

Planning Committee Agenda



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

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15 November 2019

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To the Members of the PLANNING COMMITTEE

Councillors: D. Allcard (Chairman)

M. S. Blacker

J. S. Bray

H. Brown

P. Harp

J. Hudson

F. Kelly

J. P. King

S. A. Kulka

S. McKenna

R. Michalowski

S. Parnall

C. Stevens

R. S. Turner

S. T. Walsh

Substitutes

Councillors:

Conservatives:

Residents' Group:

Green Party:

Liberal Democrats

R. Absalom, N. C. Moses, J. Paul and K. Sachdeva

G. Adamson, R. J. Feeney, R. Harper, N. D. Harrison and
C. T. H. Whinney

J. C. S. Essex, S. L. Fenton, R. Ritter and S. Sinden

D. A. Ross

For a meeting of the **PLANNING COMMITTEE** to be held on **WEDNESDAY, 27 NOVEMBER 2019** at **7.30 pm** in the New Council Chamber - Town Hall, Reigate.

John Jory
Chief Executive

1. MINUTES (Pages 5 - 8)

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. 19/01673/OUT - LAND REAR OF 127-139 RUDEN WAY, EPSOM DOWNS, SURREY, KT17 3LW (Pages 9 - 38)

Demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking.

6. 19/01669/F - THE ORCHARD, 13 BEVERLEY HEIGHTS, REIGATE, SURREY, RH2 0DL (Pages 39 - 70)

Construction of 2 new 4 bedroom dwellings and alterations to the existing dwelling. As amended on 28/10/2019.

**7. 19/00875/S73 - REIGATE COLLEGE, CASTLEFIELD ROAD, (Pages 71 - 84)
REIGATE, SURREY, RH2 0SD**

Construction of new 2 – storey business teaching block, part demolition of existing Holmesdale building with new pitched roof to retained part. Variation of condition 8 of permission 03/00711/F which states: No more than 1200 students are permitted on site at any one time.

8. 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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Agenda Item 1

Planning Committee
30 October 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 30 October 2019.

Present: Councillors D. Allcard (Chairman), M. S. Blacker (Vice-Chair), P. Harp, J. Hudson, J. P. King, S. A. Kulka, S. McKenna, R. Michalowski, S. Parnall, C. Stevens, S. T. Walsh and C. T. H. Whinney (Substitute).

51. MINUTES

RESOLVED that the minutes of the previous meeting held on 2nd October 2019 be confirmed and signed as a correct record.

52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bray (substituted for by Councillor C. Whinney), F. Kelly, and R. Turner.

53. DECLARATIONS OF INTEREST

Councillor M. Brunt, a visiting Member, declared a non-pecuniary interest in item 8 for the application adjacent to the pumping station, Horley Sewage Works, Lee Street, Horley (19/01665/F), as the Leader of Reigate and Banstead Council which was the applicant. Councillor M. Brunt left the room for the debate and vote on item 8.

54. ADDENDUM TO THE AGENDA

RESOLVED that the addendum be noted.

55. 18/02324/F - MOUNT PLEASANT, COPPICE LANE, REIGATE

The Committee considered an application at Mount Pleasant, Coppice Lane, Reigate, for the demolition of the existing care home (use class C) and erection of a replacement apartment building comprising 10 apartments, plus associated hard and soft landscaping measures.

Mr. Jon Guise, a local resident, spoke in objection to the application on the grounds that the proposal represented a significant increase in density relative to a previously approved application, and that the proposed level of parking provision was insufficient and would therefore harm the amenity of local residents through overspill onto surrounding roads.

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Sascha Wardley, an agent for the applicant, spoke in support of the application on the grounds that the scale and external aspects of the proposed development were significantly in line with a previously approved application, and that improvements had been made relative to previously agreed levels of visual impact, wildlife protection, and parking, with the developer offering additional parking provision to exceed the require standard.

RESOLVED that planning permission be **GRANTED** with conditions, as per the recommendation and addendum.

56. 19/00439/S73 - PLOT 2, 35, THE AVENUE, TADWORTH, KT20 5DG

The Committee considered an application at Plot 2, The Avenue, Tadworth, for the erection of one 5 bed house on two floors with one en-suite bedroom within the roof space. The house is designed with an integrated double garage. Variation of conditions 1, 4 & 1 of permission 17/01149/F – changes to windows, doors, landscaping, increase in size of rear garden by acquisition of strip of land from 37 The Avenue and repositioning of dwelling closer to the Avenue.

Councillor C. Whinney left the meeting for the duration of this item and was not present for the debate or vote.

RESOLVED that planning permission be **REFUSED** as per the recommendation within the report.

57. 19/01067/F - REAR OF 86-90 PARTRIDGE MEAD, BANSTEAD

The Committee considered an application at the rear of 86-90 Partridge Mead, Banstead for the erection of 4 dwellings.

RESOLVED that planning permission be **GRANTED** with conditions, as per the recommendation and addendum.

58. 19/01665/F - BUILDING ADJACENT TO PUMPING STATION, HORLEY SEWAGE WORKS, LEE ROAD, HORLEY

The Committee considered an application at building adjacent to Pumping Station, Horley Sewage Works, Lee Street, Horley for erection of 4 1-bedroom dwellings with associated hard and soft landscaping.

It was identified that the site was on Lee Street, not Lee Road as was listed in the report.

Councillor M. Brunt, a visiting Member, left the room for the debate and vote on this item.

Committee Members expressed concern regarding the small size of the dwellings with regard to the relevant standard, although the report identified that Policy DES5 allows for exceptions where an innovative type of affordable housing is to be provided, and that it was not considered that the floor area of each unit would result in a sub-standard form of accommodation.

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A motion to defer the application was proposed and seconded, and upon a vote the Committee **RESOLVED** that determination of the application be **DEFERRED** for further consideration of the size of the dwellings.

59. 19/00559/OUT - LAND TO REAR OF 57 MASSETTS ROAD, HORLEY, RH6 7DT

The Committee considered an application at the land to the rear of 57 Massetts Road, Horley, RH6 7DT for the demolition of existing detached garage and erection of 2 semi-detached houses (3 Bed 5 Person dwellings) with associated access.

It was clarified that this application was in Horley Central and South Ward.

RESOLVED that planning permission be **GRANTED** with conditions, as per the recommendation and addendum.

It was identified that Ward Members would be consulted on the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS).

60. 19/01667/F - LAND TO REAR OF 63-65 HILLSIDE, BANSTEAD, SM7 2BH

The Committee considered an application at land to the rear of 63-65 Hillside, Banstead for proposed 2 3-bedroom semi-detached houses.

RESOLVED that planning permission be **GRANTED** with conditions, as per the recommendation and addendum.

61. DEVELOPMENT MANAGEMENT PERFORMANCE (Q2, 2019/20)

RESOLVED that the report be noted.

62. ANY OTHER URGENT BUSINESS

It was identified that the Council's Governance Task Group would be reviewing the revised Committee arrangements established following the Boundary Review and May 2019 elections, and that Planning Committee Members might be consulted to advise the impact of the revised arrangements regarding the Planning Committee.

There was no other urgent business to consider.


The Meeting closed at 9.34 pm

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Agenda Item 5

Planning Committee
27th November 2019

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19/01673/OUT

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	27 th November 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Hollie Marshall
	TELEPHONE:	01737 276010
	EMAIL:	Hollie.marshall@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: Nork

APPLICATION NUMBER:	19/01673/OUT	VALID:	30.08.2019
APPLICANT:	The Harnel Group C/o Two County Homes Ltd	AGENT:	Colin Smith Planning Ltd
LOCATION:	LAND REAR OF 127-139 RUDEN WAY EPSOM DOWNS SURREY KT17 3LW		
DESCRIPTION:	Demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking.		
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 an outline planning application for demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking. The matters for approval at this stage are access, appearance, layout and scale. The remaining matter, i.e. landscaping would be for consideration for a later application if this is approved.

The application follows a similar proposal (18/01920/F) that was refused due to the limited spacing between dwellings and the site boundaries that were considered to appear cramped within the site and out of keeping with the pattern of development in the locality. When combined with the car dominated frontages resulting from the tandem parking spaces, it was considered this would be significantly harmful to the character of the area. In dismissing this appeal the Inspector found no harm with regards this substantive issue and concluded *'that the proposed development would not harm the character and appearance of the area.'* However, the appeal was dismissed on the grounds of *'no substantive evidence has been submitted to demonstrate that the proposed development would not harm any protected species and habitat.'* This was therefore the sole reason for the appeal being dismissed and the appeal decision is a material consideration.

To address this sole reason for refusal from the appeal an ecology report has been submitted in support of the application and consultation with Surrey Wildlife Trust

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(SWT) has been undertaken. No objection is raised on the grounds of protected species by SWT subject to recommended conditions.

This application proposes the same design, scale and layout to that found acceptable by the Planning Inspector. On this basis the, the proposal is considered acceptable in terms of the design and impact upon the character of the area as well as the impact upon the amenities of neighbouring properties.

The County Highways Team have confirmed no objection subject to recommended conditions and the Planning Inspector also found no harm in these regards. A tree protection condition is recommended and landscaping would be considered at reserved matters stage. The proposal is therefore considered acceptable in all regards.

Given the significant material consideration of the recent appeal decision it is considered that the principle and detail of the proposed development is acceptable.

RECOMMENDATION(S)

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 conditions.

Sutton and East Surrey Water Company: No comments received

Contaminated Land Officer: No comments received

Network Rail: The developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Network Rail have provided further comments and requirements regarding fencing, drainage and landscaping to ensure the operational railway is protected and these shall be added in an informative.

Representations:

Letters were sent to neighbouring properties on 10th September 2019 a site notice was posted 18th September 2019.

11 responses have been received raising the following issues:

Issue	Response
Out of character	See paragraph 6.3 – 6.9 and condition 4
Cramped	See paragraph 6.3 – 6.9
Noise and disturbance to future residents	See paragraph 6.14 – 6.19 and condition 13
Overlooking and loss of privacy	See paragraph 6.10 - 6.11
Car dominated	See paragraph 6.8
Greenfield site	See paragraph 6.1
Refuse vehicle access	See paragraph 6.24 and condition 17

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Hazard to highway safety	See paragraph 6.23 – 6.24 and conditions 6 - 8
No play area	See paragraph 6.36
Harm to wildlife habitat	See paragraph 6.26 – 6.30 and condition 11
Loss of/harm to trees	See paragraph 6.21 – 6.22, 6.29 – 6.30 and condition 5
Lack of affordable housing	See paragraph 6.20, 6.30 – 6.39
Harm to Conservation Area	See paragraph 6.32
Inadequate parking	See paragraph 6.23
Inconvenience during construction	See paragraph 6.33 and condition 8
Increase in traffic and congestion	See paragraph 6.23 and condition 8
Loss of a private view	See paragraph 6.31
Noise and disturbance	See paragraph 6.12
Overdevelopment	See paragraph 6.3 – 6.9
Human rights	See paragraph 6.37
Harm to Green Belt/countryside	See paragraph 6.32
Set a precedent	See paragraph 6.31
Overshadowing	See paragraph 6.10 – 6.13
Overbearing relationship	See paragraph 6.10 – 6.13
Alternative location/proposal preferred	See paragraph 6.1
Drainage/sewage capacity	See paragraph 6.34 and condition 12
Flooding	See paragraph 6.34
Health fears	See paragraph 6.33
Poor design	See paragraph 6.3 – 6.9
Property devaluation	See paragraph 6.31

1.0 Site and Character Appraisal

- 1.1 The application site is located on the western side of Ruden Way and comprises No. 129 and 131 Ruden Way and the rear gardens of 127, 133, 135, 137 and 139 Ruden Way. Ruden Way is residential road, which leads off Reigate Road at the north eastern end and Fir Tree Road at the southern end. Three residential developments have been built off Ruden Way in more recent years – Amber Close, Poplar Close and Whitebeam Close.
- 1.2 The character of this part of the road where the application site lies within is predominantly semi-detached houses, set in elongated plots. The dwellings are largely modest in scale, with mainly mansard style roofs in part of Ruden

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Way. They are of a similar scale with spacious gaps between. The dwellings are set back from the road on a uniform building line, following the curve of the road, with green verges with street trees and pavements. The dwellings towards the south end of the road are predominantly detached and the plots increase in width creating a more spacious feel. At the northern end of the road lies a large commercial site in use as a car garage.

- 1.3 The Council's Local Distinctiveness Design Guide identifies the area as one of 1930s-1950s Suburbia. The road increases in level to the south. The site also increases in gradient towards the rear (west) where a railway line borders the application site. Gardens to the rear of the site are well established with some large amenity trees and mature boundary vegetation.

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: Additional parking spaces were sought to address the requirement for visitor parking spaces as per the DMP.
- 2.3 Further improvements could be secured: Conditions regarding materials, levels, landscaping and tree protection would be attached to a grant of permission.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|--|--|
| 3.1 | 18/00548/F | Demolition of 129 and 131 Ruden Way and the erection of 9 new detached dwellings with access from Ruden Way together with car parking and landscaping. | Refused
9 th May 2018
Appeal dismissed
27 th January 2019 |
| 3.2 | 18/01920/F | Demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking and landscaping. | Refused
24 th January 2019
Appeal dismissed
15 th July 2019 |
- 3.3 Application 18/00548/F was refused by virtue of the scale, height, massing and design of the dwellings coupled with the tight layout with excessive areas of hardstanding and lack of opportunity for meaningful landscaping, result in a cramped and visually dominant overdevelopment of the site which would be out of keeping with, and significantly harmful to the character and appearance of the area. A second reason for refusal related the unsatisfactory level of amenity for future occupants by means of noise and disturbance from the

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railway line. In dismissing the appeal, whilst the Inspector did not raise an in principle objection to the residential development of the site, however the Inspector did find harm in terms of the *'combination of the width of the plots and the height of the dwellings create an uncharacteristically cramped and dominant appearance, which would not respect the prevailing character of the area in respect of scale, massing and plot size'...* and *'the fenestration details, which have a bold, vertical emphasis continuing into the gables of the dwellings would highlight the height of the dwellings and their narrow width would exacerbate the cramped and dominant appearance of the proposal.'* In regard to living conditions the Inspector concluded *'the proposal would offer a poor standard of amenity and inadequate living conditions for future occupiers.'*

- 3.4 Application 18/01920/F reduced the number of units from nine to six, proposed a linear layout for increased garden depths and plot sizes and revised the design approach using hipped roofs and reduced ridge and eaves heights significantly reducing the bulk and mass of the dwellings. This application was refused due to the limited spacing between dwellings and the site boundaries would appear cramped within the site and out of keeping with the pattern of development in the locality. When combined with the car dominated frontages resulting from the tandem parking spaces, this would be significantly harmful to the character of the area. This decision was appealed and dismissed. In dismissing this appeal the Inspector concluded *'that the proposed development would not harm the character and appearance of the area.'* However, the appeal was dismissed on the grounds of *'no substantive evidence has been submitted to demonstrate that the proposed development would not harm any protected species and habitat.'*

4.0 Proposal and Design Approach

- 4.1 This is an outline planning application for demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking. The matters for approval at this stage are access, appearance, layout and scale. The remaining matter, i.e. landscaping would be for consideration for a later application if this is approved.
- 4.2 The proposed dwellings would be of two similar designs to one another and would comprise of 6 x five bedroom houses. All dwellings would be detached and would be two storeys plus accommodation in the roof space. Plots 1 and 6 would be a mirrored design of one another and would include integral garages. The houses would have a hipped roof with front and rear facing gable features. These plots would include side and rear facing dormer windows to serve the roof space accommodation. Plots two to five would all be of the same design however plots two and four would be a mirrored design of three and five. These plots would be slightly narrower and shallower in dimension but of a similar design with again hipped roofs with front and rear facing gable projections and side and rear facing dormer windows. Two tandem parking spaces are proposed to the front of plots two to five and one parking space to the front of plots one and six. The proposed finishing

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materials would include a pallet of red/brown rustic bricks and sandfaced plain roof tiles.

- 4.3 The dwellings would have a separation distance of 2m between each of them with gaps of 1.3m to either side boundary at each end of the site. The dwellings would be served by a new access road that would be built in replacement of the existing pair of semi-detached houses 129 and 131 Ruden Way. The access road would include areas for landscaping to either side as it enters the site and towards the rear part of the site would curve north eastwards towards plot six. The layout would include an indicative area of landscaping directly to the rear of the donor properties ranging in depth between 4.8 and 7.5m. An area of landscaping would also be included at either end of the access road.
- 4.4 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.5 Evidence of the applicant's design approach is set out below:

Assessment	The surrounding area is assessed as being characterised by semi-detached dwellings, many with mansard type roofs, but others with hipped and gable end roofs. Properties have off street parking and Ruden Way itself has grass verges with some street trees separating the footway from the road. A key characteristic of the area is the number of developments that have been granted planning permission in recent years for the development of back garden areas.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does include additional proposed site layouts being considered.
Design	The applicant's reasons for choosing the proposal from the available options were informed by other similar developments in the locality and pre-application advice.

- 4.6 Further details of the development are as follows:

Site area	0.3 hectares
Proposed parking spaces	16

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Parking standard	14 (minimum)
Net increase in dwellings	4
Existing site density	15 – 127 to 139 Ruden Way
Proposed site density	26 – proposed application site
Density of the surrounding area	5 31 – Amber Close

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)
CS5 (Valued People/Economic Development),
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS14 (Housing Needs)

5.3 Reigate and Banstead Development Management Plan 2019

DES1 (Design of New development)
DES2 (Residential garden land development)
DES4 (Housing Mix)
DES5 (Delivering High Quality Homes)
DES8 (Construction Management)
TAP1 (Access, Parking and Servicing)
CCF1 (Climate Change Mitigation)
INF3 (Electronic communication networks)
NHE2 (Protecting and enhancing biodiversity and areas of geological importance)
NHE3 (Protecting trees, woodland area and natural habitats)

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

Other

Human Rights Act 1998
Community Infrastructure Levy
Regulations 2010

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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 and where the principle of such residential development is acceptable in land use terms. During the course of the recent appeal of application the Inspector found the proposal acceptable in terms of design and character, however the appeal was dismissed on the grounds of *'no substantive evidence has been submitted to demonstrate that the proposed development would not harm any protected species and habitat.'* This application seeks to overcome this issue with the submission of a Preliminary Ecological Appraisal and Phase 2 Bat Survey Report.
- 6.2 This is an outline planning application; the matters for consideration are access, appearance, layout and scale. The remaining matter, i.e. landscaping would be for consideration for a later application if this is approved.
- 6.3 The main issues to consider are:
- Design appraisal
 - Neighbour amenity
 - Amenity for future occupiers
 - Housing mix
 - Impact on trees
 - Access and parking
 - Wildlife
 - Other matters
 - Community Infrastructure Levy
 - Affordable Housing

Design appraisal

- 6.3 The proposed development would result in the demolition of No. 129 and 131 Ruden Way and the erection of 6 dwellings to the rear of 127 to 139 Ruden Way. The proposed dwellings would be arranged in a linear form, parallel to the dwellings fronting Ruden Way to the front and the railway line to the rear. The site would include a well landscaped access road and buffer area of landscaping between the rear of the donor properties and the frontages of the new dwellings in the public areas of the site.
- 6.4 The dwellings would occupy a higher land level than the frontage dwellings along Ruden Way; however, their ridge and eaves height results in a scale of development that would follow with the character of area without resulting in dominating form of development. The proposed area of landscaping to the rear of the donor properties would allow for new planting in this area that would provide some screening from views between the gaps of the existing dwellings fronting Ruden Way. This would increase over time as the planting matures.

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- 6.5 The design of the dwellings would include hipped roofs, and front and rear facing gable features. Traditional roof forms are characteristic of the area and this design would follow these features. Plots one and six would include a catslide roof to the front elevation adding visual interest. The pallet of materials proposes a red/brown rustic brick and a sandfaced plain roof tile. This pallet of materials would avoid a contrasting appearance to the development and the exact specification of the materials would be secured by way of condition.
- 6.6 In terms of plot sizes, the proposed rear gardens would have a depth of between 13.5m and 15.9m. The garden depths allow for more generous plot sizes to that of the earlier application, bringing the rear elevations of the proposed dwellings further from the rear boundary with the railway line. To avoid overdevelopment of the plots, conditions would be attached to remove permitted development rights for extensions and new windows, including dormers.
- 6.7 The site is not within nor adjacent to a Conservation Area, Green Belt designation and is not considered to cause harm in this regard. Land beyond the railway line to the rear of the site is within the green belt designation, however the proposal is considered significantly spaced so as to create an acceptable transition to the green belt land beyond the railway line. Furthermore, there are examples of development much closer to this green belt boundary at Bunbury Way to the south and commercial works to the north. The losses of the existing dwellings are not considered detrimental to the character of the locality.
- 6.8 The traditional design of the dwellings is considered to integrate well with the character of the locality, which has a variance of dwelling types and styles. In the recent appeal the Inspector noted:

The proposed development would be in a linear form, running parallel to Ruden Way and of a traditional design. The proposed dwellings would be set back from the proposed highway, which would be comparable to the set back of properties on Ruden Way. The proposed plot and dwelling widths would also be similar to the existing properties on Ruden Way, notwithstanding the shorter garden lengths and differences in dwelling scale and design. Nevertheless, within close proximity to the site there are several examples of backland development of a denser grain which are not out of character.

Spacing between existing dwellings fronting Ruden Way vary, with the Council citing an average gap of 2.5metres. The spacing between dwellings on the appeal site would be below the average. Notwithstanding this the proposed development would comprise detached dwellings and provide more visual gaps between properties than the properties on Ruden Way which are predominately semi-detached.

The site has a gentle incline from Ruden Way to the railway line beyond, and slopes down from the proposed plot 1 to plot 6. Notwithstanding this the

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separation distances from the adjacent properties, set back from the highway and reduction in height from the previously dismissed appeal would integrate the proposed development into the wider area.

Plots 2 to 5 propose tandem car parking arrangements to the front of each dwelling. I noted during my site visit that a significant number of properties on Ruden Way had off street car parking arrangements with many having capacity to accommodate multiple vehicles. I do not consider the proposed car parking arrangement would be incongruous to the area.

I conclude that the proposed development would not harm the character and appearance of the area. There is no conflict with Policy Ho9, Ho13 and Ho14 of the Reigate and Banstead Borough Local Plan (2005) and Policy CS4 of the Reigate and Banstead Local Plan: Core Strategy (2014).

- 6.9 This application proposes the same layout, design and scale of dwellings as that found acceptable by the Planning Inspector. As such, it would be considered to cause no harm to the character of the area and would comply with policies DES1 and DES2.

Neighbour amenity

- 6.10 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. Objections have been expressed about the impact of the proposal on local residential amenities, as regards overdevelopment, overbearing effect and impacts with respect to overshadowing, overlooking and loss of privacy.
- 6.11 Given the separation distances between the new houses and existing residential dwellings on Ruden of between approximately 42m to 46m, it is not considered that the proposed buildings would cause such a level of harm to neighbour amenity in terms of overbearing, overlooking, loss of light or loss of outlook so as to warrant refusal. The new dwellings would be located adjacent to the rearmost garden areas of these neighbours, which are typically less well used and protected than other parts.
- 6.12 The development proposes a new access to replace No. 129 and 131. The access would be sited relatively centrally at the entrance point before curving along the access road and then angling towards the north and into the proposed development. The separation distance created and opportunity for landscaping is considered acceptable along the side boundaries of 127 and 133 Ruden Way and to the rear of the donor dwellings and is considered this would not give rise to undue noise and disturbance resulting in a harmful impact upon the amenities of this dwelling and their enjoyment of their garden area and this element of the proposal is considered acceptable.
- 6.13 During the course of the recent appeal, the Inspector found no harm to neighbour amenity. As the proposed relationship to neighbouring dwellings remains the same as that previously found acceptable, the proposed scheme

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would not unacceptably affect the amenity of neighbouring properties and complies with policy DES1.

Amenity for future occupants

- 6.14 To the west of this boundary lies a railway line that serves the end of the line Epsom Downs station sited approximately 200m south west of the application site. A second reason for refusal raised the issue of the shallow plots and close proximity of the adjacent railway line would - in absence of further evidence - result in an unsatisfactory level of amenity through the potential for significant noise and disturbance.
- 6.15 The layout allows for rear gardens with depths of between 13.5m and 15.9m.
- 6.16 This application was supported by a noise report that contains a noise survey which was conducted between 16:00 on Monday 20th August to 13:00 on Tuesday 21st August. The results show noise levels consistently peaked over 65db, and on 28 occasions over 70db between the hours of 16:00 and 00:00 and between 07:00 and 13:00. The survey does not cover a full 24 hour period, but given the pattern shown over the hours surveyed, it is considered reasonable to assume that the occurrences of levels over 70db would be higher than those identified in the survey in a full 24 hour period as the period not surveyed was the middle of the afternoon when trains would be running.
- 6.17 In section 10 of the report, the predicted worse case internal noise results are shown with windows closed. The report notes that 'the predicted worst case internal noise levels with windows partially opened exceed the proposed target levels (as is often the case).' It is commonplace for windows to be opened to control ventilation and temperature and residents value the ability to open windows at will at any time of the day, night and year, more commonly in summer but also in the winter months also.
- 6.18 The report concludes that subject to appropriate mitigation measures, the site is suitable for residential development in terms of noise. A condition is recommended to require no development shall take place until a scheme for noise mitigation measures for the dwellings has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the dwellings hereby permitted are first occupied. This condition is considered necessary and reasonable to ensure a satisfactory living environment for future occupants.
- 6.19 The proposed dwellings exceed the minimum internal space standards and accord with the requirements of policy DES5.

Housing Mix

- 6.20 The application follows a recent application that was dismissed at appeal in July this year on the basis of absence of an ecology report. A similar scheme has now been submitted with an ecology report that seeks to overcome this sole reason for refusal. Policy DES4 encourages a mix of housing including

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smaller dwellings within new developments such as this. However, given the progression of the scheme under local plan policies, culminating in a scheme that was found acceptable at appeal, barring ecological mitigation, it would be manifestly unreasonable to require a change in the scheme design at this stage.

Impact on trees

- 6.21 The submitted plans show a number of trees to be removed from the existing rear gardens. However, the arboricultural report submitted with this application shows a different layout than the proposed scheme, therefore a tree protection condition is required to ensure the correct protective measures are implemented during the course of the development.
- 6.22 As landscaping is a reserved matter, this would be for consideration at a subsequent stage.

Access and parking

- 6.23 The County Highway Authority (CHA) 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 conditions.
- 6.24 The proposed conditions would include the requirement for a construction transport management plan to be submitted prior to commencement of development. Also, a condition is recommended that secures the requirement, prior to occupation, for the proposed access to be constructed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. A third condition is recommended to secure the closure of the existing accesses from Ruden Way. The developer is also proposing adequate turning space within the site for refuse vehicles to enter and leave the site in forward gear.
- 6.25 In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019 and to meet the objectives of the NPPF (2019), and to satisfy policy TAP1 of the Reigate and Banstead Development Management Plan (2019) a fourth condition would be attached to a grant of permission requiring each of the proposed dwellings to be 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.

Wildlife

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6.26 During the course of the recent appeal of application 18/01920/F the Inspector's single reason for refusal related to the matter of no substantive evidence had been submitted to demonstrate that the proposed development would not harm any protected species and habitat.

6.27 This current application has been supported by a Preliminary Ecological Appraisal and Phase 2 Bat Survey Report. The report notes:

'The majority of the habitats within the site have been assessed to be of negligible ecological value. Areas of scrub, trees and the pond have been assessed as being of somewhat elevated ecological value in the context of the site, and mitigation measures for these features have therefore been recommended.

Areas of tall ruderal vegetation, scrub, trees and to a lesser extent areas of amenity planting are considered to be of potential value to protected species such as hedgehogs, amphibians and nesting birds. A number of mitigation measures have therefore been set out with respect to these species in order to safeguard them throughout the development process. In addition, the building that is proposed for demolition was assessed as having 'low' suitability to support roosting bat activity and a single emergence survey was therefore carried out.

No bats were recorded to emerge from the building during the emergence survey, and very low levels of bat activity were recorded in the local area. It has therefore been concluded that roosting bats are likely to be absent from the building and that it is unlikely that the development will result in an offence under the European Habitats Directive.

A number of mitigation and enhancement recommendations have been made, which will ensure that the ecological value of the site is maintained throughout the development process and, if implemented, will result in a net gain in biodiversity value following the completion of the development.'

6.28 Surrey Wildlife Trust were consulted upon the application and have raised no objection on the ground of protected species subject to recommended conditions.

6.29 Surrey Wildlife Trust have raised objection on the grounds of biodiversity enhancements noting the net loss of trees and the proposal does not provide a net gain for biodiversity, contrary to the NPPF. As landscaping is a reserved matter, not for consideration in this application, it is not considered that the proposal would warrant refusal on this basis and the proposed landscaping scheme would be considered at reserved matters stage.

6.30 The submitted Preliminary Ecological Appraisal and Phase 2 Bat Survey Report makes a number of enhancement recommendations included native landscaping and deadwood habitat piles. This would be considered during a reserved matters application however the recommendations for bat and bird

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boxes and a single bee brick for each dwelling which shall be secured by condition.

Other matters

- 6.31 Conflicting with a covenant, loss of a private view and property devaluation are not material planning considerations. Objection was raised on the grounds of setting a precedent; each application must be assessed on its own merits.
- 6.32 The site is not within nor adjacent to a Conservation Area, Green Belt designation and is not considered to cause harm in this regard. Land beyond the railway line to the rear of the site is within the green belt designation, however the proposal is considered significantly spaced so as to create an acceptable transition to the green belt land beyond the railway line. Furthermore, there are examples of development much closer to this green belt boundary at Bunbury Way to the south and commercial works to the north. The losses of the existing dwellings are not considered detrimental to the character of the locality.
- 6.33 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement would be secured by planning condition. No significant health issues are considered to arise as a result of the planning application.
- 6.34 Concern has been raised from neighbouring properties regarding flooding and drainage/sewage. The site is located within flood zone 1 and sewage capacity and drainage would be assessed at building control stage.
- 6.35 During the course of the previous application, the Neighbourhood Services Team confirmed the refuse collection lorry would not drive into the proposed site and the development will have to provide a presentation point adjacent to the highway for residents to place their bins out for collection. A condition would be attached to a grant of planning permission requiring details be submitted of the proposed waste storage and waste collection point to ensure adequate waste facilities in the interests of the amenities of the area.
- 6.36 Policy OSR 2 (Open space in new developments) requires recreational facilities in new developments, however this proposal for a net gain of four dwellings would fall below the threshold to require children's play facilities to be required on site. The proposal would therefore not warrant refusal on the absence of a children's play area.
- 6.37 Regard has been had to the Human Rights Act 1998. 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.

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Community Infrastructure Levy (CIL)

- 6.38 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 £95,200.

Affordable housing

- 6.39 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.
- 6.40 In view of this, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

CONDITIONS

1. Approval of details of the landscaping of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Article 5 of the Town and Country Planning (Development Management Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990.

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

Plan Type	Reference	Version	Date Received
Floor Plan	RW_PA2 003		23.08.2019
Location Plan	RW_PA2 001	A	23.08.2019
Elevation Plan	RW_PA2 004		23.08.2019

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Site Layout Plan	RW_PA2 002	A	23.08.2019
Elevation Plan	RW_PA2 202	B	23.08.2019
Floor Plan	RW_PA2 201	A	23.08.2019
Site Layout Plan	RW_PA3 001	A	23.08.2019
Elevation Plan	RW_PA2 102	B	23.08.2019
Section Plan	RW_PA2 203	A	23.08.2019
Section Plan	RW_PA2 103	A	23.08.2019
Floor Plan	RW_PA2 101	A	23.08.2019

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 Local Plan Development Management Plan 2019 policy DES1.

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

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Local Plan Development Management Plan 2019 policy DES1.

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

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policies DES1 and NHE3 of the Development Management Plan 2019.

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6. Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until the proposed vehicular access to Ruden Way has been constructed and provided with dropped kerbs and tactile paving at the pedestrian crossing points and pedestrian visibility of 2 metres back from the rear of the footway by 2 metres from the sides of the access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of the visibility.

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 2019 and Policy TAP1 of the Development Management Plan 2019

7. The development hereby approved shall not be occupied unless and until the existing accesses from the site to Ruden Way have been permanently closed and any kerbs, verge, footway, fully reinstated.

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 2019 and Policy TAP1 of the Development Management Plan 2019

8. 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) provision of boundary hoarding behind any visibility zones
 - (e) measures to prevent the deposit of materials on the highway
 - (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (f) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP 1 of the Development Management Plan 2019.

9. 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.

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Reason: In recognition of Section 9 “Promoting Sustainable Transport“ in the National Planning Policy Framework 2019 and to meet the objectives of the NPPF (2019), and to satisfy policy TAP1 of the Reigate and Banstead Development Management Plan (2019).

10. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected, including provisions for wildlife access, 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 Development Management Plan 2019 policy DES1 and NHE3.

11. The development hereby approved shall be undertaken in accordance with paragraphs 5.42 – 5.44, 5.53 – 5.57 and 5.69 – 5.73, and the enhancement recommendations at paragraphs 6.4 – 6.7 of the Preliminary Ecological Appraisal and Phase 2 Bat Survey Report (PEA) dated August 2019.

Reason: To protect the important species on the site in accordance with Policy NHE2 of the Development Management Plan 2019, Natural England standing advice and the provisions of the NPPF

12. No development shall commence until a scheme for the disposal of foul and surface water drainage from the site has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved prior to the occupation of the dwelling hereby permitted.

Reason: To ensure that the site is satisfactorily drained with regard to Development Management Plan policy CCF2 and National Planning Policy Framework 2019.

13. No development shall take place until a scheme for noise mitigation measures for the dwellings has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the dwellings hereby permitted are first occupied.

Reason: To protect the occupants of the proposed development from noise disturbance with regard to Development Management Plan policy DES1.

14. The first and second floor windows in the south west and north east 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.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (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 Development Management Plan 2019 policy DES1.

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 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 in accordance with Development Management Plan 2019 policy DES1.

17. The development hereby approved shall not be occupied until the proposed refuse collection point has been provided in accordance with the approved plans. Thereafter the refuse collection point shall be retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above condition is required in order to meet the objectives of the NPPF (2019), and to satisfy policy TAP1 of the Development Management Plan 2019.

18. The development hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:

- a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day
- b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations

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

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

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

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

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

INFORMATIVES

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

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- (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. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
8. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the

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intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management> -permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

9. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
10. When a temporary access is approved or 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.
11. The developer is advised that as part of the detailed design of the highway works required within the highway to accommodate the proposed access, 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.
12. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
13. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
14. The developer is reminded that it is an offence under the Highways Act 1980 to allow water to discharge from private land onto the public highway and therefore a means within the private land to prevent private water from entering the highway should be provided.
15. With regard to boundary treatments, secured by recommended condition 10 the developer is encouraged to incorporate measures to promote biodiversity and wildlife and to allow wildlife to move into and out of gardens, such as hedgehog friendly gravel boards, where appropriate. Details of the 'wildlife

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friendly' measures should be identified within the submission of the details for approval.

16. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837
17. The developer must ensure that their proposal, both during construction and after completion of works on site, does not:
 - encroach onto Network Rail land
 - affect the safety, operation or integrity of the railway and infrastructure
 - undermine its support zone
 - damage the company's infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements to ensure the operational railway is protected.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on

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Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

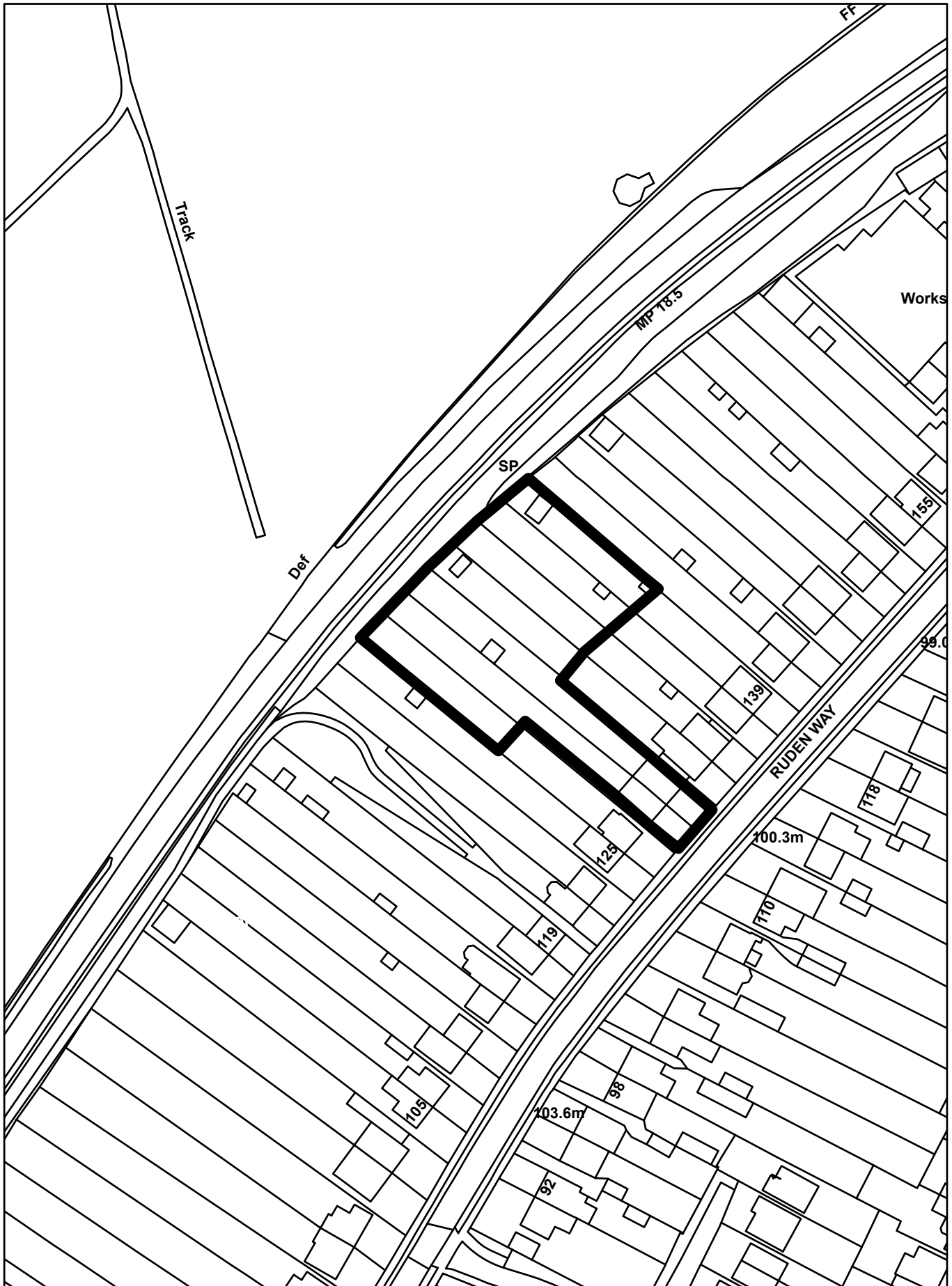
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1, DES2, DES4, DES5, DES8, TAP1, CCF1, INF3, NHE2 and NHE3 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 5
19/01673/OUT - Land Rear Of 127-139 Ruden Way,
Epsom Downs



Notes:
 - DO NOT SCALE FROM THIS DRAWINGS
 - SETTING OUT & ALL MEASUREMENT SHOULD BE TAKEN ON SITE

35



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 Appendix Item 5
 N

Client:
HARNEL GROUP

Project:
**LAND TO THE REAR
 OF 127 - 139 RUDEN WAY
 EPSOM
 KT17 3LW**

Title:
REVISED SITE PLAN

Project Initial: **RW** Date: **21 January 2019**

Drawing Number: **RW_PA3 001** Revision: **A**

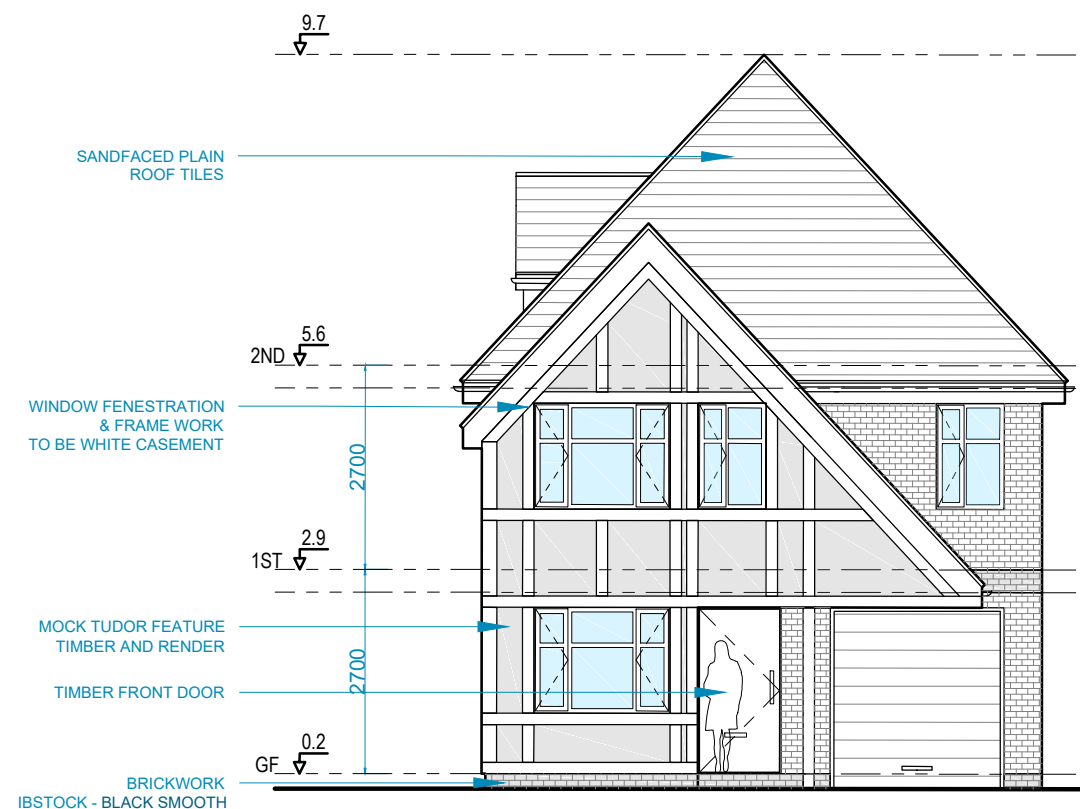
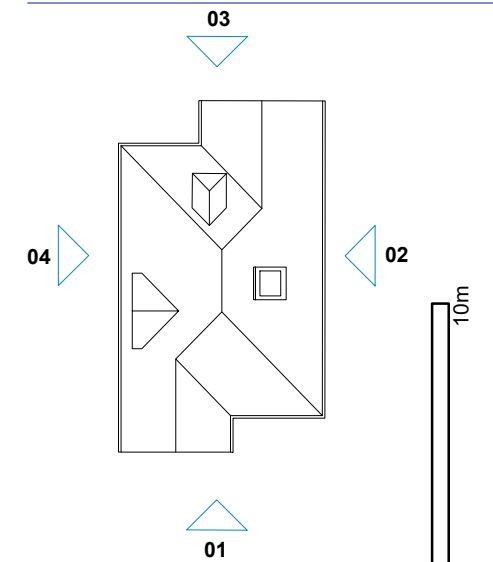
Drawing Scale: **1:500 @ A3** Drawn: **AG** Checked: **AJ**



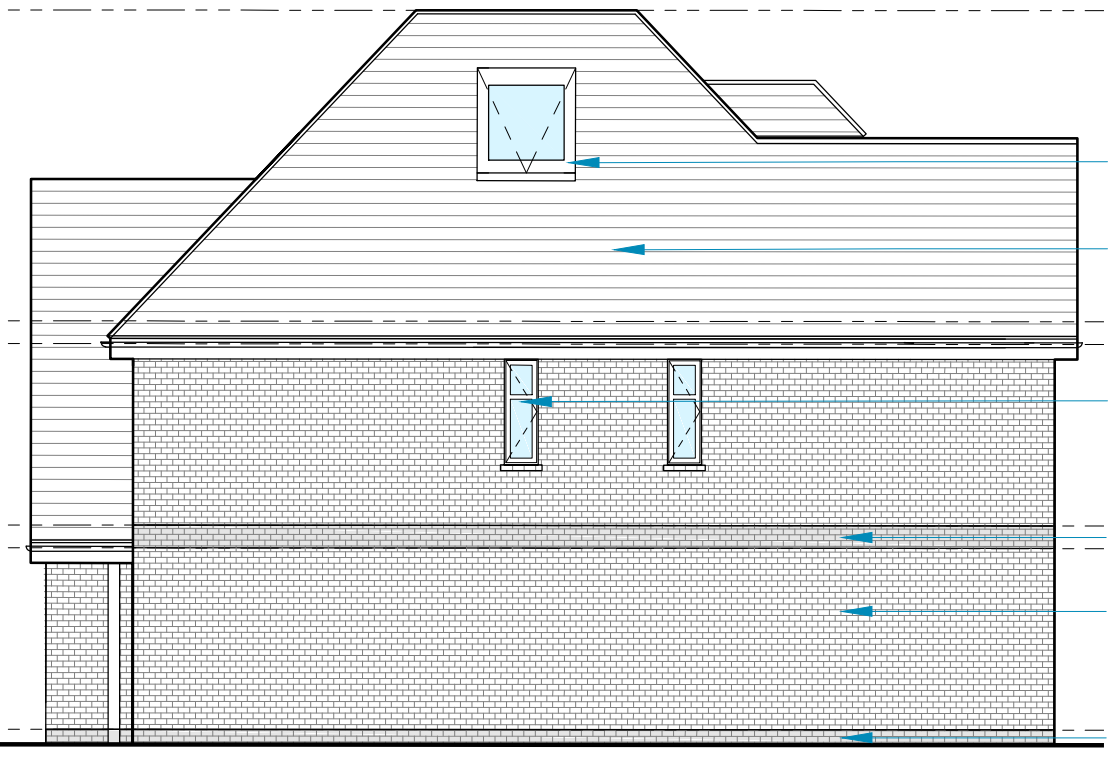
REVISED SITE PLAN. PROPOSED

Architecture | Urban Design | Interiors | Building Consultancy
 ONE Alfred Place, 1 Alfred Place, London, UK
 info@aquarchitects.com | www.aquarchitects.com

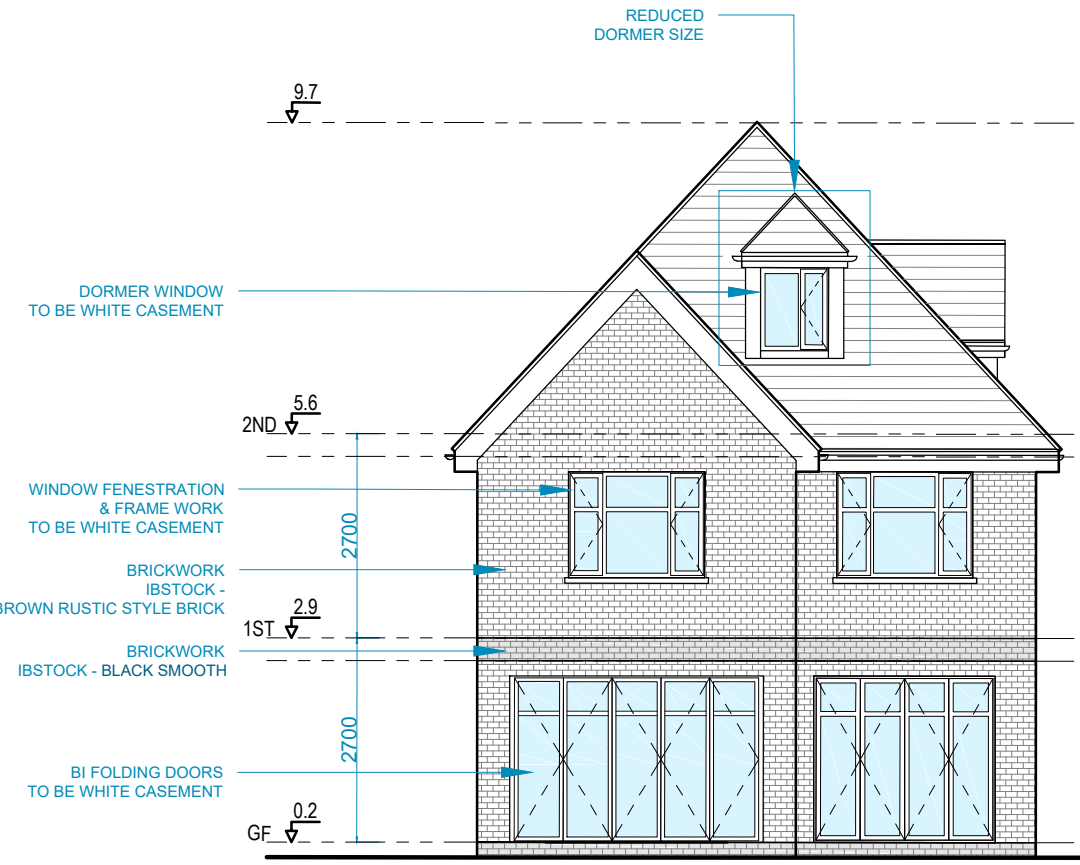
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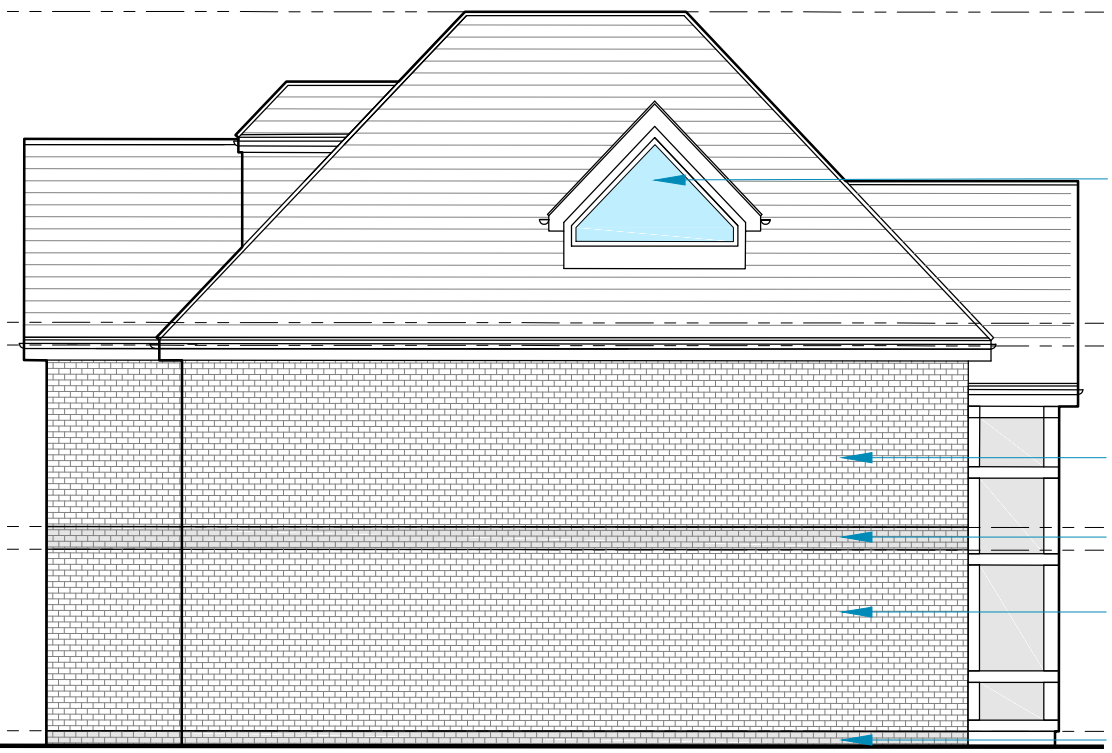
ELEVATION 01. HOUSE TYPE 01 - 160 SQM



ELEVATION 02. HOUSE TYPE 01 - 160 SQM



ELEVATION 03. HOUSE TYPE 01 - 160 SQM



ELEVATION 04. HOUSE TYPE 01 - 160 SQM

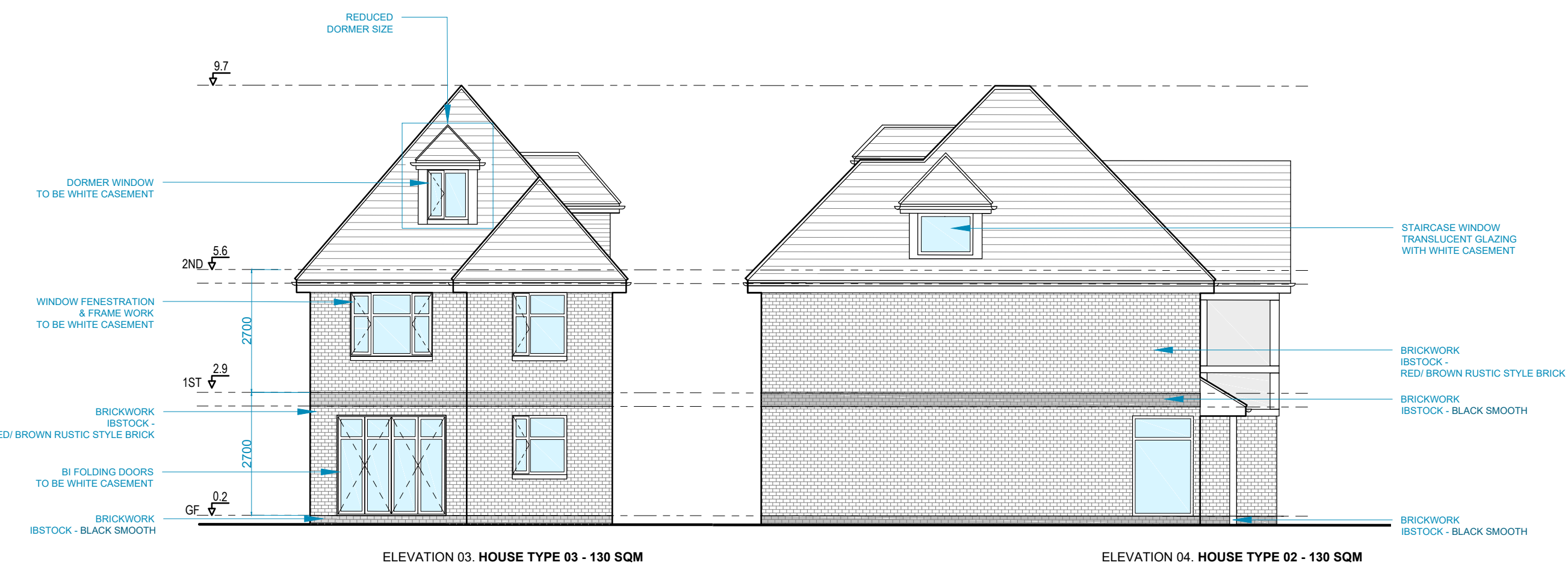
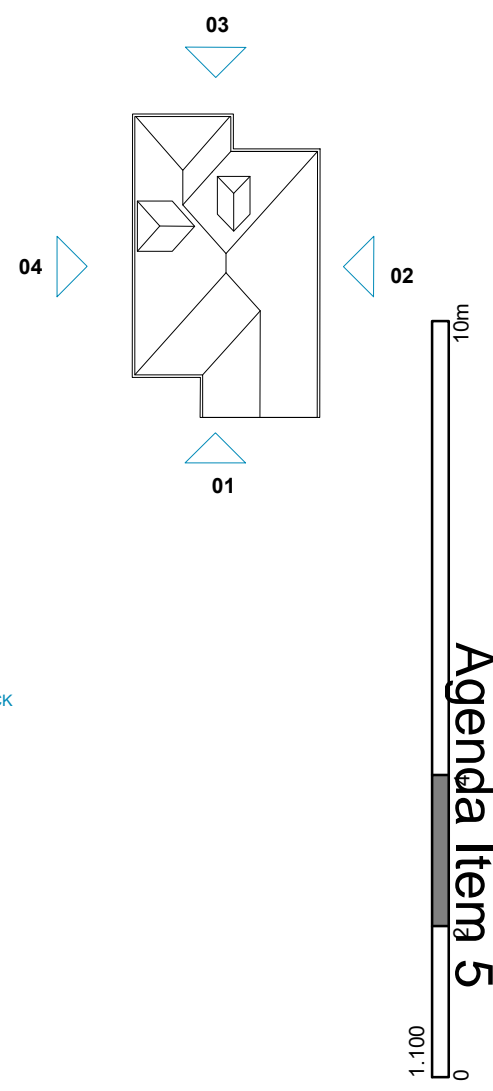
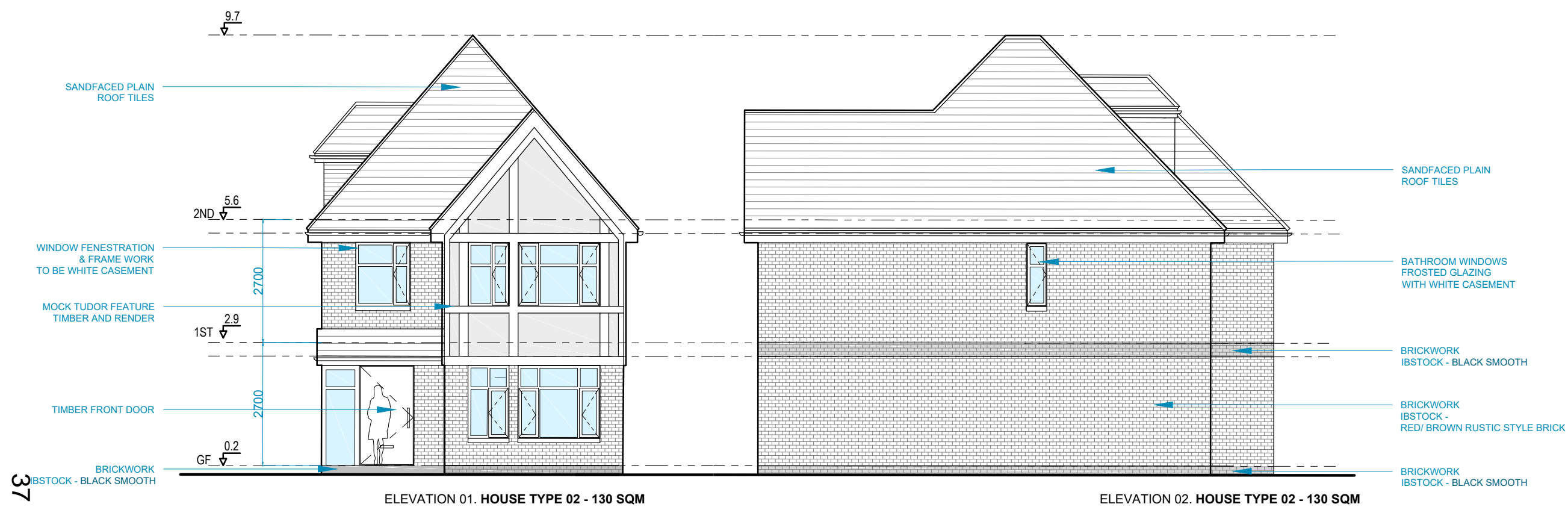
36

Agenda Item 5

Client. HARNEL GROUP		
Project. LAND TO THE REAR OF 127- 139 RUDEN WAY EPSOM KT17 3LW		
Title. PROPOSED ELEVATIONS - TYPE 01 5 BEDROOM HOUSE - 160 SQM		
Project Initial. RW	Date. 09 JANUARY 2018	
Drawing Number. RW_PA2 102	Revision. B	
Drawing Scale. 1:100 @ A3	Drawn. JS	Checked. AJ



Notes:
 - DO NOT SCALE FROM THIS DRAWINGS
 - SETTING OUT & ALL MEASUREMENT SHOULD BE TAKEN ON SITE



Client. HARNEL GROUP	
Project. LAND TO THE REAR OF 127- 139 RUDEN WAY EPSOM KT17 3LW	
Title. PROPOSED ELEVATIONS - TYPE 02 5 BEDROOM HOUSE - 130 SQM	
Project Initial. RW	Date. 08 January 2018
Drawing Number. RW_PA2 202	Revision. B
Drawing Scale. 1:100 @ A3	Drawn. Checked. AG AJ



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Planning Committee
27th November 2019

Agenda Item: 6
19/01669/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	27 th November 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Hollie Marshall
	TELEPHONE:	01737 276010
	EMAIL:	Hollie.marshall@reigate-banstead.gov.uk
AGENDA ITEM:	6	WARD: Reigate

APPLICATION NUMBER:	19/01669/F	VALID:	05.09.2019
APPLICANT:	Mr & Mrs Bates	AGENT:	Scandia-Hus Ltd
LOCATION:	THE ORCHARD 13 BEVERLEY HEIGHTS REIGATE SURREY RH2 0DL		
DESCRIPTION:	Construction of 2 new 4 bedroom dwellings and alterations to the existing dwelling. As amended on 28/10/2019.		
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 construction of 2 new 4 bedroom dwellings and alterations to the existing dwelling. The properties within Beverley Heights itself are outside the designated Alma Road and Raglan Road Residential Area of Special Character (RASC), however the rear garden of 13 Beverley Heights, where the two new dwellings would be sited, is within the RASC and therefore consideration against this is required. The new dwellings would be arranged in a linear layout, orientated north/south and would be of a traditional design.

The proposal follows a recent application for the redevelopment of the site for three new dwellings (18/01947/F), which was refused. The application was refused due to harm to the character of the area and harm to the amenities of 2 Beverley Heights by virtue of both Plots 1 and 2 proposed. An appeal was made against the refusal of the application and this was dismissed but solely on the grounds of the impact from plot one resulting in an overbearing and dominating relationship and overlooking towards 2 Beverley Heights. The Inspector found the development acceptable in all respects with regards Plots 2 and 3 and overall in terms of the impact upon the character of the area and the RASC. Plots two and three would be identical to those previously approved, and the retention of the existing dwelling would create a similar layout to that found acceptable by the Planning Inspector, where no harm was found to result to the character of the RASC. As such, the proposal is considered to cause no harm to the character of the area, would be compatible with the spacing, separation, grain and plot sizes prevailing in the area and would therefore be acceptable.

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Given the relationship between the existing dwelling and No. 2 Beverley Heights would be the same as existing, the proposal is not considered to result in a harmful impact upon the amenities of No. 2 by way of overbearing, domination or overlooking.

During the course of the application amended plans were sought to provide obscure glazing to the existing first floor south facing window that presently looks towards No. 2 Beverley Heights. The amendment is considered to improve the relationship between the dwellings by obscuring the most prominent window that looks towards No. 2. These changes are considered to significantly improve the scheme from that recently refused at appeal and the existing overlook from this window. As such, the proposal would cause no harm to neighbour amenity and would be acceptable.

The proposal is not considered to result in a harmful impact upon neighbour amenity and the County Highways Team have confirmed no objection subject to recommended conditions. There are no significant trees on the site that would be affected, and the proposal is considered acceptable in all regards.

RECOMMENDATION(S)

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 conditions.

Sutton and East Surrey Water Company: – no comments received

Raglan Road Residents Association: – no comments received

The Reigate Society: – ‘We are considered over the density of the proposal in this area.’

Representations:

Letters were sent to neighbouring properties on 16th September a site notice was posted 18th September 2019.

13 responses have been received raising the following issues:

Issue	Response
Conflict with a covenant	See paragraph 6.24
Harm to RASC	See paragraph 6.3 – 6.9
Set a precedent	See paragraph 6.24
Inadequate parking	See paragraph 6.22 – 6.23 and condition 8
Bin Store	See paragraph 6.11, 6.30 and condition 16
Increase in traffic and congestion	See paragraph 6.23
Loss of/harm to trees	See paragraph 6.18 – 6.20 and conditions 5 and 6
Loss of privacy/overlooking	See paragraph
Out of character with the surrounding area	See paragraph 6.3 – 6.9
Inconvenience during construction	See paragraph 6.27 and condition 9
Noise and disturbance	See paragraph 6.11
Overbearing relationship	See paragraph 6.10 – 6.17
Overshadowing	See paragraph 6.10 – 6.17
Poor design	See paragraph 6.3 – 6.9
Harm to Conservation area	See paragraph 6.26
Loss of a private view	See paragraph 6.24
No need for the development	See paragraph 6.1

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Height	See paragraph 6.5 – 6.6
Retaining walls	See paragraph 6.29
Harm to wildlife habitat	See paragraph 6.25 and condition 11
Loss of light	See paragraph 6.10 – 6.17
Drainage/sewage capacity	See paragraph 6.29
Flooding	See paragraph 6.29
Harm to Green Belt/countryside	See paragraph 6.26
Hazard to highway safety	See paragraph 6.22 – 6.23 and conditions 7 - 9
Impact upon local amenities	See paragraph 6.31
Cramped	See paragraph 6.3 – 6.9

1.0 Site and Character Appraisal

- 1.1 The site consists of a large detached dwelling, situated within a generous, irregular shaped corner plot in the north eastern corner of Beverley Heights. The site is bounded by mature trees and vegetation, particularly along the northern and eastern boundaries. The eastern part of the site is situated within the designated Alma Road and Raglan Road Residential Area of Special Character (RASC), which is characterised by dwellings set in large, spacious plots, with a predominance of tree cover. The RASC extends to the south and east of the plot, towards Alma Road. The site decreases in gradient from north to south as does the wider area, and also from east to west.
- 1.2 The surrounding area is characterised by detached dwellings of varying style and design and occupy generous sized plots.

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: During the course of the application amended plans were sought to secure the existing first floor south facing window at 13 Beverley Heights to the amended to obscure glazing.
- 2.3 Further improvements could be secured: Conditions regarding materials, levels, landscaping and tree protection would be attached to a grant of permission.

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3.0 Relevant Planning and Enforcement History

3.1 18/01947/F Demolition of existing dwelling and construction of three new dwellings. Refused 21st February 2019
Appeal dismissed 6th August 2019

3.2 18/00783/F Demolition of existing dwelling, construction of four new two storey dwellings, each with garage and new access driveway. Refused 24th July 2018

3.4 *Application 18/01947/F was refused for the following two reasons:*

1. The proposed development would, by virtue of the proposed layout, outlook (with each property having two primary first floor bedroom windows on their front elevation) and elevated position of Plots 1 and 2, result in overlooking and loss of privacy to the garden and swimming pool of 2 Beverley Heights, as well as appearing overbearing and dominant when viewed from it. The proposal would therefore cause significant harm to the residential amenities of this property contrary to policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Local Plan 2005 and the provisions of the Reigate and Banstead Local Distinctiveness Design Guide.
2. The proposed development would, by virtue of the multiple access arrangements, loss of hedging and amount of hard landscaping at the end of the cul-de-sac cause a harmful interruption of the street frontage which combined with the elevated position, height and scale of the dwellings beyond would cause significant harm to the verdant, open and spacious character of the area including the Alma Road & Alders Road Residential Area of Special Character contrary to policies Ho9, Ho13, Ho14 and Ho15 of the Reigate and Banstead Local Plan 2005, Policy CS4 of the Reigate and Banstead Core Strategy 2014 and the provisions of the Reigate and Banstead Local Distinctiveness Design Guide.

3.5 An appeal was made against the refusal of the application and this was dismissed on the grounds of the impact from plot one resulting in an overbearing and dominating relationship and overlooking towards 2 Beverley Heights. The Inspector stated *'that even with separation distances the scheme as planned would lead to an unduly uncomfortable sense of actual and perceived overlooking and an overbearing and dominant structure which would unreasonably impinge on the residential amenity for neighbours in No 2 and the outlook they would reasonably expect to be preserved.'*

3.6 Whilst the appeal was dismissed on the grounds a harmful impact upon the amenities of No. 2 Beverley Heights, the Inspector did find the proposal

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acceptable in terms of the impact upon the character of the area and the RASC, noting:

'As part of a reason for refusing the scheme the Council is concerned that the multiple access arrangements, loss of hedging and amount of hard landscaping at the end of the cul-de-sac cause a harmful interruption of the street frontage at Beverley Heights. I agree that there would certainly be change at this cul de sac end and more hard-surfacing would be evident. However the wider scene as one heads towards the end of the road would remain one of lower density housing in large grounds and landscape would remain very much in evidence. The driveways themselves would not be out of character not least because the immediate end of the cul de sac is very much one of hard-surfacing with the road turning head and four driveways all in close proximity. The hedging and part of the verge which would be lost are not of over-riding importance to my mind in this scene.

12. I now turn to the RASC aspect of the refusal wherein the Council is concerned that there would be significant harm to the verdant, open and spacious character of the area. I can fully understand why the Council would wish to zealously protect the RASC from unsuitable development; it is an extremely attractive area.

13. However I am not persuaded that the planned style, height and size of dwellings and the plots they would occupy in the RASC would be harmful to the locality's aesthetic qualities. I say this appreciating that the gardens would be towards the lower end of the spectrum in the RASC but to my mind not harmfully so. Dwelling spacing between and around would be significant, principal trees would remain, scope for new planting would be readily available, and the designs of plots 2 and 3 would be of a sympathetic and characteristic vernacular nature. The layout pattern would not match most plots in the RASC but substantial variety is found therein and one of its charms in certain parts is the informality of dwelling positions and irregular plot shapes. Furthermore in my opinion there would not be material harm to amenities of those living in the RASC or to the longevity of its qualities from this scheme. A sense of spaciousness would continue to prevail and the established character and attractive appearance of the RASC would endure.

14. I therefore conclude that there would not be conflict with LP Saved Policies Ho9, Ho13, Ho15 and Ho16 and Policy CS4 of the Reigate and Banstead Core Strategy. Taken together and amongst other matters these policies call for well designed development of suitable scale, form and appearance relative to the aesthetic qualities of the immediate and wider location generally and within a RASC specifically and underline that the maintenance of the character of an area will normally be the prime consideration when residential development is contemplated. This is reflected in the DG and whilst that document cannot be expected to cover every eventuality the appeal scheme would not run contrary to its objectives.

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4.0 Proposal and Design Approach

- 4.1 This is a full application for construction of two new four bedroom dwellings and alterations to the existing dwelling. The existing house at No. 13 would be retained and modest changes are proposed to the fenestration of this dwelling. The two new dwellings would be arranged in a linear layout, orientated north/south. A new access road would be created into the site, utilising the existing access point to Beverley Heights. The access road would run in near proximity to the southern boundary of the site with the dwellings located to the north. Directly along the southern boundary would be an area of landscaping. The rear gardens of the new dwellings would share a rear boundary with the existing dwellings that front Raglan Road.
- 4.2 The design of the dwellings would be traditional in style. The houses would be of two different designs, however of a cohesive style. The dwellings would feature hipped roofs, with plots two including front and rear facing gable elements. Plot three would be of an 'L' shape design with a catslide roof to the southern end levels to the west and south. The new dwellings would broadly follow the gradient of the site and step down in level as the site reduces towards the west. Both new dwellings would have two parking spaces to the front and would include integrated garages.
- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.4 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as partly within a designated Residential Area of Special Character (RASC). The surrounding properties are a mix of individually designed properties, including two and three storey buildings. No one style of property dominates the surrounding area. Another characteristic of the area is the mix of external materials, including brick, render, timber and glass.
	The existing dwelling and access from Beverley Heights shall be retained and existing landscape features of value on the site will be retained, including all the mature hedgerows.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.

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Design	The applicant's reasons for choosing the proposal from the available options were informed by the comments of inspector from the previously dismissed scheme to evolve the scheme submitted
--------	---

4.5 Further details of the development are as follows:

Site area	0.397 hectares
Proposed parking spaces	9
Parking standard	6 (minimum)
Net increase in dwellings	2
Existing site density	2.5 houses per hectare
Proposed site density	7.5 houses per hectare
Density of the surrounding area	5 dwellings per hectare (Alma Road RASC) 6 5.7 dwellings per hectare n(1 – 13 Beverley Heights)

5.0 Policy Context

5.1 Designation

Urban area

Eastern part of site - Alma Road and Raglan Road Residential area of special character

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),
CS14 (Housing Needs)

5.3 Reigate and Banstead Development Management Plan 2019

DES1 (Design of New development)
DES2 (Residential garden land development)
DES3 (Residential Area of Special Character)
DES4 (Housing Mix)
DES5 (Delivering High Quality Homes)
DES8 (Construction Management)
TAP1 (Access, Parking and Servicing)
CCF1 (Climate Change Mitigation)

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INF3 (Electronic communication networks)

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

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. During the course of the recent appeal of application the Inspector found the proposal acceptable in terms of design and character, however found harm to the neighbour amenity of 2 Beverley Heights by way of the impact from plot one resulting in an overbearing and dominating relationship and overlooking. This application seeks to overcome this issue with the retention of the existing dwelling.

6.2 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Access and parking
- Infrastructure contributions
- Affordable Housing

Design appraisal

6.3 The site comprises 13 Beverley Heights, a detached house set in a generous plot, partly located within the Alma Road and Raglan Road RASC. The Council's Local Distinctiveness Design Guide describes such designated tracts as having spacious plots, being unified in character with consistent mature landscaping and Arcadian layout, and rural style access roads with no footways/kerbs. The area is distinguished by substantial detached dwellings of various styles in generously sized plots mainly arranged in a linear form. There are some examples of back land development within the wider locality.

6.4 Policy DES3 of the DMP (Residential Areas of Special Character) requires proposals for residential development, to respect the form of neighbouring

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buildings and the character of the RASC, buildings to be individually designed and sub-division of existing curtilages should not result curtilages of a size below that prevailing in the area. Policy DES2 of the DMP which relates specifically to residential garden land development, also states that development should be designed to respect the scale, form and external materials of existing buildings; for infilling, proposals should incorporate plot widths, front garden depths, building orientation and spacing between buildings in keeping with the prevailing layout in the locality; and provide well designed roads with space for suitable landscaping.

- 6.5 The application proposes the retention of No. 13 and two new dwellings would be constructed in the garden area. In the context of the design and layout, the Planning Inspector noted *'I am not persuaded that the planned style, height and size of dwellings and the plots they would occupy in the RASC would be harmful to the locality's aesthetic qualities. I say this appreciating that the gardens would be towards the lower end of the spectrum in the RASC but to my mind not harmfully so. Dwelling spacing between and around would be significant, principal trees would remain, scope for new planting would be readily available, and the designs of plots 2 and 3 would be of a sympathetic and characteristic vernacular nature. The layout pattern would not match most plots in the RASC but substantial variety is found therein and one of its charms in certain parts is the informality of dwelling positions and irregular plot shapes. Furthermore in my opinion there would not be material harm to amenities of those living in the RASC or to the longevity of its qualities from this scheme. A sense of spaciousness would continue to prevail and the established character and attractive appearance of the RASC would endure.'*
- 6.6 The design, layout, height and plot sizes of plots two and three would be identical to that of the previous proposal, whereby the Inspector found these elements of the proposal acceptable. Plot two would have a separation distance of 8m to the existing dwelling, which is considered to maintain the spacious character of the area. The boundary between these two properties would be staggered towards the southern end to maintain a gap of 5.3m between the existing dwelling and proposed side boundary. The existing dwelling would retain a reasonable sized plot, similar to that of the previously proposed plot one. The two new houses would be individually designed and would respect the traditional form of the detached dwellings in the locality.
- 6.7 The new access into the site formed part of the previous second reason for refusal. In this regard, the Inspector found *'that there would certainly be change at this cul de sac end and more hard-surfacing would be evident. However the wider scene as one heads towards the end of the road would remain one of lower density housing in large grounds and landscape would remain very much in evidence. The driveways themselves would not be out of character not least because the immediate end of the cul de sac is very much one of hard-surfacing with the road turning head and four driveways all in close proximity. The hedging and part of the verge which would be lost are not of over-riding importance to my mind in this scene.'*

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- 6.8 The access into the site would have a greater degree of soft landscaping near to the entrance where the existing garden area to the south of the retained dwelling would be maintained. Given the increased level of landscaping at the access point, this element of the proposal is considered acceptable.
- 6.9 Plots two and three would be identical to those previously approved, and the retention of the existing dwelling would create a similar layout to that found acceptable by the Planning Inspector, where no harm was found to result to the character of the RASC. As such, the proposal would cause no harm to the character of the area, would be compatible with the spacing, separation, grain and plot sizes prevailing in the area and would therefore be acceptable.

Neighbour amenity

- 6.10 2 Beverley Heights is a two storey, detached house that occupies the plot to the south of proposed plot four. The dwelling has a generous rear garden that includes a swimming pool. The rear boundary comprises a close boarded, 1.8m high fence. The land increases in level towards the rear and continues to increase into the application site. In dismissing the appeal of application 18/01947/F the Inspector found that proposed plot one would result in a harmful impact upon the amenities of 2 Beverley Heights by way of overlooking, overbearing and domination. This application seeks to overcome this issue by retaining the existing dwelling and therefore the relationship between the application site and 2 Beverley Heights would remain the same as at present. The Inspector concluded that they were only concerned with plot 1 and its impact upon No. 2 Beverley Heights and added *'to my mind Plot 2 is more considered in terms of its front elevation, massing, and upper floor fenestration and is less directly facing No 2 Beverley Heights.'* Given the relationship between the dwellings would be the same as existing, the proposal is not considered to result in a harmful impact upon the amenities of No. 2 by way of overbearing, domination or overlooking.
- 6.11 The proposed new access would be sited approximately 4.5m from the rear boundary of No. 2 where new landscaping and a bin store is proposed. A condition would be attached to a grant of planning permission requiring details be submitted of the proposed waste storage and waste collection point to ensure adequate waste facilities in the interests of the amenities of the area. Whilst the proposal would increase vehicular activity, resulting in increased noise, it is not considered that the normal domestic occupation of the two proposed dwellings would give rise to unacceptable levels of noise and disturbance given the separation distances to No. 2 and other neighbouring properties.
- 6.12 There are proposed fenestration changes proposed to the existing dwelling on site to replace clear glazed first floor east facing windows to avoid overlooking towards plot two. During the course of the application amended

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plans were sought to provide obscure glazing to the existing first floor south facing window that presently looks towards No. 2 Beverley Heights. This window serves a bedroom that is further served by an existing west facing window also. The amendment is considered to improve the relationship between the dwellings by obscuring the most prominent window that looks towards No. 2.

- 6.13 The properties 16 to 26 Raglan Road are sited to the north of the application site and their rear boundaries border the north of the application site. The dwellings along Raglan Road occupy a higher land level than the application site and mature boundary trees provide a level of screening to large parts of the shared boundary. The rear gardens measure approximately 39m in depth at No. 16, decreasing gradually to approximately 26m at No. 26. The north/rear elevations of the new dwelling on plot 2 would be sited approximately 20m from the rear boundaries of No. 20 to 22 Raglan Road. Plot 3 would be sited between 12.6m and 16m from the rear boundaries of 24 and 26 Raglan Road. It is considered that given the change in levels and separation distances to the boundaries the proposal would not result in an unacceptable impact upon neighbour amenity to 16 to 26 Raglan Road.
- 6.14 Dorandene 42 Alma Road occupies the plot to the south of the development and lies within the RASC. The site is in use as a residential care home. The property has front and rear gardens and increases in gradient to the north east. To the rear of the property there is a patio area immediately to the rear of the house, with steps upwards providing access to a lawned area beyond. The site is bounded by hedging and trees; the rear boundary is largely an evergreen hedge approximately 2.5m high. The proposed south elevation of plot three would be sited 7m from the rear boundary of No. 42. The south elevation would measure 6.2m in width and would have an eaves height of 2.6m. This would be the garage with a catslide roof over, resulting in the lower eaves height than that of the main dwelling.
- 6.15 The existing garden has a shared use by nature of the residential care home. Residents, their friends and family and care workers use the space jointly. The south facing window in the front elevations of plots two and three would be sited approximately 17m from the southern boundary of the site. This level of separation is not considered to give rise to a harmful impact upon amenity in terms of overlooking or loss of privacy and a boundary treatment condition is recommended to provide additional screening. In this regard, given the separation distance, the shared use of the amenity space not providing an exclusively private area and conditions that could be applied, and the proposal is not considered to result in harm in terms of overlooking and loss of privacy to No. 42.
- 6.16 11 Beverley Heights occupies the site immediately to the west of the application site, and is a two storey detached house with the rear garden, orientated north/south. The existing dwelling would be retained in the proposal therefore the existing neighbourly relationship between the application site and this neighbour would be maintained. Plots two and three would be screened from No. 11 by virtue of the existing dwelling. The

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proposal is therefore not considered to result in a harmful impact upon the amenities of this dwelling.

- 6.17 The relationship between plots two and three and the neighbouring properties in Beverley Heights, Alma Road and Raglan Road would be the same as that in the earlier application, where levels of separation were found acceptable by the Planning Inspectorate to avoid harm to neighbour amenity. The relationship between No. 2 Beverley Heights and the application site would be similar to that of the existing and therefore the proposal is not considered to result in a harmful impact upon the amenities of neighbouring dwellings.

Impact on trees

- 6.18 Tree losses are mainly confined to the tree which have been categorised 'C' which have been evaluated adopting the criteria of section 4 and table 1 of British Standard 5837:2012 Trees in relation to design, demolition and construction-Recommendations. The only tree which is lost within the 'B' category is T12 an oak which is approximately 10m in height and is semi mature.
- 6.19 Many of the trees are considered to be of internal landscape value only and public views from outside of trees are limited. There are off site formally protected trees to the north and east of the application site which would not be affected by the proposed development subject to tree protection measures
- 6.20 The loss of trees from within the site can be adequately dealt with by replacement tree planting which can be secured by condition. The Council would require a full 'finalised' arboricultural method statement (AMS and Tree Protection plan) in order to provide sufficient tree protection measures to ensure that those trees being retained can be successfully retained without long lasting damage which may affect their future health and vigour. At this stage of the proposed development there is no information on the design and location of underground services and drainage routes. These matters are normally dealt with post decision and can, if not controlled, lead to irreparable damage to rooting environments. The 'finalised AMS can provide details of such matters and will allow the retained arboricultural consultant to manage and influence these matters so that damage and disturbance to the rooting environments of trees can be minimised.
- 6.21 Arboricultural and landscape conditions are considered to be appropriate and proportionate for the scale of development.

Access and parking

- 6.22 The proposed dwellings would be accessed from Beverley Heights. 3 parking spaces would be provided per dwelling. It is considered that the proposals offer sufficient and practical parking provision on-site such that the proposed development should not exacerbate existing parking stresses.

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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 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 has noted the proposed new access is located at the end of a cul de sac where visibility is good. Visibility at the junction of Beverley Heights with Alma Road exceeds the minimum 2.4m 'x' distance by 43m 'y' distance. Given Beverley Heights and Alma Road are both subject to a 30mph speed limit, this visibility is considered adequate. The County Highway Authority therefore has no highway requirements subject to conditions.

Other matters

6.24 Conflicting with a covenant, loss of a private view and property devaluation are not material planning considerations. Objection was raised on the grounds of setting a precedent; each application must be assessed on its own merits.

6.25 Concern has been raised in general terms regarding the potential for harm to wildlife. Whilst the proposal would result in the redevelopment of a rear garden, it is not considered likely to result in harm to any protected species and none have been alleged to be present. The protected species legislation applies independently of planning permission. With regard to boundary treatments, secured by recommended condition 11 the developer is encouraged to incorporate measures to promote biodiversity and wildlife and to allow wildlife to move into and out of gardens, such as hedgehog friendly gravel boards, where appropriate. Details of the 'wildlife friendly' measures should be identified within the submission of the details for approval and an informative to this effect would be added to the decision.

6.26 The site is not within nor adjacent to a Conservation Area or Metropolitan Green Belt and is not considered to cause harm in this regard.

6.27 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement would be secured by planning condition.

6.28 There is not a planning condition attached to the original planning permission for the development at Beverley Heights (63/478) that prevents subdivision of the plot. The proposal requires planning permission and this is sought through this application.

6.29 Concern has been raised from neighbouring properties regarding flooding and drainage/sewage. The site is located within flood zone 1 and sewage capacity and drainage would be assessed at building control stage. Issues

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of subsidence, digging of foundations and utilities would be dealt with under Building Regulations

- 6.30 The Neighbourhood Services Team have confirmed the refuse collection lorry would not drive into the proposed site and the development will have to provide a presentation point adjacent to the highway for residents to place their bins out for collection. A condition would be attached to a grant of planning permission requiring details be submitted of the proposed waste storage and waste collection point to ensure adequate waste facilities in the interests of the amenities of the area.

Community Infrastructure Levy (CIL)

- 6.31 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 £72,562.

Affordable housing

- 6.32 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.
- 6.33 In view of this, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

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.

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

Plan Type	Reference	Version	Date Received
Arb / Tree Protection Plan	UNNUMBERED		28.10.2019
Arboricultural Plan	UNNUMBERED		23.08.2019
Location Plan	UNNUMBERED		23.08.2019
Elevation Plan	04/PL3	C	23.08.2019
Floor Plan	X01/PL3	E	23.08.2019
Section Plan	05/PL3	B	23.08.2019
Section Plan	05/PL2	A	23.08.2019
Floor Plan	X01/PL2	D	23.08.2019
Elevation Plan	04/PL2	B	23.08.2019
Section Plan	SS02	F	23.08.2019
Block Plan	SP03	A	23.08.2019
Section Plan	SS01	E	23.08.2019
Existing Plans	EX01	A	23.08.2019
Site Layout Plan	SP01	A	23.08.2019
Site Layout Plan	SP02	E	05.09.2019
Proposed Plans	EX02	A	05.11.2019

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 Local Plan Development Management Plan 2019 policy DES1.

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

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Local Plan Development Management Plan 2019 policy DES1.

5. No development shall commence including any partial demolition or groundworks preparation until a detailed, scaled 'finalised' 'Tree Protection Plan (TPP) and the related Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion

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fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of any service routings. The AMS shall also include a pre commencement meeting with the LPA, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. All works shall be carried out in strict accordance with these details when approved.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policies DES1 and NHE3 of the Development Management Plan 2019

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

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

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

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

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies DES1 and NHE3 of the Development Management Plan 2019 and the recommendations within British Standard 5837.

7. No part of the development shall be first occupied unless and until the proposed vehicular access to Beverley Heights has been constructed in accordance with the approved plans and thereafter shall be kept permanently maintained.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives

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of the NPPF (2019), and to satisfy policy TAP1 of the Reigate and Banstead Development Management Plan (2019).

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

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 (2019), and to satisfy policy TAP1 of the Reigate and Banstead Development Management Plan (2019).

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) provision of boundary hoarding behind any visibility zones
 - (e) a condition survey of Beverley Heights before and after demolition of the existing unit and construction of the proposed development with commitment to fund any remedial work on Beverley Heights.
 - (f) measures to prevent the deposit of materials on the highwayhas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF (2019), and to satisfy policies DES8 and TAP1 of the Reigate and Banstead Development Management Plan (2019).

10. 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 recognition of Section 9 “Promoting Sustainable Transport“ in the National Planning Policy Framework 2019 and to meet the objectives of the NPPF (2019), and to satisfy policy TAP1 of the Reigate and Banstead Development Management Plan (2019).

11. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected, including provisions for wildlife access, has been submitted to and approved in writing

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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 Development Management Plan 2019 policy DES1 and NHE3.

12. The first 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 Development Management Plan 2019 policy DES1.

13. The first floor windows in the south elevation of the 13 Beverley Heights 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 Development Management Plan 2019 policy DES1.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (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 Development Management Plan 2019 policy DES1.

15. 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 in accordance with Development Management Plan 2019 policy DES1.

16. The development hereby approved shall not be first occupied unless and until full details (and plans where appropriate) of the waste management collection point, (and pulling distances where applicable), throughout the development

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have been submitted to and approved in writing by the Local Planning Authority.

The waste storage and collection point should be of an adequate size to accommodate the bins and containers required for the dwellings which they are intended to serve in accordance with the Council's guidance contained within Making Space for Waste Management in New Development.

Each dwelling shall be provided with the above facilities in accordance with the approved details prior to occupation of the relevant dwellings.

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage in accordance with Development Management Plan 2019 policy DES1.

17. The development hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:
- a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day
 - b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations

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

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policy CCF1 of the Reigate & Banstead Development Management Plan 2019.

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

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

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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.org.uk.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

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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 before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
7. 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.
8. 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.
9. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

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11. The developer is reminded that it is an offence under the Highways Act 1980 to allow water to discharge from private land onto the public highway and therefore a means within the private land to prevent private water from entering the highway should be provided.
12. With regard to boundary treatments, secured by recommended condition 11 the developer is encouraged to incorporate measures to promote biodiversity and wildlife and to allow wildlife to move into and out of gardens, such as hedgehog friendly gravel boards, where appropriate. Details of the 'wildlife friendly' measures should be identified within the submission of the details for approval.
13. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837
14. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement 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.

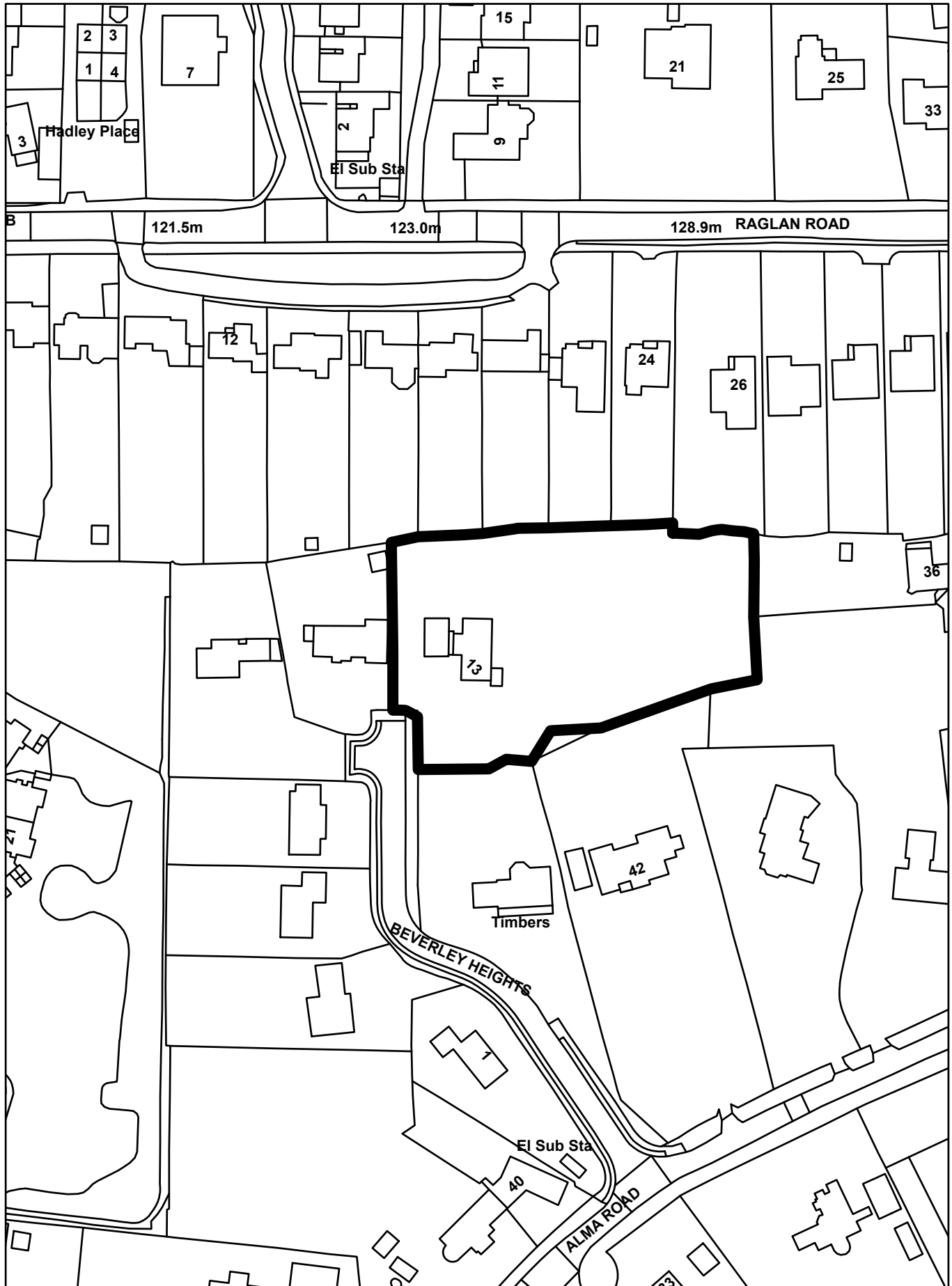
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1, DES2, DES3, DES4, DES5, DES8, TAP1, CCF1, INF3, NHE3 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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REV	DESCRIPTION	DATE	DRN	CHK
A	GENERAL REVISIONS	15/8/19	LW	

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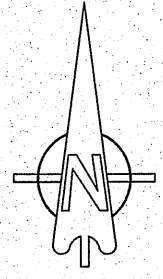
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FOR
 MR & MRS. BATES

SITE
 13 BEVERLEY HEIGHTS,
 REIGATE, SURREY, RH2 0DL

TITLE
**PROPOSED
 BLOCK PLAN**

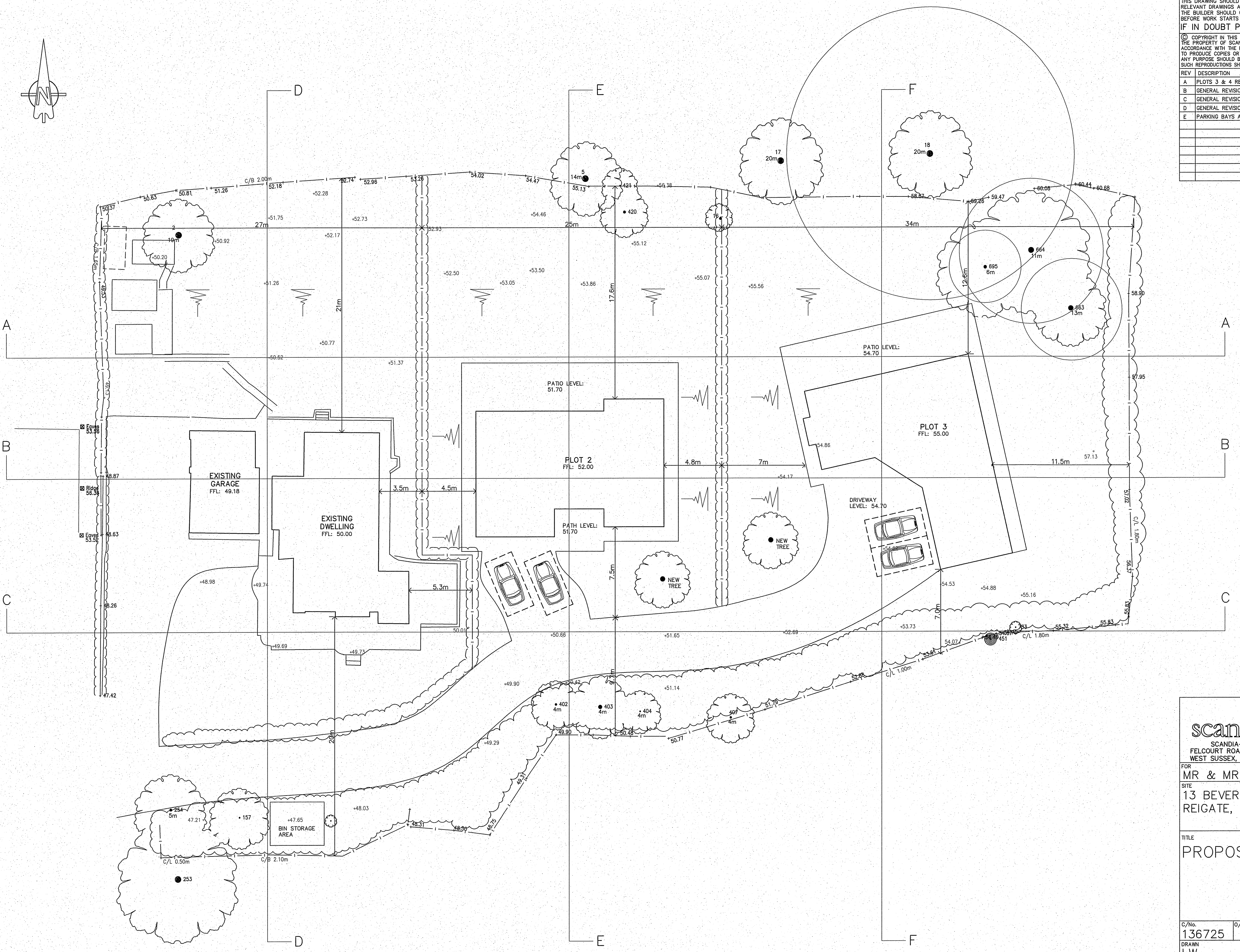
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DATE 2/19	REV A	



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REV	DESCRIPTION	DATE	DRN	CHK
A	PLOTS 3 & 4 REVISED	22/8/18	LW	
B	GENERAL REVISIONS	5/9/18	LW	
C	GENERAL REVISIONS	2/1/19	LW	
D	GENERAL REVISIONS	15/8/19	LW	
E	PARKING BAYS ADDED	03/09/19	FC	LW

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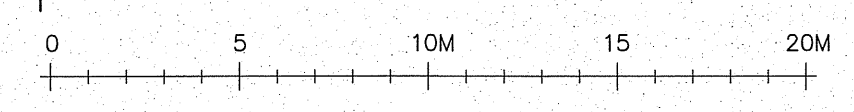
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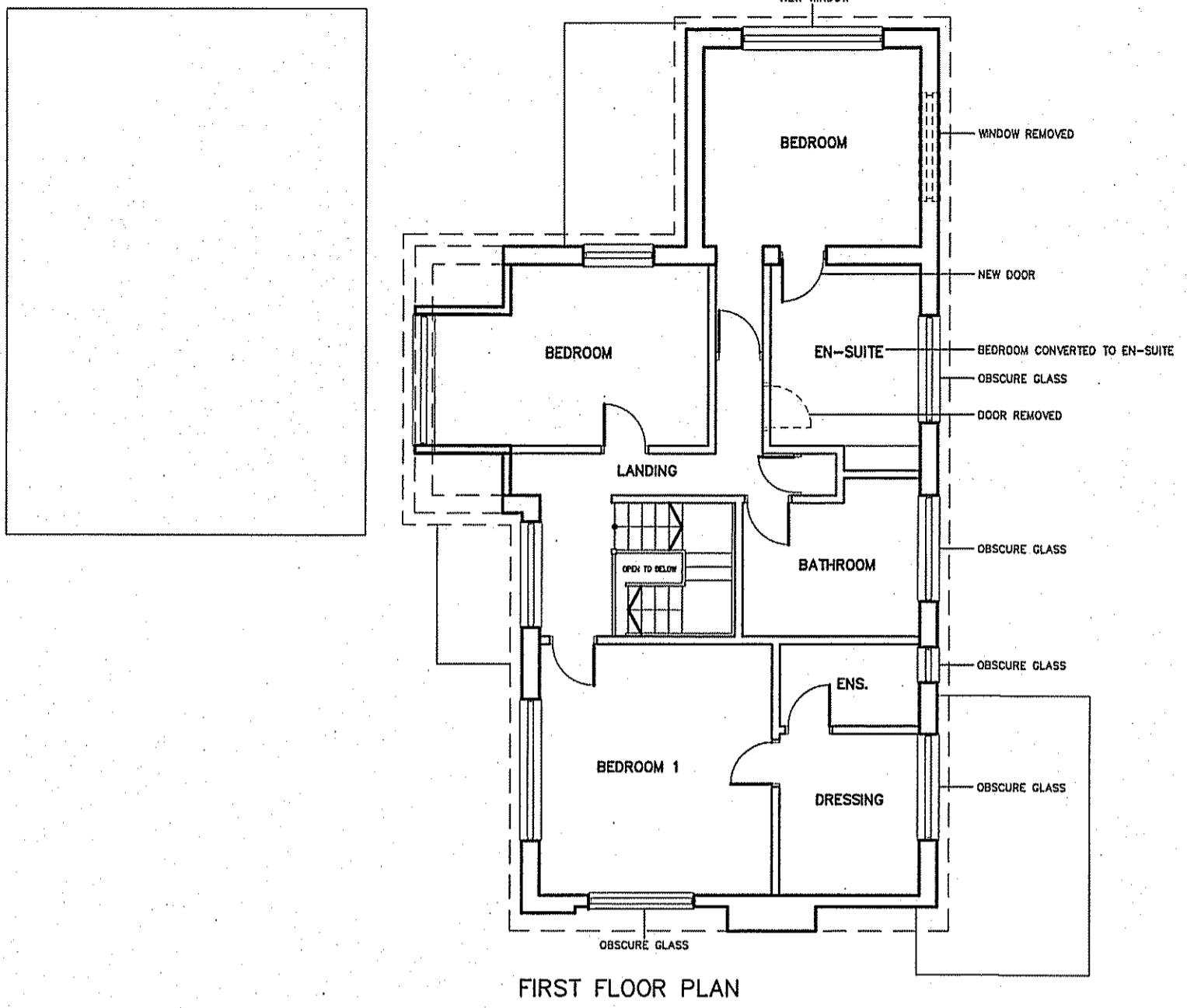
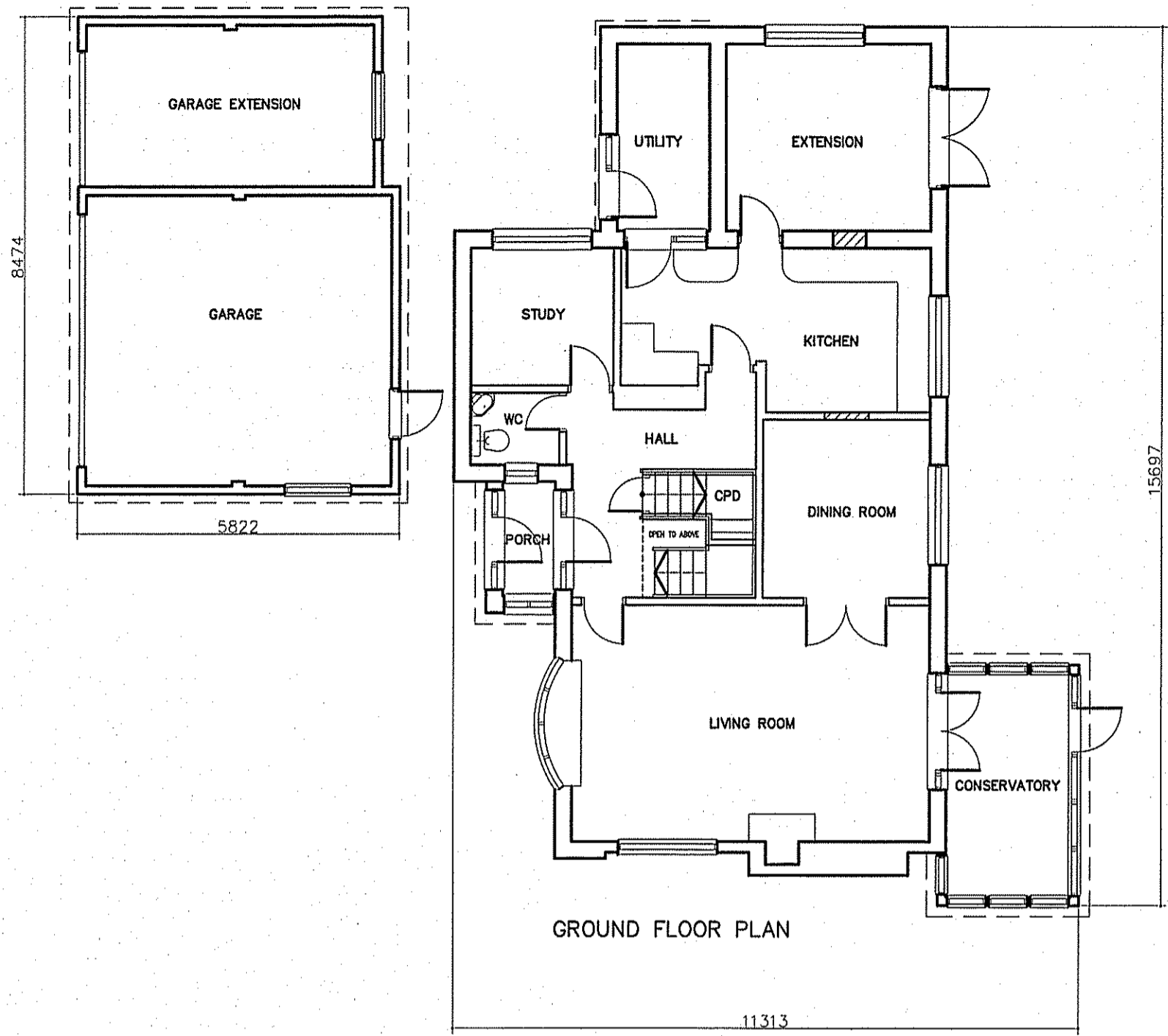
FOR
 MR & MRS BATES

SITE
 13 BEVERLEY HEIGHTS,
 REIGATE, SURREY, RH2 0DL

TITLE
 PROPOSED SITE PLAN

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 DRAWN LW | DRAWING NUMBER SP02
 DATE 8/18 | REV E

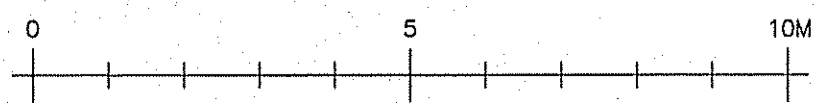
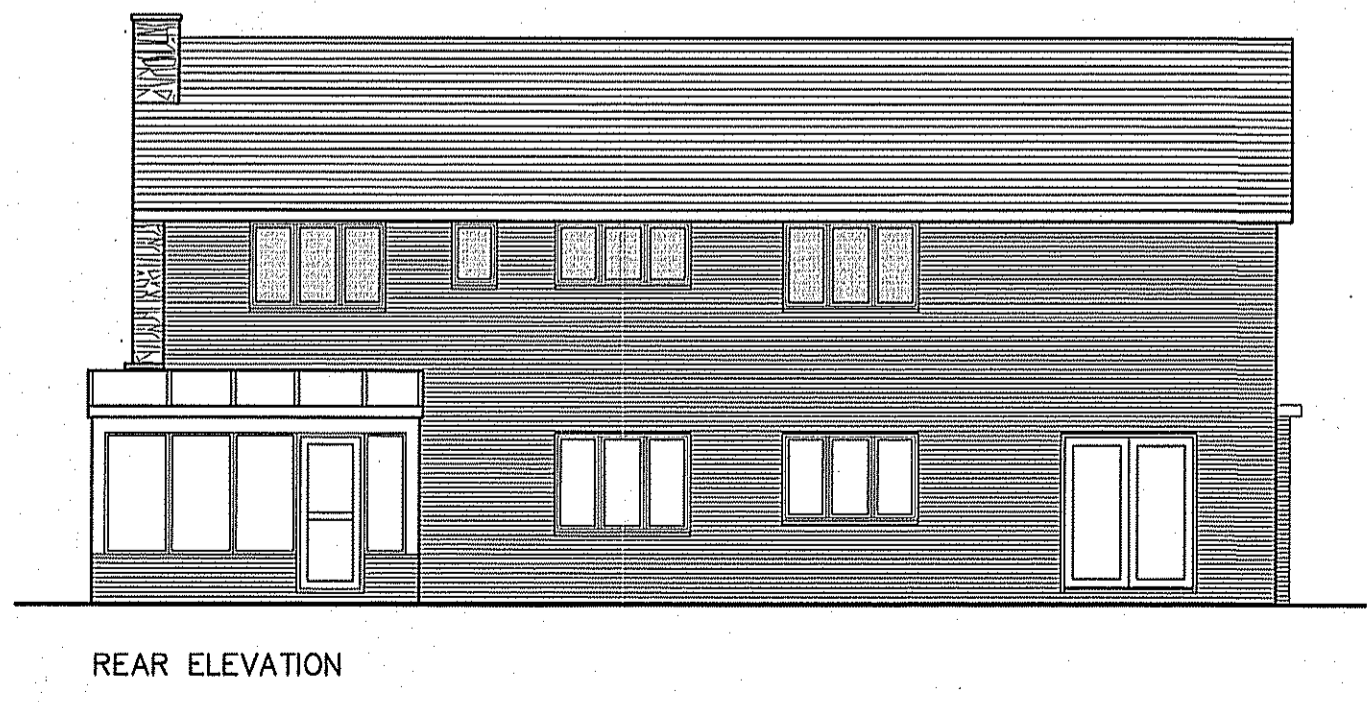
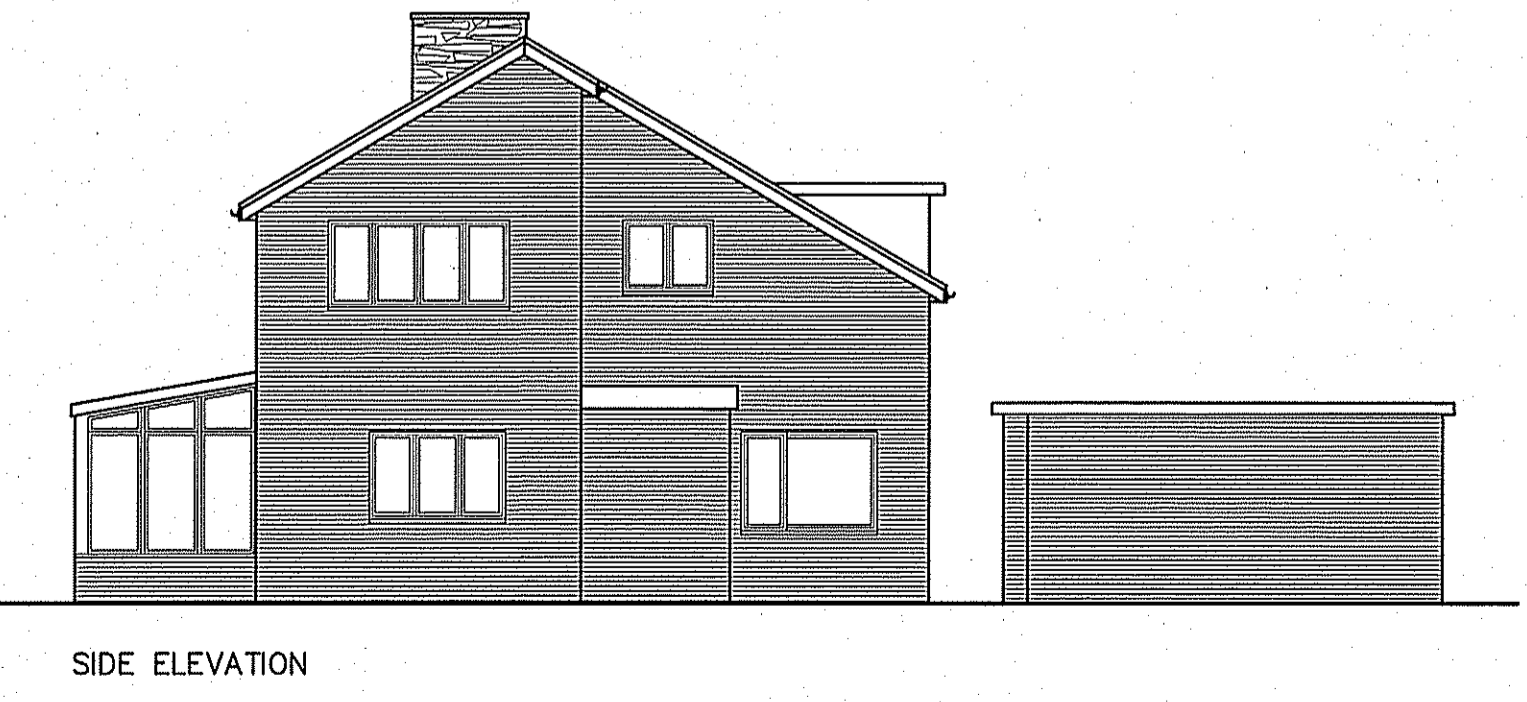
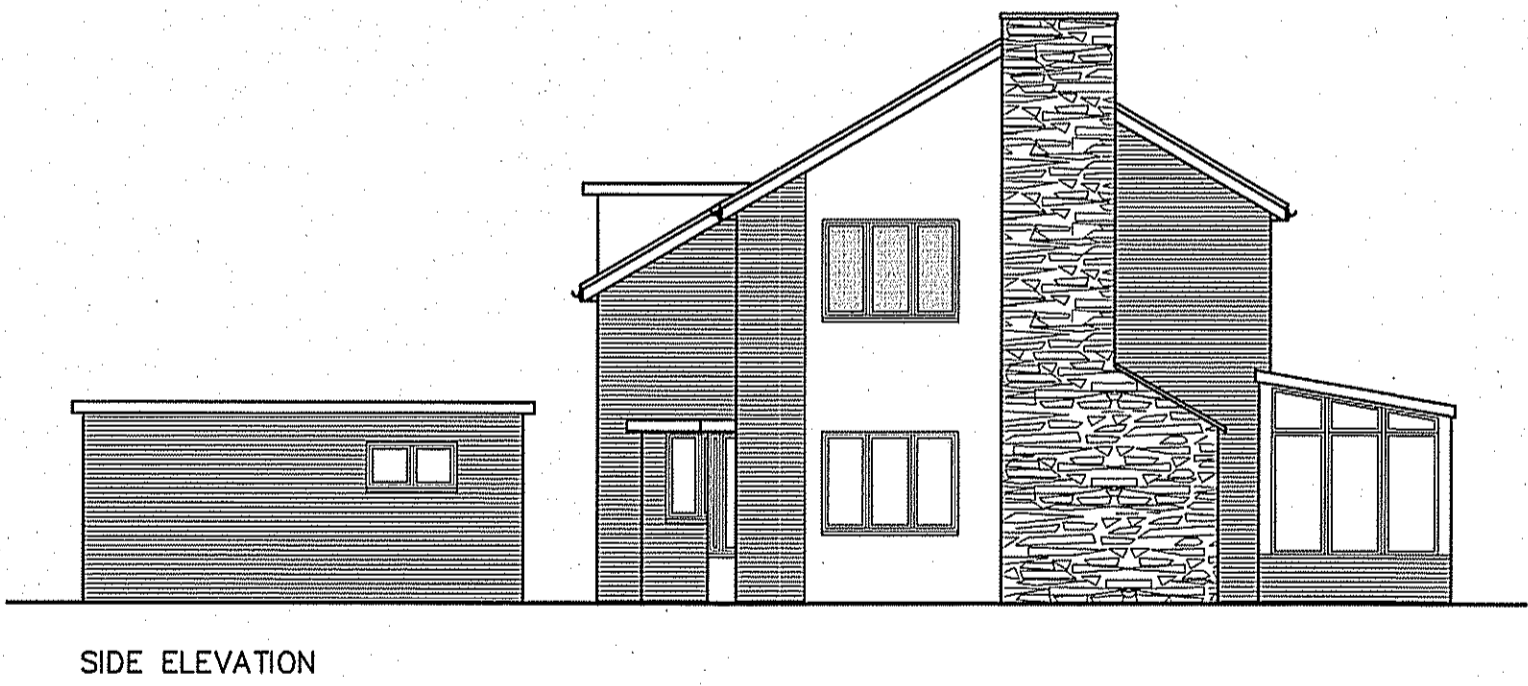
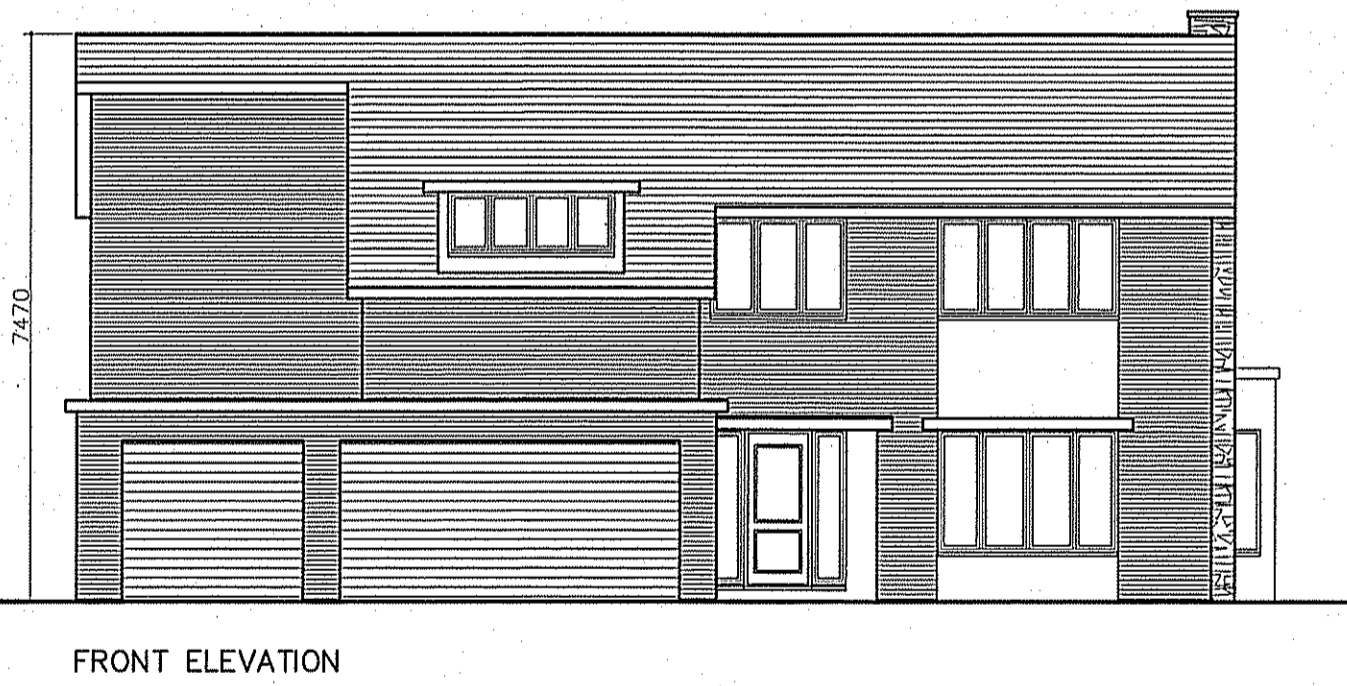




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A	OBSCURE GLAZING ADDED	5/11/19	LH	



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FOR
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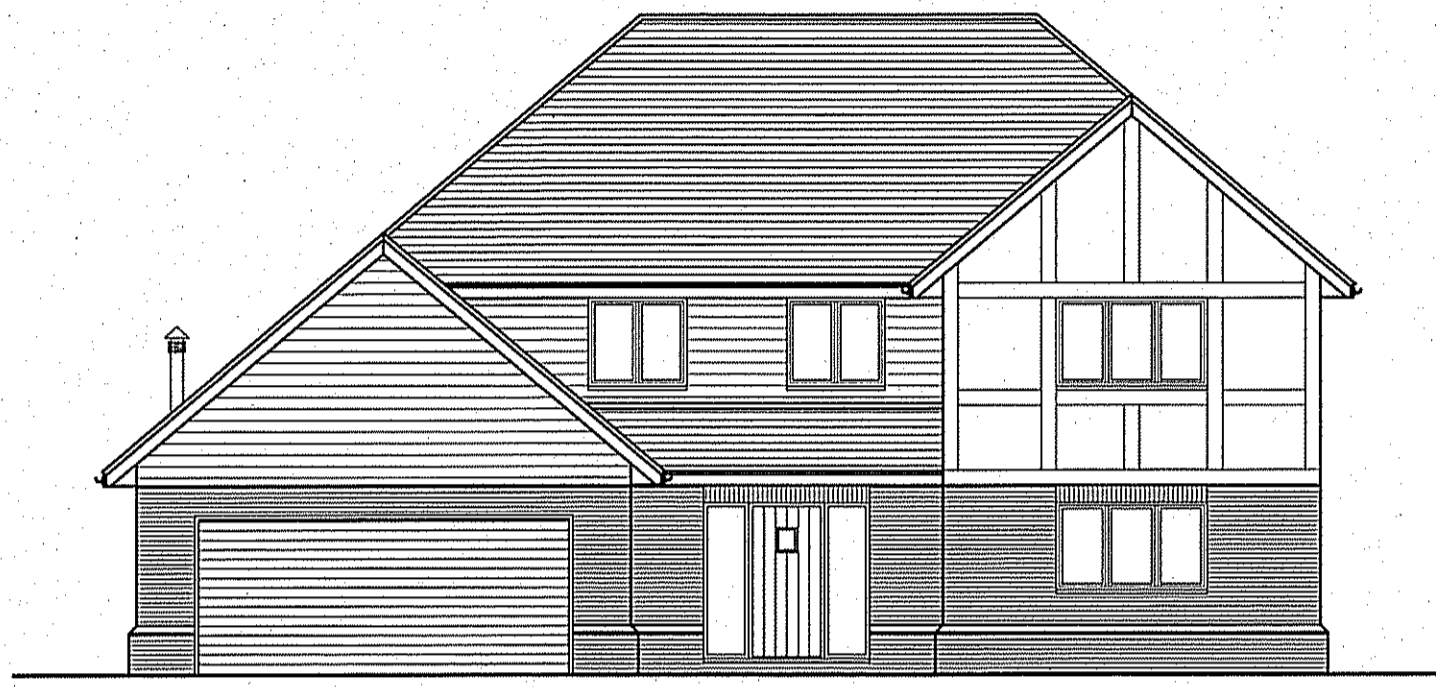
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 ALTERATIONS
 FLOOR PLANS
 & ELEVATIONS**

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DATE 8/19	REV A	

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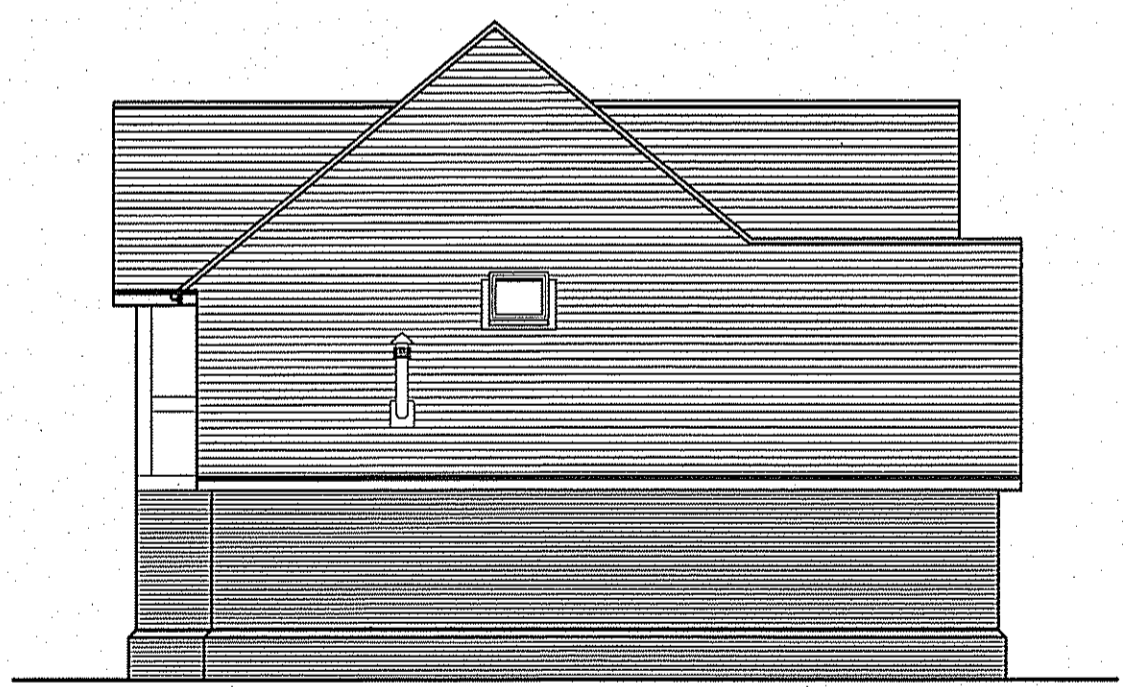
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B	NEW DESIGN SCHEME	5/12/18	LW	



SOUTH-FACING ELEVATION



EAST-FACING ELEVATION



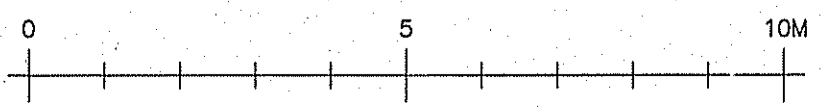
WEST-FACING ELEVATION



NORTH-FACING ELEVATION

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TITLE
 PLOT 2
 PROPOSED DWELLING
 ELEVATIONS

C/No. 136725	D/No.	SCALE 1/100 @A2
DRAWN LW	DRAWING NUMBER 04/ PL2	REV B
DATE 8/18		

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REV	DESCRIPTION	DATE	DRN	CHK
A	NEW SCHEME	22/8/18	LW	
B	GENERAL REVISIONS	28/8/18	LW	
C	NEW DESIGN SCHEME	5/12/18	LW	



WEST-FACING ELEVATION



SOUTH-FACING ELEVATION



NORTH-FACING ELEVATION



EAST-FACING ELEVATION

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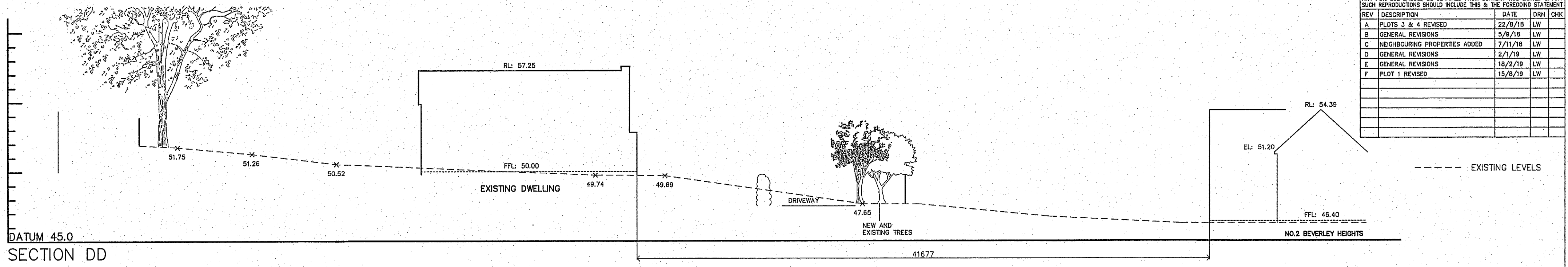
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 PLOT 3
 PROPOSED DWELLING
 ELEVATIONS

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DRAWN LW	DRAWING NUMBER	04/ PL3
DATE 8/18		REV C

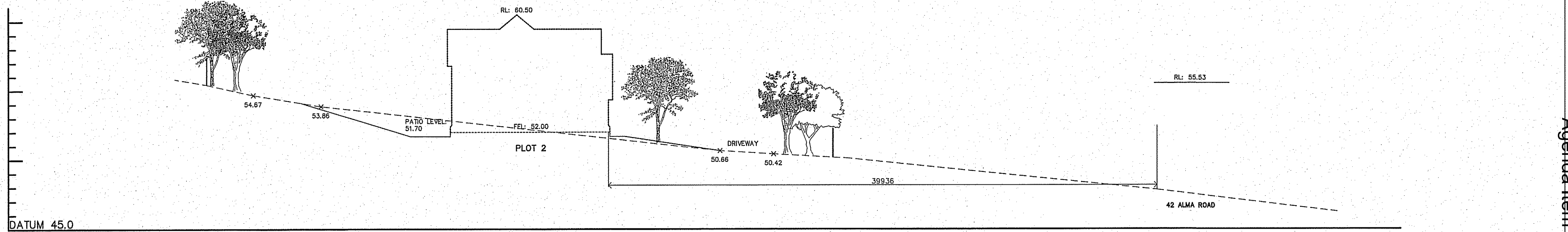
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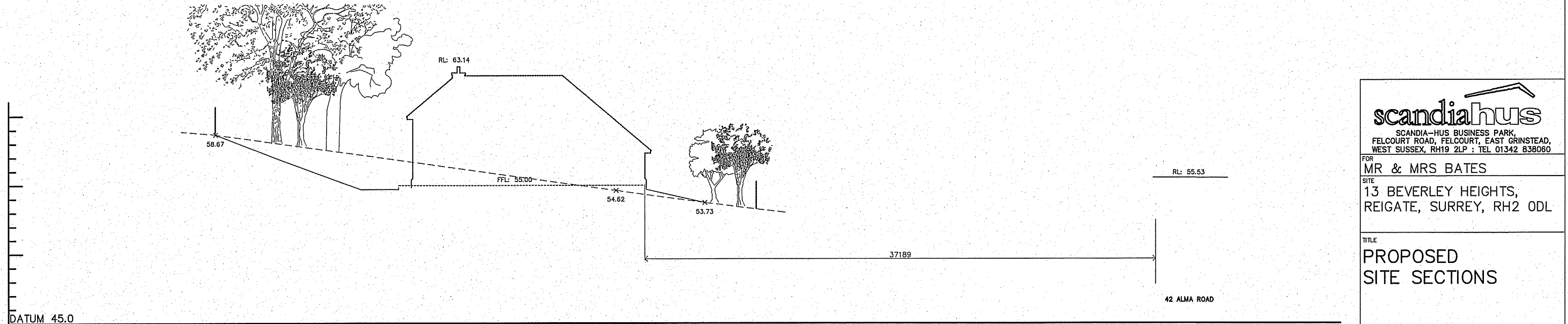
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A	PLOTS 3 & 4 REVISED	22/9/18	LW	
B	GENERAL REVISIONS	5/9/18	LW	
C	NEIGHBOURING PROPERTIES ADDED	7/11/18	LW	
D	GENERAL REVISIONS	2/1/19	LW	
E	GENERAL REVISIONS	18/2/19	LW	
F	PLOT 1 REVISED	15/8/19	LW	



DATUM 45.0
SECTION DD



DATUM 45.0
SECTION EE



DATUM 45.0
SECTION FF

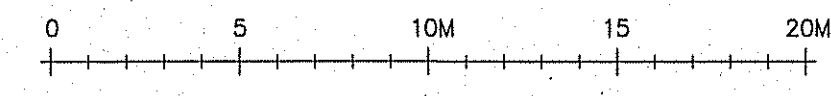
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FOR
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SITE
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 REIGATE, SURREY, RH2 0DL

TITLE
**PROPOSED
 SITE SECTIONS**

C/No. 136725	D/No.	SCALE 1/200 @ A2
DRAWN FC	DRAWING NUMBER SS02	
DATE 8/18	REV F	

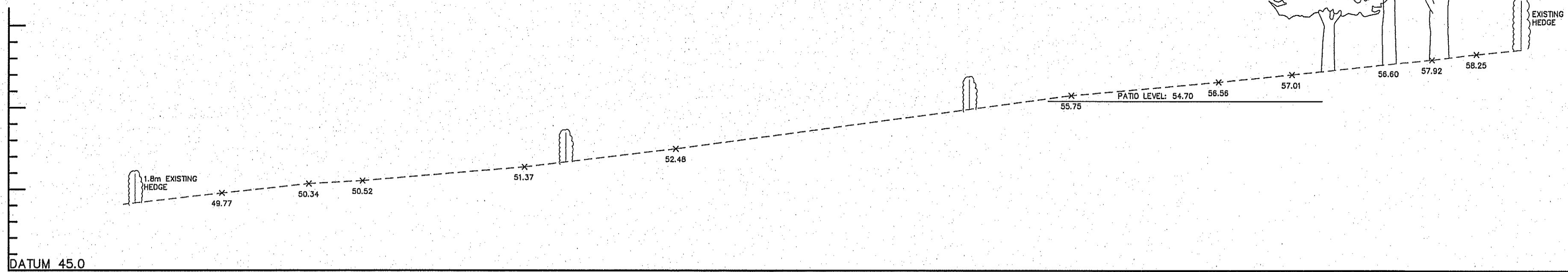


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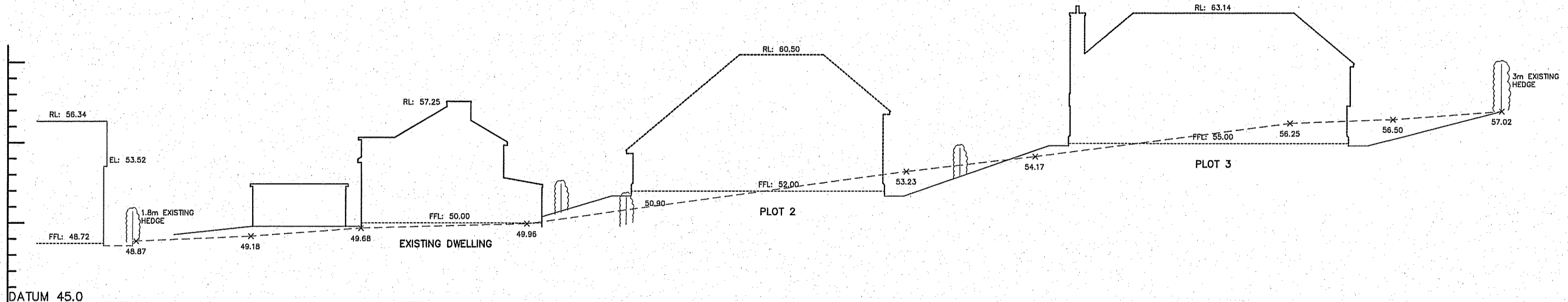
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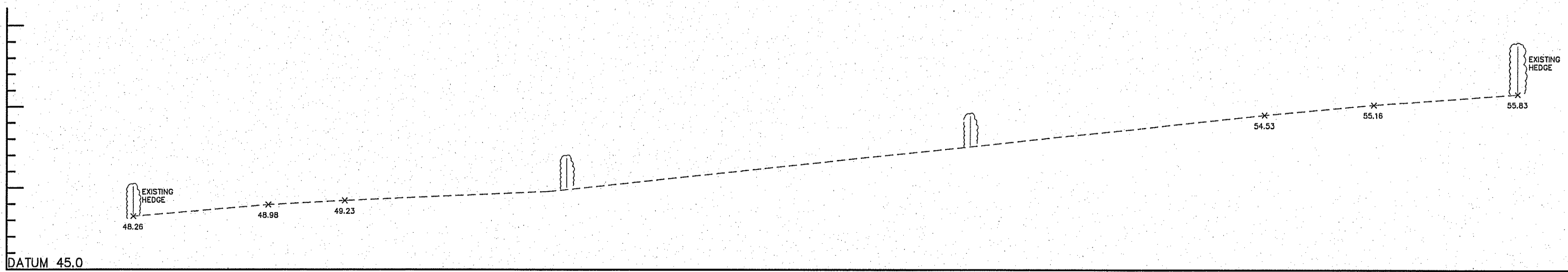
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B	GENERAL REVISIONS	5/9/18	LW	
C	NEIGHBOURING PROPERTY ADDED	7/11/18	LW	
D	GENERAL REVISIONS	2/1/19	LW	
E	PLOT 1 REVISED	15/8/19	LW	



SECTION AA



SECTION BB



SECTION CC

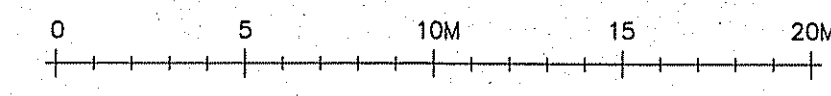
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FOR
 MR & MRS BATES

SITE
 13 BEVERLEY HEIGHTS,
 REIGATE, SURREY, RH2 0DL

TITLE
**PROPOSED
 SITE SECTIONS**

C/No. 136725	D/No.	SCALE 1/200 @ A2
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DATE 8/18	SS01	
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Agenda Item 6

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Agenda Item 7

Planning Committee
27th November 2019

Agenda Item: 7
19/00875/S73

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	27 November 2019
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Lesley Westphal
	TELEPHONE:	01737 276626
	EMAIL:	Lesley.westphal@reigate-banstead.gov.uk
AGENDA ITEM:	7	WARD: Reigate

APPLICATION NUMBER:	19/00875/S73	VALID:	22.05.2019
APPLICANT:	Reigate College	AGENT:	n/a
LOCATION:	REIGATE COLLEGE, CASTLEFIELD ROAD, REIGATE, SURREY RH2 0SD		
DESCRIPTION:	Construction of new 2 – storey business teaching block, part demolition of existing Holmesdale building with new pitched roof to retained part. Variation of condition 8 of permission 03/00711/F which states: No more than 1200 students are permitted on site at any one time.		
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 by Cllr Whinney

SUMMARY

This application proposes the variation of condition 8 attached to a 2003 planning application for extension works to the College, which imposed a limit of 1200 pupils being on the site at any time. In reality it appears that more than 1200 pupils are already, on occasion, on the site and this application seeks to regularise this fact. The application originally proposed the removal of the condition but it has been agreed with the applicant that a new condition be imposed with a limit of 1900 pupils – calculated to be sufficient to accommodate anticipated student numbers resulting from curriculum and student number changes.

The condition was imposed to protect designated urban open land within the College site, although this issue is now addressed by Policy OSR1 of the recently adopted Development Management Plan (2019) .

Additional students attending the College could result in additional impacts upon the surrounding residents, local highways network and character of the area and these concerns have been assessed against the provisions of the Development Plan. The College is on the edge of the Town Centre and in close proximity to the Station. It is not considered that the impacts of additional students using the site would be so significant as to cause harm to the character of the town or resident's amenities.

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Impacts upon the local road network are of great concern to local residents with concerns about highways safety and the lack of on street parking/poor on street parking being expressed. The County Highway Authority initially raised concerns about additional students on site, but have now agreed a Travel Plan. It is considered the Plan would comply with the County Highways Travel Plan Guidance and would sufficiently mitigate impacts as to now raise no objection on highways grounds.

The area surrounding the site includes a variety of characters and includes part of two Conservation Areas. The scheme is not considered to adversely affect the towns historic environment with no objection raised by the Councils Conservation officer.

It is considered that sufficient policy safeguards exist to protect the designated urban open land within the site from unacceptable development proposals.

No objections have been raised by any of the consultees and overall it is considered that the amended wording of the condition to restrict the number of students to 1900 students would be acceptable and that the scheme would not have a harmful impact upon the character and amenities of the area.

RECOMMENDATION(S)

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

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Consultations:

Highway Authority:

Confirm that the scheme would result in more students on site, but following the submission of a revised and acceptable Travel Plan no objection is raised.

County Education Authority:

Advise verbally that although the College receives no funding from the Authority that it is a successful College, offering courses that respond to student demand/need and that this application is supported. The Education Authority is under obligation to ensure sufficient places for sixth form students across its area and the College forms part of that provision.

Heritage Conservation Group: Archaeology: No objections

Representations:

Letters were sent to neighbouring properties on 24th May 2019, a site notice was posted 17th June 2019 and advertised in local press on 29th May 2019.

15 responses have been received raising the following issues:

Issue	Response
Hazard to Highway Safety	See paragraphs 6.11- 6.17
Inadequate Parking	See paragraphs 6.11 – 6.17
Increase in traffic and congestion	See paragraphs 6.11 – 6.17
Overbearing Relationship	See paragraph 6.19
Overdevelopment	See paragraph 6.19
Impact Upon Local Amenities	See paragraph 6.6 - 6.10

1.0 Site and Character Appraisal

- 1.1 The site comprises the Reigate College campus, situated within the built confines of Reigate and part of which is within the Reigate Town Centre and Chart Lane Conservation Areas. The building works to which this application relate have been implemented.
- 1.2 The College is sited between Castlefield Road and Rushworth Road with vehicular access into the site from both roads. The main car park lies to the rear of the College and is accessed via Rushworth Road. The campus lies in close proximity to both residential uses (predominantly to the north and east of the College) and commercial uses (predominantly to the east and south of the College.) The site lies outside but on the edge of the identified Reigate Town Centre.

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2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Local Planning Authority, therefore no improvements could be secured at the pre-application stage.
- 2.2 Improvements secured during the course of the application: The applicant has agreed to the imposition of a new condition restricting the number of pupils permitted on site at any one time and a policy compliant Travel Plan has been secured.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|--------------|---|-----------------------|
| 3.1 | 00/09540/OUT | Construction of new two storey teaching block | Granted
6.12.2000 |
| 3.2 | 01/01939/F | Erection of two storey teaching facility | 10.10.2001 |
| 3.3 | 02/01325/F | Construction of 2 storey building, 1 st floor extension on to Holmesdale block and new roof for existing Rushworth building. | Refused
4.12.2002 |
| 3.4 | 03/00711/F | Construction of new 2 storey building, 1st floor extension to existing Holmesdale block + new roof for existing Rushworth building. | Approved
21.5.2003 |
| 3.5 | 05/02713/F | Single storey annexe to refectory | Approved
3.3.06 |
| 3.5 | 12/00416/F | A new three storey building providing student support facilities, additional teaching spaces with associated office, private study, toilet and plant areas. | Refused
25.5.12 |
| 3.6 | 13/00477/F | Single storey extension to refectory | Approved
14.5.13 |

4.0 Proposal

- 4.1.1 This is a full application seeking to vary the terms of Condition 8 attached to planning application reference 03/00711/F for the Construction of new 2 storey building, 1st floor extension to existing Holmesdale block and a new roof for the existing Rushworth building.

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- 4.2 Condition 8 stated that :
The number of pupils attending the college at any one time shall not exceed 1,200 without the prior written approval of the Local Planning Authority.

Reason:

To control the future development of the site in the interests of safeguarding the Urban Open Land.

- 4.3 The applicant advises that the College can no longer comply with this condition for the following reasons:

- 4.4 *“Since the condition was imposed although the College has had more than 1200 students on roll, we have been able to ensure we could comply with the condition of not having more than 1200 on site at any one time by the way the timetable was constructed.*

- 4.5 *However, a combination of factors is now making this impossible. The College is funded according to how many students are on the roll and whilst funding has reduced, performance levels are expected to be maintained.*

- 4.6 *The College finances would show an end of year deficit if student numbers were maintained or even reduced in order to comply with this condition since resources, salary levels and utilities etc. continue to increase. The College cannot allow this to happen so more students are enrolled in order to make up some of the shortfall in income.*

- 4.7 *Additionally, changes in the way many courses are now taught, i.e. many BTEC courses being introduced, results in a lot more practical and coursework being undertaken meaning that there has to be more contact time between lecturers and students. The knock on effect is that students will be on site more often since they need to spend a lot more time working independently meaning they will spend a lot more time in our Independent Learning Centres on PC's when not in lessons. This increases the number of students on site.*

- 4.8 *The unreliability and reduction in services of many public transport routes means students tend to either travel in earlier than their lessons start or have to stay beyond their last lesson and this increases the numbers on site at any one time.*

- 4.9 *Reigate College is rated as Outstanding by Ofsted and is regularly rated in the top 5 Sixth Form Colleges in the country based on performance and exam, meaning it is in great demand each year.*

- 4.10 *This planning condition severely restricts the College's ability to remain financially viable and successful and if it is not removed the College will lose its Outstanding Ofsted rating as the finances would be showing as in deficit and this would eventually lead to the College being taken into what is known as 'special measures' by the funding body which in turn would lead to the complete demise of Reigate College.*

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4.11 *The variation of the condition will allow the College to continue to thrive as much as possible in the current financial climate”.*

4.12 Concern has been expressed by residents at the College’s inability to precisely monitor the number of students on the campus at any one time and the following information has been submitted which clarifies this issue :

“If we are thought of us as a school we would have every pupil in a lesson for which a register would be taken and each pupil would be in lessons for the whole day so exact numbers would be easy to determine.

However, as a college, that is an impossible task. We do carry out a registration process for each lesson so we know exactly how many students are in those but, the nature of a college campus is such that students are not in lessons all day every day. There is a lot of time when they are carrying out independent study in one of our Independent Learning Centres or they may be in one of our Refectories getting something to eat, sitting at one of the external social areas, using a vacant music booth rehearsing, using the College gym etc. etc.

Furthermore, again unlike school pupils, they are able to leave then re-enter the site so there is constant pedestrian traffic in and out of our gates on both the Rushworth and Castlefield sides of the site.

All this means it is absolutely impossible for us to say exactly how many are on site at any one time. We can estimate it based on a number of factors such as the number of students on roll, the timetable, day of the week and time of day but it would never be an exact”

4.13 The revised Travel Plan identifies the following modes of travel to college by students :

Current modes of travel	Year 1 targets
Car (alone) 20%	12%
Bus 34%	37%
Train 25%	26%
Lift 9.5%	10%
Walk 9.5%	11%
Motor Cycle 1%	2%
Bicycle 1%	2%

4.14 The Travel Plan has identified its starting point in terms of means of travel of staff and students and then sets the first years’ targets. Thereafter the progress will be monitored with surveys completed twice per year to monitor any travel changes and based upon those results targets will be set for successive years. The results of the monitoring will be sent to both this Council and to the County Highways Authority. The Travel Plan will apply to staff as well as students. If targets are not met by Year 5 of the Travel Plan then monitoring will continue to year 9.

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5.0 Policy Context

5.1 Designation

Urban area
Urban Open Space
Partly within the Chart Lane and Reigate Town Centre Conservation Areas
Locally Listed Buildings
Are of High Archaeological Potential
Group and individual Tree Preservation Orders

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS7 (Town/Local Centres),
CS10 (Sustainable Development),

5.3 Reigate and Banstead Local Plan: Development Management Plan

OSR1 (Urban OpenSpace)
DES1 (Design of New Development)
TAP1 (Access, parking and servicing)
INF2 (Community facilities)

5.4 Other Material Considerations

National Planning Policy Framework
National Planning Practice Guidance
Supplementary Planning Guidance 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 main issues to consider are:

- Principle of variation to the condition
- Neighbour amenity
- Access and parking
- Impact upon character of the area

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Principle of variation to the condition

- 6.2 The reason for the use of Condition 8 was “To control the future development of the site in the interests of safeguarding the Urban Open Land”. The concerns regarding the number of students was therefore related to the impacts upon open land and the character of the area rather than an ‘in principle’ objection to a particular number of students being on site. This would appear to have been a concern that further student numbers would be likely to rely upon further building works within the site, that would erode the sense of space around the college with a consequent adverse impact upon the character of the surrounding area.
- 6.3 Part of the College campus is designated as Urban Open Space, (that part of the site that lies above the caves at the front of the site adjacent to Castlefield Road). In view of the sensitivity of that part of the site in terms of proximity to locally listed buildings, the Chart Lane Conservation Area and the caves, this area of land is not considered to be at threat of loss or depletion as a result of unacceptable forms of development: sufficient policy protection being in place to protect this space.
- 6.4 The other main area of open green space (undesigned) lies at the rear of the College adjacent to Rushworth Road. Should an application be submitted for further development on this land it would be subject to consideration in the same way as any other unprotected area of open space with the built confines of the town.
- 6.5 Whilst there is clearly a link between the number of students on site and the number and scale of buildings required to accommodate them, existing protections and designations around the site offer sufficient protection to enable the refusal of any scheme considered harmful to the character of the environment. It is considered that the loss or variation of this Condition would not render the site susceptible to otherwise unacceptable levels or forms of development and that subject to consideration of the issues identified below, that its removal or variation is not therefore, in principle, unacceptable.

Neighbour Amenity

- 6.6 Development Management Policy DES1 expects all new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way or overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.7 In terms of the impacts upon the amenities of nearby residents, the variation of condition proposed would not cause any of these identified impacts. However it is clear from residents letters that the College does nevertheless have an impact upon the way in which residents experience their local environment resulting from the number of students in the area and the number of cars seeking to move around and park in the local area. Objections have been received relating to concerns about litter being

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dropped, crime fears, health fears (presumably from pollution) and the level of cars seeking to park (sometimes badly) in the roads close to the College.

- 6.8 Apart from concerns about parking and access other concerns raised by residents relate to the volume of students using the town during the day, the difficulties this can bring when they walk/congregate in large groups, increased litter, crime fears and generally more noise and disturbance arising from a large volume of people using the area.
- 6.9 The College lies on the edge of the Town Centre and close to the station where levels of activity are generally higher. Certainly students' use of the town centre does make the town centre busy particularly at lunchtime, but also brings additional trade to the town and many of its businesses and this has to form part of the overall assessment of impacts of this application.
- 6.10 Concerns about increased crime and litter are not a matter for this application, rather a matter for the Police and the College regarding education about dropping litter within the town. In view of the location of the College on the edge of the busy town centre and the number of students already using the area, in combination with economic benefits for the town, it is not considered that the impacts of the additional students using the town centre and surrounding areas would be so severe as to justify a reason for refusal on the basis of harm to neighbouring amenity.

Access and Parking

- 6.11 Development Management Plan Policy TAP1 requires all types of development to provide safe and convenient access for all road users taking account of cumulative impacts, which would not unnecessarily impede the free flow of traffic, or compromise pedestrians or other transport modes. Traffic resulting from a development must not materially impede traffic congestion on the highway network or increase the risk of accidents.
- 6.12 The National Planning Policy Framework at paragraph 109 confirms that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 6.13 The College advise that the current parking provision on site is as follows:
- | | |
|----------------------------------|-----|
| Staff and visitor parking Spaces | 125 |
| Motorcycle parking Spaces | 30 |
| Secure, bicycle parking Spaces | 40 |
| Disabled parking Spaces | 3 |
- 6.14 In this instance no works are proposed to the highway nor to provide any parking spaces. Concerns expressed regarding the impacts of the scheme upon the highway network and levels of parking are relevant in respect of more students being drawn to the site and how those impacts may be offset by a Travel Plan.

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- 6.15 As a recognition of the impacts that students driving to the college can have and to try to improve the levels of sustainable travel, a Travel Plan has been formulated in conjunction with advice from the County Highways Authority to try to address the number of students driving to college. The College already seeks to discourage students driving to college and the vast majority of students use public transport to get to the college. However it is proposed that the following measures will be adopted, in addition to those already undertaken, to seek to increase the use of public transport:
- Incorporate the travel plan initiative into the tutorial programme (1 session per week) when students discuss college procedures, rules, etc.
 - produce and post posters around the campus drawing attention to the travel plan and sustainable travel options
 - emphasise the need for students car details to be provided to the college, in the event that any concerns arise about badly parked cars for instance the students can be traced and the problems resolved quickly and with minimum fuss
 - encourage those children that can, to share travel with buses serving local schools
 - provide literature at college open evenings providing details of sustainable travel options and the travel plan
 - continue to attend the local residents meetings on a regular basis to discuss any problems arising resulting from the college's impacts.
- 6.16 The County Highways Authority acknowledge a greater numbers of students being drawn to the site, but do not express concern about either highway safety issues nor the requirement for more parking. The College has addressed the potential demand for more parking through the Travel Plan and the impacts such a Plan could have upon the number of cars drawn to the site. A Travel Plan has been agreed and no objections relating to the impact upon the Highways network have therefore been raised.
- 6.17 It is not considered that sufficient evidence exists to demonstrate that the impacts of the proposed variation of condition would result in an unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network would be severe and the application is therefore considered acceptable in this respect.

Impact upon the Character of the Area

- 6.18 The character of the wider area is a combination of the commercial area close to the College, the residential areas and historic environment. Development Management Plan Policy DES1 seeks to ensure that new development respects the character of the surrounding area whilst Policy NHE9 references the preservation and where possible enhancement of the historic environment including the areas character.
- 6.19 Some concerns have been raised by residents regarding the impacts of the buildings which formed part of the original application – however those

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structures have already been built and the objections raised are not relevant to this application

- 6.20 In this instance the effect of the application would be additional numbers of students in and around the site and wider town centre. It is likely that the 1200 pupil number previously identified is already exceeded on occasions – hence the reason for this application. The students travel to the college in a number of different ways from areas all around the town and can get into the College site from two separate directions. Their effects on the town are therefore spread geographically around the town and not just the College site. The site lies on a busy edge of Town Centre site and as student numbers have increased slowly and steadily the town has adapted and its character gradually changed to accommodate increased numbers at the College. It is not consequently considered that it would be possible to identify a noticeable difference in character resulting from additional students, (sometimes potentially already on site) such as to make this scheme unacceptable.
- 6.21 The Councils Conservation Officer has considered this application from a Conservation viewpoint and has no objection.
- 6.22 It is not considered that the impacts of additional student numbers would be significantly harmful to the character of this already busy site and area within the town.

CONDITIONS

1. The number of pupils attending the college at any one time shall not exceed 1,900 without the prior written approval of the Local Planning Authority.

Reason:

To protect the character and amenities of the area in accordance with the provision of Policy DES1 of the Reigate and Banstead Development Management Plan (2019 and the provisions of the National Planning Policy Framework (2019).

2. The approved Travel Plan dated August 2019 shall be implemented in accordance with the phasing details, unless otherwise agreed in writing with the Local Planning Authority in discussion with the County Highways Authority.

Reason: To promote a sustainable means of travel to the site and minimise adverse impacts upon the surrounding area in accordance with the provision of Policy DES1 and TAP1 of the Reigate and Banstead Development Management Plan 2019 and the provisions of the National Planning Policy Framework 2019.

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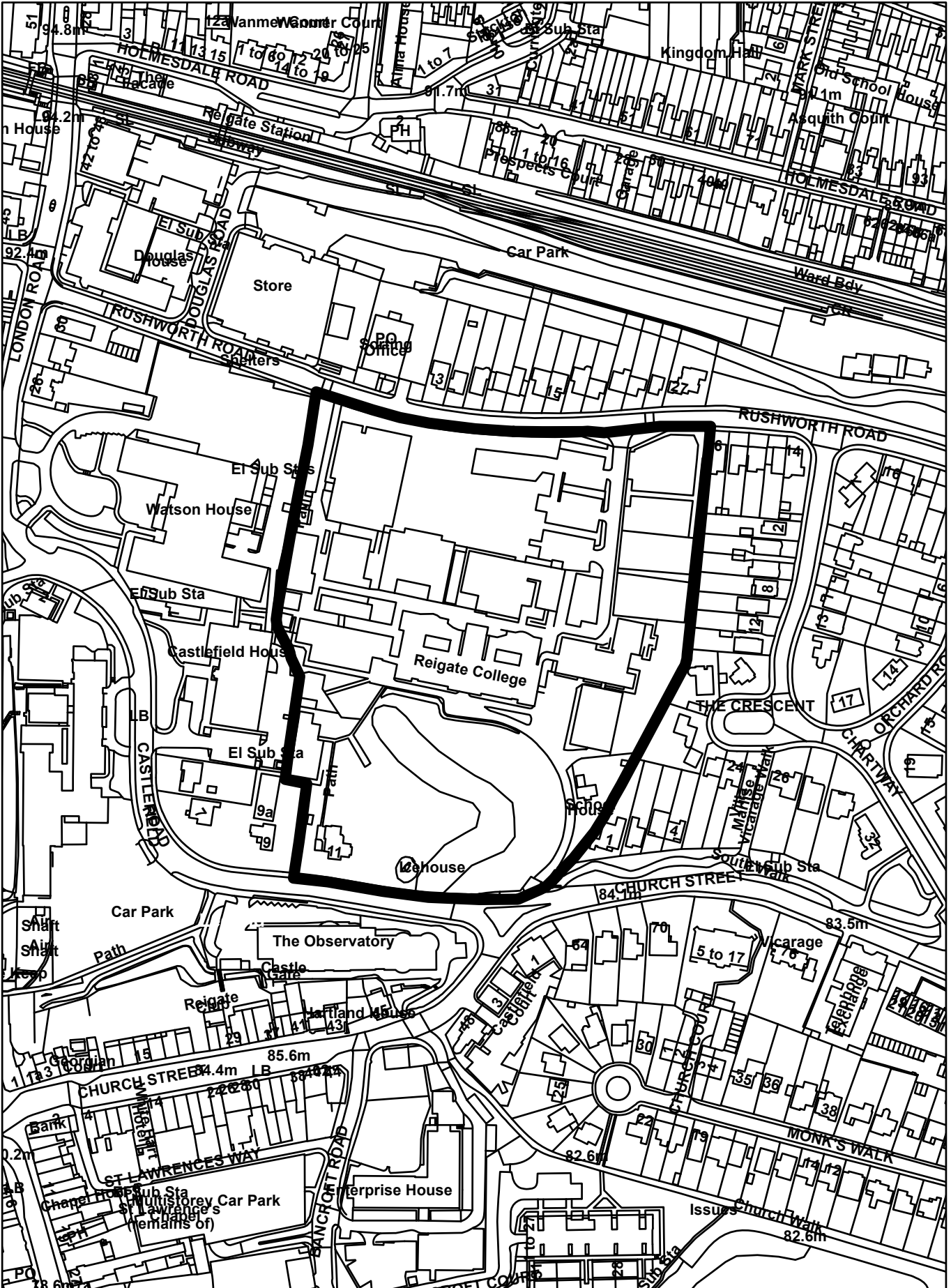
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1,TAP1,OSR1,INF2, 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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