook, dominance, overshadowing, overlooking and privacy. Noting the retention of existing brick wall boundary treatments.
- 6.21 The garden to the rear of the site will remain and in time be used as a sensory garden for visitors to the centre. I do not consider that the proposal would have any greater impact than the previous use with regards noise and disturbance associated with movements to and from the site, the proposed use of the site or the future use of the garden, as a sensory garden for clients. Noting the limited number of clients that would be on site at any one time and that they would be supervised by clinical staff.
- 6.22 As such the proposal is considered to accord with policy Cf2 of the local plan in this regard.

Highway matters

- 6.23 The application site is accessed from Eastnor Road. The public right of way to the north of the site would be retained, with no change to existing. As per existing onsite parking is proposed for 4 cars, of which 2 are proposed as disabled spaces. The revised plans enable sufficient room for visitors to manoeuvre and access the entrance ramp at the front of the building. The existing dropped kerb is proposed to be extended across the front of the site to ensure safe access.
- 6.24 The County Highway Authority (CHA) has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with

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respect of access, net additional traffic generation and parking. The CHA comment that the proposed development is unlikely to lead to further parking demand or traffic than the existing pub use of the site. The CHA therefore has no highway requirements. It is noted that there is no adopted parking standard for this specific D1 use but that parking provision is subject to individual assessment. In this case as set out above the proposed level of parking is considered satisfactory noting that the neighbouring streets would be able to accommodate some displacement parking.

- 6.25 The site layout includes suitable space for the storage of waste and recycling for both the flat and clinic. The supporting statement notes no hazardous waste will be produced by the clinic.
- 6.26 In light of the above the application is considered to comply with the provisions of the NPPF and Mo5 and Mo7 of the Borough Local Plan.

Affordable Housing

- 6.27 The application would not result in the net gain of residential units and as such would not be liable for affordable housing.

Community Infrastructure Levy (CIL)

- 6.28 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 not be CIL liable.

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
Location Plan	J003102- DD01		26.02.2019
Block Plan	J003102- DD08		26.02.2019
Elevation Plan	J003102- DD06		26.02.2019
Roof Plan	J003102-DD12		26.02.2019
Elevation Plan	J003102- DD07		26.02.2019
Floor Plan	J003102- DD04		26.02.2019

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Section Plan	J003102- DD15	A	11.04.2019
Block Plan	J003102- DD02		26.02.2019
Site Layout Plan	J003102- DD03		26.02.2019
Floor Plan	J003102- DD05	A	04.04.2019
Floor Plan	J003102-DD11	A	04.04.2019
Site Layout Plan	J003102- DD09	C	26.04.2019
Floor Plan	J003102- DD10	F	26.04.2019
Elevation Plan	J003102- DD13	D	6.04.2019
Elevation Plan	J003102- DD14	C	26.04.2019

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 in accordance with the levels shown on section drawing DD15A unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Cf2.

4. Notwithstanding the 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) Excluding window, porch and railing details specified below all external finishing (eg brick, roof tiles, pool building) shall be constructed in accordance with the materials as specified on the approved plans
 - b) All windows to the front elevation shall be vertically sliding sash windows set back behind reveal at one brick with external glazing bars of traditional profile.
 - c) All existing parking lining to the frontage shall be burnt off and all new lining shall be in strict accordance with the approved drawings. No additional lining or change in the front hard landscaping, surface material or variation from the approved layout, shall be carried out without the consent in writing of the LPA.
 - d) An evergreen hedge shall be provided in front of all guarding and railing of the ramp and the railing to the steps, to a horizontal height level with the highest part of the handrails or 1.5 metres, whichever is the highest, before the building is occupied, and shall be retained on an ongoing basis and managed at that height hereafter or as otherwise agreed in writing by the local planning authority.
 - e) The hedges to the north of Parking Unit 1 and south of Parking Unit 4 shall be not less than 1 metre in height, except where within an inter-visibility splay where they shall not be less than 600mm.

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- f) All planting shown on the layout shall be provided before the building is occupied and shall be retained on an ongoing basis and managed to maintain hereafter or as otherwise agreed in writing by the local planning authority. Any losses through death or disease shall be remedied by replacement planting, to current landscape standards, within 1 year to maintain this feature. All hard landscaping including tarmac and concrete shall be removed from the areas of hedge planting and bed planting, and all hedges shall be planted in trenches at least 300mm below ground using improved soil. Suitable species include Yew, Portuguese Laurel and Privet, Box being unlikely to be available in the height specified.
- g) The guard rail to the ramp and steps shall be of black painted metal thin solid square section or timber with a D section hand rail.
- h) The entablature to the porch shall be made good with painted non-perishable moulding to the pilasters and a painted cyma recta moulding of width to match applied to the fascia board before the building is occupied.
- i) The front elevation and porch shall be repainted cream before the building is occupied.
- j) Two painted timber doors with fielded panels shall replace the current glazing to the front of the porch before the building is occupied.

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Pc10, Cf2 and Pc4

5. The use hereby permitted shall only be carried out between 0800 - 2000 Monday - Friday, 0900 - 1700 Saturday, 0900 - 1300 Sunday and Bank Holidays.

Reason: To control activity in the interests of neighbouring residential amenities with regard to Reigate and Banstead Borough Local Plan 2005 policy Cf2.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. [
3. The applicant is advised to contact the Council's Neighbourhood Services team to ensure the required number and specification of wheeled bins and recycling boxes is available for the residential flat and to ensure appropriate collection of business waste.

Agenda Item 8

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15th May 2019

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4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

5. This permission does not purport to grant consent for the signs on the building or on the site, which shall be subject to a separate Advertisement Consent application where the form and content of the signs will be considered as well as the level and type of illumination.

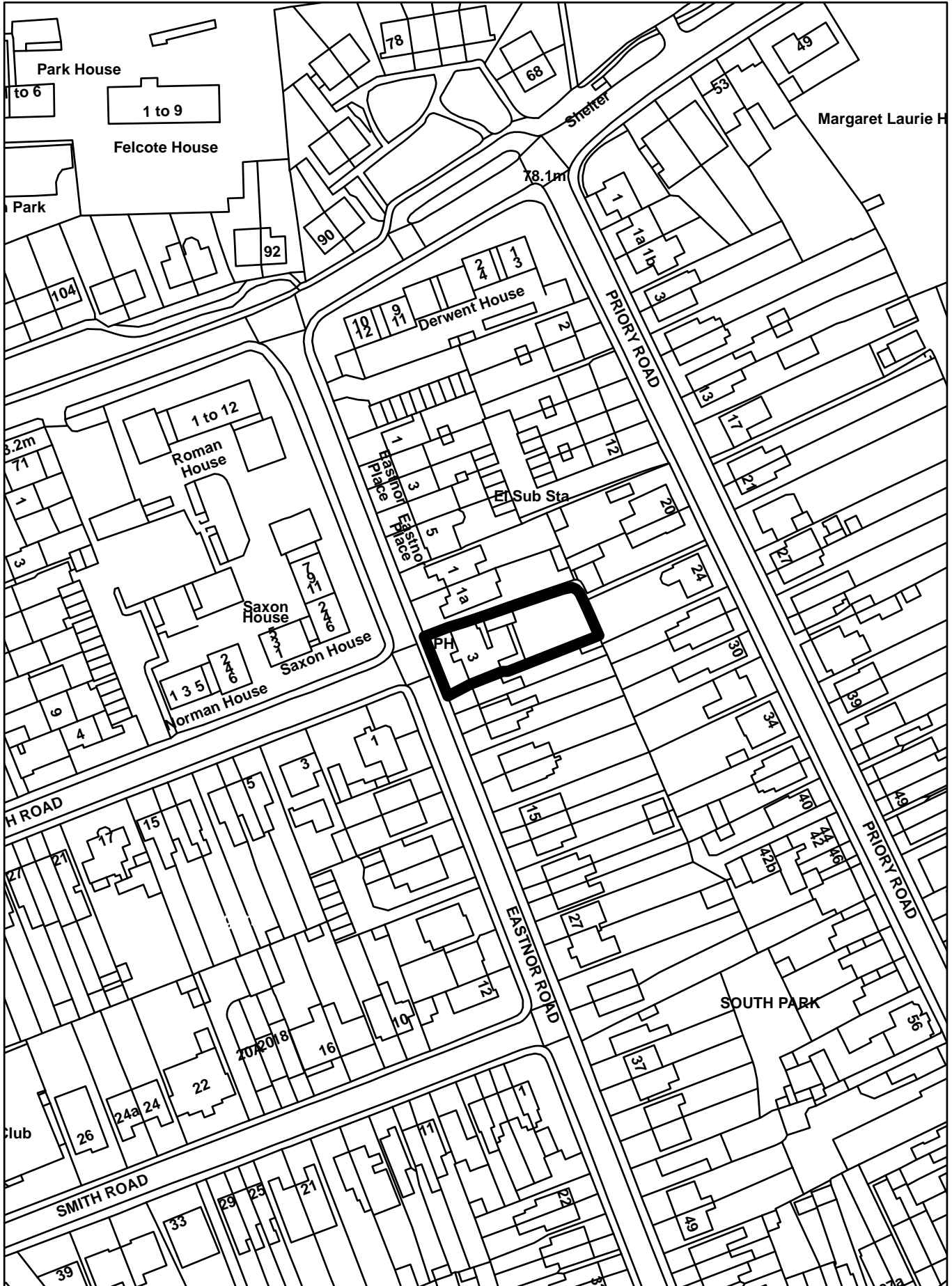
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS10, CS11, CS12, CS14, CS15, CS17 and Pc4, Pc10, Ho9, Ho13, Cf2, Mo5 and Mo7 and INF2 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.

Agenda Item 8
19/00402/F - The Barley Mow Public House,
3 Eastnor Road, Reigate

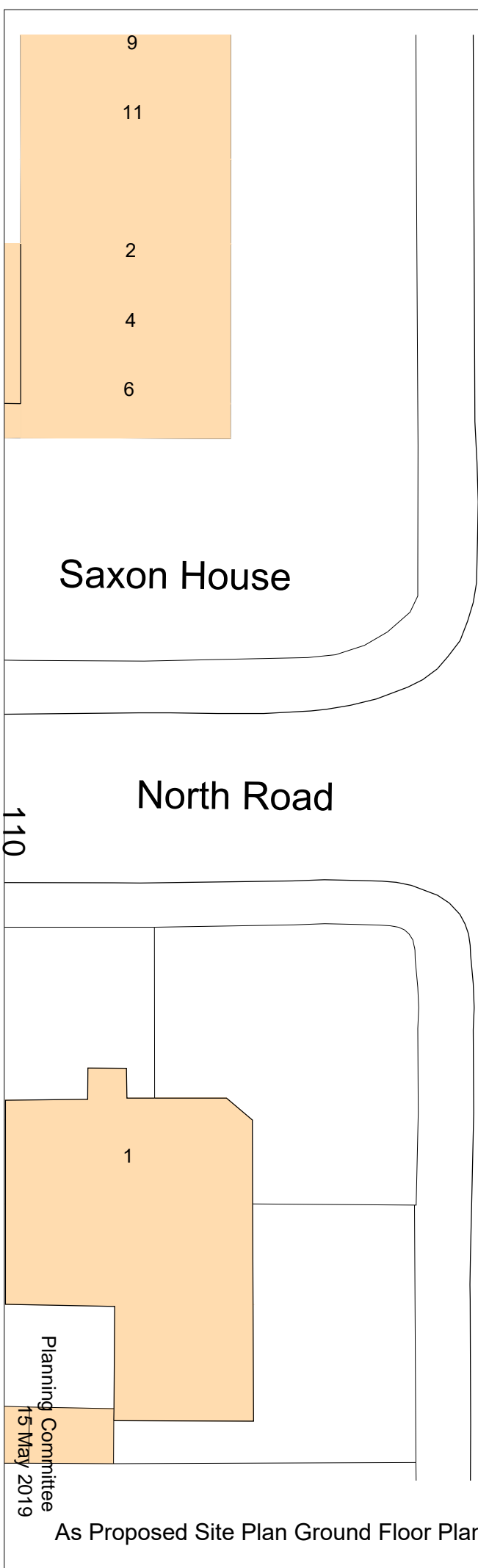


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Plan Legend

- Existing wall
- Proposed wall



Eastnor Road



Agenda Item 8

Rev	Date	Description
C	26.04.2019	Ramp railing revised, planters removed, hedge added
B	09.04.2019	Revision to ramp, steps; planters added
A	22.02.2019	Adjusted Ramp



Europe House
Bancroft Road,
Reigate
Surrey, RH2 7RP

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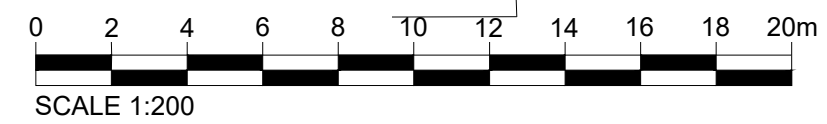
Date	February 2019	Drawn By	NWM
Scale	1:200 @A3	Checked	LB

Client
Children's Neuro Physio

Project
The Former Barley Mow,
3 Eastnor Road, Reigate,
Reigate, RH2 8NE

Title
As Proposed
Site Plan with
Ground Floor Plan

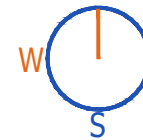
Drawing No.	J003102- DD09	Rev.	C
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As Proposed Site Plan Ground Floor Plan

Planning Committee
15-May 2019

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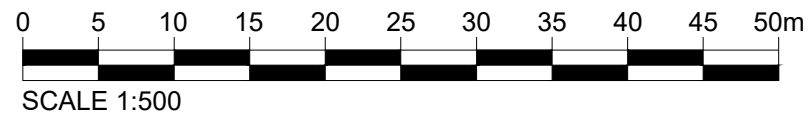
Planning Committee
15 May 2019

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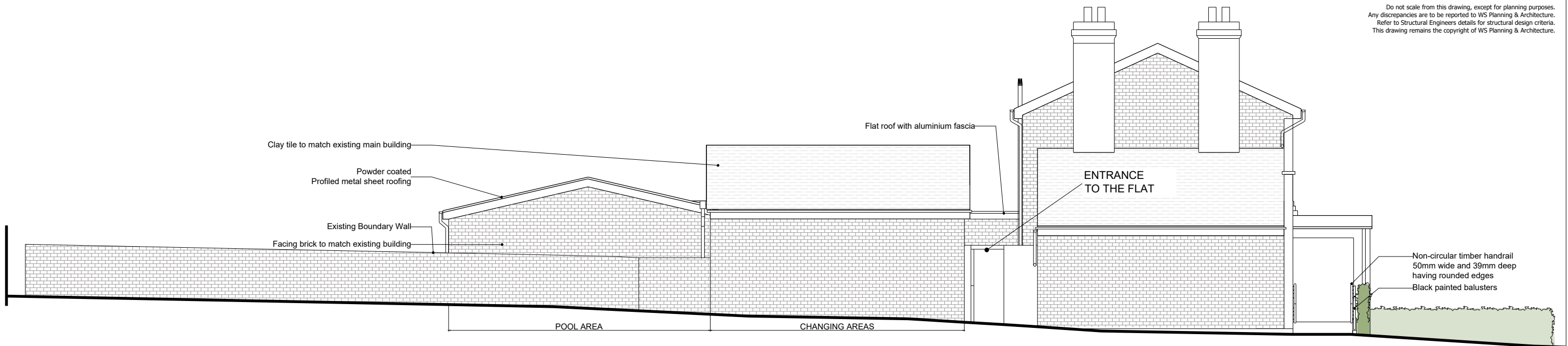
Agenda Item 8

As Proposed Site Block Plan

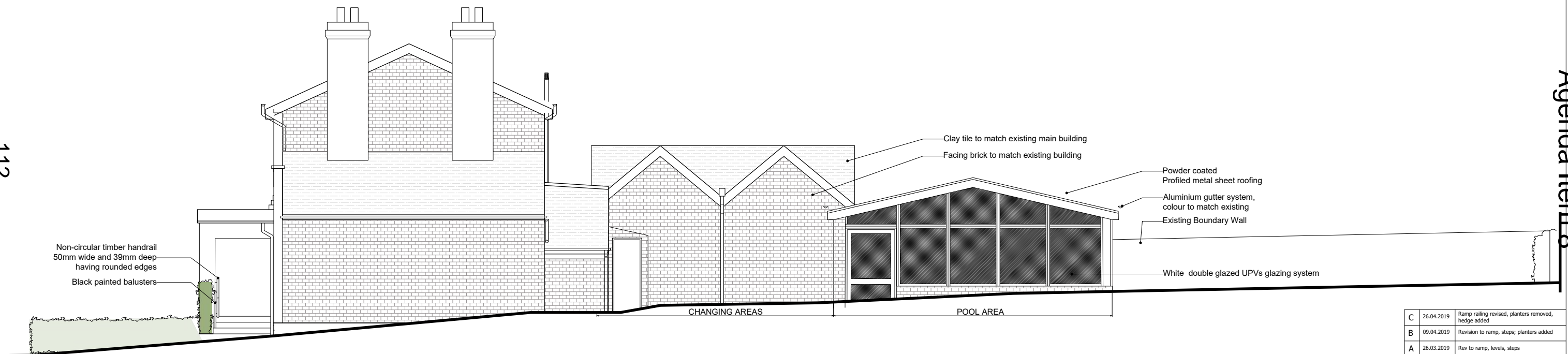


Rev	Date	Description
 Europe House Bancroft Road, Reigate Surrey, RH2 7RP		
Date February 2019		Drawn By NWM
Scale 1:500 @A3		Checked LB
Client Children's Neuro Physio		
Project The Former Barley Mow, 3 Eastnor Road, Reigate, Reigate, RH2 8NE		
Title As Proposed Site Block Plan		
Drawing No. J003102- DD08		Rev.

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As Proposed Side (North) Elevation



As Proposed Side (South) Elevation

Rev	Date	Description
C	26.04.2019	Ramp railing revised, planters removed, hedge added
B	09.04.2019	Revision to ramp, steps; planters added
A	26.03.2019	Rev to ramp, levels, steps



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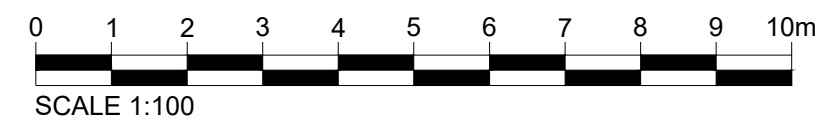
Date	February 2019	Drawn By	NWM
Scale	1:100 @A3	Checked	LB

Client
Children's Neuro Physio

Project
The Former Barley Mow,
3 Eastnor Road, Reigate,
Reigate, RH2 8NE

Title
As Proposed
North & South
Elevations

Drawing No.	Rev.
J003102- DD14	C



As Proposed North & South Elevations

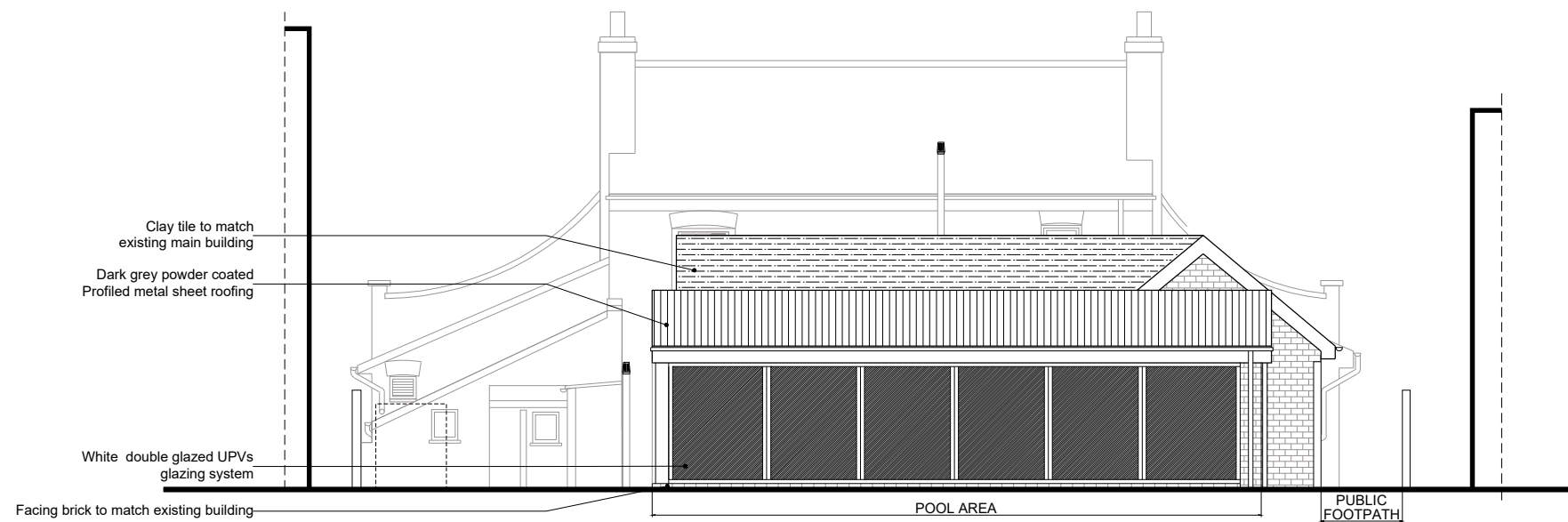
112

Planning Committee
15 May 2019

Agenda Item 8

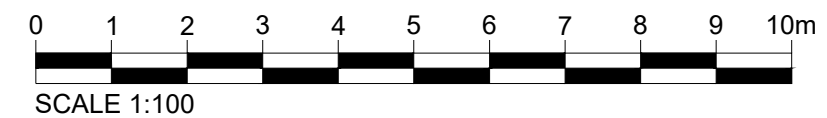


As Proposed Front (West) Elevation



As Proposed Rear (East) Elevation

As Proposed East & West Elevations



Rev	Date	Description
D	26.04.2019	Planters removed, hedge added
C	24.04.2019	Ramp railing revised, planters removed
B	09.04.2019	Revision to ramp, steps; planters added
A	26.03.2019	Rev to ramp, level, steps

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Date	January 2019	Drawn By	NWM
Scale	1:100 @A3	Checked	LB

Client
 Children's Neuro Physio

Project
 The Former Barley Mow,
 3 Eastnor Road, Reigate,
 Reigate, RH2 8NE

Title
 As Proposed
 East & West
 Elevations

Drawing No.	Rev.
J003102- DD13	D

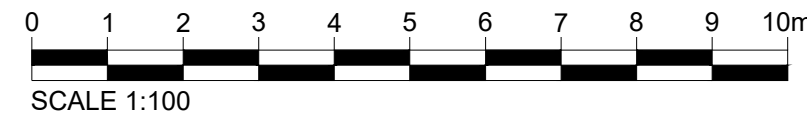
114



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As Proposed Section



Rev	Date	Description
A	09.04.2019	Revision to levels
Europe House Bancroft Road, Reigate Surrey, RH2 7RP		
		T. 01737 225711 F. 01737 226311 www.wspa.co.uk
Date	Drawn By	
March 2019	NWM	
Scale	Checked	
1:100 @A3	LB	
Client		
Children's Neuro Physio		
Project		
The Former Barley Mow, 3 Eastnor Road, Reigate, Reigate, RH2 8NE		
Title		
As Proposed Section		
Drawing No.	Rev.	
J003102- DD15	A	

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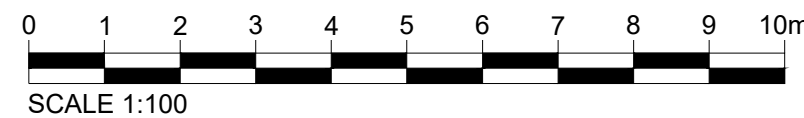



As Existing Front (West) Elevation



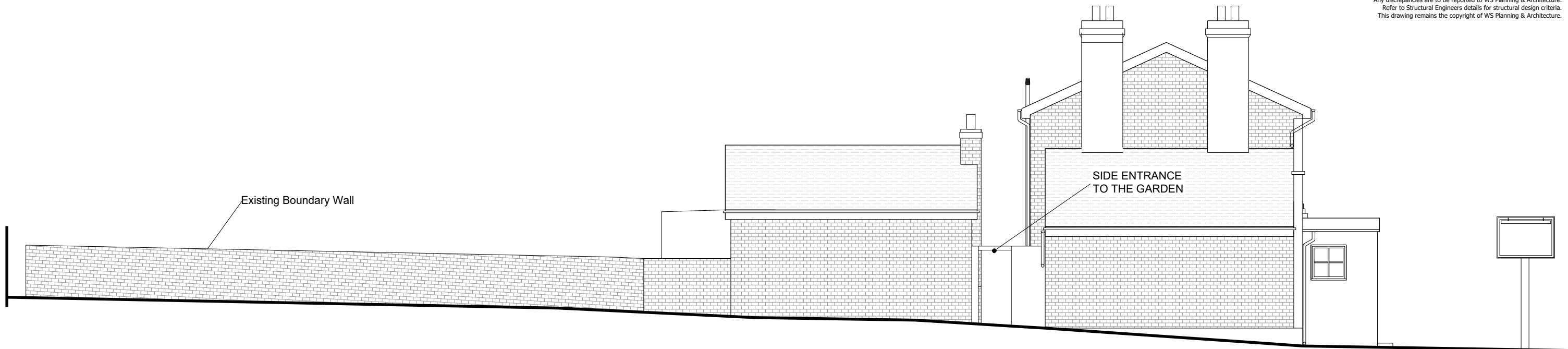
As Existing Rear (East) Elevation

As Existing East & West Elevations

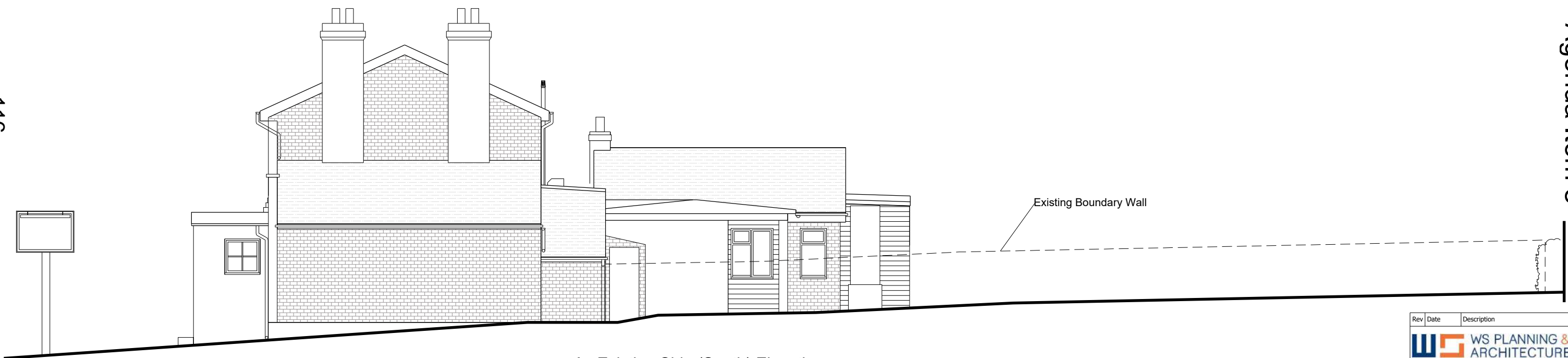


Rev	Date	Description
 WS PLANNING & ARCHITECTURE		
Europe House Bancroft Road, Reigate Surrey, RH2 7RP		T. 01737 225711 F. 01737 226311 www.wspa.co.uk
Date	February 2019	Drawn By NWM
Scale	1:100 @A3	Checked LB
Client Children's Neuro Physio		
Project The Former Barley Mow, 3 Eastnor Road, Reigate, Reigate, RH2 8NE		
Title As Existing East & West Elevations		
Drawing No. J003102- DD06		Rev.

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As Existing Side (North) Elevation



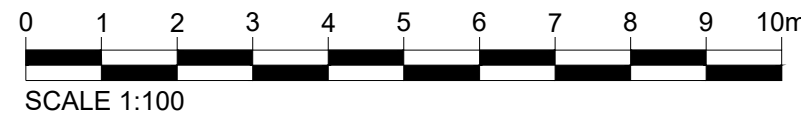
As Existing Side (South) Elevation


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 15 May 2019

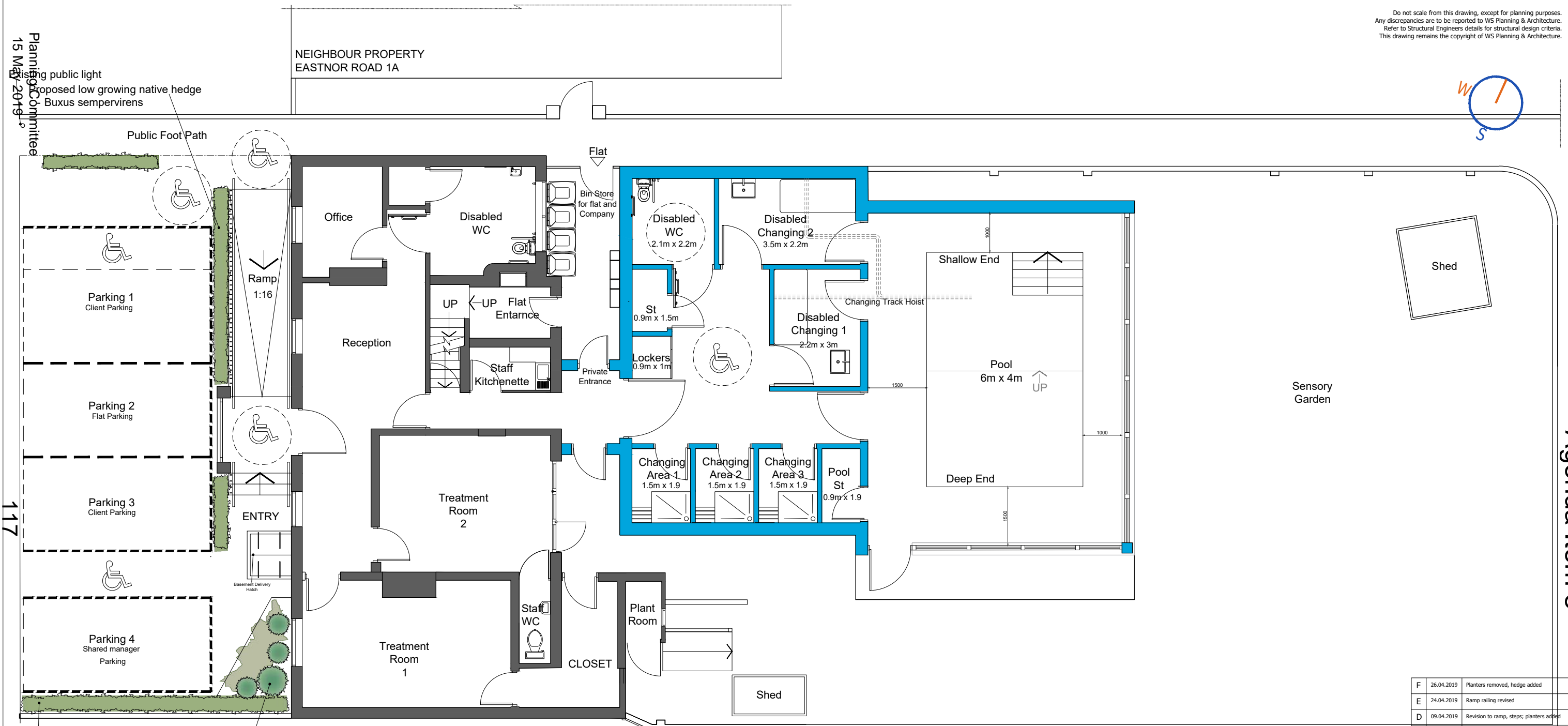
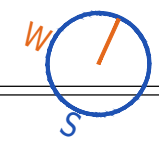
As Existing North & South Elevations



Rev	Date	Description
 WS PLANNING & ARCHITECTURE		
Europe House Bancroft Road, Reigate Surrey, RH2 7RP		T. 01737 225711 F. 01737 226311 www.wspa.co.uk
Date	February 2019	Drawn By NWM
Scale	1:100 @A3	Checked LB
Client Children's Neuro Physio		
Project The Former Barley Mow, 3 Eastnor Road, Reigate, Reigate, RH2 8NE		
Title As Existing North & South Elevations		
Drawing No. J003102- DD07		Rev.

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15 May 2019
 Planning Committee



- Proposed native hedge - *Ligustrum vulgare*
- Proposed native shrub and plant mix
- *Lavandula angustifolia* 'Hidcote'
 - *Alchemilla mollis*
 - *Buxus sempervirens*
 - *Rosmarinus officinalis* 'Miss Jessopp's Upright'
 - *Juniperus sabina* 'Tamariscifolia'

Rev	Date	Description
F	26.04.2019	Planters removed, hedge added
E	24.04.2019	Ramp railing revised
D	09.04.2019	Revision to ramp, steps; planters added
C	05.04.2019	Rev to ramp
B	28.03.2019	Rev to ramp
A	26.03.2019	Rev to levels, ramp, steps

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Date	February 2019	Drawn By	NWM
Scale	1:100 @A3	Checked	LB

Client
 Children's Neuro Physio

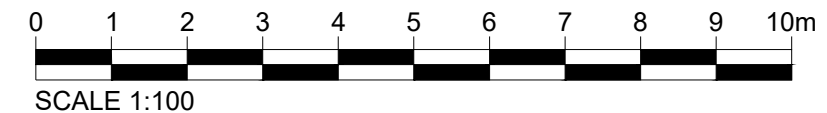
Project
 The Former Barley Mow,
 3 Eastnor Road, Reigate,
 Reigate, RH2 8NE

Title
 As Proposed
 Ground Floor Plan

Drawing No.	J003102- DD10	Rev.	F
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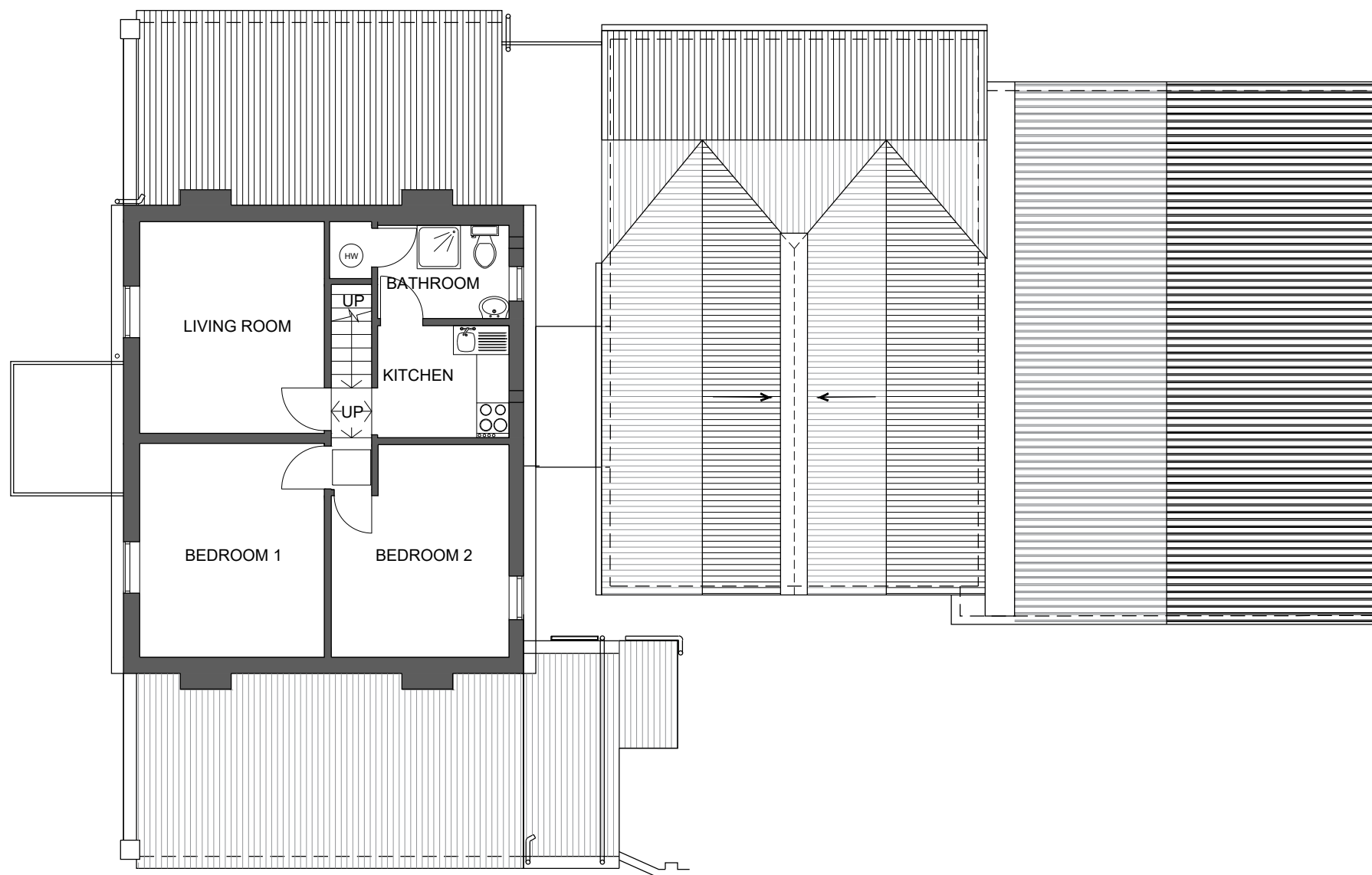
Plan Legend

- Existing wall
- Proposed wall



As Proposed Ground Floor Plan

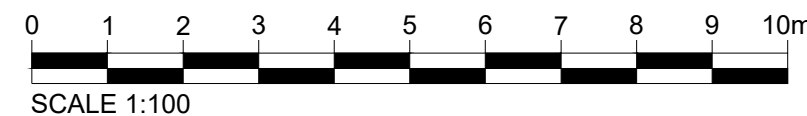
Agenda Item 8



As Proposed First Floor Plan

Plan Legend

- Existing wall
- Proposed wall




Rev	Date	Description
A	02.04.2019	Amended room annotation
Europe House Bancroft Road, Reigate Surrey, RH2 7RP		
		T. 01737 225711 F. 01737 226311 www.wspa.co.uk
Date	Drawn By	
February 2019	NWM	
Scale	Checked	
1:100 @A3	LB	
Client		
Children's Neuro Physio		
Project		
The Former Barley Mow, 3 Eastnor Road, Reigate, Reigate, RH2 8NE		
Title		
As Proposed First Floor Plan		
Drawing No.	Rev.	
J003102-DD11	A	

Agenda Item 9

Planning Committee
15 May 2019

Agenda Item: 9
18/02478/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 May 2019
	REPORT OF:	HEAD OF PLACES AND PLANNING
	AUTHOR:	Matthew Holdsworth
	TELEPHONE:	01737 276752
	EMAIL:	Matthew.Holdsworth@reigate-banstead.gov.uk
AGENDA ITEM:	9	WARD: Horley Central and South

APPLICATION NUMBER:	18/02478/F	VALID:	14 January 2019
APPLICANT:	Mr Ahmed Humayen	AGENT:	
LOCATION:	GATWICK CASTLE, 28 MASSETTS ROAD, HORLEY		
DESCRIPTION:	<p>A new single storey rear annexe with roof-space accommodation containing seven new en-suite bedrooms, office, linen store and lobby, access stairs and landing. A new replacement guest dining room linking the annexe to the main building. A new ground floor owner's apartment formed by rearranging existing accommodation. Two new first floor extensions at the side and rear of the main property over existing single storey sections to provide six new en-suite bedrooms and a store room.</p>		
<p>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.</p>			

This application is referred to Committee in accordance with the Constitution as the proposal is for more than 100sqm of commercial floor space.

SUMMARY

This is a full application for the erection of a new single storey annexe with rooms in the roof and two first floor extensions (to the side and the rear) over existing single storey extensions. This would increase the number of letting rooms to 21.

The proposal has been amended during the course of the application to remove a car park to the rear of the property. This has removed the potential for significant noise and disturbance to the flats to the rear. In addition, any side facing windows have been conditioned to be obscure glazed in order to prevent any material overlooking to neighbouring properties.

In addition, amended plans have enhanced the amount of landscaping and a condition will be added to remove the unauthorised wall to the front boundary and replace with a hedge. In addition, amended plans have been received that show

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15 May 2019

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18/02478/F

slight elevational changes to the extensions in order that the materials integrate more fully with the application.

It is noted that the number of proposed parking spaces falls below the recommended standard. However, there will be parking for 9 cars in the reconfigured car park to the front of the property. The site is easily accessible by public transport and is within easy walking distance to a public car park. In addition, there are on-street parking restrictions which would limit any material harm to the amenity of the area. The proposal is therefore considered acceptable.

RECOMMENDATION

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

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Consultations:

Highway Authority: The proposed development has been considered by the county highway authority in terms of the likely net additional traffic generation, access arrangements and parking provision and recommends that conditions relating to bicycle parking and the provision of a Construction Transport Management Plan are added.

Horley Town Council: Originally objected to the parking provision at the rear of the site with potential harms to the neighbours. The amended plans have removed this from the scheme and the town council now object on grounds of inadequate parking.

Tree Officer: recommends conditions relating to landscaping, tree planting, agreed scheme of supervision for the arboricultural protection measures, and tree protection plan implementation.

Conservation Officer: Following amended plans, the conservation officer raises no objection subject to conditions relating to the materials and landscaping around the property, including the removal of the front wall.

Representations:

Letters were sent to neighbouring properties on 23 January 2019, and 29 March 2019. A site notice was posted on 29 January 2019. Eighteen responses have been received from neighbouring properties with the following concerns.

Issue	Number	Response
Loss of light	2	See paragraphs 6.7 & 6.8
Overlooking and loss of privacy	6	See paragraphs 6.7 & 6.8
Overdevelopment	6	See paragraph 6.4
Increase in traffic and congestion	2	See paragraphs 6.8-6.10
Noise and disturbance	15	See paragraph 6.9
Inconvenience during construction	1	This is not a material planning consideration.
Loss of private view	1	This is not a material planning consideration
Property devaluation	1	This is not a material planning consideration.

1.0 Site and Character Appraisal

1.1 The site is located on the northern side of Massetts Road and comprises a large, three storey detached property featuring a distinctive stone front elevation built in late Victorian / Edwardian times with later extensions The surrounding area is mainly residential with a number of guest houses in the

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vicinity. The site is situated in close proximity to Horley town centre to the east and the A23 to the west. The rear garden is relatively substantial and there are trees to the rear of the garden.

- 1.2 The site is on north side of Massetts Road, and within the Massetts Road Conservation Area. The site's surroundings are characterised by generally substantial detached dwellings of a similar era, a number of which have been converted into guest houses, vet surgeries etc. To the rear of the property is a block of retirement flats.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: A two storey annexe building was originally sought and this was reduced at pre-application stage to be single storey with rooms in the roof. Concern was raised in regard to the amount of hardstanding.
- 2.2 Further improvements could be secured: Conditions will be placed on the grant of permission in regard to the materials used, construction management plan, details of bicycle parking, landscaping, and tree protection, as well as a condition requiring the front wall to be removed, obscure glazing to side facing windows.

3.0 Relevant Planning and Enforcement History

- 3.1 86/05240/F - Guest house with 7 no. Letting bedrooms and parking - Granted.
- 3.2 08/01172/F Erection of first floor side and rear extension, alterations to existing access and erection of new front boundary wall, together with the creation of five parking spaces to the rear. R - Refused.
- 3.3 16/01167/CU - Change of Use from a Guest House to House of Multiple Occupancy (10 Bedrooms with communal accommodation) - approved with conditions.
- 3.4 17/00928/CU - Change of use from HMO to Guest House (Bed and Breakfast) - approved with conditions
- 3.5 17/02226/CU - Road sign on post, flag, fascia sign – express consent

4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of a first floor side and rear extension over the existing single storey extensions to the existing building. It is also proposed to construct a single storey rear extension with rooms in the roof to provide additional bedrooms and a new dining area

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- 4.2 The design of the proposal would be in keeping with the Victorian / Edwardian design of the existing property with traditional roof pitches and materials proposed. The first floor extensions would be subservient to the existing building.
- 4.3 Amended plans have been received which show changes to the external materials in order that they match with the existing building eaves heights and materials.
- 4.4 In addition, plans have also been received removing the additional car parking to the side and rear of the property and now nine parking spaces are proposed in the existing hardstanding to the front.
- 4.5 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.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	No statement was received.
	However, discussions were held at a pre-application stage and the proposed scheme has been reduced to a single storey rear extension from a two storey rear extension and the car parking to the rear has been removed.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The proposed elevations and materials were chosen to provide the effect that the proposed extensions were to match the existing building.

5.0 Policy Context

5.1 Designation

Urban Area
Massetts Road Conservation Area

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5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS15 (Affordable Housing)

5.2 Reigate & Banstead Borough Local Plan 2005

Conservation	Pc12, Pc13
Housing	Ho9
Movement	Mo5, Mo7

5.3 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance

Surrey Design
Local Distinctiveness Design Guide
Householder Extensions and
Alterations

Other

Human Rights Act 1998

6.0 **Assessment**

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such development is acceptable in land use terms.

6.2 The main issues to consider are:

- Impact on local character
- Impact on conservation area
- Neighbour amenity
- Highway and parking matters
- Landscaping and trees
- CIL

Impact on local character

6.3 There are two elements to the proposed extensions, which will be assessed separately. The first elements are the proposed first floor extensions over the existing single storey extensions. These will be subservient to the existing property and have roof pitches that match the existing property and matching materials. The side extension will have a lower ridge height than the existing building. It is not considered that in terms of the impact on the local character that these will cause significant harm to the character of the area. A 1m gap is retained to the boundary with no.30 Massetts Avenue.

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- 6.4 Turning to the rear extension, this would be single storey with rooms in the roof and would have steeply pitching roofs that would match the existing property. It is noted that the depth of the extension is relatively large; however, there are a number of other guest houses in Massetts Road that have extended at a single storey level to a similar or greater depth. In terms of its impact on the local character of the area, this part of the proposal is considered acceptable. Whilst it would be viewed from some public vantage points in Ringley Avenue, due to its low ridge and eaves height, and the size and depth of the plot, it would not be overly prominent and it is not considered an overdevelopment of the plot. There would still be a large area of rear garden left.
- 6.5 Following amended plans, the rear car park has been removed from the scheme, increasing the retained green areas on the site. This has reduced the impact of the proposal further in terms of its built form.

Impact on conservation area

- 6.6 The proposal is within the Massetts Road conservation area and the conservation officer has therefore been consulted on the application. Following amendments to the proposal which included the removal of the rear car park and some changes to the material finishes to the front of the building, he has no objections to the scheme subject to a condition relating to the materials used, in order that the proposal is acceptable in its appearance in the conservation area. In addition, there should be a robust condition regarding landscaping (please see below in paragraphs 6.15 & 6.16) and a condition will be imposed on the decision requiring the unauthorised wall to the front boundary of the property to be removed.

Neighbour amenity

- 6.7 The site is within a largely residential area, with a block of retirement flats to the north, a residential property to the east and a bed and breakfast with residential accommodation adjacent to the east. Objections have been raised from the neighbouring property at no.30 Massetts Road in terms of overlooking and loss of privacy from the two velux windows to the side of the new rear extension. These windows would serve a laundry room and an office. In order to ameliorate any significant overlooking, it is considered pertinent to obscure glaze and fix shut these windows by condition.
- 6.8 The property to the east (no.26) is a residential property. Originally, a drive to the rear car park was proposed between the two properties; however, this has been removed from the plans and this would ameliorate much of the impact on the amenity of this property. As per the other first floor side facing windows, it is considered pertinent to impose a condition requiring these windows to be obscure glazed and fixed shut (excepting a fanlight opening 1.7m above floor level.) The first floor rear extension would not significantly affect the amenity of no.26 due to the distances between the properties and the depth of that property.

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- 6.9 To the rear of the site is a block of retirement flats, Mitchell Court. A number of objections were received from the residents of this building due to the presence of the car park to the rear of the property and due to the nature of the business on site, there was likely to be a number of vehicular movements late at night that had the potential to create harmful noise and disturbance. This has now been removed from the proposed scheme and consequently, the impact on this property has been greatly reduced. The extensions to the building are of sufficient distance away to not significantly impact the amenity of Mitchell Court or its residents.

Highway matters

- 6.10 The County Highway Authority (CHA) has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and recommends that conditions relating to cycle storage and a construction transport management plan are imposed on the decision notice.
- 6.11 The proposed extensions would see Gatwick Castle become a 21 bedroom hotel. Surrey County Council's vehicular parking guidance for hotels is 1.5 car spaces per bedroom. Therefore the proposed development could be expected to provide up to 32 car parking spaces. The block plan demonstrates 9 car parking spaces. There is therefore a possible shortfall of up to 23 off street car parking spaces. Whilst this is a shortfall, the CHA will only raise an objection to a shortfall in parking if it is considered that the shortfall would lead to danger on the adjoining public highway and the Borough Council would only resist if it were to result in harm to amenity. In this case, there are on street parking controls within the vicinity of the site which would prevent on street parking from taking place in locations where it would be considered dangerous. The site is also in a sustainable location, in close proximity to Horley Railway Station and perhaps more importantly to town centre car parks so alternative transport and parking opportunities exist for staff and residents.

Trees and Landscaping

- 6.12 The site is within a conservation area and there are a number of trees to the rear as well as a number of mature boundary hedges. The tree officer has been consulted and his comments are as follows:
- 6.13 "The arboricultural submission is considered to be acceptable and I have previously recommended the compliance condition in respect of these details along with a separate supervision and monitoring condition."
- 6.14 "The landscape submission has also be considered, particularly the details on Dwg Number Ref: TSLP-18-03-11 RevB dated February 2019. This plan does not show the location of the replacement pine requested by the Conservation and Heritage Officer although the location of this tree is described within the landscape planting schedule. The comments provided by the Conservation and Heritage Officer requests the removal of the front

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boundary wall the installation of which also contributed to damage to the rooting environment of the mature Corsican pine previously removed.”

- 6.15 “The planting schedule provides plant sizes and densities along with a description of the location of the replacement pine, not shown on the above landscape drawing. The aftercare on the planting schedule is mostly generic and considered to be flimsy and unlikely to be implemented, it does not provide maintenance schedules and timing for operation or make provision for the replacement of failures. The soft landscape scheme will need to be revised to accommodate the requirements and expectation of the Conservation and Heritage Officer, particularly the removal of the front boundary wall.”
- 6.16 It is therefore considered pertinent to impose the conditions relating to tree protection and landscaping in order to ensure that the scheme has a suitable landscaping scheme and the front boundary wall is replaced. Subject to these conditions being complied with, it is considered that the proposal complies with policies Ho9, Pc4, and Pc13.

CIL

- 6.17 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would not be CIL liable.

CONDITIONS

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

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

Note: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

Plan Type	Reference	Version	Date Received
Elevation Plan	TSLP-18-03-61		08.04.2019
Elevation Plan	TSLP-18-03-71		08.04.2019
Location Plan	TSLP-18-03-09	B	28.03.2019
Landscaping Plan	TSLP-18-03-11	B	15.04.2019
Location Plan	TSLP-18-03-08		27.11.2018
Other Plan	TSLP-18-03-10		27.11.2018

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Floor Plan	TSLP-18-03-05	B	27.11.2018
Floor Plan	TSLP-18-03-04	A	27.11.2018
Elevation Plan	TSLP-18-03-03		27.11.2018
Floor Plan	TSLP-18-03-02		27.11.2018
Floor Plan	TSLP-18-03-01		27.11.2018

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. Notwithstanding the 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) The roof shall be of handmade sandfaced plain clay tiles. All hips shall have bonnet tiles.
 - b) All external joinery shall be of painted timber with architaved bargeboards with box ends omitted.
 - c) All front windows shall be white painted timber vertically sliding sashes set back behind the reveal at one brick depth with glazing bars of traditional profile.
 - d) All side and rear windows shall be of white painted timber with casements in each opening set back behind the reveal at one brick depth.
 - e) The first floor timber framing shall match existing and be black painted with white painted rough cast infill.
 - f) The ground floor front south east elevation shall be clad in Rock Faced Wealden Sussex sandstone of stone size to match existing with segmental stone arches, and shall be completed before occupation of the extension.
 - g) All fascias shall be no more than two bricks depth.
 - h) All footpaths and drives shall be of fixed gravel.
 - i) Any rooflights shall be black painted metal conservation rooflight with a single vertical glazing bar.
 - j) All brickwork shall be of handmade sandfaced brick of colour to match existing.

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, and Pc13.

4. No development shall commence on site until a scheme for the landscaping and replacement tree and hedge planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, 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.

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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 and hedge 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 Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

5. Prior to occupation of the new development, the unauthorised boundary wall to the front of the property shall be removed and replaced with the proposed hedging as specified in condition 4.

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

6. No development, groundworks or partial demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures have been submitted to and approved in writing by the local planning authority. The pre commencement meeting, supervision and monitoring shall be undertaken in accordance with these approved details. The submitted details shall include:
 1. Pre commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and individuals and personnel responsible for the implementation of the approved development
 2. Timings, frequency of the supervision and monitoring regime and an agreed reporting process to the local planning authority.
 3. The supervision monitoring and reporting process shall be undertaken by a qualified arboriculturist.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction - Recommendations' and policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan.

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7. No development shall commence including groundworks preparation and demolition until all related arboricultural matters including tree protection measures and including the information required relating to pre commencement meeting, arboricultural supervision and monitoring have been submitted and approved in writing by the LPA are implemented in accordance with the approved details contained in the Arboricultural Impact Assessment and Tree Protection Plan Ref: AR67718 dated October 2018.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to design, demolition and construction -Recommendations' and policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan.

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

Reason: in recognition of Section 9 "Promoting Sustainable Transport " in the National Planning Policy Framework 2019 and to satisfy policies Mo5, Mo6 and Mo7 of the Reigate and Banstead Local Plan.

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

Reason: In order to meet the objectives of the NPPF (2019), and to satisfy policies Mo5, Mo6 and Mo7 of the Reigate and Banstead Local Plan.

10. The first floor windows and velux windows in the side elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

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

INFORMATIVES

1. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

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- (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.

2. 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.
3. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions (4 & 5). Replacement planting of trees and particularly hedges shall be in keeping with the character and appearance of the locality and shall have a strong native influence. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of Advanced Nursery Stock sizes with initial planting heights of not less than 4.5m with girth measurements at 1m above ground level in excess of 16/18cm. There is an opportunity to increase tree cover with specimen trees to provide addition screening between the proposed development and surrounding developments to the north of the application site
4. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree conditions (6 & 7) above. All works shall comply with the recommendations and guidelines contained within British Standard 5837
5. 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

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possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148,149).

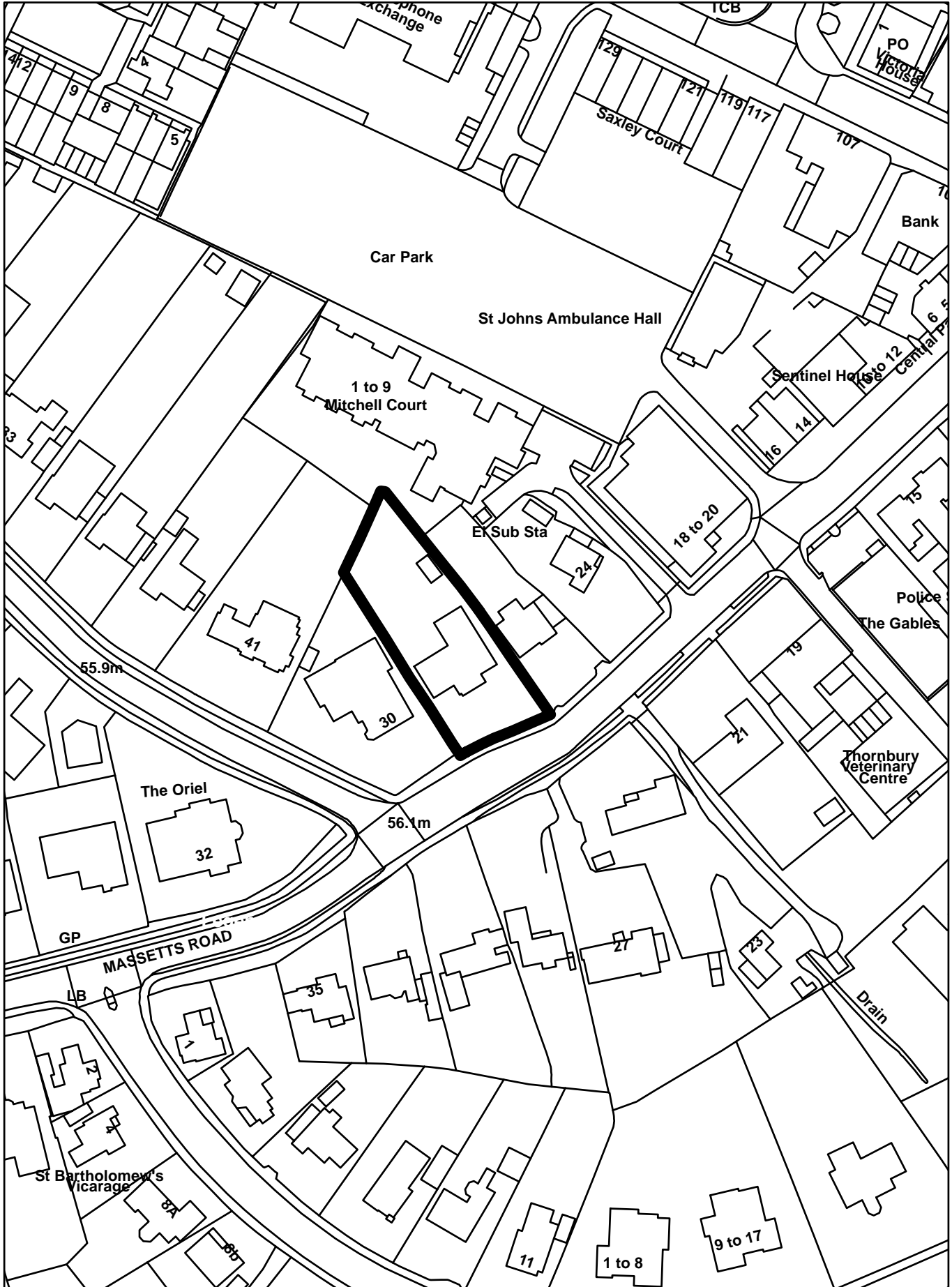
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

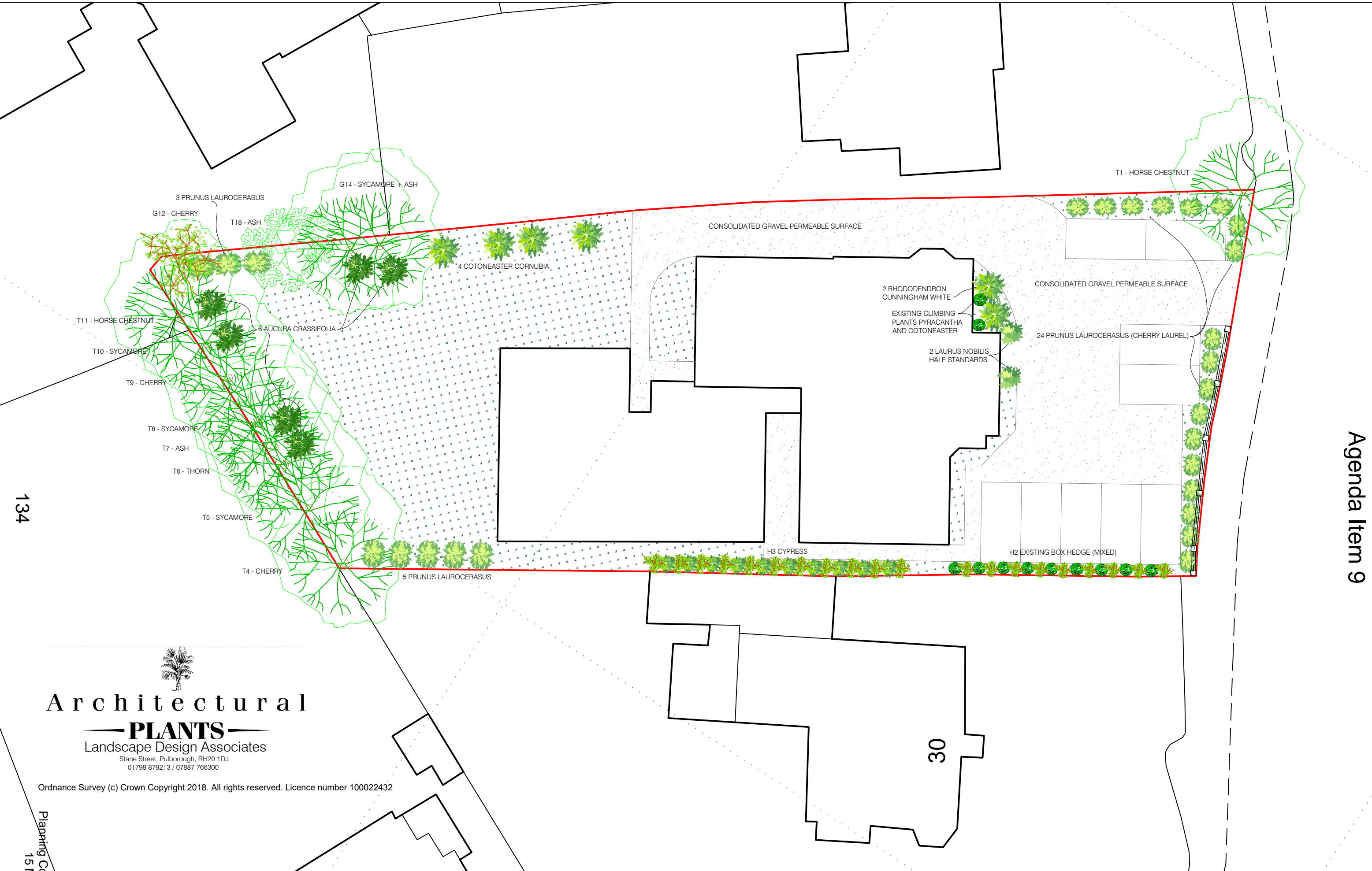
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies Pc12, Pc13 Ho9, Mo5, 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.

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18/02478/F - Gatwick Castle, 28 Massetts Road,
Horley



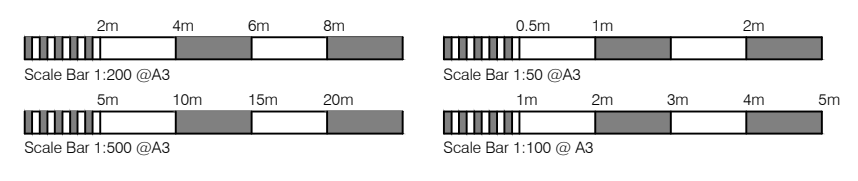


**Architectural
PLANTS**
Landscape Design Associates

Stane Street, Pulborough, RH20 1DJ
01798 879213 / 07887 766300

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15 May 2019



General Notes
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Client: **Gatwick Castle B&B**
 Scale: 1:100 @ A3
 Date: February 19
 Drawing No.: TSLP - 18 - 03 - 11
 Revision: B
 08.04.19

Project address: **28 Massetts Road
 Horley, Surrey
 RH6 7DF**
 Drawing Title: **Landscaping Plan
 AS PROPOSED**

Planning Committee
15 May 2019

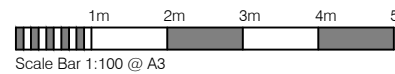
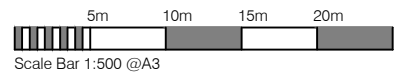
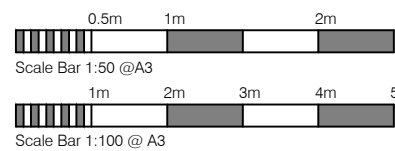
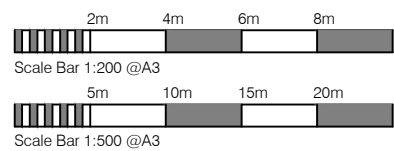


North Elevation

135



West Elevation



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June 2018

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Revision

28 Massetts Road
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North + West Elevations
 AS PROPOSED

GARDNER & THEOBALD
 ARCHITECTS
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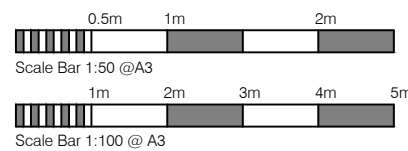
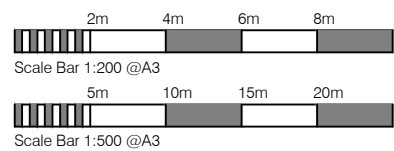
Principal Elevation (South)



East Elevation

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South + East Elevations
AS PROPOSED

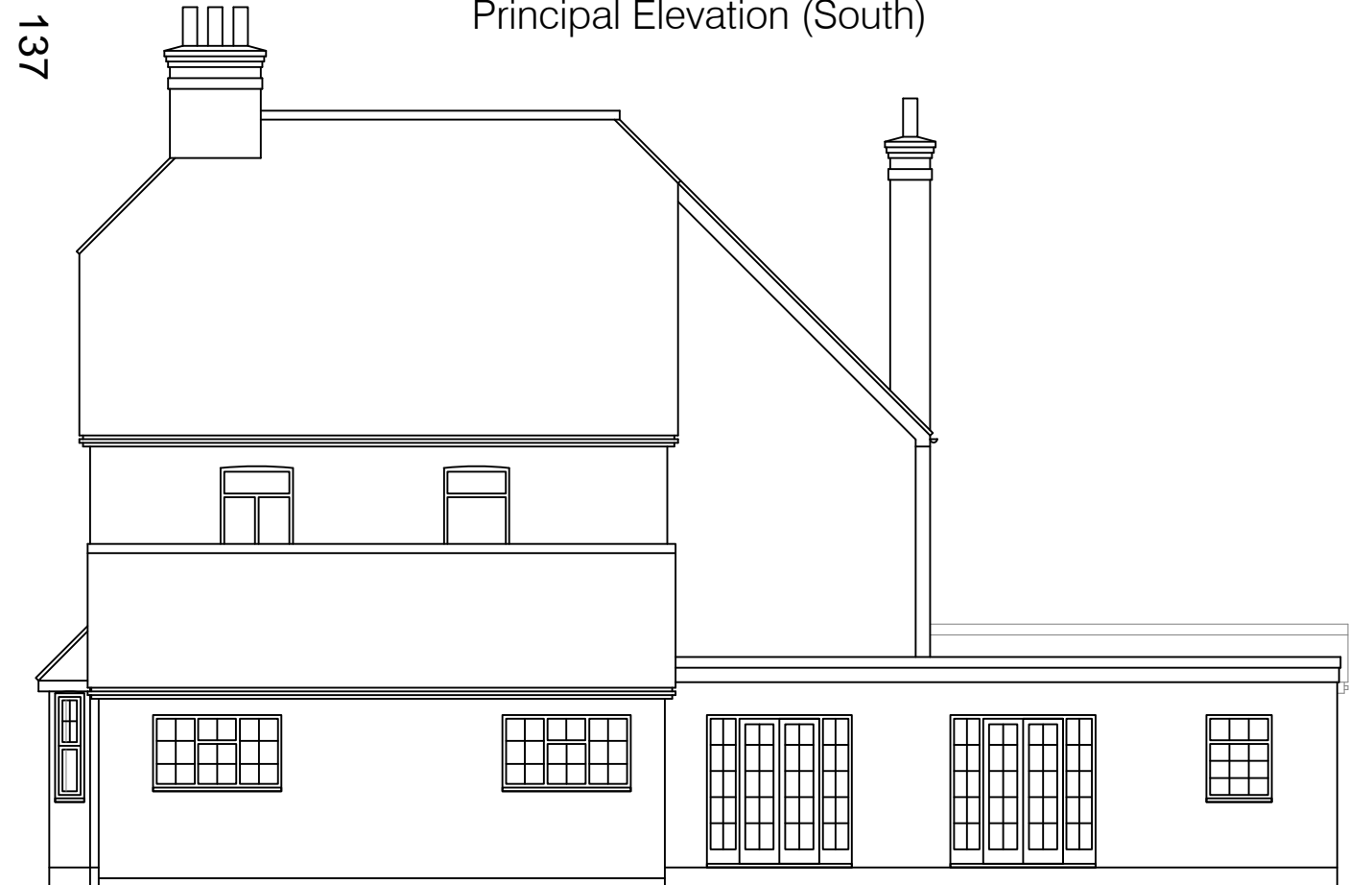
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 15 May 2019
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 15 May 2019
 DARRYL BINGHAM CONSULTING & ARCHITECTS



Principal Elevation (South)



East Elevation

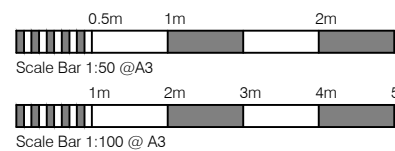
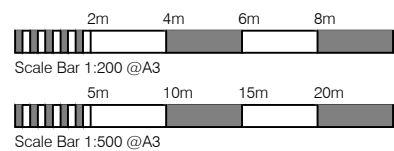


North Elevation



South Elevation

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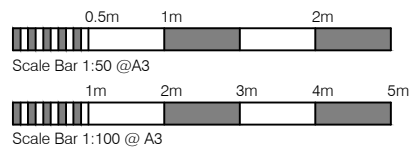
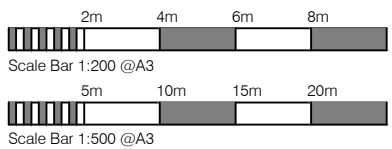
GIAT darrylbingham@hotmail.co.uk RICS

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TSLP - 18 - 03 - 03	

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Horley, Surrey
RH6 7DF

Elevations

Darryl Bingham Architects



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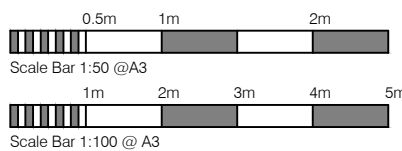
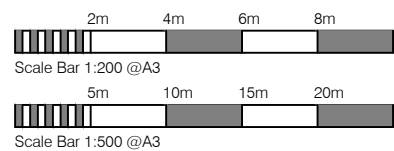
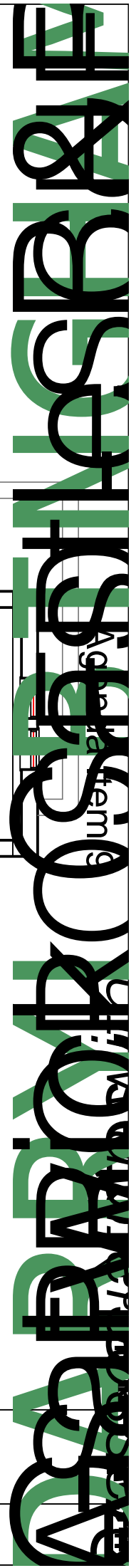
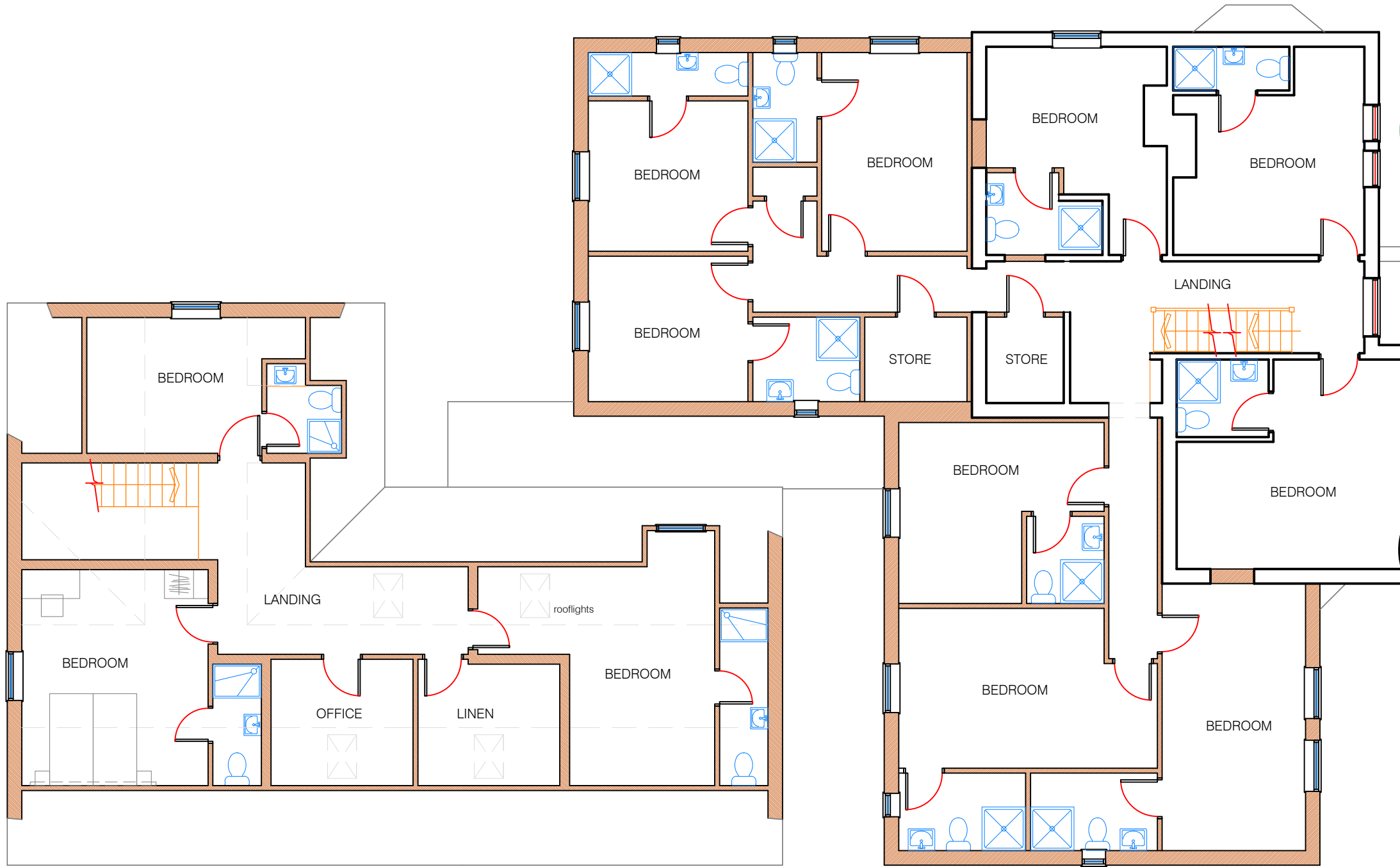
June 2018

TSLP - 18 - 03 - 04

Revision
A
17.09.18

28 Massetts Road
Horley, Surrey
RH6 7DF

Ground Floor Plan
AS PROPOSED - SCHEME TWO



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First Floor Plan

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15th May 2019

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 th May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM:	10	WARD: Horley East and Salfords

APPLICATION NUMBER:	18/01764/F	VALID:	29/8/2018
APPLICANT:	The Gatwick Skyland Hotel Ltd	AGENT:	RDJW Architects
LOCATION:	SKYLANE HOTEL, 34 BONEHURST ROAD, HORLEY, SURREY RH6 8QG		
DESCRIPTION:	Erection of 1st and 2nd floor extensions to link building and annexe to form additional guest rooms and lift. As amended on 06/12/2018, 08/04/2019 and 18/04/2019.		
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.			

This application is referred to Committee in accordance with the Constitution as the proposed floorspace is greater than 100 sqm

SUMMARY

The Skylane Hotel is a large detached two and half storey building with accommodation in the roof space and parking to the front, side and rear. The proposal which has been submitted retrospectively is to increase the size of an annexe to the side of the main building (currently two storeys with flat roof) to add a further storey of accommodation within a pitched roof to increase the number of rooms. In addition to the new floorspace created within the annexe at second floor, the application also proposes the conversion of the existing floorspace at ground and first floor to provide hotel bedrooms as opposed to ancillary accommodation. The application also proposes to infill an existing external passageway / build upon an existing single-storey link building with an additional two storeys to provide internal access to the annexe. A lift would also be supplied to the main building.

The application follows a very similar application for an extension to the annexe and associated link extension granted in 2009. Whilst this planning permission is time expired it forms a material planning consideration to the determination of this application. The principle of the extension having been established.

The design of the extension was initially considered unacceptable, it being slightly different to that previously approved, however revised plans have been received

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such that the extension now compliments the design of the existing building with an appropriate roof pitch. In light of the design amendments achieved the setting of a locally listed cart house to the front of the proposed extension would not be significantly affected and the conservation officer has no objection to the proposal.

The number of staff, the parking levels and the hours of operation at the hotel would not alter. The site is located within a designated flood zone, but the hotel is an existing use and the actual amount of increased footprint is considered acceptable. On this basis the proposal is acceptable in this respect. Overall the impact of the proposed development within the context of the street scene is considered acceptable and the extended building would still maintain adequate separation from neighbouring properties as to not be detrimental to their amenity.

Parking provision accords with the Council's parking standards and there is no objection from the County Highways Authority. A parking management plan and low timber knee bollards with chain rail are proposed to be secured by condition to improve the parking position on site, prevent unauthorised parking on verges and provide a robust position in relation to any future enforcement activities associated with parking provision.

RECOMMENDATION(S)

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

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Consultations:

Highway Authority: No objection subject to condition.

The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions

Conservation and Heritage Officer: Initial objection to scheme on design and conservation grounds. Objection overcome by submission of revised plans. Revised position no objection subject to condition.

Environment Agency: No objection subject to condition. Additional advice offered to the applicant.

Horley Town Council: Objection on the grounds that the parking is insufficient to accommodate the increase in custom that will be generated by the increased size of the building and there will be an adverse effect on neighbouring residential roads from overflow parking.

Thames Water: No objection with respect to waste water.

SCC Fire & Safety officer: Development would be required to comply with Building Regulations.

Representations:

Letters were sent to neighbouring properties on 3rd September 2019 and a site notice was posted on 20th September. Neighbours were re-notified on the revised plans for a 14 day period commencing 7th March 2019.

As of 1st May 2019 11 responses have been received raising the following issues:

Issue	Response
Inadequate parking	See paragraph 6.8 – 6.13
Hazard to highway safety, Increase in traffic and congestion	See paragraph 6.8 – 6.13
Inadequate delivery and servicing arrangements	See paragraph 6.8 – 6.13
Overdevelopment	See paragraph 6.1 – 6.6
Harm to listed building	It is noted the front of the annexe is locally listed. See paragraph 6.3 – 6.6
Poor design	See paragraph 6.3 – 6.6
Overlooking and loss of privacy, overbearing relationship,	See paragraph 6.7

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overshadowing

Noise & disturbance

See paragraph 6.22

Health fears

See paragraph 6.23

Inconvenience during construction

See paragraph 6.21

Flooding / Drainage / sewage capacity

See paragraph 6.14 – 6.17

Application is submitted retrospectively. Council has not followed due process.

Each application, including those submitted retrospectively must be assessed on its own merits. The Council has investigated a number of alleged enforcement breaches over the years and at each time followed due process. The development would be subject to Building Control. The Council is required to act in a proactive manner with respect to awaiting drawing amendments

Inaccuracies in submission material

Clarifications have been sought from the applicant on a number of matters. The revised submission is felt to form a suitable basis for assessment and determination

Previous extension resulted in damage to neighbours property

This is a civil matter which the LPA does not have jurisdiction over.

Loss of private view

This is not a material planning consideration

Property devaluation

This is not a planning matter

Inadequate fire evacuation plan, particularly when car park is at capacity

The parking layout has been revised to address these matters. Fire safety will be assessed under Building Control

No need for development / Alternative location preferred

Each application must be assessed on its own merits.

Insufficient refuse provision / frequency of collection

It is the applicant's responsibility to ensure adequate commercial bin collection. Issues related to vermin should be reported to Environmental Health.

1.0 Site and Character Appraisal

1.1 Skylane Hotel is a large detached two-storey building with additional accommodation in a dummy-pitch roof. There is a three-storey flat-roofed block that protrudes from the southern end of the rear elevation and another two-storey annexe, attached to the southern part of the building via a single storey element. To the front of the annexe is a C19th single-storey cart house

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that is locally listed, and provides a good example of the Surrey vernacular from this period. The main building is surrounded by parking areas to the front, north and east, with tree screening on the eastern and northern boundaries.

- 1.2 To the north of the site is open playing fields situated within the Metropolitan Green Belt, whilst to the east and south of the site are a mixture of flats and houses, with a locally listed building, The Grange, immediately to the south of the site. The site is located within flood zone 2, part of the car park are within flood zone 3.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice and the application was submitted retrospectively. Therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application: The roof design has been amended to provide an improved design, including with respect to the design of the dormers. In addition various clarifications have been provided with respect to the quantum, form and operation of the proposed development. A parking management plan has been submitted in response to concerns regarding parking management and fire evacuation strategy.
- 2.3 Further improvements could be secured through the use of condition.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|--------------|---|--|
| 3.1 | 01/00196/CLE | Certificate of Lawfulness for the use of the land as a car park ancillary to the hotel and for the parking of motor vehicles belonging to hotel guests whilst travelling from Gatwick Airport | Granted
3 September 2001 |
| 3.2 | 01/01047/F | Retention of car parking areas and proposed landscaping scheme | Granted
3 September 2001 |
| 3.3 | 08/02313/F | Proposed lift and link to annexe; new roof to annexe | Withdrawn
27 January 2009
(on design grounds) |
| 3.4 | 09/00572/F | Erection of first and second floor extensions to link building and annexe to form additional guest | Approved with conditions
16 th June 2009 |

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rooms and lift

- | | | | |
|-----|---------------------------------|--|--|
| 3.5 | 09/00572/DET03,
DET04, DET05 | Discharge of condition applications with respect of materials, renewable energy, flood evacuation scheme | Withdrawn by Council (June 2018) as planning permission had expired. |
| 3.6 | 10/00597/UA3 | Enforcement enquiry – unauthorised works in relation to lean-to | Case investigated and closed. |
| 3.7 | 11/00250/RET | Retention of fuel tank enclosure on southern boundary | Approved with conditions 12/04/2011 |
| 3.8 | 18/00241/UA3 | Enforcement enquiry – unauthorised works to roof | Case investigated. Planning application submitted |

4.0 Proposal and Design Approach

- 4.1 This is a full application, submitted retrospectively, to increase the size of an annexe that runs to the side of the main building (currently two storeys with flat roof) to add a further storey of accommodation within a pitched roof. The annexe is proposed for use in its entirety to provide guest bedrooms, (the ground and first floor were previously used for storage and staff accommodation) creating an additional 12 guest bedrooms. In addition it is proposed to infill an existing external passageway / build upon an existing single-storey link building with an additional two storeys to provide internal access to the annexe. A lift would also be provided for the main building and a new fire escape to the annexe.
- 4.2 The application follows a very similar application for an extension to the annexe and associated link extension granted in 2009. Whilst this planning permission is time expired it forms a material planning consideration to the determination of this application. The principle of the extension having been established.
- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.4 Evidence of the applicant's design approach is set out below:

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Assessment	The character of the surrounding area is assessed as a mix of residential and commercial with other hotels within the locality
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal were that it maintained the original style and character of the main building, whilst enabling provision of additional hotel rooms and improved accessibility with the provision of the lift and connecting corridors.

4.5 Further details of the development are as follows:

Site area	0.72 ha
Existing bed spaces	74
Proposed bed spaces	86 (12 new proposed)
Floorspace	
Existing parking spaces	396 (Airport parking restricted to specific areas)
Proposed parking spaces	396 (As identified on drawing 4826-010 RevH) 74 hotel spaces (inc 4 disabled), 322 block parking spaces, 2 x minibus and 1 light goods vehicle / bus
Parking standard	1.5 per room 129 (maximum) BLP 1 space per room, 1 space per FTE staff (DMP)

5.0 Policy Context

5.1 Designation

Urban area
Flood zone 2 (parts of car park within flood zone 3)
Adjacent to Locally Listed Building

5.2 Reigate and Banstead Core Strategy

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CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Heritage Sites	Pc 10
Recreation	Re2, Re13
Utilities	Ut4
Movement	Mo5, Mo6, 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
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

6.0 **Assessment**

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms.

6.2 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Highway matters
- Flooding and drainage
- Renewable energy
- Community Infrastructure Levy
- Infrastructure contributions

Design appraisal

6.3 Application 09/00572/F granted consent for a similar built form. It has come to light that the drawings approved under application 09/00572/F were not based on an accurate topographic survey and as such the previously approved design cannot be implemented, resulting in insufficient floor to

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ceiling heights. Whilst the extent and footprint of the extension remains largely the same as that previously approved, the detailed design has been varied with an increase in roof height and alterations to roof pitch and dormer locations.

- 6.4 Concern was raised regarding the submitted scheme, which was considered unacceptable, given its uncharacteristically steep roof pitch, dormer siting, design and detailing and use of non-traditional materials (concrete tiles and upvc windows), harmful both to the character and appearance of the local area and to the locally listed building. It was noted that the previous proposal in 2009 was adjusted to be more in keeping with the locally listed cartshed, now restaurant, to the front and the locally listed building to the south. In light of the above design amendments were sought and the revised plans now secure a number of design improvements. This has included amendments to the proposed roof pitches, redesign of the proposed dormers, improvements to detailing and the use of more traditional materials. The conservation officer has been consulted on the application and now considers the proposal to have an acceptable impact on the locally listed building subject to condition.
- 6.5 Whilst the 2009 consent is time expired it remains a material consideration. In light of this and the amendments that have now been secured the design and layout is considered acceptable and would not be detrimental to the character of the locally listed building or the wider site context.
- 6.6 Overall the amended design is now considered acceptable and considered to comply with local plan policies Pc10, Re 2 and Re 13

Neighbour amenity

- 6.7 The proposal would not bring the built form any closer to the boundaries of the site, but would increase the height of existing buildings and introduce additional levels of windows on all elevations. There would be some mutual overlooking between hotel room windows, but this is acceptable in this instance as they will only be occupied on a temporary basis by guests. The nearest dwellings would be at least 22 metres from the proposal and as such there would be no significant overlooking, overshadowing or overbearing effects upon them. The application is therefore considered to comply with relevant local plan policies in regard to neighbour amenity.

Highway matters

- 6.8 The site at present has a high level of parking for guests with 396 parking spaces authorised on the site as identified by drawing 4826-010 RevH. The proposal would not alter the level of parking provided.
- 6.9 Concern was raised following my site visit that the hotel was operating over capacity with the high level of parking demand resulting in parking in unacceptable locations such as on the Bonehurst Road verge and the airport parking to the rear preventing access by emergency vehicles to the front and rear of the building and taking place on flood and fire evacuation points.

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Concern was raised that the increase in bed spaces would increase parking demand further.

- 6.10 The applicant states that parking is only offered with a night stay and they operate a number of parking packages to hotel guests. Indicating that the number of parking packages would be reduced to take into consideration the additional bed spaces now proposed and as such there would be no change in the level of parking demand.
- 6.11 Following the advice of RBBC officers a parking management plan (drawing 4826-010 RevH) has been submitted. This identifies the total number of parking spaces on site, those areas associated with airport parking (max 322 spaces) and those related to the day to day running of the hotel (74 spaces). In addition it clearly indicates those areas where parking is not permitted, including on landscaped verges, and internal access routes for emergency vehicles which must be kept clear at all times. A number of parking spaces are required to be removed to deliver the required circulation space as identified on the proposed layout. Low timber knee bollards with a chain rail are proposed along the site frontage to prevent unauthorised parking on verges. The parking management plan would ensure an improvement to the current scenario where parking takes place across the site and would provide enforcement officers a plan on which to enforce against in the future should the need arise. The parking management plan and the proposed landscape works are proposed to be secured by condition.
- 6.12 The Highway Authority has confirmed that it has no objection to the proposal, commenting that the proposed parking layout provides for a more formal parking layout than currently exists with adequate turning space. The adopted parking standard requires 1.5 spaces per bed space which equates to 129 spaces. Parking would be provided in excess of this standard.
- 6.13 Concern has been raised that deliveries currently take place within the layby to the A23. The proposed parking layout provides an area identified for a light good vehicle for delivery drop offs and enables improved circulation space such that larger vehicles can manoeuvre within the site. This is considered an improvement to the current position and a condition is proposed requiring delivery and servicing to take place within the site.

Flooding

- 6.14 Much of the site is already covered in hardstanding. The actual increase in footprint of buildings is minimal as the majority of the proposal relates to raising the height of existing buildings. As such the proposal is not considered to exacerbate flooding in the locality.
- 6.15 The Environment Agency were consulted on the 2009 application and initially objected to the proposal as it is located within a designated flood zone (part of the car park within flood zone 3, and the buildings and the remainder of the site within flood zone 2). As part of the assessment undertaken at that time the proposal was considered to pass the sequential test (required currently by

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the NPPF and at the time by PPS25) which essentially seeks to direct development away from areas susceptible to flooding. The site was considered an existing active hotel use, so new development linked to it could not be directed elsewhere, and as such the proposal was considered acceptable with regard to the sequential test. This assessment remains valid in the context of the current application.

6.16 The 2009 application was also considered, subject to the imposition of a condition relating to the requirement for a Flood Management Evacuation Scheme, to pass the exceptions test. This being required as the development relates to “more vulnerable” development as defined within the now NPPG (then PPS25). The scheme was considered to deliver wider economic sustainability benefits relating to expanding an existing business located on previously developed land that provides a service within the Gatwick Airport area. It was also noted that the proposal largely related to increasing the height of existing buildings, so the additional built form would be largely above ground level and therefore not be susceptible to flooding. Safe access and egress could also be gained by the link corridor to the existing building, so it was considered that safe access may be reasonably achieved. Subject to the submission of the evacuation plan the proposal was considered to comply with the exceptions test.

6.17 The planning history is a material consideration in the determination of this application. It is acknowledged that since the determination of the 2009 application the NPPF (2012 and recently superseded by the 2018 edition) has been published together with the Planning Practice Guidance which contains details of the sequential and exceptions tests. The requirement for these tests and their application has not. It is noted that the buildings are located entirely within flood zone 2 and therefore in my view there is not a requirement for the application to pass the exceptions test. A hotel being classified as ‘more vulnerable’ development and the exceptions test only being required for ‘highly vulnerable’ development in flood zone 2. The applicant has not submitted a Flood Risk Assessment in support of their application but has provided a Flood Warning & Evacuation Procedure prepared by Cole Easdon and supported by a Flood Evacuation Plan (drawing 5958/500). The document includes relevant flood mapping. The Environment Agency has been consulted on the application and has raised no objection to the lack of flood risk assessment and recorded a position of no objection subject to conditions. On this basis the proposal is considered acceptable with regard to flooding.

Renewable energy

6.18 Planning policies at the time of determination of the 2009 application required new development to be designed so that renewable resources provided at least 10% of the energy requirement. These policies are no longer applicable, following the Deregulation Act, with the energy performance of a building controlled by Building Regulations. It is therefore no longer appropriate to apply conditions to this effect, an informative is however added.

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Community Infrastructure Levy (CIL)

- 6.18 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 not be CIL liable.

Other matters

- 6.19 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement could be secured by planning condition.
- 6.20 Following construction the level of noise and disturbance would be consistent with normal hotel / residential environments and I do not consider the noise environment will be materially different to that which currently exists under the hotels existing operations.
- 6.21 Concern has also been raised regarding health and crime fears. No health or crime issues would arise from the proposed development.

CONDITIONS

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

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

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

Plan Type	Reference	Version	Date Received
Location Plan	4826-007		29.08.2018
Site Layout Plan	4826-009		16.08.2018
Elevation Plan	4826-015		16.08.2018
Elevation Plan	4826-014		16.08.2018
Floor Plan	4826-013		16.08.2018
Floor Plan	4826-012		16.08.2018
Floor Plan	4826-011		16.08.2018
Elevation Plan	4826-028	B	18.04.2019
Elevation Plan	4826-025	C	18.04.2019
Elevation Plan	4826-026	D	18.04.2019
Elevation Plan	4826-027	B	18.04.2019

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Floor Plan	4826-020	B	06.12.2018
Floor Plan	4826-021	C	06.12.2018
Floor Plan	4826-022	A	06.12.2018
Site Layout Plan	4826-010	H	08.04.2019
Elevation Plan	4826-034	B	08.04.2019
Roof Plan	4826-023	A	08.04.2019

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. With the exception of the following the proposal shall be constructed in accordance with the approved submitted materials and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.
 - a) All windows shall have casements in each opening to ensure equal sightlines and external glazing bars.
 - b) All bargeboards, including dormers, shall be straight edged with no boxed ends.
 - c) Before photovoltaic or solar panels are installed, details of their location and design shall be submitted and approved in writing by the LPA. All panels shall have black frames and reduced silvered elements.

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 Ho9, Pc10 and Ho13

4. Within one month of planning permission the car parking layout out as shown on the approved plan numbered 4826 010 H 1/1 shall be set out as shown within the application site. Thereafter the parking /turning areas shall be retained and maintained for their designated purposes in accordance with the approved plan. The area designated for fire service access shall be kept clear at all times.

All deliveries shall be accommodated within the site, utilising the space allocated in front of the hotel and no deliveries shall take place within the A23 layby.

In the locations identified on drawing 4826-010 RevH low timber knee bollards (at 1.5m intervals) with chain rail shall be installed prior to first occupation of the new bed spaces. Once installed they shall be permanently retained.

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 2018 and Policy M05 highway safety, Policy MO7 Parking, and policy M06

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Turning Space of the Reigate and Banstead Local Plan 2005 and Reigate and Banstead Core Strategy 2014. In addition to prevent unauthorised parking and harm to the visual amenity and local character in accordance with policies Pc10, Re 2 and Re 13 of the Reigate and Banstead Borough Local Plan 2005

5. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

6. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not constitute to, or is not put at an unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the NPPF.

7. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

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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;
 - (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.

6. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

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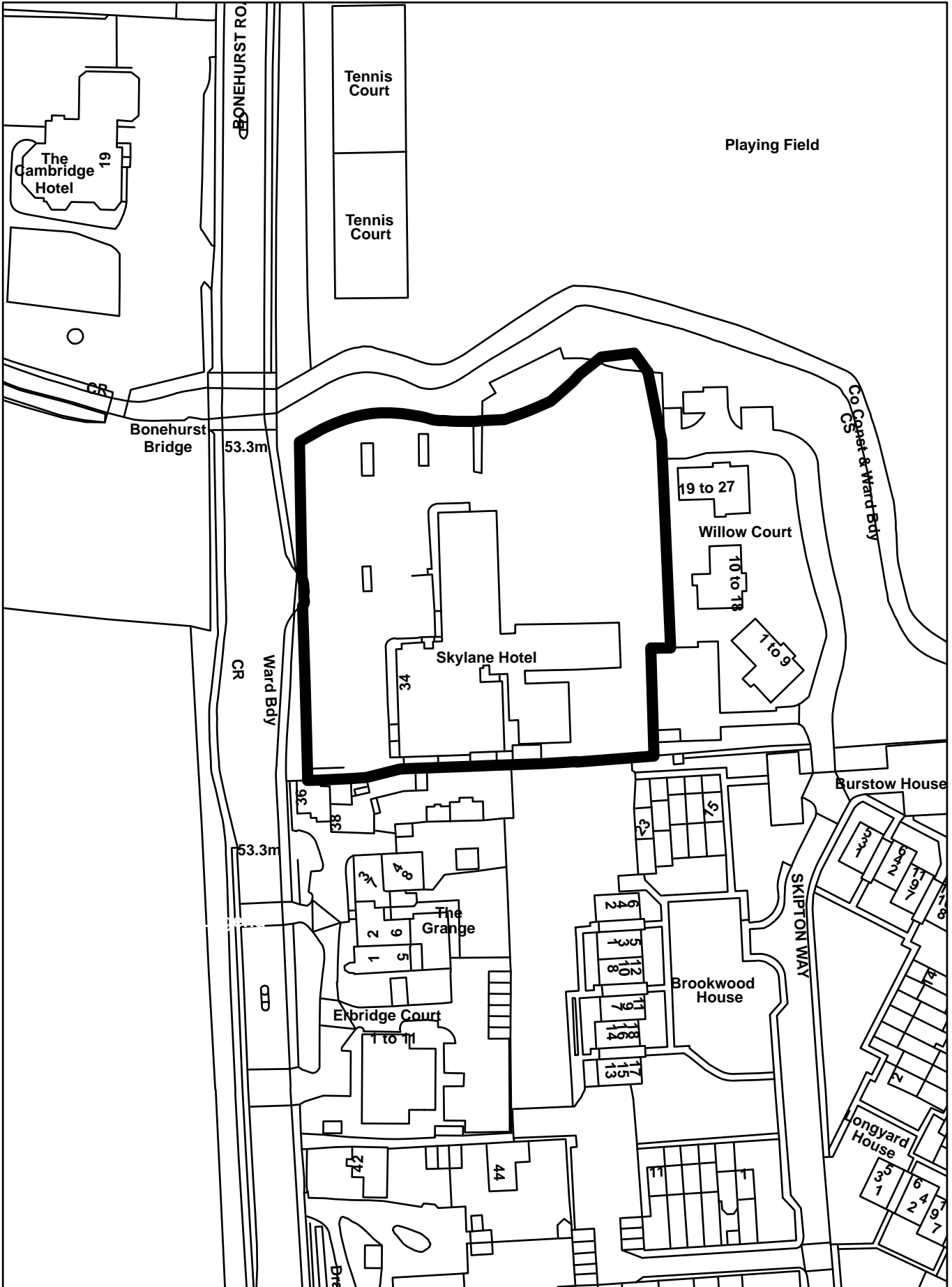
REASON FOR PERMISSION

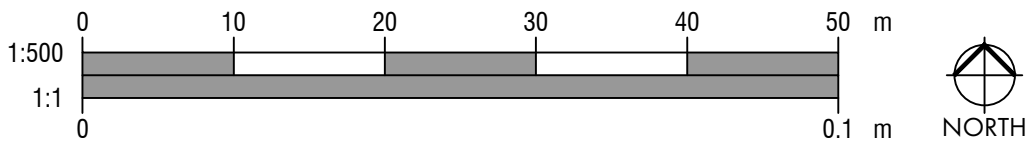
The development hereby permitted has been assessed against development plan policies CS1, CS4, CS10, CS11, CS17 and Pc4, Pc10, Re2, Re13, Ut4, Mo5, Mo6, and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements

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

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18/01764/F - Skylane Hotel, 34 Bonehurst Road,
Horley

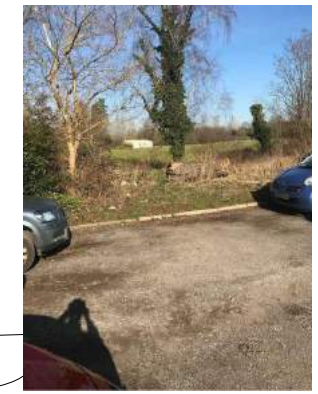




PLANNING DOCUMENT



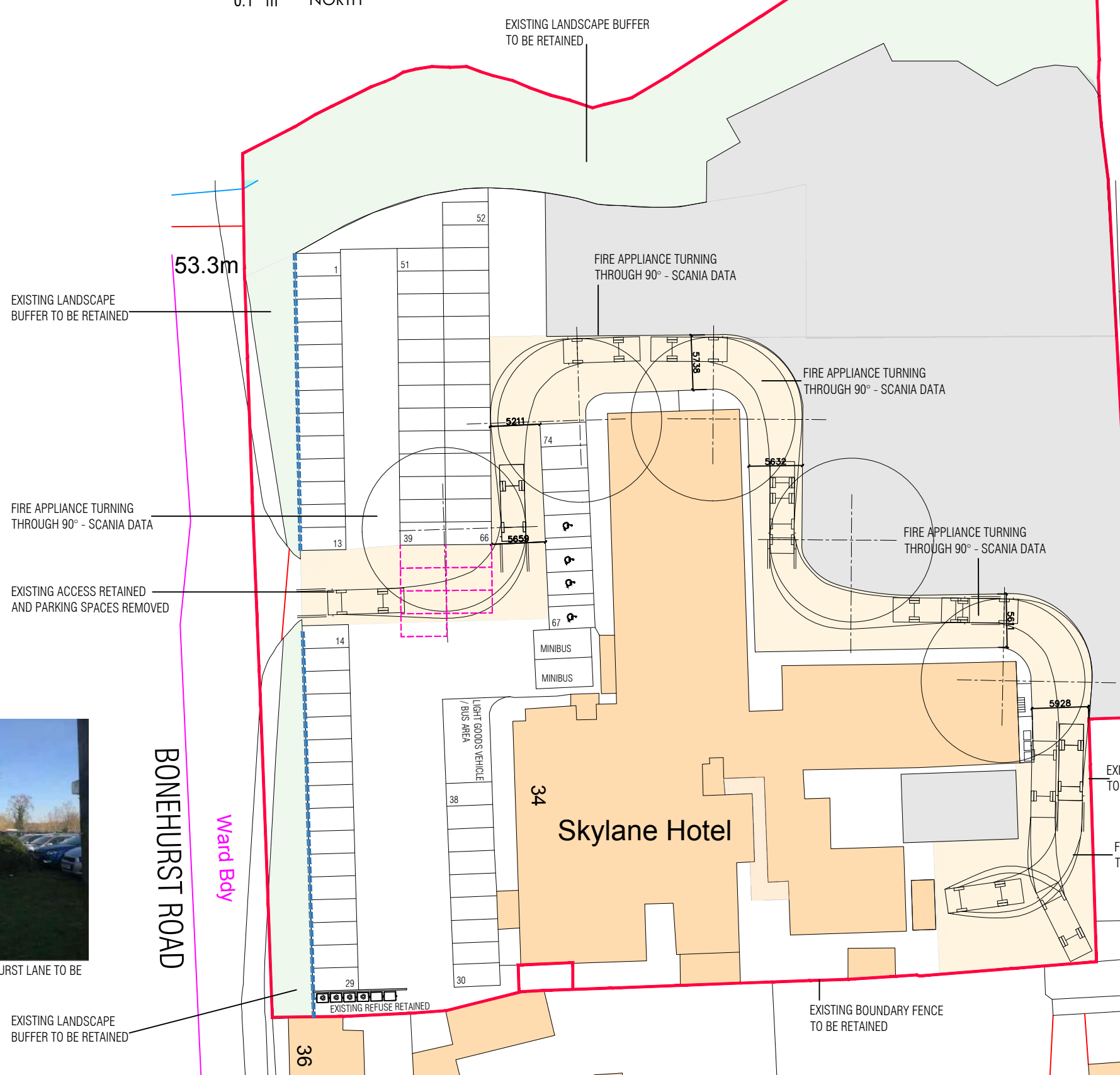
EXISTING LANDSCAPE BUFFER TO WEST / BONEHURST LANE TO BE RETAINED



EXISTING LANDSCAPE BUFFER TO NORTH TO BE RETAINED



EXISTING TIMBER FENCE TO EASTERN BOUNDARY TO BE RETAINED



EXISTING TIMBER FENCE TO BE RETAINED

- 396 PARKING SPACES
- APPROX 322 BLOCK SPACES
- 74 GENERAL SPACES INC 4 DISABLED BAYS
- 2 X MINIBUS SPACES
- 1 X LIGHT GOODS VEHICLE / BUS AREA

- DEFINED ROUTE FOR FIRE BRIGADE ACCESS
- HATCHED AREA INDICATES BLOCK PARKING - APPROX 322 SPACES ONLY
- APPROX 74 GENERAL PARKING SPACES FOR HOTEL / STAFF
- RETAINED LANDSCAPING
- BLUE DASHED LINE INDICATES TIMBER KNEE BOLLARD WITH CHAIN RAIL

H	Client Comments	25.03.2019	lw
G	R&B BC Comments	20.03.2019	lw
F	Client Comments	20.02.2019	lw
E	Layout Updated - R&B BC - Landscaping	19.02.2019	lw
D	Layout Updated - Client	10.12.2018	lw
C	Layout Updated - Surrey F&R	05.12.2018	lw
B	Layout Updated - Surrey F&R	03.12.2018	lw
A	Layout Updated - Client	06.11.2018	lw

Originator lw	Approved 	Date 17.10.2018	Scale 1:500 @ A3
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Drawing No. 4826-010	Rev. H	Sheet No. 1/1
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158

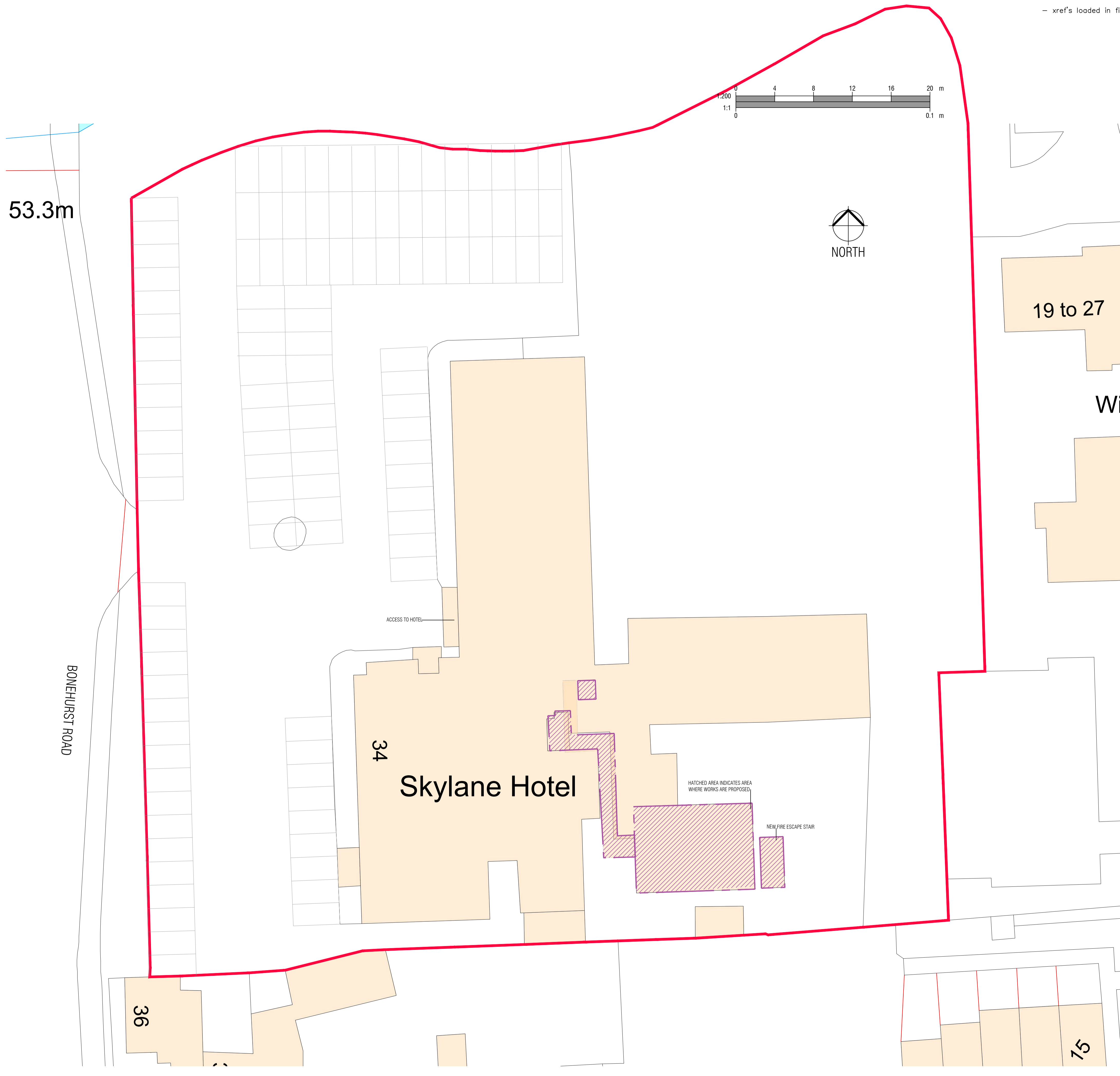


EXISTING LANDSCAPE BUFFER TO WEST / BONEHURST LANE TO BE RETAINED

EXISTING LANDSCAPE BUFFER TO BE RETAINED

Agenda Item 10

Planning Committee
15 May 2019



1. CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
2. WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
3. ARCHITECT TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES

REVISIONS		

PLANNING DOCUMENT



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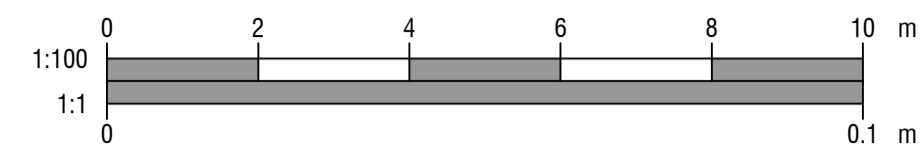
PROJECT
 1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLANE HOTEL GATWICK
 HORLEY RH6 8QG

PROPOSED SITE PLAN

DATE	31.07.18	SCALE	1:200 @ A1
DRAWN	Iw	DRG. NO.	4826-009
CHECKED		REV.	-

1. CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
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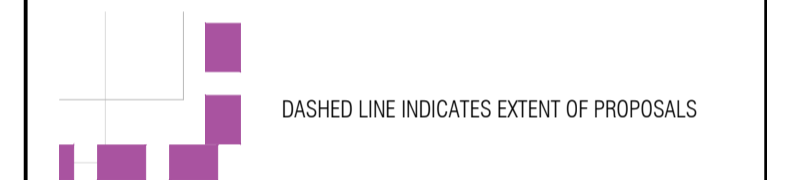
REVISIONS		
A	Planning Updates	21.11.18 iw
B	Drawing Updates - Dormers	18.04.19 iw



EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION



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PROJECT
**1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLANE HOTEL GATWICK
 HORLEY RH6 8QG**

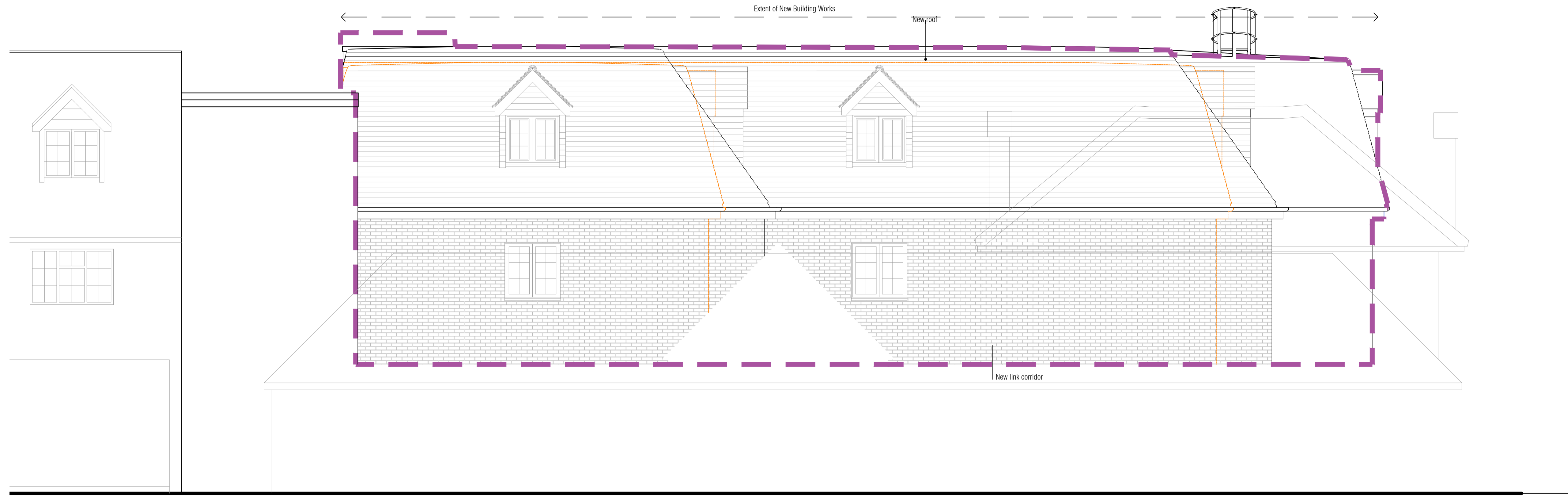
EXISTING & PROPOSED FRONT
 ELEVATIONS

DATE	02.08.18	SCALE	1:100 @ A1
DRAWN	iw	DRG. NO.	4826-028
CHECKED		REV.	B

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REVISIONS		
A	Planning Updates / Change in Roof Pitch	21.11.18 iw
B	Drawing Updates - Dormers	18.04.19 iw



01 Proposed Front Elevation
100 Scale: 1:50

DASHED LINE INDICATES EXTENT OF PROPOSALS

ORANGE DASHED LINE INDICATES OUTLINE OF PREVIOUS PROPOSALS - CHANGE IN ROOF PITCH

PLANNING DOCUMENT



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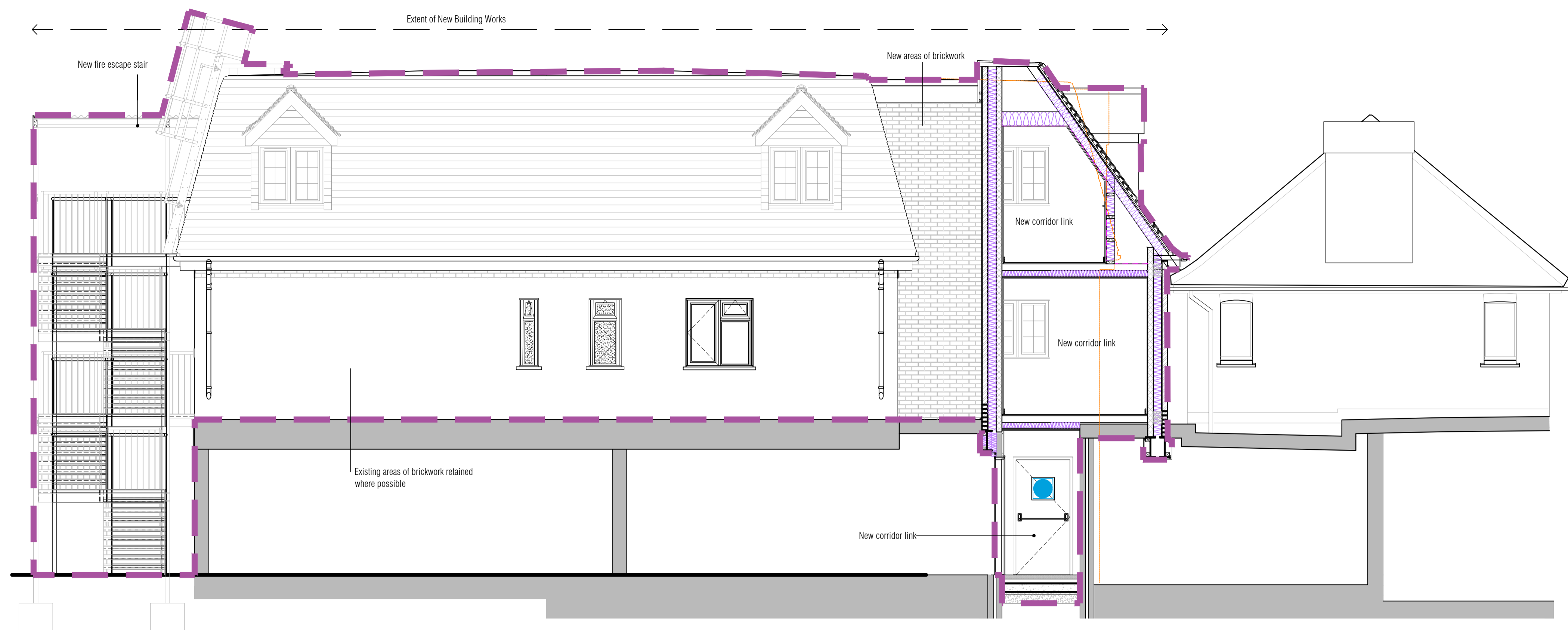
PROJECT
 1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLINE HOTEL GATWICK
 HORLEY RH6 8QG

PROPOSED FRONT
 GENERAL ARRANGEMENT
 ELEVATION

DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	iw	DRG. NO.	4826-027
CHECKED		REV.	B

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REVISIONS		
A	Planning Updates / Change in Roof Pitch	28.11.18 iw
B	Drawing Updates - Windows	03.12.18 iw
C	Drawing Updates - Windows	04.12.18 iw
D	Drawing Updates - Dormers	18.04.19 iw



01 Proposed North Elevation
Scale: 1:50

DASHED LINE INDICATES EXTENT OF PROPOSALS

ORANGE DASHED LINE INDICATES OUTLINE OF PREVIOUS PROPOSALS - CHANGE IN ROOF PITCH



02 Proposed South Elevation
Scale: 1:50

PLANNING DOCUMENT

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PROJECT
1st & 2nd FLOOR EXTENSION
AND CONNECTING LINK
SKYLANE HOTEL GATWICK
HORLEY RH6 8QG

PROPOSED NORTH & SOUTH
GENERAL ARRANGEMENT
ELEVATIONS

DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	iw	DRG. NO.	4826-026
CHECKED		REV.	D

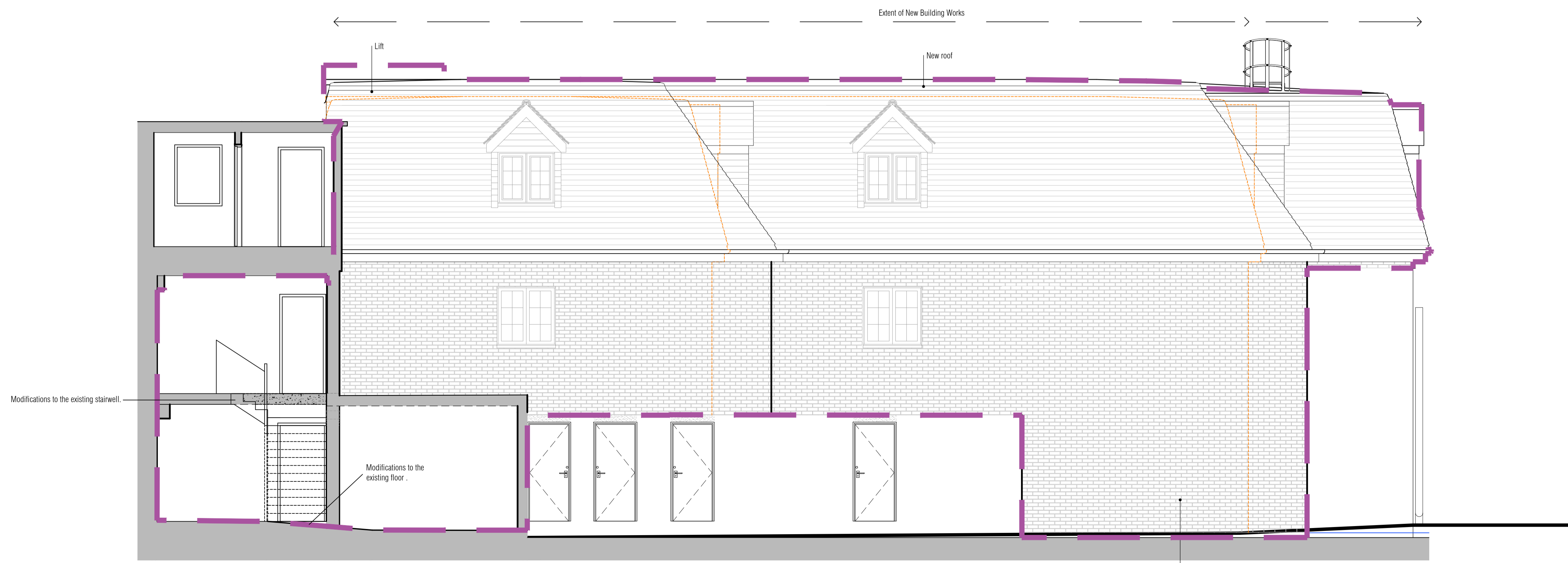
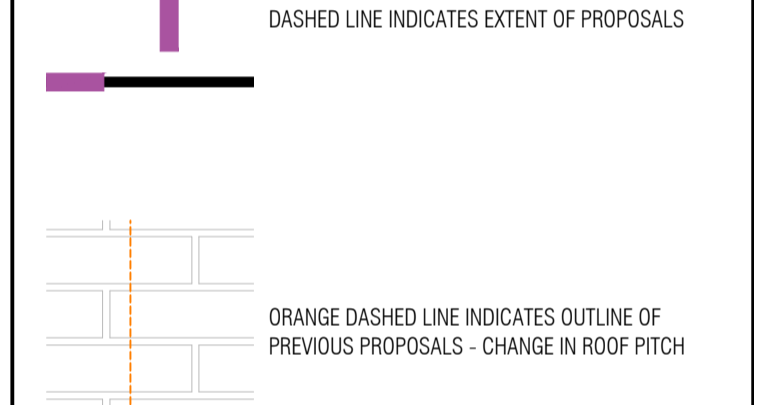
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REVISIONS		
A	Planning Updates	21.11.18 iw
B	Drawing Updates - Windows	03.12.18 iw
C	Drawing Updates - Dormers	18.04.19 iw



01 Proposed East Elevation
Scale: 1:50



02 Proposed West Elevation / Part Section
Scale: 1:50

PLANNING DOCUMENT

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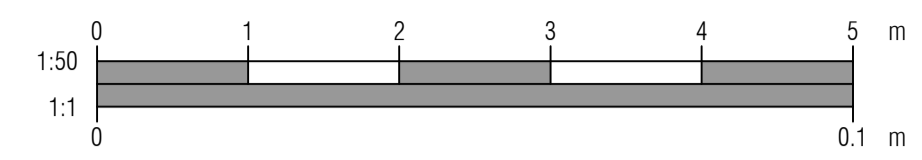
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PROJECT
**1st & 2nd FLOOR EXTENSION
AND CONNECTING LINK
SKYLANE HOTEL GATWICK
HORLEY RH6 8QG**

**PROPOSED EAST & WEST
GENERAL ARRANGEMENT
ELEVATIONS**

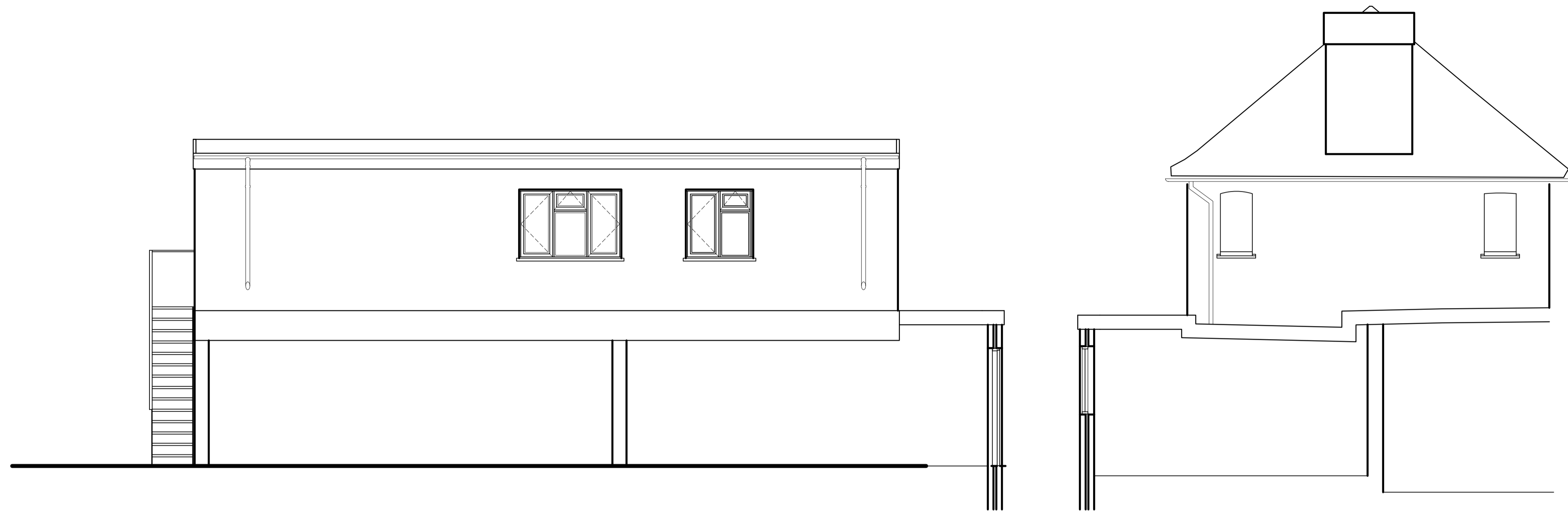
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CHECKED		REV.	C

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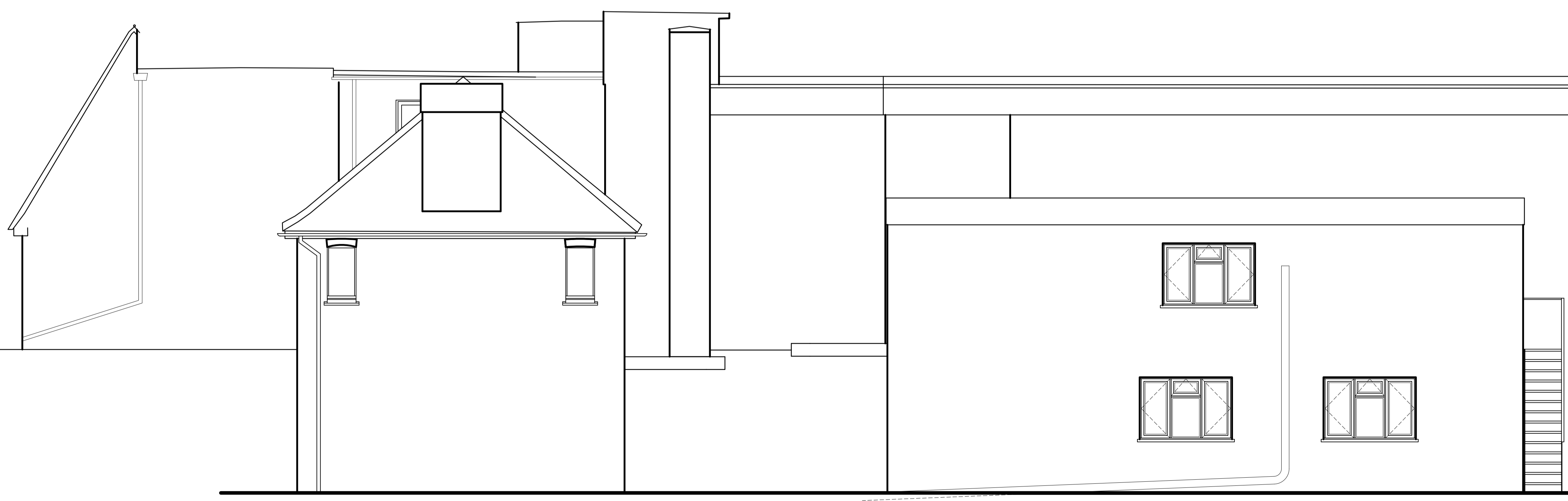


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REVISIONS



01 Existing North Elevation
Scale: 1:50



02 Existing South Elevation
Scale: 1:50

PLANNING DOCUMENT

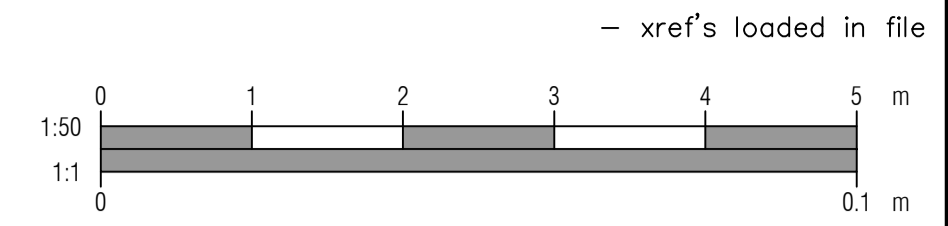


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PROJECT
 1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLANE HOTEL GATWICK
 HORLEY RH6 8QG

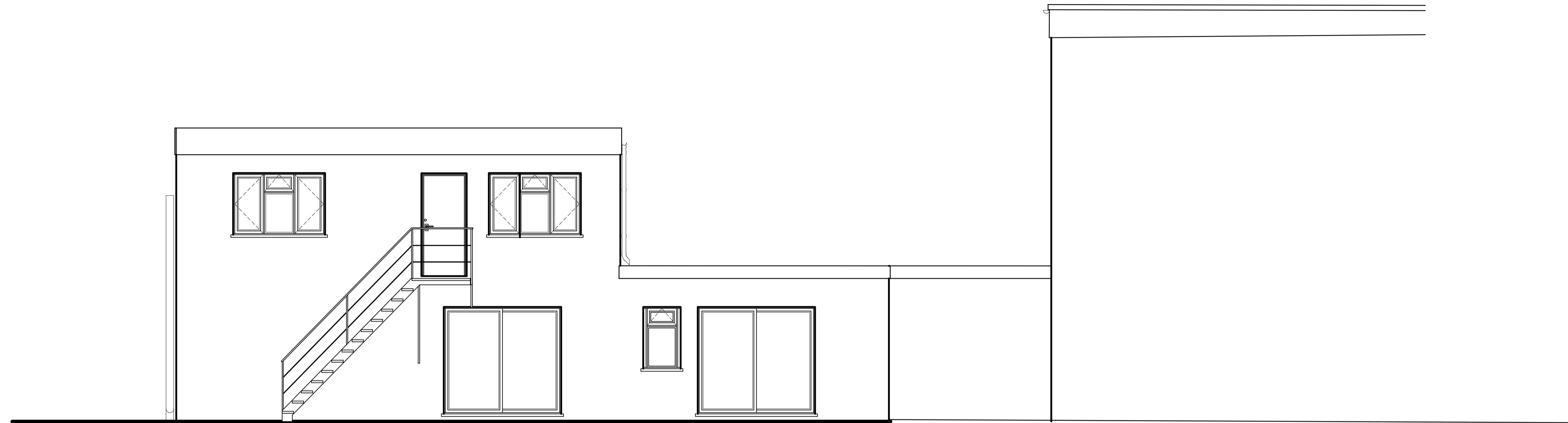
EXISTING NORTH & SOUTH
 GENERAL ARRANGEMENT
 ELEVATIONS

DATE	30.06.16	SCALE	1:50 @ A1
DRAWN	RKC	DRG. NO.	4826-015
CHECKED		REV.	

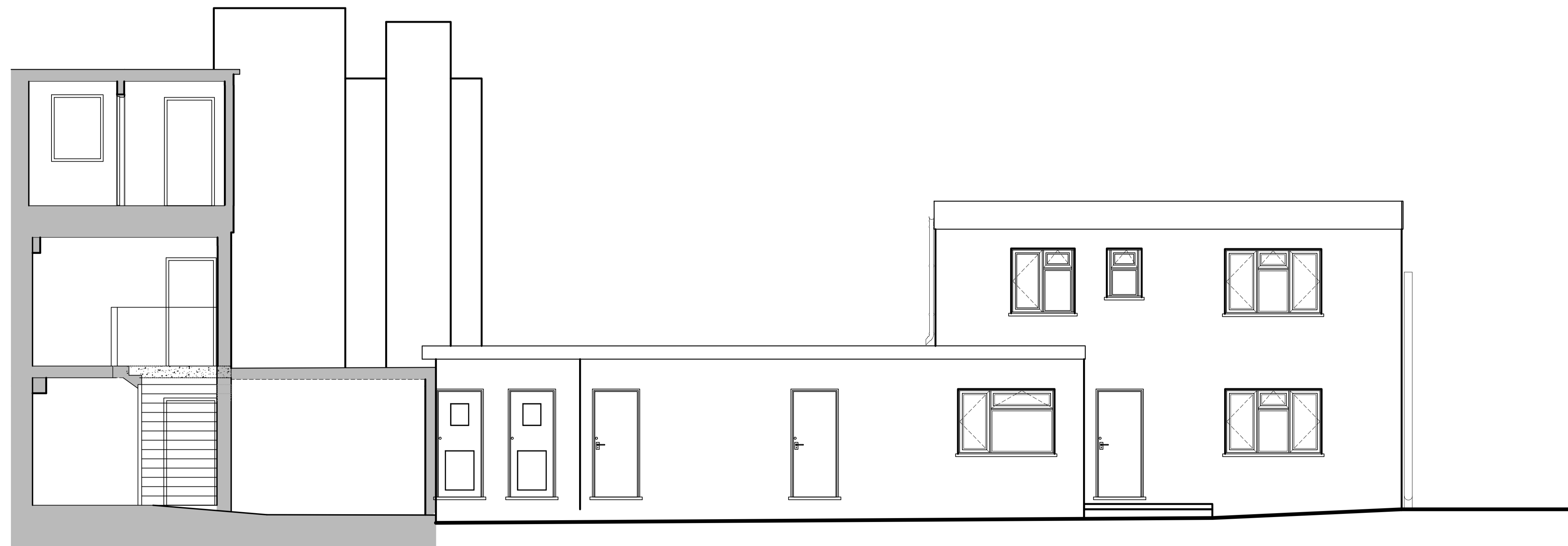


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REVISIONS



01 Existing East Elevation
100 Scale: 1:50



02 Existing West Elevation
100 Scale: 1:50

PLANNING DOCUMENT



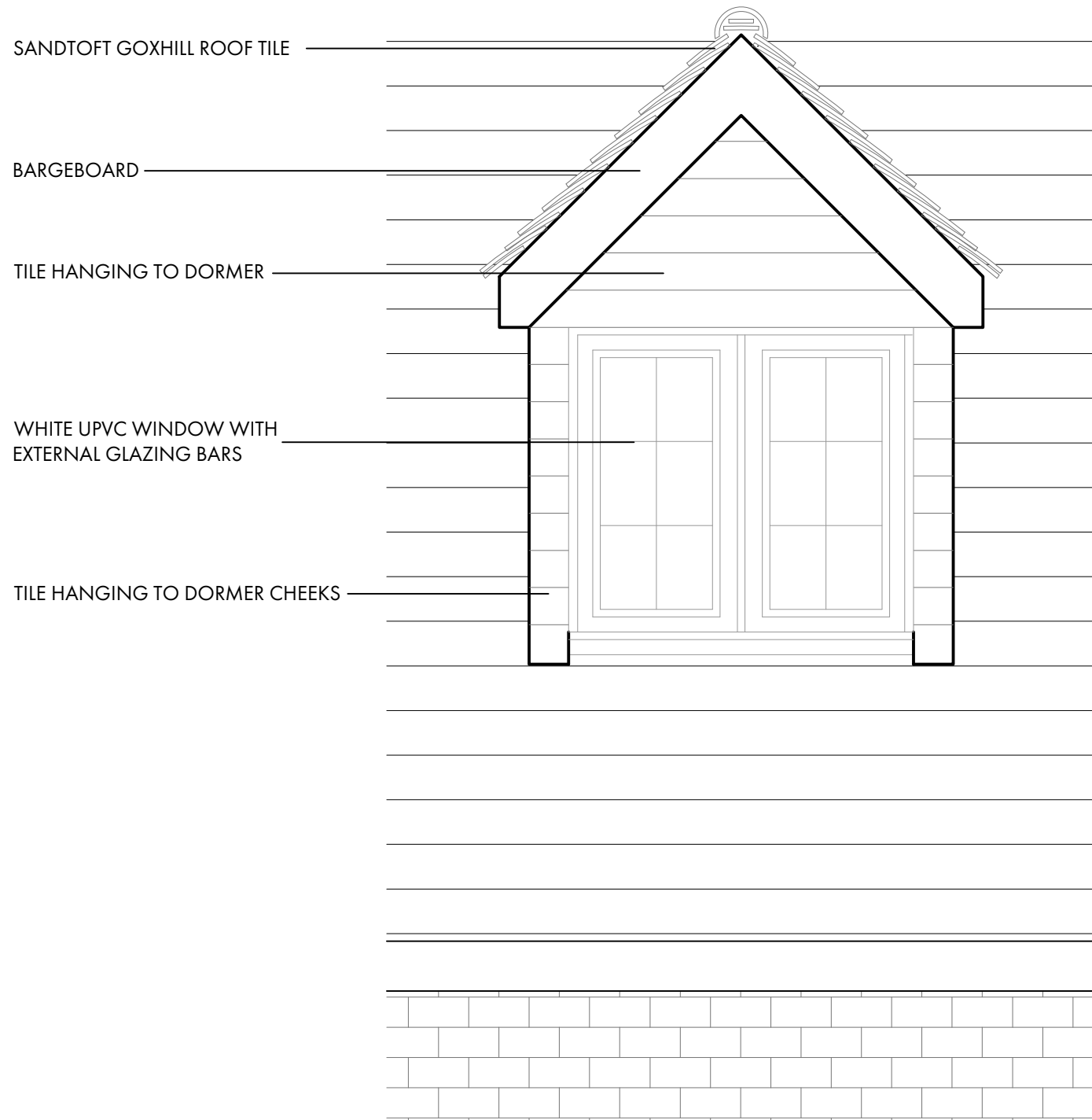
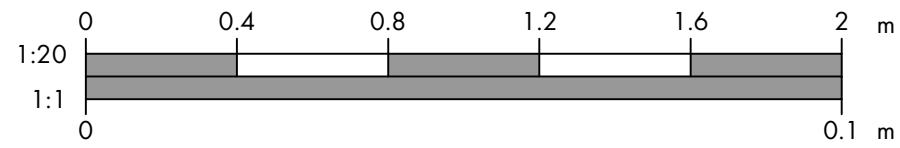
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PROJECT
1st & 2nd FLOOR EXTENSION
AND CONNECTING LINK
SKYLANE HOTEL GATWICK
HORLEY RH6 8QG

EXISTING EAST & WEST
GENERAL ARRANGEMENT
ELEVATIONS

DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	Iw	DRG. NO.	4826-014
CHECKED		REV.	

PLANNING DOCUMENT



SANDTOFT GOXHILL DARK RED WALL / MANSARD TILE



DETAIL OF PROPOSED DORMER

B Conservation Officer Comments		04.04.2019	lw
A Details Updated		28.03.2019	lw
Originator lw	Approved	Date 27.03.2019	Scale 1:20 @ A3
Drawing No. 4826-034		Rev. B	Sheet No. 1/1

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Agenda Item 10

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REVISIONS		
A	Dwgs Updated	28.11.18 iw
B	Dwgs Updated	03.12.18 iw



New external metal fire escape as per specialist manufacturers details.

New Window

New separating wall to form new corridor to additional rooms

New door into Hotel accommodation

Existing Window Blocked Up

Existing corridor extended

New Lift

HATCH INDICATES EXTENT OF PROPOSALS

ORANGE DASHED LINE INDICATES OUTLINE OF PREVIOUS PROPOSALS

PLANNING DOCUMENT



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PROJECT
**1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLANE HOTEL GATWICK
 HORLEY RH6 8QG**

PROPOSED
 GROUND FLOOR
 GENERAL ARRANGEMENT PLAN

DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	iw	DRG. NO.	4826-020
CHECKED		REV.	B

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1. CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
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REVISIONS		
A	Dwgs Updated	28.11.18 iw
B	Dwgs Updated	03.12.18 iw
C	Dwgs Updated - Windows	04.12.18 iw



New external metal fire escape as per specialist manufacturers details.

HATCH INDICATES EXTENT OF PROPOSALS

ORANGE DASHED LINE INDICATES OUTLINE OF PREVIOUS PROPOSALS

PLANNING DOCUMENT

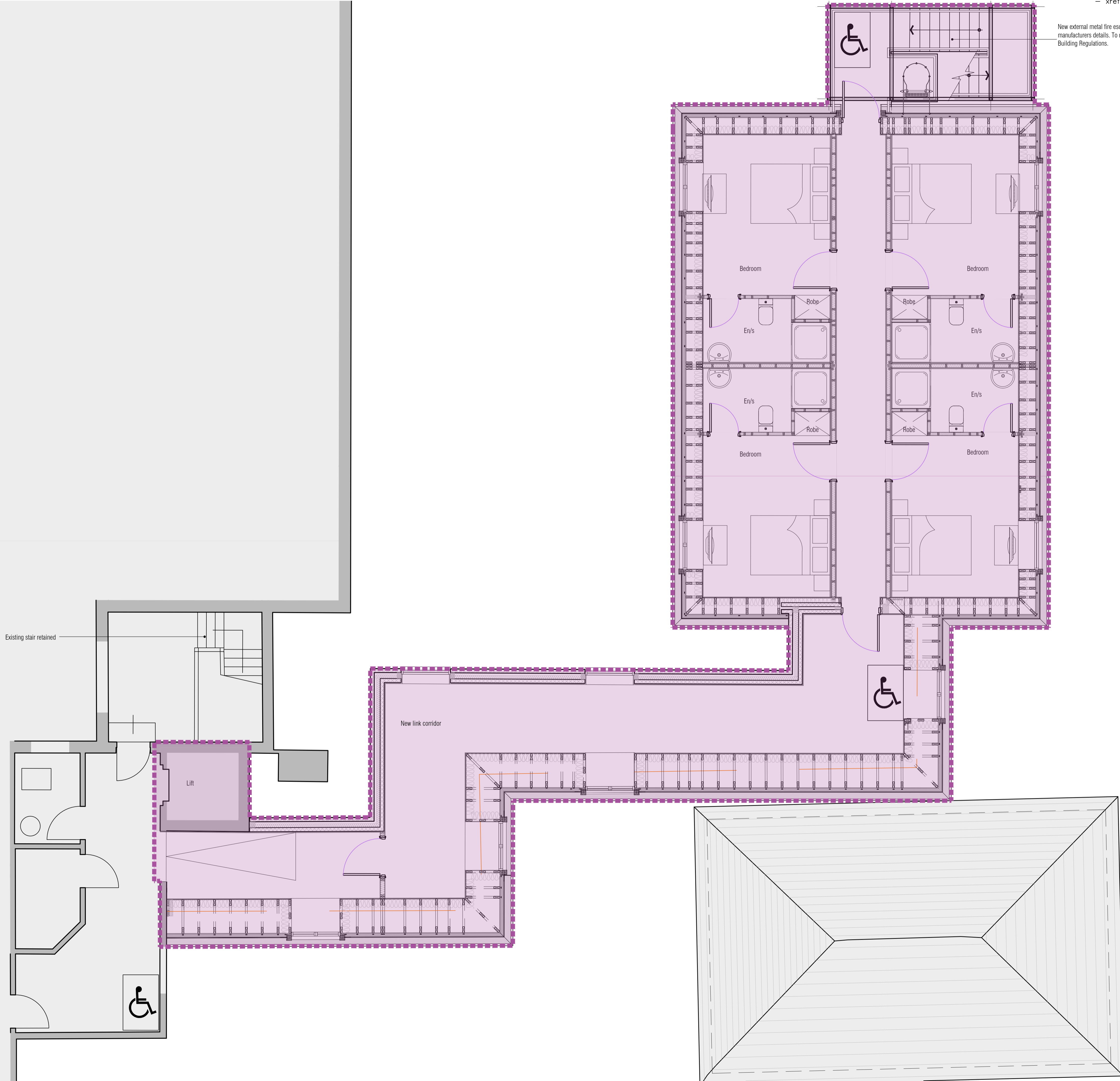


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PROJECT
**1st & 2nd FLOOR EXTENSION
 AND CONNECTING LINK
 SKYLANE HOTEL GATWICK
 HORLEY RH6 8QG**

PROPOSED
**FIRST FLOOR
 GENERAL ARRANGEMENT PLAN**

DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	iw	DRG. NO.	4826-021
CHECKED		REV.	C



- xref's loaded in file

New external metal fire escape as per specialist manufacturers details. To meet all relevant Building Regulations.

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REVISIONS	
A	Dwgs Updated 15.11.18 lw

HATCH INDICATES EXTENT OF PROPOSALS

ORANGE DASHED LINE INDICATES OUTLINE OF PREVIOUS PROPOSALS

PLANNING DOCUMENT

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PROJECT
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PROPOSED
 SECOND FLOOR
 GENERAL ARRANGEMENT PLAN


DATE	31.07.18	SCALE	1:50 @ A1
DRAWN	lw	DRG. NO.	4826-022
CHECKED		REV.	A

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Agenda Item 11

Planning Committee
15 May 2019

Agenda Item: 11
Application: 18/02453/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	15 May 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Clare Chappell
	TELEPHONE:	01737 276004
	EMAIL:	Clare.Chappell@reigate-banstead.gov.uk
AGENDA ITEM:	11	WARD: Reigate

APPLICATION NUMBER:	18/02453/F	VALID:	03/01/2019
APPLICANT:	Elvington Lodge Resident Association	AGENT:	P M Ironwork Ltd
LOCATION:	ELVINGTON LODGE, 40 REIGATE HILL, REIGATE		
DESCRIPTION:	Installation of frontage boundary railings and sliding entrance gate as per design drawings to a height of 1.200 Metres to match the existing railings of the neighbouring property. As amended on 11/02/2019 and on 02/04/2019.		
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.			

This application is referred to Committee in accordance with the Constitution as the agent for the application is a relation of a Reigate & Banstead Borough Council Officer.

SUMMARY

This is a full application for metal railings and a sliding gate along the front boundary of the Elvington Lodge at no.40 Reigate Hill.

The application property is a two storey 1960s building comprising six flats set in a modest plot with an in/out driveway to the front and garages to the rear. The site falls within the Somers Road Conservation Area and the surrounding area is characterised by attractive heritage buildings, and in this part of Reigate Hill, the buildings are well set-back from the main road. The appearance of the frontages varies but on the whole, the current character is fairly open with low to medium height hedging along the front boundaries. These attributes contribute to the parkway approach to Reigate.

The frontage of the application site comprises a broad grassed area with two mature Lawson Cypress Trees. The proposed railings would be positioned along the front boundary line and the manual sliding gate would be across the 'exit' opening of the driveway. The railings and gate would have a height of 1.2m. The 'entry' opening would remain open without a gate.

Agenda Item 11

Planning Committee
15 May 2019

Agenda Item: 11
Application: 18/02453/F

The Highway Authority have no objection to the scheme subject to a condition ensuring entry/exit signage.

The Conservation Officer has raised objection to the scheme because it would have an urbanising appearance; it would not be in-keeping with the typical hedge boundaries and therefore it would be harmful to the character and appearance of the Conservation Area and parkway approach to Reigate. The applicant has declined the planning department's suggestions for amending the scheme to achieve an acceptable solution.

Although there are railings to the north, these are screened by hedge planting which would be an acceptable option here but has been declined by the applicant. Without such landscaping the proposed railings would result in a harsh urban appearance, detrimental to the character of the area. Whilst it is acknowledged that a 1 metre fence or railings could potentially be achieved without requiring planning permission, this proposal would be more harmful given the additional height and this fallback is not considered to justify approval given this harm.

The Lawson Cypress Trees make a significant contribution to the character and amenity of the locality and are subject to the formal protection of the conservation area legislation. The proposed railings and sliding gate would be very close to the trunk of one of the trees in particular. The application is not supported by arboricultural information. The Tree Officer has therefore recommended that the absence of tree protection measures could warrant a further reason for refusal.

RECOMMENDATION(S)

Planning permission is **REFUSED** for the following reasons:

1. The proposed railings and sliding gate, would by virtue of their urbanising appearance, result in harm to the character and appearance of the Somers Road Conservation Area and the parkway approach to Reigate. In the absence of any additional soft landscaping to lessen the visual impact, and in absence of any other benefits to outweigh this harm, the proposal would therefore be contrary to policies Ho13 and Pc13 of The Borough Local Plan, the National Planning Policy Framework 2018 and Reigate and Banstead Local Distinctiveness Guide 2004.
2. The proposed development is adjacent to or would affect the protected Lawson Cypresses that make a significant contribution to the character and amenity of this locality. In the absence of an arboricultural impact assessment (AIA), arboricultural method statement (AMS) or tree protection plan (TPP) to show that tree retention, health and amenity could be maintained to an acceptable standard, the proposal is contrary to policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan 2005, and the advice and recommendations set out in British Standard 5837: 2005 'Trees in Relation to Construction - Recommendations.'

Agenda Item 11

Planning Committee
15 May 2019

Agenda Item: 11
Application: 18/02453/F

Consultations:

Conservation Officer: Objection, see comments in report below.

Tree Officer: Objection, see comments in report below.

The Reigate Society: No response.

Transport Development Planning: No objection subject to conditions.

Representations:

Letters were sent to neighbouring properties on 10 January 2019. No representations have been received.

1.0 Site and Character Appraisal

- 1.1 The application property is two storey building comprising six flats set in a modest plot with an in/out driveway to the front and garages to the rear. There are two large Lawson Cypress trees to the front which are quite dominant in the street scene on this section of Reigate Hill. The building dates from the 1960s and displays the architectural conventions of that era. The site is relatively flat.
- 1.2 The site falls within the Somers Road Conservation Area with mid Victorian houses and St Marks Church nearby. The surrounding area is characterised by its proximity to Reigate railway station and the mixture of land uses including residential, school, nursery, offices and local shopping.
- 1.3 All the buildings in this section of Reigate Hill are well set-back from the main road. The appearance of the frontages varies but on the whole, the current character is fairly open with low to medium height hedging along the front boundaries of a number of properties.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The opportunity did not arise because the applicant did not approach the Local Planning Authority before submitting the application.
- 2.2 Improvements secured during the course of the application: The applicant was offered the opportunity to amend the scheme to align with the Conservation Officer's viewpoint - this opportunity was declined. The application drawings have been updated to correct the scale and to adopt the highways requirements for signage to advise drivers to enter and exit at the correct openings.
- 2.3 Further improvements to be secured through conditions or legal agreement: Improvements cannot be sought in this way because it has been concluded that permission should be refused.

Agenda Item 11

Planning Committee
15 May 2019

Agenda Item: 11
Application: 18/02453/F

3.0 Relevant Planning and Enforcement History

No recent planning or enforcement history

4.0 Proposal and Design Approach

4.1 The proposal is for metal railings along the front boundary; in front of the grassed area and in front of the two Lawson Cypress Trees. There would also be a manual sliding gate in a matching design across the 'exit' opening of the driveway. The railings and gate would have a height of 1.2m. The 'entry' opening would remain open without a gate.

4.2 The applicant has submitted a design and access statement. 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.

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

Assessment	No mention has been made of the location within the Conservation Area. The frontages of surrounding properties have been considered to some degree, namely the railings at the adjacent property.
Involvement	The applicant has not sought any advice from the planning department or Conservation Officer prior to submitting the application.
Evaluation	The design statement demonstrates that the existing access arrangements have been evaluated and the interaction with the trees has been considered (however the application is not supported by an arboricultural assessment).
Design	<p>The gate is intended to prevent unauthorised vehicles driving in through one entrance and then straight out of the other entrance .i.e. preventing the driveway from being used for unauthorised vehicles to turn around.</p> <p>The design is intended to be visually in-keeping with the railings at the adjacent property.</p> <p>It is stated that the trees will not be disturbed by the works.</p>

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5.0 Policy Context

5.1 Designation

Urban Area
Conservation Area

5.2 Reigate and Banstead Core Strategy

CS4 (Valued Townscapes and Historic Environment)

5.3 Reigate & Banstead Borough Local Plan 2005

Housing	Ho9, Ho13, Ho16
Protection of Existing Character	Pc4, Pc12, Pc13
Movement	Mo5

5.4 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance	Householder Extensions and Alterations 2004
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Other	Human Rights Act 1998
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6.0 Assessment

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development.

6.2 The main issues to consider are:

- Design and effect on the character of the area
- Neighbour amenity
- Highways matters
- Impact upon trees

Design and effect on the character of the area

6.3 Due to the location within the Conservation Area, the Conservation Officer has been consulted and has made the following comments:

“The site is in the Conservation Area but also important in terms of the approach to Reigate. Reigate Hill is characterised by hedge boundaries, which contribute to the parkway approach to Reigate. Railings are not typical and I would wish to avoid these (the railings at Wellingtonia Place were not authorised, though are immune through the passage of time). I would recommend the railings are omitted. The sliding gates would need shrub planting in front of the same height as the gate, preferably laurel, holly, hawthorn or privet of the same height as the gates. (hornbeam would not be suitable as a non traditional hedge species in the area and obtrusive in terms of its hybrid marcescence, notwithstanding its use at Wellingtonia

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Place). The dimensions don't seem quite, it seems 3.1metres from edge of the kerb is the width of the pavement rather than the depth back of the railings, which are indicated about a metre back from the pavement, which would on the same line as the trunk of one of the trees.

I would recommend refusal from a conservation viewpoint if the railings are retained, due to their urbanising appearance”

- 6.4 It is clarified that the position of the railing would be at the back edge of the pavement which coincides with the land ownership boundary. The sliding gate would run behind the railing. In the absence of an arboricultural assessment and in the absence of dimensions on the site layout drawing, the exact distance from the railing/posts/gate to the trunks of the two trees is unknown.
- 6.5 It should be noted that the proposed railings and gate would be 1.2m in height. It is acknowledged that railings and gates with a height of no more than 1.0m could be installed without planning permission (under the provisions of Schedule 2, Part 2, Class A of the permitted development legislation). However, it is judged that the availability of permitted development rights is not a good reason for allowing a development that would materially harm the character and appearance of an area.
- 6.6 The Conservation Officer's concerns and the option to retain the sliding gate but with some shrub planting to partially disguise the gate were discussed with the applicant's agent. It has subsequently been communicated that the applicant would rather the scheme is not altered and that the recommendation for refusal be taken to committee.
- 6.7 Therefore, given the harsh, urbanising appearance that would result without an effective landscape screen, it is considered the proposed railings would be harmful to the character of the Reigate Town Centre Conservation Area and the parkway approach to Reigate. Thereby, the proposal conflicts with policies Ho13 and Pc13 of the Borough Local Plan 2005.

Neighbour Amenity

- 6.8 By virtue of their scale and position, the proposed railings and gate would have no discernible impact on the amenity of neighbouring properties and hence the scheme would comply with policy Ho9 of the Borough Local Plan 2005.

Highways Matters

- 6.9 The proposed site layout drawing has been updated during the course of the application to include signage as requested by the Highway Authority. The signage is designed to discourage vehicles from using the entry opening for both entry and exit. Please see the extract below from the Highway Authority's initial comments:

“If a manual gate were to be installed at the southernmost site access vehicles may be encouraged to use the northernmost access for both entry and exit of the site. However, from the plans submitted it does not appear that this access is wide

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enough to facilitate simultaneous entry and exit, as would be necessary for an access serving this number of dwellings on an 'A' class road."

- 6.10 To address this issue, the site layout drawing shows the appropriately located 'entry', 'no exit', 'exit' and 'no entry' signs. The final comments from the Highway Authority are as follows:

"The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

Conditions:

1) The railings hereby approved shall not be installed unless and until the 'entry/ no exit' and 'exit/ no entry' signs have been installed at the site in accordance with the approved plans. Thereafter the signs shall be permanently retained and maintained.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Policy:

The above conditions are required in order to meet the objectives of the NPPF (2019), and to satisfy policy MO5 of the Reigate and Banstead Local Plan."

- 6.11 In summary, with the above condition attached to the permission, the scheme would be considered acceptable from a highways viewpoint and hence comply with policy Mo5 of the Reigate and Banstead Borough Local Plan 2005.

Impact upon Trees

- 6.12 The Tree officer has made the following comments:

"... I am familiar with this application site and the trees located close to the front boundary and Reigate Hill. The application proposes the installation of railings and a sliding gate. I have not visited site on this occasion and have relied on the submitted information and your site photographs. I am also aware of the comments of the Conservation Officer.

The erection and installation of the railings and the gate would require works within the root protection areas of the Lawson cypress which by their location are subject to the formal protection of the conservation area legislation.

The application has not been supported by any qualified arboricultural information to demonstrate that the installation of the railings and gates can be achieved without damage and disturbance to the rooting environments of the Lawson cypress.

The installation would presumably require excavation for the support posts for the railings: these excavations would need to be undertaken by hand and the post hole lined with a suitable material to prevent the leeching of the chemicals which occur through the concrete curing process which are phytotoxic to roots. The mechanism for the sliding gate would also require some sort of flat rail to be installed requiring further excavation into the RPA which will be mainly located within the soft landscape areas, whilst some root function and presence would be expected

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beneath the hard surfacing and the public footpath the amounts would be considerably less than if the trees were completely surrounded by soft landscaping. The conservation officer has suggested that hedge planting could be an alternative to the railings, however this would require ground preparation between trees and the back edge of footpath, disturbing the rooting environment of the existing trees, also the competition of the Lawson cypress would be likely to affect the establishment of plants within this location, there may also be hatching to support the back edge of the footpath which may further limit the available space for hedge planting.

British Standard 5837:2912 Trees in relation to design, demolition and construction does make provision for working within the root protection areas of trees and detailed assessment by a qualified arboricultural consultant would be likely to find a solution to the matters I have mentioned above and this information should have been provided to support this current application, in the absence of such qualified information a reason for refusal can be offered, but may be difficult to sustain at appeal. If you are minded to recommend consent I would suggest that a full TPP condition is imposed. I have attached the relevant condition and a RFR if required."

- 6.13 It is clear from the Tree Officer's comments that it is considered the scheme would only be acceptable if an arboricultural assessment and protection plan can demonstrate there would be no harm to the trees. Therefore, in absence of this arboricultural information and in light of the substantive reason for refusal, it would an additional reason for refusal is warranted due to the potential for harm to the adjacent tree.
- 6.14 In summary; in the absence of arboricultural information to show that tree retention, health and amenity could be maintained to an acceptable standard, the proposal is contrary to policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan 2005.

7.0 CONCLUSION

- 7.1 For the reasons set out above I consider that planning permission should be **REFUSED**.
1. The proposed railings and sliding gate, would by virtue of their urbanising appearance, result in harm to the character and appearance of the Somers Road Conservation Area and the parkway approach to Reigate. In the absence of any additional soft landscaping to lessen the visual impact, and in absence of any other benefits to outweigh this harm, the proposal would therefore be contrary to policies Ho13 and Pc13 of The Borough Local Plan, the National Planning Policy Framework 2018 and Reigate and Banstead Local Distinctiveness Guide 2004.
 2. The proposed development is adjacent to or would affect the protected Lawson Cypresses that make a significant contribution to the character and amenity of this locality. In the absence of an arboricultural impact assessment (AIA), arboricultural method statement (AMS) or tree protection plan (TPP) to show that tree retention, health and amenity could be maintained to an acceptable standard, the proposal is contrary to policies Pc4 and Pc12 of the Reigate and Banstead Borough Local Plan

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15 May 2019

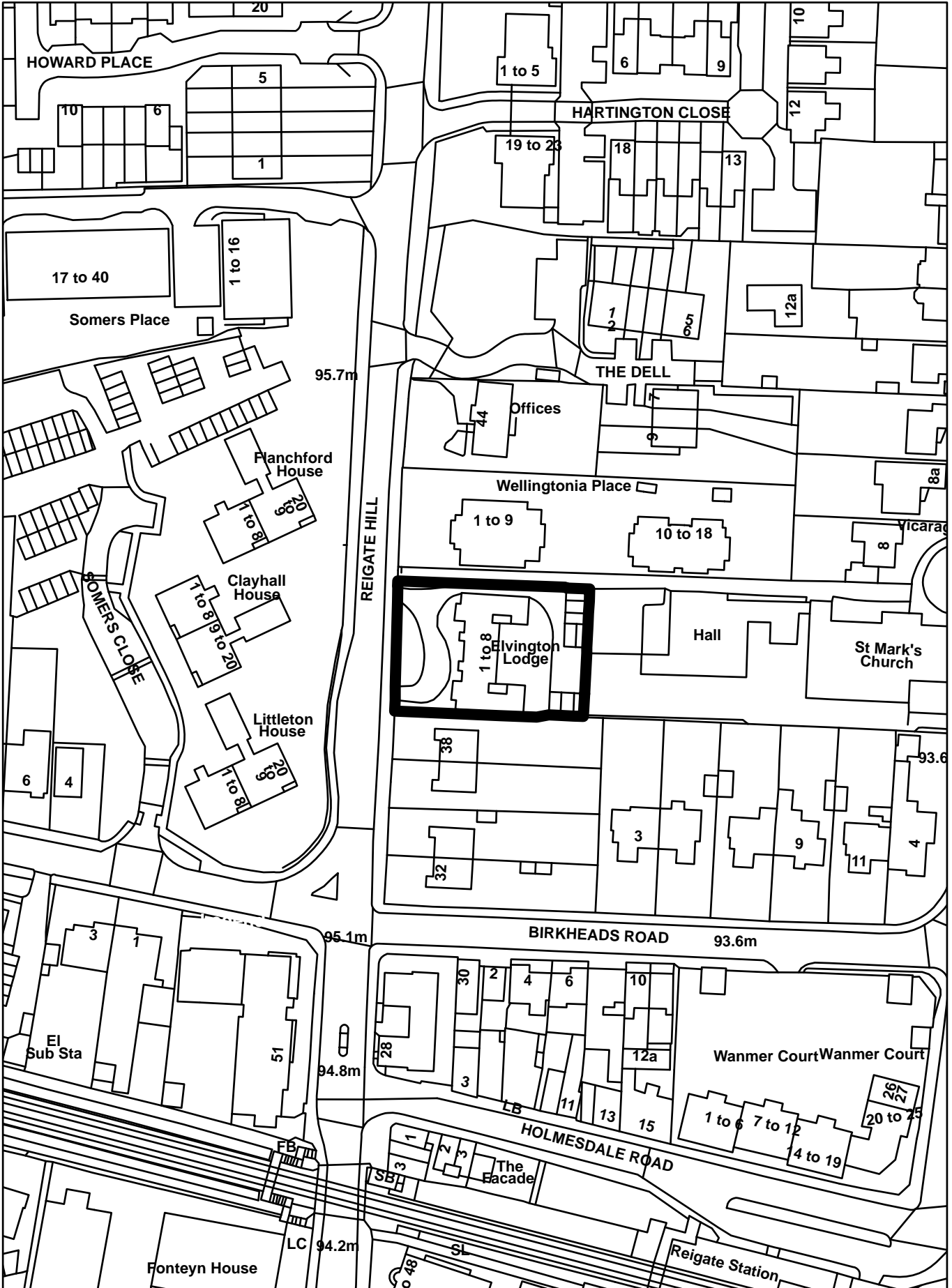
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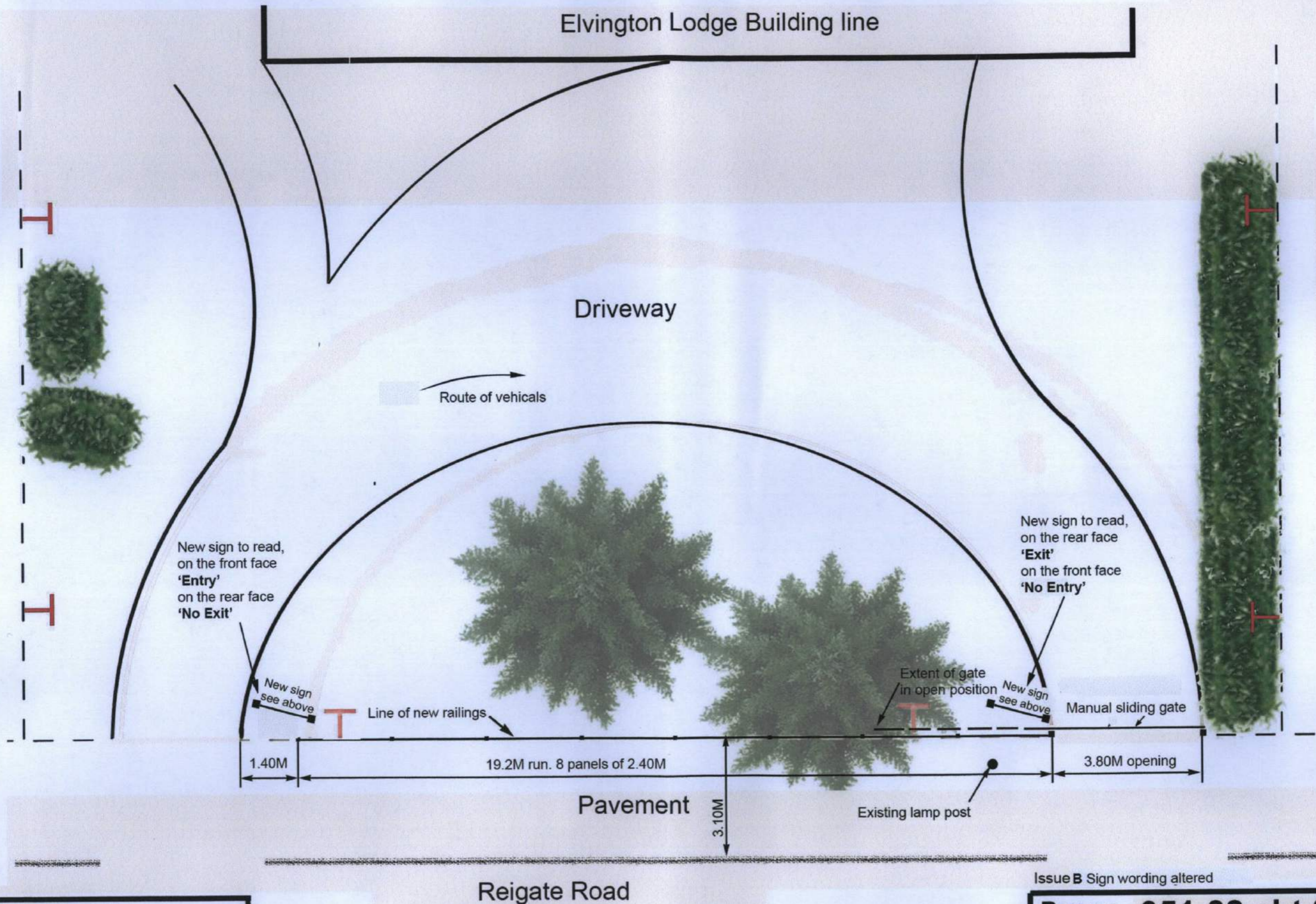
2005, and the advice and recommendations set out in British Standard 5837: 2005 'Trees in Relation to Construction - Recommendations.'

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.

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 18/02453/F - Elvington Lodge, 40 Reigate Hill,
 Reigate

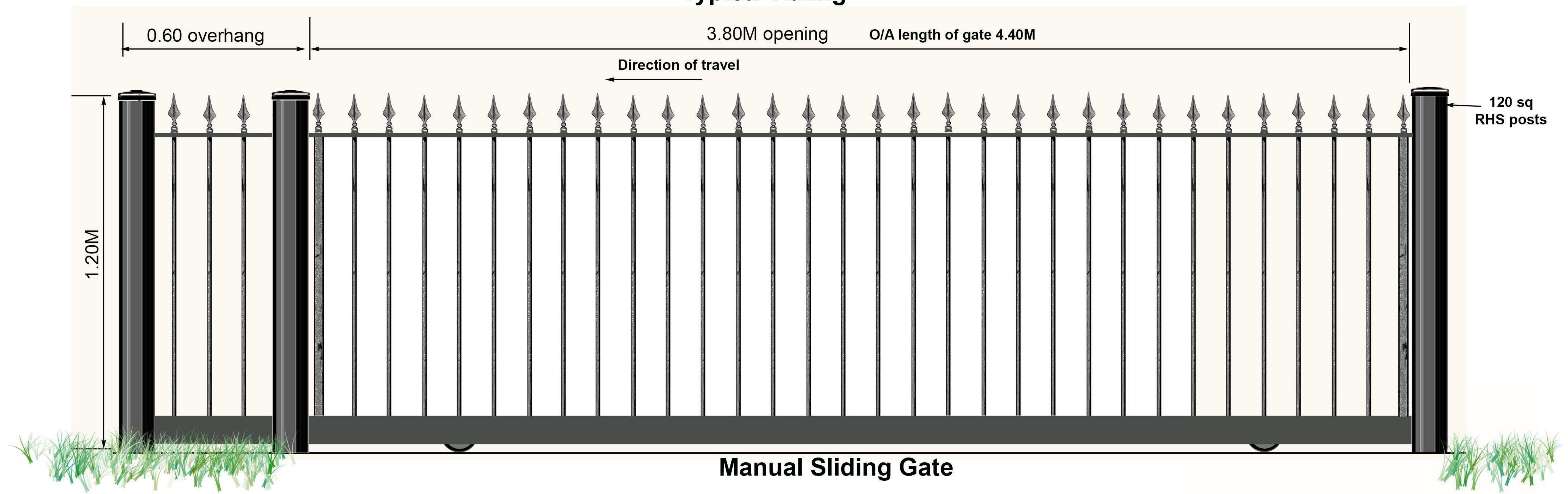
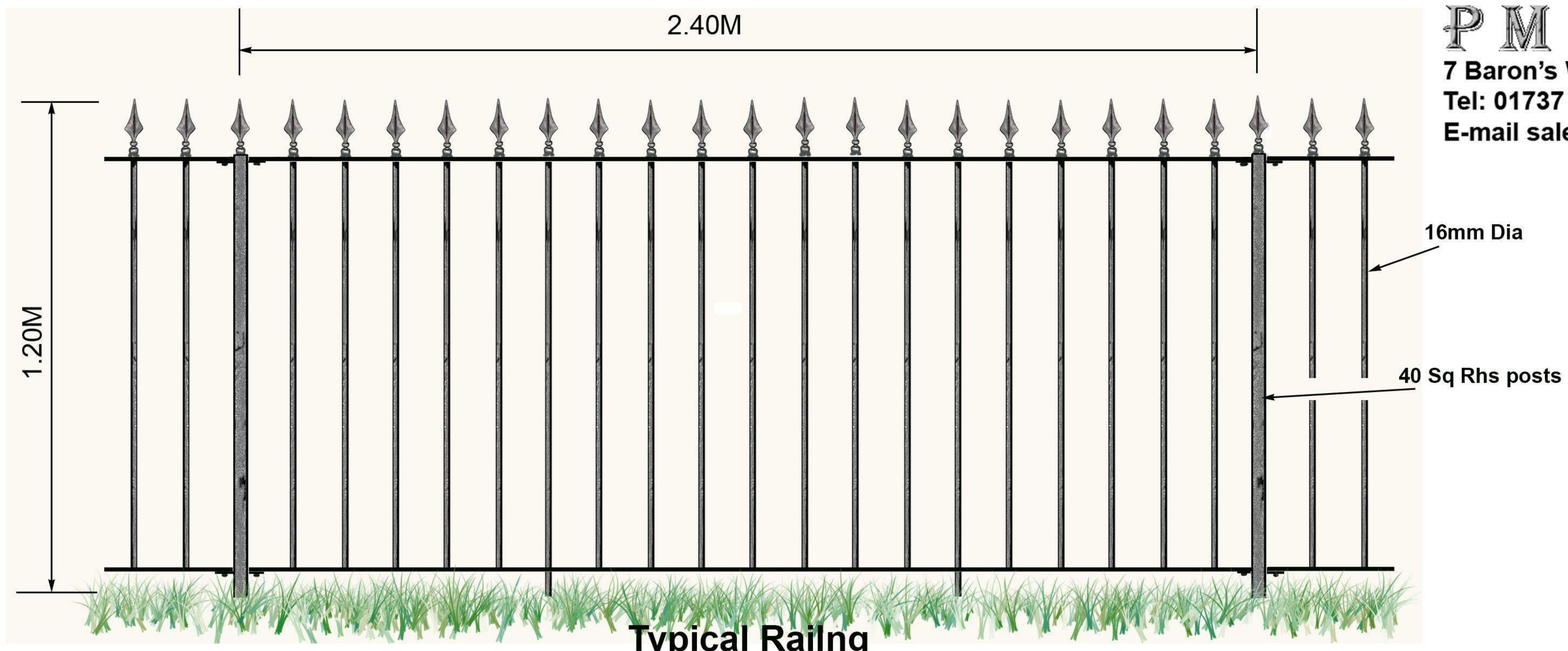




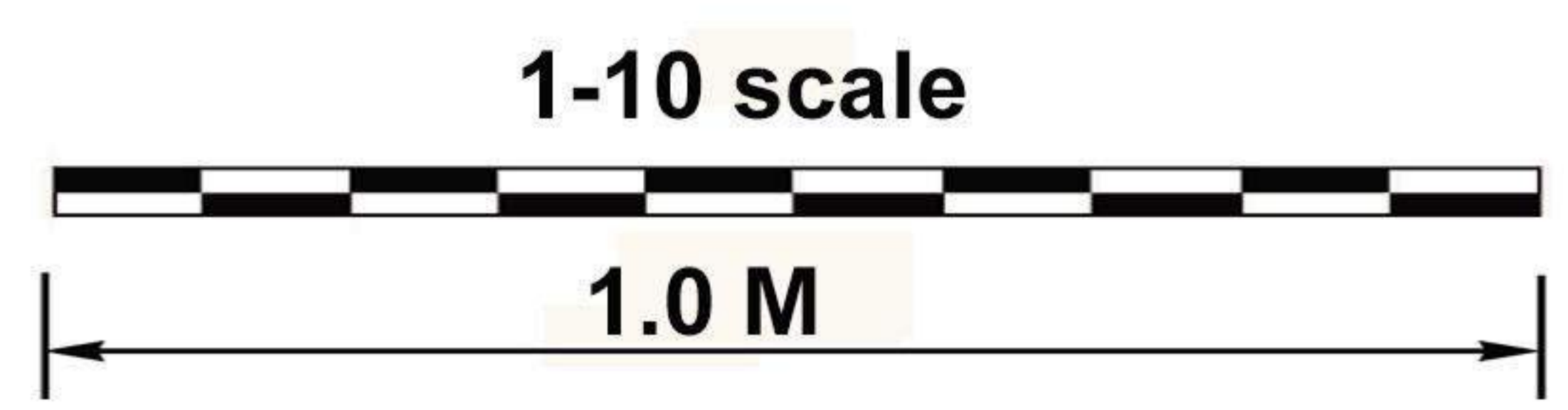
Client:
Elvington Lodge
Residents Assoc
40 Reigate Road. RH2 9NG.

Drng no 051-32 sht 2B
Plan of proposed gates & railings
Scale 1-100 22 Oct 2018
Drawn by DHB.

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 7 Baron's Way, Reigate, Surrey, RH2 8EU.
 Tel: 01737 226811. Mobile: 07956 662597
 E-mail sales@pmironworks.co.uk



Client
 Elvington Court Residents Assoc
 40 Reigate Road
 RH2 9NG



Drng no 051-32 Sht 3
 Gate & Railing detail.
 Scale 1-10. 22-10-2018
 Drawn by DHB

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For sign details
see sheet 2

Un-gated drive entrance

New frontage railings and Sliding gate , painted black.
for details see sht 3

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Issue A. Signs added. 8-2-2019

Client:
Elvington Lodge
Residents Assoc
40 Reigate Road. RH2 9NG.



Drg no 051-32 sht 4
Proposed Elevation
Scale 1-100 22 Oct 2018
Drawn by DHB.

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